

Board of Commissioners Agenda

January 2, 2024

Nicollet County Government Center Board Room • 501 South Minnesota Avenue, St. Peter, MN 56082

Commissioners: Jack Kolars - Board Chair; Terry Morrow - Vice Chair; Marie Dranttel; Mark Dehen; Kurt Zins

- 9:00 a.m. Call Board of Commissioners Meeting to Order: Chair**
Election of Officers – 2024 Board of Commissioners
a) Chair b) Vice-Chair
1. Pledge of Allegiance
 2. Silence Your Cell Phones
 3. Approval of Agenda
 4. Approval of Consent Agenda:
 - a. [December 12, 2023 Board Minutes](#)
 - b. [2024 Board Meeting and Workshop Schedule](#)
 - c. [2024 North Mankato Library and Bookmobile Contracts](#)
 - d. [2024 Gopher Bounty](#)
 - e. [2024 Solid Waste Collection and Transportation License Applicants](#)
 - f. [Publication of Transportation Advertisement Bids on the Nicollet County Website](#)
 - g. [Resolution Approving the Official Newspaper for Publications in 2024](#)
 - h. [Resolution to Delegate EFT Authority](#)
 - i. [Carver County Juvenile Detention Contract with Blue Earth County](#)
 - j. [End of Probations](#)
 - k. [Approval of Bills](#)
 5. Public Appearances
- 9:05 a.m. 6. Health and Human Services**
a. [2024 Health and Human Services: Execution of Contracts and Agreements](#)
- 9:10 a.m. 7. Public Services**
a. [Resolution to Establish Absentee Ballot Board and County UOCAVA Ballot Board](#)
- 9:15 a.m. 8. Property Services**
a. [December 18, 2023 Planning & Zoning Advisory Commission Meeting:](#)
 - [PLN 23-23 – Valley Asphalt Products](#)
 - [PLN 23-24 – Granby Calf Ranch](#)
 - [PLN 23-25 – Marty & Mary McCabe](#)
 - [PLN 23-26 – Holly Carlson](#)

(continued)

Mission Statement

Providing efficient services with innovation and accountability.

Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.

Core Values

Leadership. Integrity.
Accountability.
Efficiency. Innovation.

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Commissioners: Jack Kolars - Board Chair; Terry Morrow - Vice Chair; Marie Dranttel; Mark Dehen; Kurt Zins

- 9:30 a.m.** 9. Public Works
- a. Consider Award of Bid for Project SP 052-621-031
 - b. Consider Adoption of MAPO ADA Transition Plan Part 1 & Part 7 and Resolution
- 9:50 a.m.** 10. Administration
- a. Resolution Establishing the 2024 Committees, Board Assignments and Meetings that Qualify for a Per Diem Payment
- 10:05 a.m.** 11. County Attorney Update
12. Chair's Report
13. Commissioner Committee Reports, Meetings & Conferences
14. Approve Per Diems and Expenses
15. Adjourn Board of Commissioners Meeting
- 10:10 a.m.** **Call Drainage Authority Meeting to Order: Chair**
- 1. Approval of Agenda
 - 2. Approval of Consent Agenda
 - a. December 12, 2023 Drainage Authority Minutes
 - 3. Public Appearances
- 10:15 a.m.** 4. Public Works
- a. Consider Approval of Culvert Removal Form
 - b. Consider Draft Ditch Repair Report #23-038 for CD 77 LAT 2 Improvement Project
- 10:35 a.m.** 5. Adjourn Drainage Authority Meeting

Notice of Scheduled Meetings

The following is a notice of scheduled meetings. Pursuant to Minnesota Statute 13D.04, this notice of meetings also serves as notice of regular and special meetings of the Nicollet County Board of Commissioners. Questions or comments regarding Nicollet County meetings and requests to participate can be directed to Mandy Landkamer, Nicollet County Administrator, at 507-934-7074 or mandy.landkamer@co.nicollet.mn.us.

(continued)

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Commissioners: Jack Kolars - Board Chair; Terry Morrow - Vice Chair; Marie Dranttel; Mark Dehen; Kurt Zins

Date	Time	Meeting	Location	City & State
January 1	Closed in Observance of the New Year Holiday			
January 2	9:00 am	County Board of Commissioners Meeting	Gov. Center Board Room	St. Peter, MN
January 2	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room	St. Peter, MN
January 11	10:00 am	2024 Area Legislative Meeting	HHS River Rooms	St. Peter, MN
January 15	Closed in Observance of the MLK, Jr. Holiday			
January 16	8:15 am	Individual Dept. Head. Meeting – Facilities/Maintenance	Gov. Center Board Room	St. Peter, MN
January 16	9:30 am	Board Workshop	Gov. Center Board Room	St. Peter, MN
January 22	7:00 pm	Planning & Zoning Advisory Commission / Board of Adjustments & Appeals	Gov. Center Board Room	St. Peter, MN
January 23	9:00 am	County Board of Commissioners Meeting	Gov. Center Board Room	St. Peter, MN
January 23	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room	St. Peter, MN
January 25	8-9:30 am	2024 Pre-Session Legislative Forum	South Central Services Co-op	N. Mankato, MN
January 26	9:00 am	BNCH - Full Board Meeting	1900 Franklin St.	New Ulm, MN

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DECEMBER 12, 2023
OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS

The Nicollet County Board of Commissioners met in regular session on Tuesday, December 12, 2023, at 9:00 a.m. Present at the meeting were Commissioners Kolars, Dranttel, Morrow, Dehen, and Zins. Also present were County Administrator Mandy Landkamer, County Attorney Michelle Zehnder Fischer, and Recording Secretary Sarah Frahm.

Approval of Agenda

Motion by Commissioner Dehen and seconded by Commissioner Zins to approve the agenda. Motion carried with all voting in favor.

Consent Agenda

Motion by Commissioner Dehen and seconded by Commissioner Dranttel to approve the consent agenda items as follows:

1. November 28, 2023 Board Minutes
2. December 7, 2023 Budget and Tax Levy Minutes
3. Consider Out of State Travel: ATTSA Conference
4. Legal Services Contracts January 1, 2024 - December 31, 2024
5. Nicollet County Trails Association Agreement and State Contract
6. Off-Highway Vehicle Grant and Snowmobile Safety Enforcement Grant
7. 2024-25 State of Minnesota- County Child Support Program Interagency Cooperative Agreement
8. Acknowledgment of the Auditor's Warrants and approval of the Commissioner Warrants as presented for the following amounts:
 - a. General Revenue Fund - \$403,304.31;
 - b. Road & Bridge Fund - \$213,154.24;
 - c. Human Services Fund - \$201,069.18

Motion carried with all voting in favor on a roll call vote.

Public Appearances:

There were no public appearances.

Health and Human Services

City, County, Tribal and State Health and Human Services Worker Day Proclamation

Director Sassenberg came before the Board to proclaim Wednesday, December 13, 2023 as County, City, Tribal and State Health and Human Services Worker Day. The proclamation thanks the dedicated HHS workers for their efforts in protecting the vulnerable and providing outstanding services to the people of Nicollet County.

Motion by Commissioner Dehen and seconded by Commissioner Zins to approve the proclamation. Motion carried with all voting in favor.

Veterans Services Van – Request to Sell

Director Sassenberg shared information about the 2006 Ford full-size van used in the Veterans Services Office for transportation to and from the Minneapolis VA Medical Center. Because the average trip transports between one to three veterans, the minivan currently utilized for these trips is sufficient, cost-effective, and preferred by volunteer drivers. Director Sassenberg is seeking permission to sell the van on a government auction site. Any funds received will go into the restricted fund balance for future vehicles for the Veterans Services Office.

Motion by Commissioner Dranttel and seconded by Commissioner Dehen to authorize the sale of the Veterans Services full-size van. The motion carried with all voting in favor on a roll call vote.

County Priorities for Housing Developments and Exceptions to the Foster Care/Community Residential Setting Moratorium

Director Sassenberg shared background information on Minnesota's moratorium on corporate foster care and community residential setting development that began in 2009. In 2021, following an increase in new development, the County implemented a multidisciplinary Housing Committee to assist with developing programs and priorities to meet the needs of Nicollet County residents.

Motion by Commissioner Morrow and seconded by Commissioner Dranttel to approve the County's Identified Housing Priorities and Procedures for the Management of Corporate Foster Care and Community Residential Setting Developments. The motion carried with all voting in favor on a roll call vote.

Property Services

AgBMP Low-Interest Loan Project – Septic Lien

Director Kopet brought forward a resolution for four parcels that utilized the AgBMP low-interest loan program.

Motion by Commissioner Zins and seconded by Commissioner Dehen to approve the AgBMP low-interest loans for 2023. The motion carried with all voting in favor on a roll call vote with 4-0. Commissioner Morrow was unavailable for the vote.

Administration

2024 Elected Officials Compensation and Per Diem Resolution

Administrator Landkamer brought forward a Resolution stating a 3% wage increase for the County Commissioners, salaries for the Sheriff and County Attorney, and setting the per diem rate of \$70 per day.

Motion by Commissioner Dehen and seconded by Commissioner Dranttel to approve the 2024 Elected Officials Compensation and Per Diem Resolution as presented. Motion passed 4-1 on a roll call vote, with Commissioner Zins voting no.

2024 Levy Resolution

Administrator Landkamer presented information on the proposed 2024 Nicollet County Levy. A public meeting was held on December 7, 2023 to receive comments from members of the public on the proposed 2024 Budget and Tax Levy.

Motion by Commissioner Morrow and seconded by Commissioner Dehen to approve the resolution setting the 2024 Nicollet County Levy at \$26,410,973, which is an increase of 3.5% from the previous year. Motion carried with all voting in favor on a roll call vote.

2024 Budget Resolution

Motion by Commissioner Morrow and seconded by Commissioner Dehen to approve the resolution setting the 2024 Nicollet County Budget at \$56,929,105. Motion carried with all voting in favor on a roll call vote.

County Attorney Update:

Attorney Zehnder Fischer discussed the recent outreach in local schools regarding truancy, as rates have been steadily increasing since the beginning of the school year. Brochures were distributed and placed in lobbies of area schools with information about services available to students and common barriers that exist regarding school attendance. The Attorney's office has been involved in ongoing truancy discussions, with schools looking into interventions through the Attorney's office as additional tools to address attendance issues. In the year 2022, the Attorneys Office sent out 82 letters to parents whose children were struggling with truancy issues. From January-November of this year, 216 letters have been sent out. These numbers reflect the effort being made to address the lingering impact of Covid-19 on increased absenteeism in schools.

Chair's Report

- County Board
- Special Board Workshop
- Employee Recognition Reception
- AMC Transportation Meeting
- AMC Annual Meeting
- 2024 Budget and Tax Levy Meeting
- Personnel Committee

Commissioner Committee Reports:

Commissioner Terry Morrow

- County Board
- Special Board Workshop
- Employee Recognition Reception
- AMC District 7 meeting
- HRA Training
- 2024 Budget and Tax Levy Meeting

Commissioner Marie Dranttel

- County Board
- Special Board Workshop
- Employee Recognition Reception

- Ditch Meeting- Gaylord
- 2024 Budget and Tax Levy Meeting
- Personnel Committee

Commissioner Mark Dehen

- County Board
- Special Board Workshop
- Employee Recognition Reception
- Performance Measurement Committee Meeting
- SCHSAC Annual Meeting
- 2024 Budget and Tax Levy Meeting
- Hwy 22 Open House
- MRCI Board Meeting
- Young Professionals Annual Meeting

Commissioner Kurt Zins

- County Board
- Special Board Workshop
- Employee Recognition Reception
- 2024 Budget and Tax Levy Meeting

Approve Per Diems and Expenses

Motion by Commissioner Dehen and seconded by Commissioner Dranttel to approve the expenses and per diems for the meetings noted above during the Commissioner Reports and/or as submitted on approved expense reports, and authorize payment of those expenses and per diems by the Finance Office. Motion carried with all voting in favor.

Chair Kolars recessed the meeting at 9:37 a.m. It was called back to order at 10:00 a.m.

Administration

2024 Fee Schedule Public Hearing and Resolution

Each year, Department Heads review the existing fee schedule and recommend changes as needed. Administrator Landkamer provided details on the fee schedule updates. No comments were made during the public comment portion, and the public hearing was closed.

Motion by Commissioner Dehen and seconded by Commissioner Zins to approve the 2024 Nicollet County Fee Schedule and Resolution as presented. Motion carried 5-0 on a roll call vote.

Finance

Public Hearing for the 2024-2028 Capital Improvement Plan, Resolution and Adoption

Director McCormick provided information on the 2024-2028 Capital Improvement Plan (CIP). The Plan identifies estimated capital expenditures and funding sources for a five-year period. Additionally, having a CIP allows the County Board, Administration, and Department

Heads to make informed financial decisions on the County's capital improvement needs. Chair Kolars opened the meeting to public comment. No comments were received during the public comment portion and the public hearing was closed.

Motion by Commissioner Dehen and seconded by Commissioner Morrow to approve the adoption of the five-year Nicollet County Capital Improvement Plan and attached Resolution. Motion carried with all voting in favor on a roll call vote.

Adjourn

Chair Kolars adjourned the meeting at 10:25 a.m.

JACK KOLARS CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: 2024 Board Meeting and Workshop Schedule		
Primary Originating Division/Dept.: Administration		Meeting Date: 01/02/2024
Contact: Mandy Landkamer	Title: County Administrator	Item Type: Consent Agenda (Select One)
Amount of Time Requested	minutes	
Presenter:	Title:	Attachments: ☒ Yes ☐ No
County Strategy: Collaborative Workplace - sustain the core values of our culture (Select One)		
BACKGROUND/JUSTIFICATION: Minn. Stat. §375.07 states, "The board shall meet at the county seat for the transaction of business on the first Tuesday after the first Monday in January, and may meet on the other days and at other locations within the county it prescribes as necessary for the interested of the county... Sessions shall be called by a majority of the board and the clerk shall give at least ten days' notice of then to each of the commissioners". Attached are the regularly scheduled County Board meetings and workshops for 2024.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No		
If "yes", when? (provide year; mm/dd/yy if known) January 2023		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approve the attached resolution setting the regularly scheduled County Board meeting and workshop schedules for 2024.		
FISCAL IMPACT: Other (Select One) If "Other", specify		FUNDING County Dollars = Other (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		Total



2024 BOARD OF COMMISSIONERS CALENDAR

Board Meetings begin at 9:00 a.m.

Drainage Authority begins following the adjournment of regular Board Meetings.

Workshops begin at 9:30 a.m.

January

- 2 Board & Drainage Authority Meeting
- 16 Workshop
- 23 Board & Drainage Authority Meeting

February

- 7-8 AMC Drainage Conference
- 10-13 NACO Legislative Meeting
- 13 Board & Drainage Authority Meeting
- 20 Workshop
- 21-22 AMC Legislative Meeting
- 27 Board & Drainage Authority Meeting

March

- 12 Board & Drainage Authority Meeting
- 19 Workshop
- 26 Board & Drainage Authority Meeting
- 27-29 AMC Leadership Summit

April

- 9 Board & Drainage Authority Meeting
- 16 Workshop
- 23 Board & Drainage Authority Meeting

May

- 14 Board & Drainage Authority Meeting
- 21 Workshop
- 28 Board & Drainage Authority Meeting

June

- 11 Board & Drainage Authority Meeting
- 17 Board of Appeals & Equalization - 6:30 pm
- 18 Workshop
- 25 Board & Drainage Authority Meeting

July

- 9 Board & Drainage Authority Meeting
- 12-15 NACO Annual Meeting
- 16 Workshop
- 23 Board & Drainage Authority Meeting

August

- 13 Board & Drainage Authority Meeting
- 20 Workshop
- 27 Board & Drainage Authority Meeting

September

- 10 Board & Drainage Authority Meeting
- 11-13 AMC Fall Policy Conference
- 17 Workshop
- 24 Board & Drainage Authority Meeting

October

- 8 Board & Drainage Authority Meeting
- 15 Workshop (Road Tour)
- 22 Board & Drainage Authority Meeting

November

- 12 Board & Drainage Authority Meeting
- 19 Workshop
- 26 Board & Drainage Authority Meeting

December

- 5 Budget & Tax Levy Meeting - 6:30 pm
- 9-11 AMC Annual Conference
- 10 Workshop
- 17 Board & Drainage Authority Meeting



**RESOLUTION APPROVING THE REGULAR
SCHEDULED 2024 COUNTY BOARD
MEETINGS AND WORKSHOPS**

WHEREAS, Minn. Stat. §375.07 states, “The board shall meet at the county seat for the transaction of business on the first Tuesday after the first Monday in January, and may meet on the other days and at other locations within the county it prescribes as necessary for the interests of the county... Sessions shall be called by a majority of the board and the clerk shall give at least ten days’ notice of then to each of the commissioners”; and

WHEREAS, the Nicollet County Board of Commissioners annually schedules regular meetings to vote on items and conduct the business of the county when a quorum of commissioners are present; and

WHEREAS, the Nicollet County Board annually schedules board workshops to discuss items and gather information related to the business of the county but takes no votes or formal action at said workshops.

NOW THEREFORE BE IT RESOLVED, the Nicollet County Board of Commissioners adopts the attached schedule of 2024 County Board meetings and workshops as presented.

BE IT FURTHER RESOLVED, said County Board meetings and workshops may be canceled or rescheduled and additional meetings may be added by a majority of the Board.

Dated this 2nd day of January, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: 2024 North Mankato Library and Bookmobile Contracts		
Primary Originating Division/Dept.: Administration		Meeting Date: 01/02/2024
Contact: Mandy Landkamer	Title: County Administrator	Item Type: Consent Agenda (Select One)
Amount of Time Requested: minutes		
Presenter:	Title:	Attachments: ☒ Yes ☐ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: Attached are the two contracts with North Mankato concerning library and bookmobile services for 2024. North Mankato Library - \$55,044 North Mankato Bookmobile - \$10,000		
Supporting Documents: ☐ Attached ☒ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No		
If "yes", when? (provide year; mm/dd/yy if known) January 3, 2023		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approve the 2024 North Mankato Library and Bookmobile contracts as presented.		
FISCAL IMPACT: Included in current budget (Select One)		
FUNDING County Dollars = \$65,044.00		
If "Other", specify: Other (Select One)		
FTE IMPACT: No FTE change (Select One)		
Total: \$65,044.00		
If "Increase or "Decrease," specify:		
Related Financial/FTE Comments:		

2024 Library Purchase of Services Contract Between Nicollet County and the City of North Mankato

In an effort to continue to provide library service for residents of Nicollet County and the City of North Mankato (City), Nicollet County (County) and the City hereby enter this contract promoting cooperation and coordination of efforts.

I. DEFINITIONS

For purposes of this contract, the following words shall have the following meanings:

Rural Resident - Rural Resident shall be those persons having a residence located outside the corporate limits of the City of North Mankato.

Library Services: Library Services shall mean access to physical facilities and materials that provide reading, audio and computer access to information and as defined in Minnesota Statutes 134.001 Subd 2 and 3.

II. NICOLLET COUNTY WILL:

- Provide to the City of North Mankato the total sum of \$55,044 to be paid quarterly for the provision of library services to the rural areas of Nicollet County.

III. THE CITY OF NORTH MANKATO WILL:

- Provide for complete access to all services that are available to library patrons that reside within the City of North Mankato including access to any programs that may be made available for the term of this contract.
- The City will agree to submit quarterly billings to the County and the County will reimburse the City.

IV. MONITORING AND REPORTING

- A. The City agrees to maintain records relating to contractual library services provided.
- B. The City, as deemed necessary by the County shall allow the County or appropriate State Agency, including the Office of the State Auditor, access to the City's contractual library service records at reasonable hours.
- C. The City will furnish information regarding contractual library services as requested by the County.
- D. The City will maintain and make available records pertaining to contractual library services for six years for audit purposes.

V. RECORDS AND INSPECTION

The City shall maintain full and accurate records with respect to all matters covered under this Contract. Pursuant to Minn. Statute 16B.06, Subd. 4, the County, and either the Legislature or State Auditor, as appropriate, shall have, at all proper times, the right to inspect, examine and audit the books, records, documents and accounting procedures and practices of the City relevant to this Contract.

VI. PERSONNEL

The City shall secure, at its own expense, any and all personnel required in performing the services under this Contract. Any and all personnel engaged in the work shall be fully qualified to perform the services under the Contract.

VII. INDEMNIFICATION / INSURANCE

- A. Indemnification. The City shall defend and save the County harmless from any claims, demands, actions, or causes of action arising out of any willful or negligent act, or out of any negligent omission on the part of the City, its agents, assignees, or employees in performance of or with relationship to any of the work or services provided to be performed by the City under the terms of this Contract.
- B. Insurance. The City, further, that in order to protect itself, as well as the County under the indemnity contract set forth above, will, at all times during the term of this Contract, have and keep in force automobile insurance, general liability insurance, and workers' compensation insurance having liability limits which satisfy the requirements of Minn. Statute Chapter 466, entitled Tort Liability of Political Subdivisions, and other applicable statutes requiring insurance coverage.

VIII. EQUAL EMPLOYMENT OPPORTUNITY

In fulfilling this Contract, the City will not discriminate against any employee or applicant for employment because of race, color, creed, religion, national origin, sex, marital status, disability, sexual orientation, or status with regard to public assistance. The City will take affirmative action to ensure that applicants are employed and that employees are treated during employment, without regard to their race, color, creed, religion, national origin, sex, marital status, disability, status with regard to public assistance, sexual orientation, or age.

IX. CONDITIONS OF THE PARTIES OBLIGATIONS

Any alterations, variations, modifications or waivers of provisions of this contract shall be valid only when they have been reduced to writing, duly signed, and attached to the original of this contract.

No claim for services furnished by the City, not specifically provided for in the contract, will be allowed by the County, nor shall the City do any work or furnish any materials not covered by this contract unless this is approved in writing by the County. Such approval shall be considered to be a modification of the contract.

X. MISCELLANEOUS

Entire Contract - It is understood and agreed that the entire contract of the parties is contained herein and that this contract supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof.

XI. TERM

The term of this contract shall be from January 1, 2024 until December 31, 2024. Renewal of this contract subsequent to this time period will be at the sole discretion of the County.

CITY OF NORTH MANKATO



Scott Carlson, Mayor

Date: 12/18/23



Kevin McCann, City Administrator

Date: 12/19/23

NICOLLET COUNTY

Board Chair

Date: _____

Mandy Landkamer, County Administrator

Date: _____

2024 Bookmobile Purchase of Services Contract

Between Nicollet County

and the City of North Mankato

In an effort to continue to provide bookmobile service for residents of Nicollet County, Nicollet County (County) and the City of North Mankato (City) hereby enter into this contract effective January 1, 2024.

I. DEFINITIONS

For the purposes of this contract, the following words shall have the following meanings:

Rural Resident – “Rural Resident” shall be those persons having a residence located outside the corporate limits of the Cities of North Mankato and St. Peter.

Bookmobile Services – “Bookmobile Services” shall mean mobile access to library services as defined in Minnesota Statutes 134.001, Subd. 2 and 3.

II. THE COUNTY WILL

- Provide to the City of North Mankato the total sum of \$10,000 to be paid quarterly for the provision of bookmobile services to the rural residents of Nicollet County.

III. THE CITY OF NORTH MANKATO WILL

- Provide bookmobile services to the following locations a minimum of two (2) times per month:
 - Nicollet – ½ day every other week
 - Nicollet – school stop weekly
 - Courtland – Community Center every other week
 - Courtland – school stop weekly
 - Lafayette – stop every other week

The sites listed above are considered the minimum number of stops.

- If these locations change, the City of North Mankato will notify the County.
- Agree to submit quarterly billings to the County, and the County will reimburse the City.

IV. MONITORING AND REPORTING

A. The City agrees to ensure that records relating to bookmobile services provided are maintained.

B. The City, as deemed necessary by the County, shall ensure that personnel of the County or appropriate State Agencies, including the Office of the State Auditor, have access to bookmobile services records at reasonable hours.

C. The City will furnish information regarding bookmobile services as requested by the County.

D. The City will ensure that records pertaining to bookmobile services are available for six years for audit purposes.

V. RECORDS AND INSPECTION

The City shall ensure that full and accurate records with respect to all matters covered under this Contract are maintained. Pursuant to Minnesota Statute 16B.06, Subd. 4, the County, and either the Legislature or State Auditor, as appropriate, shall have, at all proper times, the right to inspect, examine and audit the books, records, documents and accounting procedures and practices regarding the bookmobile as relevant to this Contract.

VI. PERSONNEL

The City shall ensure that all personnel required in performing the services under this Contract are provided. All personnel engaged in the work shall be fully qualified to perform the services of the Contract.

VII. INDEMNIFICATION / INSURANCE

A. Indemnification. The City shall defend and save the County harmless from any claims, demands, actions, or causes of action arising out of any willful or negligent act, or out of any negligent omission on the part of the City, its agents, assignees, or employees in performance of or with relationship to any of the work or services provided to be performed under the terms of this Contract.

B. The City, further, that in order to protect itself, as well as the County under the indemnity contract set forth above, will, at all times during the term of this Contract, ensure that appropriate automobile insurance, general liability insurance, and workers compensation insurance be in force and that such insurance have liability limits which satisfy the requirements of Minnesota Statute Chapter 466, entitled "Tort Liability of Political Subdivisions", and other applicable statutes requiring insurance coverage.

C. Under no circumstances shall a party to this Agreement be required to pay on behalf of itself, or another party, any amounts in excess of the limits of liability established in Minn. Stat. §466 applicable to any third party claim. The statutory limits of liability for some or all of the participating parties may not be added together or stacked to increase the maximum amount of liability for any third party claim.

D. That this section concerning indemnification and defense does not constitute a waiver by any party of limitations on liability provided under Minn. Stat. §466.

VIII. EQUAL EMPLOYMENT OPPORTUNITY AND COMPLIANCE WITH LAWS.

A. In fulfilling this Contract, the City will ensure that individuals are not discriminated against because of race, color, creed, religion, national origin, sex, marital status, disability, sexual orientation, or status with regard to public assistance.

B. The City shall at all times comply with all laws and rules which govern a public entity in the State of Minnesota.

IX. CONDITIONS OF THE PARTIES OBLIGATIONS

Any alterations, variations, modifications or waivers of provisions of this contract shall be valid only when they have been reduced to writing, duly signed, and attached to the original of this contract.

No claim for services furnished by the City, not specifically provided for in the Contract, will be allowed by the County, nor shall the City do any work or furnish any materials not covered by this contract unless this is approved in writing by the County. Such approval shall be considered to be a modification of the Contract.

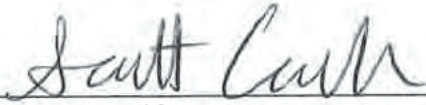
X. MISCELLANEOUS

Entire Contract – It is understood and agreed that the entire Contract of the parties is contained herein and that this Contract supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof.

XI. TERM

The term of this Contract shall be from January 1, 2024 until December 31, 2024. Renewal of this Contract subsequent to this time period will be at the sole discretion of the County.

CITY OF NORTH MANKATO



Scott Carlson, Mayor

Date 12/18/23



Kevin McCann, City Administrator

Date 12/19/23

NICOLLET COUNTY

Board Chair

Date _____

Mandy Landkamer, County Administrator

Date _____

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: 2024 Gopher Bounty		
Primary Originating Division/Dept.: Administration Contact: Mandy Landkamer Title: County Administrator Amount of Time Requested minutes Presenter: Title:	Meeting Date: 01/02/2024 Item Type: (Select One) Consent Agenda Attachments: ☒ Yes ☐ No	
County Strategy: (Select One) Programs and Services - deliver value-added quality services		
BACKGROUND/JUSTIFICATION: Minnesota Statute requires counties that wish to pay a gopher bounty to annually set the bounty amount by resolution. Attached is a resolution setting the 2024 bounty at \$1.00/gopher (same as previous years). County bounty payments are a reimbursement to townships who have already paid out a bounty. These are the bounty payments made in previous years: 2019 - \$21 2020 - \$0 2021 - \$0 2022 - \$0 2023 - \$0		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No If "yes", when? (provide year; mm/dd/yy if known) January 2023		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approve the resolution setting the 2024 gopher bounty reimbursement at \$1.00 per gopher.		
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify	FUNDING County Dollars = 0 Other (Select One)	0
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	Total	0



RESOLUTION APPROVING A GOPHER BOUNTY



WHEREAS, Minn. Stat. §348.12 requires that County Boards adopt a resolution annually to offer a bounty for the destruction of gophers, and

WHEREAS, Nicollet County wishes to reimburse any Nicollet County township for payments made for a gopher bounty.

NOW, THEREFORE BE IT RESOLVED, by the Nicollet County Board of Commissioners that Nicollet County shall reimburse any Nicollet County township a bounty of \$1.00 per gopher paid for by a township in 2024.

Dated this 2nd day of January, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: 2024 Solid Waste Collection and Transportation License Applicants						
Primary Originating Division/Dept.: PPSD -Property Services Contact: Kenny Famakinwa Title: Environmental Spec. Amount of Time Requested: minutes Presenter: Title:	Meeting Date: 01/02/2024 Item Type: Consent Agenda (Select One)					
Attachments: ☒ Yes ☐ No						
County Strategy: Programs and Services - deliver value-added quality services (Select One)						
BACKGROUND/JUSTIFICATION: Consideration for approval of the 2024 Nicollet County License Applications for Solid Waste Collection and Transportation for the following companies that wish to offer services in Nicollet County. The application, fee, and required documentation have been received from the following: - Hansen Sanitation, Tami Kopischke, PO Box 9, Kasota MN 56050 - LJP Enterprises, Inc, Jeff Pitcel, 2160 Ringhofer Dr., North Mankato MN 56003 - Clobes Sanitation, John Clobes 403 1st Ave, Fairfax, MN, 55332 - Renville Sibley Sanitation, Bruce Prigge, PO Box 296, Gibbon MN 55335 - River View Sanitation, Rachel Shoen, PO Box 338, New Ulm, MN 56073 - Waste Management, Karyn Block, 739 Beaver Ave, Mankato MN 56001 - West Central Sanitation, Inc, Don Williamson, PO Box 796, Willmar MN 56201 - Dem-Con Companies, Jerome Meyer, 13020 Dem-Con Drive, Shakopee, MN, 55379 - Gaylord Sanitation, Inc., Jess Wibstad, 19 6th St., PO Box 145, Gaylord, MN, 55334 - The Picker-Uppers, Justin Kuch, P.O. Box 638, New Ulm, MN 56073						
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None						
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No If "yes", when? (provide year; mm/dd/yy if known)						
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A						
ACTION REQUESTED: Approval of the ten applicants to offer solid waste collection and transportation services within Nicollet County.						
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> FISCAL IMPACT: Included in current budget (Select One) If "Other", specify: </td> <td style="width: 50%; vertical-align: top;"> FUNDING County Dollars = Other 1,000.00 (Select One) </td> </tr> <tr> <td style="vertical-align: top;"> FTE IMPACT: No FTE change (Select One) </td> <td style="vertical-align: top;"> Total: 1,000.00 </td> </tr> </table>			FISCAL IMPACT: Included in current budget (Select One) If "Other", specify:	FUNDING County Dollars = Other 1,000.00 (Select One)	FTE IMPACT: No FTE change (Select One)	Total: 1,000.00
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify:	FUNDING County Dollars = Other 1,000.00 (Select One)					
FTE IMPACT: No FTE change (Select One)	Total: 1,000.00					
If "Increase or "Decrease," specify: Related Financial/FTE Comments:						

 NICOLLET EST. COUNTY 1853	NICOLLET COUNTY PROPERTY SERVICES DEPARTMENT LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION
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This Application is for licensing year January 1, 2024 through December 31, 2024.
Applications must be postmarked no later than **December 31, 2023**.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: Clobes Sanitation

Contact Person: John Clobes

Business Address: 403 1st Ave NE Fairfax, MN 55332
(City, State) (Zip)

Other Contact Information: (507) 829-6252
(telephone) (FAX) (email)

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 403 1st Ave NE

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
2006 Int'l 9200	20yd	YCD 6361	Rear Load (MCN) / 105

2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade			☐ Residential ☐ Commercial	
Bernadotte (Twp)			☐ Residential ☐ Commercial	
Brighton			☐ Residential ☐ Commercial	
Courtland (Twp)			☐ Residential ☐ Commercial	
Granby			☐ Residential ☐ Commercial	
Lafayette (Twp)	x	x	☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden			☐ Residential ☐ Commercial	
Nicollet (Twp)			☐ Residential ☐ Commercial	
Oshawa			☐ Residential ☐ Commercial	
Ridgely	x	x	☐ Residential ☐ Commercial	
Traverse			☐ Residential ☐ Commercial	
West Newton	x	x	☐ Residential ☐ Commercial	
Bernadotte	x	x	☐ Residential ☐ Commercial	
Courtland			☐ Residential ☐ Commercial	
Klossner			☐ Residential ☐ Commercial	
Lafayette			☐ Residential ☐ Commercial	
Nicollet			☐ Residential ☐ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato			☐ Residential ☐ Commercial	
St. George			☐ Residential ☐ Commercial	
St. Peter			☐ Residential ☐ Commercial	

¹Construction/Demolition/Industrial

If recycling services are offered, please indicate the materials accepted:

☐ Aluminum Cans	☐ Steel/Tin Cans	☐ Other Metal
☐ Clear Glass	☐ Brown Glass	☐ Green Glass
☐ Newsprint Paper	☐ Magazine/Catalog Paper	☐ Office Paper
☐ PET = #1 Plastic	☐ HDPE = #2 Plastic	☐ #3 - #7 Plastic
☐ Cardboard	☐ Paperboard	☐ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.

SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent): Auto-Owners Insurance

Policy Number: [REDACTED]

Dates of Coverage: 4-15-23 to 4-15-24

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.): Clobes, John G.

Doing Business As (if different than your name): Clobes Sanitation

Business Address: 403 1st Ave NE P.O. Box 57

City, State, Zip: Fairfax, MN 55332

Business Phone: (507) 829-6252

SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: Auto-Owners Insurance
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☐ Certificate of Insurance included with application
☒ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☐ Bond included with application
☒ Current Bond on file with Nicollet County

SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.

John D. Chiles
Signature of applicant/licensee

Dated this 4th day of December, 2023

COMPLETION CHECKLIST

- ☐ Completed Application – with signature and date
- ☐ Fee
- ☐ Waste Deposit Disclosure Statement
- ☐ Certification of Compliance Workers' Compensation Coverage
- ☐ Certificate of Liability Insurance (either enclosed or on-file)
- ☐ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners

Waste Disclosure

Minnesota Statute 115A. 9302, requires that the following annual notice be given to Citizens who receive waste collection services:

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other sites. Managing your waste in Minnesota may minimize your potential liability."

All the waste collected by **Clobes Sanitation**, is transported to the following facilities:

Demolition Debris Waste Disposal:

Renville County Landfill
32877 Co Rd 4
Olivia, MN 56277
MPCA Permit # SW-90

Mixed Solid Waste Disposal:

Redwood Renville Regional Solid Waste Authority (RRRSWA)
907 West Bridge St
Redwood Falls, MN 56283
MPCA Permit # SW-664

Lyon County Landfill
2025 200th Ave
Lynd, MN 56157
MPCA Permit # SW-23



NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.
Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: Dem-Con Companies LLC

Contact Person: Jerome Meyer

Business Address: 13020 Demcon Drive Shakopee, MN 55379
(City, State) (Zip)

Other Contact Information: 952-445-5755 dumpsters@dem-con.com
(telephone) (FAX) (email)

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 13020 Demcon Drive, Shakopee MN 55379

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
Western Star 4700 SB	77,000	YCA 0540	Roll Off
Western Star 4700 SB	77,000	YCA 8556	Roll Off
Mack GU813	73,280	YBR 4582	Roll Off
Mack GU813	54,999	YBA 4120	Roll Off

2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade			☐ Residential ☐ Commercial	
Bernadotte (Twp)			☐ Residential ☐ Commercial	
Brighton			☐ Residential ☐ Commercial	
Courtland (Twp)			☐ Residential ☐ Commercial	
Granby			☐ Residential ☐ Commercial	
Lafayette (Twp)			☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden			☐ Residential ☐ Commercial	
Nicollet (Twp)			☐ Residential ☐ Commercial	
Oshawa			☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
Traverse			☐ Residential ☐ Commercial	
West Newton			☐ Residential ☐ Commercial	
Bernadotte			☐ Residential ☐ Commercial	
Courtland			☐ Residential ☐ Commercial	
Klossner			☐ Residential ☐ Commercial	
Lafayette			☐ Residential ☐ Commercial	
Nicollet		X	☐ Residential ☒ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato		X	☐ Residential ☒ Commercial	
St. George			☐ Residential ☐ Commercial	
St. Peter		X	☐ Residential ☒ Commercial	

¹Construction/Demolition/Industrial

If recycling services are offered, please indicate the materials accepted:

☐ Aluminum Cans	☐ Steel/Tin Cans	☐ Other Metal
☐ Clear Glass	☐ Brown Glass	☐ Green Glass
☐ Newsprint Paper	☐ Magazine/Catalog Paper	☐ Office Paper
☐ PET = #1 Plastic	☐ HDPE = #2 Plastic	☐ #3 - #7 Plastic
☐ Cardboard	☐ Paperboard	☐ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

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- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
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1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. All written disclosures must contain the following statement:

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.

SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent): Builders and Contractors WC Fund

Policy Number: [REDACTED]

Dates of Coverage: 07-01-2023 to 07-01-2024

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.): _____

Doing Business As (if different than your name): Dem-Con Companies LLC

Business Address: 13020 Dem-Con Drive

City, State, Zip: Shakopee MN 55379

Business Phone: 952-445-5755

SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: Continental Western Insurance Company
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☐ Certificate of Insurance included with application
☐ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☐ Bond included with application
☒ Current Bond on file with Nicollet County

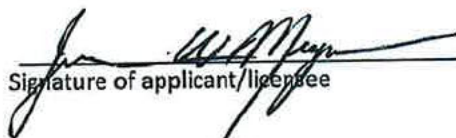
SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.



Signature of applicant/licensee

Dated this 26th day of October, 2023

COMPLETION CHECKLIST

- ☐ Completed Application – with signature and date
- ☐ Fee
- ☐ Waste Deposit Disclosure Statement
- ☐ Certification of Compliance Workers' Compensation Coverage
- ☐ Certificate of Liability Insurance (either enclosed or on-file)
- ☐ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment no later than December 31, 2023 to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/26/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Marsh & McLennan Agency LLC
6160 Golden Hills Drive
Minneapolis
MN 55416

CONTACT

NAME:

PHONE

(A/C, No, Ext):

E-MAIL

ADDRESS:

FAX
(A/C, No):

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Continental Western Insurance Company

10804

INSURER B: Builders & Contractors WC Fund

99999

INSURER C: Nautilus Insurance Company

17370

INSURER D:

INSURER E:

INSURER F:

INSURED
Dem-Con Companies LLC, Dem-Con Materials Recovery LLC
Dem-Con Landfill, LLC, Dem-Con Metal Recycling, LLC, Dem-Con
Recovery & Recycling, LLC
Dem-Con Shingle Processing, LLC;
Shakopee MN 55379

DEMCOCOMP

COVERAGES

CERTIFICATE NUMBER: 823912440

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ 5,000 GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PRO-JECT ☐ LOC OTHER:	Y	Y		12/31/2022	12/31/2023	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$25,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY	Y	Y		12/31/2022	12/31/2023	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
C	☒ UMBRELLA LIAB ☐ EXCESS LIAB DED ☐ RETENTION \$		Y		12/31/2022	12/31/2023	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐	Y		7/1/2023	7/1/2024	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$2,000,000 E.L. DISEASE - EA EMPLOYEE \$2,000,000 E.L. DISEASE - POLICY LIMIT \$2,000,000
A C	Equipment Pollution				12/31/2022 12/31/2022	12/31/2023 12/31/2023	Leased/Rented 125,000 10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Named Insured Continued: General Waste & Recycling, LLC, Dem-Con Trucking, LLC, Dem-Con Dumpsters, LLC, Dem-Con Blaine, LLC, Dem-Con Green Grades, LLC, Dem-Con Landfill Hawick, LLC, Plehal Properties, LLC, Dem-Con Equipment Rental, LLC

CERTIFICATE HOLDER

Nicollet County
501 S Minnesota Avenue
St. Peter MN 56082

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Dem-Con Companies, LLC

Solid Waste Disclosure Statement v. 2022

The Waste Management Act requires that all haulers disclose the destination of your waste. Pursuant to Minnesota Statute 115A9302, Dem-Con hereby discloses that waste collected will be delivered to one of the following facilities during the time period January through December. If an additional facility becomes either a primary facility or an alternative facility during this period, the hauler is required to provide you with updated information within 30 days. In addition, the Minnesota Legislature requires Minnesota haulers to make the following disclosure to their customers:

You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability.

Materials are delivered to the following facilities:

Waste Management

1901 Ames Drive Burnsville, MN 55306
22460 US 169 Elk River, MN 55330
12755 137th St. Glencoe, MN 55336

Dem-Con

13020 Dem-Con Drive Shakopee, MN 55379
3280 9th CT NE Blaine, MN 55449
23451 145th Street NE Hawick, MN 56273

SKB

630 Malcolm Ave. SE Minneapolis, MN 55414
13425 Courthouse Blvd. Rosemount, MN 55068

Republic Pine Bend

2495 117th St. SE Inver Grove Heights, MN 55077

Recycling & Energy Center

100 Red Rock Rd. Newport, MN 55055

HERC

505 N 6th Ave. Minneapolis, MN 55405

Vonco

15301 Sherburne Ave. Becker, MN 55308
1050 33rd Ave. SE Minneapolis, MN 55414

GFL Seven Mile Landfill

8001 Olson Dr. Eau Claire, WI 54703



NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.

Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: Gaylord Sanitation Inc.

Contact Person: Jess Wibstad

Business Address: 19 6th St P.O. Box 145 Gaylord Mn. 55334
(City, State) (Zip)

Other Contact Information: 507-237-2274 (telephone) (FAX) jwibstad@yahoo.com (email)

Minnesota Tax I.D.#: Federal Tax I.D.#:

Vehicle & Container Storage Locations: 19 6th St Gaylord mn.

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
International HV	25 YD	YBW 9988	Rear Load
Mack GR64BR	10-40 YD	YBW 9982	Roll-off
Western Star 4900	10-40 YD	YBZ 0267	Roll-off
Freightliner SD114	32 YD	YBK 0827	Side Loader

2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade			☐ Residential ☐ Commercial	
Bernadotte (Twp)	✓	✓	☐ Residential ☐ Commercial	
Brighton			☐ Residential ☐ Commercial	
Courtland (Twp)			☐ Residential ☐ Commercial	
Granby	✓	✓	☐ Residential ☐ Commercial	
Lafayette (Twp)			☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden	✓	✓	☐ Residential ☐ Commercial	
Nicollet (Twp)			☐ Residential ☐ Commercial	
Oshawa			☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
Traverse			☐ Residential ☐ Commercial	
West Newton			☐ Residential ☐ Commercial	
Bernadotte	✓	✓	☐ Residential ☐ Commercial	
Courtland			☐ Residential ☐ Commercial	
Klossner			☐ Residential ☐ Commercial	
Lafayette	✓	✓	☐ Residential ☐ Commercial	
Nicollet	✓	✓	☐ Residential ☐ Commercial	
Norseland	✓	✓	☐ Residential ☐ Commercial	
North Mankato			☐ Residential ☐ Commercial	
St. George			☐ Residential ☐ Commercial	
St. Peter		✓	☐ Residential ☐ Commercial	

¹Construction/Demolition/Industrial

If recycling services are offered, please indicate the materials accepted:

☒ Aluminum Cans	☒ Steel/Tin Cans	☒ Other Metal
☒ Clear Glass	☒ Brown Glass	☒ Green Glass
☒ Newsprint Paper	☒ Magazine/Catalog Paper	☒ Office Paper
☒ PET = #1 Plastic	☒ HDPE = #2 Plastic	☐ #3 - #7 Plastic
☒ Cardboard	☒ Paperboard	☒ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.

SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent): Secura Ins. Co.

Policy Number: [REDACTED]

Dates of Coverage: 3/9/23 to 3/9/24

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.): Wibstad, Jess, (NMW)

Doing Business As (if different than your name): _____

Business Address: 19 6th St P.O. Box 145

City, State, Zip: Gaylord Mn 55334

Business Phone: 507-237-2274

SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: Secura Ins. Co

2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.

3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☐ Certificate of Insurance included with application
☐ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☐ Bond included with application
☒ Current Bond on file with Nicollet County

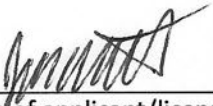
SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.



Signature of applicant/licensee

Dated this 31 day of October, 2023

COMPLETION CHECKLIST

- ☒ **Completed Application – with signature and date**
- ☒ **Fee**
- ☒ **Waste Deposit Disclosure Statement**
- ☒ **Certification of Compliance Workers' Compensation Coverage**
- ☒ **Certificate of Liability Insurance (either enclosed or on-file)**
- ☒ **\$3,000 Performance Bond (either enclosed or on-file)**

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners

Gaylord Sanitation Inc.
PO Box 145
Gaylord MN 55334
507-237-2274
Gaylordsanitationinc@gmail.com

October 24, 2023

You may be responsible for liability that results from contaminations at the facility where your waste has been deposited. Minnesota believes that waste management system provides substantially more financial and environment protection than depositing wastes in landfills in other states. Managing your waste in Minnesota may minimize your potential liability.

Your waste is deposited at Spruce Ridge, Biscay MN, Ponderosa Landfill Mankato MN or Minnesota Waste Processing, Mankato MN.

Gaylord Sanitation Inc.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

10/30/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	CONTACT NAME: Mitchel Wentzlaff
Community Insurance Agency of Gaylord	PHONE (A/C, No, Ext): 5072372710
118 4th Street	FAX (A/C, No):
Gaylord, MN 55334	E-MAIL ADDRESS: mitchel@ciagaylord.com
	INSURER(S) AFFORDING COVERAGE
	INSURER A: SECURA Insurance Companies
	INSURER B: Secura Insurance Companies
	INSURER C: MN Workers Comp.Assigned Risk Plan
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES CERTIFICATE NUMBER: 00001445-396796 REVISION NUMBER: 12

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY				03/09/2023	03/09/2024	EACH OCCURRENCE \$ 1,000,000
	☐ CLAIMS-MADE ☒ OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COM/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY				03/09/2023	03/09/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	☐ ANY AUTO						BODILY INJURY (Per person) \$
	☐ OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
	☒ HIRED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	☒ SCHEDULED AUTOS						
	☒ NON-OWNED AUTOS ONLY						
A	☒ UMBRELLA LIAB				03/09/2023	03/09/2024	EACH OCCURRENCE \$ 1,000,000
	☐ EXCESS LIAB						AGGREGATE \$ 2,000,000
	☒ OCCUR						
	☐ CLAIMS-MADE						
	☒ DED						
	RETENTION \$ 10,000						
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY				03/09/2023	03/09/2024	☒ PER STATUTE ☐ OTH-ER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)						E.L. EACH ACCIDENT \$ 500,000
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$ 500,000
							E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Workers Comp: Owner- Jess Wibstad
Son- Tyler Wibstad

CERTIFICATE HOLDER

CANCELLATION

Nicollet County Solid Waste
501 S Minnesota Ave
Saint Peter, MN 56082

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(MJW)

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NICOLLET
EST. COUNTY 1853

NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE
COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.
Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: Hansen Sanitation Inc

Contact Person: Tami Kopischke

Business Address: P.O. Box 9 Kasota MN 56050
(City, State) (Zip)

Other Contact Information: 507-625-8891 507-934-9344 tami@hansen
(telephone) (FAX) (email)
Sanitation.com

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 34426 - 470 St. Kasota, MN 56050

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
<u>Kenworth 20</u>	<u>63,000</u>	<u>YB 20955</u>	<u>DS-CON</u>
<u>Kenworth 23</u>	<u>63,000</u>		<u>T880</u>
<u>20 Peterbilt</u>	<u>26,000</u>		<u>DS</u>
<u>International 26000</u>	<u>26,000</u>	<u>VAR 3133</u>	<u>DS</u>

8505 1 - 370



2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade	✓	✓	☐ Residential ☐ Commercial	
Bernadotte (Twp)			☐ Residential ☐ Commercial	
Brighton			☐ Residential ☐ Commercial	
Courtland (Twp)			☐ Residential ☐ Commercial	
Granby			☐ Residential ☐ Commercial	
Lafayette (Twp)	✓	✓	☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden			☐ Residential ☐ Commercial	
Nicollet (Twp)	✓	✓	☐ Residential ☐ Commercial	
Oshawa	✓	✓	☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
Traverse	✓	✓	☐ Residential ☐ Commercial	
West Newton			☐ Residential ☐ Commercial	
Bernadotte			☐ Residential ☐ Commercial	
Courtland	✓	✓	☐ Residential ☐ Commercial	
Klossner			☐ Residential ☐ Commercial	
Lafayette			☐ Residential ☐ Commercial	
Nicollet	✓	✓	☐ Residential ☐ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato	✓	✓	☐ Residential ☐ Commercial	
St. George			☐ Residential ☐ Commercial	
St. Peter	✓	✓	☒ Residential ☐ Commercial	

¹Construction/Demolition/Industrial

ESOS 1 - 030



If recycling services are offered, please indicate the materials accepted:

☐ Aluminum Cans	☐ Steel/Tin Cans	☐ Other Metal
☐ Clear Glass	☐ Brown Glass	☐ Green Glass
☐ Newsprint Paper	☐ Magazine/Catalog Paper	☐ Office Paper
☐ PET = #1 Plastic	☐ HDPE = #2 Plastic	☐ #3 - #7 Plastic
☐ Cardboard	☐ Paperboard	☐ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.

8305 7 - 030



SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent): _____

Policy Number: _____

Dates of Coverage: _____ to _____

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.): _____

Doing Business As (if different than your name): _____

Business Address: _____

City, State, Zip: _____

Business Phone: _____

2025 1 - 030



SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: _____
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☒ Certificate of Insurance included with application
☐ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☐ Bond included with application
☒ Current Bond on file with Nicollet County

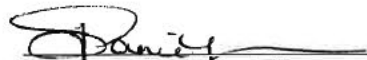
SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.


Signature of applicant/licensee

Dated this 27th day of Nov, 2023

0305 1 - 130



COMPLETION CHECKLIST

- ☐ Completed Application – with signature and date
- ☐ Fee
- ☐ Waste Deposit Disclosure Statement
- ☐ Certification of Compliance Workers' Compensation Coverage
- ☐ Certificate of Liability Insurance (either enclosed or on-file)
- ☐ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

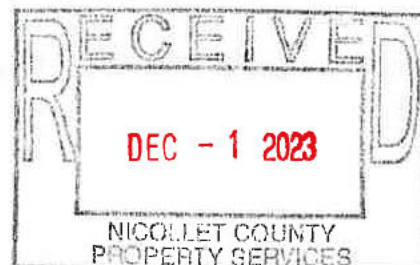
License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners



Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Brufat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One SOLID WASTE HAULER COUNTY OF NICOLLET

bond with bond number 42468008

for HANSEN SANITATION, INC.

as Principal in the penalty amount not to exceed: \$3,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its
Vice President Paul T. Brufat with the corporate seal affixed this 28th day of November, 2022.

ATTEST

P. Leitheiser
P. Leitheiser, Assistant Secretary

By Paul T. Brufat
Paul T. Brufat, Vice President

STATE OF SOUTH DAKOTA

COUNTY OF MINNEHAHA

ss



On this 28th day of November, 2022, before me, a Notary Public, personally appeared
Paul T. Brufat and P. Leitheiser

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President
and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to
be the voluntary act and deed of said Corporation.



M. Bent

Notary Public

My Commission Expires March 2, 2026

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.





