

Board of Commissioners Agenda

April 23, 2024

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

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

9:00 a.m. Call Board of Commissioners Meeting to Order: Chair

1. Pledge of Allegiance
2. Silence Your Cell Phones
3. Approval of Agenda
4. Approval of Consent Agenda:
 - a. [April 9, 2024 Board Minutes](#)
 - b. [April 16, 2024 Special Board Minutes](#)
 - c. [KM Enterprises, Inc. Recycling Services Agreement](#)
 - d. [Additional 2024 Solid Waste Collection and Transportation License Applicant](#)
 - e. [Out of State Travel Request – PPSD Amplify Conference](#)
 - f. [State JPA SWIFT Contract No. JPK-207155](#)
 - g. [End of Probations](#)
 - h. Approval of Bills
5. Public Appearances

9:05 a.m. 6. Finance

- a. [Quarter 1 2024 Donations](#)

9:10 a.m. 7. Health and Human Services

- a. [Proclamation of May as Mental Health Month](#)
- b. [Set Public Hearing Date for the Local Housing Trust Fund Ordinance](#)

9:25 a.m. 8. Property Services

- a. [April 15, 2024 Planning & Zoning Advisory Committee Meeting](#)
 - [PLN 24-07 – Willis Walter](#)

9:30 a.m. 9. Administration

- a. [Continuous Improvement – Award for Most Impactful 2023](#)
- b. [Community Corrections Collective Bargaining Agreement](#)
This portion of the meeting is closed for labor negotiations pursuant to Minnesota Statutes Chapter 13D.03 to discuss the Community Corrections Union Contract for 2024.

9:40 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

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.

Board of Commissioners Agenda

April 23, 2024

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

- 9:45 a.m. Call Drainage Authority Meeting to Order: Chair**
1. Approval of Agenda
 2. Approval of Consent Agenda
 - a. [April 9, 2024 Drainage Authority Minutes](#)
 - b. [Consider Ditch Repair Reports 24-008 through 24-010](#)
 3. Public Appearances
- 9:50 a.m. 4. 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.

Date	Time	Meeting	Location
April 23	9:00 am	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
April 23	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter
April 24	6:30 pm	Township Association Meeting	Nicollet Legion – Nicollet, MN
April 25	9:00 am	AMC/MCIT Cybersecurity Training	St. Cloud Holiday Inn & Suites
April 26	9:00 am	BNCH Full Board Meeting	1900 Franklin St. – New Ulm, MN
May 14	9:00 am	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
May 14	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter
May 15	8:30 am	Tri-County Solid Waste Joint Powers Mtg.	Gov. Center Board Room – St. Peter
May 20	7:00 pm	Planning & Zoning Commission (PZ) / Board of Adjustments & Appeals (BAA)	Gov. Center EOC – St. Peter
May 21	8:15 am	Individual Dept. Head Meeting – Office of Technologies	Gov. Center EOC – St. Peter
May 21	9:30 am	Board Workshop	Gov. Center EOC – St. Peter
May 27	Closed in Observance of Memorial Day		
May 28	9:00 am	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
May 28	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter
May 28	12:00 – 2:00 pm	Lighthouse on Marshall Open House	1301 Marshall St. – St. Peter

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APRIL 9, 2024
OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS

The Nicollet County Board of Commissioners met in regular session on Tuesday, April 9, 2024 at 9:00 a.m. Present at the meeting were Commissioners Morrow, Dranttel, Kolars, 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 as amended, with additional information related to Project SAP 052-637-006. Carried unanimously.

Consent Agenda

1. March 26, 2024 Board Meeting Minutes
2. Annual Boat and Water Grant
3. End of Probations
4. Approval of Bills
5. Acknowledgement of the Auditor's Warrants and approval of the Commissioner Warrants as presented for the following amounts:
 - a. General Revenue Fund - \$274,412.98;
 - b. Road & Bridge Fund - \$251,977.79;
 - c. Human Services Fund - \$162,013.69

Motion by Commissioner Kolars and seconded by Commissioner Zins to approve the above consent agenda items. Carried unanimously.

Public Appearances:

Nicollet County residents Jeff Holmin and Mike Stevenson came forward to discuss their concerns about the "no shotgun zone" legislation being proposed for the southern MN area. They are concerned about the safety of both hunters and non-hunters, as rifles shoot much farther than shotguns and the flat agricultural land in the area leaves little to block the long-range shots. They are also concerned about the possibility of overharvesting, leading to a decrease in the deer population.

Property Services

FY2024 One Watershed, One Plan Program Grant Agreement

Director Kopet came forward to present information on the One Watershed, One Plan Program Grant Agreement. The agreement provides funds in the amount of \$242,880 to transition local water management plans and implement the Minnesota River – Mankato One Watershed, One Plan.

Motion by Commissioner Dranttel and seconded by Commissioner Zins to accept the FY2024 One Watershed, One Plan Program Grant Agreement. Carried unanimously.

Public Works

Consider Award of Bid for Project SAP 052-637-006

Public Works opened bids for project SAP 052-637-006 on April 8, 2024. One bid was received from Minnesota Paving & Materials in the amount of \$344,166.35.

Motion by Commissioner Kolars and seconded by Commissioner Dehen to award project SAP 052-637-006 to Minnesota Paving & Materials for the low bid amount of \$344,166.35. Carried unanimously.

County Attorney

Proclamation for Crime Victims' Rights Week

Crime Victim & Witness Coordinator Bonnie Petersen came forward to ask that April 21-27 be proclaimed Crime Victims' Rights Week. The proclamation reaffirms Nicollet County's commitment to creating a victim service and criminal justice response that assists all victims.

Motion by Commissioner Kolars and seconded by Commissioner Zins to proclaim April 21-27 as Crime Victims' Rights Week. Carried unanimously.

Administration

Resolution Appointing a Nicollet County Assistant Veterans Service Officer

Administrator Landkamer came forward to request the appointment of Ryan Frank as the Assistant Veterans Service Officer for Nicollet County, effective April 10, 2024.

Motion by Commissioner Zins and seconded by Commissioner Dranttel to appoint Ryan Frank as the Assistant Veterans Service Officer for Nicollet County. Carried unanimously on a roll call vote.

Proclamation Recognizing National County Government Month – April 2024

Administrator Landkamer brought forward a proclamation concerning National County Government Month, celebrating the theme

Motion by Commissioner Kolars and seconded by Commissioner Dehen to proclaim the month of April 2024 as National County Government Month. Carried unanimously.

Nicollet County 2023 Year in Review

Administrator Landkamer presented the 2023 Year in Review and highlighted selected information and data for each department. The Commissioners thanked the Administrator and all county staff for their important contributions throughout the year.

County Attorney:

April hosts Crime Victims' Rights week as well as Sexual Assault Awareness month and Child Abuse Awareness & Prevention month. Information was shared on sexual abuse in later life, as it is often overlooked and underreported. Attorney Zehnder Fischer asked everyone to continue to be mindful of elder abuse and take the opportunity to listen and check in on elderly loved ones and community members.

Chair's Report

- HRA
- Nicollet County Collaborative
- County Board

Commissioner Committee Reports

The Commissioners reported on various meetings and activities, including:

Commissioner Kurt Zins

- One Watershed, One Plan meeting
- County Board

Commissioner Mark Dehen

- South Central EMS
- MRCI Annual Board Meeting
- County Board

Commissioner Marie Dranttel

- One Watershed, One Plan meeting
- County Board

Commissioner Jack Kolars

- AMC Leadership Conference
- County Board

Approve Per Diems and Expenses

Motion by Commissioner Dehen and seconded by Commissioner Kolars to approve the expenses and per diems for the meeting 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 unanimously.

Adjourn

The meeting adjourned at 10:04 a.m.

TERRY MORROW, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD



APRIL 16, 2024

**OFFICIAL PROCEEDINGS OF THE
SPECIAL BOARD OF COMMISSIONERS MEETING**

The Nicollet County Board of Commissioners met in regular session on Tuesday, April 16, 2024 at 8:15 a.m. Present at the meeting were Commissioners Morrow, Dranttel, Kolars, Dehen and Zins. Also present were County Administrator Mandy Landkamer, County Attorney Michelle Zehnder Fischer and Recording Secretary Sarah Frahm.

Discuss Truancy Staffing:

The Personnel Committee met last week to discuss adding a full-time Truancy Officer position to the Community Corrections department. Truancy case loads have continued to increase since the pandemic, and it is becoming unreasonable to manage and process these cases with the current staffing. Community Corrections received additional state funding last year, which would absorb the costs of adding a new position.

Commissioner Kolars motioned and Commissioner Dehen seconded to approve the addition of one full-time Truancy Officer position within the Community Corrections department. The motion carried unanimously with all voting in favor.

Adjourn

The meeting adjourned at 8:26 a.m.