Western Surety Company

CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 42468008 briefly described as SOLID WASTE HAULER COUNTY OF NICOLLET for HANSEN SANITATION, INC., as Principal, in the sum of \$ THREE THOUSAND AND NO/100 Dollars, for the term beginning December 31, 2022, and ending December 31, 2023, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 28th day of November, 2022.

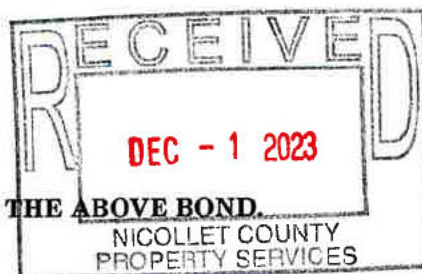


WESTERN SURETY COMPANY

By

Paul T. Bruhat

Paul T. Bruhat, Vice President



THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Waste Deposit Disclosure

Dear Customer:

Your waste is being hauled to the following waste facilities:

S.M.C. Demfill - Mankato, MN. – Permit Number S.W. 452

MN. Waste Processing Co. – Mankato, MN. – Permit # S.W. 452

Ponderosa Landfill – Mankato, MN. – Permit # S.W. 87

Hansen Recycling & Transfer Station – Kasota, MN Permit# SW - 649

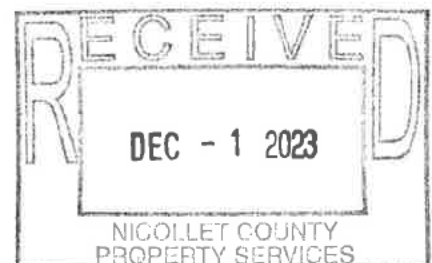
Please Note....

You may be responsible for any liability that may result from contamination at a facility where your waste has been deposited. The State of Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. So managing your waste in Minnesota may minimize your potential liability.

Hansen Sanitation Inc.

PO Box 9

Kasota, MN 56050





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
07/31/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Ross Nesbit Agencies, Inc. 30502 Henderson Station Road P.O. Box 185 Le Sueur MN 56058		CONTACT NAME: Jenna Ehrhart PHONE (A/C, No, Ext): (507) 665-6364 FAX (A/C, No): (507) 665-6532 E-MAIL ADDRESS: jehrhart@nesbitagencies.com	
INSURED Hansen Sanitation Inc PO Box 9 Kasota MN 56050		INSURER(S) AFFORDING COVERAGE INSURER A: Pioneer Specialty Ins Co INSURER B: Midwest Ins Co INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 40312 10895	

COVERAGES **CERTIFICATE NUMBER:** CL2373194131 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:				05/15/2023	05/15/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY				05/15/2023	05/15/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 10,000				05/15/2023	05/15/2024	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000 \$
	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N	N/A		08/11/2022	08/11/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)



CERTIFICATE HOLDER Nicollet County 501 S. Minnesota Ave. St Peter MN 56082	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE
--	--

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NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.

Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: LJP Waste Solutions, LLC

Contact Person: Jesse Samuelson

Business Address: 2160 Ringhofer Dr. North Mankato, MN 56003
(City, State) (Zip)

Other Contact Information: 507-385-3420 507-388-4590 Accounting@LJPEnt.com
(telephone) (FAX) (email)

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 2125 Carlson Dr., North Mankato, MN 56003
2160 Ringhofer Dr., North Mankato, MN 56003

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
<u>Attached</u>			

2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade	yes	yes	☐ Residential ☐ Commercial	
Bernadotte (Twp)			☐ Residential ☐ Commercial	
Brighton			☐ Residential ☐ Commercial	
Courtland (Twp)			☐ Residential ☐ Commercial	
Granby			☐ Residential ☐ Commercial	
Lafayette (Twp)			☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden			☐ Residential ☐ Commercial	
Nicollet (Twp)			☐ Residential ☐ Commercial	
Oshawa			☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
Traverse			☐ Residential ☐ Commercial	
West Newton			☐ Residential ☐ Commercial	
Bernadotte			☐ Residential ☐ Commercial	
Courtland			☐ Residential ☐ Commercial	
Klossner			☐ Residential ☐ Commercial	
Lafayette			☐ Residential ☐ Commercial	
Nicollet			☐ Residential ☐ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato			☐ Residential ☐ Commercial	
St. George			☐ Residential ☐ Commercial	
St. Peter			☐ Residential ☐ Commercial	

¹Construction/Demolition/Industrial

If recycling services are offered, please indicate the materials accepted:

☒ Aluminum Cans	☒ Steel/Tin Cans	☒ Other Metal
☒ Clear Glass	☒ Brown Glass	☒ Green Glass
☒ Newsprint Paper	☒ Magazine/Catalog Paper	☒ Office Paper
☒ PET = #1 Plastic	☒ HDPE = #2 Plastic	☒ #3 - #7 Plastic
☒ Cardboard	☒ Paperboard	☒ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.

SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent): West Bend Mutual Insurance Co.

Policy Number: [REDACTED]

Dates of Coverage: 4/11/23 to 4/11/24

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.): Samuelson, Jesse G.

Doing Business As (if different than your name): LJP Waste Solutions, LLC

Business Address: 2160 Ringhofer Dr.

City, State, Zip: North Mankato, MN 56003

Business Phone: 507-385-3420

SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: Nautilus Insurance Company
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☒ Certificate of Insurance included with application
☐ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☒ Bond included with application
☐ Current Bond on file with Nicollet County

SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.



Signature of applicant/licensee

Dated this 9th day of November, 2023

COMPLETION CHECKLIST

- ☐ Completed Application – with signature and date
- ☐ Fee
- ☐ Waste Deposit Disclosure Statement
- ☐ Certification of Compliance Workers' Compensation Coverage
- ☐ Certificate of Liability Insurance (either enclosed or on-file)
- ☐ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners

LJP WASTE SOLUTIONS L.L.C.
2024 Disclosure Notice

Minnesota Statute 115A.9302, subdivision 1, requires all haulers of solid waste to disclose the final destination for disposal to their customer. Pursuant to this requirement, LJP Waste Solutions L.L.C. disposes of all waste collected at the following facilities:

Minnesota Waste Processing Company
1051 Summit Avenue
Mankato, MN. 56001
Permit #: SW452

Minnesota Paving & Materials
57032 231st. Ln
Mankato, MN. 56001
Permit #: SW387

Ponderosa Landfill
20028 Gooseberry Ln.
Mankato, MN. 56001
MPCA Permit #: SW087

Prairieland Compost Facility
801 E. 5th St. North
Truman, MN. 56088
Permit #: SW357

Endres Processing
13420 Courthouse Blvd.
Rosemount, MN. 55068

WM-Le Sueur Transfer Facility
37701 Ottawa Rd
Le Sueur, MN 56058
Permit#: SW-470

Ramsey/Washington Resource
Recovery Facility
2901 Maxwell Ave.
Newport, MN. 55055
MPCA Permit #: SW286

Fessels Wood Recycling
51608 State Hwy 13
Waterville, MN 56096

SMSC Organics Recycling Facility
1905 Mystic Lake Dr. S
Shakopee, MN 55379
Permit#: PBR000519

Dem-Con Companies
13020 Dem-Con Dr
Shakopee, MN 55379

WM-Central Disposal Facility IA
21265 430th St.
Lake Mills, IA 50450
Permit#: 95-SPD-01-72

LJP Enterprises of North Mankato
2160 Ringhofer Drive
North Mankato, MN 56003
Permit #: SW653

Steele County Landfill
9420 SE 64th Ave.
Blooming Prairie, MN 55917
Permit #: SW131

Rice County Sanitary Landfill
3800 E 145th St
Dundas, MN 55019
Permit #: SW123

In accordance with Minnesota Statutes, the following must be included on all disclosure statements:

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in most other states. Managing your waste responsibility in Minnesota may minimize your personal liability."

As noted above all disposal facilities utilized by LJP Waste Solutions L.L.C. meet all State and Federal requirements.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

4/24/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Commercial Insurance Associates, LLC
103 Powell Court, Ste 200
Brentwood TN 37027

CONTACT NAME: Kathleen Fetterman

PHONE (A/C, No, Ext): 615-515-6000

FAX (A/C, No): 615-515-6001

E-MAIL ADDRESS: k.fetterman@com-ins.com

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Nautilus Insurance Company

17370

INSURER B: Key Risk Insurance Company

10885

INSURER C: West Bend Mutual Insurance Company

15350

INSURER D:

INSURER E:

INSURER F:

INSURED
LJP Waste Solutions, LLC
2160 Ringhofer Dr
North Mankato MN 56003

LJPWAST-01

COVERAGES

CERTIFICATE NUMBER: 798655478

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER:	N	N		4/11/2023	4/11/2024	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$100,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
B	AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	N	N		4/11/2023	4/11/2024	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	UMBRELLA LIAB ☒ OCCUR ☒ EXCESS LIAB ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$	N	N		4/11/2023	4/11/2024	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☐ N/A	N		4/11/2023	4/11/2024	☒ PER STATUTE ☐ OTHER E.L. EACH ACCIDENT \$1,000,000 E.L. DISEASE - EA EMPLOYEE \$1,000,000 E.L. DISEASE - POLICY LIMIT \$1,000,000
A	Pollution Liability				4/11/2023	4/11/2024	Limits of Liability 1,000,000
A	Professional Liability				4/11/2023	4/11/2024	Limit of Liability 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

Nicollet County Treasurer
Nicollet County Auditors Office
501 S. Minnesota Avenue
St Peter MN 56082

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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Nicollet County

VIN	ID#	MAKE	YEAR	LICENSE#	BODY TYPE	CAPACITY	SAFETY INS
2HSCNAPR47C484063	063	International	2007	PAN9989	Day Cab	80,000	Dec-22
3HCDJAPR1HL500954	954	International	2017	PAP7819	Day Cab	80,000	Nov-23
1M1AN4GY6LM015463	463	Mack	2020	PAT6635	Day Cab	80,000	Jun-23
1FUJAEAS13DK79155	155	Freightliner	2003	YTB0961	Day Cab	80,000	Jan-23
1M1AW0243AN011680	680	Freightliner	2011	PAN4581	Day Cab	80,000	Nov-23
3BPZX20X6EF219761	761	Peterbilt	2014	PRZ8861	Front Load	57,000	Apr-23
3BPZL50X3DF179599	599	Peterbilt	2013	YBK20833	Front Load	57,000	Nov-23
3BPZL70X8CF152182	182	Peterbilt	2012	YBN0650	Front Load	57,000	Nov-23
1M2TE2GC6KM001946	946	Mack	2019	YBX0706	Front Load	63,000	Mar-23
1M2TE2GC7LM004145	145	Mack	2020	YBY6182	Front Load	63,000	Mar-23
1FDXF80C9WVA27887	887	Ford	1998	YBC0746	Grapple	33,000	Jan-23
1FVHCYBS68DZ46250	250	Freightliner	2008	YBJ9689	Rear Load	51,000	Oct-23
1FVHCYCY4GHHM0373	373	Freightliner	2016	YBT5970	Rear Load	51,000	Dec-22
1FVACYDC65HU84445	445	Freightliner	2005	YBX8221	Rear Load	51,000	Feb-23
1M2GR2GC6KM004982	982	Mack	2019	4280PRA	Roll-Off	73,280	Aug-23
1NPCL70X7HD415453	453	Peterbilt	2017	7210PRA	Roll-Off	73,280	May-23
1M2GR4TC2MM001405	405	Mack	2021	7492PRA	Roll-Off	67,000	Jan-23
1FVMALCV17DX37433	433	Freightliner	2007	0841PZA	Roll-Off	59,000	Feb-23
1NPCLPOX5ED221323	323	Peterbilt	2014	PRZ7684	Roll-Off	70,000	Sep-23
1FVHC5CV14HM77398	398	Freightliner	2004	YAS1023	Roll-Off	57,000	May-23
1NPCL40X8RD883935	4935	Peterbilt	2024		Roll-Off	63,000	Aug-23
1FVHC5CV36HV96251	251	Freightliner	2006	YAW7417	Roll-Off	57,000	Mar-23
1FVHC3BSXCHBN3069	069	Freightliner	2012	YBJ6448	Side Load	63,000	Jul-23
3BPZL50X3DF179621	621	Peterbilt	2013	YBK4694	Side Load	57,000	Mar-23
1FVHG5CY7GHHH7013	013	Freightliner	2016	YBP2404	Side Load	57,000	Apr-23
3BPDLJ0X4JF191372	372	Peterbilt	2018	YBU7917	Side Load	57,000	May-23
1M2LR2GC8KM002343	343	Mack	2019	YBW9948	Side Load	57,000	Mar-23
3BPDLJ0X3MF111368	368	Peterbilt	2021	YCA7431	Side Load	57,000	May-23
1FVSG3FMXPHUJ1664	4664	Freightliner	2023	0836PZA	Roll-Off	80,000	Nov-23
1M2AX04C7DM014119	4119	Mack	2013	YCC1663	Roll-Off	73,280	Jun-23
1M1AN4GY1NM023280	5280	Mack	2022	PZA3497	Day Cab	80,000	Mar-23
1M1AW0243AN011680	680	Mack	2011	PAN4581	Day Cab	80,000	Nov-23

Old Republic Surety Company
PO Box 1635
Milwaukee, WI 53201-1635

CONTINUATION CERTIFICATE

BOND NUMBER	BOND DESCRIPTION	BOND AMOUNT	EFFECTIVE DATE	EXPIRATION DATE
RLI0588347	Solid Waste Hauler	3,000.00	12/31/2023	12/31/2024

PRINCIPAL

L J P Enterprise, Inc.
2160 Ringhofer Dr

North Mankato, MN 56003-2202

OBLIGEE

County of Nicollet
501 S Minnesota Ave

Saint Peter, MN 56082-2507

ORIGINAL FOR BOND RENEWAL

THIS BOND CONTINUES IN FORCE TO THE ABOVE EXPIRATION DATE CONDITIONED AND PROVIDED THAT THE LOSSES OR RECOVERIES ON IT AND ANY AND ALL ENDORSEMENTS SHALL NEVER EXCEED THE PENALTY SET FORTH IN THE BOND AND WHETHER THE LOSSES OR RECOVERIES ARE WITHIN THE FIRST AND/OR SUBSEQUENT OR WITHIN ANY EXTENSION OR RENEWAL PERIOD, PRESENT, PAST OR FUTURE, ALL OTHER TERMS AND CONDITIONS REMAIN UNCHANGED.

SIGNED AND DATED THIS 29th DAY OF September 2023

0403104

MACKENZIE AGENCY

PO BOX 490160

BLAINE, MN 55449

507-931-4482

Old Republic Surety Company

SURETY

By

ATTORNEY-IN-FACT





OLD REPUBLIC SURETY COMPANY

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That OLD REPUBLIC SURETY COMPANY, a Wisconsin stock insurance corporation, does make, constitute and appoint:

Anne Solomko of Brookfield, WI

its true and lawful Attorney(s)-in-Fact, with full power and authority, not exceeding \$10,000,000, for and on behalf of the company as surety, to execute and deliver and affix the seal of the company thereto (if a seal is required), bonds, undertakings, recognizances or other written obligations in the nature thereof, **(other than bail bonds, bank depository bonds, mortgage deficiency bonds, mortgage guaranty bonds, guarantees of installment paper and note guaranty bonds, self-insurance workers compensation bonds guaranteeing payment of benefits, asbestos abatement contract bonds, waste management bonds, hazardous waste remediation bonds or black lung bonds)**, as follows: Effective Date: 12/31/2023

Bond Number: RLI0588347 Bond Amount: Three Thousand Dollars \$ 3,000.00

Principal Name: L J P Enterprise, Inc.

Obligee Name: County of Nicollet, Minnesota

and to bind OLD REPUBLIC SURETY COMPANY thereby, and all of the acts of said Attorneys-in-Fact, pursuant to these presents, are ratified and confirmed. This appointment is made under and by authority of the board of directors at a special meeting held on February 18, 1982.

This Power of Attorney is signed and sealed by facsimile under and by the authority of the following resolutions adopted by the board of directors of the OLD REPUBLIC SURETY COMPANY on February 18, 1982.

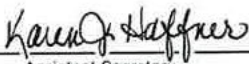
RESOLVED that the president, any vice president or assistant vice president, in conjunction with the secretary or any assistant secretary, may appoint attorneys-in-fact or agents with authority as defined or limited in the instrument evidencing the appointment in each case, for and on behalf of the company to execute and deliver and affix the seal of the company to bonds, undertakings, recognizances, and suretyship obligations of all kinds; and said officers may remove any such attorney-in-fact or agent and revoke any Power of Attorney previously granted to such person.

RESOLVED FURTHER that any bond, undertaking, recognizance, or suretyship obligation shall be valid and binding upon the Company

- (i) when signed by the president, any vice president or assistant vice president, and attested and sealed (if a seal be required) by any secretary or assistant secretary; or
- (ii) when signed by the president, any vice president or assistant vice president, secretary or assistant secretary, and countersigned and sealed (if a seal be required) by a duly authorized attorney-in-fact or agent; or
- (iii) when duly executed and sealed (if a seal be required) by one or more attorneys-in-fact or agents pursuant to and within the limits of the authority evidenced by the Power of Attorney issued by the company to such person or persons.

RESOLVED FURTHER that the signature of any authorized officer and the seal of the company may be affixed by facsimile to any Power of Attorney or certification thereof authorizing the execution and delivery of any bond, undertaking, recognizance, or other suretyship obligations of the company; and such signature and seal when so used shall have the same force and effect as though manually affixed.

IN WITNESS WHEREOF, OLD REPUBLIC SURETY COMPANY has caused these presents to be signed by its proper officer, and its corporate seal to be affixed this 29th day of September, 2023


Assistant Secretary



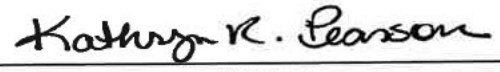
OLD REPUBLIC SURETY COMPANY


President

STATE OF WISCONSIN, COUNTY OF WAUKESHA - SS

On this 29th day of September, 2023, personally came before me, Alan Pavlic and Karen J. Haffner, to me known to be the individuals and officers of the OLD REPUBLIC SURETY COMPANY who executed the above instrument, and they each acknowledged the execution of the same, and being by me duly sworn, did severally depose and say: that they are the said officers of the corporation aforesaid, and that the seal affixed to the above instrument is the seal of the corporation, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority of the board of directors of said corporation.




Notary Public

My Commission Expires: 09/28/2026

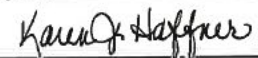
CERTIFICATE

I, the undersigned, assistant secretary of the OLD REPUBLIC SURETY COMPANY, a Wisconsin corporation, CERTIFY that the foregoing and attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolutions of the board of directors set forth in the Power of Attorney, are now in force.

0403104



Signed and sealed at the City of Brookfield, WI this 29th day of September, 2023


Assistant Secretary

 NICOLLET EST. COUNTY 1853	NICOLLET COUNTY PROPERTY SERVICES DEPARTMENT LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION
---	--

This Application is for licensing year January 1, 2024 through December 31, 2024.
Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: RENVILLE SIBLEY SANITATION LLC

Contact Person: BRUCE A. PRIGGE

Business Address: P. O. BOX 296 GIBBON MN 55335
(City, State) (Zip)

Other Contact Information: 507 834 6168 N/A rssbandit@gmail.com
(telephone) (FAX) (email)

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 545 E. MILL RD., GIBBON, MN 55335

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
1990 MACK	30YDS	YBZ 7648	REAR LOAD
2001 STERLING	20YDS	YBX 0264	REAR LOAD
2006 STERLING	20YDS	YBZ 5851	ROLL OFF
2006 STERLING	30YDS	YBZ 7647	FRONT LOAD
2007 AMERICAN LAFRANCE	30YDS	YBZ 0259	SIDE LOAD
2004 STERLING	30YDS	YBZ 0258	FRONT LOAD
2007 ALAFRANCE	30YDS	YCC 8023	SIDE LOAD
2006 AUTOCAR	20YDS	YBZ 5865	SIDE LOAD

2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade			☐ Residential ☐ Commercial	
Bernadotte (Twp)			☐ Residential ☐ Commercial	
Brighton			☐ Residential ☐ Commercial	
Courtland (Twp)	✓	✓	☐ Residential ☒ Commercial	
Granby			☐ Residential ☐ Commercial	
Lafayette (Twp)			☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden	✓	✓	☒ Residential ☐ Commercial	
Nicollet (Twp)			☐ Residential ☐ Commercial	
Oshawa			☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
Traverse			☐ Residential ☐ Commercial	
West Newton			☐ Residential ☐ Commercial	
Bernadotte			☐ Residential ☐ Commercial	
Courtland	✓	✓	☐ Residential ☒ Commercial	
Klossner			☐ Residential ☐ Commercial	
Lafayette	✓	✓	☒ Residential ☒ Commercial	
Nicollet			☐ Residential ☐ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato			☐ Residential ☐ Commercial	
St. George			☐ Residential ☐ Commercial	
St. Peter			☐ Residential ☐ Commercial	

¹Construction/Demolition/Industrial

If recycling services are offered, please indicate the materials accepted:

☒ Aluminum Cans	☒ Steel/Tin Cans	☐ Other Metal
☒ Clear Glass	☐ Brown Glass	☒ Green Glass
☒ Newsprint Paper	☒ Magazine/Catalog Paper	☒ Office Paper
☒ PET = #1 Plastic	☒ HDPE = #2 Plastic	☒ #3 - #7 Plastic
☒ Cardboard	☒ Paperboard	☒ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application. *Attached* _ .

SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent): SFM

Policy Number: [REDACTED]

Dates of Coverage: 12/24/2022 to 12/24/2023

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.): PRIGGE BRUCE, A.

Doing Business As (if different than your name): RENVILLE SIBLEY SANITATION LLC

Business Address: P.O. BOX 296

City, State, Zip: GIBBON, MN 55335

Business Phone: 507 834 6168

SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: SECURA INSURANCE COMPANY
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☐ Certificate of Insurance included with application
☒ Current Certificate of Insurance on file with Nicollet County *Fixed/e-mailed by
Dagren Insurance*

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☒ Bond included with application
☐ Current Bond on file with Nicollet County

SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County. *check # 7959*

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.



Signature of applicant/licensee

Dated this 27th day of October, 2023

COMPLETION CHECKLIST

- ☒ Completed Application – with signature and date
- ☒ Fee
- ☒ Waste Deposit Disclosure Statement
- ☒ Certification of Compliance Workers' Compensation Coverage *faxed / e-mailed by Ogren Insurance*
- ☐ Certificate of Liability Insurance (either enclosed or on-file)
- ☒ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners



Western Surety Company

CONTINUATION CERTIFICATE

Western Surety Company hereby continues in force Bond No. 71914686 briefly described as SOLID WAST LICENSE COUNTY OF NICOLLET

for RENVILLE-SIBLEY SANITATION, LLC
_____, as Principal,
in the sum of \$ THREE THOUSAND AND NO/100 Dollars, for the term beginning July 26, 2023, and ending July 26, 2024, subject to all the covenants and conditions of the original bond referred to above.

This continuation is issued upon the express condition that the liability of Western Surety Company under said Bond and this and all continuations thereof shall not be cumulative and shall in no event exceed the total sum above written.

Dated this 17th day of May, 2023.



WESTERN SURETY COMPANY

By Paul T. Brumat
Paul T. Brumat, Vice President

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

Western Surety Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

That WESTERN SURETY COMPANY, a corporation organized and existing under the laws of the State of South Dakota, and authorized and licensed to do business in the States of Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Utah, Vermont, Virginia, Washington, West Virginia, Wisconsin, Wyoming, and the United States of America, does hereby make, constitute and appoint

Paul T. Bruflat of Sioux Falls,
State of South Dakota, its regularly elected Vice President,
as Attorney-in-Fact, with full power and authority hereby conferred upon him to sign, execute, acknowledge and deliver for and on its behalf as Surety and as its act and deed, the following bond:

One SOLID WAST LICENSE COUNTY OF NICOLLET

bond with bond number 71914686

for RENVILLE-SIBLEY SANITATION, LLC

as Principal in the penalty amount not to exceed: \$3,000.00

Western Surety Company further certifies that the following is a true and exact copy of Section 7 of the by-laws of Western Surety Company duly adopted and now in force, to-wit:

Section 7. All bonds, policies, undertakings, Powers of Attorney, or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys-in-Fact or agents who shall have authority to issue bonds, policies, or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile.

In Witness Whereof, the said WESTERN SURETY COMPANY has caused these presents to be executed by its Vice President Paul T. Bruflat with the corporate seal affixed this 17th day of May, 2023.

ATTEST

L. Bauder

L. Bauder, Assistant Secretary

WESTERN SURETY COMPANY

By

Paul T. Bruflat

Paul T. Bruflat, Vice President

STATE OF SOUTH DAKOTA }
COUNTY OF MINNEHAHA } ss

On this 17th day of May, 2023, before me, a Notary Public, personally appeared Paul T. Bruflat and L. Bauder

who, being by me duly sworn, acknowledged that they signed the above Power of Attorney as Vice President and Assistant Secretary, respectively, of the said WESTERN SURETY COMPANY, and acknowledged said instrument to be the voluntary act and deed of said Corporation.



My Commission Expires March 2, 2026

M. Bent

Notary Public

To validate bond authenticity, go to www.cnasurety.com > Owner/Obligee Services > Validate Bond Coverage.



Renville Sibley Sanitation

PO Box 296
Gibbon, MN 55335
Phone: 507.834.6168

Disclosure

01/01/2024

Dear Valued Customer, The Waste Management Act requires that all haulers disclose the destination of your trash. Pursuant to Minnesota Statute 115A9302, Renville Sibley Sanitation LLC, hereby discloses that mixed municipal solid waste collected will be delivered to one of the Following facilities during the time period Jan. through Dec. If an additional facility becomes either a primary facility or an alternative facility during this period, the hauler is required to provide you with updated information within 30 days. In addition, the Minnesota Legislature requires Minnesota haulers to make the following disclosure to their customers:

You may be responsible for any liability that results from contamination at a facility where your waste as been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability.

Nicollet, Mcleod, Sibley, Brown, Redwood, Renville, Blue Earth Counties.

Secondary

MN Waste Processing Center (MWPC)
1051 Summit Ave.,
Mankato, MN 56001
Permit # SW 452.

Primary

Spruce Ridge Landfill
12755 137th St.,
Glencoe, MN 55336
Permit # SW 6

RENVILLE SIBLEY SANITATION LLC		75-119/919	7959
507-834-6168			
1254 ADAMS AVE PO BOX 296			
GIBBON, MN 55335		DATE <u>10/27/2023</u>	
	PAY TO <u>Nicollet County</u>	\$ <u>100.00</u>	
	THE ORDER OF <u>One hundred dollars only</u>	DOLLARS	← Heat Reactive Ink
			
MEMO <u>licence fee : 2024</u>			MP
LOOK FOR FRAUD-DETECTING FEATURES INCLUDING THE SECURITY SQUARE AND HEAT-REACTIVE INK. DETAILS ON BACK.			

WE HAVE 10, 20 & 30 YARD ROLL-OFF CONSTRUCTION DUMPSTERS



NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.
Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: Km Enterprises DBA River View Sanitation

Contact Person: Rachel Shoen

Business Address: PO Box 338 New Ulm MN 56073
(City, State) (Zip)

Other Contact Information: 507-354-5355 rachelshoen@riverviewsanitation.com
(telephone) (FAX) (email)

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 116188 County Road 29 New Ulm MN 56073

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type

* Garbage & Demo as needed

2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade	x		☐ Residential ☐ Commercial	
Bernadotte (Twp)	x		☐ Residential ☐ Commercial	
Brighton	x		☐ Residential ☐ Commercial	
Courtland (Twp)	x		☐ Residential ☐ Commercial	
Granby	x		☐ Residential ☐ Commercial	
Lafayette (Twp)	x		☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden	x		☐ Residential ☐ Commercial	
Nicollet (Twp)	x		☐ Residential ☐ Commercial	
Oshawa			☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
Traverse			☐ Residential ☐ Commercial	
West Newton			☐ Residential ☐ Commercial	
Bernadotte	x		☐ Residential ☐ Commercial	
Courtland	x		☒ Residential ☒ Commercial	
Klossner	x		☒ Residential ☐ Commercial	
Lafayette	x		☒ Residential ☐ Commercial	
Nicollet	x		☐ Residential ☐ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato			☐ Residential ☐ Commercial	
St. George	>		☒ Residential ☐ Commercial	
St. Peter			☐ Residential ☐ Commercial	

¹Construction/Demolition/Industrial

*Nicollet County Comingle drop boxes

If recycling services are offered, please indicate the materials accepted:

☐ Aluminum Cans	☐ Steel/Tin Cans	☐ Other Metal
☐ Clear Glass	☐ Brown Glass	☐ Green Glass
☐ Newsprint Paper	☐ Magazine/Catalog Paper	☐ Office Paper
☐ PET = #1 Plastic	☐ HDPE = #2 Plastic	☐ #3 - #7 Plastic
☐ Cardboard	☐ Paperboard	☐ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used; the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.

SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent):

Grinnell Mutual

Policy Number:



Dates of Coverage:

Current

to Continuous

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.):

Doing Business As (if different than your name):

Business Address:

City, State, Zip:

Business Phone:

SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: Grinnell mutual
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☐ Certificate of Insurance included with application
☐ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☐ Bond included with application
☒ Current Bond on file with Nicollet County

SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.

Brian K
Signature of applicant/licensee

Dated this 30 day of October, 2023

COMPLETION CHECKLIST

- ☒ Completed Application – with signature and date
- ☒ Fee
- ☒ Waste Deposit Disclosure Statement
- ☒ Certification of Compliance Workers' Compensation Coverage
- ☒ Certificate of Liability Insurance (either enclosed or on-file)
- ☒ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners

Unit #	Year	Make/Body Type	VIN	License Plate	Capacity
2	2001	Sterling / McNeilus	2FZAAMAK11AH97699	YBY5266	17 Yd
3	1990	Ford / Galbreath	1FDYU82A6LVA34541	YBV4824	Roll Off
5	1997	INTL / Leach - Box removed	1HTSCAAN4VH471287	YAP3389	16 Yd
7	2004	INTL / McNeilus	1HTWCAAN04J020771	YBA5174	20 Yd
9	2004	INTL / ShredTech MDS - 25GT	1HTMMAAN04H612828	YBH4132	25GT Shred Tech
11	2001	INTL / McNeilus	1HTSDAAN61H275830	YBY1406	20 Yd
26	2003	INTL / McNeilus	1HTWCAAN83J079128	YBY1405	20 Yd
43	2018	Peterbuilt Rolloff	1NPCX4EX8JD460807	YBU5863	Roll Off
44	2018	F550 Curbtender (Blue Ford)	1FDUF5HT3JEB82661	YBW0114	8 yd
45	2019	F550 Curbtender (Blue Ford)	1FDUF5HT7KDA01679	YBW6383	8 YD
46	2017	Freightliner /	3ALHCYCYXHDJG0979	YBV4827	25 Yd
47	2021	Vecoplan Shred Truck	1FVACWFC1MHMD1051		
49	2018	Freightliner /	1FVHCYFE7JHJH9023	YBZ5937	25 Yd
50	2021	Freightliner / McNeilus	1FVHCYFE0MHMP7096	YBY8245	25 Yd
51	2022	Freightliner/McNeilus	1FVHCYFE9NHND3727	YCA9656	25 Yd
52	2023	Mack/McNeilus Side Load	1M2LR2GC4PM007126	YCC4806	28 Yd
53	2022	F550 Curbtender (Gray Dodge)	3C7WRNCL7NG397490		
54	2023	Pac-Tech Under CDL SideLoad	1FVACWFC2RHVC3891		
101	2021	Ford F150 hybrid Pickup - Brent's	1FTFW1ED3MFB87263	GPN234	
102	2000	Ford F350	1FDWFF36F0YEB56796	YBY1407	12 Yd
103	2001	Ford F350 Flatbed	1FDWFF36F01EC04089	YBN9298	12 Yd
104	2007	Ford F350	1FDWFF36P17EA64264	YBT5557	12 Yd
105	2002	Ford F250 Pickup - Shawn's	1FTNW21L92EC65059	BWE 938	12 Yd
107	2008	Ford F350 Lift Truck	1FWDF37Y08ED97323	YAZ9763	Flatbed
202	2005	Sterling Packer	2FZHCHDC15AU15520	YBG3864	25 Yd
203	2007	Sterling Packer XC	2FZHCHDCX7AZ49599	YAX8637	25 Yd XC
204	2004	Sterling Rolloff	2FZMAZCV14AM46343	YBT9660	
205	2018	Freightliner / McNeilus XC Packer	1FVXF8004JHJW7254	YBV3568	25 Yd XC
300	2016	Freightliner Semi Tractor	1FUJGEBG4GLGY7334	YTE4110	Day Cab
T02	2009	Felling Trailer - 5th wheel	5FTDE162291032396	3655CBT	
T03	2002	Dry Van Semi Trailer	1JJV482F02F781975	4635STZ	



THE SILVER LINING®

Continuation Certificate

WB Index: 2336859

D

KM Enterprises, Inc. dba: River View Sanitation
16188 County Road 29
New Ulm, MN 56073

PRINCIPAL

KM Enterprises, Inc. dba: River View Sanitation
16188 County Road 29
New Ulm, MN 56073

BOND NUMBER: 2336859

BOND DESCRIPTION: License & Permit Compliance Bond
Refuse Collection & Hauling

BOND TERM: 01/01/2023 TO 01/01/2026

BOND PENALTY: \$ 3,000.00

WEST BEND MUTUAL INSURANCE COMPANY hereby continues in force the bond referenced above, subject to all the covenants and conditions of the original bond.

This continuation is issued upon the express condition that the liability of WEST BEND MUTUAL INSURANCE COMPANY under said Bond and this and all continuations thereof shall not be cumulative in any term, calendar year or licensing period unless specifically required by law, statute, ordinance or regulation of the obligee and shall in no event exceed the total sum above written or any amendments, endorsements, or riders attached thereto.

OBLIGEE Nicollet County

501 S Minnesota Ave
Saint Peter, MN 56082-2507

AGENT **22316**
FURTH-MEILE INSURANCE INC
26 SOUTH BROADWAY
NEW ULM, MN 56073

***TELEPHONE 507-354-7334

Dated this 4th day of November, 2022

THIS "Continuation Certificate" MUST BE FILED WITH THE ABOVE BOND.

PRINCIPAL COPY

MICHIGAN ONLY: This policy is exempt from filing requirements of Section 2236 of the Insurance Code of 1956, 1956 PA 218 and MCL 500.2236.

NB 0029 11 17

P.O. Box 620976 | Middleton, WI 53562 | Phone: (608) 410-3410 | Fax: (877) 674-2663 | www.thesilverlining.com



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

05/22/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Furth-Meile Insurance, Inc. PO Box 635 26 So Broadway New Ulm MN 56073-0635	CONTACT NAME: Ciara Amundson PHONE (A/C, No, Ext): (507) 354-7334 E-MAIL ADDRESS: ciara@furthmeile.com FAX (A/C, No): (507) 354-7336														
INSURED KM ENTERPRISES INC DBA RIVER VIEW SANITATION PO BOX 338 NEW ULM MN 56073	<table><tr><th>INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A: Grinnell</td><td>14117</td></tr><tr><td>INSURER B:</td><td></td></tr><tr><td>INSURER C:</td><td></td></tr><tr><td>INSURER D:</td><td></td></tr><tr><td>INSURER E:</td><td></td></tr><tr><td>INSURER F:</td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: Grinnell	14117	INSURER B:		INSURER C:		INSURER D:		INSURER E:		INSURER F:	
INSURER(S) AFFORDING COVERAGE	NAIC #														
INSURER A: Grinnell	14117														
INSURER B:															
INSURER C:															
INSURER D:															
INSURER E:															
INSURER F:															

COVERAGES**CERTIFICATE NUMBER:** CL2352203139**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC ☐ OTHER				06/22/2023	06/22/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ 10 ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY				06/22/2023	06/22/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	☒ UMBRELLA LIAB ☐ EXCESS LIAB ☐ OCCUR ☐ CLAIMS-MADE ☐ DED ☐ RETENTION \$				06/22/2023	06/22/2024	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
A	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A		06/22/2023	06/22/2024	☒ PER STATUTE ☐ OTH-ER E L EACH ACCIDENT \$ 500,000 E L DISEASE - EA EMPLOYEE \$ 500,000 E L DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER**CANCELLATION**

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



**P.O. 338 * New Ulm, MN. 56073
Ph. 507-354-5355**

January 1, 2024

2024 ANNUAL LANDFILL USE NOTICE

As required by law, this is annual notice of the Sanitary Landfill currently used by River View Sanitation.

“You may be responsible for any liability that results from contamination at a facility where your waste is deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability.”

RETAIN THIS NOTICE FOR YOUR RECORDS

River View Sanitation



NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.
Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: The Picker-Uppers

Contact Person: Justin Kuch

Business Address: P.O. Box 638 New Ulm, MN 56073
(City, State) (Zip)

Other Contact Information: 507-276-3084 - thepickeruppers@gmail.com
(telephone) (FAX) (email)

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 12772 184th St, Scarsdale

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
<u>Freightliner M2</u>	<u>26,000</u>	<u>YCA7792</u>	<u>Hooklift</u>

8500 714 VON



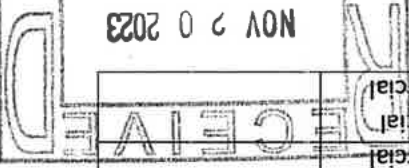
2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade			☐ Residential ☐ Commercial	
Bernadotte (Twp)			☐ Residential ☐ Commercial	
Brighton			☐ Residential ☐ Commercial	
Courtland (Twp)	X		☐ Residential ☐ Commercial	
Granby			☐ Residential ☐ Commercial	
Lafayette (Twp)	X		☐ Residential ☐ Commercial	
Lake Prairie			☐ Residential ☐ Commercial	
New Sweden			☐ Residential ☐ Commercial	
Nicollet (Twp)	X		☐ Residential ☐ Commercial	
Oshawa			☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
Traverse			☐ Residential ☐ Commercial	
West Newton			☐ Residential ☐ Commercial	
Bernadotte			☐ Residential ☐ Commercial	
Courtland	X		☐ Residential ☐ Commercial	
Klossner	X		☐ Residential ☐ Commercial	
Lafayette	X		☐ Residential ☐ Commercial	
Nicollet	X		☐ Residential ☐ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato	X		☐ Residential ☐ Commercial	
St. George	X		☐ Residential ☐ Commercial	
St. Peter	X		☐ Residential ☐ Commercial	

¹Construction/Demolition/Industrial

NOV 20 2023

NOV 20 2023



If recycling services are offered, please indicate the materials accepted:

☐ Aluminum Cans	☐ Steel/Tin Cans	☐ Other Metal
☐ Clear Glass	☐ Brown Glass	☐ Green Glass
☐ Newsprint Paper	☐ Magazine/Catalog Paper	☐ Office Paper
☐ PET = #1 Plastic	☐ HDPE = #2 Plastic	☐ #3 - #7 Plastic
☐ Cardboard	☐ Paperboard	☐ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.



SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent):

Citizens Agency Minnesota

Policy Number:

Dates of Coverage: _____ to _____

OR

Applicant is not required to have workers compensation liability coverage because:

☒ Applicant has no employees

☐ Applicant is self-insured (include permit to self-insure)

☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.):

Kesh, Justin, K

Doing Business As (if different than your name):

The Picker-Uppers LLC

Business Address:

P.O. Box 638

City, State, Zip:

New Vin, MN 56073

Business Phone:

507-276-3084



SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: Citizens Agency Minnesota
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☒ Certificate of Insurance included with application
☐ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☐ Bond included with application
☒ Current Bond on file with Nicollet County

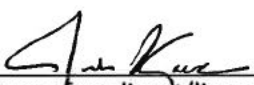
SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.


Signature of applicant/licensee

Dated this 15th day of November, 2023



COMPLETION CHECKLIST

- ☒ Completed Application – with signature and date
- ☒ Fee
- ☒ Waste Deposit Disclosure Statement
- ☒ Certification of Compliance Workers' Compensation Coverage
- ☒ Certificate of Liability Insurance (either enclosed or on-file)
- ☒ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this _____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

11/13/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION** IS **WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

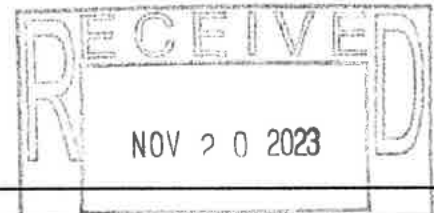
PRODUCER CITIZENS AGENCY MINNESOTA 105 N Minnesota PO Box 669 New Ulm, MN 56073 License #: 5609	CONTACT NAME: Nick Hage PHONE (A/C, No, Ext): (507)359-2067 E-MAIL ADDRESS: nhage@citizensmn.com FAX (A/C, No): INSURER(S) AFFORDING COVERAGE INSURER A: CSU Producer Resources, Inc INSURER B: Progressive Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:	NAIC #
INSURED The Picker-Uppers LLC PO Box 638 New Ulm, MN 56073-0638		

COVERAGES**CERTIFICATE NUMBER: 00003822-1138860****REVISION NUMBER: 13**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:				08/05/2023	08/05/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ NON-OWNED AUTOS ONLY				08/05/2023	08/05/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 500,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB EXCESS LIAB DED RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below						PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

**CERTIFICATE HOLDER****CANCELLATION**

Nicollet County

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

(NBH)

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WASTE DISCLOSURE STATEMENT

Dear Valued Customer, The Waste Management Act requires that all haulers disclose the destination of your trash. Pursuant to Minnesota Statute 115A9302, The Picker-Uppers hereby discloses that mixed municipal solid waste collected will be delivered to one of the following facilities during the time period January through December. If an additional facility becomes either a primary facility or an alternative facility during this period, the hauler is required to provide you with updated information within 30 days. In addition, the Minnesota Legislature requires Minnesota haulers to make the following disclosure to their customers:

You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that it's waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability.

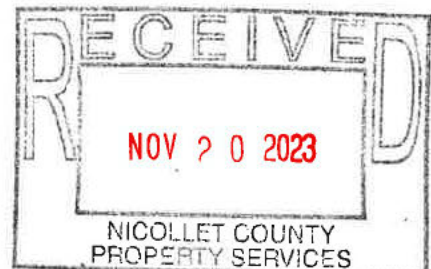
Mixed Municipal Solid Waste

Brown County Landfill

21933 Cty Rd. 11

Sleepy Eye, MN 56085

SW-89





NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.
Applications must be postmarked no later than **December 31, 2023**.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: WASTE MANAGEMENT

Contact Person: KARLYN BLOCK

Business Address: 739 BEAVER AVE MANKATO MN 56001
(City, State) (Zip)

Other Contact Information: 507.344.3321 507.388.6304 Kblock@wum.com
(telephone) (FAX) (email)

Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 739 BEAVER AVE, MANKATO

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type

SEE
ATTACHED



2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
Belgrade	✓	✓	☐ Residential ☐ Commercial	
Bernadotte (Twp)	✓	✓	☐ Residential ☐ Commercial	
Brighton	✓	✓	☐ Residential ☐ Commercial	
Courtland (Twp)	✓	✓	☐ Residential ☐ Commercial	
Granby	✓	✓	☐ Residential ☐ Commercial	
Lafayette (Twp)	✓	✓	☐ Residential ☐ Commercial	
Lake Prairie	✓	✓	☐ Residential ☐ Commercial	
New Sweden	✓	✓	☐ Residential ☐ Commercial	
Nicollet (Twp)	✓	✓	☐ Residential ☐ Commercial	
Oshawa	✓	✓	☐ Residential ☐ Commercial	
Ridgely	✓	✓	☐ Residential ☐ Commercial	
Traverse	✓	✓	☐ Residential ☐ Commercial	
West Newton	✓	✓	☐ Residential ☐ Commercial	
Bernadotte	✓	✓	☐ Residential ☐ Commercial	
Courtland	✓	✓	☐ Residential ☐ Commercial	
Klossner	✓	✓	☐ Residential ☐ Commercial	
Lafayette	✓	✓	☐ Residential ☐ Commercial	
Nicollet	✓	✓	☐ Residential ☐ Commercial	
Norseland	✓	✓	☐ Residential ☐ Commercial	
North Mankato	✓	✓	☐ Residential ☐ Commercial	
St. George	✓	✓	☐ Residential ☐ Commercial	
St. Peter	✓	✓	☐ Residential ☐ Commercial	

¹Construction/Demolition/Industrial



If recycling services are offered, please indicate the materials accepted:

☐ Aluminum Cans	☐ Steel/Tin Cans	☐ Other Metal
☐ Clear Glass	☐ Brown Glass	☐ Green Glass
☐ Newsprint Paper	☐ Magazine/Catalog Paper	☐ Office Paper
☐ PET = #1 Plastic	☐ HDPE = #2 Plastic	☐ #3 - #7 Plastic
☐ Cardboard	☐ Paperboard	☐ Coated Paperboard

3. County Solid Waste Management Plan

Tri-County Solid Waste prepared a Solid Waste Management Plan for Nicollet County pursuant to Minnesota Statutes to protect the health and economic welfare of the residents and environment. All licensed haulers will be provided a copy of the plan upon request. The County urges all solid waste haulers and generators to assist the County in achieving the goals of the Plan.

4. Haulers shall provide the following information to the MPCA, which is then shared with the County:

- (a) Annual reports verifying the actual MSW disposed and the facilities where it was disposed of.
- (b) Annual reports verifying the tonnage of recyclable materials collected and the processing facilities where recyclables were delivered.

SECTION III. VOLUME OR WEIGHT BASED PRICING

Minnesota Statute 115A.93 requires that licensees must have volume or weight based pricing for the collection of MSW. This means that the price of collection increases with the volume or weight of the waste collected.

SECTION IV. WASTE DEPOSIT DISCLOSURE

1. Minn. Stat. 115A.9302 (1995) requires that each year between January 1 and March 31, a person who collects construction debris, industrial waste, or MSW for transportation to a waste facility, must disclose to each waste generator from whom waste is collected the name and location of the disposal or processing facilities used, the type of permit held by the facility and the permit number, and the approximate waste deposited at each of the two primary facilities used. The disclosure must be made in writing at least once a year. **All written disclosures must contain the following statement:**

"You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your potential liability."

If the primary facilities identified by the hauler are not located in Minnesota then the disclosure must state:

"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.



SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent):

INDemnity Insurance Co of North America

Policy Number:



Dates of Coverage:

11/23

to

11/24

OR

Applicant is not required to have workers compensation liability coverage because:

☐

Applicant has no employees

☐

Applicant is self-insured (include permit to self-insure)

☐

Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.):

Brock, Kary L

Doing Business As (if different than your name):

WASTE MANAGEMENT

Business Address:

739 Beaver Ave

City, State, Zip:

Manly, MN 56001

Business Phone:

507.344.3321



SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: ACE AMERICAN INSURANCE COMPANY
2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.
3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one: ☐ Certificate of Insurance included with application
☐ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one: ☐ Bond included with application
☐ Current Bond on file with Nicollet County

SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.

Karen L. Block
Signature of applicant/licensee

Dated this 10th day of NOVEMBER, 2023



COMPLETION CHECKLIST

- ☐ Completed Application – with signature and date
- ☐ Fee
- ☐ Waste Deposit Disclosure Statement
- ☐ Certification of Compliance Workers' Compensation Coverage
- ☐ Certificate of Liability Insurance (either enclosed or on-file)
- ☐ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

License name: _____

License number: _____

Date of issuance: _____

The foregoing application is hereby approved this _____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners



MANKATO

DISTRICT	UNIT NUM.	PLATE #	VEHICLE I.D. #	YR/MAKE/MODEL	# OF		LICENSE WEIGHT
					AXLES		
MANKATO	104430	YBK8210	3BPZL20X1EF226841	2014/PETERBILT	3		57,000
MANKATO	104431	YBK8223	3BPZL20X3EF226842	2014/PETERBILT	3		57,000
MANKATO	106128	YBV1125	3BPZL20XXGF100643	2016/PETERBILT	3		57,000
MANKATO	106535	YCA2576	3BPD120X9LF108639	2020/PETERBILT	3		57,000
MANKATO	106551	YBX8227	3BPD120X0LF109467	2020/PETERBILT	3		57,000
MANKATO	107072	YBZ9521	3BPD120XXNF111746	2022/PETERBILT	3		57,000
MANKATO	107073	YBZ9538	3BPD120X1NF111747	2022/PETERBILT	3		57,000
MANKATO	107074	YBZ9523	3BPD120X3NF111748	2022/PETERBILT	3		57,000
MANKATO	107075	YBZ9539	3BPD120X5NF111749	2022/PETERBILT	3		57,000
MANKATO	211175	YCB1585	5VCAC11E1DH214753	2013/AUTOCAR	4		63,000
MANKATO	214992	YBX8242	3BPD120X7LF109468	2020/PETERBILT	3		63,000
MANKATO	214993	YBX8245	3BPD120X9LF109469	2020/PETERBILT	3		63,000
MANKATO	214995	YBX8244	3BPD120X7LF109471	2020/PETERBILT	3		63,000
MANKATO	214996	YBZ5050	3BPD120X9LF109472	2020/PETERBILT	3		63,000
MANKATO	215742	YBZ9524	3BPD120X9LF111755	2021/PETERBILT	4		63,000
MANKATO	414029	YCC9204	1NPSL20X3ED223554	2014/PETERBILT	4		63,000
MANKATO	416476	YBW9754	1FVHC5FT7KHJK2405	2019/FREIGHTLINER	4		57,000
MANKATO	417376	YCA3312	1NPCLHEX9LD724803	2020/PETERBILT	5		73,000
MANKATO TS	652668	YBH9335	1M1AA18Y13W149729	2003/MACK	3		80,000
MANKATO TS	652700	YTD9824	1HSXRAPT07J414627	2007/INTERNATIONAL	3		80,000
MANKATO TS	653686	YTD8673	1M2AX13C0BM014158	2011/MACK	3		80,000





CERTIFICATE OF LIABILITY INSURANCE

1/1/2024

DATE (MM/DD/YYYY)
12/7/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER	LOCKTON COMPANIES 3657 BRIARPARK DRIVE, SUITE 700 HOUSTON TX 77042 866-260-3538	CONTACT NAME:	
		PHONE (A/C, No, Ext):	FAX (A/C, No):
		E-MAIL ADDRESS:	
		INSURER(S) AFFORDING COVERAGE	NAIC #
		INSURER A: Indemnity Insurance Co of North America	43575
INSURED	WASTE MANAGEMENT HOLDINGS, INC. & ALL AFFILIATED, RELATED & SUBSIDIARY COMPANIES INCLUDING: WASTE MANAGEMENT - MANKATO 739 BEAVER AVENUE MANKATO MN 56001	INSURER B: ACE American Insurance Company	22667
		INSURER C: ACE Fire Underwriters Insurance Company	20702
		INSURER D: ACE Property and Casualty Insurance Company	20699
		INSURER E:	
		INSURER F:	

COVERAGES

CERTIFICATE NUMBER: 18006606

REVISION NUMBER: XXXXXXXX

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATION MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WRD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
B	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR ☒ XCU INCLUDED ☒ ISO FORM CG00010413 GEN'L AGGREGATE LIMIT APPLIES PER: ☐ POLICY ☒ PROJECT ☒ LOC OTHER:	Y	Y		1/1/2023	1/1/2024	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 5,000,000 MED EXP (Any one person) \$ XXXXXXXX PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 6,000,000 PRODUCTS - COM/PROP AGG \$ 6,000,000 \$
B	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☒ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY ☒ MCS-90	Y	Y		1/1/2023	1/1/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ XXXXXXXX BODILY INJURY (Per accident) \$ XXXXXXXX PROPERTY DAMAGE (Per accident) \$ XXXXXXXX \$ XXXXXXXX
D	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED RETENTION \$	Y	Y		1/1/2023	1/1/2024	EACH OCCURRENCE \$ 15,000,000 AGGREGATE \$ 15,000,000 \$ XXXXXXXX
A B C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A		1/1/2023 1/1/2023 1/1/2023	1/1/2024 1/1/2024 1/1/2024	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 3,000,000 E.L. DISEASE - EA EMPLOYEE \$ 3,000,000 E.L. DISEASE - POLICY LIMIT \$ 3,000,000
B	EXCESS AUTO LIABILITY	Y	Y		1/1/2023	1/1/2024	COMBINED SINGLE LIMIT \$9,000,000 (EACH ACCIDENT)

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

BLANKET WAIVER OF SUBROGATION IS GRANTED IN FAVOR OF CERTIFICATE HOLDER ON ALL POLICIES WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT WHERE PERMISSIBLE BY LAW. CERTIFICATE HOLDER IS NAMED AS AN ADDITIONAL INSURED ON ALL POLICIES (EXCEPT FOR WORKERS' COMP/EMPLOYER'S LIABILITY) WHERE AND TO THE EXTENT REQUIRED BY WRITTEN CONTRACT.