TERRY MORROW, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

NICOLLET
COUNTY EST. 1853

Agenda Item: KM Enterprises, Inc. Recycling Services Agreement		
Primary Originating Division/Dept.: Administration		Meeting Date: 04/23/2024
Contact: Mandy Landkamer	Title: County Administrator	Item Type: (Select One) Consent Agenda
Amount of Time Requested: minutes		Attachments: ☒ Yes ☐ No
Presenter:	Title:	
County Strategy: (Select One) Programs and Services - deliver value-added quality services		
BACKGROUND/JUSTIFICATION: Attached is a service agreement with KM Enterprises, Inc. to provide recycling containers and collection services in Klossner, Lafayette, St. George, and Courtland. KM Enterprises, Inc. was the only hauler to submit a quote for services. They are also the current hauler for the west end service area. This agreement is for January 1, 2024 through December 31, 2026, with a fourth year option to extend the agreement through 2027.		
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) December 17, 2019		
Approved by County Attorney's Office: ☒ Yes ☐ No ☐ N/A		
ACTION REQUESTED: Approve the recycling services agreement with KM Enterprises, Inc. as presented.		
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify:		FUNDING County Dollars = \$38,820.60 State (Select One)
FTE IMPACT: No FTE change (Select One)		Total: \$38,820.60
If "Increase or "Decrease," specify: Related Financial/FTE Comments:		

NICOLLET COUNTY RECYCLING SERVICES CONTRACT

This Agreement is between the County of Nicollet, 501 South Minnesota Avenue, St. Peter, Minnesota, 56082, hereafter referred to as "County" and KM Enterprises, Inc., PO Box 338, 17590 County Road 8, Sleepy Eye, Minnesota 56085, a Minnesota Corporation, hereinafter referred to as "Contractor."

WHEREAS, Contractor represents itself to County as a Minnesota Corporation that can provide recycling containers for citizen recycling at each of the recycling drop off stations contained herein and transport recyclables to the River View Sanitation Recycling Center (RVSRC) located at 16188 County Road 29, New Ulm, Minnesota 56073; and

WHEREAS, County is desirous of entering into an Agreement with Contractor for the provision of recycling services for rural citizens of Nicollet County.

NOW, THEREFORE, in consideration of the premises and the mutual covenants and obligations herein contained and subject to the terms and conditions hereinafter stated, the parties hereto understand and agree as follows:

I. TERM OF AGREEMENT:

This Agreement shall be effective from January 1, 2024 to December 31, 2026, or until all obligations set forth in this Agreement have been satisfactorily fulfilled, whichever occurs first. Either party may cancel this Agreement with or without cause upon 120-day notice, in writing, delivered by mail or in person. This Agreement, if not terminated or amended as provided herein, or otherwise renewed, shall be automatically extended for one (1) individual calendar year beginning January 1, 2027.

II. SERVICES PROVIDED:

A. Contractor shall provide the following collection containers and transportation services, at the frequency indicated below, from each drop off station to RVSRC:

St. George: 3 - 8 yard containers, pick up service 2 times per week

Klossner: 3 - 8 yard containers, pick up service 1 time per week

Courtland: 4 - 8 yard containers, pick up service 2 times per week

Lafayette: 4 - 8 yard containers, pick up service 1 time per week

B. County may request additional collection container pickups during the week. The rate of reimbursement for these additional pickups shall be the rate established for the collection container location as set for in Section III below. Contractor shall empty the recycling containers by 5:00 p.m. if called prior to 11:00 a.m. during weekdays. If Contractor is called after 11:00 a.m. during weekday, the Contractor will empty the recycling container the immediately following morning, or on Monday if the call is placed after 11:00 a.m. on a Friday.

C. Contractor shall deliver the recyclables to RVSRC after pickup.

D. Contractor shall scale each drop off containers on a quarterly basis and shall provide the tonnage weight collected at each station to Nicollet County.

III. PAYMENT FOR SERVICES PROVIDED

Nicollet County shall pay Contractor for the services described herein as follows:

St. George location \$195.30 per week

Klossner location: \$97.65 per week

Courtland location: \$291.90 per week

Lafayette location: \$161.70 per week

The first twelve (12) months of services under this Agreement will be billed at the above listed rate. The services for the remaining two (2) years of the Agreement will be billed at a three (3%) percent annual increase on January 1 of each contract year.

IV. ADDITIONAL OBLIGATIONS OF THE PARTIES

A. Nicollet County represents and warrants that the materials to be collected under this Agreement shall only be recyclable materials as defined under the statutes and regulations of the State of Minnesota, which are acceptable recyclable materials for recycling at the RVSRC. Any other waste material, hazardous waste, infectious waste, or other unacceptable waste, without limitation may be rejected for pick up by Contractor. In the event of such rejection, Contractor shall immediately notify the County of such rejection.

B. County and Contractor agree that Contractor can market and sell the recyclable commodities collected via free market enterprise, with County claiming no share of the sales revenue from said materials.

C. Contract shall not charge Nicollet County any processing fee(s) for said recyclable materials.

D. Additional services to be provided by Contractor under the terms of this Agreement, such as transportation of County recyclables, other than Monday through Friday, shall be as mutually agreed by and between the parties in writing.

V. PAYMENT FOR SERVICES:

All services provided by Contractor pursuant to this Agreement shall be performed to County's satisfaction, and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations.

Contractor shall submit an invoice to County on a monthly basis. Payments will be made within thirty (30) days of receipt of Contractor's invoice. County shall, within 45 days of the

receipt of the invoice, make payment to Contractor for all services billed, unless the billing is in dispute.

Payments shall be made pursuant to the provisions herein and County's then applicable payment policies, procedures, rules and directions. County is not responsible for remedying fraudulent or unauthorized payments requested in Contractor's name.

VI. INDEPENDENT CONTRACTOR:

Contractor shall select the means, method, and manner of performing the services. Nothing is intended nor should be construed as creating or establishing the relationship of a partnership or a joint venture between the parties or as constituting Contractor as the agent, representative, or employee of County for any purpose. Contractor is and shall remain an independent contractor for all services performed under this Agreement. Contractor shall secure at its own expense all personnel required in performing services under this Agreement. Contractor's personnel and/or subcontractors engaged to perform any work or services required by this Agreement will have no contractual relationship with County and will not be considered employees of County. County shall not be responsible for any claims related to or on behalf of any of Contractor's personnel, including without limitation, claims that arise out of employment or alleged employment under the Minnesota Unemployment Insurance Law (Minnesota Statutes Chapter 268) or the Minnesota Workers' Compensation Act (Minnesota Statutes Chapter 176) or claims of discrimination arising out of applicable law, against Contractor, its officers, agents, contractors, or employees. Such personnel or other persons shall neither accrue nor be entitled to any compensation, rights, or benefits of any kind from County, including, without limitation, tenure rights, medical and hospital care, sick and vacation leave, worker's compensation, unemployment compensation, disability, severance pay, and retirement benefits.

VII. NONDISCRIMINATION:

Contractor shall not exclude any person from full employment rights on the grounds of any protected status or class, including race, color, creed, religion, national origin, sex, gender identity, marital status, status with regard to public assistance, familial status, membership or activity in a local commission, disability, sexual orientation, or age. No person who is protected by applicable law against discrimination shall be subjected to discrimination.

VIII. AUDIT, INDEMNITY, AND INSURANCE CLAUSES:

A. Audit and Records Disclosures – Contractor shall:

- i. Comply with the sub-recipient audit requirements as outlined in the Single Audit Act of 1984 (Public Law 98-502) if Contractor receives federal assistance.
- ii. Subject to the requirements of Minnesota Statutes section 16C.05, subd. 5, County, the State Auditor, or any of their authorized representatives, at any time during normal business hours, and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of Contractor and involved transactions relating to this Agreement.

Contractor shall maintain these materials and allow access during the period of this Agreement and for six (6) years after its expiration, cancellation or termination.

B. Indemnification:

Contractor shall defend, indemnify, and hold harmless County, its present and former elected officials, officers, agents, volunteers and employees from any liability, claims, causes of action, judgments, damages, losses, costs, or expenses, including attorney's fees, resulting directly or indirectly from any act or omission of Contractor, a subcontractor, anyone directly or indirectly employed, by them, and/or anyone for whose acts and/or omissions they may be liable in the performance of the services required by this Agreement, and against all loss by reason of the failure of Contractor to perform any obligation under this Agreement. For clarification and not limitation, this obligation to defend, indemnify and hold harmless includes but is not limited to any liability, claims or actions resulting directly or indirectly from alleged infringement of any copyright or any property right of another, the employment or alleged employment of Contractor personnel, the unlawful disclosure, and/or use of protected data, or other noncompliance with the requirements of these provisions.

C. Insurance:

Contractor does further agree that in order to protect itself as well as County under the indemnity Agreement provision hereinabove set forth, it will at all times during the term of the Agreement have and keep in force:

- i. A single limit or combined limit or excess umbrella general liability insurance policy of an amount of not less than \$2,000,000 for property damage arising from one occurrence, \$3,000,000 for total bodily or personal injuries or death and/or damages arising from one occurrence. Such policy shall also include contractual liability coverage protecting County, its elected officials, officers, agents, and employees by specific endorsement or certificate acknowledging the contract between Contractor and County as additional insureds.
- ii. A single limit or combined limit or excess umbrella automobile liability insurance policy, if applicable, covering agency-owned, non-owned, and hired vehicles used regularly in the provision of services under this Agreement, in an amount of not less than \$1,500,000 per accident for property damage, bodily injuries and/or damages to any one person, and \$3,000,000 for total bodily injuries and/or damages arising from any one accident.
- iii. Workers' Compensation – It is hereby understood and agreed that any and all employees of Contractor shall not be considered employees of County and that any and all claims that may or may not arise under the Workers' Compensation Act of the State of Minnesota on behalf of said employees while so engaged, and any and all claims made by any third parties as the consequences of any act or omission on the part of said employees while so engaged on any of the work or services to be rendered within the terms of this Agreement shall in no way be the obligation or responsibility of County.

Prior to the effective date of this Agreement, Contractor will furnish County with certificates of insurance. County may withhold payment for failure of Contractor to furnish certificates of bonding and/or insurance as required above.

In the event that claims or lawsuits shall arise jointly against Contractor and County, and County elects to present its own defense, using its own counsel, in addition to or as opposed to legal representation available by the insurance carriers providing the coverage as stated above, then such legal expense shall be borne by County.

Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed or not renewed without 30 days' prior notice by the insured to County.

IX. DUTY TO NOTIFY:

Contractor shall promptly notify County of any demand, claim, action, cause of action or litigation brought against Contractor, its employees, officers, agents or subcontractors, which arises out of the services described in this Agreement. Contractor shall also notify County when Contractor has a reasonable basis for believing that Contractor and/or its employees, officers, agents or subcontractors, and/or County, might become the subject of a demand, claim, action, cause of action, administrative action, criminal arrest, criminal charge or litigation arising out of and/or related to the services described in this Agreement.

X. DATA PRIVACY AND SECURITY:

Contractor, its officers, agents, owners, partners, employees, volunteers and subcontractors shall, to the extent applicable, abide by the provisions of the Minnesota Government Data Practices Act, Minnesota Statutes, chapter 13 (MGDPA) and all other applicable law, rules, regulations and orders relating to data or the privacy, confidentiality or security of data. For clarification and not limitation, County hereby notifies Contractor that the requirements of Minnesota Statutes section 13.05, subd. 11, apply to this Agreement. Contractor shall promptly notify County if Contractor becomes aware of any potential claims, or facts giving rise to such claims, under the MGDPA or other data, data security, privacy or confidentiality laws, and shall also comply with the other requirements of this Section.

Classification of data, including trade secret data, will be determined pursuant to applicable law and, accordingly, merely labeling data as "trade secret" by Contractor does not necessarily make the data protected as such under any applicable law.

XI. ASSIGNMENT AND SUBCONTRACTING:

Neither party may assign or delegate this Agreement nor its rights or obligations under this Agreement without the prior written consent of the other party, whose consent shall not be unreasonable withheld or delayed.

Contractor shall not enter into any subcontract for performance of any services contemplated under this Agreement without the prior written approval of County and

subject to such conditions and provisions as County may deem necessary. Contractor shall be responsible for the performance of all subcontractors.

XII. CONTRACTOR DEBARMENT, SUSPENSION AND RESPONSIBILITY CERTIFICATION:

Federal Regulation 45 CFR 92.35 prohibits the State/County from purchasing goods and services with federal money from vendors who have been suspended or debarred by the federal government. Similarly, Minnesota Statutes, second 16C.03, subd. 2, provides the Commissioner of Administration with the authority to debar and suspend vendors who seek to contract with the State/County. Vendors may be suspended or debarred when it is determined, through a duly authorized hearing process, that they have abused the public trust in a serious manner.

By signing this contract, Contractor certifies that it and its principles and employees:

- A. Are not presently disbarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from transacting business by or with any federal, state or local governmental department or agency; and
- B. Have not within a three-year period preceding this contract:
 - i. Been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract;
 - ii. Violated any federal or state antitrust statutes; or
 - iii. Committed embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and
- C. Are not presently indicted or otherwise criminally or civilly charged by a governmental entity for:
 - i. Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction;
 - ii. Violating any federal or state antitrust statutes; or
 - iii. Committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and
- D. Are not aware of any information and possess no knowledge that any subcontractor(s) that will perform work pursuant to this contract are in violation of any of the certification set forth above.
- E. Shall immediately give written notice to County should Contractor, under investigation for allegations of fraud or a criminal offense in connection with obtaining, or performing; a public (federal, state or local government) transaction; violating any federal or state

antitrust statutes; or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.

XIII. FORCE MAJEURE:

Both parties shall not be held responsible for damages caused by delay or failure to perform hereunder, when such delay or failure is due to fires, strikes, Acts of God, legal acts of the public authorities, delays or defaults caused by public carriers, or acts or demands of the Government in time of war, or state or national emergency.

XIV. GENERAL PROVISIONS:

- A. It is understood and agreed that in the event that reimbursement to County from the State and Federal sources is not obtained and continued at a level sufficient to allow for the purchase of the indicated quantity of purchased services, the obligations of each party hereunder must thereupon be terminated.
- B. Any alterations, variations, modifications, or waivers of provisions of this Agreement must be valid only when they have been reduced to writing, duly signed, and attached to the original of this Agreement.
- C. No claim for services furnished by Contractor not specifically provided in the Agreement will be allowed by County, nor must Contractor do any work or furnish any material not covered by the Agreement, unless this is approved in writing by County. Such approval must be considered to be a modification of the Agreement.
- D. In the event that there is a revision of Federal regulation, which might make this Agreement eligible for Federal financial participation, all parties will review the Agreement and renegotiate those items necessary to bring the Agreement into compliance with the new Federal regulations.

XV. MINNESOTA LAWS GOVERN:

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 their performance. The appropriate venue and jurisdiction for any litigation will be those courts located within County of Nicollet, State of Minnesota. Litigation, however, in the federal courts involving the parties will be in the appropriate federal court within the state of Minnesota.

XVI. 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 related to the subject matter thereof, as well as any previous Agreements presently in effect between Contractor and County related to the subject matter hereof.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates written below.

By: _____ Date: _____
Terry Morrow, Chairperson
Nicollet County Board of Commissioners

By: Brett K _____ Date: 4-9-24 _____
KM Enterprises, Inc.

APPROVED AS TO FORM AND EXECUTION

By: _____ Date: _____
Michelle Zehnder Fischer
Nicollet County Attorney

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item: Additional 2024 Solid Waste Collection and Transportation License Applicant		
Primary Originating Division/Dept.: PPSD -Property Services		Meeting Date: 04/23/2024
Contact: Kenny Famakinwa	Title: Environmental Spec.	Item Type: (Select One) Consent Agenda
Amount of Time Requested: minutes		
Presenter:	Title:	Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Programs and Services - deliver value-added quality services		
BACKGROUND/JUSTIFICATION: Consideration for approval of an additional 2024 Nicollet County License Application for Solid Waste Collection and Transportation that wish to offer service in Nicollet County. The application, fee, and required documentation have been received from the following: Purple Roll-Off, LLC: Cathy Meyer, 2724 9TH ST E 2 GLENCOE, MN 55336		
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 Purple Roll-Off, LLC to offer solid waste collection and transportation services within Nicollet County.		
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:



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:

Purple Roll-Off, LLC

Contact Person:

Cathy MEYER

Business

Address:

2724 9TH ST E STE 2 GLENCOE MN

(City, State)

(Zip)

55336

Other Contact Information:

952-393-7411

(telephone)

(FAX)

Officepurplerolloff@gmail.com

(email)

Minnesota Tax I.D.#:

[REDACTED]

Federal Tax I.D.#:

[REDACTED]

Vehicle & Container Storage Locations:

SAME

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
2000 STRG 999	5712	YBX9036	3 AXEL
2003 STRG LT9500	↓	YBY5604	↓
1995 FORD 999	↓	YBN9446	↓

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

Location	MSW	C/D/I ¹	Recycling	Other (list) <i>Metal</i>
Belgrade	X	X	☐ 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

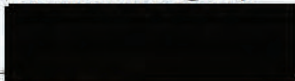
Minnesota Statute, Section 176.182 requires every state and local licensing agency to withhold the issuance or renewal of a license or permit to operate a business or engage in an activity in Minnesota until the applicant presents acceptable evidence of compliance with the workers' compensation insurance 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):

SFM Mutual

Policy Number:



Dates of Coverage:

6/19/2023

to

6/19/2024

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.):

HAYES, PURPLE R

Doing Business As (if different than your name):

PURPLE ROU-OFF, LLC

Business Address:

2724 9TH ST E STE 2

City, State, Zip:

Glencoe MN 55336

Business Phone:

952-393-7411

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: EMC 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

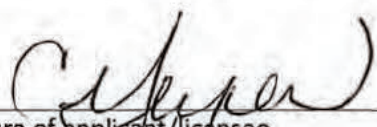
→ already mailed.