CERTIFICATE HOLDER

CANCELLATION

18006606 NICOLLET COUNTY 501 SOUTH MINNESOTA AVE. ST. PETER MN 56082	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE  NOV 27 2023

ACORD 25 (2016/03)

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NICOLLET COUNTY
PROPERTY SERVICES

Complete the WM payment request form for suppliers who do not generate invoices.

Instructions

- 1) Confirm Vendor Name/Address exists in Peoplesoft. If not, please submit the Create-Update Vendor eForm from WM Visor prior to submitting this payment request form. Click [here](#) to access the form.
- 2) Populate yellow fields below with the requested information.
- 3) E-mail form and supporting documents (behind form) to Scan One for processing: mnap@wm.com

PAYMENT REQUEST FORM

Vendor Name and Remit Information

Nicollet County
501 S Minnesota Ave
St Peter, MN 56082

Invoice Header Details

PO Number	NO PO
Invoice No	1779-01 2024 LICENSE
Invoice Date	

WM Site name and Address

Waste Management
739 Beaver Ave
Mankato MN 56001

WM Contact	Karyn Block
WM email	kblock@wm.com

<u>Purchase Description</u>	<u>PO Line#</u>	<u>Qty</u>	<u>Unit Price</u>	<u>Extended Amount</u>
2024 Hauler License		1	\$ 100.00000	\$ 100.00
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -
				\$ -

Subtotal	\$ 100.00
Sales TAX	\$ -
Canadian TAX ex. GST/PST	\$ -
Total Amount Due	\$ 100.00
Currency	USD





NICOLLET COUNTY

PROPERTY SERVICES DEPARTMENT

LICENSE APPLICATION FOR SOLID WASTE COLLECTION AND TRANSPORTATION

This Application is for licensing year January 1, 2024 through December 31, 2024.

Applications must be postmarked no later than December 31, 2023.

Review and Approval Process

Please print in ink or type all sections of the application. Enclose all requested attachments and return completed applications to Nicollet County, Property Services Department, 501 S. Minnesota Ave., St. Peter, MN 56082. This license application will be forwarded to the County Solid Waste Enforcement Coordinator in the Property Services Department for review. Once reviewed by the Solid Waste Enforcement Coordinator, applications will be placed on the December County Commissioner's Board Agenda for approval or denial. Upon County Board approval, a license will be prepared for the business listed on the application.

SECTION I. LICENSEE INFORMATION

Business Name: West Central Sanitation Inc.

Contact Person: Don Williamson

Business Address: 4089 Abbott Dr. Willmar MN 56201
(City, State) (Zip)

Other Contact Information: 320-235-7630 320-235-5715 donwilliamson@wcentral.com
(telephone) (FAX) (email)

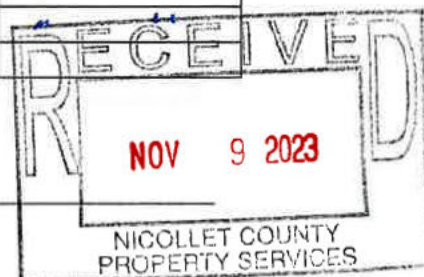
Minnesota Tax I.D.#: [REDACTED] Federal Tax I.D.#: [REDACTED]

Vehicle & Container Storage Locations: 600 Webster Ave, N. Mankato, MN

SECTION II. COLLECTION AND TRANSPORTATION

1. Please list all vehicles that will be used to haul solid waste. (Additional sheets may be used):

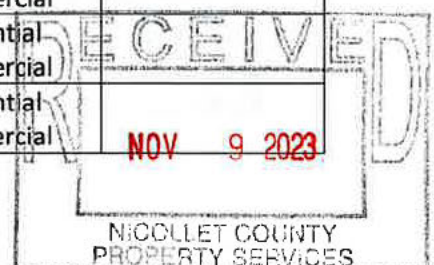
Vehicle Make & Model	Rated Capacity	License Plate Number	Body Type
FL77	30 yd ³	VCD3369	FL Automated
FL33	30 yd ³	YBW 9979	" "
FL43	30 yd ³	YBW5584	" "



2. List the municipalities and townships which will be served and indicate materials collected:

Location	MSW	C/D/I ¹	Recycling	Other (list)
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Lake Prairie			☐ Residential ☐ Commercial	
New Sweden			☐ Residential ☐ Commercial	
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Oshawa			☐ Residential ☐ Commercial	
Ridgely			☐ Residential ☐ Commercial	
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West Newton			☐ Residential ☐ Commercial	
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Courtland			☐ Residential ☐ Commercial	
Klossner			☐ Residential ☐ Commercial	
Lafayette			☐ Residential ☐ Commercial	
Nicollet			☐ Residential ☐ Commercial	
Norseland			☐ Residential ☐ Commercial	
North Mankato	✓		☒ Residential ☒ Commercial	
St. George			☐ Residential ☐ Commercial	
St. Peter	✓		☒ Residential ☒ Commercial	

¹Construction/Demolition/Industrial



If recycling services are offered, please indicate the materials accepted:

☒ Aluminum Cans	☒ Steel/Tin Cans	☐ Other Metal
☒ Clear Glass	☒ Brown Glass	☒ Green Glass
☒ Newsprint Paper	☒ Magazine/Catalog Paper	☒ Office Paper
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"The landfill to which your waste may be sent during the current calendar year is not a Minnesota landfill."

2. Please enclose a copy of your Waste Deposit Disclosure with your application.



SECTION V. CERTIFICATE OF COMPLIANCE, MINNESOTA WORKERS' COMPENSATION LAW

Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance coverage requirement of MSS Chapter 176. The information required is: the name of the insurance company, the policy number, and dates of coverage or the permit of self-insure. This information will be collected by the licensing agency and retained in their files.

This information is required by law, and licenses and permits to operate a business may not be issued or renewed if it is not provided and/or is falsely reported. Furthermore, if this information is not provided or falsely stated, it may result in a \$1,000 penalty assessed against the applicant by the Commissioner of the Department of Labor and Industry.

Insurance Company Name (NOT the insurance agent): Evanston Ins. Co.

Policy Number: [REDACTED]

Dates of Coverage: 5-1-23 to 5-1-24

OR

Applicant is not required to have workers compensation liability coverage because:

- ☐ Applicant has no employees
- ☐ Applicant is self-insured (include permit to self-insure)
- ☐ Applicant has no employees who are covered by the workers compensation law (these include: Spouse, Parents, Children and certain farm employees)

The above information provided above is accurate and complete and a valid workers compensation policy will be kept in effect at all times as required by law for the following company.

Name (Last, First, M.I.): Williamson Don, K.

Doing Business As (if different than your name): West Central Sanitation Inc.

Business Address: 4089 Abbott Dr.

City, State, Zip: Willmar MN 56201

Business Phone: 320-235-7630



SECTION VI. INSURANCE

Please provide Nicollet County with a Certificate of Insurance for liability for current general and automotive liability policies in compliance with the County's requirements, as outlined in Nicollet County Solid Waste Ordinance Sec. 2 Subd. 6.

1. Name of Insurance Carrier: _____

Integrity

✓ 2. A current certificate of general liability insurance for a minimum of \$100,000/\$300,000.

✓ 3. A current certificate of automotive liability insurance for a minimum of \$50,000/\$100,000.

Please check one:

☒ Certificate of Insurance included with application

☒ Current Certificate of Insurance on file with Nicollet County

SECTION VII. BOND

Pursuant to Sec. 5 Subd. 5(c), of the Nicollet County Solid waste Ordinance, a \$3,000 performance bond shall be required prior to the issuance of any licenses to engage in collection and transportation of solid waste. The bond must name Nicollet County as the obligee.

Please check one:

☒ Bond included with application

☒ Current Bond on file with Nicollet County

SECTION VIII. FEE

Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

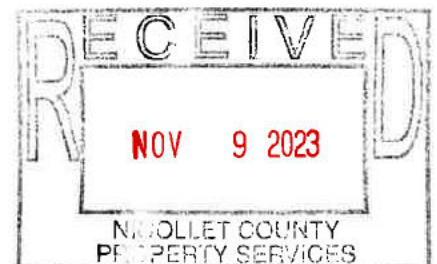
SECTION IX. CERTIFICATION AND SIGNATURE

I certify that the information provided in this application is accurate and complete and I understand that any false statements or omissions of a material fact will result in the license being withheld or denied; and

I also certify that I have complied with the requirements of the Waste Deposit Disclosure Requirements (Minn. Stat. 115A.9302 (1995) for this calendar year.

Paul Milbramen, President
Signature of applicant/licensee

Dated this 7th day of November, 2023



COMPLETION CHECKLIST

- ☒ Completed Application – with signature and date
- ☒ Fee
- ☒ Waste Deposit Disclosure Statement
- ☒ Certification of Compliance Workers' Compensation Coverage
- ☒ Certificate of Liability Insurance (either enclosed or on-file)
- ☒ \$3,000 Performance Bond (either enclosed or on-file)

Send completed application, documentation, and payment **no later than December 31, 2023** to:

Kenny Famakinwa, Environmental Specialist
Property Services Department
Nicollet County Government Center
501 S. Minnesota Avenue
St. Peter, MN 56082
Phone: 507-934-7073
FAX Number: 507-934-0259
E-Mail: kenny.famakinwa@co.nicollet.mn.us

FOR OFFICE USE ONLY

Application received on date: _____

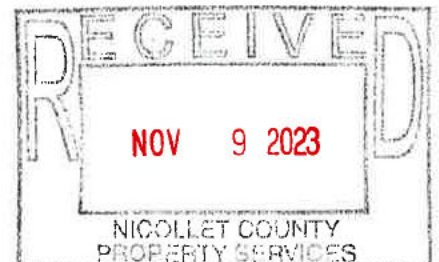
License name: _____ License number: _____

Date of issuance: _____

The foregoing application is hereby approved this ____ day of _____, year of _____. Chairman of the County Board of Commissioners hereby directs the Department of Property Services to issue the license in accordance herewith.

ATTEST:

Chair, Nicollet County Board of Commissioners



Credit Card Payment:

Please Select:

☐ Monthly Recurring
 Payment will process on the 25th
 of each month for amount due.

☐ One Time Credit Card Payment
 Payment will process upon
 receipt for amount authorized.

 Card Number: _____ CVC #: _____ Exp. Date: _____ Amount Authorized: \$ _____
Last 3 digits on back of card

 Billing Address: _____ Type of Card: ☐ Visa ☐ Mastercard ☐ Discover

City: _____ State: _____ Zip: _____ Signature: _____

Recurring Automatic Payment from Checking Account:

- ☐ I would like my account to be paid automatically on the 25th of each month from my checking account for the amount due.
 Please sign below and attach a voided check to begin this payment option with your next bill.

Signature: _____ Date: _____

Has your billing or contact information changed?

New Mailing Address: _____

Effective Date: _____

City: _____ State: _____ Zip: _____

Daytime Contact #: _____

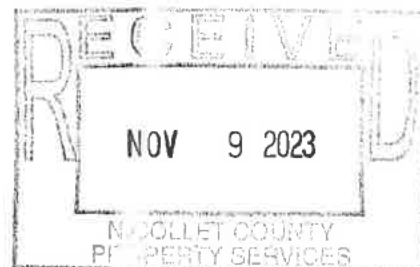
Signature: _____

The state requires we print the following: You may be responsible for any liability that results from contamination at a facility where your waste has been deposited. Minnesota believes that its waste management system provides substantially more financial and environmental protection than depositing waste in landfills in other states. Managing your waste in Minnesota may minimize your liability.

Alexandria Transfer Station #SW491
 Pope-Douglas Incinerator #SW2097-86-0T1
 C & D Landfill #SW629
 Kandiyohi County #SW79
 Renville County #SW90
 Lyon County #SW23, RRRSWA #SW664
 Meeker County #SW441, Spruce Ridge #SW6
 MWPC Transfer Station #SW-452
 St. Cloud Transfer Station #SW235
 Nobles County Landfill #SW11, Vonco #SW580
 Ponderosa Sanitary Landfill #SW-87
 West Central Transfer #SW552

The tax line on your bill consists of one or more of the following solid waste taxes:

State: 9.75% Residential
 State: 17.00% Commercial
 Stearns: 8.00% Commercial
 Kandiyohi: 24.00% Residential & Commercial

**RESIDENTIAL HOLIDAY SERVICE**

If your normal collection day falls on or after a holiday listed below, your pickup will be delayed by one day during that week.

HOLIDAYS: Memorial Day, 4th of July, Labor Day, Thanksgiving, Christmas Day & New Years Day

IMPORTANT NOTE: If the observed holiday falls on a Saturday or Sunday, your collection day will not be interrupted.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/01/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

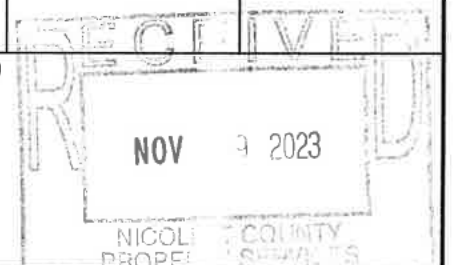
PRODUCER AssuredPartners of Minnesota LLC 2685 Long Lake Road St. Paul MN 55113		CONTACT NAME: Kim Rowe PHONE (A/C, No, Ext): (651) 287-1161 FAX (A/C, No): (651) 644-9137 E-MAIL ADDRESS: kim.rowe@assuredpartners.com	
INSURED West Central Sanitation, Inc. P.O. Box 796 Willmar MN 56201		INSURER(S) AFFORDING COVERAGE INSURER A: Integrity Insurance INSURER B: Evanston Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:	
		NAIC # 14303 35378	

COVERAGES **CERTIFICATE NUMBER:** 2023/24 Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☒ PROJECT ☐ LOC OTHER:				04/30/2023	04/30/2024	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 10,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ Included
	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ HIRED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ NON-OWNED AUTOS ONLY				04/30/2023	04/30/2024	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED ☒ RETENTION \$ 0				04/30/2023	04/30/2024	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N	N/A		05/01/2023	05/01/2024	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 500,000 E.L. DISEASE - EA EMPLOYEE \$ 500,000 E.L. DISEASE - POLICY LIMIT \$ 500,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)



CERTIFICATE HOLDER County of Nicollet-Environmental Serv Dept Nicollet County Government Ctr 501 So. Minnesota Avenue St. Peter MN 56082	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE James A. Enge
---	--

LICENSE & PERMIT BOND

(Continuous)

Bond No. A190065212

KNOW ALL MEN BY THESE PRESENTS That we, West Central Sanitation, Inc.
of PO Box 796, Willmar, MN 56201 as Principal and Capitol Indemnity Corporation
as Surety are held and firmly bound unto County of Nicollet
as Oblige located at 501 S Minnesota Avenue, Stillwater, MN 55082 in the penal sum of
Three Thousand and 00/100 Dollars (\$ 3,000.00),
lawful money of the United States of America, to be paid to said Oblige, for which payment well and truly to be
made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally,
firmly by these presents.

WHEREAS, the Principal has obtained or is about to obtain a license or permit for Solid Waste Collection

NOW, THEREFORE, The condition of this obligation is such that, if said Principal shall faithfully observe the provisions of the Laws, Ordinances and Resolutions governing the issuance of this License or Permit, then this obligation shall be null and void, otherwise to remain in full force and effect.

This bond shall become effective on 11/25/2020 and shall remain in force until canceled as provided herein.

PROVIDED, that regardless of the number of years this bond shall remain in force or the number of claims made, the aggregate liability of the Surety shall not be greater than the premiums paid or the amount of the bond at any one time during its term, nor shall it exceed the penal sum stated above.

PROVIDED FURTHER, that the Surety may cancel this bond at any time by filing with the Obligee thirty (30) days written notice of its intent to be relieved of any future liability. The Surety shall not be discharged from any liability already accrued under this bond, or which shall accrue hereunder before the expiration of the thirty day period.

Signed sealed and dated this 10th day of September, 2020.

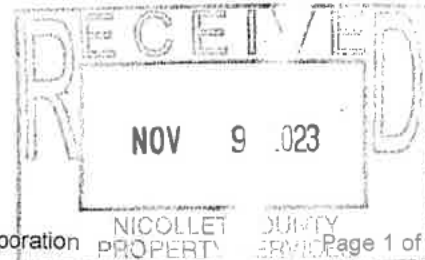
West Central Sanitation, Inc.
Principal *[Signature]*

By:

Capitel Indemnity Corporation

By:

Daniel McGinnis, Attorney-In-Fact
President of Surety



LICENSE & PERMIT BOND
(Continuous)

Bond No. A190065212

KNOW ALL MEN BY THESE PRESENTS That we, West Central Sanitation, Inc.
of PO Box 796, Willmar, MN 56201 as Principal and Capitol Indemnity Corporation
as Surety are held and firmly bound unto County of Nicollet
as Oblige located at 501 S Minnesota Avenue, Stillwater, MN 55082 in the penal sum of
Three Thousand and 00/100 Dollars (\$ 3,000.00).

lawful money of the United States of America, to be paid to said Oblige, for which payment well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has obtained or is about to obtain a license or permit for
Solid Waste Collection

NOW, THEREFORE, The condition of this obligation is such that, if said Principal shall faithfully observe the provisions of the Laws, Ordinances and Resolutions governing the issuance of this License or Permit, then this obligation shall be null and void, otherwise to remain in full force and effect.

This bond shall become effective on 11/25/2020 and shall remain in force until canceled as provided herein.

PROVIDED, that regardless of the number of years this bond shall remain in force, the premiums paid or the number of claims made, the aggregate liability of the Surety shall not be more than PL \$100.00 8-30-23 per year and in no event shall exceed the penal sum stated above.

PROVIDED FURTHER, that the Surety may cancel this bond at any time by filing with the Oblige thirty (30) days written notice of its intent to be relieved of any future liability. The Surety shall not be discharged from any liability already accrued under this bond, or which shall accrue hereunder before the expiration of the thirty day period.

Signed sealed and dated this 10th day of September, 2020.

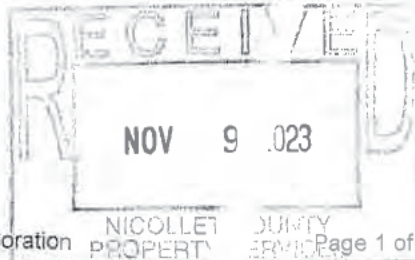
West Central Sanitation, Inc.
Principal

By: [Signature]
President

Capitol Indemnity Corporation

By: [Signature]

Daniel McGinnis, Attorney-In-Fact
President of Surety



Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Publication of Transportation Advertisement for Bids on the Nicollet County Website								
Primary Originating Division/Dept.: Administration	Meeting Date: 01/02/2024							
Contact: Mandy Landkamer Title: County Administrator	Item Type: Consent Agenda v							
Amount of Time Requested: minutes								
Presenter: Title:	Attachments: ☒ Yes ☐ No							
County Strategy: Financial Security - prudent use of taxpayer resources v								
BACKGROUND/JUSTIFICATION: Minn. Stat. §331A.12 states, at the meeting of the governing body of a political subdivision at which the governing body designates its official newspaper for the year, the governing body may also designate in the same manner that publication of transportation project advertisements for bids be published on the Nicollet County Website instead of in the official newspaper.								
Supporting Documents: ☐ Attached ☒ In Signature Folder ☐ None								
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No								
If "yes", when? (provide year; mm/dd/yy if known) January 2023								
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A								
ACTION REQUESTED: Approve the attached resolution that authorizes using the Nicollet County Website www.co.nicollet.mn.us as the method of advertising for transportation project bids.								
<table style="width: 100%;"> <tr> <td style="width: 50%;"> FISCAL IMPACT: Included in current budget v (Select One) </td> <td style="width: 50%;"> FUNDING County Dollars = </td> </tr> <tr> <td> If "Other", specify: </td> <td> Other v (Select One) </td> </tr> <tr> <td> FTE IMPACT: No FTE change (Select One) </td> <td> Total: </td> </tr> </table>			FISCAL IMPACT: Included in current budget v (Select One)	FUNDING County Dollars =	If "Other", specify:	Other v (Select One)	FTE IMPACT: No FTE change (Select One)	Total:
FISCAL IMPACT: Included in current budget v (Select One)	FUNDING County Dollars =							
If "Other", specify:	Other v (Select One)							
FTE IMPACT: No FTE change (Select One)	Total:							
If "Increase or "Decrease," specify:								
Related Financial/FTE Comments: Approval saves tax dollars by allowing publication on the website instead of in a newspaper.								



**RESOLUTION APPROVING PUBLICATION OF TRANSPORTATION
PROJECT BIDS ON THE NICOLLET COUNTY WEBSITE**



WHEREAS, Minn. Stat. §331A.12 states at the meeting of the governing body of a political subdivision at which the governing body designates its official newspaper for the year, the governing body may designate in the same manner publication of transportation projects on the political subdivision's website. Publication on the website may be used in place of or in addition to any other required form of publication. Each year after designating publication on the website for transportation projects, the political subdivisions must publish, in a qualified newspaper in the jurisdiction and on the website, notice that the political subdivision will publish advertisements for bids on its website.

NOW, THEREFORE BE IT RESOLVED, the Nicollet County Board of Commissioners approves the Nicollet County Public Works Department to use the Nicollet County website www.co.nicollet.mn.us as the method of advertising for transportation project bids.

BE IT FURTHER RESOLVED, in accordance with Minn. Stat. §331A.12, notice will be published in a qualified newspaper and on the County website that advertisements for bids for transportation projects will be published on the Nicollet County website.

Dated this 2nd day of January, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer,
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item:		
Resolution Approving the Official Newspaper for Publications in 2024		
Primary Originating Division/Dept.: Administration	Meeting Date: 01/02/2024	
Contact: Mandy Landkamer Title: County Administrator	Item Type: Consent Agenda (Select One)	
Amount of Time Requested minutes		
Presenter: Title:	Attachments: ☒ Yes ☐ No	
County Strategy: Financial Security - prudent use of taxpayer resources (Select One)		
BACKGROUND/JUSTIFICATION: A request for bids were published in the St. Peter Herald and the Lafayette Ledger in November 2021 for the official newspaper publications for calendar years 2022-2024. Statute allows counties to bid for up to three years. Action requested: -Approve the St. Peter Herald as the official newspaper for Nicollet County in 2024 at a rate of \$4.50 per column inch for all Nicollet County legal publications and notices including, but not limited to: delinquent tax list, meeting minutes/synopsis, tax forfeited land sales, county financial statement, and legal/hearing/meeting/bid notices.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No		
If "yes", when? (provide year; mm/dd/yy if known) January 2023		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approve the resolution approving the St. Peter Herald as the official newspaper for publications. +		
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify	FUNDING County Dollars = Other (Select One) Total	\$9,000 \$9,000
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		



**RESOLUTION APPROVING THE
OFFICIAL NEWSPAPER USED FOR PUBLICATIONS**

WHEREAS, Minn. Stat. §375.12 states a county board shall have the official proceedings of its sessions published in a qualified newspaper of general circulation in the county. The publication shall be let annually by contract to the lowest bidder, at the first regular session of the board in January each year; and

WHEREAS, Minn. Stat. §331A.03 requires public notices of a political subdivision be published in a qualified newspaper as described in Minn. Stat. §331A.02; and

WHEREAS, Minn. Stat. §331A.04 states the priority for selecting a qualified newspaper; and

WHEREAS, Minn. Stat. §331A.06 states a political subdivision may enter into multiyear contracts with a qualified newspaper for publication of the political subdivision's public notices. No multiyear contract may be for term longer than three years; and

WHEREAS, three-year publication bids were published in November 2021 for 2022-2024 in the St. Peter Herald and Lafayette Ledger; and

WHEREAS, on January 4, 2022 the Nicollet County Board approved the St. Peter Herald as the official legal paper for 2022-2024.

NOW, THEREFORE BE IT RESOLVED, by the Nicollet County Board of Commissioners to:

- Approve the St. Peter Herald as the official legal paper for Nicollet County in 2024 at a rate of \$4.50 per column inch for all Nicollet County legal publications and notices including, but not limited to: delinquent tax list, meeting minutes/synopsis, tax forfeited land sales, county financial statement, and legal/hearing/meeting/bid notices.

Dated this 2nd day of January, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer,
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Resolution to Delegate EFT Authority		
Primary Originating Division/Dept.: Finance		Meeting Date: 01/02/2024
Contact: Heather McCormick	Title: Finance Director	Item Type: Consent Agenda (Select One)
Amount of Time Requested: minutes		
Presenter:	Title:	Attachments: ☒ Yes ☐ No
County Strategy: Financial Security - prudent use of taxpayer resources (Select One)		
BACKGROUND/JUSTIFICATION: In accordance with Statute §471.38 subd. 3a, this resolution is to approve delegation of Electronic Funds Transfers. This County Board will approve delegation authority annually in January.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No		
If "yes", when? (provide year; mm/dd/yy if known) 01/02/23		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approval of the EFT Delegation Authority resolution		
FISCAL IMPACT: Other (Select One) If "Other", specify:		FUNDING County Dollars = Other (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify:		Total:
Related Financial/FTE Comments:		



RESOLUTION TO DELEGATE AUTHORITY FOR ELECTRONIC FUNDS TRANSFERS



WHEREAS, Minnesota Statute 471.38 allows for the use of electronic fund transfer as means of making various payments; and

WHEREAS, Electronic funds transfer is the process of value exchange via mechanical means without the use of checks, drafts, or similar negotiable instruments; and

WHEREAS, a local government may make an electronic funds transfer for the following:

- 1) for a claim for a payment from an imprest payroll bank account or investment of excess money;
- 2) for a payment of tax or aid anticipation certificates;
- 3) for a payment of contributions to pension or retirement fund;
- 4) for vendor payments; and
- 5) for payment of bond principal, bond interest and a fiscal agent service charge from the debt redemption fund.

WHEREAS, the County Board shall annually delegate the authority to make electronic funds transfers to the County's chief financial officer or their designee.

NOW THEREFORE, BE IT RESOLVED, that the Nicollet County Board delegates the authority to make electronic funds transfers to Heather McCormick, Nicollet County Finance Director and her designees.

NOW THEREFORE BE IT FURTHER RESOLVED, that the county finance director will:

- 1) provide copy of this resolution to the disbursing bank;
- 2) provide a list of all transactions made by electronic fund transfer to the county board as its next regularly scheduled meeting.

Dated this 2nd day of January, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator and Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Carver County Juvenile Detention Contract with Blue Earth County		
Primary Originating Division/Dept.: Community Corrections		Meeting Date: 01/02/2024
Contact: Rich Molitor	Title: Director	Item Type: Consent Agenda (Select One)
Amount of Time Requested: minutes		
Presenter:	Title:	Attachments: ☒ Yes ☐ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: Contract with Blue Earth County Community Corrections for a juvenile placement bed at Carver County Juvenile Detention Center.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No		
If "yes", when? (provide year; mm/dd/yy if known) November 2022		
Approved by County Attorney's Office: ☒ Yes ☐ No ☐ N/A		
ACTION REQUESTED: Sign Contract		
FISCAL IMPACT: Other (Select One) If "Other", specify:		FUNDING County Dollars = State (Select One)
FTE IMPACT: No FTE change (Select One)		Total:
If "Increase or "Decrease," specify:		
Related Financial/FTE Comments:		

COUNTIES OF BLUE EARTH AND NICOLLET JUVENILE PLACEMENT SERVICES AGREEMENT

THIS AGREEMENT, is entered into by and between Blue Earth County, 401 Carver Road, Mankato, Minnesota, and Nicollet County, 501 South Minnesota Avenue, St. Peter, Minnesota, by and through their respective Community Corrections Departments, hereinafter referred to collectively as "Counties," and Carver County by and through its Juvenile Detention Center, 606 4th Street East, Chaska, Minnesota, hereinafter referred to as "JDC."

RECITALS

- A. Pursuant to Minn. Stat. Sec. 373.01, subd. 1(a)(5), each County is a body politic and corporate and may make all contracts and do all other acts in relation to the property and concerns of the County necessary to the exercise of its corporate powers.
- B. Carver County is a municipal corporation that operates a juvenile detention center, the JDC, that provides secure detention services for juvenile offenders.
- C. The Counties seek to enter into an agreement for the provision of secure detention facilities for juvenile offenders through a monthly contract.
- D. The parties seek to enter into an agreement for the placement of juveniles ages 10-18 in accordance with Minnesota Statute §260B.181, subd. 4.
- E. The parties seek to enter into this Agreement collectively, but each County shall retain decision-making authority for the juveniles it places under this Agreement and the County with placement authority who placed the juvenile at the JDC shall be referred to as "Placing County".

NOW, THEREFORE, in consideration of the mutual undertakings and agreements contained within this Agreement, the Counties and JDC hereby agree as follows:

1. Compensation and Terms of Payment

a. Compensation

- 1) Reserved bed: JDC shall be compensated at a rate of one hundred twenty dollars and no cents (\$120.00) per day for one reserved bed. The Counties shall share in the cost of the reserved bed as provided for in the attached addendum.
- 2) Additional beds: JDC shall be compensated at a rate of one hundred twenty dollars and no cents (\$120.00) per day per bed on an as-needed, as available basis. The Placing County shall be responsible for the cost of additional beds.
- 3) Total compensation under this agreement shall not exceed fifty thousand dollars and no cents (\$50,000.00).

b. Terms of Payment

- 1) JDC shall submit yearly invoices to the authorized agent of the Counties for payment of work completed. Invoices shall include the number of bed days utilized for each month and the name of the juvenile served. The Directors of the Counties' Community Corrections shall have the authority to review the invoices, and no payment shall be made without the approval of the Directors.

Payments shall be made within thirty (30) days after receipt of invoice for services performed and acceptance of such services by the authorized agent of the Counties.

- 2) If the invoice is incorrect, defective, or otherwise improper, the Counties will notify JDC within ten (10) days of receiving the incorrect invoice. Upon receiving the corrected invoice from JDC, the Counties will make payment within thirty (30) days.
- 3) In the event the Agreement is terminated before the expiration of the contract, Counties shall pay JDC for services provided in a satisfactory manner as of the date of termination notice by the party seeking to terminate this Agreement.

2. Condition of Payment

All services provided by JDC pursuant to this Agreement shall be performed to the satisfaction of the Counties, and in accordance with all applicable federal, state and local laws, ordinances, rules and regulations. Payment shall be withheld for work found by the Counties to be unsatisfactory, or performed in violation of federal, state and local laws, ordinances, rules or regulations.

3. Scope of Services

a. JDC responsibilities:

- 1) JDC shall guarantee the use of at least one (1) bed at all times by the Counties for secure detention of Juveniles. Counties shall be guaranteed three hundred sixty-five (365) bed days per year to be used during the 2024 calendar year.
- 2) Medical and Testing: JDC shall provide for medical treatment and testing of placed juveniles as follows:
 - a) Non-emergency Treatment:

In the event a juvenile placed under this Agreement is in need of non-emergency medical treatment, the JDC shall attempt to arrange for care by using the juvenile's private insurance for such treatment. In the event that insurance is not available, JDC shall contact the Placing County.
 - b) Emergency Treatment:

In the event a juvenile placed under this Agreement requires emergency medical treatment, JDC shall seek appropriate medical treatment for said Juvenile.

- i. If the treatment does not require hospitalization, JDC shall notify the Placing County the next business day.
- ii. If the treatment requires hospitalization, JDC shall notify the Placing County as soon as reasonable. JDC shall be responsible for guard services for a reasonable time until the Placing County is able to assume the duties. If the Placing County agrees that the JDC will provide guard services for a period exceeding eight (8) hours, an additional charge to be agreed upon between the JDC and the Placing County. The payment for the guard services shall be included in the next month's invoice.

- c) JDC shall forward any bills for medical services from third parties to the Placing County immediately upon receipt.

3) Admissions

- a) JDC shall admit juveniles transported to the JDC by Blue Earth or Nicollet County agents or law enforcement officials who have a court order, warrant, or arrest hold provided that the juvenile meets the established criteria for secure detention as defined by statute.
- b) JDC may refuse admission of a juvenile under this Agreement if the juvenile cannot be physically maintained at the facility because all contract beds are utilized and no other beds are available, or because, in the reasonable belief of the JDC, the admission would threaten the physical safety of the juvenile, JDC staff, or other juvenile detainees. It is understood that some youth may not be able to be maintained due to behavior or mental health conditions. Any potential refusals will be staffed between JDC and the Placing County prior to a placement determination.
- c) JDC agrees to admit juveniles who have consumed alcohol and register up to .05 BAC on a portable breath test (PBT). Juveniles above .05 BAC on a portable breath test (PBT) will be referred to detox or other designated facility.
- d) JDC agrees to admit juveniles who have been charged with non-domestic fifth degree assault charges as long as the offense is not certified as a petty offense.
- e) JDC agrees to admit juveniles without prescribed medications provided that referring agents provide JDC documentation of attempts to obtain medication.

4) Reporting Requirements:

JDC shall have available all detention reports required under Minnesota law and provide said reports to the Placing County upon request. The parties

shall comply with Minn. R. Juv. P. 5 and with any other terms mutually agreed upon regarding reports. Along with the JDC invoice, the JDC each month will provide the Counties a cumulative total on the number of bed days used by each County for the year.

5) Interpreter Services

JDC shall use the Placing County's interpreter services whenever possible. If JDC chooses to use their own interpreter services, it shall be at no cost to the Placing County.

b. Blue Earth and Nicollet County responsibilities:

1) When transporting a juvenile to or from the JDC, the placing agent shall call the facility at least thirty (30) minutes prior to the estimated time of arrival.

2) Within a reasonable time after a hearing on the continued detention of a Juvenile detained at JDC, the Placing County shall notify JDC whether the juvenile will return to JDC for further detention.

3) Probable Cause/Other Juvenile Court Statutory Requirements

The Placing County shall be responsible for meeting the requirement to file a finding of probable cause for detention of juveniles detained under this Agreement, where said juvenile will be detained at the facility for longer than forty-eight (48) hours.

4) The Placing County shall be responsible to provide hospital guard services as provided for in 3(a)(2)(b)(ii) above.

5) The Placing County shall be responsible for medical bills relative to the Placing County's placements. JDC shall have no responsibility for any payment or billing.

6) In the event that the contracted bed provided for in the Agreement is being utilized by one County and no other bed is available, the Counties shall consult to determine options related to use of the contracted bed. Consideration shall be given to nature of placement, future Court dates, and other placement options available.

4. **Effective Date of Agreement**

This Agreement shall be effective January 1, 2024.

5. **Term of Agreement**

This Agreement shall remain in effect until December 31, 2024, unless it is terminated early as provided herein.

6. **Authorized Agents**

The Parties shall appoint an authorized agent for the purpose of administration of this agreement. JDC is notified of the authorized agents of Blue Earth and Nicollet

County as follows:

Authorized agent for Invoices, Placements and Program Services:

John Marsolek, Community Corrections Director, or his successor
Blue Earth County Community Corrections
401 Carver Road, PO Box 3245
Mankato, MN 56001
507.304.4716

Rich Molitor, Community Corrections Director, or his successor
Nicollet County Community Corrections
501 S. Minnesota Avenue
St. Peter, MN 56082
507.934.7882

The County is notified the authorized agent for JDC is as follows:

Reed Ashpole, or his successor
Commander
Carver County Juvenile Center
606 E 4th Street
Chaska, MN 55318
952.361.1202
rashpole@co.carver.mn.us

7. County and State Audit

Pursuant to Minn. Stat. Sec. 16C.05, subd. 5, the books, records, documents, and accounting procedures and practices of JDC relative to this Agreement shall be subject to examination by the Counties and the State Auditor. Complete and accurate records of the work performed pursuant to this Agreement shall be kept by JDC for a minimum of six (6) years following termination of this Agreement for such auditing purposes. The retention period shall be automatically extended during the course of any administrative or judicial action involving the Counties regarding matters to which the records are relevant. The retention period shall be automatically extended until the administrative or judicial action is finally completed or until the authorized agent of the Counties notifies JDC in writing that the records need no longer be kept.

8. Indemnity

Each party shall be liable for their own acts to the extent provided by law and hereby agree to indemnify, hold harmless, and defend the others, their officers, and employees against any and all liability, loss, costs, damages, expenses, claims, or actions, including attorney's fees which the others, their officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of the other parties, their agents, servants or employees, in the execution or performance or failure to adequately perform their obligations pursuant to this Agreement.

It is understood and agreed that the Parties' liability shall be limited by the provisions of Minn. Stat. Chap. 466 and/or other applicable law.

9. Subcontracts

JDC shall not subcontract any portion of the work to be performed under this agreement nor assign this Agreement without the prior written approval of the authorized agent of the Counties. JDC shall ensure and require that any subcontractor agrees to and complies with all of the terms of this Agreement. Any subcontractor of JDC used to perform any portion of this Agreement shall report to and bill JDC directly. JDC shall be solely responsible for the breach, performance or nonperformance of any subcontractor.

10. Force Majeure

Counties and JDC agree that JDC shall not be liable for any delay or inability to perform this agreement, directly or indirectly caused by, or resulting from, strikes, labor troubles, accidents, fire, flood, breakdowns, war, riot, civil commotion, lack of material, delays of transportation, acts of God or other cause beyond reasonable control of JDC and the Counties.

11. Data Practices

JDC, its agents, employees and any subcontractors of JDC, in providing all services hereunder, agree to abide by the provisions of the Minnesota Government Data Practices Act, Minn. Stat. Ch. 13, as amended, and Minn. Rules promulgated pursuant to Ch. 13. JDC agrees to indemnify and hold the Counties, its officers, department heads and employees harmless from any claims resulting from the JDC unlawful disclosure, failure to disclose, or use of data protected under state and federal laws.

12. Termination

This Agreement may be terminated by either party, with or without cause, upon thirty (30) days written notice to the authorized agent of JDC or the authorized agents of the Counties.

13. Independent Contractor

It is agreed that nothing contained in this Agreement is intended or should be construed as creating the relationship of a partnership, joint venture, or association between the Counties and JDC. JDC is an independent contractor, and it, its employees, agents, subcontractors, and representatives shall not be considered employees, agents or representatives shall not be considered employees, agents or representatives of the Counties. Except as otherwise provided herein, JDC shall maintain, in all respects, its present control over the means and personnel by which this Agreement is performed. From any amounts due JDC, there shall be no deduction for federal income tax, FICA payments, state income tax, or for any other purposes which are associated with an employer/employee relationship unless otherwise required by law. Payment of federal income tax, FICA payments, state income tax, unemployment compensation taxes, and other payroll deductions and taxes are the sole responsibility of JDC.

14. Notices

Any notices to be given under this Agreement shall be given by enclosing the same in a sealed envelope, postage prepaid, and depositing the same with the United States Postal Service, addressed to the authorized agent of JDC at its address stated herein, or to the authorized agents of the Counties at the address stated herein.

15. Controlling Law

The laws of the State of Minnesota shall govern all questions and interpretations concerning the validity and construction of this Agreement, and the legal relations between the parties and performance under the Agreement. The appropriate venue and jurisdiction for any litigation hereunder will be those courts located within the County of Blue Earth, State of Minnesota, or the Placing County if the action arises out of the placement of a juvenile in the facility. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the State of Minnesota.

16. Successors and Assigns

The Counties and JDC, respectively, bind themselves, their partners, successors, assigns, and legal representatives to the other party to this Agreement and to the partners, successors, assigns, and legal representatives of such other party with respect to all covenants of this Agreement. Neither the Counties nor JDC shall assign, sublet, or transfer any interest in this Agreement without the prior written consent of the other.

17. Equal Employment and Americans with Disabilities

In connection with the work under this Agreement, JDC agrees to comply with the applicable provisions of state and federal equal employment opportunity and nondiscrimination statutes and regulations. In addition, upon entering into this Agreement, JDC certifies that it has been made fully aware of Blue Earth and Nicollet County's Equal Employment Opportunity and Americans With Disabilities Act Policies, that it supports these policies and that it will conduct its own employment practices in accordance therewith. Failure on the part of JDC to conduct its own employment practices in accordance with County Policy may result in the withholding of all or part of regular payments by the Counties due under this Agreement unless or until Provider complies with the County policy, and/or suspension or termination of this agreement.

18. Debarment/Suspension

JDC certifies that it is not presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from covered transactions by any local, State, or Federal department or agency. Provider shall notify Counties immediately, in writing, of any change in debarment status.

19. Changes/Amendments

The parties agree that no change or modification to this Agreement, or any attachments hereto, shall have any force or effect unless the change is reduced to writing, dated, and made part of this Agreement. The execution of the change shall be authorized and signed in the same manner as this Agreement, or

according to other written policies of the original parties.

20. Severability

In the event any provision of this Agreement shall be held invalid and unenforceable, the remaining provisions shall be valid and binding upon the parties unless such invalidity or non-enforceability would cause the Agreement to fail its purpose. One or more waivers by either party of any provision, term, condition or covenant shall not be construed by the other party as a waiver of a subsequent breach of the same by the other party.

21. Entire Agreement

It is understood and agreed that the entire Agreement of the parties is contained herein and that this Agreement supersedes all oral agreements and negotiations between the parties relating to the subject matter hereof as well as any previous agreements presently in effect between the Counties and JDC relating to the subject matter hereof.

IN WITNESS WHEREOF, the parties have caused this agreement to be duly executed intending to be bound thereby.

Rich Molitor, Nicollet County
Community Corrections Director

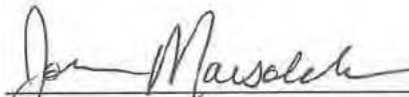
Date

Nicollet County Boar Chair

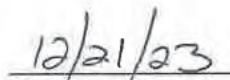
Date

Nicollet County Board Clerk

Date



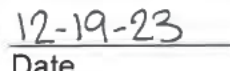
John Marsolek, Blue Earth County
Community Corrections Director



Date 12/21/23



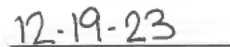
Blue Earth County Board Chair



Date 12-19-23



Blue Earth County Administrator



Date 12-19-23

Carver County Board Chair

Date

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: End of Probations		
Primary Originating Division/Dept.: Human Resources Contact: Kristy Larson Title: HR Director Amount of Time Requested minutes Presenter: Kristy Larson Title: HR Director	Meeting Date: 01/02/2024 Item Type: Consent Agenda (Select One) Attachments: ☐ Yes ☒ No	
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)		
BACKGROUND/JUSTIFICATION: Sheriff's Office Sheriff Dave Lange has requested the end of probation for Jordan Volk, Deputy, effective January 4, 2024. Health and Human Services Child Protection Supervisor Angie Obermiller has requested the end of probation for Ana Chmiel, Child Protection Case Manager, effective December 27, 2023. Property and Public Services County Assessor and Property Services Supervisor Shana Jackson has request the end of probation for Sheila Reem, Sanitarian, effective December 27, 2023.		
+		
Supporting Documents: ☐ Attached ☒ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Grant end of probationary status		
FISCAL IMPACT: Other (Select One) If "Other", specify FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	FUNDING County Dollars = Grant (Select One) Total	

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: 2024 Health and Human Services: Execution of Contracts and Agreements		
Primary Originating Division/Dept.: Health and Human Services Contact: Cassandra Sassenberg Title: HHS Director Amount of Time Requested 5 minutes Presenter: C. Sassenberg Title: HHS Director	Meeting Date: 01/02/2024 Item Type: Regular Agenda (Select One) Attachments: ☒ Yes ☐ No	
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: Throughout the year, Nicollet County enters into purchase of service agreements, cooperative agreements, grant agreements, internship agreements, and lead county contracts for the provision of health and human services. In order to provide efficiency, the Nicollet County Board has annually authorized the Health and Human Services Director to execute and approve these contracts for program areas previously approved and budgeted for by the Board.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No If "yes", when? (provide year; mm/dd/yy if known) Annually		
Approved by County Attorney's Office: ☒ Yes ☐ No ☐ N/A		
ACTION REQUESTED: Approval of the 2024 resolution delegating contract authority to the Health and Human Services Director.		
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify	FUNDING County Dollars = Other (Select One) Total	
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		



RESOLUTION TO AUTHORIZE CONTRACT EXECUTION



WHEREAS, Minnesota counties are obligated to provide services and to enter into contracts for the provision of services to individuals in their counties; and

WHEREAS, Minnesota law contemplates that Minnesota counties, by necessity, must arrange contracts with service providers to be able to utilize various services to benefit individuals, generically known as purchase of services contracts; and

WHEREAS, the County routinely enters into purchase of service contracts, cooperative agreements, and grant agreements for the provision of health and human services; and

WHEREAS, Minnesota law contemplates that service providers situated within a county establish purchase of service contracts with their lead county, and under the terms of said contracts, other counties may utilize such purchase of services contracts in accordance with the terms of such contracts; and

WHEREAS, Minnesota Statutes Chapter 256 governs the County's purchase of community social services and provides that the County Board must sign and approve all agreements unless the County Board has designated the local agency to sign said Contracts on its behalf; and

WHEREAS, this Board believes a more expeditious handling of such purchase of service contracts, cooperative agreements, and lead county contracts may be obtained by delegating to the Director of Nicollet County Health and Human Services the authority to sign contracts on behalf of this Board.

NOW THEREFORE BE IT RESOLVED, that the Nicollet County Board of Commissioners authorizes the Director of Nicollet County Health and Human Services to execute and approve purchase of service agreements, cooperative agreements, memorandums of understanding, internship agreements, grants, and lead county contracts for program areas previously approved and budgeted for by the Board.

Dated this 2nd day of January, 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

NICOLLET
COUNTY EST. 1853

Agenda Item: Resolution to Establish Absentee Ballot Board and County UOCAVA Ballot Board					
Primary Originating Division/Dept.: Public Services				Meeting Date: 01/02/2024	
Contact: Jaci Kopet		Title: PPSD Director		Item Type: (Select One) Regular Agenda	
Amount of Time Requested: 5 minutes					
Presenter: Jaci Kopet		Title: PPSD Director		Attachments: ☒ Yes ☐ No	
County Strategy: (Select One) Programs and Services - deliver value-added quality services					
BACKGROUND/JUSTIFICATION:					
Minnesota Election Law directs the governing body (county, municipality, or school district) with responsibility to accept and reject absentee ballots to establish an Absentee Ballot Board. The ballot board completes important work associated with review, acceptance, and rejection of absentee ballots submitted by voters. The ballot board can be comprised of trained election judges and deputy county auditors.					
Similarly, Minnesota Election Law directs the County Auditor as the County's Election Official to establish a County UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) Ballot Board to complete important work associated with the review, acceptance, and rejection of absentee ballots submitted by voters who live overseas or are in active military duty status. The ballot board can be comprised of trained election judges and trained deputy county auditors.					
Public Services works within the election laws to appropriately staff these ballot boards with trained, qualified, and impartial ballot board members to complete the work of the ballot board.					
I am requesting that the Board adopt the resolution attached establishing a Ballot Board for Absentee Ballots and a County Ballot Board for UOCAVA Ballots and authorize the PPSD Director to implement the boards as provided in Minnesota Election Law.					
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None					
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No					
If "yes", when? (provide year; mm/dd/yy if known)					
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A					
ACTION REQUESTED:					
Approval of the attached resolution					
FISCAL IMPACT: Other (Select One)			FUNDING County Dollars =		
If "Other", specify:			State (Select One)		
FTE IMPACT: No FTE change (Select One)			Total:		
If "Increase or "Decrease," specify:					
Related Financial/FTE Comments:					



**RESOLUTION TO ESTABLISH
ABSENTEE BALLOT BOARD
AND COUNTY UOCAVA BALLOT BOARD FOR ELECTION
ON MARCH 5, 2024**

WHEREAS, Nicollet County is required by Minnesota Statutes 203B.121, Subd. 1 to establish an Absentee Ballot Board effective upon approval; and

WHEREAS, the Nicollet County Auditor as the County's Election Official is required by Minnesota Statutes 203B.23 to establish a County UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) Ballot Board effective upon approval; and

WHEREAS, these boards will bring uniformity in the processing of accepting or rejecting returned absentee and UOCAVA ballots to Nicollet County;

THEREFORE, BE IT RESOLVED THAT, the Nicollet County Board of Commissioners hereby authorizes the Nicollet County Property and Public Services Director to implement an Absentee Ballot Board that would consist of a sufficient number of trained and qualified election judges and trained deputy county auditor staff to perform the required tasks as provided in Minnesota Election Law for the March 5, 2024 Election.

THEREFORE, BE IT FURTHER RESOLVED THAT, the Nicollet County Board of Commissioners hereby directs the Nicollet County Property and Public Services Director as the County's Election Official to establish a County UOCAVA Ballot Board that would consist of a sufficient number of trained and qualified election judges and trained deputy county auditor staff to perform the required tasks as provided in Minnesota Election Law for the March 5, 2024 Election.

Dated this 2nd day of January, 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: December 18, 2023 Planning & Zoning Advisory Commission Meeting		
Primary Originating Division/Dept.: PPSD -Property Services Contact: Spencer Crawford Title: Deputy Zoning Administrator Amount of Time Requested: 15 minutes		Meeting Date: 01/02/2024 Item Type: Regular Agenda (Select One)
Presenter: Spencer Crawford Title: Deputy Zoning Administrator		Attachments: ☒ Yes ☐ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: PLN23-23 Valley Asphalt Products, Inc. 3-year Mineral Extraction Conditional Use Permit renewal for a permanent hot mix plant. PLN23-24 Granby Calf Ranch, Conditional Use Permit modification to change animal type from calves to cows and calves. PLN23-25 Marty & Mary McCabe, Conditional Use Permit to place over 50 cubic yards of fill not in connection with another permitted use. PLN23-26 Holly Carlson, Conditional Use Permit to to establish and operate a dog boarding kennel. The Planning Commission recommended approval for all items.		
+		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Consideration of the attached Conditional Use permit requests and findings of fact for approval or denial.		
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify:		FUNDING County Dollars = State (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:		Total:

PLANNING & ZONING COMMISSION AGENDA

Date: December 18, 2023

Time: Following the adjournment of the Nicollet County Board of Adjustments and Appeals Meeting (doors open at 6:45)

Location: Nicollet County Board Room, 501 S. Minnesota Avenue, St. Peter, MN

Copies of the meeting agenda and packet are available on the Nicollet County website at:
mn-nicolletcounty.civicplus.com/AgendaCenter

Questions or comments regarding the meeting can be directed to the Nicollet County Property Services Department by calling 507-934-7070, or by email to niccopermitapps@co.nicollet.mn.us.

1. Call to Order
2. Roll Call
3. Silence Your Cell Phone
4. Review of Cancellations and Additions
5. Approval of Minutes: *November 20, 2023*
6. Public Appearances
7. **PUBLIC HEARING: PLN23-23** (*continued from November 20th meeting*)
 - Applicant: Adam Hoffmann for M.R. Paving & Excavating Inc.
 - Landowner: New Ulm Quartzite Quarries, Inc.
 - Request: 3-year Mineral Extraction CUP renewal
 - Location: Northwest ¼ of the Southwest ¼, Section 35-110-30 in Courtland Township
 - Parcel Number: 04.035.1705
8. **PUBLIC HEARING: PLN23-24**
 - Applicant: Lee Allex for Trident Dairy
 - Landowner: Dairy Wise Builders MN III LLC
 - Request: Modification of an existing Feedlot CUP to increase the animal units and change the animal type
 - Location: Southeast ¼ of Northwest ¼ and part of Southwest ¼ of Northwest ¼, Section 15-110-28 in Granby Township
 - Parcel Number: 05.015.0400
9. **PUBLIC HEARING: PLN23-25**
 - Applicant: Marty & Mary McCabe
 - Landowner: Marty & Mary McCabe

Mission Statement

Providing efficient services with innovation and accountability.

Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.

Core Values

Leadership. Integrity. Accountability. Efficiency. Innovation.

Request: CUP for filling over 50 cubic yards

Location: Part of Western ½ of Northeast ¼, Section 7-110-26 in Traverse Township

Parcel Number: 12.107.0700

10. **PUBLIC HEARING: PLN23-26**

Applicant: Holly Carlson

Landowner: Holly Carlson

Request: Kennel CUP

Location: Part of Southeast ¼ of the Northwest ¼, Section 17-109-28 in Nicollet Township

Parcel Number: 09.017.0300

11. Review Permits

12. Old Business: County & State standards for residential programs and community-based residential facilities

13. Other Business: 2024 Planning & Zoning Commission Meeting Schedule

14. Communications

15. Adjourn

PLANNING COMMISSION REGULAR MONTHLY MEETING MINUTES

DECEMBER 18, 2023	7:00 PM	NICOLLET COUNTY BOARD ROOM
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ROLL CALL	COMMISSIONERS PRESENT	COMMISSIONERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	☒ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☒ Marie Dranttel, <i>Commissioner</i> ☒ Lloyd Hoffmann ☒ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☒ Spencer Crawford, Zoning Specialist (ZS) ☒ John Zehnder, Zoning Specialist (ZS) ☒ Michelle Zehnder Fischer, County Attorney (CA) ☒ Crystal Madden, Recording Secretary ☒ Other Staff: Shana Jackson, County Assessor (CA) ☐ Other Staff:

REVIEW OF AGENDA	
AGENDA ADDITIONS / DELETIONS	None.

APPROVAL OF NOVEMBER 20, 2023 MINUTES	MOTION	2 ND
☒ APPROVE ☐ APPROVE WITH REVISIONS	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab
VOTE TO APPROVE MINUTES	☒ PASS ☐ FAIL	VOTE: 6 - 0

PUBLIC APPEARANCES	
Mike Roen, 305 N. Van Buren Ave, Eveleth	Mr. Roen made a public appearance to request staff resources for a text amendment of the Nicollet County Zoning Ordinance to allow accessory dwelling units for elder care. There was discussion between Mr. Roen, Staff and the Commissioners. Commissioner Thoreson motioned staff research a and report back to the Commission at the meeting next month. This motion was seconded by Commissioner Laven. The vote on the motion passed 6-0.

PUBLIC HEARINGS – CONDITIONAL USE	
PLN23-23	APPLICANT/LANDOWNER: Adam Hoffmann with M.R. Paving & Excavating Inc. / New Ulm Quartzite Quarries, Inc.
DESCRIPTION	Three (3) year review of their Mineral Extraction Permit for a hot mix plant in the Conservancy and Limited Industry Zoning Districts.
CONFLICT OF INTEREST	None.
SITE VISIT & PUBLIC CONTACT	Commissioners Dranttel, Hoffmann, Laven, Thoreson & Chair Ubel visited the site. Commissioner Laven and Chair Ubel heard from members of the public concerning the request.
STAFF REPORT PRESENTED BY	ZS Crawford
APPLICANT TESTIMONY	Present to represent the application was Adam Hoffmann, 21151 122 nd Street, Hanska with M.R. Paving & Excavating Inc.
PUBLIC TESTIMONY	A petition from members of the Shady Brook Acres subdivision was received by ZS Crawford, and was entered into the record stating they opposed the request. Gary Bruns at 57012 Hillcrest Lane, New Ulm was present to provide public testimony. Victor Redke at 54133 Edgewood Drive, New Ulm was present to provide public testimony. Mr. Redke submitted printed images into the record stating he would like control of the smoke and smell coming

	from the plant. Commissioner Laven discussed the location of the photographs, and Mr. Redke confirmed that the images are from the other hot mix plants on the site and not of this hot mix plant application currently up for renewal. Pat Nelson at 57063 Brookview Lane, New Ulm was present to provide public testimony. Mr. Nelson had questions concerning air quality testing. The Applicant and ZS Crawford provided answers.		
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.		
COMMISSION ACTION - MOTION	MOTION	2ND	
RECOMMEND APPROVAL with staff recommended conditions #1-10.	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
MOTION TO RECOMMEND APPROVAL WITH CONDITIONS AS RECOMMENDED BY STAFF			VOTE: 6 - 0
COMMISSION ACTION – VOTE			
RECOMMEND APPROVAL with conditions, as recommended by Staff	☒ PASS	☐ FAIL	VOTE: 6 - 0
COMMISSION ACTION – ADOPT FINDINGS	MOTION	2	
ADOPT THE FINDINGS OF THE FACT AS STATED	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☒ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
MOTION TO ADOPT THE FINDINGS OF FACT AS STATED	☒ PASS	☐ FAIL	VOTE: 6 - 0

PLN23-24	APPLICANT/LANDOWNER Lee Alex with Trident Dairy / Dairy Wise Builders LLC.		
DESCRIPTION	Modification of an existing Feedlot Conditional Use Permit (CUP) for Granby Ranch to include cows as well as calves while maintaining 950.4 animal units (AUs).		
CONFLICT OF INTEREST	No		
SITE VISIT & PUBLIC CONTACT	Commissioner Laven visited the site. Commissioners Thoreson and Chair Ubel stated they had visited the site in the past. There was no contact with Commissioners from members of the public.		
STAFF REPORT PRESENTED BY	ZS Zender. ZS Crawford stated for the record that there is a Minnesota Statute 15.99 Waiver on file for this request.		
APPLICANT TESTIMONY	Present to represent the application was Lee Alex, General Manager – Trident Dairy, located at 2228 Aspen Lane, North Mankato		
PUBLIC TESTIMONY	No one was present to provide public testimony.		
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.		
COMMISSION ACTION - MOTION	MOTION	2ND	
RECOMMEND APPROVAL with conditions, as recommended by Staff	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	
MOTION TO RECOMMEND APPROVAL WITH CONDITIONS AS RECOMMENDED BY STAFF			VOTE: 6 - 0
COMMISSION ACTION – VOTE			
RECOMMEND APPROVAL with conditions, as recommended by Staff	☒ PASS	☐ FAIL	VOTE: 6 - 0
COMMISSION ACTION – ADOPT FINDINGS	MOTION	2ND	

ADOPT THE FINDINGS OF THE FACT AS STATED	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☒ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab
MOTION TO ADOPT THE FINDINGS OF FACT AS STATED	☒ PASS	☐ FAIL VOTE: 6 - 0

MEETING RECESS

8:56 pm	Motion for a 10-minute recess was made by Commissioner Thoreson, and seconded by Commissioner Schwab. The vote on the motion passed 6-0. The meeting resumed at 9:05 pm.
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PLN23-25	APPLICANT/LANDOWNER: Marty & Mary McCabe		
DESCRIPTION	To place fill dirt over fifty (50) cubic yards not associated with a permitted use on property within the Agricultural Preservation Zoning District.		
CONFLICT OF INTEREST	None.		
SITE VISIT & PUBLIC CONTACT	No Commissioner visited the site. There was no contact with Commissioners from members of the public.		
STAFF REPORT PRESENTED BY	DZA Crawford		
APPLICANT TESTIMONY	Present to represent the application were Mary & Marty McCabe, 36387 410 th Street, St. Peter.		
PUBLIC TESTIMONY	No one was present to provide public testimony. No other correspondence was received.		
COMMISSIONER DISCUSSION	Further discussion between the applicant, Commission, and Staff took place.		
COMMISSION ACTION - MOTION	MOTION	2 ND	
RECOMMEND APPROVAL with conditions, as recommended by Staff	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
VOTE TO RECOMMEND APPROVAL WITH CONDITIONS AS RECOMMENDED BY STAFF		VOTE: 6 - 0	
COMMISSION ACTION – VOTE			
RECOMMEND APPROVAL with conditions as recommended by Staff	☒ PASS	☐ FAIL	VOTE: 6 - 0
COMMISSION ACTION – ADOPT FINDINGS	MOTION	2 ND	
ADOPT THE FINDINGS OF THE FACT AS STATED	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☒ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	
MOTION TO ADOPT THE FINDINGS OF FACT AS STATED	☒ PASS	☐ FAIL	VOTE: 6 - 0

PLN23-26	APPLICANT/LANDOWNER: Holly Carlson		
DESCRIPTION	To establish and operate a dog boarding kennel within the Applicant's residence on property located within the Agricultural Preservation Zoning District.		
CONFLICT OF INTEREST	None.		
SITE VISIT & PUBLIC CONTACT	Commissioners Laven & Chair Ubel visited the site. Contact was made with Commissioner Laven from a member of the public concerning barking, and in opposition of the request.		
STAFF REPORT PRESENTED BY	DZA Crawford		
APPLICANT TESTIMONY	Present to represent the application was Holly Carlson, 47530 478 th Street, Nicollet.		

PUBLIC TESTIMONY	No one was present to provide public testimony.		
	Public comment was received by ZS Crawford on 12/18/2023. A neighbor commented in opposition of the request concerning noise nuisance from barking dogs. Particularly, during funerals at the neighboring cemetery. This comment was entered into the record.		
COMMISSIONER DISCUSSION	Further discussion between the Applicant, Commission, and Staff took place.		
COMMISSION ACTION - RECOMMENDATION	MOTION	2ND	
RECOMMEND APPROVAL with conditions, as amended to include a Noise Mitigation Plan per Nicollet County Zoning Ordinance 720.3(9)	☐ Dave Ubel, <i>Chair</i> ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab	
VOTE TO RECOMMEND APPROVAL WITH CONDITIONS AS AMENDED	☒ PASS	☐ FAIL	VOTE: 5 - 1
COMMISSION ACTION – FINDINGS OF FACT			
ADOPT THE FINDINGS OF FACT, as stated	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab	
VOTE TO ADOPT THE FINDINGS OF FACT	☒ PASS	☐ FAIL	VOTE: 6

ADDITIONAL ITEMS			
OLD BUSINESS	ZS Crawford presented Motion a Statute 245A. Special Conditions for Residential Programs. Chair Ubel requested, and was provided update from ZS Crawford concerning the outcome of PLN23-17.		
OTHER BUSINESS	A motion was made by Commissioner Thoreson to approve 2024 Planning Commission Meeting Calendar, and was seconded by Commissioner Hoffmann. The vote on the motion passed 6-0. Chair Ubel requested ZS Crawford look into the chemical additive options hot mix plants propose to use to mitigate odor including the associated health risks, before the next meeting. CA and r-Fisher recognizes Nicollet County needs to look at elder care options in terms of rural development, but recommends the significant study, policy discussion, and research of ramifications be completed before significant revision to Zoning Ordinance is made.		
COMMUNICATIONS	None.		
MOTION TO ADJOURN MEETING	MOTION	2ND	
10:10 PM	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☒ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab	☐ Dave Ubel, <i>Chair</i> ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Marie Dranttel, <i>Commissioner</i> ☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab	
VOTE TO ADJOURN MEETING	☒ CARRIED	☐ FAILED	VOTE: 6 - 0

CRYSTAL MADDEN, RECORDING SECRETARY		DATE	1/22/2024
DAVE UBEL, CHAIR		DATE	1/22/2024



CONDITIONAL USE PERMIT

MINERAL EXTRACTION PERMIT RENEWAL

Valley Asphalt Products, Inc.

PLN23-23

NICOLLET COUNTY PLANNING & ZONING ADVISORY COMMISSION

SUBJECT:	Conditional Use Permit PLN23-23
APPLICANT:	Adam Hoffmann - Valley Asphalt Products / M.R. Paving
LANDOWNER:	New Ulm Quartzite Quarries
LOCATION:	Northwest ¼ of the Southwest ¼, Section 35-110-30 in Courtland Township
PARCEL NO:	04.035.1705
EXISTING ZONING:	Conservancy & Limited Industry Zoning Districts
HEARING DATE:	12/18/2023 (continued)
COUNTY BOARD DATE:	01/02/2024
60 DAYS FROM REQUEST:	01/03/2024 (extended)

REQUEST:

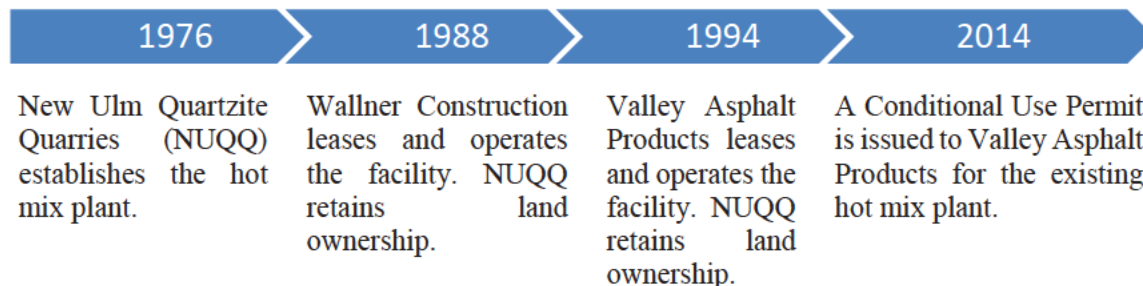
The Applicant is requesting a three (3) year review of their Conditional Use Permit for a hot mix plant.

ORDINANCE:

Mineral extraction operations are required to renew their conditional use permit every three (3) years per Nicollet County Zoning Ordinance 724.2 (3). Standalone hot mix plants are included within the definition of mineral extraction per Nicollet County Zoning Ordinance 302 (165).

PROJECT DESCRIPTION:

Timeline:



Operations:

The facility consists of a hot mix plant and its associated storage, which produces and hauls up to 1,000 tons of asphalt per day and up to 85,000 tons per year. The plant is located within the New Ulm Quartzite Quarries facility and is leased to Valley Asphalt Products, who are a branch of M.R. Paving & Excavating. This Conditional Use Permit only authorizes the plant and its associated features; the remainder of the New Ulm Quartzite Quarries facility, including the mining pit, is permitted separately.

The plant combines aggregate and recycled pavement stored on site with a binder to create asphalt, which is used in various road and paving projects. The equipment utilized includes payloaders, dozers, excavators, dump trucks, semis, water trucks, bins, asphalt drums, silos, oil tanks, conveyors, and skid loaders. The site generates about 75 trips per day for loading and unloading of material.

The production process varies depending on the product desired, but generally goes as such:

- Materials are transferred by loader from the stockpiles into the feed bins.
- The feed bins supply the dryer via a conveyor system.
- The material is fed from the dryer to a mixer, which combines it with oil.
- The product is stored in a silo until loaded into a haul truck.

Access:

The site has direct access to 571st Lane via a path leading to the facility. The entrance is located about 1,500 feet south of the 571st Lane & Highway 14 intersection.

Appearance:

The facility is screened from the Minnesota River and Highway 14 by trees to the north and west. It is generally screened from other properties by the berms and stockpiles of New Ulm Quartzite Quarries.

Bond Requirements:

The Applicant has submitted an updated bond in the amount of \$7,500 to cover the actively used and not yet reclaimed acres. The bond amount is \$2,500 per acre due to the pit preexisting the 2014 Mineral Extraction Zoning Ordinance amendment requiring \$5,000 per acre.

Hours of Operation:

The hours of operation are from 7 am to 7 pm Monday through Friday, and 7 am to 2 pm on Saturday. No work is done on Sundays.

Dust, Noise, & Odor Control:

Water and/or zinc chloride is used to control dust on the haul road. Noise and odor do not appear to be outside of what is typical for a permanent hot mix facility. The Applicant has two individuals designated to handle complaints for this location.

Reclamation Plan:

Reclamation of the facility is covered by New Ulm Quartzite Quarries end use plan, which shows the property being turned into a subdivision with a lake.

SURROUNDING LAND USE

The surrounding land use beyond the adjacent quarry is varied, with a subdivision to the north; the Minnesota River to the south and west; and other gravel pits to the east. The City of New Ulm is located a little under a mile to the west.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

- 1. Given the nature of the land, the requested use is compatible with the public health, safety, and general welfare.**
 - Mineral extraction, which includes hot mix plants, is a conditionally permitted use in the Conservancy and Limited Industry Zoning Districts.
 - The facility must follow all state and federal standards, including those from the Minnesota Pollution Control Agency.
 - The facility generally meets the Zoning Ordinance standards outlined in Sections 505, 603, 608, and 724.
- 2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**
 - The facility has access to Highway 14, which can accommodate larger trucks and typical traffic generated from this location.

- The utility usage for this location does not appear to be unreasonable.
- 3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**
- The facility is generally screened from the surrounding uses.
 - The facility must follow all federal, state, and local standards, including from the Minnesota Pollution Control Agency.
 - The Applicant has a procedure in place to handle and resolve complaints.
 - An end use plan is on file, and the Applicant will be required to restore the property when extraction operations cease.
- 4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**
- The facility is generally screened from the surrounding uses.
 - The use adheres to the applicable standards of Sections 724.5(3) and 724.5(16) of the Zoning Ordinance for the appearance and screening of mineral extraction facilities
- 5. The requested use is consistent with the Nicollet County Land Use Ordinances.**
- The request meets the applicable standards and requirements found in Sections 505, 603, 608, and generally 724 of the Zoning Ordinance for mineral extraction conditional use permits.
- 6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.**
- The Comprehensive Plan states that the aggregate industry provides vital jobs for residents and revenue for local businesses.
 - The Comprehensive Plan states that Nicollet County will continue to work with aggregate businesses, such as this one, to ensure that these operations can continue in a sustainable and environmentally friendly manner.
- 7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**

- The facility must follow all federal, state, and local standards, including from the Minnesota Pollution Control Agency.
- The use appears to comply with the standards of Sections 724.5(7), 724.5(9), and 724.5(13-14) of the Zoning Ordinance for dust control and air quality; hours of operation; noise and vibrations; and road dust and debris.

8. The requested use is reasonably related to the existing land use and environment.

- The request is a renewal and does not change the existing land use.
- Mineral extraction is a conditionally permitted use in the Conservancy and Limited Industry Zoning Districts.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

- The proposal currently meets the applicable county and state standards for hot mix plants.
- The facility must continually comply with all federal, state, and local standards, including from the Minnesota Pollution Control Agency.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:

- The request is proposed to meet county standards, with no apparent adverse effects to the public health, safety, and welfare.

STAFF RECOMMENDATIONS

1. The Applicant undertakes the project according to the plans and specifications submitted to the county with the application.
2. The permit will be periodically reviewed by the county to ensure compliance with the permit and permit conditions.
3. The county may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
4. The hours of operation shall conform with Nicollet County Zoning Ordinance 724.5 (9).
5. The Applicant shall comply with Minnesota Rules 7030, as amended, governing noise.
6. The Applicant shall be required to maintain an Air Emission Permit from the Minnesota Pollution Control Agency.
7. Any change involving enlargement, intensification of use, or similar change not specifically permitted by this conditional use permit shall require an amended conditional use permit.
8. The Applicant shall use dust reducing techniques along 571st Lane during times of heavy traffic and dry conditions. This may include the watering of sections of the road in which trucks will travel or some other method that will minimize the dust generated from the increased truck traffic.
9. The Applicant shall maintain a bond for the area actively connected with the asphalt hot mix plant. Any increase in the number of acres actively connected with the asphalt hot mix plant will require an amended bond.
10. The conditional use permit for the asphalt hot mix plant must be reviewed on a three (3) year basis (renewal required in November 2026).

Applicant: Valley Asphalt Products / M.R. Paving
Landowner: New Ulm Quartzite Quarries

PLN23-23

ATTACHMENT A	Application
ATTACHMENT B	Submitted by Applicant
ATTACHMENT C	Location Map
ATTACHMENT D	Site Photographs
ATTACHMENT E	Neighbor Notification List
ATTACHMENT F	Public Comment
ATTACHMENT G	Criteria for Conditional Use Permit



PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: \$496.00

Map#: 10-35-400-029
Parcel#: 04.035.1705
Permit#: PLN23-23
Date: 10/25/2023

Applicant: Adam Hoffmann- M.R. Paving
Telephone: 507-276-7410
Owner: New Ulm Quartzite Quarries
Property Address: 45755 571st Ave, New Ulm, MN 56073
Abbreviated Legal Description: NWSW 35-110-30
Township: Courtland Township
Zoning District(s): CONSERVANCY

Record Type: Conditional Use Permit
Subtype: Renewal
Category: Other
Description: Mineral Extraction 3 year renewal
G.C. Licence#: n/a
Job Cost: n/a

ATTACHMENT A
Application

PERMIT EXPIRATION DATE: 10/25/2024

Adam Hoffmann
Adam Hoffmann (Oct 25, 2023 14:03 CDT)

APPLICANT SIGNATURE

Oct 25, 2023

DATE

James Grouler

PROPERTY SERVICES

10/25/23

DATE

PLN23-23 App

Final Audit Report

2023-10-25

Created:	2023-10-25
By:	Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAFvy39pQkZzQJvPyMAV__P32Y_JFK3Ryv

"PLN23-23 App" History

 Document created by Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
2023-10-25 - 6:59:40 PM GMT

 Document emailed to Adam Hoffmann (adamh@mrpaving.com) for signature
2023-10-25 - 7:00:06 PM GMT

 Email viewed by Adam Hoffmann (adamh@mrpaving.com)
2023-10-25 - 7:00:33 PM GMT

 Document e-signed by Adam Hoffmann (adamh@mrpaving.com)
Signature Date: 2023-10-25 - 7:03:20 PM GMT - Time Source: server

 Agreement completed.
2023-10-25 - 7:03:20 PM GMT

M.R.

PAVING & EXCAVATING, INC.

1000 North Front

P.O. Box 787

New Ulm, MN. 56073

Phone (507) 354-4171

Fax (507) 359-4156

Valley Asphalt Products

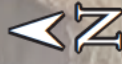
Sec 35-110-030

Parcel # 04.035.1705

We propose to continue operations at Valley Asphalt Products located east of New Ulm off T.H. 14 and 571st Lane. The entrance would be located south of the intersection of T.H. 14 and 571st Lane about 1500 feet. Valley Asphalt Products produces asphalt materials to be used on state, county, and city projects in the area. On average, this plant produces and hauls out 1,000 tons of asphalt per day, 85,000 ton per year, and 255,000 ton in the last 3 years. The estimated number of trips per day to this facility is 75. The asphalt plant has a baghouse that collects dust during the hot mix operation. We use water and or zinc chloride for dust control on the plant roads. Operations at this plant begin in March and conclude in December. The hours of operation will be from 6:00am to 7:00pm Monday through Friday and 7:00am to 2:00pm on Saturdays. No work will be done on Sundays. We have signs located around the plant for safety precautions. Plant vehicles & equipment include payloaders, dozers, excavators, dump trucks, semis, water trucks, bins, asphalt drums, silos, oil tanks, baghouse, conveyors, and skid loaders. This plant sits on property owned by New Ulm Quartzite Quarries. There is no mining done on this property.

Any questions can be directed to Adam Hoffmann at 507-276-7410.

ATTACHMENT B
Submitted by Applicant

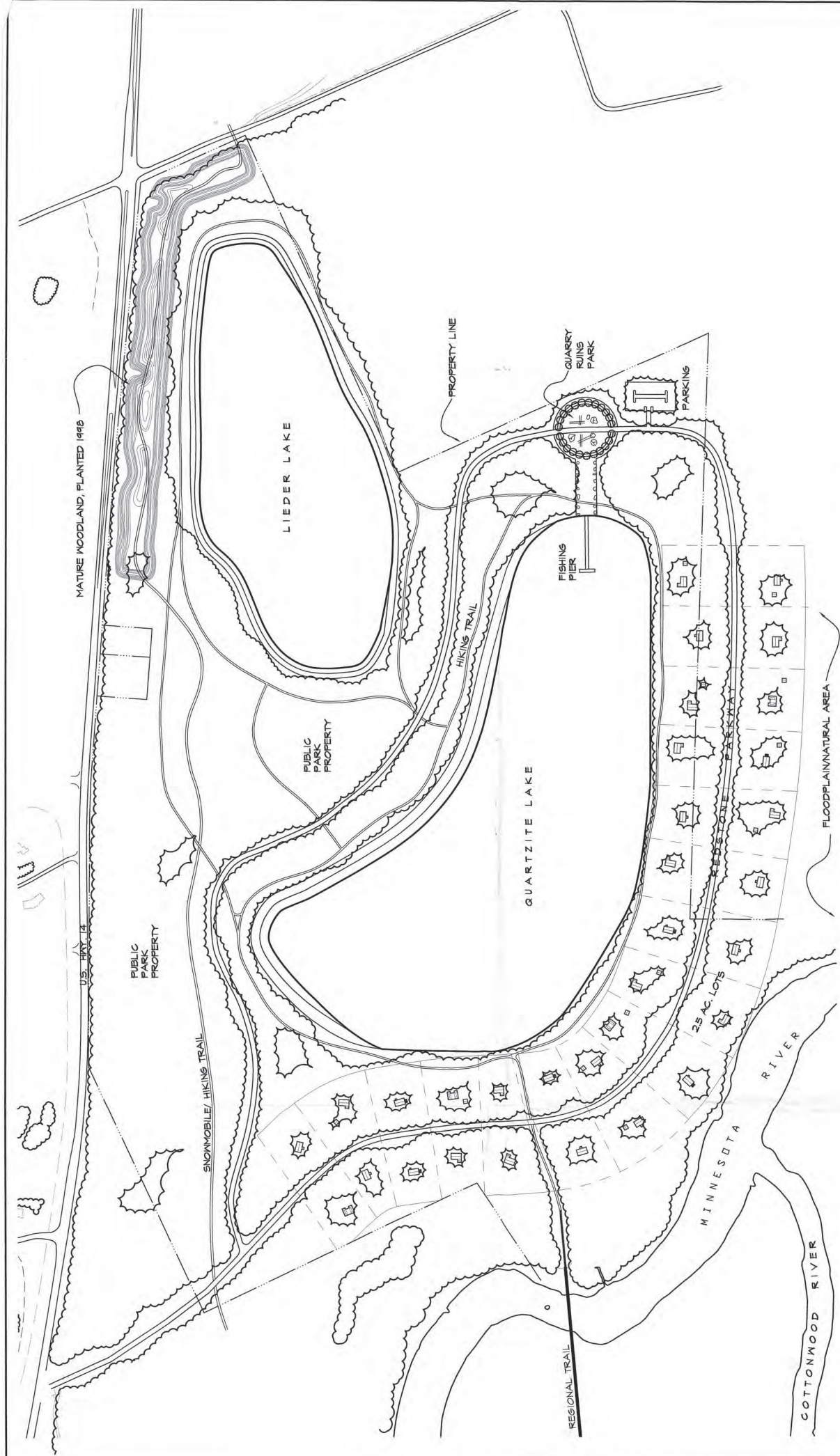


300 ft

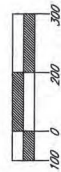
Valley Asphalt Products



Google Earth



The proposed expansion & development the N.U.Q.Q. properties, as illustrated on this drawing sheet, is tentative and subject to revision in whole or in part.



NEW ULM QUARTZITE QUARRIES NEW ULM, MINNESOTA

RECLAMATION PLAN PROPOSED BEYOND YEAR 2075



United Fire & Casualty Company
Addison Insurance Company
Lafayette Insurance Company
United Fire & Indemnity Company
United Fire Loyds
Financial Pacific Insurance Company

CONTINUATION CERTIFICATE

BOND NO.: 55204665

PRINCIPAL: VALLEY ASPHALT PRODUCTS, INC. 2020 N SPRING ST PO BOX 787 NEW
ULM, MN 56073 - 2277

OBLIGEE: NICOLLET COUNTY 501 S MINNESOTA AVE SAINT PETER, MN 56082 - 2507

TYPE OF BOND: CONDITIONAL USE PERMIT - PRODUCTION OF HOT MIX ASPHALT IN
NICOLLET COUNTY

BOND PENALTY: 7,500.00

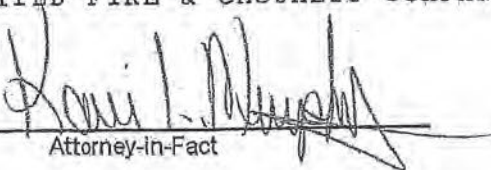
BOND TERM: From 04/09/2023 To 04/09/2024

The Company indicated hereby continues in force, for the period described, the Bond designated above, subject to all the agreements, limitations, and conditions thereof and provides that the liability under said bond and all continuations thereof shall not be cumulative and shall not in any event exceed the amount of said Bond herein before set forth.

Signed, Sealed and Dated 01/09/2023.

UNITED FIRE & CASUALTY COMPANY

By


Attorney-in-Fact

LICP0003 04 11

HOME OFFICE: 118 Second Avenue SE, PO Box 73909, Cedar Rapids, Iowa 52407-3909 Phone: 319-399-5700 or 800-343-9130 FAX: 888-726-9738



ATTACHMENT D
Site Photographs



DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
LEGARE DENNIS	46126 571ST LN	NEW ULM MN 56073
BRADLEY SHANE M & KERI R BRADLEY	45233 SUNRISE DR	NEW ULM MN 56073
LADE MARY D	56933 BROOKVIEW LN	NEW ULM MN 56073
BORTH RONALD J & SANDRA M BORTH	45184 EDGEWOOD DR	NEW ULM MN 56073
RAHE BRIAN D & JUDY M RAHE	45691 561ST AVE	NEW ULM MN 56073-9132
BODE MARCELLA J	45479 561ST AVE	NEW ULM MN 56073
BLUME HOWARD	305 W RIDGE RD	COURTLAND MN 56021
ESSER DANIEL M & SHEILA ESSER	56932 HILLCREST LN	NEW ULM MN 56073
CORDES WADE & VELEDA CORDES	56936 BROOKVIEW LN	NEW ULM MN 56073
HULKE SCOTT R & KATHY J HULKE	45274 SUNRISE DR	NEW ULM MN 56073
BRUNS GARY J SHIRLEY A BRUNS	57012 HILLCREST LN	NEW ULM MN 56073
LESKEY DELORES B	45165 EDGEWOOD DR	NEW ULM MN 56073
BERTRANG JEFFREY ERNEST & WENDY JANE BERTRANG	45493 JEREMY DR	NEW ULM MN 56073
FORBROOK CURTIS L & KRISTIN R FORBROOK	45261 JEREMY DR	NEW ULM MN 56073
LUDEWIG LEON M & MARY A LUDEWIG	45196 SUNRISE DR	NEW ULM MN 56073
GRATHWOHL NORMAN & LISA GRATHWOHL	56998 HILLCREST LN	NEW ULM MN 56073
ENTER JASON P & JODY M ENTER	57108 422ND ST	NEW ULM MN 56073-4321
DITTRICH DAVID A & PATRICE A DITTRICH	45508 JEREMY DR	NEW ULM MN 56073
ALBRECHT GLEN R & LAUREN G ALBRECHT	56929 HILLCREST LN	NEW ULM MN 56073
AREVALO JUAN P & SAN JUANA AREVALO	56963 HILLCREST LN	NEW ULM MN 56073
OHM RONALD C OHM & CARLOTTA L OHM	56947 HILLCREST LN	NEW ULM MN 56073
REWITZER RUTH ANN	55921 US HIGHWAY 14	NEW ULM MN 56073
GULDAN TIMOTHY J & BROOKE M GULDAN	46198 561ST AVE	NEW ULM MN 56073
MN DNR & REAL ESTATE MANAGEMENT	500 LAFAYETTE RD	SAINT PAUL MN 55155-4030
HIPSTER LLC	1220 SOUTH VALLEY ST	NEW ULM MN 56073
WAIBEL MARY J	45438 541ST ST	COURTLAND MN 56021
HEYMANN JOHN H	106 MONUMENT STREET	NEW ULM MN 56073
KLOECKL BRYCE A & TAYLOR C KLOECKL	45318 JEREMY DR	NEW ULM MN 56073
AREVALO JOSE G	45323 KOHN DR	NEW ULM MN 56073
STEVENSEN NICHOLAS J & CHELSEY N BODE	45402 JEREMY DR	NEW ULM MN 56073
MEHLHOP PATRICK	45272 JEREMY DR	NEW ULM MN 56073
HOFMANN MICHELLE R & MARCEL U HOFMANN	45228 SUNRISE DR	NEW ULM MN 56073
WATSON GARY C & LINDA C WATSON	56944 HILLCREST LN	NEW ULM MN 56073
NORDBY DENNIS & SHARON NORDBY	45201 SUNRISE DR	NEW ULM MN 56073
BERG JAMIE & GINA M BERG	45304 KOHN DR	NEW ULM MN 56073
WIDMARK AARON R & LEAH C	45309 JEREMY DR	NEW ULM MN 56073
ESSER DANIEL & SHEILA ESSER	56932 HILLCREST LN	NEW ULM MN 56073
MN VALLEY LUTH HIGH SCHOOL & ASSN	45638 561ST AVE	NEW ULM MN 56073
GREJTAK JOHN F & DIANE K GREJTAK	56923 HILLCREST LN	NEW ULM MN 56073
LUND DOUGLAS R & KATHLEEN K LUND	45541 JEREMY DR	NEW ULM MN 56073
ROLLOFF DAVID & CHRISTENE ROLLOFF	45452 JEREMY DR	NEW ULM MN 56073
NELSON STEVEN A & BETH J NELSON	45210 JEREMY DR	NEW ULM MN 56073
KALK JOSHUA B	45205 JEREMY DR	NEW ULM MN 56073
CITY OF NEW ULM	100 BROADWAY ST	NEW ULM, MN 56073
THOMAS & NANCY HAALA	722 GARDEN ST	NEW ULM, 56073
RAYMOND KUEHN	12142 SHAG RD	NEW ULM, MN 56073
Tim Harmening- Courtland Township	43370 541st Ave	Courtland, MN 56021



The residents of Shady Brook are concerned about the air quality created from the smoke that comes from the asphalt producing units in the quarry.

Sheila S. Esser Printed Name	Sheila S. Esser Signature
Don Esser Printed Name	Don Esser Signature
John Bregink Printed Name	John Bregink Signature
GARY WATSON Printed Name	Gary Watson Signature
SCOTT Hultke Printed Name	Scott Hultke Signature
Patrick Nelson Printed Name	Patrick Nelson Signature
Grant Bode Printed Name	Grant Bode Signature
Lauren H. Brecht Printed Name	Lauren H. Brecht Signature
Cheryl Kraus Printed Name	Cheryl Kraus Signature
BRIAN KRAUS Printed Name	Brian Kraus Signature
Trevor Hillesheim Printed Name	Trevor Hillesheim Signature
MARY Luede Printed Name	Mary Luede Signature
Shane Bradley Printed Name	Shane Bradley Signature
Keri Bradley Printed Name	Keri Bradley Signature

ATTACHMENT F
Public Comment

November 2023



RECEIVED
NOV 15 2023
NICOLLET COUNTY
PROPERTY SERVICES

The residents of Shady Brook are concerned about the air quality created from the smoke that comes from the asphalt producing units in the quarry.

RONALD BORTH
Printed Name

Ronald Borth
Signature

Sandra Borth
Printed Name

Sandra Borth
Signature

Delores Leskey
Printed Name

Delores Leskey
Signature

Terry Thorson
Printed Name

Terry Thorson
Signature

Jim Arndt
Printed Name

James F Arndt
Signature

Leona Arndt
Printed Name

Leona Arndt
Signature

Sharon Nordby
Printed Name

Sharon Nordby
Signature

Dennis Nordby
Printed Name

Dennis Nordby
Signature

Leon Ludwig
Printed Name

Leon Ludwig
Signature

David B. Flotter
Printed Name

David B. Flotter
Signature

Gary Bruns
Printed Name

Gary Bruns
Signature

Shirley Bruns
Printed Name

Shirley Bruns
Signature

Jamie Berg
Printed Name

Jamie Berg
Signature

Ronald Ohm
Printed Name

Ronald Ohm
Signature



The residents of Shady Brook are concerned about the air quality created from the smoke that comes from the asphalt producing units in the quarry.

Jose Hernandez	Jose Hernandez
Printed Name	Signature
Deb Hertling	Deb Hertling
Printed Name	Signature
John Hertling	John Hertling
Printed Name	Signature
Denise Sellner	Denise Sellner
Printed Name	Signature
Andrew Sharits	Andrew Sharits
Printed Name	Signature
Victor Roepke	Victor Roepke
Printed Name	Signature
Mark Domier	Mark Domier
Printed Name	Signature
Adam Whittington	Adam Whittington
Printed Name	Signature
Printed Name	Signature
Printed Name	Signature
Printed Name	Signature
Printed Name	Signature
Printed Name	Signature
Printed Name	Signature

Letter by [REDACTED], P.A.-C. on 11/7/2023

MAYO CLINIC
HEALTH SYSTEM507-625-4031
mayoclinichealthsystem.orgMankato Hospital and Clinic
1025 Marsh St.
Mankato, MN 56001-4752

No Recipients

November 7, 2023

RE: [REDACTED]

Dear Mrs. [REDACTED]:

It was a pleasure to participate in your evaluation at Mayo Clinic for your underlying lung disease. Going forward, it is imperative to avoid any exposures to the lung which may aggravate symptoms, such as poor air quality.

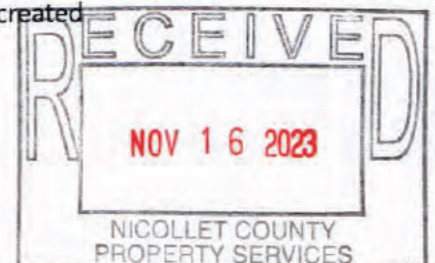
If we can be of further assistance, please let us know.

Sincerely,

[REDACTED]
[REDACTED], P.A.-C.
Department of Pulmonary Medicine in Mankato, Minnesota
1025 MARSH ST
MANKATO MN 56001-4752
Dept: 507-594-6246

Communication Routing History

Recipient	Method	Sent by	Date Sent	Routed to
No recipients	Not selected	Not yet sent	Not yet sent	[REDACTED] [10068]
Letter from [REDACTED], P.A.-C. created on 11/7/2023				

Communications



PLANNING & ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant Adam Hoffmann for M.R. Paving & Excavating Inc. Hearing November 20, 2023
Property Owner New Ulm Quartzite Quarries Continuation December 18, 2023
File PLN23-23 Parcel ID 04.035.1705
Use Request 3-year Mineral Extraction Conditional Use Permit renewal

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use is a permitted use within the County, and meets all zoning regulations. Hot mix plants are permitted in certain zoning districts, and within mineral extraction sites.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	Utility usage is not unreasonable for this request and the requested use has direct access to Highway 14, which can accommodate the heavy traffic. The current infrastructure supports this facility.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use is generally screened from the surrounding properties and must follow all state, federal, and local standards. The existing land use is permitted for mineral extraction and requires the property be restored once extraction operations cease. Hot mix plants are permitted within mineral extraction sites.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use is generally screened from the surrounding properties. The use meets all Zoning Ordinance requirements for mineral extraction facilities.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use generally meets requirements found in Sections 505, 603, 608, and generally 724 of the Nicollet County Zoning Ordinance.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use is in harmony with the Comprehensive Plan. The aggregate industry is vital to the County, providing jobs and local revenue. Nicollet County will work with aggregate businesses to operate in a sustainable and environmentally friendly manner.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☐	☒	☐	☐	It is believed there has been odor issues in the past, but the company will work to remedy that. The facility must comply and follow federal, state, and local standards. The use appears to comply with the standards of the Nicollet County Zoning Ordinance.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

8. The requested use is reasonably related to the existing land use and environment.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use is a renewal of a previously issued permit, and no changes to the land use are requested.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use meets all County and state standards. The Applicant has been following MPCA regulations, but more research will be done into the possible health risks of the exhaust. The Applicant will look into purchasing an odor mitigation chemical to use on the exhaust, which will address odor complaints from nearby properties.
Jon Thoreson	☒	☐	☐	☐	
Marie Dranttel	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

10. The requested use ☐ WILL ☒ WILL NOT have adverse effect upon public health, safety and welfare due to the following other factors:

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request use meets all County and MPCA standards at this time.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION

☒ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

- ☒ Application ☒ Site visit
☒ Information received at public hearing ☒ Staff Report
☒ Pictures

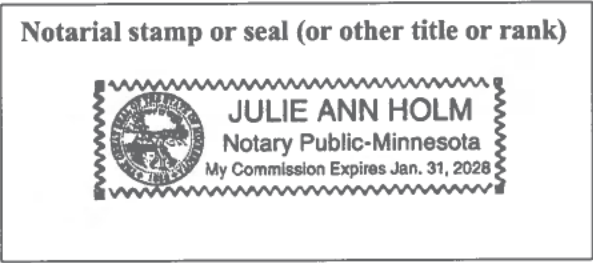
SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE PERMIT AND IN THE RECORD.

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION.

Date: 12/27/23 Chair: Dave Ubel

COUNTY OF NICOLLET

The foregoing instrument was acknowledged before me this 27th day of December 2023,
by Julie Holm.



Julie Holm
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT



CONDITIONAL USE PERMIT

FEEDLOT MODIFICATION

Trident Dairy

PLN23-24

**NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION**

SUBJECT:	Conditional Use Permit PLN23-24
APPLICANT:	Lee Allex – Trident Dairy
LANDOWNER:	Dairy Wise Builders-MN III, LLC
LOCATION:	Southeast ¼ of the Northwest ¼ and Southern ½ of the Southwest ¼ of the Northwest ¼, Section 15-110-238 in Granby Township
PARCEL NO:	05.015.0400
EXISTING ZONING:	Agricultural Preservation Zoning District
HEARING DATE:	12/18/2023
COUNTY BOARD DATE:	01/02/2024
60 DAYS FROM REQUEST:	12/29/2023

REQUEST

The current request is to modify the conditional use permit (CUP) for the Granby Ranch to include cows as well as calves while maintaining 950.4 animal units (AUs).

SURROUNDING LAND USE

The surrounding land use is predominantly agricultural with row crops and a neighboring hog-oriented feedlot 145 feet to the east. The nearest dwelling is located the northeast at a distance of 3,065 feet. The second-nearest dwelling is located to the northwest at a distance of 3,768 feet.

PROJECT DESCRIPTION

Background:

In 2011, Davis Family Dairies, LLC received a CUP for a new feedlot with 4,320 dairy calves, equating to 864 AUs. In 2017, Davis Family Dairies received a variance to Ordinance 715.5, allowing four feedlots, including the High Island Dairy, the New Sweden Dairy, and the Northern Plains Dairy to exceed the maximum size of 3,000 animals by 10 percent in order to better accommodate population fluctuations and avoid culling. The Granby Calf Ranch was included in the group of four, increasing its maximum AUs from 864 to 950.4, allowing for 4,752 calves on site. The facility's National Pollutant Discharge Elimination System (NPDES) program permit with the Minnesota Pollution Control Agency (MPCA) was updated to reflect this higher number. In 2022, Granby Calf Ranch was sold to Dairy Wise Builders MN-III, LLC.

Operations:

The application seeks to change “calves” to “calves and cows” while also updating the conditional use permit to reflect the current allowed number of animal units under the 2017 variance. The current NPDES permit already specifies 950.4 AUs. The new permit would include 800 cows of less than 1,000 pounds while maintaining the option for 750 calves on site, for a maximum of 950 AUs.

The Applicant’s plan is to focus on housing pregnant cows before sending their calves to Texas to be raised in a milder climate to increase their health and longevity. The calf population would vary as needed and might not reach the maximum of 750 calves. Calves would be housed only in the southernmost two barns, which are set up as feeding areas. Other feeding areas in barns one through four would remain empty with cows housed at eastern and western ends. Bedding and housing would remain the same with all animals housed indoors on packed straw bedding. The Applicant is not proposing any structural changes.

CURRENT ANIMAL & ANIMAL UNITS (AUs)		
Animal Type	Number	AUs
Calves	4,752	950.4

PROPOSED ANIMAL & ANIMAL UNITS (AUs)		
Animal Type	Number	AUs
Cows <1,000 lbs.	800	800
Calves	750	150

Access:

Access to the property occurs via a driveway from MN 111 on the western side of the property. MnDOT does not have any concerns, since the modification will not result in increased traffic.

Dead Animal Disposal:

The property already includes a compost facility.

Manure Management Plan:

The Applicant is not proposing to alter their current Manure Management Plan (MMP) as the proposed modification will maintain animal units at the current level. The Applicant will continue to follow their approved MMP under the guidelines set forth in MPCA Rules, Chapter 7020.2225.

COUNTY STANDARDS

The property already meets structural requirements for a feedlot within the Agricultural Preservation Zoning District and the Applicant is not proposing structural changes.

SETBACKS			
Type	Required	Current	Proposed
Right-of-way	85'	1,085'	1,085'
Side (north)	20'	196'	196'
Side (south)	20'	126'	126'
Rear	20'	42'	42'
Ditch	100'	1,925'	1,925'
OFFSET 93% (dwellings & public areas)	1,483'	3,085'	3,085'
OFFSET 99% (Municipalities)	7,858'	23,745'	18,926'

OFFSET Calculation:

The existing permit covers six calf barns (58' x 952') with an odor emission number of four (4), and two solid manure sheds (80' x 560') with an odor emission number of four (4). This results in a 93% OFFSET of 1,659 feet, and a 99% OFFSET of 8,657 feet. However, the two southernmost barns were never built out to the maximum size. The new permit shifts remaining calves into these two smaller barns (58' x 312') and cows into eight reduced housing areas within the four larger barns (each 58' x 320'). This reduces the 93% OFFSET to 1,482 feet, and the 99% OFFSET to 7,858 feet. Manure sheds will remain unchanged. The modified permit allows the facility to continue meeting at the County's standard for a 93% annoyance-free odor rating as the nearest dwelling is 3,065 feet away.

MINNESOTA POLLUTION CONTROL AGENCY STANDARDS

The Applicant maintains a Minnesota Pollution Control Agency (MPCA) permit under the National Pollutant Discharge Elimination System (NPDES) program. It allows a maximum animal unit capacity of 950.4, and was last issued on February 21st, 2023.

NEIGHBOR NOTIFICATION

Property owners were notified of the proposal per the standards of Minnesota State Statute 394.26.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

1. Given the nature of the land, the requested use is compatible with the public health, safety, and general welfare.

- The proposal appears to meet Zoning Ordinance standards for feedlots in the Agricultural Preservation Zoning District.
- The Applicant maintains an NPDES permit with the MPCA.
- The proposed use modification is typical of feedlots within the County.

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

- The Applicant is not proposing any new structures.
- The modified permit should decrease traffic on State Highway 111, because the overall number of head will be smaller.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

- Under the modified permit, the property will continue to meet Zoning Ordinance standards, including OFFSET and setbacks.
- The modified permit should decrease the required OFFSET of the property, because it reflects a smaller facility footprint than the original 2011 permit.
- The predominant land use in the area is agricultural.

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

- The modified permit will maintain the current appearance of the property as it does not proposal any new structures.
- The predominant land use in the area is agricultural.

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

- The modified permit will continue to meet the standards of the Zoning Ordinance for feedlots in the Agricultural Preservation Zoning District.

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

- The Comprehensive Plan states that feedlots are a permitted and regulated use within the Agricultural Preservation Zoning District.

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

- The modified permit will continue to meet the applicable County and State standards for manure handling and management.
- The modified permit will continue to meet required OFFSET setback to dwellings, public areas, and municipalities.
- The modified permit reflects a reduced OFFSET requirement as the current usage fits within a smaller footprint than the 2011 proposal.

8. The requested use is reasonably related to the existing land use and environment.

- The existing use and primary surrounding use is agricultural.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

- The modified permit will continue to meet the standards of the Zoning Ordinance for feedlots within the Agricultural Preservation Zoning District.
- The Applicant maintains an NPDES permit with the MPCA.
- The facility will continue meet the applicable County and State standards for manure handling and management.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:

- The permit modification does not substantially alter the feedlot, which is already typical of feedlots within the County and applies with applicable regulations, including OFFSET.

STAFF RECOMMENDATIONS

1. The Applicant will continue operations according to the plans and specifications submitted to the County with the application.

2. The Conditional Use Permit will be periodically reviewed by the County to assure compliance with the permit and permit conditions.
3. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the permit conditions and all other applicable statutes, rules, and ordinances.
4. The Applicant will maintain at or below 950.4 animal units (AUs).
5. The feedlot must continually meet the 93% OFFSET Annoyance-Free Odor Rating for the duration of the operation.
6. Manure when transported should comply with Minnesota Administrative Rule 7020.2010.
7. The Applicant will maintain and follow their approved Manure Management Plan under the guidelines set forth in MPCA Rules, Chapter 7020.2225.
8. Dead animals must be disposed of in accordance with the Board of Animal Health regulations.

Applicant: Lee Allex – Trident Dairy
Landowner: Dairy Wise Builders-MN III, LLC

PLN23-24

ATTACHMENT A	Application
ATTACHMENT B	Submitted by Applicant
ATTACHMENT C	Aerial Map
ATTACHMENT D	Location Map
ATTACHMENT E	Original Site Plan
ATTACHMENT F	Site Photographs
ATTACHMENT G	OFFSET Map
ATTACHMENT H	OFFSET Calculations
ATTACHMENT I	NPDES Permit
ATTACHMENT J	Neighbor Notification List
ATTACHMENT K	Criteria for Conditional Use Permit



PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: \$496.00

Map#: 12-15-100-004
Parcel#: 05.015.0400
Permit#: PLN23-24
Date: 10/30/2023

Applicant: Lee Alex- Trident Dairy
Telephone: 507-246-4008
Owner: Dairy Wise Builders MN III LLC
Property Address: 42373 State Highway 111
Abbreviated Legal Description: SENW 15-110-28
Township: Granby Township
Zoning District(s): AGRICULTURAL

Record Type: Conditional Use Permit
Subtype: Alteration
Category: AG Animal Storage Building
Description: Feedlot CUP Amendment
G.C. Licence#: n/a
Job Cost: n/a

Lee Alex
Lee Alex (Oct 30, 2023 11:26 CDT)
APPLICANT SIGNATURE

Oct 30, 2023
DATE

Ganes Grawler
PROPERTY SERVICES

10/30/23
DATE

ATTACHMENT A
Application

PLN23-24 App

Final Audit Report

2023-10-30

Created:	2023-10-30
By:	Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAMr72rSYQKPmkCO5RXO8OMC2_9ILAzpJ-

"PLN23-24 App" History

 Document created by Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
2023-10-30 - 4:05:40 PM GMT

 Document emailed to lee@tridentdairy.com for signature
2023-10-30 - 4:06:16 PM GMT

 Email viewed by lee@tridentdairy.com
2023-10-30 - 4:06:27 PM GMT

 Signer lee@tridentdairy.com entered name at signing as Lee Alex
2023-10-30 - 4:26:18 PM GMT

 Document e-signed by Lee Alex (lee@tridentdairy.com)
Signature Date: 2023-10-30 - 4:26:20 PM GMT - Time Source: server

 Agreement completed.
2023-10-30 - 4:26:20 PM GMT



Adobe Acrobat Sign



CONDITIONAL USE PERMIT APPLICANT QUESTIONNAIRE PROJECT DESCRIPTION

APPLICANT NAME: Granby Ranch DATE: 10/26/2023
REQUEST: Modify Permit to include mature cows, same animal units

Please describe the specific details related to your request. If your request is approved, you will be held to the plans and specifications submitted to the County with your application.