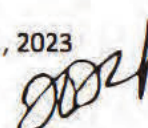
Please enclose a check for \$100.00 for the license fee made payable to Nicollet County.

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 7 day of February, 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



BOND CONTINUATION CERTIFICATE

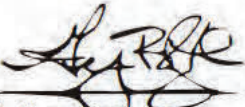
IMT Insurance Company, hereinafter called Company, in consideration of an agreed premium, hereby continues in force Bond Number SYA3176 in the sum of Ten Thousand and No/100 (\$ 10,000.00) dollars, on behalf of Purple Roll-Off, LLC and in favor of Nicollet County described as a Solid Waste Hauler for the extended term beginning on the 27th day of February, 2024, and ending on the 27th day of February, 2025, subject to all its terms, conditions and limitations as set forth in said bond.

This continuation or renewal certificate is executed upon the express condition that the Company's liability under said bond and this and all continuation or renewal certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount of the penalty as stated on the bond.

Signed, Sealed and Dated this 5th day of December, 2023.

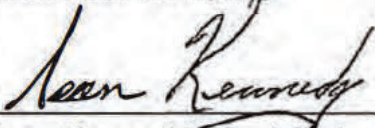
Attest:

By:


Greg Blythe, Secretary

IMT Insurance Company

By:


Sean Kennedy, President



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/08/2024

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 Lisa Valiant Insurance LLC Farmers Union Agency, Inc. 515 Faxon Road, Suite 3, PO Box 58 Norwood YoungAmerica MN 55368		CONTACT NAME: Lisa Valiant PHONE (A/C, No, Ext): 952-467-2922 E-MAIL ADDRESS: lisa@fuinsurance.com FAX (A/C, No): 888-675-8828																					
INSURED Purple Roll-Off LLC Purple Hayes 2724 9th St E Ste 2 Glencoe MN 55336		<table><tr><th colspan="2">INSURER(S) AFFORDING COVERAGE</th><th>NAIC #</th></tr><tr><td>INSURER A:</td><td>Secura Insurance, A Mutual Company</td><td>22543</td></tr><tr><td>INSURER B:</td><td>SFM Mut Ins Co</td><td>11347</td></tr><tr><td>INSURER C:</td><td></td><td></td></tr><tr><td>INSURER D:</td><td></td><td></td></tr><tr><td>INSURER E:</td><td></td><td></td></tr><tr><td>INSURER F:</td><td></td><td></td></tr></table>	INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	Secura Insurance, A Mutual Company	22543	INSURER B:	SFM Mut Ins Co	11347	INSURER C:			INSURER D:			INSURER E:			INSURER F:		
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INSURER C:																							
INSURER D:																							
INSURER E:																							
INSURER F:																							

COVERAGES

CERTIFICATE NUMBER: 20240408152746288

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		02/09/2024	02/09/2025	EACH OCCURRENCE \$ 1,000,000 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 - COMP/OP AGG \$ 2,000,000 Fire Legal Liability \$
	☐ AUTOMOBILE LIABILITY ☐ ANY AUTO ☐ OWNED AUTOS ONLY ☒ SCHEDULED AUTOS ☒ HIRED AUTOS ONLY ☒ NON-OWNED AUTOS ONLY	N	N		02/09/2024	02/09/2025	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	N	N		02/09/2024	02/09/2025	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 2,000,000
	☐ 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 ☒ Y	N/A	N		06/19/2023	06/19/2024

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

Owner Excluded from Work Comp

CERTIFICATE HOLDER**CANCELLATION**Nicollet County
501 S Minnesota Ave
St Peter MN 56082

Email: Kenny.Famakinwa@co.nicollet.mn.us

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 Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Out of State Travel Request - PPSD Annual Amplify Conference				
Primary Originating Division/Dept.: Contact: Jaci Kopet Title: PPSD Director Amount of Time Requested: minutes Presenter: Title:	Meeting Date: 04/23/2024 Item Type: Consent Agenda (Select One)			
Attachments: ☒ Yes ☐ No				
County Strategy: Technology Solutions - invest in tools to create efficiencies (Select One)				
BACKGROUND/JUSTIFICATION: I am requesting out of state travel approval for myself to attend the Amplify Users' Conference in San Antonio, TX September 23-25 Attached is the agenda for the conference. This is our annual National User Group Conference provided by our property tax program provider Aumentum Technologies. Since we will be upgrading the Platform version, this conference will provide many training opportunities to prepare us for that conversion. MnCCC will pay for all travel and conference registration expenses. No expenses will be paid by Nicollet County for this trip.				
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 for out of state travel.				
<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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Amplify 2024

San Antonio ★ Sep. 23-25



Session List

Amplify 2024

San Antonio ★ Sep. 23-25

Aumentum General

Explore the Benefits of a User Group with Minnesota Counties Computer Cooperative (MnCCC)

Lisa Meredith - MnCCC Executive Director

Jody Moran - Washington County

Kathy Jenson - Roseau County

Harness the benefits of a joint powers organization within your state! Learn how MnCCC substantially reduced technology costs by forming a state-wide cooperative to procure services, training, and software for Counties and other state-wide agencies.

Exploring the Upgrade Experience with Aumentum Leadership

Aumentum Leadership

Last year, there were many questions about what upgrades are like. This session will be an interactive and we will talk about the questions coming from customers who are thinking about upgrading. Let's discuss what you can expect and get input from other customers, as well as Aumentum Technologies, about the upgrade experience.

SQL Server: Performance Analysis and Optimization with SQL Query Store

Leon Smit - Sr. Architect, Aumentum Technologies

Explore the transformative power of SQL Server's Query Store in our focused 60-minute session on performance analysis and optimization. This presentation will guide attendees through the Query Store's key features, demonstrating its role in identifying and resolving performance issues with practical examples. Learn how to utilize query performance data to make informed decisions, implement fixes, and support permanent solutions. Whether you're a database administrator, developer, or IT professional, you'll discover strategies for harnessing the Query Store to maintain and enhance SQL Server performance, ensuring your database operates at its peak efficiency. Join us to unlock the potential of Query Store in optimizing your SQL Server environment.

The Benefits of Leveraging Aumentum Alerts and Notifications

Leon Smit - Sr. Architect, Aumentum Technologies

This session offers a comprehensive guide to configuring alerts to ensure you never miss critical updates, and on subscribing to both alerts and notifications. Whether you're looking to enhance system monitoring, improve team responsiveness, or streamline your workflow, this talk will provide the insights and step-by-step instructions needed to leverage email alerts and notifications effectively.

Detect and Resolve Data Issues with DBHealth

Becky Dopp - Manager, Software Development, Aumentum Technologies

In today's data-driven world, maintaining the integrity and reliability of databases is crucial. However, data issues such as inaccuracies, inconsistencies, and incompleteness can significantly impact decisions and undermine organizational goals. "Detect and Resolve Data Issues with DBHealth" offers a comprehensive approach utilizing the Aumentum DBHealth module. This presentation will outline the importance of data quality and the potential consequences of data issues. We will highlight common causes of data problems and emphasize the need for proactive monitoring and resolution techniques. The presentation will introduce the DBHealth module, which is designed to assist Counties with detecting, analyzing, and resolving data issues efficiently. Attendees will learn how to use DBHealth to protect the integrity of their data and resolve issues proactively.

Maximizing Software Quality with Test Automation

Liz Marko - Sr. Business Analyst, Aumentum Technologies

Explore the power of test automation on Maximizing Software Quality. Dive into the latest strategies and tools that we are using to enhance accuracy, efficiency, and stability in Aumentum. Join us to uncover how automated testing elevates software quality to new heights, ensuring reliability in every release.

Uncover the Benefits of Hosting for Your Jurisdiction

Wade Peikert - Director, Technical Services, Aumentum Technologies

In this talk, we'll explore the essentials of hosting, including the various types available such as shared, dedicated, and cloud hosting, and how they can impact your County. We'll delve into the critical considerations for choosing the right hosting solution, focusing on scalability, security, and cost-effectiveness. By the end, attendees will have a clear understanding of what hosting entails and how to determine the best hosting strategy for their County's needs.

Tips and Tricks for Public Access Administrators

Elaine Overdorf - Manager, Support Services, Aumentum Technologies

Phillip Rowland - Senior Business Analyst, Aumentum Technologies

In this session attendees will learn how to set up maintenance messages, new pages & modules, sync modules, add links, account summary pages and more.

Aumentum Tax

Explore Tax Correction Reprocessing with Pin Lists and Roll Processing

Brenda Mabry - Support Analyst, Aumentum Technologies

This session will show how to go through Tax Roll Processes and then show the new Tax Reprocessing functionality for correcting tax bills one at a time or multiples.

Configuring Data Import/Export File Configuration for Compliance

Brenda Mabry - Support Analyst, Aumentum Technologies

This session offers an in-depth exploration into the effective configuration of delinquent and lender file exports. Participants will learn the essential steps and best practices for setting up and managing these exports, ensuring accuracy and compliance in financial reporting.

How to Detect and Resolve Issues with DBHealth

Becky Dopp - Manager, Software Development, Aumentum Technologies

In today's data-driven world, maintaining the integrity and reliability of databases is crucial. However, data issues such as inaccuracies, inconsistencies, and incompleteness can significantly impact decisions and undermine organizational goals. "How to Detect and Resolve Data Issues with DBHealth" offers a comprehensive approach utilizing the Aumentum DBHealth module. This presentation will outline the importance of data quality and the potential consequences of data issues. We will highlight common causes of data problems and emphasize the need for proactive monitoring and resolution techniques. The presentation will introduce the DBHealth module which is designed to assist Counties with detecting, analyzing, and resolving data issues efficiently. Attendees will learn how to use DBHealth to protect the integrity of their data and resolve issues proactively.

Aumentum Tax - Year in Review

Paula Leal - Director, Product Management, Aumentum Technologies

Explore what's new and what's next in the Platform version of Aumentum Tax. This session will cover what has been accomplished since Amplify 2023, and what is on the docket for completion by next year.

Aumentum Tax Roundtable

Paula Leal - Director, Product Management, Aumentum Technologies

Aumentum Technologies Leadership will address your questions in this interactive session. We'll be sending a pre-conference survey to get topic suggestions.

The Evolution of Special Assessments: Old Versions vs New Versions/Undivided Interest

Liz Marko - Sr. Business Analyst, Aumentum Technologies

Kellie Hopstein - Sr. Support Analyst, Aumentum Technologies

This session is going to dive into special assessments in Aumentum. We will show the differences in special assessments between different versions. See how this module has evolved through the years and learn how it can be used in various versions.

Tour Roll-Based Assessment Administration: Platform vs. Prior Versions

Tien Dao - Sr. Product Manager, Aumentum Technologies

Take a trip through the Assessment Administration module and see the differences between prior versions of Aumentum and Platform. Learn something new and see what will be available when you upgrade to Platform.

The Road Through Records to Billing

Kellie Hopstein - Sr. Support Analyst, Aumentum Technologies

Nicole Severance - Product Manager, Aumentum Technologies

We get many questions about where data on bills come from. In this session we will discuss how to configure bills in Aumentum and where the data comes from. Let's show how that records data gets to the bill.

Aumentum Tax User Group

Tax User Group - Aumentum Technologies

Annual face-to-face meeting of the Tax User Group for Aumentum. Attendees will have the unique opportunity to ask questions and contribute to shaping the future of tax technology within Aumentum.

Building Custom Reports

Thomas Parks - Product Manager, Aumentum Technologies

In this interactive session, attendees will learn how to leverage SQL, SSRS/Power BI Report Builder, and Excel to create custom reports.

Aumentum Valuation

Aumentum Valuation - What's New, What's Next?

Steve Hansel - Product Specialist, Aumentum Technologies
Brandi Putoff - Product Specialist, Aumentum Technologies

Learn about the latest functionality in Real Property, Personal Property, and Case Management.

Journey Through Personal Property Assessment E-Filing in Public Access

Brandi Putoff - Product Specialist, Aumentum Technologies
Dave Wagstrom - Product & Implementation Manager, Aumentum Technologies

A session providing an in-depth overview of the Personal Property Assessment (PPA) / Public Access (PA) process from start to finish.

Isn't That Just Spatial?

Steve Hansel - Product Specialist, Aumentum Technologies

The new Spatial Editor allows Counties to mass update almost every part of an appraisal site using a GIS-centric view to select and see which parcels are being updated. Review a neighborhood. See if influence factors are being applied equitably. Are land types correct for the neighborhood? Need to update percent complete for new construction in a new neighborhood? Do these things and more in the new Spatial Editor.

Linking Personal Property Administration Accounts

Brandi Putoff - Product Specialist, Aumentum Technologies

Discover the ways that PPA Accounts can be linked to other PINs using Related Revenue Objects, Businesses Master and Landlord/Facilities.

Redescription of Parcels: The Journey from Record Management to Assessment Administration

Steve Hansel - Product Specialist, Aumentum Technologies

Tien Dao - Sr. Product Manager, Aumentum Technologies

A review of the end-to-end process from Records through to Assessment Administration.

Customer Service Features in Aumentum Valuation

Tien Dao - Sr. Product Manager, Aumentum Technologies

Brandi Putoff - Product Specialist, Aumentum Technologies

Dave Wagstrom - Product & Implementation Manager, Aumentum Technologies

Steve Hansel - Product Specialist, Aumentum Technologies

An overview of Info Center, Public Inquiry, Workflows, Public Access Content Management and App Processing.

Aumentum Tax & Valuation

Streamline your Data Analysis with Database/SQL Custom Report/Data Services

Dean Russum - Principal Implementation Engineer, Aumentum Technologies

Brenda Mabry - Support Analyst, Aumentum Technologies

Dive into the practical techniques of locating specific fields within database tables and crafting procedures that can be integrated into custom reports and data services. This session is designed to equip attendees with the knowledge to efficiently identify relevant data fields and develop procedures that enhance data retrieval and reporting capabilities. Gain valuable insights into streamlining your data analysis and service offerings, elevating the precision and utility of your custom reports.

User Experience Unplugged: Crafting the Future

Tien Dao - Sr. Product Manager, Aumentum Technologies

Tonia Mierez - Product Manager, VCSTax, Aumentum Technologies

Leon Smit - Sr. Architect, Aumentum Technologies

Engage in an interactive workshop to explore various aspects of the Aumentum user experience. Share your insights and preferences directly with us to help shape future improvements.

Aumentum Platform: Year in Review

Tien Dao - Sr. Product Manager, Aumentum Technologies

Brandi Putoff - Product Specialist, Aumentum Technologies

Dave Wagstrom - Product & Implementation Manager, Aumentum Technologies

William Pleake - Director, Product Manager, Aumentum Technologies

Explore what's new and what's next in Public Access, Aumentum Platform, Aumentum Records, and Assessment Administration functionality. Learn what has been added since Amplify 2023, and what is on the docket for completion by next year. This session is for the modules that are common to both Tax and Valuation.

Empowering Your Constituents: A Public Access Live Demonstration

Dave Wagstrom - Product & Implementation Manager, Aumentum Technologies

Join us for an immersive journey as we explore the dynamic world of Public Access (PA). In this session, we will navigate the waters of PA and demonstrate the latest functionality. We will take a deeper dive into those areas where PA can be leveraged to promote office efficiencies.

Configuring Success in Assessment Administration

Tien Dao - Sr. Product Manager, Aumentum Technologies

Discover key tips and insights to elevate your expertise in assessment administration configuration. From tweaking settings to navigating complexities, this session provides guidance to achieve optimal results.

ProVal

Taking the Leap from ProVal to Aumentum - Session 1

William Pleake - Director, Product Manager, Aumentum Technologies
Victoria Cole - Product Manager, Aumentum Technologies

This session will cover important considerations when transitioning from ProVal to Aumentum Valuation. Join us for a lively discussion on taking the leap!

Taking the Leap from ProVal to Aumentum - Session 2

Steve Hansel - Product Specialist, Aumentum Technologies
William Pleake - Director, Product Manager, Aumentum Technologies
Victoria Cole - Product Manager, Aumentum Technologies

This session will focus on Counties that are roll-based and can benefit from capturing characteristic changes for a specific date. New enhancements for sale snapshots, new construction events, and characteristic changes will be reviewed.

Income Approach in ProVal with Hamilton County

Hamilton County, IN

Interested in using Income within ProVal? A local jurisdiction will review how they model Income values for Apartments, then utilize ProVal armed with this information. Join us for a look at how you can implement ProVal's Income functionality in your jurisdiction.

What's New in ProVal?

Victoria Cole - Product Manager, Aumentum Technologies

Are you interested in learning what new features have been added to ProVal since last Amplify? Join us for an overview of the enhancements released over the past year and ask questions on how you can incorporate new features into your jurisdiction's business practices, as well as options for ProVal in the Cloud.