Granby Calf Ranch is requesting a modification of the animal type housed at Granby Ranch. The original permit with the county states "calves". We are requesting this modified to state "calves and cows". Originally the NPDES Permit was for 4752 calves on the site. This equals 950.4 animal units per NPDES permit. This is how the site was permitted in 2022 upon renewal. Due to difficulties with raising young Jersey replacement calves in our northern climate we have made the decision to send our youngstock down to Texas to allow a better climate for health and longevity of our animals. Given this change we would like to use Granby Ranch to house some larger animals while pregnant. The modification was sent to MPCA already. The new permit will remain at 950 animal units. The permit will now be for 800 <1000 lb animals. This is figured at 800 (1 unit per cow) animal units per our NPDES permit. The new permit will also still keep the potential of up to 750 calves on site. This is figured at 150 animal units (.2 units per calf). Combining the combination of cows <1000 lbs and calves would still keep the total animal units of Granby Ranch at 950. The practices of bedding and housing would remain the same. All animals would continue to be housed indoors in bedded pack (straw) bedding.

ATTACHMENT B
Submitted by Applicant



CONDITIONAL USE PERMIT APPLICANT QUESTIONNAIRE

APPLICANT NAME: Granby Ranch DATE: 10/26/2023
REQUEST: Modify Permit to include mature cows, same animal units

In granting a conditional use permit, the County Board shall consider the advice and recommendation of the Planning Commission and the effect of the proposed use upon the health, safety, morals, and general welfare of the community. Among other things, the County Board shall make the following findings where applicable.

WHY DO YOU FEEL THE REQUESTS MEETS THE FOLLOWING CRITERIA?

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

Yes, animals will remain on bedded pack contained in barns. The bedded pack will be composted on site.

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

No, fewer total animals will be housed on site reducing total loads in and out of the facility.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

It should not affect neighboring land owners in any way.

4. The structure and use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

The structures will not be modified in any way to allow this change.

5. The requested use is consistent with the County Zoning Ordinance.

Correct

6. The requested use is not in conflict with the Comprehensive Plan.

Correct

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

Correct, processes will remain the same as they did with calves.

8. The requested use is reasonably related to the existing land use and environment.

Correct

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

None

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors.

None

A MAJORITY OF THE CUP CRITERIA MUST BE MET IN ORDER FOR THE REQUEST TO BE APPROVED.



ATTACHMENT C
Aerial Map


0 250 500 Feet



Disclaimer: The information herein is intended to be a true representation of available records. However, there is no guarantee to the user as to the accuracy, reliability, or timeliness of this data for any purpose. Nicollet County assumes no responsibility for actual or consequential damage, injury or loss of any sort or nature resulting from the use of this data. The user accepts the data "as is," and assumes all risks associated with its use. In acceptance of this data, the user agrees to indemnify the County from all claims, damages, losses or any part of it to another party.



0 1,500 3,000 Feet

 **NICOLLET**
in COUNTY

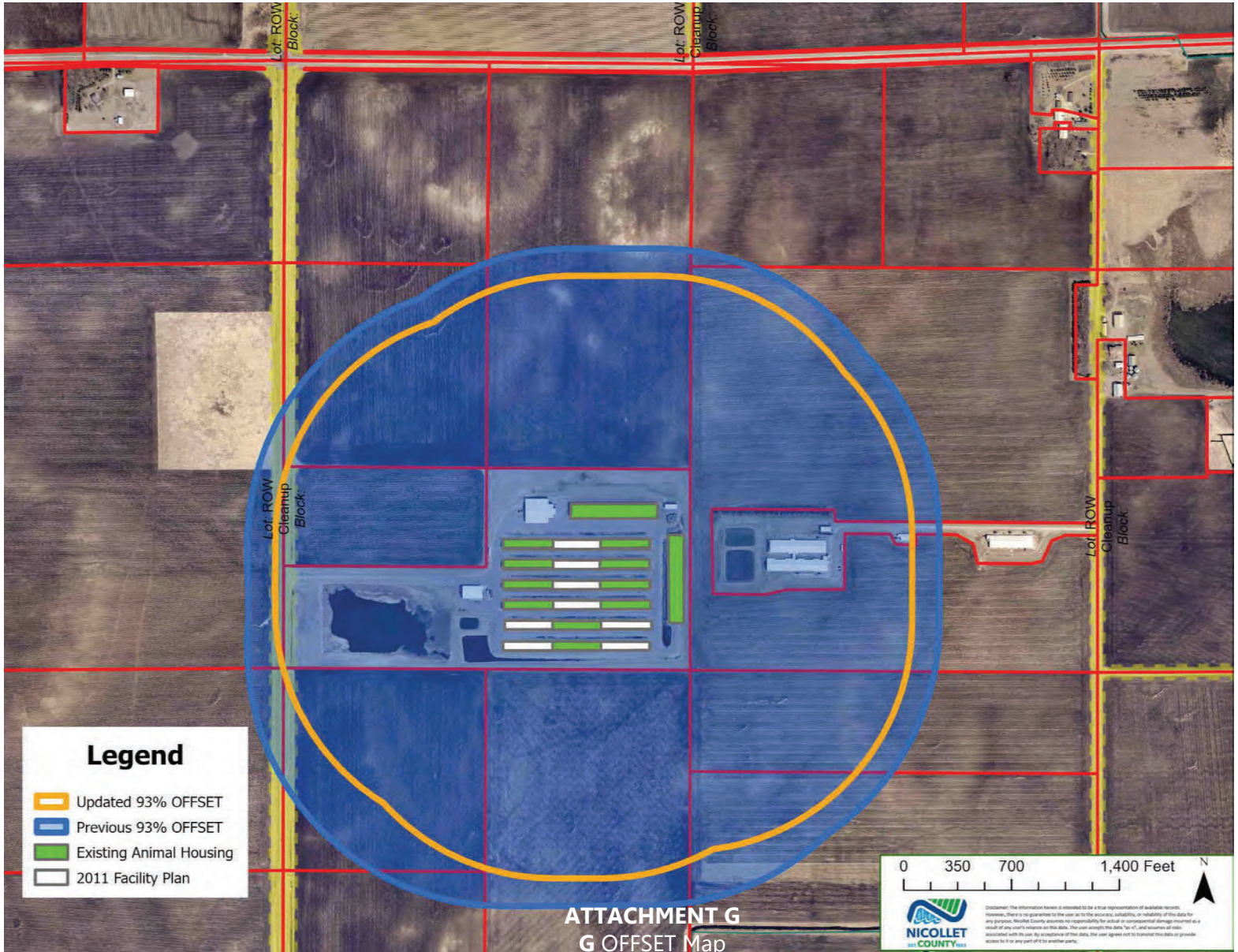
Disclaimer: The information herein is intended to be a true representation of available records. However, there is no guarantee to the user as to the accuracy, reliability, or timeliness of this data for any purpose. Nicollet County makes no responsibility for any use or consequences arising from the use of any user's reliance on this data. The user accepts the data "as is" and assumes all risks associated with its use. In acceptance of this data, the user agrees not to hold Nicollet County liable for any use or consequences of this data.



ATTACHMENT F
Site Photographs







ATTACHMENT G
G OFFSET Map

MNG441167
12-15-100-004
Dairy calves 950.4 AU

Odor From Feedlots Setback Estimation Tool (OFFSET)

		width (ft)	length (ft)	# of source	Odor emission #	Odor control factor	Odor emission factor
Source 1	Calf Barns; bedded pack	58	952	6	4	1	132.52
Source 2	Solid Manure Sheds	80	560	2	4	1	35.84
Source 3							
Source 4							
Source 5							
Source 6							
Source 7							
Total odor emission factor							168.36

Distance to nearest non accessory dwelling

Annoyance free lev	Setbacks (feet)	Setbacks (mile)
99%	8657.40	1.64
98%	5239.87	0.99
97%	3350.47	0.63
96%	2555.41	0.48
94%	1831.89	0.35
93%	1658.77	0.31
91%	1322.72	0.25

Note: Frequencies 99%, 98%, 97%, 95%, 93% are equivalent to 7,14,22, 36, 50 hrs. /mo, respectively

MNG441167
12-15-100-004
Dairy calves 950.4 AU

Odor From Feedlots Setback Estimation Tool (OFFSET)

		width (ft)	length (ft)	# of source	Odor emission #	Odor control factor	Odor emission factor
Source 1	Calf Barns; bedded pack	58	312	2	4	1	14.48
Source 2	Solid Manure Sheds	80	560	2	4	1	35.84
Source 3	Cow Barns	58	320	8	6	1	89.09
Source 4							
Source 5							
Source 6							
Source 7							
Total odor emission factor							139.40

Distance to nearest non accessory dwelling

Annoyance free lev	Setbacks (feet)	Setbacks (mile)
99%	7858.27	1.49
98%	4735.25	0.90
97%	3026.03	0.57
96%	2288.58	0.43
94%	1641.13	0.31
93%	1482.73	0.28
91%	1175.25	0.22

Note: Frequencies 99%, 98%, 97%, 95%, 93% are equivalent to 7,14,22, 36, 50 hrs. /mo, respectively

**AUTHORIZATION TO CONSTRUCT AND OPERATE
A CONCENTRATED ANIMAL FEEDING OPERATION
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) PROGRAM
MNG441167**

Permittee: Trident Dairy Holdings, LLC
Facility name: Granby Calf Ranch, LLC
Address: 42373 State Hwy 111
Nicollet, MN 56074
Registration number: 103-116552
Maximum AU capacity: 950.4
Issuance date: February 21, 2023
Expiration date: January 31, 2026

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee named above seeking coverage under this general permit to construct and operate a concentrated animal feeding operation in accordance with the requirements of this permit.

The goal of this permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

This coverage is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: *Steven Schmidt*

This document has been electronically signed.

Steven Schmidt
Supervisor
East Feedlot Unit
Watershed Division

for the Minnesota Pollution Control Agency

Permit application & annual reports:

Refer to the submittal process outlined on the Animal Feedlot NPDES General Permit webpage at:
<https://www.pca.state.mn.us/business-with-us/npdes-and-sds-feedlot-permits>.

Questions on this permit?

If you have any questions, please contact the MPCA feedlot program staff person assigned to Nicollet County. Current MPCA staff contacts are identified on our website at:
<https://www.pca.state.mn.us/business-with-us/feedlots>.

ATTACHMENT I
NPDES Permit

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Permit issued: February 21, 2023
Permit expires: January 31, 2026

1. Authorized facility components

Site description	Component description	Status	Type	Length (ft)	Width (ft)	Depth (ft)	Capacity	Units	Animal type and head
Granby Calf Ranch, LLC	Mortality Composting Building	Active / Existing	Compost Area with Manure Medium	40	61		2440	square feet	
Granby Calf Ranch, LLC	Feed Center	Active / Existing	Feed Storage Area	121	140		16940	square feet	
Granby Calf Ranch, LLC	Truck Washout Water Storage	Active / Existing	LMSA - Earthen	100	100	14	340000	gallons	
Granby Calf Ranch, LLC	East Bedded Pack Manure Storage	Active / Existing	Stockpile-Permanent	80	560		44800	square feet	
Granby Calf Ranch, LLC	North Bedded Pack Manure Storage	Active / Existing	Stockpile-Permanent	80	560		44800	square feet	
Granby Calf Ranch, LLC	Barn 1	Active / Existing	Total Confinement Barn	58	952				Dairy Cattle - Calf 792
Granby Calf Ranch, LLC	Barn 2	Active / Existing	Total Confinement Barn	58	952				Dairy Cattle - Calf 792
Granby Calf Ranch, LLC	Barn 3	Active / Existing	Total Confinement Barn	58	952				Dairy Cattle - Calf 792
Granby Calf Ranch, LLC	Barn 4	Active / Existing	Total Confinement Barn	58	952				Dairy Cattle - Calf 792
Granby Calf Ranch, LLC	Barn 5	Active / Existing	Total Confinement Barn	58	952				Dairy Cattle - Calf 792
Granby Calf Ranch, LLC	Barn 6	Active / Existing	Total Confinement Barn	58	952				Dairy Cattle - Calf 792

2. Permit requirements

1.1	Permit Coverage. [Minn. R. 7020]
1.2	Upon the date of receiving notification of coverage under this Permit from the MPCA, the Permittee is authorized to construct and operate the facility according to the submitted and MPCA-approved permit application materials (application materials) and in compliance with the requirements of this Permit, all requirements of Minn. R. ch. 7020, and any other applicable state and federal rules and regulations. No condition of this Permit shall release the Permittee from any responsibility or requirements under other federal, state, tribal, or local statutes, rules, or regulations. The application materials are an enforceable part of this Permit. [Minn. R. 7001.0150]
1.3	If at any point the MPCA determines that the application materials are deficient, the Permittee shall submit an amendment within 45 days of being notified by the MPCA. Upon receipt of MPCA approval, the amended application materials shall become an enforceable part of this Permit. The Permittee shall comply with the most recently MPCA-approved application materials. [Minn. R. 7001.0150]
1.4	After notice and opportunity for a hearing, this Permit may be modified, suspended, or revoked in accordance with Minn. R. 7001.0170 through 7001.0190. The Permittee shall comply with the terms and conditions of this Permit until such action is finalized. [Minn. R. 7001]
1.5	In order to maintain continuous permit coverage, the Permittee shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. If the Permittee has provided a timely application for issuance of coverage under the new general animal feedlot NPDES permit, the Permittee may continue to conduct the activities authorized by this Permit, in compliance with the requirements of this Permit, until the MPCA takes final action on the application, unless the MPCA determines that any of the following are true: a) The Permittee is not in substantial compliance with the requirements of this Permit, nor with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this Permit; b) The MPCA, as a result of an action or failure to act by the Permittee, has been unable to take final action on the application on or before the permit expiration date; or c) The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application in a timely manner after being informed of deficiencies. [Minn. R. 7001.0160, Minn. R. 7020.0505]
1.6	In order to terminate coverage under this Permit, the Permittee shall submit a termination request to the MPCA at least 30 days in advance of the desired permit coverage termination date. If the MPCA determines that NPDES permit coverage is not required, coverage under this Permit will terminate upon receiving written approval from the MPCA. The Permittee shall comply with the terms and conditions of this Permit until the termination action is finalized. [Minn. R. 7001.0040]
2.1	Permit Modifications. [Minn. R. 7020]
2.2	The Permittee shall submit a permit application prior to all modifications. (Guidance pertaining to modifications can be found in the MPCA factsheet " <i>Modification of NPDES and SDS Feedlot Permits (wq-f3-49)</i> "). [Minn. R. 7020.0405]
2.3	The permit application should be submitted at least 180 days before the planned starting date of the modification. [Minn. R. 7020.0505]
2.4	The modification for which the permit application was submitted shall not begin until approval is received from the MPCA. [Minn. R. 7020.0405]
2.5	Prior to a change in ownership or control of the facility, a change of ownership request must be submitted to assign coverage under this Permit to the new owner/operator. If ownership or control changes without an assignment of coverage under this Permit, the original Permittee may still be held liable for violations and the new owner/operator may be held liable for operating without a permit. If modifications to the facility or changes to the application materials will also occur, the process for permit modifications described above must also be followed. [Minn. R. 7020.0405]
2.6	Prior to changes in facility name, the Permittee shall submit a change of name request and the MPCA shall issue a permit modification reflecting the new name. [Minn. R. 7020.0405]
3.1	Submittals and Notifications to the MPCA. [Minn. R. 7020]
3.2	The Permittee shall submit all notifications, reports, applications, modification requests, correspondence, and other permit related materials to the MPCA on a specified form and/or in a specified format, including instances when the MPCA requires electronic submission. All submittals shall be to the MPCA address, telephone number, or electronic mail address indicated with the notice of coverage under this Permit. [Minn. R. 7001.0150]

3.3	All reports required by this Permit and other information requested by the MPCA shall be signed and certified by the Permittee or by a duly authorized representative. A person is a duly authorized representative only if: a) The authorization is made in writing by the Permittee or owner(s) and submitted to the MPCA; and b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility. [Minn. R. 7001.0150]
3.4	The Permittee shall not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the MPCA by this Permit. The Permittee shall immediately upon discovery report to the MPCA an error or omission in these records, reports, plans, or other documents. [Minn. R. 7001.0150]
4.1	Manure Nutrient Testing. [Minn. R. 7020]
4.2	The Permittee shall sample and analyze manure for nutrient content annually. Manure shall also be sampled following any changes to conditions that may significantly affect the nutrient content. [40 CFR 412.4, Minn. R. 7020.2225]
4.3	The Permittee's manure sampling protocol shall be consistent with the most recent published MES recommendations. Manure samples must be taken from enough sources so that nutrient content is known for each storage area with differing types of animals, feed, watering systems, manure handling, or other variables that may affect manure nutrient content. [Minn. R. 7020.2225]
5.1	Transfer of Manure Ownership. [Minn. R. 7020]
5.2	The Permittee is responsible for management of manure from the facility unless it is transferred to another party for land application on fields that are not owned or leased or otherwise controlled by the Permittee. At the time the other party assumes physical control of the manure, the manure ownership is considered to be transferred. The Permittee is responsible for manure hauled by, or for, the Permittee until it is physically relinquished to the other person. [Minn. R. 7001.0150]
5.3	Except for emergency manure application, the Permittee is prohibited from transferring ownership of manure to a recipient that will: a) perform winter application of the transferred liquid manure; or b) perform winter application during the months of March of the transferred solid manure. [Minn. R. 7001.0150]
5.4	The Permittee shall provide to the recipient of the manure, at the time of transfer of ownership, Attachment A of the MPCA form "<i>Manure Management Plan Requirements when Ownership of Manure is Transferred (wq-f8-12)</i>". Attachment A is a summary of state requirements that a recipient of manure must follow. [Minn. R. 7001.0150]
5.5	Updates to a transferred ownership manure management plan do not require a modification of this Permit so long as they are consistent with the requirements of Minn. R. 7020.2225. [Minn. R. 7001.0190]
5.6	The Permittee is required to apply for a permit modification when the Permittee obtains control over land application acres that were previously controlled by a third party. [Minn. R. 7020.0405]
6.1	Requirements for Operation and Maintenance of the Facility. [Minn. R. 7020]
6.2	For any facility meeting the definition of New Source, the Permittee shall ensure that the production area is designed, constructed, operated, and maintained to contain all manure, manure-contaminated runoff, or process wastewater, and all direct precipitation. [40 CFR 412, Minn. R. 7020.2003]
6.3	For any facility the does not meet the definition of New Source, the Permittee shall ensure that the production area is designed, constructed, operated, and maintained to contain all manure, manure-contaminated runoff, or process wastewater, and the direct precipitation from a 25-year, 24-hour storm event as defined by the Precipitation - Frequency Atlas of the United States, National Oceanic and Atmospheric Administration. [40 CFR 412, Minn. R. 7020.2003]
6.4	The Permittee shall operate and maintain the facility in accordance with the application materials, all MPCA approved plans and specifications, and the requirements of this Permit. Approved plans and specifications include any proposed plans and specifications submitted with the current application for permit coverage and any plans and specifications for an existing facility component that have been previously approved by the MPCA. [Minn. R. 7001.0150]
6.5	The Permittee shall operate and maintain any required facility monitoring equipment in accordance with the MPCA approved monitoring plan. [Minn. R. 7001.0150]

6.6	The Permittee is prohibited from discharging, depositing, or otherwise placing any substance into a manure storage area(s) except manure, process wastewater, manure-contaminated runoff, or direct precipitation unless expressly authorized in writing by the MPCA. [Minn. R. 7001.0150]
6.7	The Permittee shall ensure areas around any manure storage area are graded so that surface water drains away from the structures such that pooling of rain or snow melt waters around the immediate vicinity of these structures is prevented. [Minn. R. 7001.0150]
6.8	The Permittee shall manage animal mortalities in accordance with all applicable requirements of the Board of Animal Health (Minn. R. ch. 1721) and the approved emergency response plan. [Minn. R. 7001.0150]
6.9	The Permittee is prohibited from discharging from the animal mortality area to surface or ground waters of the state, or disposing of animal mortalities within any manure storage area. [40 CFR 122.42, Minn. R. 7001.0150]
6.10	When manure is used as compost medium for an animal mortality composting area, the requirements of Minn. R. 7020.2125 for manure stockpiles shall apply. [Minn. R. 7020]
6.11	The Permittee is exempt from ambient air quality standards during agitation and removal of manure from the facility if the Permittee has notified the MPCA in writing prior to commencement of the agitation and removal of manure. The written notification shall be via letter or electronic mail and must include the following: a) The names of the owners or the legal name of the facility; b) The location of the facility by county, township, section, and quarter section; c) The facility's feedlot registration number; and d) The anticipated start date and the anticipated number of days of removal of manure. The maximum cumulative exemption days claimed by the Permittee shall not exceed 21 days per calendar year. [Minn. R. 7020.2002]
6.12	For temporary closure of a facility component, the Permittee shall, within one year of ceasing operation of the component, remove all manure from the component. The Permittee shall maintain permit coverage for the facility, including the temporarily closed component. [Minn. R. 7001.0150]
6.13	The Permittee may establish a short-term manure stockpile at the facility in conjunction with manure pack removal activities from animal holding areas without the need to modify coverage under this Permit, provided the manure is stockpiled for fewer than 10 consecutive days, and no more than 6 times per calendar year. This does not release the Permittee from compliance with the effluent limitations of this Permit. [Minn. R. 7001.0150]
7.1	Additional Requirements for Operation and Maintenance of Liquid Manure Storage Areas (LMSA). [Minn. R. 7020]
7.2	The Permittee shall maintain a fence around the perimeter of any at-grade or near-grade LMSA. [Minn. R. 7001.0150]
7.3	The Permittee shall operate the LMSA to maintain the freeboard of the LMSA as indicated in the approved plans and specifications or Minn. R. 7020.2100, subp. 4, item D, whichever is greater. [Minn. R. 7020.2100]
7.4	For open-air LMSAs the Permittee shall install and maintain a visual marker that clearly indicates the freeboard of the LMSA. For covered LMSAs, including those that are below a barn, the Permittee shall develop and employ a system to measure and monitor the liquid level in the LMSA such that the freeboard of the LMSA is maintained. [40 CFR 412.37]
7.5	The Permittee shall notify the MPCA staff, via telephone or electronic mail, within 24 hours of encroachment into the freeboard of the LMSA. The notification must include the approximate depth of storage space remaining, an estimated timeline for manure or process wastewater removal from the LMSA, and the date when the freeboard encroachment began. Notification under this part does not release the Permittee from the obligation to maintain the freeboard of a LMSA. [Minn. R. 7001.0150]
7.6	For anaerobic digesters, the Permittee shall notify the MPCA via telephone or electronic mail within three business days whenever manure must circumvent the anaerobic digester and be deposited into a LMSA that does not have an impermeable cover. The notification must include the reasons for the interruption of service as well as the start and anticipated end date. This does not release the Permittee from the state ambient air quality standards for hydrogen sulfide. [Minn. R. 7001.0150]

7.7	When a LMSA undergoes temporary closure, the Permittee shall comply with the following: a) Maintain, at a minimum, a two-foot depth of manure and/or water in a LMSA to provide protection from damage caused by freezing temperatures; b) Maintain the LMSA in accordance with the MPCA approved plans and specifications and the requirements of this Permit, including maintenance of the required freeboard; and c) Prior to using any LMSA that has been unused for three years or more, a professional engineer must evaluate and prepare a report on the condition of the liner. The MPCA must review and approve the report prior to using the LMSA. [Minn. R. 7001.0150]
8.1	Additional Requirements for Operation and Maintenance of Permanent Solid Manure Stockpiles. [Minn. R. 7020]
8.2	The Permittee shall repair any damage to a stockpile pad that compromises the integrity or thickness of the pad within 60 days of discovery. This includes any ruts made by vehicles in excess of six inches in depth within a cohesive soil pad. [Minn. R. 7020.2125]
8.3	The Permittee shall operate and maintain the runoff controls for the permanent manure stockpile such that all liquids produced, including leachate and contaminated runoff, are captured by a control structure. [Minn. R. 7020.2125]
8.4	A manure compost site is also a manure stockpile. The Permittee shall comply with all requirements applicable to manure stockpiles. [Minn. R. 7020.2150]
9.1	Additional Requirements for Operation and Maintenance of Feed Storage Areas. [Minn. R. 7020]
9.2	The Permittee shall not store manure on a feed storage area pad unless part of the MPCA approved design. [Minn. R. 7001.0150]
9.3	The Permittee shall repair any damage to a feed storage pad that compromises the integrity or thickness of the pad within 60 days of discovery. This includes any ruts made by vehicles in excess of six inches in depth within a cohesive soil pad. [Minn. R. 7001.0150]
9.4	The Permittee shall operate and maintain feed storage areas such that all liquids produced, including leachate and contaminated runoff, are captured by a MPCA approved control structure or LMSA. [Minn. R. 7001.0150]
9.5	When leachate and feed storage area runoff is managed with a vegetated infiltration basin, the Permittee shall perform the following operation and maintenance activities: a) Clean out and repair structures that contain and convey contaminated liquids on an annual basis; b) Remove accumulated solids from solids settling areas when the depth of solids exceeds one foot; c) Repair channel/rill erosion; d) Re-establish vegetation that has been damaged or destroyed; and e) Harvest vegetation at least two times per year. The preferred method of harvesting is by mechanical means; however, grazing by animals can be utilized provided it is limited to no more than three grazing periods per year, with each grazing period lasting no more than five days. When 1,000 or more tons of sweet corn silage is stored at the facility, the Permittee is prohibited from using a vegetated infiltration basin as a leachate and contaminated runoff control structure. [Minn. R. 7001.0150]
10.1	Required Facility Inspections. [Minn. R. 7020]
10.2	The Permittee shall make the following inspections: a) A daily inspection of all water lines unless an equivalent method for checking water lines is employed such as water meters or pressure gauges; b) A weekly visual inspection of all facility components including animal holding areas, manure storage areas, manure transfer systems, feed storage areas, runoff control measures, and mortality handling areas to assess their conformance to this Permit; and c) Inspection of manure application equipment for leaks prior to use. [40 CFR 412.37, 40 CFR 412.4]
11.1	Additional Required Inspections for Liquid Manure Storage Areas. [Minn. R. 7020]

11.2	The Permittee shall make the following inspections for any LMSA at the facility according to the schedule indicated and after any rainfall event exceeding the 25 year, 24 hour storm event: a) A weekly visual inspection of the LMSA and any devices channeling manure-contaminated runoff to the LMSA to assess conformance to the approved plans and this Permit; b) A weekly visual inspection of the liquid level and freeboard marker in each LMSA to ensure that adequate freeboard is maintained; c) For LMSAs with a perimeter drain tile, a monthly examination of the monitoring port or drain tile outlet for water flow and signs of discoloration or odor in any water flowing in the drain tile; d) For anaerobic digesters, in addition to the inspections for LMSAs above, the Permittee shall conduct a weekly visual inspection of any digester system to assess its performance and to check for system malfunctions. [40 CFR 412.37]
11.3	Any repair to the liner of a LMSA must be approved by the MPCA prior to commencement of the repair and the Permittee shall submit plans and specifications prepared by a design engineer if requested by the MPCA. [Minn. R. 7001.0150]
12.1	Correction of Deficiencies Discovered During Required Inspections. [Minn. R. 7020]
12.2	The Permittee shall correct any deficiencies found as a result of the inspections required by this Permit within 30 days, or within a shorter timeframe when required elsewhere in this Permit, unless one of the following apply: a) Construction is required that cannot be effectively performed during the winter season; b) The activity to correct the deficiency requires a permit modification or permit issuance; c) A piece of equipment/part required to correct the deficiency cannot be manufactured and installed within 30 days; or d) Other reasons beyond the control of the Permittee. [40 CFR 412.37]
12.3	The Permittee shall notify the MPCA within 20 days of discovery of any deficiency if an extended period of time is needed to correct the deficiency. The notice shall include an explanation for the delay and indicate the expected period of time needed to correct the deficiency. This notification does not preclude the MPCA from taking any administrative or legal actions to compel compliance. [Minn. R. 7001.1050]
13.1	Permanent Closure. [Minn. R. 7020]
13.2	Within one year after permanently ceasing operation of a facility component, the Permittee shall remove, from the closed component, all manure and any soils visibly contaminated by manure. [Minn. R. 7020.2025]
13.3	The Permittee shall notify the MPCA via telephone or electronic mail within 3 business days of completion of manure and contaminated soils removal and prior to filling/covering the area previously occupied by the closed component. [Minn. R. 7020.2025]
13.4	The Permittee shall, after removing manure and manure-contaminated soils from the closed component, reduce soil nitrogen by growing alfalfa, grasses, or other perennial forage for at least five years unless: a) the component is, or is within, a building that will not be demolished; b) the liner/floor/base of the component was concrete or asphalt that will not be removed; c) a structure or other impervious surface will be constructed over the area occupied by the component within 60 days; or d) the component was a LMSA. The alfalfa, grasses, or other perennial forage must be established as soon as practicable within the current growing season or at the start of the following growing season when manure removal happens after September 30th. [Minn. R. 7001.0150]
13.5	Within 60 days after completing the requirements for permanent closure of an animal holding area or manure storage area, the Permittee shall provide written notification to the MPCA that the closure requirements have been completed. When closure requires growing alfalfa, grasses, or other perennial forage for at least five years, this notification shall be provided within 60 days of initial establishment of the vegetation. [Minn. R. 7020.2025]
14.1	Recordkeeping Requirements. [Minn. R. 7020]

14.2	Except where specifically noted, the Permittee shall retain all records/reports/submittals required by this Permit for a minimum of six years. This retention period shall be automatically extended during the course of any legal or administrative proceedings or when so requested by the MPCA. Documents shall be maintained at the facility or at the Permittee's business address. The Permittee shall make all documents available for examination and copying upon request of the MPCA or county feedlot officer (CFO) and shall, upon request, submit any documents to the MPCA or CFO within 30 days. [Minn. R. 7001.0150]
14.3	The Permittee shall maintain the following facility maintenance records: a) A description of any modifications, or damage and repair, to the manure collection, containment, and storage components; b) Any significant activities that alter the nature of the facility or that would increase the likelihood of discharge from the facility or potential for groundwater pollution; and c) Any other factors affecting compliance with the requirements of this Permit. [Minn. R. 7001.0150]
14.4	The Permittee shall either maintain records of the dates and amounts for all precipitation events when manure is exposed to precipitation, including 24 hours prior to and following land application events, or direct the MPCA to data maintained by governmental agencies or educational institutions. [40 CFR 412.37]
14.5	The Permittee shall maintain records of the results of any inspections required by this Permit, including any deficiencies found and documentation of any actions taken to correct deficiencies, including the discovery date and the date when corrective measures were completed. For any deficiencies not corrected within 30 days of discovery, the documentation must include an explanation as to why the corrections were not made within the 30-day period. [Minn. R. 7001.0150]
14.6	The Permittee shall retain records of the written requests for exemption from the ambient air quality standards during manure removal. [Minn. R. 7001.0150]
14.7	The Permittee shall retain records of manure application activities, including instances of transferred ownership. The records must be maintained on the MPCA standardized forms " <i>Land Application Records For Feedlots With 300 or More Animal Units (wq-f6-23a)</i> " and " <i>Records When Manure Ownership Is Transferred 300 or More Animal Units (wq-f6-43e)</i> ". [Minn. R. 7020.2225]
14.8	The Permittee shall retain the records pertaining to any required facility monitoring as identified in the MPCA-approved monitoring plan until the Permittee receives written approval from the MPCA to cease the monitoring activities. [Minn. R. 7001.0150]
14.9	The Permittee shall maintain records of any design plans, material testing results, and final certification/reports for any manure storage areas until such time that the structure is permanently closed. [Minn. R. 7001.0150]
15.1	Annual Reporting. [Minn. R. 7020]
15.2	The Permittee shall submit annual report : Due annually, by the 1st of March. The Permittee shall submit the annual report to the MPCA regarding facility activities which occurred in the previous calendar year. The Permittee must use the " <i>Animal Feedlot Or Manure Storage Area Annual Report (wq-f3-22b)</i> " form or use a format determined by the MPCA, such as electronic submission. [40 CFR 122.42]
15.3	The standardized form identifies the information required for the annual report, which at a minimum includes the requirements of 40 CFR 122.42 (e)(4) and land application records. [40 CFR 122.42]
15.4	When one permit coverage is issued to multiple registered feedlots, the Permittee shall submit one annual report form for each registered feedlot. [40 CFR 122.42]
16.1	Effluent Limitations. [Minn. R. 7020]
16.2	The Permittee shall not discharge from the facility, by overflow or other means, manure, manure-contaminated runoff, or process wastewater to a sinkhole, fractured bedrock, well, surface tile intake, mine, quarry, or other natural or constructed channels that convey fluids to groundwater. [Minn. R. 7020.2003]
16.3	The Permittee shall not discharge manure, manure-contaminated runoff, or process wastewater from a land application area, except where the discharge is an agricultural stormwater discharge as defined by this Permit. This requirement does not apply when manure ownership is transferred. [40 CFR 122.23]
16.4	For any facility meeting the definition of New Source, the Permittee shall not discharge manure, manure-contaminated runoff, or process wastewater into surface waters of the State from the production area. [40 CFR 412.46]

16.5	For any facility that does not meet the definition of New Source, the Permittee shall not discharge manure, manure-contaminated runoff, or process wastewater into surface waters of the State from the production area unless the overflow of manure or process wastewater is caused by a precipitation event and the facility is in compliance with the requirements of this part and the operational, design, and recordkeeping requirements of this Permit. [40 CFR 412.31]
17.1	Discharges, Spills, and Overflows. [Minn. R. 7020]
17.2	The Permittee shall immediately report by telephone to the State Duty Officer (800-422-0798) and the MPCA any discharge, spill, or overflow of manure, process wastewater, or manure-contaminated runoff, including those authorized by this Permit. [Minn. Stat. 115.061]
17.3	When a discharge, spill, or overflow occurs, whether authorized by this Permit or not, the Permittee shall take all actions necessary to minimize that discharge, spill, or overflow, to recover the material released, and to mitigate impacts to waters of the state. [Minn. Stat. 115.061]
17.4	Within five days of any discharge, spill, or overflow, the Permittee shall submit a written statement to the MPCA that includes the following information: a) Cause of discharge, spill, or overflow, such as precipitation (inches of rain or snow per day) or other cause (e.g., structural failure, equipment breakdown); b) A description and approximate volume of any discharge, spill, or overflow; c) Location and name, if available, of the vulnerable drinking water supply management area (DWSMA), surface water source DWSMA, waterway, dry ditch, gully, creek, stream, pond, lake, river, or other waters of the state receiving the discharge, spill, or overflow; d) Corrective steps being taken to reduce or eliminate and prevent a recurrence of a non-permitted discharge, spill, or overflow; e) The period of time the discharge, spill, or overflow occurred including exact dates and times or, if still occurring, the anticipated time the discharge, spill, or overflow will continue; and f) Name of person reporting the discharge, spill, or overflow. [Minn. R. 7001.0150]
17.5	The Permittee shall ensure that all discharges, spills, or overflows associated with the facility do not cause or contribute to non-attainment of applicable state water quality standards. [40 CFR 122.44]
18.1	Permit Eligibility. [Minn. R. 7020]
18.2	An owner of a facility is not eligible for coverage under this Permit and must obtain coverage under an individual NPDES permit when any of the following apply: a) a schedule of compliance is required to address a pollution hazard; b) special conditions are required as the result of environmental review; c) a new technology for construction or operation which is not addressed by this Permit is proposed; d) removal of bedrock is proposed to comply with site restrictions under Minn. R. 7020.2100; e) feed for animals will be brokered or sold at the facility; f) the facility, including the feed storage area, does not meet the design standards of Minn. R. ch. 7020 and this Permit; g) the MPCA determines that the facility operations would be more appropriately controlled by an individual permit; h) the owner is proposing to land apply manure in a manner that is not consistent with the requirements of this Permit; i) the owner is proposing to use a vegetative infiltration basin (VIB) to control runoff from an open lot or manure storage area; or j) the MPCA determines that discharges from a facility or the land application areas under the Permittee's control have the potential to cause or contribute to non-attainment of applicable water quality standards. [Minn. R. 7001.0210]
19.1	General Conditions. [Minn. R. 7020]
19.2	Compliance with other laws - The agency's issuance of a permit does not release the Permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the permit. [Minn. R. 7001.0150]
19.3	Future rules and standards - The agency's issuance of a permit does not prevent the future adoption by the agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the Permittee. [Minn. R. 7001.0150]
19.4	Property right - The permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150]

19.5	Agency obligation - The agency's issuance of a permit does not obligate the agency to enforce local laws, rules, or plans beyond that authorized by Minnesota statutes. [Minn. R. 7001.0150]
19.6	Permitted actions - The Permittee shall perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the agency and in compliance with the conditions of the permit. [Minn. R. 7001.0150]
19.7	System reliability - The Permittee shall at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the Permittee to achieve compliance with the conditions of the permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The Permittee shall install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible. [Minn. R. 7001.0150]
19.8	False information - The Permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the agency or to the commissioner by the permit. The Permittee shall immediately upon discovery report to the commissioner an error or omission in these records, reports, plans, or other documents. [Minn. R. 7001.0150]
19.9	Submittals - The Permittee shall, when requested by the commissioner, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the permit or regarding the conduct of the activity covered by the permit. [Minn. R. 7001.0150]
19.10	Right of Entry - When authorized by Minnesota Statutes, sections 115.04; 115B.17, subdivision 4; and 116.091, and upon presentation of proper credentials, the agency, or an authorized employee or agent of the agency, shall be allowed by the Permittee to enter at reasonable times upon the property of the Permittee to examine and copy books, papers, records, or memoranda pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the permit. [Minn. R. 7001.0150]
19.11	Steps to minimize non-compliance impacts - If the Permittee discovers, through any means, including notification by the agency, that noncompliance with a condition of the permit has occurred, the Permittee shall take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance. [Minn. R. 7001.0150]
19.12	Non-compliance notification - If the Permittee discovers that noncompliance with a condition of the permit has occurred which could endanger human health, public drinking water supplies, or the environment, the Permittee shall, within 24 hours of the discovery of the noncompliance, orally notify the commissioner. Within five days of the discovery of the noncompliance, the Permittee shall submit to the commissioner a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [Minn. R. 7001.0150]
19.13	Non-compliance report - The Permittee shall report noncompliance with the permit not reported as a part of the next report which the Permittee is required to submit under this Permit. If no reports are required within 30 days of the discovery of the noncompliance, the Permittee shall submit the report within 30 days of the discovery of the noncompliance. [Minn. R. 7001.0150]
19.14	Advance notice of potential non-compliance - The Permittee shall give advance notice to the commissioner as soon as possible of planned physical alterations or additions to the permitted facility or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or a condition of the permit. [Minn. R. 7001.0150]
19.15	Permit transfer - The permit is not transferable to any person without the express written approval of the agency after compliance with the requirements of Part 7001.0190. A person to whom the permit has been transferred shall comply with the conditions of the permit. [Minn. R. 7001.0150]

19.16	Liability - The permit authorizes the Permittee to perform the activities described in the permit under the conditions of the permit. In issuing the permit, the state and agency assume no responsibility for damage to persons, property, or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and agency may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minnesota Statutes, section 3.736. [Minn. R. 7001.0150]
19.17	Duty to Prevent and Mitigate - The Permittee shall notify the agency immediately of the discharge, accidental or otherwise, of any substance or material under its control which, if not recovered, may cause pollution of waters of the state, and the responsible person shall recover as rapidly and as thoroughly as possible such substance or material and take immediately such other action as may be reasonably possible to minimize or abate pollution of waters of the state caused thereby. [Minn. Stat. 115.061]
19.18	Need to Halt or Reduce Activity Not a Defense - It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this Permit. [40 CFR 122.41]
19.19	Civil and Criminal Liability - Nothing in this Permit shall be construed to relieve the Permittee from civil or criminal penalties for noncompliance with the terms and conditions provided herein. [Minn. R. 7001]
19.20	Severability - The provisions of this Permit are severable, and if any provision of this Permit or the application of any provision of this Permit to any circumstance is held invalid, the application of such provision to other circumstances, and the remainder of this Permit shall not be affected thereby. [Minn. R. 7001]
19.21	Discharge Monitoring Reports - This Permit requires the submittal of annual reports in lieu of discharge monitoring reports as the Permittee is not authorized to discharge to surface waters except as provided in Minn. R. 7020.2003, subp. 2, which references 40 CFR pt. 412. [40 CFR 412]
19.22	Availability of Reports - Except for data determined to be confidential under Minn. Stat. 116.075, subd. 2, all reports prepared in accordance with the terms of this Permit shall be available for public inspection at the offices of the MPCA. Procedures for submitting such confidential material shall be pursuant to Minn. R. 7000. Monitoring data shall not be considered confidential. Knowingly making any false statement on any such report may result in the imposition of criminal penalties as provided for in Minn. Stat. 115.071, subd. 2. [Minn. R. 7000.1200]
20.1	Definitions. [Minn. R. 7020]
20.2	"Agency" means the Minnesota Pollution Control Agency, as constituted pursuant to Minn. Stat. 116.02. [Minn. R. 7020.0300]
20.3	"Agricultural Stormwater" means a precipitation-related discharge of manure, litter or process wastewater from land areas under the control of a CAFO where the manure, litter or process wastewater has been applied in accordance with site specific nutrient management practices that ensure appropriate agricultural utilization of the nutrients in the manure, litter or process wastewater, as specified in 40 CFR 122.42(e)(1)(vi)-(ix). [40 CFR 122.23]
20.4	"Anaerobic Digester" means a liquid manure storage area that is constructed with the intent to capture and combust gas emissions resulting from the digestion of waste by microbes in anaerobic conditions. An anaerobic digester is a LMSA and is required to comply with all requirements applicable to LMSAs. Requirements specific to anaerobic digesters will be noted when applicable. [Minn. R. 7020]
20.5	"Animal Feeding Operation" ("AFO") means a lot or facility (other than an aquatic animal production facility) where animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period, and crops, vegetation, forage growth, or post-harvest residues are not sustained in the normal growing season over any portion of the lot or facility. [40 CFR 122.23]
20.6	"Animal Feedlot" means a lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals and specifically designed as a confinement area in which manure may accumulate or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosures. For the purposes of this Permit, open lots used for the feeding and rearing of poultry (poultry ranges) shall be considered to be animal feedlots. Pastures shall not be considered animal feedlots under this Permit. [Minn. R. 7020.0300]
20.7	"Animal Manure" or "Manure" means poultry, livestock, or other animal excreta or a mixture of excreta with feed, bedding, precipitation, or other materials. [Minn. R. 7020.0300]

20.8	"Application Materials or Permit Application" means all information submitted by the applicant for coverage under this permit and relied upon by the MPCA to make a decision on the request for permit coverage. This includes but is not limited to the application form, manure management plan, plans and specifications for facility components, emergency response plan, and required monitoring plans as approved by the MPCA. [Minn. R. 7001]
20.9	"Approved Plans or MPCA Approved" means any previously approved plans/documents or new/revised plans/documents required by this Permit that receive approval from the MPCA. [Minn. R. 7001]
20.10	"Best Management Practices" ("BMPs") means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the state. BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage. [Minn. R. 7001]
20.11	"Closure" refers to the cessation of use of all or any part of the facility, including: a) The removal of livestock or poultry from all or any of the animal holding areas located within the production area; and b) The discontinuation of a structure or area located within the production area to handle, store, or treat manure. [Minn. R. 7020]
20.12	"Coarse-textured Soils" means fields that have at least 33 percent of the surface soil and/or subsoil (within three (3) feet of the surface) with one of the following soil texture types: sand, loamy sand, loamy coarse sand, fine sand, loamy fine sand, coarse sand, or very fine sand. [Minn. R. 7001]
20.13	"Commencement of Construction" means to begin or cause to begin, as part of a continuous program, the placement, assembly, or installation of facilities or equipment; or to conduct significant site preparation work, including clearing excavation or removal of existing buildings, structures, or facilities, necessary for the placement, assembly, or installation of facilities; or equipment at a new or expanded animal feedlot or a new, modified, or expanded manure storage area. [Minn. R. 7020.0300]
20.14	"Commissioner" means the Commissioner, or other MPCA staff authorized by the Commissioner, of the MPCA, as described in Minn. Stat. 116.03, as amended. [Minn. R. 7020.0300]
20.15	"Concentrated Animal Feeding Operation" ("CAFO") means an AFO that is defined as a Large CAFO or as a Medium CAFO by the terms of 40 CFR 122.23(b)(2), or that is designated as a CAFO in accordance with 40 CFR 122.23(c). [Minn. R. 7020.0300]
20.16	"Corrective or Protective Measure" means a practice, structure, condition, or combination thereof that prevents or reduces the discharge of pollutants from an animal feedlot or manure storage area to a level in conformity with MPCA rules. [Minn. R. 7020.0300]
20.17	"Design Engineer or Professional Engineer" means an engineer licensed in the state of Minnesota or a NRCS staff person having NRCS approval authority for the project. [Minn. R. 7020.0300]
20.18	"Discharge" means the addition of a pollutant to waters of the state, including a release of animal manure or process wastewater from an animal holding area, manure storage area, or a manure land application site by leaking, pumping, pouring, emitting, emptying, dumping, escaping, seeping, leaching, or any other means. Discharge includes both point source and nonpoint source discharges. [Minn. R. 7020.0300]
20.19	"Emergency Manure Application" Emergency manure application means instances of land application of manure that are the direct result of situations beyond the control of the Permittee, such as unusual weather conditions, unavoidable equipment failure, or other circumstances that could not have been avoided with proper planning and management and there is no opportunity to provide temporary storage within another approved manure storage area at the facility. In these situations, only the application of the volume of manure that is necessary to prevent manure storage overflow is considered to be emergency manure application. [Minn. R. 7001]
20.20	"Facility" means an animal feedlot, a manure storage area, or an animal feedlot with a manure storage area that is subject to this Permit. [Minn. R. 7020.0300]

20.21	"Feed Storage Area" means a designated area at the production facility, paved or unpaved, covered or uncovered, that is utilized for storage of any materials used to create the rations for livestock. Also included are those areas used to store spoiled, spilled, or other unused rations for livestock. For purposes of this Permit, "feed storage area" does not include buildings or roofed structures that contain dry commodities, provided that precipitation does not come into contact with the commodities stored inside the structure. "Feed storage area" does not include areas used for the storage of hay bales and other absorbent materials which do not create contaminated leachate and do not create a pollution hazard. [Minn. R. 7001]
20.22	"Feed Storage Area Runoff" means liquid that leaves the feed storage area that is the result of precipitation on the feedstocks or on the surrounding feed storage area where residual feed is present. This does not include water that flows off of the tarp/roof of a feed storage, unless that liquid is allowed to come into contact with feedstocks, residual feed, or other liquid that has come into contact with feedstocks or residual feed. This liquid is not stormwater and should not be allowed to directly enter waters of the state, tile intakes, or stormwater collection/mitigation area (stormwater ponds, etc.). [Minn. R. 7001]
20.23	"Incorporate or Incorporation" means applying manure using injection, disking into the soil, tilling the soil after application, or using other practices that result in a majority of the manure being placed below the ground surface within 24 hours of application and prior to rainfall. [Minn. R. 7001]
20.24	"Intermittent Stream" means all watercourses identified as intermittent streams on United States Geological Survey quadrangle maps. [Minn. R. 7020.0300]
20.25	"Land Application Area" means land under the control of an AFO owner or operator, whether it is owned, rented, or leased, to which manure, litter, or process wastewater from the production area is or may be applied. [Minn. R. 7001]
20.26	"Liquid Manure" means manure that does not meet the definition of solid manure. Process wastewater and manure-contaminated runoff are considered to be liquid manure. [Minn. R. 7020.0300]
20.27	"Liquid Manure Storage Area" ("LMSA") means an area where liquid animal manure and process wastewaters are stored or processed. [Minn. R. 7020.0300]
20.28	"Manure-contaminated Runoff" means a liquid that has come into contact with animal manure and drains over land from any animal feedlot, manure storage area, or animal manure land application site. [Minn. R. 7020.0300]
20.29	"Manure Storage Area" means an area where animal manure or process generated wastewater are stored or processed. Short-term and permanent stockpile sites and composting sites are manure storage areas. Animal manure packs or mounding are not manure storage areas provided they are managed in accordance with Minn. R. 7020.2000, subp. 3. [Minn. R. 7020.0300]
20.30	"MPCA" means the Minnesota Pollution Control Agency or Minnesota Pollution Control Agency staff as delegated by the Minnesota Pollution Control Agency. [Minn. R. 7001]
20.31	"Modification" means a change to a facility component or operational practice described, required, or authorized by this Permit, including an expansion. Major and minor modifications are described by Minn. R. 7020.0300 and Minn. R. 7001.0190. A change to a facility component or operational practice that is not described, required, or authorized by a permit is not a modification, including changes to: a) the type of crop or manure application rate if consistent with the methodology portion of the manure management plan and reflected in required records; b) routine maintenance; c) feeding or milking schedules; d) animal diets; e) bedding materials so long as consistent with approved plans and specifications; f) equipment used to clean the facility so long as consistent with approved design plans and specifications; g) lands used as pasture; or h) facility components not involved directly in animal or manure management such as an office or machine shed. [Minn. R. 7020.0300]
20.32	"MES" means the University of Minnesota Extension System. [Minn. R. 7001]
20.33	"National Pollutant Discharge Elimination System Permit" or "NPDES" means a permit issued by the MPCA as required by federal law for the purpose of regulating the discharge of pollutants from point sources into waters of the United States from concentrated animal feeding operations (CAFOs) as defined by federal law. [Minn. R. 7020.0300]

20.34	"New Source" means a swine, poultry, or veal calf facility that began construction after December 4, 2008, and is subject to a new source performance standard in 40 CFR pt. 412 prohibiting discharges from the production area. [40 CFR 122.2]
20.35	"NRCS" means the Natural Resources Conservation Service. [Minn. R. 7001]
20.36	"Overflow" means the release of manure or process wastewater resulting from the filling of wastewater or manure storage structures beyond the point where manure, process wastewater, or stormwater can be contained by the structure. [Minn. R. 7001]
20.37	"Owner" or "Owners" shall mean all persons having possession, control, or title to an animal feedlot or manure storage area as defined by Minn. R. 7020.0300, subp. 17. [Minn. R. 7020.0300]
20.38	"Permanent Closure" means ceasing operation of all or any part of the facility with the intent that the animal holding area(s) and/or manure storage area(s) will no longer be used for that purpose. [Minn. R. 7020]
20.39	"Permanent Manure Stockpile" means a solid manure storage area where manure is stored or processed that does not meet the requirements of Minn. R. 7020.2125, subp. 2, for short-term stockpiles. [Minn. R. 7020.0300]
20.40	"Permittee" means the owner or owners or any person or group of persons including, but not limited to, a single individual, manager, partnership, limited partnership, cooperative, or any form of corporate entity that has possession or control or title to the feedlot granted coverage under this Permit in accordance with the MPCA-approved application materials. [Minn. R. 7001]
20.41	"Probability of Rainfall" means National Weather Service statistical predictions (may be found at the website: http://www.weather.gov/mdl/synop/products.php). [Minn. R. 7001]
20.42	"Process Wastewater" means waters and/or precipitation, including rain or snow, which comes into contact with manure, litter, bedding, or other raw material or intermediate or final material or product used in or resulting from the production of animals, poultry, or direct products such as milk or eggs. [Minn. R. 7020.0300]
20.43	"Production Area" means that part of the animal feeding operation that includes the animal confinement area, the manure storage area, the raw materials storage area, and the waste containment areas. The animal confinement area includes, but is not limited to, open lots, housed lots, feedlots, confinement houses, stall barns, free stall barns, calf huts/hutches, milkrooms, milking centers, egg washing or egg processing areas, areas used for the storage and disposal/treatment of mortalities, cowyards, barnyards, medication pens, walkers, animal walkways, and stables. The manure storage area includes, but is not limited to, lagoons, runoff ponds, storage sheds, stockpiles, under-house or pit storages, liquid impoundments, static piles, and composting piles. The raw materials storage area includes, but is not limited to, feed silos, and silage bunkers. The waste containment area includes, but is not limited to, settling basins and areas within berms and diversions which separate uncontaminated stormwater. [40 CFR 412.2]
20.44	"Short-term Manure Stockpile" means a manure storage area where manure is stored or processed according to Minn. R. 7020.2125, subp. 1 to 3. [Minn. R. 7020.0300]
20.45	"Sinkhole" means a surface depression caused by a collapse of soil or overlying formation above fractured or cavernous bedrock. [Minn. R. 7020.0300]
20.46	"Soil Temperature" means a thermometer reading at a depth of six inches or as indicated by the closest soil temperature monitoring location available on the MDA soil temperature network available at https://app.gisdata.mn.gov/mda-soiltemp/ . [Minn. R. 7001]
20.47	"Solid Manure" means manure that has 15 percent or more solids, can be stacked at a 3:1 vertical to horizontal ratio, and is handled as a solid product. [Minn. R. 7020]
20.48	"Spill" means the release of manure, manure contaminated runoff, or process wastewater from the confines of an animal feedlot, manure storage area, manure transfer system, or other component used to collect, transfer, or store manure, manure-contaminated runoff, or process wastewater that if not recovered would pollute waters of the state. Spill includes releases from activities associated with land application that do not comply with this Permit. [Minn. R. 7001]
20.49	"Special Protection Area" means land that is within 300 feet of all protected waters (lakes and streams) and protected wetlands, identified on Department of Natural Resources (DNR) protected waters and wetlands maps and intermittent streams and ditches identified on United States Geological Survey (USGS) quadrangle maps, excluding drainage ditches with berms and segments of intermittent streams which are grassed waterways. [Minn. R. 7020.0300]
20.50	"Temporary Closure" means ceasing operation of all or part of a facility with the intent of reusing the facility or portion of the facility at a future date. [Minn. R. 7020]

20.51	"Waters of the State" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, that are contained within, flow through, or border upon the state or any portions of the state. [Minn. R. 7020.0300]
20.52	"Waters of the United States" has the meaning given under 40 CFR 122.2. [Minn. R. 7020.0300]
20.53	"Winter Manure Application" or "Winter Application" means application of manure to frozen or snow-covered soils, except application during the months of October and November or when the manure is immediately incorporated or injected below the soil surface. [Minn. R. 7001]

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
BECKER FREDERICK M	42193 465TH AVE	NICOLLET MN 56074
DAIRY WISE BUILDERS MN III LLC	PO BOX 11810	BAKERSFIELD CA 93389
FORBROOK ETTA LYN	41806 490TH ST	NORTH MANKATO MN 56003
KROHN DIANE K TRUST AGREEMENT	40778 465TH AVE	NICOLLET MN 56074
KROHN LARRY A & SHIRLEY E KROHN	43572 451ST AVE	NICOLLET MN 56074
KROHN SETH A	43578 451ST AVE	NICOLLET MN 56074
KROHN WARREN L REVOCABLE TRUST	41791 465TH AVE	NICOLLET MN 56074
RICKE BERNICE LIVING TRUST	60 PARNELL ST SUITE A	MERRITT ISLAND FL 32953
WAKEFIELD PORK INC	410 MAIN AVE E	GAYLORD MN 55334
WILKING JUDITH A	41866 451ST AVE	NICOLLET MN 56074
WILKING LARRY L & MARLENE H WILKING	41896 451ST AVE	NICOLLET MN 56074
Bob Wills- Granby Township	41156 465th Ave	Nicollet, MN 56074



PLANNING & ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant Lee Alex – Trident Dairy
Property Owner Dairy Wise Builders – MN III, LLC
File PLN23-24

Hearing December 18, 2023
Continuation
Parcel ID 05.015.0400

Use Request To modify an existing Feedlot Conditional Use Permit (CUP) to change the animal type to include cows as well as calves

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The proposed use modification is typical of feedlots within Nicollet County. The modification is to an existing feedlot and will not increase the animal units. The Applicant has a NPDES permit.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The Applicant is not proposing any new or additional structures. The modified permit will not increase traffic on State Highway 111.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The predominant land use in the area is agriculture. The request is a change in the type of animal. The request should actually decrease required OFFSETS due to a smaller facility footprint.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The predominant land use in the area is agriculture. The request is a modification of animal type to include cows, and the property will maintain its current appearance. The structures will not be modified in any way to allow the change in animal types.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The requested use, after the modification, is consistent and meets the standards of the Nicollet County Zoning Ordinance. The requested use is typical of other feedlots in the area.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The Comprehensive Plan states that feedlots are a permitted and regulated use within Nicollet County.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The modified permit reflects a reduced odor modeling OFFSET requirement. The proposal meets County standards, and there is no change in the general use of this facility.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

8. The requested use is reasonably related to the existing land use and environment.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The existing use and primary surrounding area use is agriculture. The use will continue to meet all Nicollet County standards.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The Applicant maintains an NPDES permit. All standards for manure handling and management will be followed by the Applicant. The requested use will continue to meet all County standards.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

10. The requested use ☐ WILL ☒ WILL NOT have adverse effect upon public health, safety and welfare due to the following other factors:

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The permit modification does not substantially alter the feedlot, which is a typical of feedlot within the County. Dead animals will be composted per MPCA guidelines.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION

☒ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

- | | |
|--|--|
| ☒ Application | ☒ Site visit |
| ☒ Information received at public hearing | ☒ Staff Report |
| ☒ Pictures | |

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE PERMIT AND IN THE RECORD.