Introduction to ProVal

Susan Nungester - Support Analyst, Aumentum Technologies

Are you new to ProVal? Join us for an overview of the ProVal application. This class will be a basic introduction to ProVal and will highlight entry level functionality. We will cover ProVal navigation, tabs, and menu items. Attendees will increase their knowledge and build a foundation of basic functionality of ProVal application.

ProVal Intermediate Class

Susan Nungester - Support Analyst, Aumentum Technologies

Join us for an intermediate level class of the ProVal application. We will cover ProVal administration functionality, reports options, and application menu items. Attendees will increase their knowledge and focus on functionality needed to conduct intermediate ProVal data maintenance.

ProVal Land Tables

Tony Magnelli - Sr. Support Analyst, Aumentum Technologies

A review of ProVal's most common methods of land valuation. Attendees will get exposure to the land valuation engine from instructors with decades of experience using the ProVal CAMA system.

ProVal Cost Tables (Improvements)

Tony Magnelli - Sr. Support Analyst, Aumentum Technologies

An in-depth session for anyone who administers ProVal or wants to know more about how improvement and feature base rates, adjustments and other factors are applied to improvements and outbuildings. Attendees will strengthen current understanding of the valuation process and build confidence in the ProVal system.

ProVal Experts Panel

Victoria Cole - Product Manager, Aumentum Technologies

Kevin Lauer - Lead Software Engineer, Aumentum Technologies

Susan Nungester - Support Analyst, Aumentum Technologies

A panel of ProVal experts reviews Frequently Asked Questions of the Support Team, sharing information on ProVal functionality with time for questions from conference attendees. Join us to discover more on functionality within ProVal.

Archiving Sales and Comps

Victoria Cole - Product Manager, Aumentum Technologies

Kevin Lauer - Lead Software Engineer, Aumentum Technologies

How can you leverage ProVal to analyze your data for sales ratio and analysis, as well as discussions with taxpayers? Join us for a session to learn how to archive sales, how to use the archived sales, and utilize Comps including Time Adjusted values.

ProVal User Group Meeting

ProVal Users

Meeting for ProVal Users Group. Attendees will have the unique opportunity to connect with fellow users, share their experiences, and gain valuable knowledge on optimizing ProVal for their specific needs.

Unlocking the Potential of GIS for ProVal

Kevin Lauer - Lead Software Engineer, Aumentum Technologies

Kevin Schulte - Lead Software Engineer, Aumentum Technologies

A quick overview of GIS. What is it, what can you do with it? How can I use this with Sales and Permits? How you can leverage GIS within your CAMA system followed by Q&A.

Sales Ratio Studies - Exploring What, When and How with Hamilton County

*Victoria Cole - Product Manager, Aumentum Technologies
Hamilton County, IN*

Join us for a discussion of ProVal functionality in relation to sales, the analysis of sales data utilizing Value Calibration Analysis, Excel Sales Ratio Reports, and more. A jurisdiction will share their processes on analyzing data and ensuring values meet IAAO standards.

Explore Multiple Regression Analysis with Charleston County

Bobby Cale - City of Charleston, SC

Join us for a customer-led discussion on how Charleston County, SC is applying multiple regression analysis in their jurisdiction.

customCAMA

What's New and What's Next in customCAMA

*Debbie Bush - Manager, Customer Operations, Aumentum Technologies
Stephen Dunagan - Development Manager, Aumentum Technologies*

A review of enhancements made this past year, plus upcoming plans for customCAMA development.

Did You Know?

*Debbie Bush - Manager, Customer Operations, Aumentum Technologies
Jared Lewis - Sr. Support Analyst, Aumentum Technologies*

Learn something new in this review of lesser-known functionality within customCAMA.

Ask the Developer

Stephen Dunagan - Development Manager, Aumentum Technologies

A roundtable discussion with customCAMA's Engineering Manager, Stephen Dunagan. Bring your questions! This will be a great opportunity to communicate one on one with our Engineering Manager.

Panel Discussion with Hillsborough County - customCAMA Overnight Processes

Chris Weiss - Director of Data Services, Hillsborough County, FL

An open panel discussion on Overnight Processes in customCAMA. Share your processes so attendees can learn something new.

WinDIM & WinDEX Overview

Jeff Brown - Technical Lead, Customer Operations, Aumentum Technologies

Need to import or export data? This session will be an overview of two of our customCAMA executables - WinDIM (WinDIM is a data import tool used to load CAMA table data) and WinDEX (WinDEX is a data extraction tool, used to extract CAMA table data to text files).

Data Edit Process with Polk County

Srini Kommineni - Polk County, FL
Diana Aguirre - Polk County, FL

Learn how Polk County, FL oversees their Data Edit Process. We will explore how to meet and exceed the Department of Revenue's standards for submission.

Unlocking the Potential of GIS for customCAMA

Kevin Schulte - Lead Software Engineer, Aumentum Technologies

An overview of GIS that will include JS_GeoAnalyst and specific functionality for mapping.

Overview of Marshall & Swift and Valuation Methods

Jeff Brown - Technical Lead, Customer Operations, Aumentum Technologies
Jared Lewis - Sr. Support Analyst, Aumentum Technologies

An overview of the Marshall & Swift Tables that are used with the Marshall & Swift Cost evaluations for commercial properties and other common valuation methods.

Explore Enhancements to Splits/Combines and Improvements Functionality

Stephen Dunagan - Development Manager, Aumentum Technologies

This session will cover new functionality that was added that effect Splits/Combines and Improvements.

VAB Process with Polk County

Srini Kommineni - Polk County, FL
Diana Aguirre - Polk County, FL

Explore how Polk County, FL processes their VAB within CAMA databases and how they track their VAB data.

Explore PowerBI with Arapahoe County

Amberle Tetley - Business Systems Analyst, Sr. Appraiser, Arapahoe County, CO
Nicholas Chantala - Sr. Residential Appraiser, Arapahoe County, CO

Learn how Arapahoe County, CO uses PowerBI and how it can be leveraged for your jurisdiction.

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: State JPA SWIFT Contract No. JPK-207155	
Primary Originating Division/Dept.: Sheriff's Office Contact: Dave Lange Title: Sheriff Amount of Time Requested: minutes Presenter: Title:	Meeting Date: 04/23/2024 Item Type: (Select One) Consent Agenda Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Programs and Services - deliver value-added quality services	
BACKGROUND/JUSTIFICATION: This is an extension of the current JPA already in place that needs signatures. Attached is the original JPA and the amendment cover sheet.	
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) 05/01/2022	
Approved by County Attorney's Office: ☒ Yes ☐ No ☐ N/A	
ACTION REQUESTED: County Administrator and Board Chair signatures needed.	
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify:	FUNDING County Dollars = 40,000 State Minnesota (Select One) Total:
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:	

Amendment 1 to SWIFT Contract No. JPK-207155

Contract Effective Date:	<u>May 1, 2022</u>	Total Contract Amount:	<u>\$40,000.00</u>
Original Contract Expiration Date:	<u>April 30, 2024</u>	Original Contract:	<u>\$40,000.00</u>
Current Contract Expiration Date:	<u>April 30, 2024</u>	Previous Amendment(s) Total:	<u>\$0.00</u>
Requested Contract Expiration Date:	<u>April 30, 2025</u>	This Amendment:	<u>\$0.00</u>

This amendment is by and between the State of Minnesota, acting through its Minnesota Department of Human Services, Direct Care and Treatment (DCT)(DHS) and **Nicollet County Sheriff's Office** (GOVERNMENTAL UNIT). The parties have authority to enter into joint powers agreements pursuant to Minnesota Statutes, section 471.59, subdivision 10.

1. The State has a Joint Powers Agreement with the Contractor identified as **JPK-207155** ("Original Contract") to provide transportation, lodging and searching for mission patient services.
2. The PARTIES agree that additional time is needed for the satisfactory completion of this AGREEMENT.
3. The State and the Contractor are willing to amend the Original Contract as stated below.

Contract Amendment

In this Amendment, changes to pre-existing Contract language will use ~~strike through~~ for deletions and underlining for insertions.

REVISION 1. Clause 1.2 "**Expiration Date**" is amended as follows:

1.2 Expiration Date. The AGREEMENT remains in effect through ~~April 30, 2024~~, April 30, 2025, or until the AGENCIES fulfill all obligations set in this AGREEMENT to the other AGENCIES' satisfaction, whichever occurs first.

The Original Contract and any previous amendments are incorporated into this amendment by reference. Except as amended herein, the terms and conditions of the Original Contract and all previous amendments remain in full force and effect.