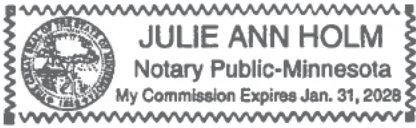
FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION.

Date: 12/27/23 Chair: Dave Ubel

STATE OF MINNESOTA
COUNTY OF NICOLLET

The foregoing instrument was acknowledged before me this 27th day of December 20 23,
by Julie Holm.

Notarial stamp or seal (or other title or rank)



JULIE ANN HOLM
Notary Public-Minnesota
My Commission Expires Jan. 31, 2028

Julie Holm
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT



CONDITIONAL USE PERMIT

FILLING OVER 50 CUBIC YARDS NOT IN CONNECTION WITH ANOTHER PERMITTED USE

Marty & Mary McCabe

PLN23-25

**NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION**

SUBJECT:	PLN23-25
APPLICANT:	Marty & Mary McCabe
LANDOWNER:	Marty & Mary McCabe
LOCATION:	Northwest ¼ of the Northeast ¼, Section 7-110-26 in Traverese Township
PARCEL NO:	12.107.0700
EXISTING ZONING:	Agricultural Preservation Zoning District
HEARING DATE:	12/18/2023
COUNTY BOARD DATE:	01/02/2024
60 DAYS FROM REQUEST:	01/20/2024

REQUEST

Marty & Mary McCabe are requesting Conditional Use Permit approval to place fill dirt within the Agricultural Preservation Zoning District.

PROJECT DESCRIPTION:

The Applicant is constructing a new dwelling just north of an old barn site, which was demolished and removed before they purchased the property. The former three-story barn was built into the side of the bluff by creating layered stone retaining walls with a concrete foundation. The stone and concrete remain on site in a deteriorated condition; they are crumbling and bowing so as to expose the earthen wall behind it, which could create the risk of collapse over time.

The Applicant states the barn site in its current condition is a safety risk to their small children. To remediate this, the fill dirt would be placed overtop of the foundation and gradually sloped and compacted to blend with the adjacent bluff. The Applicant intends for the finished grade to match what they imagine the bluff looked like before it was altered.

ORDINANCE:

Cutting or filling over 50 cubic yards in the Agricultural Preservation Zoning District requires a Conditional Use Permit, unless it is associated with another permitted use. Reference Nicollet County Zoning Ordinance 602.3.

EXISTING LAND USE

The 18.68-acre lot is primarily bluff and contains an existing dwelling, grain bins, and several barns and sheds formerly used for agricultural purposes. The homesite was parceled off from the neighboring farmland in September 2023.

SURROUNDING LAND USE

The surrounding land use is primarily agricultural and forested bluff, but there is a cluster of homes located to the north/ northwest of the property. The City of Saint Peter is located about one mile to the east.

SOIL & WATER CONSERVATION DISTRICT (SWCD) COMMENT

Blake Honetschlager, District Technician with SWCD, reviewed the application and conducted a site visit. He recommended matching the existing slope on site and seeding it with a vegetative cover after to prevent erosion.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

- 1. Given the nature of the land, the requested use is compatible with the public health, safety, and general welfare.**
 - The request improves health, safety, and welfare by eliminating the fall and collapse hazards associated with the old retaining wall and foundation.
 - The Applicant's request is a conditionally permitted use in the Agricultural Preservation Zoning District.
- 2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**
 - Transporting the fill will temporarily generate additional traffic, but it is not expected to be unreasonable for the existing roads.
 - No unreasonable utility usage is expected.

- 3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.**
 - The request does not appear to have an impact on neighboring properties or the surrounding area.
 - The barn site is screened from the neighboring residential properties by trees and the bluff.
- 4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.**
 - There is no structure associated with the request.
 - The appearance of the bluff would be improved by returning the barn site to a more natural landscape.
 - The barn site is screened from neighboring residential properties by trees and the bluff.
- 5. The requested use is consistent with the Nicollet County Land Use Ordinances.**
 - The request appears to meet all standards of the Nicollet County Zoning Ordinance.
- 6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.**
 - The Comprehensive Plan states that bluffs are a natural resource to be preserved, protected, and conserved.
 - The intent of the request is to restore the bluff to a more natural condition, which furthers preservation and conservation.
- 7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.**
 - No unreasonable noise, odor, glare, or general unsightliness is expected, as the request just involves fill dirt.
- 8. The requested use is reasonably related to the existing land use and environment.**

- The request is related to the existing land use as it increases the safety of their residential yard.
- The request is related to the environment as it involves restoring an existing bluff.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

- The request appears to meet all county standards, and staff are unable to identify any potential health risks to neighbors or the public in general.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:

- The request as proposed appears to meet County standards, with no apparent adverse effects to public health, safety, and welfare.

STAFF RECOMMENDATIONS

1. The Applicant shall undertake the project according to the plans and specifications submitted to the County with the application.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. The final grade of the fill shall match that of the surrounding bluff.
4. A permanent vegetative cover shall be established and maintained for the entire fill area.

Applicant/Landowner: Marty & Mary McCabe

PLN23-25

ATTACHMENT A	Application
ATTACHMENT B	Submitted by Applicant
ATTACHMENT C	Aerial Map
ATTACHMENT D	Location Map
ATTACHMENT E	Site Photographs
ATTACHMENT F	Neighbor Notification List
ATTACHMENT G	Criteria for Conditional Use Permit



PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: \$496.00

Map#: 14-07-200-007
Parcel#: 12.107.0700
Permit#: PLN23-25
Date: 11/14/2023

Applicant: Marty & Mary McCabe
Telephone: 612 718 3811
Owner: Marty & Mary McCabe
Property Address: 36387 410th St, Saint Peter, MN 56082
Abbreviated Legal Description: NWNE 7-110- 26
Township: Traverse Township
Zoning District(s): AGRICULTURAL

Record Type: Conditional Use Permit
Subtype: New
Category: Cutting/Filling >50yds
Description: CUP for filling over 50 cubic yards

ATTACHMENT A
Application

Marty McCabe
Marty McCabe (Nov 21, 2023 10:56 CST)

APPLICANT SIGNATURE

Nov 21, 2023

DATE

James Groulx

PROPERTY SERVICES

11/21/23

DATE

Application

Final Audit Report

2023-11-21

Created:	2023-11-21
By:	Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAerw0Z66BbsWqvgeI-KQmhVpZdoQzX6p-

"Application" History

 Document created by Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
2023-11-21 - 4:51:00 PM GMT

 Document emailed to martymccabe41@gmail.com for signature
2023-11-21 - 4:51:30 PM GMT

 Email viewed by martymccabe41@gmail.com
2023-11-21 - 4:56:17 PM GMT

 Signer martymccabe41@gmail.com entered name at signing as Marty McCabe
2023-11-21 - 4:56:57 PM GMT

 Document e-signed by Marty McCabe (martymccabe41@gmail.com)
Signature Date: 2023-11-21 - 4:56:59 PM GMT - Time Source: server

 Agreement completed.
2023-11-21 - 4:56:59 PM GMT



CONDITIONAL USE PERMIT APPLICANT QUESTIONNAIRE PROJECT DESCRIPTION

APPLICANT NAME: Marty & Mary McCabe DATE: 11/14/2023
REQUEST: Fill in site of demolished barn

Please describe the specific details related to your request. If your request is approved, you will be held to the plans and specifications submitted to the County with your application.

A 3-story barn was demolished on the property before we purchased it. The barn foundation remains and presents a significant safety risk, especially for our small children, as the foundation is crumbling/bowing and there are steep drop offs. Our goal is to return the land to the way we imagine it would have been prior to the barn being built as a gradually sloping hill.

ATTACHMENT B
Submitted by Applicant



CONDITIONAL USE PERMIT APPLICANT QUESTIONNAIRE

APPLICANT NAME: Marty & Mary McCabe DATE: 11/14/2023

REQUEST: Fill in site of demolished barn

In granting a conditional use permit, the County Board shall consider the advice and recommendation of the Planning Commission and the effect of the proposed use upon the health, safety, morals, and general welfare of the community. Among other things, the County Board shall make the following findings where applicable.

WHY DO YOU FEEL THE REQUESTS MEETS THE FOLLOWING CRITERIA?

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

The current state of this site presents a significant safety risk as the foundation is crumbling/bowing and there are steep drop offs.

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

Correct.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

Goal is to return the land to how we imagine it would have looked prior to the barn being built as a gradually sloping hill. This will blend seamlessly with the existing landscapes on our property and be an improvement for nearby

4. The structure and use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

This change will enhance the landscape, remove the eyesore of the old foundation, and be an improvement for nearby properties.

5. The requested use is consistent with the County Zoning Ordinance.

Correct.

6. The requested use is not in conflict with the Comprehensive Plan.

Correct.

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

This change will enhance the landscape and remove the eyesore of the old foundation.

8. The requested use is reasonably related to the existing land use and environment.

Yes.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

This change will significantly increase safety.

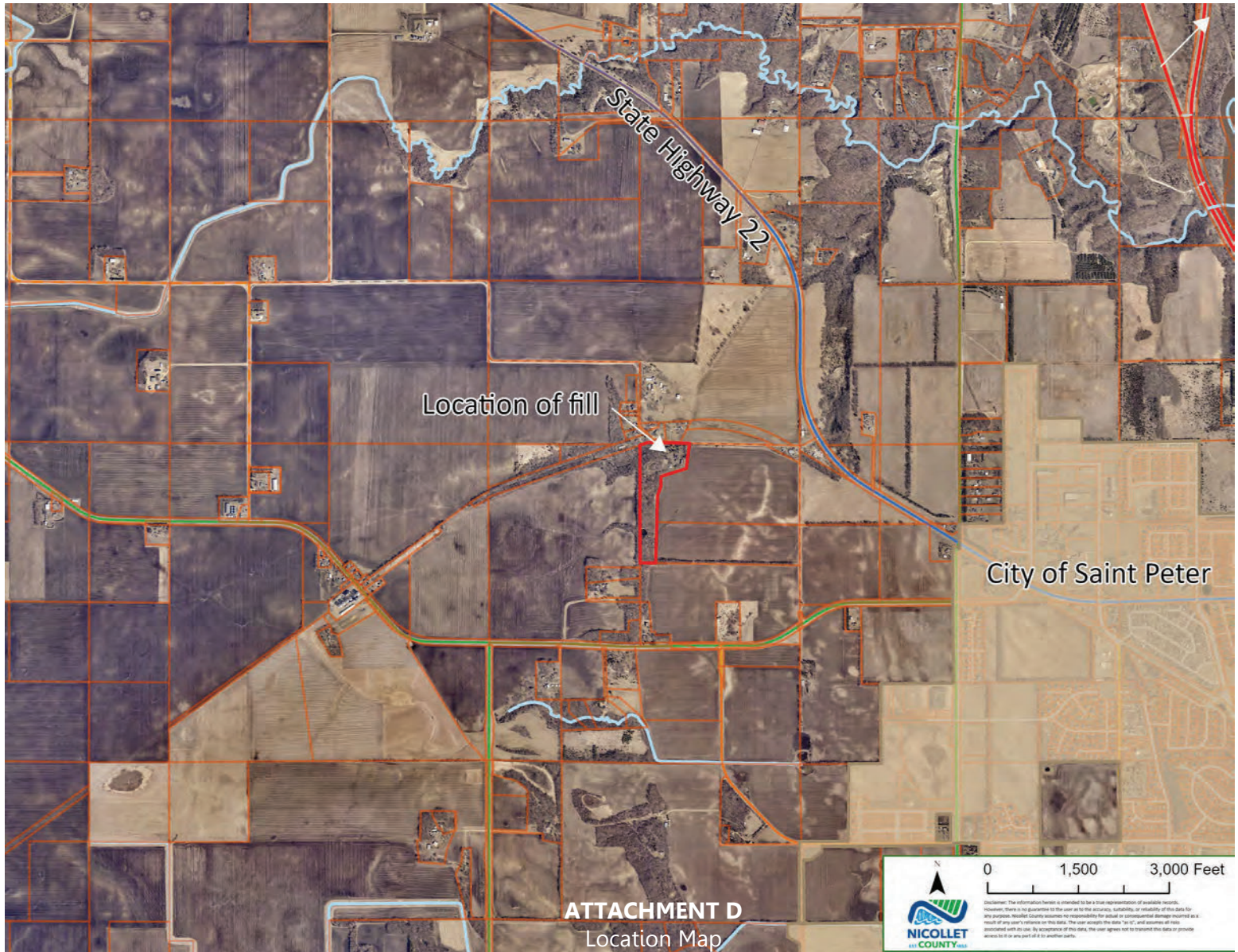
10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors.

This change will significantly increase safety.

A MAJORITY OF THE CUP CRITERIA MUST BE MET IN ORDER FOR THE REQUEST TO BE APPROVED.









ATTACHMENT E
Site Photographs



DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
DEBLIECK BRENDA R REVOCABLE TRUST	36910 COUNTY ROAD 15	SAINT PETER MN 56082
GREEN TERRI L & DARRELL E	36501 410TH ST	SAINT PETER MN 56082
HOFFMANN MEGHAN A & TIMOTHY W ESSER	36471 410TH ST	SAINT PETER MN 56082
KING DEBRA M	23527 COUNTY RD 40	NEVIS MN 56467
LEONARD STEVEN P & JULIE A LEONARD	36476 410TH ST	SAINT PETER MN 56082
MCCABE MARY ROSE & MARTIN R MCCABE	36387 410TH ST	SAINT PETER MN 56082
MEALMAN JAMES A & WENDY MEALMAN	36483 410TH ST	SAINT PETER MN 56082
MILLER DENNIS M & JULIE L MILLER	36526 410TH ST	SAINT PETER MN 56082
MILLER GARY A & JOANNE L MILLER	40415 STATE HIGHWAY 22	SAINT PETER MN 56082
OLMANSON FAMILY IRREVOCABLE TRUST	40497 COUNTY ROAD 20	SAINT PETER MN 56082
PELL LEE H	36601 450TH LN	SAINT PETER MN 56082
WETTERGREN JANET A	36179 TRAVERSE RD	SAINT PETER MN 56082
WIEBUSCH COREY P & CINDE A WIEBUSCH	36443 410TH ST	SAINT PETER MN 56082
Helen Wenner- Traverse Township	41416 403rd Ave	St Peter, MN 56082



PLANNING & ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant Marty & Mary McCabe
Property Owner Marty & Mary McCabe
File PLN23-25

Hearing December 18, 2023
Continuation
Parcel ID 12.107.0700

Use Request To place fill dirt over fifty (50) cubic yards

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The site as it is, is a safety hazard, and the proposal will eliminate the hazard.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	A temporary increase in traffic will not create an unreasonable burden to existing roads or utilities.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The bluff will be returned to its natural state, and there will be no impact on neighboring properties. The request will also reduce the liability of injury to children playing in the area.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request will return the bluff to its natural state.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request meets all standards of the Nicollet County Zoning Ordinance.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request will restore the bluff to a more natural condition, preserving the natural landscape and conservation.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	No unreasonable noise or odor is expected - the request just involves fill dirt.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

8. The requested use is reasonably related to the existing land use and environment.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request restores an existing bluff, and increases the safety of the property.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request meets all Nicollet County standards, and there are no health risks to neighbors.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

10. The requested use ☐ WILL ☒ WILL NOT have adverse effect upon public health, safety and welfare due to the following other factors:

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request meets all Nicollet County standards, with no apparent adverse effects to public health, safety, and welfare.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION

☒ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

- ☒ Application ☐ Site visit
☒ Information received at public hearing ☒ Staff Report
☒ Pictures

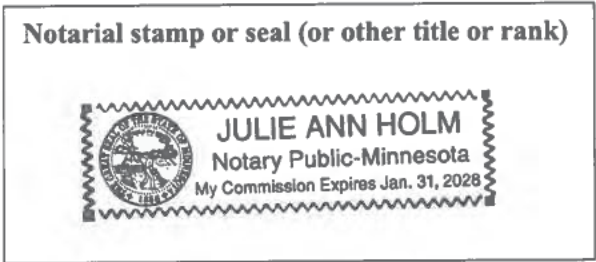
SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE PERMIT AND IN THE RECORD.

FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION.

Date: 12/27/23 Chair: Dave Ubel

COUNTY OF NICOLLET

The foregoing instrument was acknowledged before me this 27th day of December 20 23,
by Julie Holm.



Julie Holm
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT



CONDITIONAL USE PERMIT

KENNEL

Holly Carlson

PLN23-26

**NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION**

SUBJECT:	PLN23-26
APPLICANT:	Holly Carlson
LANDOWNER:	Holly Carlson
LOCATION:	Southeast ¼ of the Northwest ¼, Section 17-109-28
PARCEL NO:	09.017.0300
EXISTING ZONING:	Agricultural Preservation Zoning District
HEARING DATE:	12/18/2023
COUNTY BOARD DATE:	01/02/2024
60 DAYS FROM REQUEST:	01/26/2024

REQUEST

Holly Carlson is requesting Conditional Use Permit approval to establish and operate a dog boarding kennel within her residence located at 47530 478th Street.

PROJECT DESCRIPTION

General Information:

The Applicant is proposing to establish Hound's Holiday Dog Boarding LLP, which would offer in-home boarding services for up to four dogs under 30 pounds. The dogs would be housed in kennels with an adjacent play area located in the basement of the home. The Applicant is also proposing a partially covered outdoor dog run to be used for exercise and toileting. Animal waste would be composted in a patch of woods on the western edge of the property.

The Applicant intendeds to line the kennel floor with a Gore-Tex mat for sanitation, ease of waste removal, and comfort. Each kennel will be cleaned between dogs and also as needed. Animal waste will be promptly removed and composted.

Proposed area	Dimensions	Square Footage
Dog kennels	four total, 4' x 6' each	96'
Indoor play area	16' x 6'	96'
Dog run	25' x 10'	250'

Traffic:

The business is anticipated to generate a negligible amount of traffic due to the small number of dogs being kept. Drop offs would occur between 8:00 and 9:00 am and pick-ups between 6:00 and 7:00 pm. The Applicant states these times do not interfere with the Nicollet school bus route.

Utilities:

Additional utility usage is expected to be minimal. The Applicant will utilize a monthly dumpster pickup for trash, which could increase to bimonthly.

Access & Parking:

Customers would use the existing driveway for the dwelling to access the business. The Applicant intends to place 500 square feet of gravel near the end of the driveway for parking and turning around.

Signage:

Signage plans have not been finalized, but the Applicant has discussed Zoning Ordinance standards for signs with Property Services staff. Staff recommended condition number three requires that all signage comply with Nicollet County Zoning Ordinance standards.

Minnesota Board of Animal Health:

Jessy Aho, with the Minnesota Board of Animal Health, reviewed the application and found that no state permit is required.

ORDINANCE

The request appears to meet all kennel standards outlined in Nicollet County Zoning Ordinance 720.

EXISTING LAND USE

The five-acre property contains an existing dwelling and several accessory structures. The western third of the property is covered by trees.

SURROUNDING LAND USE

The surrounding land use is predominantly rural with farm fields in all directions. There are several other residences to the east and west along 478th street, and also a cemetery directly southeast of the property.

NEIGHBOR NOTIFICATION

Property owners were notified of the request per the standards of Section 505.3 of the Zoning Ordinance and Minnesota State Statute 394.26.

CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

1. Given the nature of the land, the requested use is compatible with the public health, safety, and general welfare.

- Kennels are a conditionally permitted use in the Agricultural Preservation Zoning District.
- The request appears to meet all Zoning Ordinance standards and presents no apparent threat to public health, safety, or welfare.

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

- The amount of additional traffic generated by the business is expected to be negligible.
- Any increase in utilities associated with the business is expected to be negligible.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

- The proposal appears to meet all Zoning Ordinance standards for kennels, including the 500-foot setback from existing dwellings.
- All dogs will be housed indoors, while the outdoor dog run is partially screened by existing vegetation.
- The Applicant is required to follow United States Department of Agriculture guidelines for composting dog waste.

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

- All dogs will be housed indoors, while the outdoor dog run is partially screened by existing vegetation.
- The composting area is screened from surrounding uses by trees.

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

- The request appears to meet Nicollet County Zoning Ordinance Standards.

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

- The Comprehensive Plan states the Agricultural Preservation District was established for: Preserving, promoting, maintaining, and enhancing the use of the land for commercial agricultural purposes, to prevent scattered and leap frog non-farm growth, to protect and preserve natural resource areas, and to stabilize increases in public expenditures for public services such as roads and road maintenance, police and fire protection, and schools.
- The requested use does not conflict with the purpose of the Agricultural Zoning District. This is because:
 - It does not result in the loss of any agricultural land or natural resource areas.
 - The non-farm growth is minimal as the proposal primary takes place within an existing home.
 - No unreasonable increase in road maintenance, police, fire, and school services is expected.

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

- No unreasonable odor is expected because:
 - The Applicant must follow United States Department of Agriculture guidelines for composting dog waste.
 - All setbacks required by the Nicollet County Zoning Ordinance have been maintained.
- No unreasonable noise (barking, etc) is expected because the nearest dwelling not related to the proposal is over 1,000 feet away.
- No unreasonable glare or general unsightliness is expected.

8. The requested use is reasonably related to the existing land use and environment.

- Kennels are a conditionally permitted use in the Agricultural Preservation Zoning District.
- The business will primarily take place within the Applicant's home, which is able to meet all Zoning Ordinance requirements.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

- The request appears to meet all Nicollet County Zoning Ordinance requirements.
- The Applicant is required to follow United States Department of Agriculture guidelines for composting dog waste.
- The anticipated traffic for the business is expected to be minimal.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:

- The proposed request appears to meet the standards for kennels in the Agricultural Preservation Zoning District, with no apparent adverse effects to the public health, safety, and welfare.

STAFF RECOMMENDATIONS

1. The Applicant shall undertake the project according to the plans and specifications submitted to the County with the application.
2. The County may enter onto the premises at reasonable times and in a reasonable manner to ensure the permit holder is in compliance with the conditions and all other applicable statutes, rules, and ordinances.
3. Any sign for the business to be located on-site must adhere to the signage standards set forth in the Nicollet County Zoning Ordinance. A zoning permit shall be required prior to placement of any such signage.
4. Any structural alteration, expansion, intensification of use, or similar change, beyond that which has been proposed by the Applicant, shall be treated in the same manner as a request for a new Conditional Use Permit.
5. The Applicant shall follow the United States Department of Agriculture guidelines for composting dog waste.
6. The applicant shall submit a nuisance mitigation plan that explains how kennel related noise, including barking or howling, will be minimized per Nicollet County Zoning Ordinance 720.3 (9).
This condition was added by the Planning Commission.

Applicant/Landowner: Holly Carlson

PLN23-26

ATTACHMENT A	Application
ATTACHMENT B	Submitted by Applicant
ATTACHMENT C	Location Map
ATTACHMENT D	Site Photographs
ATTACHMENT E	USDA Composting Dog Waste Booklet
ATTACHMENT F	Neighbor Notification List
ATTACHMENT G	Criteria for Conditional Use Permit



PROPERTY SERVICES DIVISION
501 S MINNESOTA AVENUE, SAINT PETER, MN 56082
507-934-7070

PLANNING & ZONING ADVISORY COMMISSION APPLICATION

TOTAL FEES: \$496.00

Map#: 17-17-100-006
Parcel#: 09.017.0300
Permit#: PLN23-26
Date: 11/21/2023

Applicant: Holly Carlson
Telephone: 507-351-6602
Owner: Holly Carlson
Property Address: 47530 478th St
Abbreviated Legal Description: SENW 17-109-28
Township: Nicollet Township
Zoning District(s): AGRICULTURAL

Record Type: Conditional Use Permit
Subtype: New
Category: Commercial
Description: CUP Application for a kennel

PERMIT EXPIRATION DATE: 11/21/2024

Holly Carlson
Holly Carlson Nov 21, 2023 12:15:11

APPLICANT SIGNATURE

Nov 27, 2023

DATE

Gwen Crutcher

PROPERTY SERVICES

11/22/23

DATE

ATTACHMENT A
Application

PLN23-26 App

Final Audit Report

2023-11-27

Created:	2023-11-27
By:	Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
Status:	Signed
Transaction ID:	CBJCHBCAABAAouiGb6RrLJmMCKqOdeJEhzyWslQXNeT4

"PLN23-26 App" History

 Document created by Spencer Crawford (Spencer.Crawford@co.nicollet.mn.us)
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 Document emailed to hollyisnice@hotmail.com for signature
2023-11-27 - 8:32:27 PM GMT

 Email viewed by hollyisnice@hotmail.com
2023-11-27 - 8:32:37 PM GMT

 Signer hollyisnice@hotmail.com entered name at signing as Holly Carlson
2023-11-27 - 8:33:23 PM GMT

 Document e-signed by Holly Carlson (hollyisnice@hotmail.com)
Signature Date: 2023-11-27 - 8:33:25 PM GMT - Time Source: server

 Agreement completed.
2023-11-27 - 8:33:25 PM GMT



CONDITIONAL USE PERMIT APPLICANT QUESTIONNAIRE PROJECT DESCRIPTION

APPLICANT NAME: Holly Carlson and Mike Neilsen DATE: 11/4/23
REQUEST: Hound's Holiday Dog Boarding LLP

Please describe the specific details related to your request. If your request is approved, you will be held to the plans and specifications submitted to the County with your application.

We are looking to open our indoor dog boarding business for small dogs. This will include an outdoor dog run and an increase in my driveway size (gravel). We will have four indoor kennels/suites for dogs under 30lbs. We plan on putting up an outdoor dog run that will be partially covered. It will just be Michael and myself, currently residents, working so there will be no employees. We will have drop off and pick-up times that do not interfere with the Nicollet school bus route. The vast majority of people who board their animals do so for more than one day. The amount of extra traffic would be almost unnoticed. Proposed drop off time will be 8-9am and pick-up time between 6-7pm. As far as utilities are concerned, this should also be minimal since we are boarding from inside the home which is already heated and electrified. I have my own well for water. I pay per dumpster pick-up once a month. This could increase to twice monthly.

ATTACHMENT B
Submitted by Applicant



CONDITIONAL USE PERMIT APPLICANT QUESTIONNAIRE

APPLICANT NAME: Holly Carlson and Mike Neilsen DATE: 11/4/23
REQUEST: Dog Boarding Permit

In granting a conditional use permit, the County Board shall consider the advice and recommendation of the Planning Commission and the effect of the proposed use upon the health, safety, morals, and general welfare of the community. Among other things, the County Board shall make the following findings where applicable.

WHY DO YOU FEEL THE REQUESTS MEETS THE FOLLOWING CRITERIA?

1. Given the nature of the land, the requested use is compatible with public health, safety, and general welfare.

This kennel will not infringe on public health, safety or public welfare. It is 6 acre hobby farm that is and will be used accordingly.

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

We plan on having 4 indoor kennels for boarding. Most people board their animals for a few days so it is reasonable to expect 1-2 extra trips a day to my home, at the most.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

My property is surrounded by fields from other farms. This kennel will not be stinkier or louder than any of my other neighbors.

4. The structure and use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

There will be an outdoor dog run for the animals to relieve themselves and exercise. We plan on using a kennel kit so it looks nice and professional. It will be 25' by 10', 250sqft total.

5. The requested use is consistent with the County Zoning Ordinance.
The requested use is consistent with the ordinances provided to me.

6. The requested use is not in conflict with the Comprehensive Plan.
?

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.
It is a hobby farm so this kennel is similar to the surrounding properties and their uses.

8. The requested use is reasonably related to the existing land use and environment.

This kennel is similar to the surrounding properties and their property uses.
There is really no difference between what we propose to do and what the neighbors are currently doing as well.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

Dogs will be contained at all times, indoor and outdoor. In the unfortunate event a dog gets loose, it shouldn't reasonable be a risk to the public since vaccinations and temperment are a must before they can board with us.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors.

We are open minded and willing to cooperate to make this work. We could use privacy fencing and/or mesh shade if there are any issues with sound or looks.

A MAJORITY OF THE CUP CRITERIA MUST BE MET IN ORDER FOR THE REQUEST TO BE APPROVED.

Hound's Holiday Dog Boarding LLP

Holly Carlson and Michael Neilsen

47530 478th St. Nicollet, MN 56074

507-351-6602

hollyisnice@hotmail.com

Summary of Business Proposition

In-home dog boarding for small dogs under 30lbs. We plan to have four indoor dog kennels/suites. Size=approx. 4' by 6'. There will also be an indoor area for them to play right next to the kennels. The total indoor area for the above is 192sqft. We plan on setting up a partially covered dog run for toileting and exercise. The dimensions we are planning are a 25' by 10' area. Total is 250sqft. We also plan to increase the parking area to include room for a couple more vehicles and room to turn around. This will be approx. 500sqft. A grand total of 942sqft. There will be no outside employees. We will have drop-off and pick-up times that do not interfere with the Nicollet school bus route. The proposed drop off time will be 8-9am and pick-up time between 6-7pm. The vast majority of people who board their animals do so for more than one day. One to two extra trips to my residence would be realistic. As far as utilities are concerned, this should also be minimal since we are boarding from inside the home which is already heated and electrified. I have my own well for water. I pay per dumpster pick-up once a month. This could increase bimonthly. I plan on composting the dog waste towards the back of my tree grove.

Our most important company strengths:

1. Me and Mike are completely invested in making this dream happen.
2. We are both very diligent workers and work very well together. We have made several renovations on the homestead by ourselves, inside and out, including tearing down a two and a half story barn by ourselves.
3. We are fortunate to have 5 acres of land to work on and a 3500+ square foot house with 6 bedrooms.
4. We have the capacity to expand and plan to do so.
5. Especially after the pandemic, pets became our family and source of comfort during a terrible time. People will do anything for their family.
6. I do believe that our service will be unique because there are not a lot of dog boarding places that cater to small dogs only. I have not found any in Mankato or the surrounding areas.

Background experience, skills, and strengths that will help us succeed:

1. I have a degree in Mechatronics and have experience in many areas including mechanical, electrical, computer systems, and fluid power.
2. I was the lead hydrogen fuel cell technician for a fleet of 200 fuel cells at the local distribution center in Mankato. I worked in extreme conditions and had to make critical decisions on the spot that affected hundreds.
3. Mike is a 13-year Army vet and has gone through many experiences that will benefit this company. He has training in mechanics on large military vehicles, inventory of highly sensitive equipment, and learned to stay calm under intense pressure.

4. Most importantly, we work GREAT together as a team and have renovated this farm together.
5. We both grew up with dogs in our houses and have a natural connection and love for animals.
6. We have a huge love for animals and currently have 2 dogs, 4 barn cats, 6 ducks, and 12 chickens. Being on the farm around animals all day is both of our dreams.

Legal form of ownership: LLP

Services

1. Dog boarding for small dogs only.
2. We will have indoor suites for the dogs that look more like home than a bunch of cages.
3. We will have an outdoor dog run that is partially covered.
4. We are also considering offering a pick-up service since we are in the country in Nicollet.
5. We would also like to give photo/video updates for the owners.
6. We also plan to sell our chicken and duck eggs that we have so many of.

Marketing Plan

Customers

Middle to upper-class income customers. Mostly homeowners. Ages thirty and up. We think people will be willing to drive up to thirty miles away for quality care. Anybody who has a smaller dog that is a bit pampered, and their owners are afraid to leave them in a cold, scary outdoor kennel that is more like a pound than a home away from home.

Messaging

We are a family who love animals, especially dogs. We know what our dogs bring to our lives, and it is priceless. We will treat your fur babies the same way. Right now, we only board dogs 30lbs or less. This is because the suites/kennels are in our home. Do not get us wrong, we LOVE big dogs. We own a big dog. And we eventually hope to board big dogs. Our dogs use the underground fence and have acres to run around on. Unfortunately, this doesn't work for boarding, and we need larger fenced in areas for the bigger dogs. We do not think it is fair to have large dogs in a small area when they can watch our dogs run free. We are planning to expand outbuildings and make a larger fenced in dog run that will ensure they get adequate exercise. For now, we are catering to the little pups to ensure comfort, health, and safety.

Promotional Tools

Website, haven't started this yet

Signage on the property, hopefully on silo or old barn

Pricing

- After researching kennels in the towns nearby and then all of MN, we believe \$30-35 a night is a price that is fair and competitive.
- We are a little above other smaller kennels in southern MN but our targeted customers probably are not concerned with prices.

Professional and Advisory Support

- Insurance agent- Jennifer Neilsen
- Banker-MN Valley Federal Credit Union
- Consultants and key advisors Small Business Development Center - Nancy Goodwin



09.017.0305

09.017.0810

09.017.0300

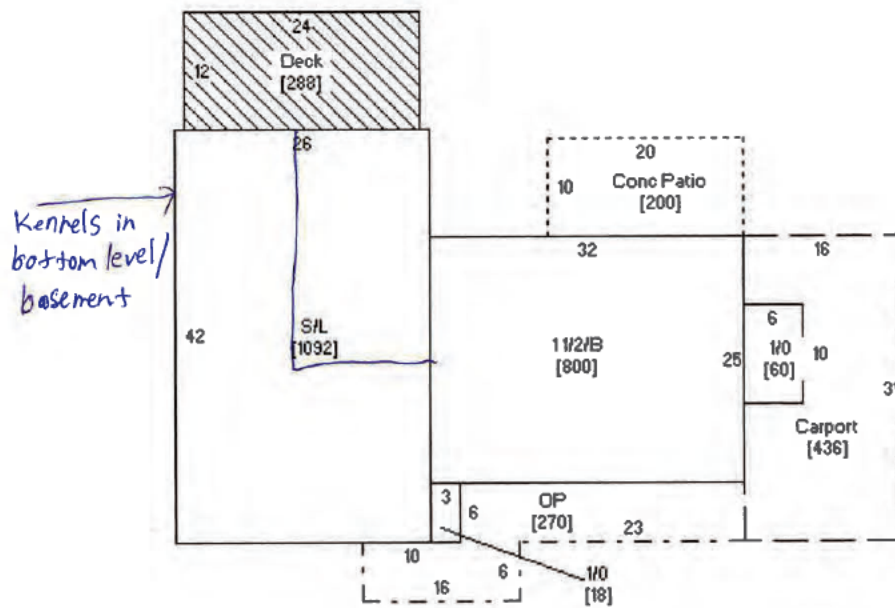
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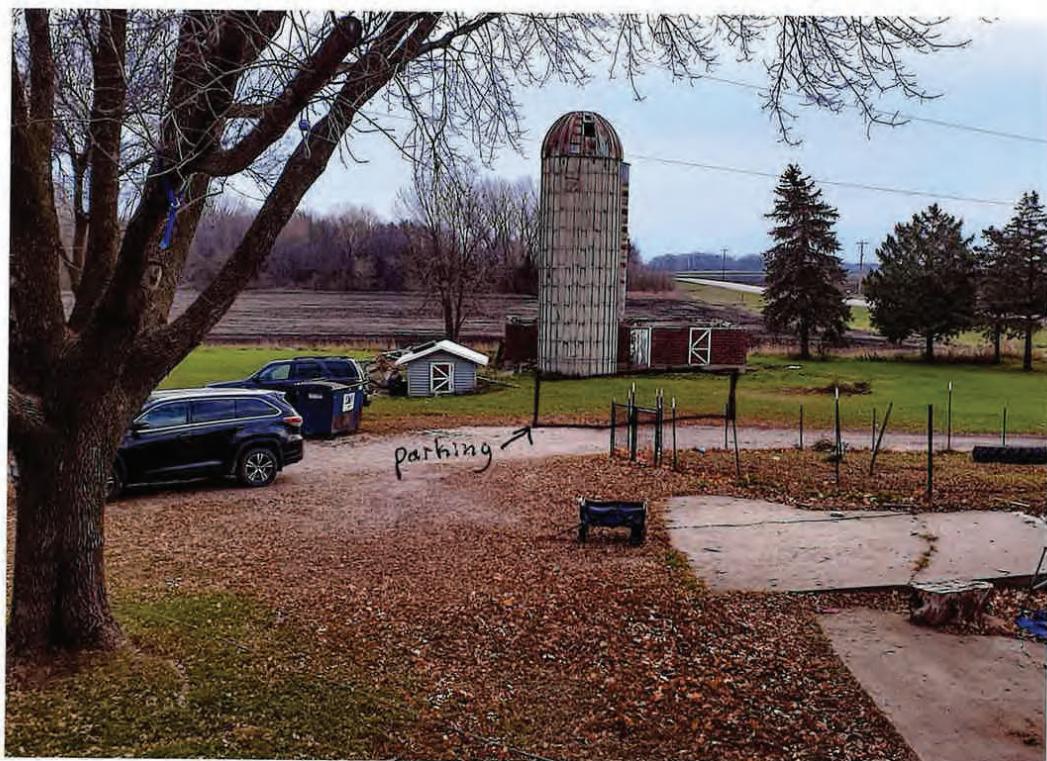


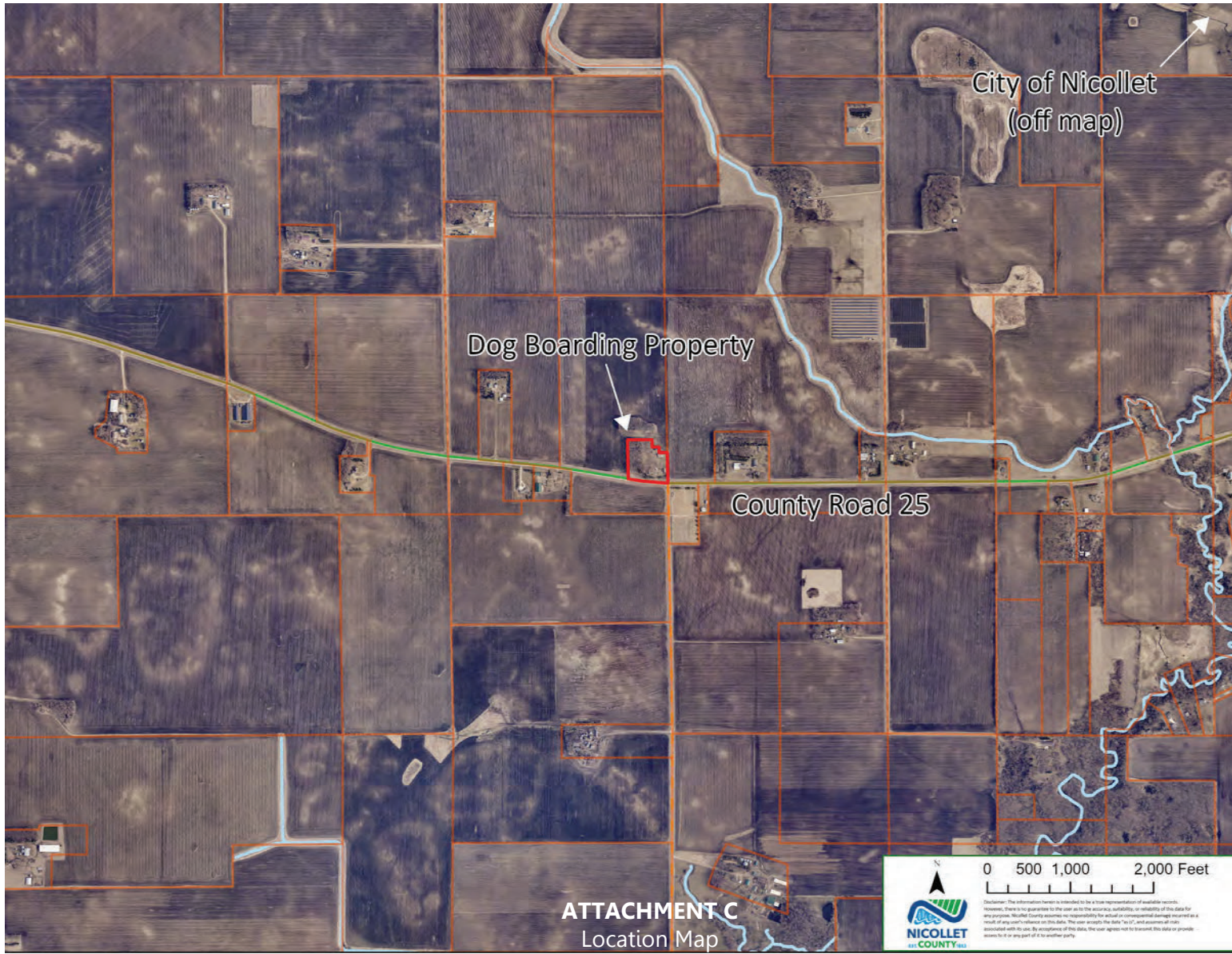
Compost +
Dog Run
parking
Sign on side of bath

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ATTACHMENT C
Location Map

0 500 1,000 2,000 Feet

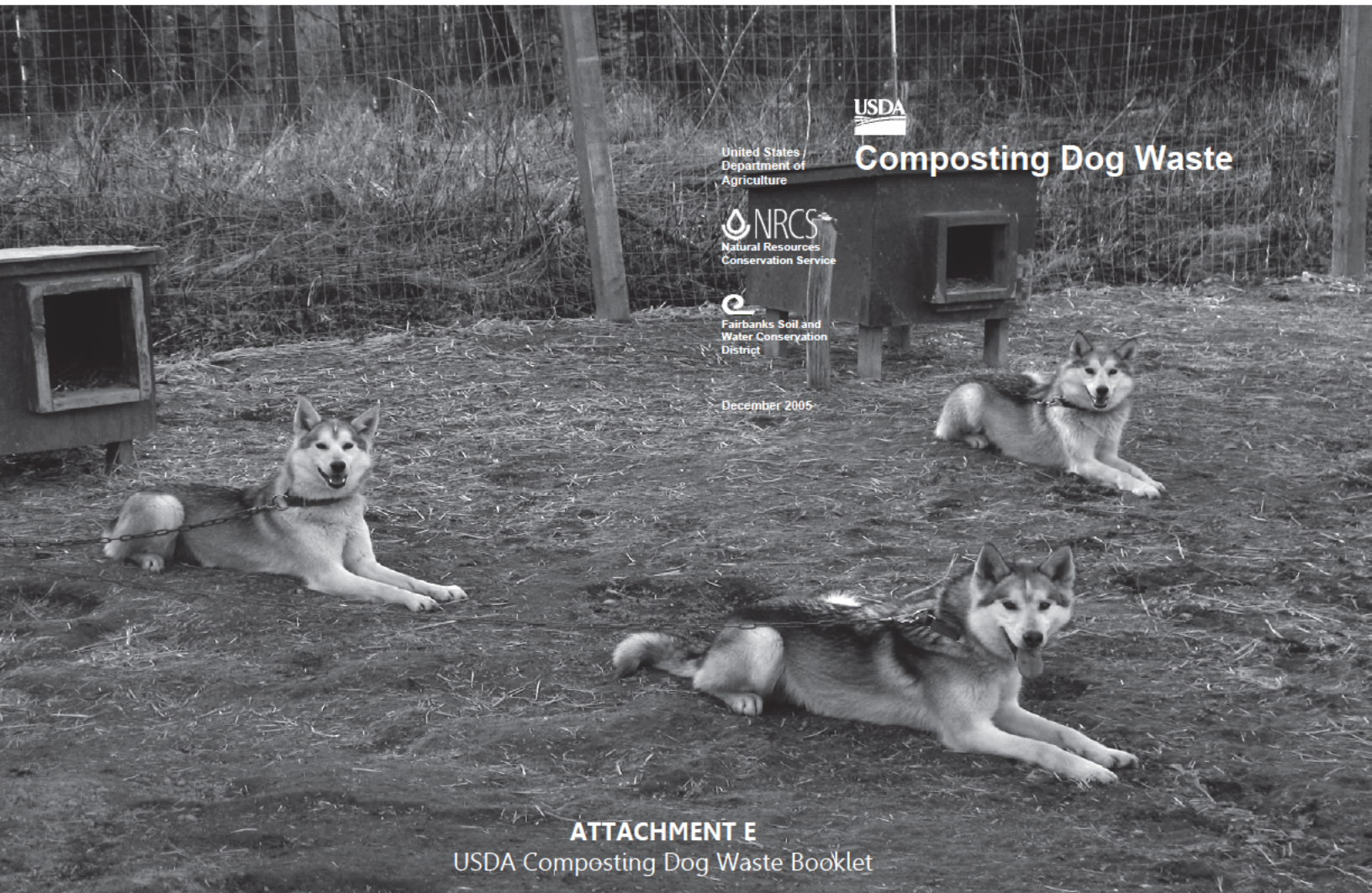
 **NICOLLET**
COUNTY MN

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ATTACHMENT D
Site Photographs





United States
Department of
Agriculture

Composting Dog Waste



Fairbanks Soil and
Water Conservation
District

December 2005

ATTACHMENT E

USDA Composting Dog Waste Booklet

For More Information

USDA Natural Resources Conservation Service
800 West Evergreen Avenue, Suite 100
Palmer, AK 99645
(907) 761-7760
www.ak.nrcs.usda.gov

Fairbanks Soil and Water Conservation District
590 University Avenue, Suite B
Fairbanks, AK 99709-3641
(907) 479-1213

Credits

Photos by Ann Rippy, Cassandra Stalzer and Mitch Michaud, Natural Resources Conservation Service. Compost bin illustrations by Ellen Million and Noël Bell.

Thanks to the Alaska Department of Environmental Conservation and the U.S. Environmental Protection Agency for support and funding of the original study. And a huge thank you to all the mushers and kennel owners who were willing guinea pigs and creative innovators.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W Whitten Building, 1400 Independence Avenue, SW Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

Introduction

Archeological evidence shows that dogs have been used in Alaska for hundreds of years as transportation, hunting, and pack animals. The tradition of living close to canines continues today as Alaska dogs function as devoted pets, competitive athletes, and tireless laborers.

The Environmental Protection Agency estimates that the typical dog excretes three quarters of a pound of waste per day—or 274 pounds per year¹.

A musher with a modest-sized kennel of 20 dogs must dispose of more than two tons of dog waste annually!

To get an idea of the scale of the dog waste generated in Alaska, consider that in Fairbanks and Anchorage alone, an estimated 20 million pounds of dog waste is produced each year.

Left alone, dog waste can pollute ground and surface water, attract flies and pests, cause an unpleasant odor, and create unsanitary living conditions for dogs.

Dog waste can also transmit parasites and infectious diseases.

Composting dog waste is a simple and inexpensive method for disposing of dog waste that can enhance the environment and reduce the amount of waste deposited in landfills².

Dog waste is a safe soil additive for revegetation and landscaping when it is composted properly.

The goal of the study was to develop easy yet effective dog waste composting practices that reliably destroy pathogens found in some dog feces.

This publication draws upon the results of the original study and more than a decade of additional experience.

The Benefits of Composting

- Composting removes raw dog waste from the environment where it can pollute groundwater and streams.
- Good composting destroys pathogens and produces a safe soil amendment.
- Good on-site composting eliminates transporting dog waste to a disposal facility. This saves time, money, energy, and landfill space.
- Good composting produces a quality soil additive that improves both the physical condition and fertility of the soil.