1. STATE ENCUMBRANCE VERIFICATION

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

Print Name: Amy Larson

Signature: _____

Title: Contract Coordinator Date: 4/9/2024

SWIFT Contract No. JPK-207155, amendment 1

2. GOVERNMENTAL UNIT

Print Name: Mandy Landkamer, Co Administrator

Signature: _____

Title: County Administrator Date: _____

Print Name: _____

Signature: _____

Title: _____ Date: _____

3. DHS

With delegated authority

Print Name: _____

Signature: _____

Title: _____ Date: _____

4. COMMISSIONER OF ADMINISTRATION

With delegated authority

Print Name: _____

Signature: _____

Title: _____ Date: _____

Admin ID: _____



Minnesota Department of Human Services Joint Powers Agreement

This Joint Powers Agreement, and all amendments and supplements to the agreement (AGREEMENT), is between the State of Minnesota, acting through its Department of Human Services, Direct Care and Treatment (DCT) (DHS) and **Nicollet County Sheriff's Office** (GOVERNMENTAL UNIT). The parties have authority to enter into joint powers agreements pursuant to Minnesota Statutes, section 471.59, subdivision 10.

RECITALS

DHS, pursuant to Minnesota Statutes, section 256.01, subdivision 2(a)(6) has authority to enter into contracts for the following services: Security, transportation and lodging services for its Direct Care and Treatment Division patients.

GOVERNMENTAL UNIT represents that it is duly qualified and willing to perform the services set forth in this CONTRACT to the satisfaction of DHS.

THEREFORE, the parties agree as follows:

1. AGREEMENT TERM AND SURVIVAL OF TERMS.

1.1. Effective date: This AGREEMENT is effective on **May 1, 2022**, or the date that DHS obtains all required signatures under Minnesota Statutes, section 16B.98, subdivision 5, whichever is later.

1.2. Expiration date. This AGREEMENT is valid through **April 30, 2024**, or until all obligations set forth in this AGREEMENT have been satisfactorily fulfilled, whichever occurs first.

2. DUTIES.

2.1 Governmental Unit's Duties. Governmental Unit shall perform:

County Sheriff will dedicate the resources necessary to provide the following:

1. Transportation of patients needing law enforcement escort from State Facilities in St. Peter to a county courthouse, or from a courthouse to a prison.
 - a. County Sheriff shall provide transportation pursuant to court order or upon request by State.
2. Lodging for patients awaiting disposition of legal proceedings or transport to prison following sentencing.
 - a. Lodging shall take place in either the Nicollet County Jail or in a state prison.

- b. Lodging may take place in a state prison if security or other concerns necessitate lodging options not available at the Nicollet County Jail.
3. Staff to assist with searches for missing patients.

2.2 DHS's Duties:

DHS must:

1. Provide a contact within Forensic Services of someone who is knowledgeable to the county sheriff each time the contract is being used, whether for transportation or for lodging.

3. CONSIDERATION AND TERMS OF PAYMENT.

3.1 Consideration. DHS will provide consideration for all services satisfactorily provided by Governmental Unit under this AGREEMENT as follows:

- A. Assigned officers will be paid their existing hourly wage for the hours of services worked for security and/or transportation services.
- B. \$65.00 per day for lodging/boarding at the Nicollet County Jail.
- C. If a patient of the State requires boarding at a State prison such as Oak Park Heights, the daily rate will be \$310.00 for lodging/boarding.

3.2 Terms of Payment. DHS must pay Nicollet County Sheriff's Office within 30 days after Governmental Unit presents invoices for services it performs.

3.3 Total Obligation. The total obligation of DHS for all compensation and reimbursements to Governmental Unit shall not exceed **Forty Thousand dollars (\$40,000.00)**.

4. CONDITIONS OF PAYMENT.

Governmental Unit will perform all services pursuant to this AGREEMENT to DHS's satisfaction, according to the sole discretion of DHS's authorized representative.

5. AUTHORIZED REPRESENTATIVES.

5.1. DHS. DHS's authorized representative for the purposes of administration of this AGREEMENT is **Carol Olson**, Executive Director, or successor. Phone and email: (507) 985-3128, carol.olson@state.mn.us. This representative shall have final authority for acceptance of GRANTEE's services and if such services are accepted as satisfactory, shall so certify on each invoice submitted pursuant to Clause 3.2.

5.2. Governmental Unit. Governmental Unit's Authorized Representative is **Dave Lange**, Nicollet County Sheriff, or successor. Phone and email: (507) 934-7106, dave.lange@co.nicollet.mn.us If Governmental Unit's Authorized Representative changes at any time during this AGREEMENT, Governmental Unit must immediately notify DHS.

5.3. Information Privacy and Security. (If applicable) Governmental Unit's responsible authority for the purposes of complying with data privacy and security for this AGREEMENT is **Dave Lange, Nicollet County Sheriff** or successor. Phone and email: **(507) 934-7106, dave.lange@co.nicollet.mn.us**

6. AMENDMENTS.

The parties must execute any amendments to this AGREEMENT in writing.

7. CANCELLATION.

Either party may cancel this AGREEMENT at any time, with or without cause, upon thirty (30) days written notice to the other party. If either party cancels the AGREEMENT, Governmental Unit is entitled to payment, determined on a pro rata basis, for work or services satisfactorily performed.

8. ASSIGNMENT.

Neither party may assign or transfer any rights or obligations under this agreement without the prior written consent of the other party.

9. LIABILITY.

To the extent provided for in Minnesota Statutes, sections 466.01 to 466.15, Governmental Unit agrees to be responsible for any and all claims or causes of action arising from the performance of this agreement by DHS or DHS's agents or employees. This clause shall not be construed to bar any legal remedies Governmental Unit may have for DHS's failure to fulfill its obligations pursuant to this grant. DHS's liability shall be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, section 3.736, and other applicable law.

10. INFORMATION PRIVACY AND SECURITY.

- a. It is expressly agreed that DHS will not be disclosing or providing information protected under the Minnesota Government Data Practices Act, Minnesota Statutes, Chapter 13 (the "Data Practices Act") as "not public data" on individuals to Governmental Unit under this AGREEMENT. "Not public data" means any data that is classified as confidential, private, nonpublic, or protected nonpublic by statute, federal law or temporary classification. Minn. Stat. § 13.02, subd. 8a.
- b. It is expressly agreed that Governmental Unit will not create, receive, maintain, or transmit "protected health information", as defined in the Health Insurance Portability Accountability Act ("HIPAA"), 45 C.F.R. § 160.103, on behalf of DHS for a function or activity regulated by 45 C.F.R. 160 or 164. Accordingly, GRANTEE is not a "business associate" of DHS, as defined in HIPAA, 45 C.F.R. § 160.103 as a result of, or in connection with, this AGREEMENT. Therefore, Governmental Unit is not required to comply with the privacy provisions of HIPAA as a result of, or for purposes of, performing under this AGREEMENT. If Governmental Unit has responsibilities to comply with the Data Practices Act or HIPAA for reasons other than this AGREEMENT, Governmental Unit will be responsible for its own compliance.

- c. Notwithstanding paragraph A and B, in its capacity as Governmental Unit under this AGREEMENT, Governmental Unit must comply with the provisions of the Data Practices Act as though it were a governmental entity as defined by the Data Practices Act. Governmental Unit will be performing functions of a government entity under Minn. Stat. § 13.05, subd. 11, and thus any data created, collected, received, stored, used, maintained or disseminated by Governmental Unit in performing its duties under this AGREEMENT is subject to the protections of the Data Practices Act. The civil remedies of Minn. Stat. § 13.08 apply to the release of the data governed by the Data Practices Act, Minn. Stat. Ch. 13, by either Governmental Unit or DHS.
- d. In its capacity as Governmental Unit under this AGREEMENT, Governmental Unit is being made an agent of the “welfare system” as defined in Minn. Stat. § 13.46, subd. 1, and any data collected, created, received, stored, used, maintained or disseminated by Governmental Unit in performing its duties under this AGREEMENT is explicitly subject to the protections of Minn. Stat. § 13.46.
- e. If Governmental Unit receives a request to release data created, collected, received, stored, used, maintained or disseminated by [Click here to enter governmental unit abbreviation](#) in performing its duties under this AGREEMENT, Governmental Unit must immediately notify and consult with DHS’s Authorized Representative as to how Governmental Unit should respond to the request.
- f. Under this AGREEMENT, Governmental Unit is performing the functions of a government entity including, but not limited to, responding appropriately pursuant to Minn. Stat. §§ 13.03 and 13.04 to requests for data created, collected, received, stored, used, maintained, or disseminated by Governmental Unit in performing its duties under this AGREEMENT.
- g. Governmental Unit’s obligations while performing the functions of a government entity include, but are not limited to, complying with Minn. Stat. § 13.05, subd. 5 to establish appropriate security safeguards for all records containing data on individuals.
- h. Governmental Unit must comply with Minn. Stat. § 13.055 to investigate and appropriately report or notify regarding any potential unauthorized acquisition of data created, collected, received, stored, used, maintained, or disseminated by Governmental Unit in performing its duties under this AGREEMENT.