Composting can reduce the volume of dog waste by 50 percent. The mature compost pile in the foreground once filled the bin seen in the background.

The Dog Waste Compost Study

In 1991 the Fairbanks Soil and Water Conservation District, with technical assistance from the USDA Natural Resources Conservation Service, conducted a study with dog kennel operators to evaluate the possibility of composting dog waste in northern climates.

¹ The actual volume of dog waste depends on the dog and its diet. Working dogs that are fed high protein, high energy diets of concentrated feed will produce less waste than less active dogs that are fed a less concentrated feed.

² This study only included dog waste. Cat and other pet wastes were not studied. Cats may carry parasites that are harmful to human fetuses. We do not recommend adding cat waste or cat litter to your compost.

Uses for Dog Waste Compost

Compost is an excellent source of organic matter to add to your garden or potted plants. It helps improve soil structure which contributes to good aeration and moisture-holding capacity. Compost is also a source of plant nutrients.

Compost can also be used as a mulch material.

Dog waste compost can be used as a soil additive for revegetation, lawn establishment, and planting beds. It should not be used on crops grown for human consumption. When used in a potting mix or flower beds, a 25 percent compost blend is recommended. Compost has a relatively high salinity and is not recommended for germinating seedlings.

What is Composting?

Composting is the controlled breakdown or degradation of organic material into a product known as humus. Dog waste composting is a natural process that requires air, water, organic matter, microbes and a little human intervention.

Supplies

Composting requires a supply of nitrogen-rich materials (sometimes referred to as green or wet materials) and carbon-rich materials (dry or brown materials).

Nitrogen rich (wet) materials include:

- dog waste
- green grass clippings
- vegetable waste
- other animal manures
- bagged fertilizer

Think Protein!
Nitrogen is a major component of protein, so when you look for nitrogen rich materials for your compost, look for materials high in protein like fish waste, blood meal, cottonseed meal, and some kitchen scraps.

Carbon rich (dry) materials include:

- sawdust
- chopped straw or hay
- shredded newspaper
- dog bedding
- fallen leaves

- A long-stemmed thermometer is necessary to monitor compost temperature and can be found at some garden supply stores.
- You might find a moisture meter helpful for monitoring the moisture content of the compost pile.
- You will also need a shovel or fork for turning the compost. Our experience was that a long-handled hay fork is easiest to use when turning and mixing, while a shovel is handy for adding and measuring ingredients.
- You will need some kind of bin to contain the composting material. You can compost in a pile or a pit, but it will be difficult to reach the high temperatures needed to destroy pathogens and the process will take longer. Bins improve aeration and facilitate easy turning of the compost. See bin designs on page 4. You will

need at least two bins, one for collecting waste while the other is actively composting.

- You will also need a reliable supply of water. Although water from a garden hose is fine, you may want to temper your water by letting it sit in the sun to warm before adding it to the compost. Cold water, even from rain, will lower the temperature of the compost. This is one reason to keep a cover on your compost bin.

REMEMBER—Small particles have greater surface area than large



particles. The finer your composting ingredients are chopped, the hotter your compost will be and the faster it will

progress. The best carbon source identified in our study was fine sawdust like that found at a woodworking shop or construction site.



Dog bedding is a ready source of carbon rich material in some kennels.

Composting Dog Waste—Step by Step

There are two methods you can use to build your compost pile. The first is to collect the materials separately and then mix them all at once. The advantage of this method is that the materials will not begin to decompose until mixed. You will get the highest temperatures and the fastest compost when dog manure, carbon, water, and air are all introduced at the same time. However, this method might have a higher “gag factor.”

The second method is to add the carbon source to the dog waste as you collect it

from the dog yard and mix it as it is placed in the bin. This method is easier and as long as the pile remains dry, very little decomposition should happen until you are ready to turn the pile and add water. Because the pile of mixed dog waste and carbon will have a less offensive odor than if the materials are collected separately, many people prefer this method.

- To begin, choose a sunny, dry site near the dog area for your compost bin. The site should not be near pregnant or nursing dogs, or where runoff from the pile would flow into the dog yard.
- For every two shovels full of dog waste, add one shovel full of sawdust or other carbon source. Mix thoroughly after each addition.
- Add water in small amounts until the compost mixture is as moist as a wrung out sponge.
- Continue adding ingredients until the compost is two to three feet deep. Once a bin is full, do not continue adding fresh materials.
- Place a cover on the compost mixture. Microbes will begin breaking down the organic materials. As the microbes go to work, they release heat and increase the temperature of the compost pile.
- Insert the compost thermometer daily and record the internal temperature. When the temperature starts to decline—usually in two weeks—it is time to turn the compost.

Compost Recipe

Proportions:

2 shovels full of dog waste
1 shovel full of sawdust or other carbon rich material

Build the pile:

Thoroughly mix sawdust and dog waste, adding water as you go.

Keep covered and let it “cook.”
When the temperature drops, turn the pile.

Repeat until the temperature stops rising after turning.

Cooking time varies from 6 to 8 weeks.

- Turn the entire compost pile—from the outside to the inside—in order to ensure that all the material reaches the high temperatures needed to kill pathogens. Repeat the turning process each time the internal temperature of the compost drops. After several cycles, the compost will not heat up. This indicates that the compost process is complete.
- Cure your finished compost for several months or even a year before using it. This will stabilize the pH and ensure that the decomposition process is complete.



REMEMBER—It takes at least 10 dogs, preferably 20, to generate enough waste to maintain a bin.

A large pile (3 to 5 foot cube) is needed to provide insulation and keep temperatures high in the pile’s center. For fewer dogs you can keep a separate compost bin for dog waste and add grass clippings or other nitrogen sources to increase the volume. Treat the finished compost as you would other composted dog manure.

Compost and Temperature

The temperature of a compost mixture is very important. It reflects the level of microbial activity. The center of the compost mixture is the hottest, so insert the thermometer toward the center when taking the temperature. Repeat this in several places. Write the temperature with any comments in a daily record.

A thermometer and good record keeping are essential to successfully composting dog waste.



Temperatures in fresh compost mixtures rise quickly—up to 160° F and greater—then decline slowly until the compost temperature approaches air temperature. If you do not see this rapid rise and gradual decline of internal temperatures, the compost recipe may need to be adjusted (see Troubleshooting tips on page 8).

Declining temperatures indicate it is time to turn the compost. Take care to mix the outside materials towards the center. It will take several turnings over a period of six weeks or more for the compost to be mature.

Compost temperatures can get too high. Don't plunge your hand into the center of an active compost pile. In very rare cases, extremely high temperatures can cause a pile to ignite. Add water to a very hot pile to quickly drop the temperature.



Composting and Winter

It is possible to compost into the fall, but eventually the cold inhibits the microbial activity. The result is a build up of dog waste in the winter months. With a little planning, the buildup can be added to bins during the winter, and then effectively composted in the warmer months. During the Fairbanks Soil and Water Conservation District study, these steps encouraged good composting throughout the year:

- When clearing waste from the dog area, add the carbon source directly to your bucket, wheelbarrow or whatever receptacle you use for collection. Mix the carbon source and dog waste together, then add the mix to the compost bin.
- Store the compost ingredients directly in the bins; after spring thaw, turn the pile and add water to begin composting.
- Avoid mixing excess snow with the dog waste.
- Don't let your pile grow too large. If your winter compost pile will exceed five feet across before spring, either start a second pile or consult local NRCS staff for more information on large-scale animal waste composting systems.

Compost Bin Designs

There are many bin designs to choose from and new ideas come along every year. Spend a little time learning about bins now, and you might save yourself frustration and expense later on. Choose a system that meets your individual needs and fits your site.

Wire Cylinder

Wire bins were overwhelmingly preferred by mushers participating in the Fairbanks study. They are inexpensive and can often be built from materials on hand (see instructions on page 7 to easily construct this bin). Some have a wooden frame to provide support, and many can be made larger or smaller to accommodate the amount of material available for composting.



The compost material in wire bins is very easy to turn. The bin can be disassembled then reassembled next to the compost pile. The compost is then turned back into the same bin.

Wire bins allow the most air to reach the material, resulting in high compost temperatures and more complete destruction of pathogens. Wire bins produce hot, fast compost that will mature quickly, but the bins need to be tended more intensively than do other designs.

Wire bins are a good choice where rodents or other pests are a problem.

One drawback to wire bins is that they do not retain heat as well as plastic or wood bins and so probably are not a good choice for cool, wet climates or areas with an extremely short compost season.

Some wire bins are not very sturdy and can be crushed in a busy dog yard. Don't expect light weight wire bins to last more than a few years.

Wire Bin (Puppy Pen)

Puppy pens are a good choice for composters with only a few dogs and who plan to add a lot of leaves and grass clippings to their compost. You can find commercial versions of these wire bins, which makes them convenient for those who don't want to build their own.



Be aware that wire bins with large openings may have trouble containing compost. But like other wire bins this design provides the most air to the compost material, which produces hot, fast compost.

Wire bins do not retain heat as well as plastic or wood bins. They are probably not a good choice for cool, wet climates or areas with a frost-free season of two months or less.

Rigid Plastic Bins

These bins are small and blend in with gardens and landscaping. They tend to stay warmer in cool, wet weather than some of the other designs, which can extend the composting season into the fall months.



If time to tend the pile is limited, then rigid plastic bins are a good choice. You can add material at the top and use an aerator tool for mixing. Finished compost is extracted from an opening in the bottom.

These bins allow less air to reach the material than do wire bins and therefore do not reach the high temperatures you can expect with wire bins. They also are too small to compost waste for large numbers of dogs.

Pallet Bin

Wooden bins that are made from pallets or slab wood are cheap and effective. You can build a bin with four pallets and a few feet of twine in less than an hour.



Pallet bins are not very flexible in terms of size, are very heavy and can make turning the compost difficult. Wood tends to decompose over time and bins will have to be replaced after a few years—particularly in wet climates.

Pallet bins are an excellent choice for storing carbon materials and finished compost.

Pallet bins allow the compost material to receive plenty of air but they are not a great choice if rodents or other pests are a problem. Lining a pallet bin with hardware cloth is an option if pests are a problem.

Tumbler Bins

Tumbler-type compost bins tend to be more expensive to build or purchase. Some incorporate a pipe for passive aeration but all are intended to be rotated to stir the compost.



For many tumbler models, rotating the bin is more difficult than it looks. Physics is on your side but you are still moving the entire contents of the bin at one time. Some bins have the annoying habit of losing the lid and dumping the contents on your feet. If possible, try using the tumbler before you purchase it.

These bins should not be filled more than about one-half full to leave room for mixing. Tumblers allow less air to reach the compost material than do many other systems and do not reach the high temperatures you can expect with wire bins.

Stacking Type

You can purchase a three-tier stacking bin made of recycled plastic or build your own out of wood. Either way, this kind of bin is easy to turn and very tidy looking.



These bins share many of the drawbacks of the rigid plastic bins. They are small and do not allow a lot of air to reach the compost material, but they retain heat well and may extend the compost season.

Passive Aeration

Passive aeration can be used with a variety of bin types. The idea is to get oxygen into the center of the pile without having to turn or stir the compost. Perforated pipe is inserted into the compost as the pile is constructed. The ends of the pipe are left open to allow air exchange.



The initial construction of a passive aeration system requires a little more forethought and a lot more management than a turned pile, but it eliminates much of the work. The compost temperature should

be monitored and water must still be added regularly.

One step up from the passively aerated pile is a forced air system where a blower or pump is connected to pipes to force air into the center of the pile.

For help designing forced aeration and other complex systems consult NRCS or another qualified professional.

Compost Maturity

The easiest way to determine if compost is mature—meaning all the organic materials have degraded—is by monitoring the temperature. If, after several turnings, rewetings and aerations, the compost does not reheat spontaneously, it is probably mature.

Compost maturity has important implications for plant growth. The final step in composting is to cure the compost for at least a month and preferably over winter.

Cured compost does not compete with plants for nutrients. If unfinished compost is mixed into the soil, it may tie up oxygen and nutrients necessary for plant growth. These nutrients are not gone from the soil, but made unavailable to the plants until the organic matter is broken down.



Mature compost has a dark color, is moist and crumbly, and has a pleasant earthy odor.

Health Concerns

All compost contains mold and fungus spores which may cause an allergic response in sensitive individuals.

Keep animals, particularly puppies and pregnant females, away from the compost area to prevent transmitting any disease to other dogs, livestock, and wildlife.

Dogs can transmit diseases to humans regardless of whether you are petting a dog or shoveling waste into a compost bin. Children can be at greater risk because they frequently put their hands and other items in their mouths.



REMEMBER—The best way to decrease health risks associated with dog waste is to have healthy dogs. Follow a worming schedule developed by a veterinarian familiar with local conditions.

Health risks vary depending on the climate, so ask a local veterinarian to recommend a parasite control program suitable for your area.

Although there are many potential pathogens, the primary agents for disease are roundworm eggs. They are too small to see with the human eye. Dogs become infected with roundworms by swallowing the eggs in soil where other dogs have defecated. Infected female dogs pass on roundworms to their puppies. Roundworm eggs hatch in the dog's intestine, migrate through the liver and lungs and return to mature in the intestine. The adult roundworm lays eggs which are passed on to the soil, thus completing the life cycle. If humans ingest the eggs, they hatch in the intestine and migrate to other body tissue like lungs, liver, and spinal cord. The larvae can even attack the retinas in the eye.

In certain geographical areas, other parasites may be a problem. One tapeworm (*Enchinococcus sp.*) found in remote regions can produce life-threatening cysts if ingested.

Disease transmission from most parasites one might encounter when composting dog waste can be avoided by not coming in contact with the eggs.

Do not compost waste from dogs showing signs of disease or illness. This waste should be disposed of in another manner.

Decrease health risks by:

- Wearing rubber gloves and always washing hands after handling dogs or dog waste
- Confining dog waste to a specific area
- Not including waste from unknown dogs
- Keeping dog waste tools and clothing separate from other tools and clothing
- Not feeding dogs raw meat or fish
- Do not allow children to play in areas where dog waste compost has recently been applied
- Consulting a veterinarian about a parasite control program for your area
- Not applying dog waste compost to crops intended for human consumption

Building A Wire Compost Bin

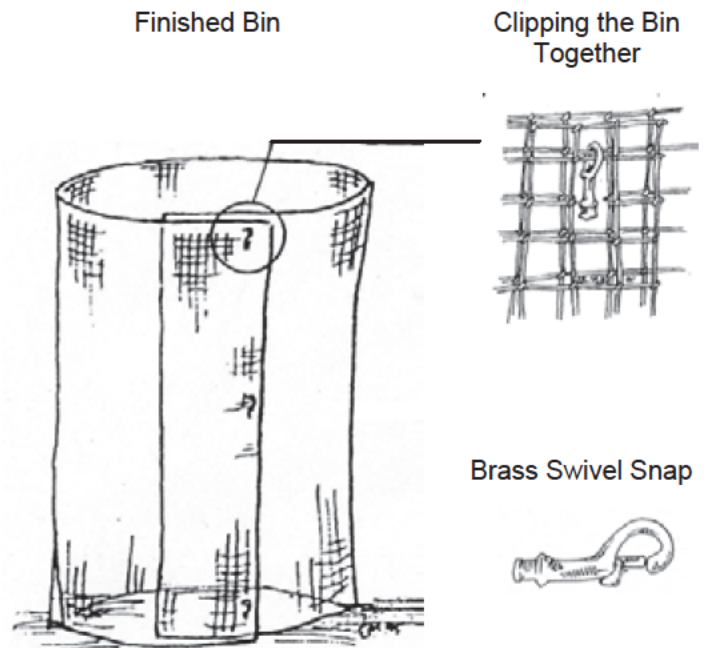
Materials:

- ✓ 10' of ½" hardware cloth, 3' wide
- ✓ 3 swivel snaps
- ✓ Wood or plastic for bin cover

Tools:

- ✓ Wire cutters
- ✓ Gloves
- ✓ Tape measure

Cut a 10' length of hardware cloth. The cloth will naturally form a circle because it has been stored in a roll. Overlap the edges of the cloth by at least 6". Use the wire cutters to remove one side of a ½" square. This makes it easier to clip the swivel snaps into the hardware cloth. The cut will need to go through both layers of hardware cloth. Make three of these cuts evenly distributed along the overlap as shown in the drawing. Clip the bin together using the three swivel snaps. Stand the bin upright and fill the bin with materials to be composted. Cover the bin with a sheet of plastic or piece of plywood to retain heat and keep out rain.



Troubleshooting

Condition	Possible Cause	Solution
Compost does not heat up or heats up slowly	➤ Not enough nitrogen source	Add dog waste or other nitrogen source
	➤ Not enough moisture	Add water
	➤ Not enough air	Turn compost pile
	➤ Too much moisture	Add dry materials, mix and cover
Compost smells bad	➤ Too much nitrogen source	Add sawdust or other carbon source
	➤ Too much moisture	Add dry materials, mix and cover
	➤ Not enough air	Turn the compost pile and/or consider an alternative bin design
Fly infestation	➤ Fresh materials near the surface	Cover new compost with a layer of finished compost, sawdust or wrap bin in porous weed control fabric
Extremely high temperatures in excess of 160°F	➤ Compost pile too large or too much air	Divide compost, add water and turn You can add water in an emergency to quickly lower temperatures

Kennel Name _____

Starting Date _____

[illegible]

Here is the plan if noise/barking becomes an issue with neighbors. I plan on buying and installing this privacy mesh fencing before we open for business.

I also plan on contacting the neighbor who lives by the cemetery adjacent to my property and giving him my phone number so he can contact me if dogs are barking during a funeral we haven't noticed.

I am also thinking of relocating the current dog run, for my personal dogs, and move it in back of the house by the purposed business dog run.

I think it is my current dog Roy, a black and tan coonhound, that would be the main noise issue. Please let me know if you can open the link.

Respectfully,
Holly Carlson and
Michael Neilsen

Link for mesh netting:

https://www.amazon.com/Windscreen4less-Privacy-Screen-Grommets-Warranty/dp/B00CEIKEP2/ref=sr_1_1_sspa?crid=104UN3DQAPHKJ&keywords=privacy%2Bscreen%2Bmesh%2Bfor%2Bfence&qid=1703111194&refinements=p_85%3A2470955011&rnid=2470954011&rps=1&srefix=privacy%2Bscreen%2Bme%2Caps%2C179&sr=8-1-spons&ufe=app_do%3Aamzn1.fos.17d9e15d-4e43-4581-b373-0e5c1a776d5d&sp_csd=d2lkZ2V0TmFtZT1zcF9hdGY&th=1

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
BODE DAVID A	47426 471ST AVE	NICOLLET MN 56074
BODE JOANNE M	47895 478TH ST	NICOLLET MN 56074
BODE LONNIE	47799 478TH ST	NICOLLET MN 56074
CARLSON HOLLY	47530 478TH ST	NICOLLET MN 56074
ENTER JOEL M & ANIKA K ENTER	48994 475TH AVE	NICOLLET MN 56074
EUERLE MICHAEL	47431 478TH ST	NICOLLET MN 56074
GAPPA CHARLES D & PEGGY S GAPPA	47972 478TH ST	NICOLLET MN 56074
GRUBB GEORGE E & RACHEL A FLOOD-GRUBB	47348 478TH ST	NICOLLET MN 56074
JOHNSON SHARON A	47134 478TH ST	NICOLLET MN 56074-1743
KETTNER LYLE	33706 470TH ST	KASOTA MN 56050-4270
RJB HOLDINGS LLC	49377 478TH ST	COURTLAND MN 56021
TRINITY LUTHERAN CHURCH CEMETERY	604 MAIN ST	NICOLLET MN 56074
Eileen Darling- Nicollet Township	44464 478th St	Nicollet, MN 56074



PLANNING & ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant Holly Carlson
Property Owner Holly Carlson
File PLN23-26

Hearing December 18, 2023
Continuation
Parcel ID 09.017.0300

Use Request To establish and operate a dog boarding kennel within the residence

FINDINGS OF FACT

Authority for issuance of conditional use permits is derived from Minnesota State Statute §394.301 and Nicollet County Zoning Ordinance, Section 505. The conditional use must maintain the health, safety, morals, and general welfare of the community.

1. Given the nature of the land, the requested use is compatible with the general welfare, public health and safety.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request meets all Zoning Ordinance standards. Kennels are a conditionally permitted use in the Agricultural Preservation Zoning District.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The amount of increased traffic and increased utilities will be minimal. Only one or two additional trips per day are expected on the county road.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The proposal appears to meet all Zoning Ordinance standards for kennels. All dogs will be housed indoors. The property is surrounded by farm fields, is screened by vegetation, and includes a five-hundred (500) foot setback from existing buildings.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The outside dog run and compost area are screened by vegetation. Dogs will be mainly housed indoors.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request is a six (6) acre hobby farm, and the requested use appears to meet all Nicollet County ordinances.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The proposal takes place in an existing home, and there is no loss of farmland or natural resources.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The waste will be composted according to State guidelines, and the required setbacks will be met. No unreasonable noise is expected because the nearest non-related dwelling is over one thousand (1,000) feet away.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

8. The requested use is reasonably related to the existing land use and environment.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	Kennels are a conditionally permitted use in the Agricultural Preservation Zoning District. This smaller kennel is similar to surrounding properties.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request appears to meet all Nicollet County Zoning Ordinance requirements. Dogs will be contained at all times, and all dog waste will be composted. The anticipated traffic is minimal.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

10. The requested use ☐ WILL ☒ WILL NOT have adverse effect upon public health, safety and welfare due to the following other factors:

COMMISSION MEMBER	YES	NO	ABSTAIN	ABSENT	REASON
Dave Ubel	☒	☐	☐	☐	The request meets County standards for kennels. The proposal will not significantly increase traffic on the road, and does not pose any health threats to neighbors as the dogs are contained, and waste is composted.
Jon Thoreson	☒	☐	☐	☐	
Marie Drantell	☒	☐	☐	☐	
Lloyd Hoffmann	☒	☐	☐	☐	
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	

THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION

☒ RECOMMENDS APPROVAL OF THE REQUESTED USE ☐ RECOMMENDS DENIAL OF THE REQUESTED USE

THIS DECISION WAS BASED UPON

- ☒ Application ☐ Site visit
☒ Information received at public hearing ☒ Staff Report
☒ Pictures

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE PERMIT AND IN THE RECORD.

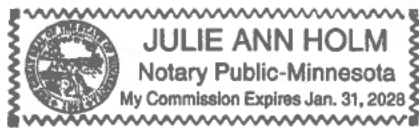
FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE FINDINGS OF THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION.

Date: 12/27/23 Chair: Dave Ubel

COUNTY OF NICOLLET

The foregoing instrument was acknowledged before me this 27th day of December 20 23,
by Julie Holm.

Notarial stamp or seal (or other title or rank)



Julie Holm

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Consider Award of Bid for Project SP 052-621-031									
Primary Originating Division/Dept.: Public Works-Highway Contact: Seth Greenwood, P.E. Title: PWD/County Engineer Amount of Time Requested: 10 minutes Presenter: Seth Greenwood, P.E. Title: PWD/County Engineer	Meeting Date: 01/02/2024 Item Type: Regular Agenda (Select One) Attachments: ☐ Yes ☒ No								
County Strategy: (Select One) Facilities and Space - preserve, maintain and build our assets									
BACKGROUND/JUSTIFICATION: Project SP 052-621-031 involves the reconstruction and slope stabilization of approximately 1,500ft of CSAH 21 from the CSAH 14/21 intersection to 1,500ft east. This segment of CSAH 21 was damaged by flooding in the spring/early summer of 2020. An emergency temporary stabilization project was completed in November 2020 to restore traffic to this section of CSAH 21 to allow for investigation and design of a permanent repair project. Three bids were received and opened on November 28, 2023 at 3:00PM for Project SP 052-21-031. Bid results are as follows: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">Mathiowetz Construction Co.</td> <td style="text-align: right;">\$3,503,009.29</td> </tr> <tr> <td>Holtmeier Construction, Inc.</td> <td style="text-align: right;">\$4,048,156.74</td> </tr> <tr> <td>Gladen Construction</td> <td style="text-align: right;">\$4,553,082.42</td> </tr> <tr> <td>Engineer's Estimate</td> <td style="text-align: right;">\$5,208,684.96</td> </tr> </table> Construction is expected to occur from June 2024 through October 2024 but construction start and duration will be dependent upon Minnesota River water levels.		Mathiowetz Construction Co.	\$3,503,009.29	Holtmeier Construction, Inc.	\$4,048,156.74	Gladen Construction	\$4,553,082.42	Engineer's Estimate	\$5,208,684.96
Mathiowetz Construction Co.	\$3,503,009.29								
Holtmeier Construction, Inc.	\$4,048,156.74								
Gladen Construction	\$4,553,082.42								
Engineer's Estimate	\$5,208,684.96								
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None									
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No If "yes", when? (provide year; mm/dd/yy if known)									
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A									
ACTION REQUESTED: Award project SP 052-621-031 to Mathiowetz Construction Co. for the low bid amount of \$3,503,009.29									
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify:	FUNDING County Dollars = Federal \$3,503,009.29 (Select One) Total: \$3,503,009.29								
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify:									
Related Financial/FTE Comments: Project is split 80% Federal Disaster Funds and 20% State Disaster Funds									

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Consider Adoption of MAPO ADA Transition Plan Part 1 & Part 7 and Resolution		
Primary Originating Division/Dept.: Public Works/Highway Contact: Seth Greenwood, P.E. Title: PWD/County Engineer Amount of Time Requested: 10 minutes Presenter: Seth Greenwood, P.E. Title: PWD/County Engineer	Meeting Date: 01/02/2024 Item Type: Regular Agenda (Select One) Attachments: ☒ Yes ☐ No	
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)		
BACKGROUND/JUSTIFICATION: Every 5 years Nicollet County's ADA Transition Plan is required to be reviewed and updated. Nicollet County's plan was last adopted on May 28, 2019 and was developed in conjunction with MAPO and its member organizations. This spring MAPO and member jurisdictions, along with Stonebrooke Engineering, began the process of updating the existing ADA Transition Plan. The update process involved compiling updated ADA infrastructure data, reviewing policies/procedures, and soliciting public comments from citizens and elected officials. The updated plan is complete and is ready to be considered for adoption. Included within the meeting packet is a copy of the MAPO ADA Transition Plan Part 1-MAPO Partner Agency Requirements and Project Purpose, Part 7-Nicollet County ADA Transition Plan and Inventory, and resolution to adopt Part 1 and Part 7 of the ADA Transition Plan.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Adopt Part 1 and Part 7 of MAPO ADA Transition Plan and approve attached resolution.		
FISCAL IMPACT: Other (Select One) If "Other", specify: FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:	FUNDING County Dollars = State (Select One) Total:	



Mankato Area Planning Organization ADA Transition Plan

December 2023



**Stonebrooke
Engineering**

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Project Management Team

- Chris Talamantez, MAPO

Shawn Schloesser, MAPO

Paul Vogel, MAPO

Jon Nelson, City of Mankato

Molly Westman, City of Mankato

Edell Fisher, City of Mankato

Stefan Gantert, Blue Earth County
- Matt Lassonde, City of North Mankato

Jennifer Bromeland, City of Eagle Lake

Ryan Thilges, Blue Earth County

Seth Greenwood, Nicollet County

Consultant Team

- Britt Berner
- Tim Arvidson
- Kelly Besser

Part 1 - MAPO Partner Agency Requirements and Project Purpose

INTRODUCTION

Need and Purpose

The Americans with Disabilities Act (ADA), enacted on July 26, 1990, is a civil rights law prohibiting discrimination against individuals on the basis of disability. ADA consists of five titles outlining protections in the following areas:

1. Employment
2. State and local government services
3. Public accommodations
4. Telecommunications
5. Miscellaneous Provisions

Title II of ADA pertains to the programs, activities and services public entities provide. As providers of public transportation services and programs, MAPO partner agencies must comply with this section of the Act as it specifically applies to public service agencies. Title II of ADA provides that, "...no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." [42 USC. Sec. 12132; 28 CFR. Sec. 35.130]

As required by Title II of ADA, 28 CFR. Part 35 Sec. 35.105 and Sec. 35.150, MAPO partner agencies have conducted Self-Evaluations of facilities within public rights-of-way and have each developed a Transition Plan detailing how the agency will ensure that all facilities are accessible to all individuals.

ADA and its Relationship to Other Laws

Title II of ADA is companion legislation to two previous federal statutes and regulations: the Architectural Barriers Acts of 1968 and Section 504 of the Rehabilitation Act of 1973.

The Architectural Barriers Act of 1968 is a Federal law that requires facilities designed, built, altered or leased with Federal funds to be accessible. The Architectural Barriers Act marks one of the first efforts to ensure access to the built environment.

Section 504 of the Rehabilitation Act of 1973 is a Federal law that protects qualified individuals from discrimination based on their disability. The nondiscrimination requirements of the law apply to employers and organizations that receive financial assistance from any Federal department or agency. Title II of ADA extended this coverage to all state and local government entities, regardless of whether they receive federal funding or not.

Agency Requirements

Under Title II, MAPO partner agencies must meet these general requirements:

- Must operate their programs so that, when viewed in their entirety, the programs are accessible to and useable by individuals with disabilities [28 C.F.R. Sec. 35.150].
- May not refuse to allow a person with a disability to participate in a service, program or activity simply because the person has a disability [28 C.F.R. Sec.35.130 (a)].
- Must make reasonable modifications to policies, practices and procedures that deny equal access to individuals with disabilities unless a fundamental alteration in the program would result [28 C.F.R. Sec. 35.130(b) (7)].

- May not provide services or benefits to individuals with disabilities through programs that are separate or different unless the separate or different measures are necessary to ensure that benefits and services are equally effective [28 C.F.R. Sec. 35.130(b)(iv) & (d)].
- Must take appropriate steps to ensure that communications with applicants, participants and members of the public with disabilities are as effective as communications with others [29 C.F.R. Sec. 35.160(a)].
- Must designate at least one responsible employee to coordinate ADA compliance [28 C.F.R. Sec. 35.107(a)]. This person is often referred to as the “ADA Coordinator.” The public entity must provide the ADA coordinator’s name, office address, and telephone number to all interested individuals [28C.F.R Sec. 35.107(a)].
- Must provide notice of ADA requirements. All public entities, regardless of size, must provide information about the rights and protections of Title II to applicants, participants, beneficiaries, employees, and other interested persons [28 C.F.R Sec. 35,106]. The notice must include the identification of the employee serving as the ADA coordinator and must provide this information on an ongoing basis [28 C.F.R Sec. 104.8(a)].
- Must establish a grievance procedure. Public entities must adopt and publish grievance procedures providing for prompt and equitable resolution of complaints [28 C.F.R Sec. 35.107(b)]. This requirement provides for a timely resolution of all problems or conflicts related to ADA compliance before they escalate to litigation and/or the federal complaint process.

Document Organization

Each MAPO partner agency’s infrastructure, practices, and policies were inventoried and documented separately, given varying contexts and ownership. ADA Transition Plans were developed to meet the specific needs of each partner agency which are included in Parts 2-7 of this document. The following outlines subsequent parts of this document as they pertain to each MAPO partner agency:

Part 2 – The City of Eagle Lake ADA Transition Plan and Inventory

Eagle Lake has an estimated population of 3,286. The city contains:

- 67 sidewalk and trail segments
- 121 pedestrian ramps
- 8 crosswalks

Part 3 – The City of Mankato ADA Transition Plan and Inventory

Mankato has an estimated population of 44,693. The city contains:

- 1951 sidewalk and trail segments
- 3092 pedestrian ramps.
- 86 bus stops
- 287 traffic signal push buttons
- 527 crosswalks

Part 4 – The City of North Mankato ADA Transition Plan and Inventory

North Mankato has an estimated population of 14,448. The city contains:

- 707 sidewalk and trail segments
- 1085 pedestrian ramps
- 14 bus stops
- 46 traffic signal push buttons
- 465 crosswalks

Part 5 –The City of Skyline ADA Transition Plan and Inventory

Skyline has an estimated population of 287. The city contains no sidewalks or pedestrian ramps in the public rights-of-way.

Part 6 – Blue Earth County ADA Transition Plan and Inventory

Blue Earth County has an estimated population of 69,280. The MAPO boundary contains only a portion of Blue Earth County including the cities of Mankato, Eagle Lake, and Skyline and surrounding townships. Blue Earth County opted to expand the Self-Evaluation and ADA Transition Plan processes to the rest of the County jurisdiction to take advantage of the process and build on the work already happening. Blue Earth County contains:

- 434 sidewalk and trail segments
- 835 pedestrian ramps.
- 90 traffic signal push buttons (maintained by the City of Mankato)
- 86 crosswalks

Part 7 – Nicollet County ADA Transition Plan and Inventory

Nicollet County has an estimated population of 34,332. The MAPO boundary contains only a portion of Nicollet County including the City of North Mankato, and surrounding townships. Nicollet County opted to expand the Self-Evaluation and ADA Transition Plan processes to the rest of the County jurisdiction to take advantage of the process and build on the work already happening. Nicollet County contains:

- 117 sidewalk and trail segments
- 173 pedestrian ramps.
- 32 crosswalks

This document has been created to allow MAPO and its partner agencies to meet Federal Highway Administration (FHWA) and Department of Justice (DOJ) requirements for ADA compliance to specifically cover accessibility within public rights-of-way and does not include information on agency programs, practices, or building facilities not related to public rights-of-way.

PUBLIC PARTICIPATION

Requirements

Under the 28 C.F.R Sec. 35.105 (b), “a public entity shall provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the Self-Evaluation process by submitting comments.”

Additionally, the 28 C.F.R Sec. 35.105 (c) states “a public entity that employs 50 or more persons shall, for at least three years following completion of the Self- Evaluation, maintain on file and make available for public inspection:

1. A list of the interested persons consulted;
2. A description of areas examined and any problems identified; and
3. A description of any modifications made.

MAPO ADA Transition Plan and Inventory Activities

The MAPO and partner agencies have a desire to not only provide accessibility for all users but also to provide high quality infrastructure. Project staff met with the general public, area stakeholders, and agencies throughout the process. Public notice was also provided through various media. The following outlines public outreach that took place during this process:

- MAPO Conference Calls: MAPO and partner agencies met via monthly teleconference to coordinate for project management initiatives. There were eight conference calls through the duration of the project.
- Jurisdictional Policy Board Meetings: Project staff reported the results of each agency's Self-Evaluation to respective policy boards. This included presentations to city councils and county boards to ensure they were aware of barriers to accessibility in infrastructure, policies, and practices.
- Public Information Meetings: Two public information meetings were held in open house format to provide all interested citizens an opportunity to gain an understanding of the project and provide their feedback on barriers to accessibility in MAPO jurisdictions as well as facilities within Blue Earth County and Nicollet County outside of MAPO.
- Public Notice: Other methods for public outreach were also employed including:
 - Project Websites: A project website was developed for the MAPO including links to agency specific sites active through the duration of the project. Each site contained information on project status, project contacts, grievance procedures, and upcoming events. MAPO partner agencies included links to their respective project website on their agency site.
 - Public Notices: Project related events were advertised to the public through website updates, newspaper release, and social media notice. A news release was posted at the beginning of infrastructure data collection activities for each agency to make citizens aware.
- Appendix 1-A contains the following sections related to organizations contacted and public and stakeholder meeting summaries.
 - Appendix 1-A.1 – Public Outreach (Stakeholders) Contact List
 - Appendix 1-A.2 – Stakeholder Meeting Summaries
 - Appendix 1-A.3 – Public Information Meetings Summaries
- Agency Meetings: Project staff updated each City Council or County Board nearing the end of the project to updates to infrastructure and policy. This gave the City and County representatives a chance to ask questions and learn more about the project.

SELF-EVALUATION

Program Review - Infrastructure Data Collection

Overview

MAPO partner agencies are required, under Title II of the Americans with Disabilities Act (ADA) and 28 C.F.R. Sec. 35.105, to perform a Self-Evaluation of current transportation infrastructure policies, practices, and programs. A Self-Evaluation identifies what policies and practices impact accessibility and examine how the agency implements these policies. The goal of the Self-Evaluation is to verify that, in implementing the agency's policies and practices, the department is providing accessibility and not adversely affecting the full participation of individuals with disabilities.

The Self-Evaluation also examines the condition of the agency's Pedestrian Circulation Route/Pedestrian Access Route (PCR/PAR) and identifies potential need for PCR/PAR infrastructure improvements. This will include the sidewalks, curb ramps, bicycle/pedestrian trails, traffic control signals, and transit facilities that are located within the agency public rights-of-way. Any barriers to accessibility identified in the Self-Evaluation and actions to remedy identified barriers are set out in the agency specific transition plans in this document.

Methodology

The Self-Evaluation field data inventory was completed in Summer of 2018. During this time, project staff inventoried components of the PCR/PAR environment using the latest GPS technology to collect field data for pedestrian infrastructure features. Data was imported into Esri ArcGIS for analysis, reporting, and mapping as part of the Transition Plan. With this round of the project, any infrastructure constructed or refurbished since 2018 was updated in the Plan. Any grievances on previously-compliant ramps were also updated. This data is believed to be accurate as of 2023. ADA compliance criteria for the data inventory was based on MnDOT's standards and included a thorough quantitative and qualitative assessment of the following:

Pedestrian Ramps – All pedestrian ramps were inventoried and evaluated for compliance. Data collected for each pedestrian ramp includes condition, dome type, landing size, ramp type, slope, detectable warning system, and other required compliance information. Maintenance issues include vertical discontinuity, gaps, steep cross slope, cracking, standing water, vegetation, spalling, and others.

Ramps received one of the following condition ratings based on the above criteria:

- Uniform slopes, no noticeable cracks, no vertical discontinuities, no spalling, joints intact
- Uniform slopes, some cracks, vertical discontinuities less than 1/4", no spalling, joints intact
- Gutter slope beyond flare flows back towards curb ramp at < 1.5%, some large cracks and minor spalling, noticeable vertical discontinuities, joints beginning to deteriorate
- Gutter slope beyond flare flows back towards curb ramp at > 1.5%, many cracks, multi-directional, excessive spalling, excessive vertical discontinuities, joints badly deteriorated, > 1/2" vertical discontinuities

To achieve ADA-compliance, a pedestrian ramp must exhibit the following:

- Running slope is less than or equal to 8.33%
- Cross slope is less than or equal to 2%
- Presence of a landing area greater than or equal to 4-feet by 4-feet and less than or equal to 2% cross slopes in all directions.
- An ADA-compliant detectable warning is present (i.e. truncated domes)

Pedestrian ramps receiving a condition rating and/or not exhibiting the above criteria are not compliant with ADA and are candidates for future reconstruction projects. The timeline for modification of each of

these pedestrian ramps will depend on its priority ranking, correlation to planned projects, reasonable accommodation requests, and available funding. Pedestrian ramp replacement is anticipated to cost approximately \$5,000 per ramp which includes design and construction of one ramp. Compliant and non-compliant pedestrian ramp locations are identified in each agency's ADA Transition Plan.

Sidewalks and Trails – Sidewalk and trail maintenance issues include vertical discontinuity, gaps, steep cross slope, cracking, standing water, vegetation, spalling, and others. Barriers to accessibility include items obstructing the PAR which could include hydrants, lighting/traffic signal poles, power poles, manhole/handhole, gate valves, and locations with a narrowed PCR/PAR among others.

Sidewalks and trails received one of the following condition ratings based the above criteria:

- Sidewalk is smooth with no vertical discontinuities
- Sidewalk has vertical discontinuities less than 1/2 inch, and the surface is still passable
- Sidewalk has vertical discontinuities more than 1/2 inch
- Sidewalk is crumbling, has many cracks, and is unpassable for wheelchairs in many spots

To achieve ADA-compliance, a sidewalk or trail must exhibit the following:

- Slope is less than 8.34%
- Cross slope is less than or equal to 2%

Sidewalk and trail segments exhibiting condition ratings not exhibiting the above criteria are not compliant with ADA and are candidates for future reconstruction projects.

Crosswalks – Crosswalks were evaluated for their general condition. Marked crosswalk locations were assessed for marking visibility issues and general pavement condition.

Traffic Signals – Available pedestrian signals were inventoried for APS availability, walk signal availability or countdown timers, and push button location. Traffic signals were categorized as APS and Non-APS locations. Signals without APS were determined to be non-compliant.

Transit Stops and Shelters – Transit stops and shelters were inventoried for location and accessibility. Inventory included the type of stop (sign, shelter, bench, etc.), dimensions and slope of the boarding area (if present), connection to PAR, and general condition rating.

Transit stops received a condition rating based the above criteria. Transit stop condition ratings are as follows:

1. Landing surface is smooth with no vertical discontinuities
2. Landing surface has vertical discontinuities less than 1/2 inch, and the surface is still passable
3. Landing surface has vertical discontinuities more than 1/2 inch
4. Landing surface is crumbling, has many cracks, and may be unpassable for wheelchairs

The data collection template was built in an Esri ArcGIS geodatabase format to give flexibility needed to use a variety of software solutions, including Collector for ArcGIS or Trimble TerraSync. Data collection methodology included using a combination of existing data for ADA asset locations available from MAPO and its jurisdictions and GPS data collection. Each community within MAPO manages ADA-related information separately.

Review Timeframes

- Policy and infrastructure review was conducted throughout the Summer of 2023. Infrastructure that was updated during this timeframe may not be reflected in this Plan update.

Policy and Practices Review

MAPO partner agencies are required, under Title II of the ADA and 28 C.F.R Sec 35.105, to perform a Self-Evaluation of policies, practices, and programs. The goal of Self-Evaluation is to verify that, in implementing the policies and practices, agencies are providing accessibility and not adversely affecting the full participation of individuals with disabilities. The Self-Evaluation identifies policies and practices that affect accessibility and examine agency implementation of these policies. The Self-Evaluation examines the condition of the agency's PCR/PARs and identifies any existing infrastructure needs. Accessibility barriers identified in Self-Evaluations are provided in respective agency Transition Plans in subsequent parts of this document.

Practices

Each agency's Self-Evaluation examined practices to understand barriers to accessibility. As additional information was made available regarding methods of providing accessible pedestrian features, agencies updated their procedures to accommodate these methods.

Policy

A major goal for each MAPO partner is to continue to provide accessible pedestrian design features as part of their capital improvement projects. Agencies have established ADA design standards and procedures listed in their respective Transition Plans. These standards and procedures will be kept up to date with nationwide and local best management practices.

Maintenance of pedestrian facilities within the public rights-of-way will continue to follow the policies set forth by each agency. A breakdown of relevant policies can also be seen in each agency's transition plan.

IMPLEMENTATION

Priority Areas

High Priority

Locations exhibiting accessibility barriers identified through the public process by stakeholders and the general public.

Locations and roadway segments serving facilities including:

- Government facilities (city, county, state);
- Department of Motor Vehicles offices and License bureaus;
- Public libraries;
- Public and private primary and secondary schools (within a one-quarter mile radius from the school property);
- Hospitals, health clinics and health centers (public and private);
- Public housing and homeless shelters, including senior facilities and rehabilitation facilities;
- Colleges, universities, and technical schools;
- Transportation hubs (includes bus lines and transit stations);
- Parks

For these high priority locations and roadway segments, field collection staff measured a variety of detailed accessibility and pedestrian data, as described in Section III.

Medium Priority

Locations and roadway segments serving facilities including:

- Central business districts, shopping malls, supermarkets and strip retail centers;
- Churches and Places of Worship
- Major employment sites;
- Housing complexes, including apartments

For these medium priority locations and roadway segments, field collection staff measured a detailed variety of accessibility and pedestrian data.

Lower Priority

- Other areas not classified as High or Medium.

MAPO partner agencies can use the priority ranking outlined above to create the plan and schedule for integrating ADA compliance projects in future street projects.

The larger cities of North Mankato and Mankato have a large amount of non-compliance to plan and budget for and placed improvement projects in short-term, mid-term, and long-term projects. The smaller community of Eagle Lake has created an annual implementation plan in which they will achieve compliance within an 15-year timeframe. Blue Earth County and Nicollet County often have agreements with cities in their jurisdiction stating that cities are responsible for maintaining and improving all, or a portion of, pedestrian infrastructure on county facilities within their limits. This depends on the project and the level of ownership within the project area. The counties will work with each community in their jurisdiction to implement improvements identified in their respective transition plans.

External Agency Coordination

Many other agencies are responsible for pedestrian facilities within MAPO partner agency jurisdictions. MAPO partner agencies will coordinate with those agencies to track and assist in the facilitation of the elimination of accessibility barriers along their routes.

Implementation Schedule

Each agency will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone sidewalk and ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by agency staff.

Budget Information – Planning Level Costs

Construction costs for upgrading facilities can vary depending on each individual improvement and conditions of each site. Costs can also vary on the type and size of project the improvements are associated with. Listed below are representative 2023 costs for some typical accessibility improvements. These costs were used to generate planning level cost estimates for ADA improvement projects.

Unit Prices		
Description	Unit	Per Unit Cost
Pedestrian Ramp Construction	Corner Ramp	\$5,000
Traffic control signal APS upgrade retrofit	APS Equip.	\$19,000
Traffic control signal APS as part of new signal installation	APS Equip.	\$13,000
Sidewalk/Trail ADA improvement retrofit	Sq. Ft.	\$6.00
Bus Stop/Shelter ADA improvement retrofit	Bus Stop	\$5,000
Restripe a crosswalk	Crosswalk	\$100

Undue Financial Burden

Some ADA improvement projects can pose financial burdens on communities that are not justified. Consider the following example:

A portion of a sidewalk includes a driveway apron with a running slope exceeding 2% grade. The driveway apron running slope serves as the cross slope of the intersecting sidewalk which has a cross slope tolerance of <2% grade to maintain ADA compliance. The only option for achieving compliance is to purchase right-of-way from the adjacent property owner to remedy the issue.

Obtaining right-of-way is often controversial among property owners and can be cost prohibitive. While one or two instances of this may not pose a considerable financial burden, the burden is compounded when multiple instances occur and the costs add up. MAPO partner agencies plan to meet this challenge by ensuring future pedestrian infrastructure is constructed according to ADA standards from the start, ensuring the safety and accessibility of pedestrian infrastructure and avoiding future potential for undue financial burden.

Given the magnitude of non-compliance in the community, MAPO partner agencies feel the scheduling and prioritization set forth in this plan provides the most equitable, effective use of the each Agency's already constrained financial resources for bringing infrastructure into compliance. This includes performing what

would be stand-alone ADA improvement projects in larger, programmed projects in agency CIP's or STIP projects beginning with areas of high priority. Infrastructure deficiencies have been carefully prioritized in this process based on areas of high pedestrian traffic, input from the public, and condition of facilities. If instances of non-compliance pose a major threat to those using pedestrian facilities, MAPO partner agencies will remedy deficiencies immediately upon becoming aware of the issue. All decisions surrounding priority will be data-driven, defensible, and will ensure an objective process that is documented in writing has been performed as the basis for those decisions.

Under the 23 CFR 35.150(a)(3), if a public agency believes and can demonstrate that a requested action to make a facility accessible would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial burden, "...a public agency has the burden of proving that compliance with §35.150(a) would result in such alteration or burdens. The decision that compliance would result in such alteration or burdens must be made by the head of a public entity or his or her designee after considering all resources available for use in the funding and operation of the service, program, or activity, and must be accompanied by a written statement of the reasons for reaching that conclusion..." (www.ecfr.gov).

ADA COORDINATOR

In accordance with 28 C.F.R Sec. 35.107(a), each agency has identified an ADA Title II Coordinator to oversee the agency's policies and procedures. Contact information for these individuals is located in respective agency ADA Transition Plans.

GRIEVANCE PROCEDURE

In accordance with 28 C.F.R Sec. 35.107(b), each MAPO partner agency has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizen complaints, concerns, comments, and other grievances. A grievance procedure for each agency is outlined in their respective ADA Transition Plans along with a published draft of responsibilities in regards to the ADA.

MONITOR THE PROGRESS

MAPO will work with partner agencies to update this document as needed to reflect a unifying approach to complying with ADA and providing accessible pedestrian infrastructure. The appendices in each agency's ADA Transition Plan will be updated periodically to account for improvements, while the main body of the document will be updated within three to five years with a future update schedule to be developed at that time. With each main body update, a public comment period will be established to continue public outreach.

Appendix 1-A-1: Public Outreach Contact List

Public Outreach Contact List

Beyond the Project Management Team, engagement outreach was conducted with the following groups or locations:

- SMILES | 709 S Front St. #7 Mankato, MN 56001
- Greater Mankato Area United Way | 127 S 2nd St. #190. Mankato, MN 56001
- VINE Faith in Action | 421 East Hickory St. Mankato, MN 56001
- ARC Southwest Housing | 501 S 2nd St. Mankato, MN56001
- Different Drummer Dance | 501 S 2nd St. Mankato, MN56001
- Statewide Health Improvement Program (SHIP) | 410 S 5th St. Mankato, MN 56001
- Durham Apartments | 621 S 2nd St. Mankato, MN 56001
- Walnut Towers | 101 E Walnut St. Mankato, MN 56001
- Gus Johnson Plaza Apartments | 413 N 4th St. C Mankato, MN 56001
- Homestead Apartments | 140 Homestead Rd. Mankato, MN 56001

Appendix 1-A-2: Open House Meeting Summary

Public Open House Meeting

A public Open House was held at the Intergovernmental Building on September 26, 2023. Project staff from MAPO, Mankato, North Mankato, and Nicollet and Blue Earth Counties were available to discuss the project with attendees.

Project maps were printed on tables for attendees to view compliant and non-compliant infrastructure to identify gaps or missing data. An online version of the map was also available with Google Earth so attendees could compare to aerial imaging.

The Open House had about 15 attendees and received about 20 comments on the maps and online map.

Project flyers were available to take home and share. The project flyers contained a QR code to direct to the project website and online map.



Part 7 - Nicollet County
ADA Transition Plan and Inventory



INTRODUCTION

Nicollet County is a partner agency of the Mankato/North Mankato Area Planning Organization (MAPO) and has completed a Self-Evaluation and developed an ADA Transition Plan as part of the overarching MAPO ADA Transition Plan effort. This “Part 7 – Nicollet County ADA Transition Plan and Inventory” has been developed solely for Nicollet County and includes information, data, and recommendations relevant to the County’s interests and those of the MAPO. Nicollet County adopts “Part 1 – MAPO Partner Agency Requirements and Project Purpose” of the MAPO ADA Transition Plan and Inventory overarching document and associated appendices concurrent with the adoption of “Part 7 – Nicollet County ADA Transition Plan and Inventory.”

This chapter accomplishes the following:

- Provides requirements mandated by ADA law for all agencies
- Introduces MAPO Partners
- Outlines public participation initiatives
- Provides the methodology used for agency Self-Evaluation
- Provides the methodology used for prioritization strategies for implementation.

PUBLIC OUTREACH

The following summarizes public outreach for the Nicollet County

- County Board of Commissioners Meeting: During the process, project staff were asked to discuss project initiatives with the County Board on November 14, 2023.
- Grievance Procedure: In compliance with 28 C.F.R. Sec. 35.107, the County has established the grievance procedure to receive future comments and concerns regarding barriers to accessibility. This can be seen in Appendix 2-E and is further detailed in Section VII below.
- Public Information Meetings: Project staff solicited feedback from the community on issues pertaining to ADA deficiencies within the community and initiatives for Transition Plan development while attending a public information meeting that took place on September 26, 2023. See Appendix 1-A for summaries of those meetings.
- County Website: A summary of comments received and detailed information regarding the public outreach activities are located in Appendix 2- D.

Review of Programs

In 2023, the Nicollet County reviewed the 2017 inventory of pedestrian facilities within its public rights-of-way. New projects since 2017 were included and any grievances were updated. This evaluation consisted of the following facilities:

- Pedestrian Ramps at city road crossings that include trail or sidewalk facilities.
- Crosswalks
- Sidewalks

There are 173 pedestrian ramps and 117 sidewalk segments within Nicollet County right-of-way. Of the 173 pedestrian ramps, 118 are fully compliant. Of the 117 sidewalk segments, 106 are fully compliant. There are 32 crosswalks in the County and four of them are compliant.

Nicollet County Self-Evaluation Infrastructure Data Collection Results		
Infrastructure Type	% Compliant	Summary
Pedestrian Ramps	68%	173 total pedestrian ramps 118 (68%) are compliant
Sidewalks	91%	117 Sidewalk segments 106 segments of sidewalk/trail (91%) are compliant
Crosswalks	13%	32 crosswalks were inventoried 4 of the crosswalks were compliant (13%)

Review of Policies and Practices

Previous Practices

Since the adoption of the ADA, Nicollet County has worked to provide accessible pedestrian features as part of road construction and reconstruction projects. As additional information was made available as to the methods of providing accessible pedestrian features, the county updated their procedures to accommodate these methods.

Policy

Nicollet County's goal is to continue to provide accessible pedestrian design features as part of street construction and reconstruction projects. The county will reference ADA design standards and procedures listed in Appendix 7-G. These standards and procedures provide the preferred standard for ADA compliance in Minnesota and will serve as the primary guidance for all future projects.

The county will consider and respond to all accessibility improvement requests. All accessibility improvements that have been deemed reasonable will be scheduled consistent with transportation priorities. The county will coordinate with external agencies to ensure that all new or altered pedestrian facilities within the county's jurisdiction are ADA compliant to the maximum extent feasible. Requests for accessibility improvements can be submitted to Nicollet County's ADA Coordinator. Contact information for ADA Coordinator is located in Appendix 7-F.

Maintenance of pedestrian facilities within the public rights-of-way will continue to follow the policies set forth by the county. A breakdown of relevant policies can be seen in Appendix 7-B which includes the following:

- Cooperative Construction Agreements
- Cost Participation Policy (2009)
- Nicollet County Comprehensive Plan Update (2018)

IMPLEMENTATION PLAN

Priority Areas

Nicollet County identified specific locations as priority areas for planned accessibility improvement projects based on criteria identified in Part 1-Section IV. These areas have been selected due to their proximity to specific land uses consistent with higher levels of pedestrian traffic, from the receipt of public comments, as well as areas exhibiting high levels of non-compliance.

Additional priority will be given to any location where an improvement project or alteration was constructed after January 26, 1991, and accessibility features were omitted.

External Agency Coordination

Sidewalk and trail infrastructure in Nicollet County is mostly contained within the local jurisdictions of Lafayette, Nicollet, North Mankato, and Saint Peter. The Nicollet County Cost Participation Policy indicates how the County intends to share costs with the cities on relevant projects within their boundaries. Cities are responsible for participating in ADA improvements in accordance with the Cost Participation Policy.

The County will coordinate with cities within its jurisdiction to track and assist in the facilitation of the elimination of accessibility barriers along County routes within city limits.

Schedule

Nicollet County will utilize two methods for upgrading pedestrian facilities to the current ADA standards. The first and most comprehensive of the two methods are the scheduled street and utility improvement projects. All pedestrian facilities impacted by these projects will be upgraded to current ADA accessibility standards. The second method is the stand alone sidewalk and ADA accessibility improvement project. These projects will be incorporated into the Capital Improvement Program (CIP) on a case by case basis as determined by Nicollet County staff. The county CIP, which includes a detailed schedule and budget for specific improvements, is available on the County website.

Nicollet County will work with cities in its jurisdiction to program improvements into respective Capital Improvement Projects. The County has set the following schedule goal for improving the accessibility of its pedestrian facilities within the County's jurisdiction:

- After 20 years, 100% of accessibility features within the jurisdiction of Nicollet County would be ADA compliant.

Improvements will be coordinated with each city's annual budget and 5-year Capital Improvements Plan, and long-term maintenance efforts.

ADA COORDINATOR

In accordance with 28 C.F.R Sec. 35.107(a), Nicollet County has identified an ADA Title II Coordinator to oversee The County's policies and procedures. Contact information for this individual is located in Appendix 7-F.

GRIEVANCE PROCEDURE

Under the Americans with Disabilities Act, each agency is required to publish its responsibilities in regards to the ADA. If users of Nicollet County facilities and services believe the County has not provided reasonable accommodation, they have the right to file a grievance.

In accordance with 28 C.F.R. Sec. 35.107(b), the county has developed a grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances. This draft of the public notice and Nicollet County's grievance procedure is outlined in Appendix 7-E.

MONITOR THE PROGRESS

This document will be updated as needed to reflect Nicollet County's approach to complying with ADA and providing accessible pedestrian infrastructure. The appendices in this document will be updated periodically to account for improvements , while the main body of the document will be updated within three to five years with a future update schedule to be developed at that time. With each main body update, a public comment period will be established to continue the public outreach.

Appendix 7-A: Self-Evaluation - Program Review

Appendix 7-A: Self-Evaluation – Program Review

Review of Programs

In 2023, the Nicollet County reviewed the 2017 inventory of pedestrian facilities within its public rights-of-way. New projects since 2017 were included and any grievances were updated.

Pedestrian Ramps

Nicollet County has 173 locations where pedestrian ramps exist or should exist within its public rights-of-way. These locations were inventoried for ADA compliance based on (1) whether a pedestrian ramp was present and (2) if compliance criteria outlined in Part 1 Sec. III were met. 118 (68%) of the locations were reported to be compliant.

Sidewalks/Trails

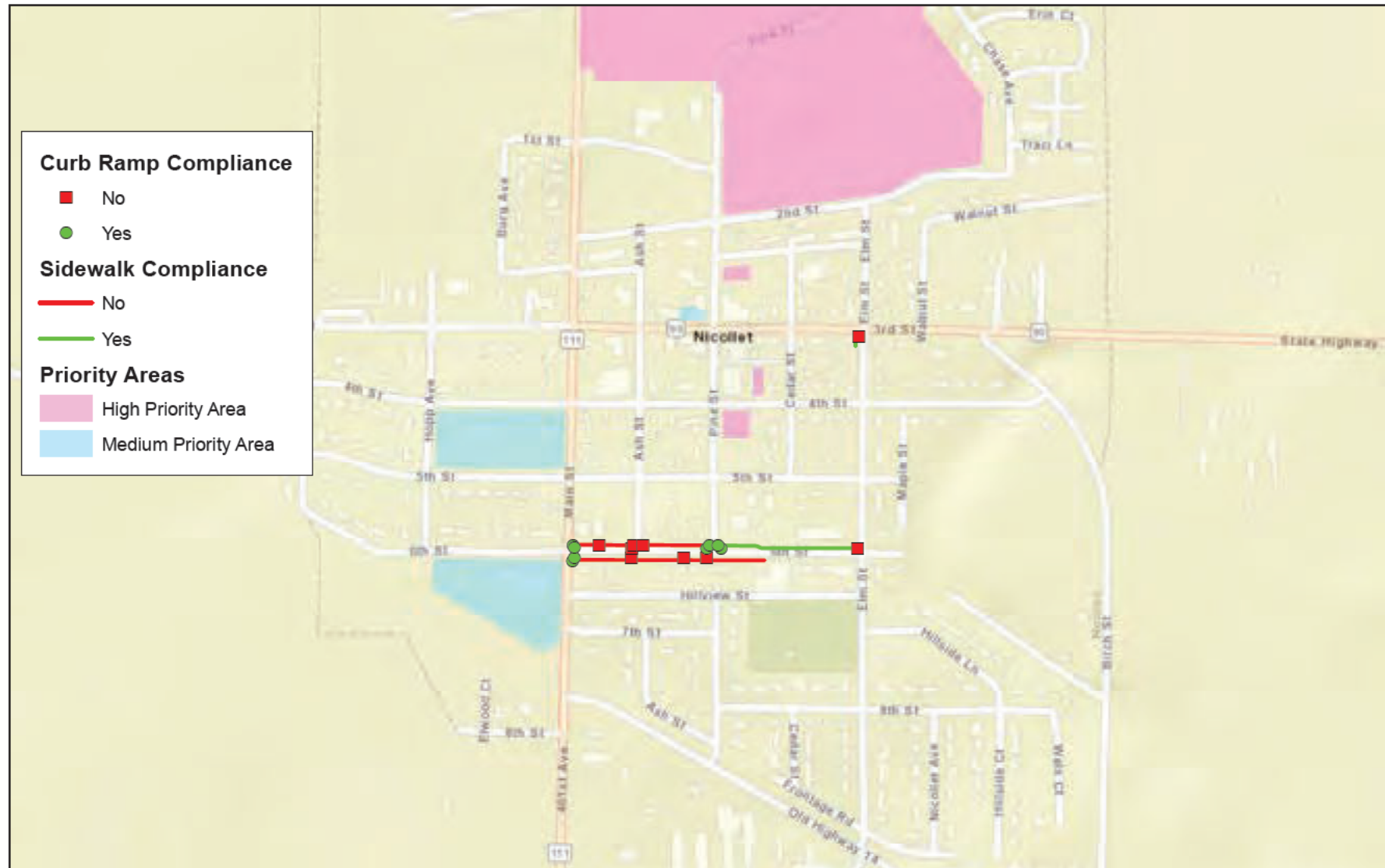
The sidewalks and trails within the County public rights-of-way were inventoried and evaluated to determine existing compliance with ADA and to identify existing obstructions based on compliance criteria outlined in Part 1. Of the 117 sidewalk segments evaluated, 106 (91%) were reported to be compliant. Planning level remediation costs for sidewalks and barriers are included in Table 6-A.4.

Public Comment

No comments specific to Nicollet County were received.

Compliant and non-compliant pedestrian infrastructure is illustrated in the follow pages. The timeline for replacement of these sidewalks will depend on priority ranking, correlation to planned projects, reasonable accommodation requests, and available funding. Information on specific locations of non-compliance can be obtained by contacting Nicollet County ADA Coordinator. See contact for the Nicollet County ADA Coordinator in Appendix 7-F.





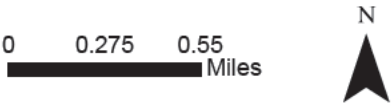
City of Nicollet

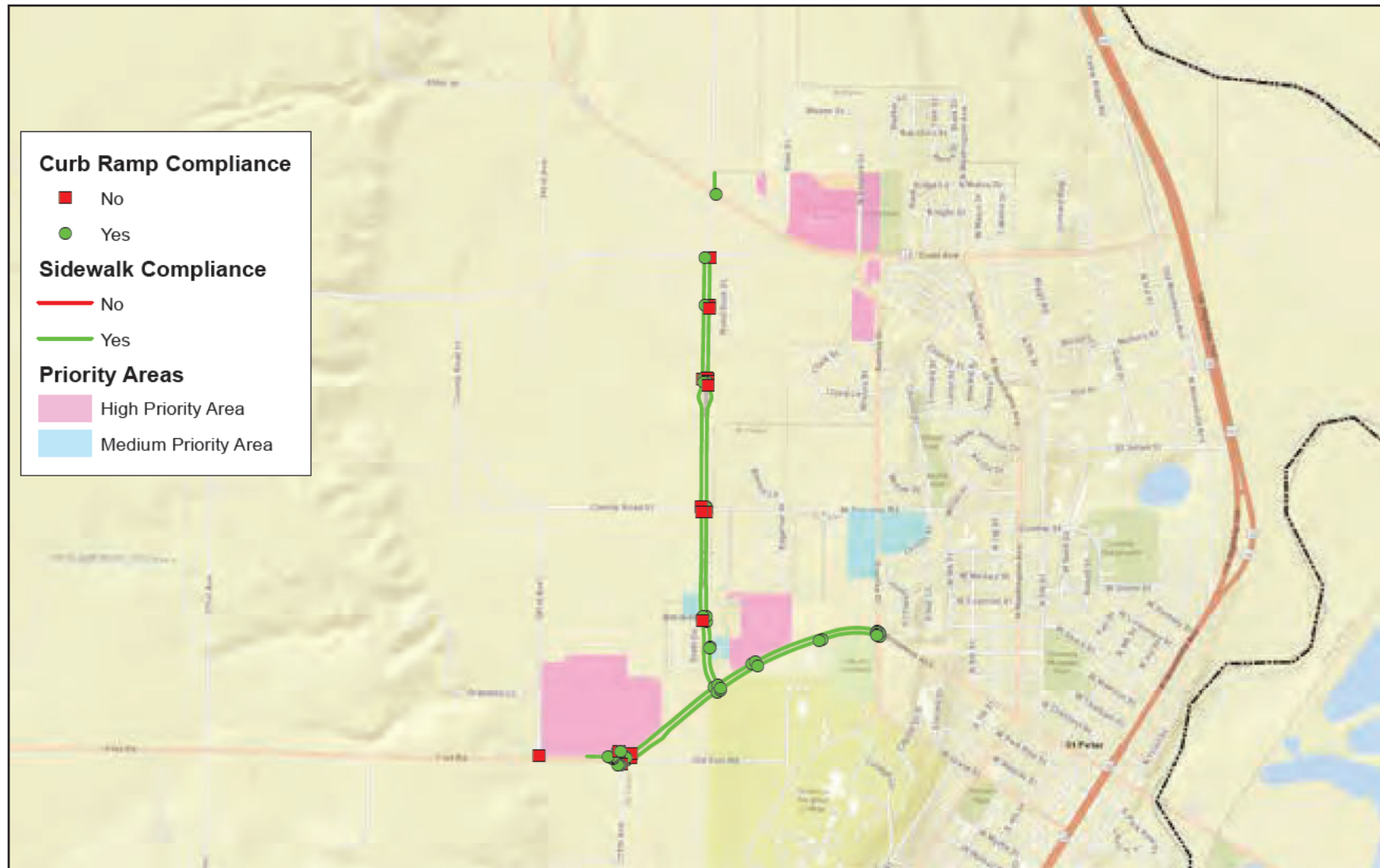
0 0.05 0.1 Miles





City of North Mankato





City of St. Peter

0 0.225 0.45 Miles



Appendix 7-B: Self-Evaluation - Policy and Practice Review

Appendix 7-B: Self-Evaluation – Policy and Practice Review

Review of Policies

The County’s policies and practices include any county department or division policies and practices that direct staff in its daily work activities. Policies and practices that relate to accessibility and ADA conformance include:

Cooperative Construction Agreements:

Cooperative Construction Agreements are executed with a city when a project is initiated on a county road within city limits. This type of agreement states that all trails and sidewalks are to be maintained by the cities in Nicollet County.

Policy Understanding and Recommended Revision:

No barriers to accessibility were identified in this plan/policy.

Cost Participation Policy (2009):

This policy outlines maintenance by cities on county Roads. Page 8 talks about maintenance of trails and sidewalks. In Nicollet County, “the municipality is responsible for maintaining bicycle paths, walking trails, sidewalk, and other related items within county highway rights-of-way on an urban design section.

Policy Understanding and Recommended Revision:

The following revisions to this policy are recommended as part of this review:

- Amend the policy to include a definition of “maintenance” that describes actions performed that ensure ADA compliance and/or access for all users is maintained.

Nicollet County Comprehensive Plan Update (2018):

At the time this plan was developed, the county was undertaking an update to its comprehensive plan. The plan was not anticipated to be complete prior to completion of this ADA Transition Plan and was not anticipated to address ADA compliance, standards, or guidelines.

Policy Understanding and Recommended Revision:

The following additions to this Plan update are recommended as part of this review:

- Amend the Plan to include language that ensures pedestrian facilities are designed and constructed to provide full access for all users.
- Amend the Plan to include language considering adherence to ADA standards and guidance as outlined in the PROWAG and MnDOT for ADA facility construction and reconstruction.

Appendix 7-C: ADA Transition Plan Projects referenced from the Nicollet County Capital Improvements Plan

Capital Improvements Plan (CIP) Projects That Include (Consider) Accessible Pedestrian Infrastructure

Nicollet County's most recent CIP was adopted on February 28, 2023

The county will continue to implement infrastructure and maintenance improvements as part of its long-range capital improvement planning and pavement management plan. With these efforts, the county will incorporate ADA-compliant pedestrian facilities and complete accessible infrastructure improvements as needed to ensure access for all users.

Appendix 7-D: Public Outreach Results

Public Outreach Results

Input from the community has been gathered and used to help define priority areas for improvements within the Nicollet County public rights-of-way.

Public outreach for the creation of this document consisted of the following activities:

Public Open House

MAPO agencies held one public open house to gather input on the state of pedestrian infrastructure in each jurisdiction and priority preferences for projects moving forward.

All stakeholders within MAPO jurisdictions were invited to attend a public information meeting on September 26, 2023 at the Mankato Intergovernmental Center to receive information on the project and provide their feedback on the process and help project staff identify locations that pose barriers to accessibility.

Project Website

A grievance procedure was also available on the site in which the general public could file an electronic grievance, placing comments directly on an interactive map for the city to include in the results of the Self-Evaluation. There were no comments received through this application.

Appendix 7-E: Grievance Procedure

ADA Grievance Procedure

In accordance with 28 CFR 35.107(b), Nicollet County has developed the following ADA grievance procedure for the purpose of the prompt and equitable resolution of citizens' complaints, concerns, comments, and other grievances.

Nicollet County understands that members of the public may desire to contact staff to discuss ADA issues without filing a formal grievance. Members of the public wishing to contact the ADA Coordinator should reference the contact information in Appendix 7-F. Contacting staff to informally discuss ADA issues is welcome and does not limit a person's ability or right to file a formal grievance later.

Those wishing to file a formal written grievance with the Nicollet County may do so by one of the following methods:

Telephone

Contact the Nicollet County's ADA Coordinator listed in the Contact Information section of Appendix 7-F to submit an oral grievance. The staff person will use the internet to electronically submit the grievance on behalf of the person filing it.

Paper Submission

A paper copy of the county's grievance form is available by request from the Nicollet County ADA Coordinator (contact information in Appendix 7-F). Complete the form and submit it to the county ADA Coordinator at the address listed.

The county will acknowledge receipt of the grievance to the citizen within 10 working days of the submission. County staff will then provide a response or resolution to the grievance or will provide information on when the citizen can expect a response. If the grievance filed does not fall within Nicollet County's jurisdiction, staff will work with the citizen to contact the agency with jurisdiction.

When possible (typically within 60 calendar days or less of the grievance submission) county staff will conduct an investigation to determine the validity of the alleged violation. As a part of the investigation, internal staff will be consulted to fully understand the complaint and possible solutions. Nicollet County staff will contact the citizen to discuss the investigation and proposed resolution.

Nicollet County will consider all grievances within its particular context or setting. Furthermore, the department will consider many varying circumstances including: access to applicable services, programs, or facilities; the nature of the disability; essential eligibility requirements for participation; health and safety of others; and degree to which a potential solution would constitute a fundamental alteration to the program, service, or facility, or cause undue hardship to Nicollet County.

Accordingly, the resolution by Nicollet County of any one grievance does not constitute a precedent upon which the county is bound or upon which other complaining parties may rely.

Complaints of Title II violations may be filed with the Department of Justice (DOJ) within 180 days of the date of discrimination. In certain situations, cases may be referred to a mediation program sponsored by the DOJ. The DOJ may bring a lawsuit where it has investigated a matter and has been unable to resolve violations.

For more information, contact:

U.S. Department of Justice Civil Rights Division
950 Pennsylvania Avenue, N.W. Disability Rights Section – NYAV
Washington, D.C. 20530 www.ada.gov
(800) 514-0301 (voice)
(800) 514-0383 (TTY)

Title II may also be enforced through private lawsuits in Federal court. It is not necessary to file a complaint with the DOJ or any other Federal agency, or to receive a “right-to-sue” letter, before going to court.

File Retention

Nicollet County shall maintain ADA grievance files on behalf of the City for a period of seven years.

Nicollet County, MN Grievance Form

Instructions: Please fill out this form completely and submit to:

Nicollet County ADA Coordinator
1700 Sunrise Drive
St. Peter, MN 56082

Or it can be emailed to the ADA coordinator at seth.greenwood@co.nicollet.mn.us

Complainant - person filing grievance:

Name: _____ Date: _____

Address: _____ City, State, Zip Code: _____

Home: _____ Cell: _____

Work: _____ Email: _____

Representing - person claiming an accessibility issue or alleging an ADA violation (if not the complainant):

Name: _____ Date: _____

Address: _____ City, State, Zip Code: _____

Home: _____ Cell: _____

Work: _____ Email: _____

Description and location of the alleged violation and the nature of a remedy sought.

If the complainant has filed the same complaint or grievance with the United States Department of Justice (DOJ), another federal or state civil rights agency, a court, or others, the **name of the agency or court where the complainant filed it and the filing date**.

Agency or Court: _____ Contact Person: _____

Address: _____ City, State, Zip Code: _____

Phone Number: _____ Date Filed: _____

Appendix 7-F: Contact Information

Responsible Officials and Key Staff

Responsible Officials Contact Information

City of Nicollet County ADA Coordinator:

Seth Greenwood, PE, Public Works Director

1700 Sunrise Drive

St. Peter, MN 56082

P: (507) 931-1760

E: seth.greenwood@co.nicollet.mn.us

Appendix 7-G: ADA Design Standards and Procedures

ADA Design Standards and Procedures

Design Standards

Public Rights-of-Way Accessibility Guidelines

Public Rights-of-Way Accessibility Guidelines (PROWAG), developed by the Access Board, are draft guidelines that address accessibility in the public rights-of-way. Sidewalks, street crossings, and other elements of the public rights-of-way present unique challenges to accessibility for which specific guidance is considered essential. The Access Board is developing these guidelines that will address various issues, including access for visually impaired pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain. PROWAG can be found at <http://www.access-board.gov/attachments/article/743/nprm.pdf>.

In 2010 and 2015, as a part of the development of MnDOT's Transition Plan, MnDOT Issued Technical Memorandum 10-02-TR-01 Adoption of Public Rights of way Accessibility Guidance and Technical Memorandum No. 15--02-TR-01 Adoption of Public Rights-of -Way Accessibility Guidance (PROWAG), respectively to their staff, cities, and counties. These memorandums, which have both expired, make the PROWAG the primary guidance for accessible facility design on MnDOT projects. In addition, these technical memorandums can be found on MnDOT's website. See (<http://techmemos.dot.state.mn.us/>).

Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way

The Access Board is proposing these accessibility guidelines for the design, construction, and alteration of pedestrian facilities in the public right-of-way. The guidelines ensure that sidewalks, pedestrian street crossings, pedestrian signals, and other facilities for pedestrian circulation and use constructed or altered in the public right-of-way by state and local governments are readily accessible for pedestrians with disabilities. When the guidelines are adopted, with or without additions and modifications, as accessibility standards in regulations issued by other federal agencies implementing the ADA, Section 504 of the Rehabilitation Act, and the Architectural Barriers Act, compliance with these accessibility standards is mandatory. These proposed accessibility guidelines can be found on the Access Board website (<http://www.access-board.gov>) under Public Rights-of-Way or at <http://www.access-board.gov/attachments/article/743/nprm.pdf>.

Accessible Public Rights-of-Way Planning and Design for Alterations (August 2007)

This report and its recommendations are the work of the Public Rights-of-Way Access Advisory Committee (PROWAAC) – Subcommittee on Technical Assistance and are intended to provide technical assistance only. The report is not a rule and has no legal effect. It has not been endorsed by the U.S. Access Board, the Department of Justice, or the Federal Highway Administration of the Department of Transportation. Still it can be a technical advisory source for engineers and technicians who are planning and designing for alterations to pedestrian elements. This document is on the Access Board website (<http://www.access-board.gov>) or at <http://www.access-board.gov/attachments/article/756/guide.pdf>.

Minnesota Department of Transportation

Building on the adoption of PROWAG as planning and design guidance for accessible pedestrian facilities, MnDOT has developed additional planning, design, and construction guidance that is available to local agencies. Listed below is information on additional design guidance available. This is not intended to be an exclusive or comprehensive list of ADA guidance, but rather an acknowledgement of guidance staff should consider and a starting point for information on providing accessible pedestrian facilities.

The MnDOT Accessibility webpage, which has good information in a variety of subject areas related to ADA and accessibility, can be found at <http://www.dot.state.mn.us/ada/index.html>. The webpage also provides the ability to sign up for ADA policy and design training classes when available and to review material from

previous trainings.

Curb Ramp Guidelines: <http://www.dot.state.mn.us/ada/pdf/curbramp.pdf>

ADA Project Design Guide Memo: <http://www.dot.state.mn.us/ada/pdf/adaprojectdesignguidememo.pdf>
ADA Project Design Guide: <http://www.dot.state.mn.us/ada/pdf/adaprojectdesignguide.pdf>

Pedestrian Curb Ramp Details Standard Plans 5-297.250 can be found on MnDOT's website at <http://standardplans.dot.state.mn.us/>

Driveway and Sidewalk Details Standard Plans 5-297.254 can be found on MnDOT's website at <http://standardplans.dot.state.mn.us/>

MnDOT's 7000 series Standard Plates, which are approved standards drawings, provide information on standard details of construction and materials related to curbs, gutters, and sidewalks are on MnDOT's website at <http://standardplates.dot.state.mn.us/stdplate.aspx>

The MnDOT Facility Design Guide serves as a uniform design guide for engineers and technicians working on MnDOT projects. The document is available to others (such as Hennepin County) as a technical resource. Chapter 11 – Special Designs, includes information on the design of pedestrian facilities. The Road Design Manual can be found at (<http://roaddesign.dot.state.mn.us/roaddesign.aspx>)

MnDOT's Pedestrian Accommodations Through Work Zones webpage, <http://www.dot.state.mn.us/trafficeng/workzone/apr.html> contains information on providing accessibility during impacts due to maintenance or construction activities.

Design Procedures

Intersection Corners

Nicollet County will attempt to construct or upgrade pedestrian curb ramps to be consistent with Access Board recommended designs parameters and MnDOT ADA design guidance and procedures to the extent feasible within all capital reconstruction projects. There may be limitations which make it technically infeasible for the County to achieve these goals at an intersection corner within the scope of any project. Those limitations will be noted and the intersection corners will be constructed to maximize accessibility to the extent feasible within the project scope. As future projects or opportunities arise, additional improvements at these locations may be incorporated into future projects. The County will strive to ensure that each intersection corner is constructed to be as accessible as possible.

Sidewalks / Trails

Nicollet County will attempt to construct or upgrade sidewalks and trails to be consistent with Access Board recommended designs parameters, MnDOT ADA design guidance and procedures to the extent feasible within all capital improvement projects. There may be limitations which make it technically infeasible for the County to achieve these goals within all segments of sidewalks or trails within the scope of any project. Those limitations will be noted and those segments will be constructed to maximize accessibility to the extent feasible within the project scope. As future projects or opportunities arise, additional improvements at these locations may be incorporated into future projects. The County will strive to ensure that every sidewalk or trail is constructed to be as accessible as possible.



**RESOLUTION ADOPTING PART 1 AND PART 7 OF THE
MANKATO/NORTH MANKATO AREA PLANNING ORGANIZATION
(MAPO) AMERICANS WITH DISABILITIES ACT (ADA) TRANSITION PLAN
AND INVENTORY FOR PUBLIC RIGHTS-OF-WAY**



WHEREAS, the Federal government enacted the Americans with Disabilities Act (ADA) of 1990 to prevent discrimination of individuals with disabilities relating to employment and access to public programs, services and facilities; and

WHEREAS, Title II of the ADA requires applicable public agencies who have responsibility or authority over streets, roads, or walkways to develop and adopt a Transition Plan which reports the findings of a Self-Evaluation process, identifies a Title II ADA Coordinator, describes a plan and schedule for the removal of accessibility barriers, and defines a grievance procedure for the public to submit grievances; and

WHEREAS, the Mankato/North Mankato Area Planning Organization (MAPO), under directive from the Federal Highway Administration (FHWA) and the Minnesota Department of Transportation (MnDOT), has initiated and partially funded the development of ADA Transition Plans for partner agencies included within its jurisdiction; and

WHEREAS, Nicollet County is committed to constructing pedestrian facilities designed in accordance with ADA Design Standards and Procedures defined in the Public Rights-of-Way Accessibility Guidelines (PROWAG), and the Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Rights-of-Way developed by the Access Board; and

WHEREAS, Nicollet County is committed to constructing pedestrian facilities designed in accordance with ADA Design Standards and Procedures defined by the Minnesota Department of Transportation (MnDOT); and

WHEREAS, Nicollet County performed a Self-Evaluation of current services, policies, and practices, and the effects thereof, to identify and document barriers to ADA accessibility and needed modifications; and

WHEREAS, Nicollet County completed Part 7 of the MAPO ADA Transition Plan and Inventory for Public Rights-of-Way which reports the findings of the Self-Evaluation process, identifies a Title II ADA Coordinator, describes a plan and schedule for the removal of accessibility barriers, and defines a grievance procedure for the public to submit grievances; and

WHEREAS, Nicollet County provided an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the Self-Evaluation process and development of the ADA Transition Plan by submitting comments;

NOW THEREFORE BE IT RESOLVED, that the Nicollet County Board of Commissioners hereby adopts Part 1 – MAPO Partner Agency Requirements and Project Purpose concurrently with Part 7 Nicollet County ADA Transition Plan and Inventory of the over-arching MAPO ADA Transition Plan and Inventory for

Public Rights-of-Way document which replaces Part 1 and Part 7 of the MAPO ADA transition plan and inventory for public right-of-way adopted on May 28, 2019.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the County will pursue the removal of barriers identified in the Self-Evaluation during reconstructions and as part of the capital improvements approved by the governing body provided said improvements are within the fiscal budgetary constraints of the jurisdiction.

Dated this 2nd day of January, 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Resolution Establishing the 2024 Committees, Board Assignments and Meetings that Qualify for a Per Diem Payment		
Primary Originating Division/Dept.: Administration		Meeting Date: 01/02/2024
Contact: Mandy Landkamer	Title: County Administrator	Item Type: Regular Agenda (Select One)
Amount of Time Requested 15 minutes		
Presenter: Mandy Landkamer	Title: County Administrator	Attachments: ☒ Yes ☐ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: Attached is a proposed list of committee and board assignments for 2024 and a resolution establishing how per diems are paid. Each committee assignment will be discussed at the meeting to determine if any changes are needed to the proposed list.		
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None		
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No		
If "yes", when? (provide year; mm/dd/yy if known) January 2023		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approve the resolution establishing the 2024 Committee and Board assignments and meetings that qualify for a per diem payment.		
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify		FUNDING County Dollars = Other (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		Total

**2024 NICOLLET COUNTY
COMMITTEES, MEETINGS & BOARD ASSIGNMENTS**

*All qualify for a Per Diem unless noted

AMC DELEGATES (All AMC functions)

Jack Kolars
Terry Morrow
Marie Dranttel
Mark Dehen
Kurt Zins
Kristy Larson
Mandy Landkamer
Seth Greenwood

AMC POLICY COMMITTEES

Environmental & Natural Resources
General Government
Health and Human Services
Public Safety
Transportation

Marie Dranttel
Terry Morrow
Mark Dehen
Kurt Zins
Jack Kolars

AMERICAN RESCUE PLAN ACT

Marie Dranttel
Terry Morrow
Heather McCormick
Mandy Landkamer

**ADOLESCENT CHEMICAL WELLNESS
ADVOCATES COALITION**

Terry Morrow
Alternate: Mark Dehen

BOARD OF ADJUSTMENTS & APPEALS (Variances)
(Citizen appointees paid per diem and
serve a 3-year term)

End of Term: (12/31/24) Justin Laven
End of Term: (12/31/24) Lloyd Hoffmann
End of Term: (12/31/25) Jon Thoreson
End of Term: (12/31/25) Randy Schwab
End of Term: **(12/31/26)** Dave Ubel

BOARD OF APPEAL AND EQUALIZATION
(No per diem per statute)

Marie Dranttel
Jack Kolars
Terry Morrow
Mark Dehen
Kurt Zins
Jaci Kopet or Designee

BROADBAND COMMITTEE

Terry Morrow
Marie Dranttel
Alternate: Kurt Zins

BROWN/NICOLLET COMMUNITY HEALTH BOARD
(*Dissolving as of 12/31/2025)

Marie Dranttel
Jack Kolars
Terry Morrow
Mark Dehen
Kurt Zins

BUDGET COMMITTEE

(Commissioners serve 2 consecutive years
on a rotating schedule)

Commissioner: Board Chair
Commissioner: Vice Chair
Heather McCormick
Mandy Landkamer

BUILDING COMMITTEE

Jack Kolars
Terry Morrow
Mandy Landkamer
Cody Johnson
Kristy Larson

CANVASS BOARD

(No per diem per statute)

Jack Kolars
Open

COMMUNITY EDUCATION ADVISORY COUNCIL	Jack Kolars
COUNTY BOARD (No Per Diem except for special & emergency meetings and Truth-in-Taxation meeting only)	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins
COUNTY BOARD TRAININGS & EDUCATION (safety training, leadership, county programs, drainage, etc.)	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins
COUNTY BOARD WORKSHOPS	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins
CRIMINAL JUSTICE COMMITTEE	Mandy Landkamer David Lange Joel Polzin Richard Molitor Judge Allison Krehbiel Judge Todd Westphal Co-Chair: Michelle Zehnder Fischer Cassie Sassenberg Marie Dranttel Jack Kolars Co-Chair: Terry Morrow Mark Dehen Kurt Zins Kristy Larson Carol Weikle N. Mankato Police: Ross Gullickson St. Peter Attorney: James Brandt St. Peter Police: Matt Grochow State DOC: Sara Eischens Gustavus College: Open CADA: Jason Mack Public Defender: Scott Cutcher
DRAINAGE AUTHORITY (Per diem for meetings not in conjunction with regular county board / informational meetings)	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins
DRAINAGE AUTHORITY COMMITTEE/ JOINT DRAINAGE BOARDS	Marie Dranttel Kurt Zins Seth Greenwood Nate Henry Jaci Kopet Michelle Zehnder Fischer Alternate: Terry Morrow
EAST CENTRAL REGIONAL JUVENILE CENTER ADVISORY COMMITTEE (ANOKA CO DET. CENTER) Agent Subcommittee: Brook Mohr	Terry Morrow Rich Molitor
EMS JOINT POWERS BOARD	Mark Dehen Alternate: Jack Kolars
ENVISION 2040	Jack Kolars Mandy Landkamer

EXTENSION	Jack Kolars Kurt Zins Jaci Kopet or Designee Amy Pehrson Dan Hayes Natalie Compart Lyndsey Beranek Rob Moline
(Citizen appointees paid per diem)	Youth Rep.: Amanda Vogel
GREATER MANKATO DIVERSITY COUNCIL	Jack Kolars
HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT (HIPAA)	Kristy Larson Cassie Sassenberg Co. Attorney Designee
HIGHWAY 14 PARTNERSHIP COMMITTEE	Jack Kolars Terry Morrow Mandy Landkamer Seth Greenwood Alternate: Mark Dehen
HIGHWAY 169 COALITION	Terry Morrow Seth Greenwood Alternate: Marie Dranttel
HISTORICAL PRESERVATION ORDINANCE COMMITTEE	Tom Hagen Mike McCarty Ben Leonard
IMMTRACK (IMMUNIZATION TRACKING)	Jack Kolars Alternate: Mark Dehen
INSURANCE COMMITTEE	Terry Morrow Mandy Landkamer Kristy Larson Heather McCormick Kurt Zins
JOINT AIRPORT ZONING BOARD FOR LE SUEUR MUNICIPAL AIRPORT	Kurt Zins Mandy Landkamer
LEGISLATIVE COMMITTEE (Includes all meetings attended to gather or provide information relate to State and Federal legislation that could have an impact on Nicollet County)	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins
LOCAL MENTAL HEALTH ADVISOR COUNCIL	Mark Dehen
LOCAL WATER MANAGEMENT TASK FORCE CITIZEN MEMBERS:	Al Fox Al Fox John Kral Robby Gieseke Marty Schott Jason Kuester Will Anthony
Lafayette Resident Watershed Tech. Adv. Comm. Nicollet SWCD Board Supervisor Nicollet SWCD Board Area Business Representative Area Resident Area Resident	
EX-OFFICIO MEMBERS:	
Commissioner Commissioner - Alternate	Marie Dranttel Kurt Zins
MAPS ADVISORY COUNCIL	Jack Kolars
MANKATO AREA PLANNING ORGANIZATION	Technical Committee: Seth Greenwood Mandy Landkamer Policy Committee: Jack Kolars
MRCI BOARD	Mark Dehen

MN COUNTIES INTERGOVERNMENTAL TRUST

Delegate: Heather McCormick
Alternate: Terry Morrow
Alternate: Mandy Landkamer

MN VALLEY ACTION COUNCIL	Jack Kolars
MINNESOTA TRANSPORTATION ALLIANCE	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins Seth Greenwood
NACO	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins
NICOLLET COUNTY COMMUNITY CORRECTIONS ADVISORY BOARD (NCCCAB)	Terry Morrow Allison Krehbiel Michelle Zehder Fischer Affey Sigat Cassie Sassenberg Dave Lange Brandy Brink Scott Cutcher Rich Molitor
NICOLLET COUNTY FAMILY SERVICES COLLABORATIVE JOINT PROVIDERS BOARD	Terry Morrow
NICOLLET COUNTY HOUSING ADVISORY COMMITTEE	Jack Kolars Kurt Zins Cassie Sassenberg Mandy Landkamer Heather McCormick
NICOLLET COUNTY LAW LIBRARY	Marie Dranttel
NICOLLET COUNTY/ST. PETER LIAISON COMMITTEE	Marie Dranttel Terry Morrow Mandy Landkamer Alternate: Jack Kolars
NICOLLET COUNTY/NORTH MANKATO LIAISON COMMITTEE	Jack Kolars Mark Dehen Mandy Landkamer Alternate: Kurt Zins
NICOLLET COUNTY TOWNSHIP ASSOCIATION	Marie Dranttel Jack Kolars Terry Morrow Mark Dehen Kurt Zins
NOXIOUS WEED APPEALS COMMITTEE	Marie Drantell Fred Kienlen Marvin Krohn Alternate: Ronald Giefer
ONE WATER ONE PLAN (1W1P) - LOWER MN RIVER WEST COMMITTEE	Marie Dranttel Alternate: Kurt Zins
ONE WATER ONE PLAN (1W1P) - MINNESOTA RIVER MANKATO	Marie Dranttel Alternate: Kurt Zins
PARK COMMITTEE	Marie Dranttel Kurt Zins Mandy Landkamer

PERSONNEL COMMITTEE		Open Jack Kolars Mandy Landkamer Kristy Larson Alternate: Terry Morrow
PLANNING & ZONING ADVISORY COMMITTEE (Citizen appointees paid per diem and serve a 3-year term)	End of Term: End of Term: End of Term: End of Term: End of Term: End of Term:	(12/31/24) Lloyd Hoffmann (12/31/25) Justin Laven (12/31/25) Randy Schwab (12/31/25) Jon Thoreson (12/31/26) Dave Ubel Resident: Open Commissioner: Open Comm. Alternate: Terry Morrow Jack Kolars Alternate: Dave Lange
STATEWIDE EMERGENCY COMMUNICATIONS BOARD (FKA. STATE RADIO BOARD FINANCE COMMITTEE)		Terry Morrow Alternate: Marie Dranttel
RECYCLING COMMITTEE		Marie Dranttel
REGION NINE DEVELOPMENT COMMISSION		Mark Dehen Mandy Landkamer
REDA/GREATER MANKATO GROWTH (GMG)		Kurt Zins Alternate: Jack Kolars
RURAL MINNESOTA ENERGY BOARD		Safety Coordinator: Cody Johnson Staff Members
SAFETY & SECURITY COMMITTEE		Terry Morrow
ST. PETER REGIONAL TREATMENT CENTER LIAISON COMMITTEE		Terry Morrow Alternate: Mark Dehen
STATEWIDE HEALTH IMPROVEMENT PARTNERSHIP (SHIP) COMMITTEE		Kurt Zins
SOIL & WATER CONSERVATION DISTRICT MEETING LIAISON		David Anderson Terry Morrow
SOUTH CENTRAL MN MULTI-COUNTY HRA BOARD (Citizen appointee paid per diem)		Jack Kolars Alternate: Kurt Zins
SOUTH CENTRAL MINNESOTA REGIONAL EMERGENCY COMMUNICATIONS BOARD		Open Alternate: Mark Dehen
SOUTH CENTRAL TRANSIT BOARD		Terry Morrow Alternate: Jack Kolars
SOUTH CENTRAL WORKFORCE COUNCIL		Justin Block Jack Kolars
SOUTHEAST MINNESOTA HOMELAND SECURITY/ EMERGENCY MANAGEMENT JPA		Jessica Becker Historical Society
SOUTHERN MINNESOTA TOURISM ASSOCIATION (Citizen appointees eligible for per diem)		Marie Dranttel Alternate: Jack Kolars
TRAVERSE DES SIOUX REGIONAL LIBRARY BOARD		Terry Morrow
TREATMENT COURT		Marie Dranttel Terry Morrow
TRI-COUNTY SOLID WASTE JOINT POWERS BOARD		Open Alternate: Mark Dehen
TRUE TRANSIT ADVISORY COMMITTEE		



**RESOLUTION ESTABLISHING THE 2024
COMMITTEE AND BOARD ASSIGNMENTS
AND MEETINGS THAT QUALIFY FOR A PER DIEM PAYMENT**



WHEREAS, pursuant to Minn. Stat. §375.055, the Nicollet County Board has established a per diem payment for service by individual county commissioners on any board, committee, or commission of county government including committees of the board, or for the performance of services by individual county commissioners when required by law; and

WHEREAS, pursuant to Minn. Stat. §375.06, county commissioners may be paid a per diem in addition to their salary for each day necessarily occupied in the discharge of their official duties while acting on any committee under the direction of the board; and

WHEREAS, pursuant to a Minnesota Attorney General Opinion, a county commissioner may only collect one per diem for each calendar day spent performing official duties; and

WHEREAS, pursuant to a Minnesota State Auditor Opinion, when a board, committee, commission, joint powers or other entity provides a per diem, a commissioner may not collect another per diem from the county; and

WHEREAS, Nicollet County employees and the Nicollet County elected Sheriff and Attorney are not eligible for per diems; and

WHEREAS, certain citizen appointed members to a board, committee, or commission may be paid a per diem as approved by the County Board or as provided for by Minnesota Statute; and

WHEREAS, duties approved for a per diem payment must be reported back to the applicable board, committee or commission in order to receive the payment; and

WHEREAS, the Minnesota State Auditor does not consider social events as work qualifying for per diem payments; and

WHEREAS, the Minnesota State Auditor's statement of position regarding per diem payments states commissioners cannot claim a per diem payment whenever they meet with a constituent or group unless it is done under the authorization of the county board to meet with a single person or group to obtain information for a matter under consideration by the county board.

NOW THEREFORE BE IT RESOLVED that regularly scheduled County Board meetings, regularly scheduled Drainage Authority meetings held in conjunction with regularly scheduled County Board meetings, and committee meetings held immediately prior to and immediately after regularly scheduled County Board meetings are not eligible for a per diem payment.

BE IT ALSO RESOLVED that the Nicollet County Board of Commissioners approves the attached list of 2024 committee and board assignments and meetings that qualify for a per diem payment from Nicollet County unless stated otherwise therein or the per diem is paid by another board or committee.

Dated this 2nd day of January, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board



DECEMBER 12, 2023
OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY

The Nicollet County Drainage Authority met in regular session on Tuesday, December 12, 2023 following the adjournment of the regular Board of Commissioners meeting. Present at the meeting were Commissioners Kolars, Dranttel, Morrow, Dehen, and Zins. Also present were County Administrator Mandy Landkamer, County Attorney Michelle Zehnder Fischer and Recording Secretary Sarah Frahm.

Approval of Agenda

Motion by Commissioner Dehen and seconded by Commissioner Morrow to approve the agenda. Motion carried with all voting in favor.

Consent Agenda

Motion by Commissioner Dehen and seconded by Commissioner Morrow to approve the consent agenda items as follows:

- a. November 28, 2023 Drainage Minutes

Motion carried with all voting in favor.

Public Appearances

There were no public appearances

Public Works

County Ditch 86A Improvement Project

At 10:45, the Drainage Authority moved into a closed session as permitted under Minnesota Statute §13D.05, Subdivision 3(b), to discuss the County Ditch 86A Improvement Project. The meeting reopened at 11:35 a.m. and no action was taken. Individuals in attendance during the closed session included Attorney Roger Justin, Commissioners Jack Kolars, Terry Morrow, Marie Dranttel, Mark Dehen and Kurt Zins; County Attorney Michelle Zehnder Fischer; PPSD Director Jaci Kopet, County Administrator Mandy Landkamer, Ditch Inspector Nate Henry, and Public Works Director Seth Greenwood.

Adjourn

The meeting was adjourned at 11:35 a.m.

JACK KOLARS, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

Nicollet County Drainage Authority

Meeting Agenda Item



Agenda Item: Consider Approval of Culvert Removal Form	
Primary Originating Division/Dept.: Public Works	Meeting Date: 01/02/2024
Contact: Nate Henry Title: Drainage Inspector	Item Type: Regular Agenda (Select One)
Amount of Time Requested: 5 minutes	
Presenter: Nate Henry Title: Drainage Inspector	Attachments: ☒ Yes ☐ No
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)	
BACKGROUND/JUSTIFICATION: See attached culvert removal form	
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None	
Prior Drainage Authority Action Taken on this Agenda Item: ☒ Yes ☐ No If "yes", when? (provide year; mm/dd/yy if known):	
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A	
ACTION REQUESTED: Approve permanent removal of a bridge or culvert form	
FISCAL IMPACT: Other (Select One) If "Other", specify:	FUNDING County Dollars = \$1,000.00 State (Select One) Total: \$1,000.00
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:	

Name %
Name %

6. Landowner's Attesting to the above facts:

Printed Name Larry Hoffmann Signature Larry Hoffmann Dated 12-12-23
Printed Name Signature Dated
Printed Name Signature Dated
Printed Name Signature Dated

SECTION 2
DITCH INSPECTOR

1. Estimated cost to repair bridge or culvert:

\$ 4000 (B)

2. Estimated cost to permanently remove bridge or culvert

\$ 1000 (C)

3. (A) + (C) must be less than (B) for application to be considered by the Nicollet County

Drainage Authority

0 (A) + 1000 (C) is less than 4000 (B)

☒ YES ☐ NO

I recommend that this application move forward for consideration by the Nicollet County
Drainage Authority.

 Dated 12-18-2023
Ditch Inspector

DRAINAGE AUTHORITY ORDER

The Nicollet County Drainage Authority considered the landowner's request and reviewed the information contained in Sections 1 & 2 above. The Nicollet County Drainage Authority further heard the presentation by the Nicollet County Drainage Inspector. Having considered the Landowner's request for the removal of the bridge or culvert, the Nicollet County Drainage Authority finds the following:

- 1) All landowners directly benefiting from the bridge or culvert provided written consent for the permanent removal of the bridge or culvert;
- 2) All landowners directly benefiting from the bridge or culvert agreed in writing to permanently waive any right to repair or reconstruction of the bridge or culvert; and
- 3) The compensation and cost of removing the bridge or culvert is less than the cost of repair of the bridge or culvert.

The Nicollet County Drainage Authority therefore finds that the requirements of Minn. Stat. § 103E.701, subd. 5a (1), (2) and (3), are met and hereby orders the permanent removal of the bridge or culvert above identified and orders total compensation to the above landowner(s) in the total amount of \$_____ and further apportioned as follows:_____.

Dated this day of , 20

Nicollet County Board of Commissioners, acting as the Nicollet County Drainage Authority.

Chair, Nicollet County Drainage Authority

Attest:

Mandy Landkamer, County
Administrator, Clerk to the County
Board

Exhibit A

Landowners directly benefiting from removal of bridge or culvert – Continued:

Name
Address
Phone # Email Address
Cell #

Name
Address
Phone # Email Address
Cell #

Name
Address
Phone # Email Address
Cell #

Name
Address
Phone # Email Address
Cell #

Nicollet County Drainage Authority

Meeting Agenda Item



Agenda Item: Consider Draft Ditch Repair Report #23-038 for CD 77 LAT 2 Improvement Project				
Primary Originating Division/Dept.: Public Works-Ditch Contact: Seth Greenwood, P.E. Title: PWD/County Engineer Amount of Time Requested: 15 minutes Presenter: Seth Greenwood, P.E. & Nate Henry Title: PWD & Ditch Inspector	Meeting Date: 01/02/2024 Item Type: Regular Agenda (Select One) Attachments: ☒ Yes ☐ No			
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)				
BACKGROUND/JUSTIFICATION: At the December 19, 2023 Board Workshop two potential repair items were discussed as part of the CD 77 LAT 2 Improvement Project. The first repair item involved crushing and filling spot locations of the old abandoned mainline tile (28"). The second repair item involved the repair of three private tile outlets within the improvement projects boundaries. Drainage Authority members in attendance at the December 19, 2023 Board Workshop directed staff to draft a ditch repair report for these repairs for discussion and consideration at the January 2, 2024 Drainage Authority meeting. The draft ditch repair report is attached.				
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None				
Prior Drainage Authority Action Taken on this Agenda Item: ☒ Yes ☐ No If "yes", when? (provide year; mm/dd/yy if known):				
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A				
ACTION REQUESTED:				
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> FISCAL IMPACT: Other (Select One) If "Other", specify: FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments: </td> <td style="width: 50%; vertical-align: top;"> FUNDING County Dollars = State (Select One) Total: </td> </tr> </table>			FISCAL IMPACT: Other (Select One) If "Other", specify: FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:	FUNDING County Dollars = State (Select One) Total:
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Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 77 Lat 2 Repair #23-038



OVERVIEW

Date Repair Was Created:	2023-12-20	Branch:	Abandoned tile/Private tile outlets
Problem/Proposed Work:	As part of the CD 77 Lat 2 Improvement project, the old main tile line(28") located on Tim Waibel's property from approximately STA 65+40 to STA 78+00 was abandoned and replaced with a new 42" ditch mainline tile. The landowner is concerned that the abandoned mainline tile will collapse and create holes in his field. ISG has recommended that the abandoned tile should be incrementally crushed and filled with soil from the field starting at the outlet and then occurring every 300ft which would result in a total of 5 breaks. Estimated cost to complete 5 breaks and filling of the hole is \$7,500. Any future work and expense on this segment of abandoned ditch will be the sole responsibility of the current or future landowner. Within the CD 77 LAT 2 approved FER, private tile line replacements were included for any private tile lines that were damaged or had failed within the improvement project's construction limits. It was discovered during construction that a bid item for tile replacements was not included in the improvement project's construction plans or bidding documents. Three private tile lines on the Seibel Property were damaged and/ or have failed. Estimated costs to repair the three Seibel private tile line outlets is \$5,300.		

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

Ditch Repair:			
Tile Repair:	Tile Outlet		
FEMA Event:	None	FEMA Date:	None

REPAIR LOCATION DETAILS

Commissioner District:	5	Township:	Lafayette
Twp:	111N	Range:	30W
Section:	35	Qtr-Qtr Section:	
Latitude:	44.37696924870553	Longitude:	-94.39619950141233
Parcel Number:	06.035.0410		
Location Details			

PERSON REQUESTING REPAIR

Name	Address	Phone
Tim Waible/Larry Seibel	None	None

LANDOWNER

Name	Address	Phone
WAIBEL MARY J	45438 541ST ST	None

STATUS LOG

Action	Date	Initials	Notes
For Review	12/20/2023	nhenry	None

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

**Nicollet County
DRAINAGE DEPARTMENT
REPAIR REPORT**

For Staff Documentation & Contractor Information

Order	Date	Contractor	Total Cost	Notes
1	2023-12-21	Lafayette Excavating	12800	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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INSPECTION LOG

Date	Initials	Notes
2023-12-21	nhenry	Site was inspected and condition of outlet and tile noted.

INSPECTION PHOTOS

Date (12/21/2023) - Inspector(nhenry)

No photos