11. VACCINATION/TESTING REQUIREMENTS.

11.1 Applicability. This section applies to Governmental Unit’s employees or subcontractors who are performing contracted work in the following types of project settings: indoors with regular in-person contact with State agency employees or members of the public; and outdoors with substantial and/or regular in-person, non-socially distanced contact with State agency employees or members of the public (“Covered Individuals”).

11.2 Requirements. In accordance with [HR/LR Policy #1446](#), Covered Individuals must be fully vaccinated against COVID-19 as defined in the policy or submit to testing at least once a week.

11.3 Compliance. Governmental Unit is responsible for the following:

- 11.3.1** Tracking and maintaining proof of vaccination status for vaccinated Covered Individuals'
- 11.3.2** Ensuring Covered Individuals who are not vaccinated are tested on a weekly basis;
- 11.3.3** Monitoring test results and ensuring that Covered Individuals with positive test results do not access the State workplace to perform contractual services until the Covered individual has been medically cleared; and
- 11.3.4** Ensuring its Covered Individuals do not access the location where the contracted work is occurring if the Covered Individual is not in compliance with the requirements stated in item 22.2 Requirements, above.

11.4 Reporting. Upon request, Governmental Unit shall provide the State with documentation demonstrating compliance with these requirements. Governmental Unit shall maintain documentation for a minimum of thirty (30) days past the end date of the contract.

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Signature Page Follows

By signing below, the parties agree to the terms and conditions contained in this CONTRACT.

APPROVED:

1. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minnesota Statutes, chapter 16A and section 16C.05.

DocuSigned by:
By: Amy Larson

Date: 2/17/2022

Contract No: JPK-207155

2. GOVERNMENTAL UNIT

DocuSigned by:
By: Mandy Landkamer, Co Administrator

Title: County Administrator

Date: 2/23/2022

DocuSigned by:
By: Marie Drantel, Board Chair

Title: board Chair

Date: 2/23/2022

3. DHS

By (with delegated authority): Carol Olson

Title: Executive Director - Forensic Services

Date: 2/23/2022

4. COMMISSIONER OF ADMINISTRATION

By (with delegated authority): Pa Zong Thao

Date: 3/1/2022

Admin ID: 75441

Distribution: (fully executed contract to each)

Contracting and Legal Compliance Division

Governmental Unit

State Authorized Representative

AMENDMENT COVER SHEET

(Minn. Stat. §§ 16C.05, subd. 2(c), 16C.08, subd. 2 and 3)

Instructions:

1. Complete this form for contract amendments that extend the end date of a contract, add/reduce work and money, or change any other term or condition of the contract.
2. Attach this form to the amendment when sending to the Department of Administration for approval. **Please always include copies of the original certification form, solicitation document, single source justification, the original contract, and any previous amendments as these are used for reference.**
3. Admin will retain this cover sheet for its files.

Agency: DHS/DCT Name of Contractor: Nicollet County Sheriff's Office

Current Contract Term: 5/1/2022-4/30/2024 Project Identification: JPK-207155

Amendments to contracts must entail tasks that are substantially similar to those in the original contract or involve tasks that are so closely related to the original contract that it would be impracticable for a different contractor to perform the work. The commissioner or an agency official to whom the commissioner has delegated contracting authority under Minn. Stat. § 16C.03, subd. 16, must determine that an amendment would serve the interest of the state better than a new contract and would cost no more. An amendment should be in effect before the contract expires.

What changes are being made to the to the contract? Complete appropriate box(es) for the amendment submitted.

1. ☒ Amendment to the Expiration Date of the contract

- a. Proposed New Expiration Date: April 30, 2025
- b. Why is it necessary to amend the Expiration Date? Satisfactory completion of duties

2. ☐ Amend Duties and Cost ☐ Amend Duties Only

- a. Describe the amendment:
- b. If cost is amended, insert the amount of the original contract AND amount of each amendment below:

3. ☒ Amendment to change other terms and conditions of the contract:

- a. Describe the changes that are being made: Change State's authorized representative, remove COVID Vaccination/Testing Requirements

Amendment #1 to SWIFT Contract No. JPK-207155

Contract Effective Date:	<u>May 1, 2022</u>	Total Contract Amount:	<u>\$40,000.00</u>
Original Contract Expiration Date:	<u>April 30, 2024</u>	Original Contract:	<u>\$40,000.00</u>
Current Contract Expiration Date:	<u>April 30, 2024</u>	Previous Amendment(s) Total:	<u>\$0.00</u>
Requested Contract Expiration Date:	<u>April 30, 2025</u>	This Amendment:	<u>\$0.00</u>

This amendment is by and between the State of Minnesota, acting through its Minnesota Department of Human Services, Direct Care and Treatment (DCT)(DHS) and **Nicollet County Sheriff's Office** (GOVERNMENTAL UNIT). The parties have authority to enter into joint powers agreements pursuant to Minnesota Statutes, section 471.59, subdivision 10.

1. The State has a Joint Powers Agreement with the Contractor identified as **JPK-207155** ("Original Contract") to provide transportation, lodging and searching for mission patient services.
2. The PARTIES agree that additional time is needed for the satisfactory completion of this AGREEMENT.
3. The State and the Contractor are willing to amend the Original Contract as stated below.

Contract Amendment

In this Amendment, changes to pre-existing Contract language will use ~~strike through~~ for deletions and underlining for insertions.

REVISION 1. Clause 1.2 "**Expiration Date**" is amended as follows:

1.2 **Expiration Date.** The AGREEMENT remains in effect through ~~April 30, 2024~~, April 30, 2025, or until the AGENCIES fulfill all obligations set in this AGREEMENT to the other AGENCIES' satisfaction, whichever occurs first.

REVISION 2 Clause 5.1 "**Authorized Representatives**" is amended as follows:

5.1 **DHS.** DHS's authorized representative for the purposes of administration of the AGREEMENT is ~~Carol Olson, Executive Director, or successor. Phone and email (507)985-3128, carol.olson@state.mn.us~~ Sonija Hirachan, Executive Director, or successor. Phone and email: 507-985-2009, soniya.x.hirachan@state.mn.us This representative shall have final authority for acceptance of GRANTEE's services and if such services are accepted as satisfactory, shall so certify on each invoice submitted pursuant to Clause 3.2.

REVISION 3 Clause 11 "**Vaccination/testing Requirements**" remove in it's entirety.

~~11. Vaccination/Testing Requirements~~

~~11.1 Applicability. This section applies to Contractor's employees or subcontractors who are performing contracted work in the following types of project settings: indoors with regular in-person contact with State agency employees or members of the public; and outdoors with substantial and/or regular in-person, non-socially distanced contact with State agency employees or members of the public ("Covered Individuals").~~

11.2 Requirements. In accordance with [HR/LR Policy #1446](#), Covered Individuals must be fully vaccinated against COVID-19 as defined in the policy or submit to testing at least once a week.

11.3 Compliance. Contractor is responsible for the following:

11.3.1 Tracking and maintaining proof of vaccination status for vaccinated Covered Individuals;

11.3.2 Ensuring Covered Individuals who are not vaccinated are tested on a weekly basis;

11.3.3 Monitoring test results and ensuring that Covered Individuals with positive test results do not access the State workplace to perform contractual services until the Covered Individual has been medically cleared; and

11.3.4 Ensuring its Covered Individuals do not access the location where the contracted work is occurring if the Covered Individual is not in compliance with the requirements stated in item 2 Requirements, above.

11.4 Reporting. Upon request, Contractor shall provide the State with documentation demonstrating compliance with these requirements. Contractor shall maintain documentation for a minimum of thirty (30) days past the end date of the contract.

The Original Contract and any previous amendments are incorporated into this amendment by reference. Except as amended herein, the terms and conditions of the Original Contract and all previous amendments remain in full force and effect.

1. STATE ENCUMBRANCE VERIFICATION

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

Print Name: _____

Signature: _____

Title: _____ Date: _____

SWIFT Contract No. _____

2. GOVERNMENTAL UNIT

Print Name: _____

Signature: _____

Title: _____ Date: _____

Print Name: _____

Signature: _____

Title: _____ Date: _____

3. DHS

With delegated authority

Print Name: _____

Signature: _____

Title: _____ Date: _____

4. COMMISSIONER OF ADMINISTRATION

With delegated authority

Print Name: _____

Signature: _____

Title: _____ Date: _____

Admin ID: _____

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: 04/23/2024 Item Type: Consent Agenda (Select One) Attachments: ☐ Yes ☒ No	
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)		
BACKGROUND/JUSTIFICATION: Health and Human Services Health and Human Services Director Cassie Sassenberg has requested the end of probation for Ryan Frank, Assistant Veterans Service Officer, effective April 10, 2024, and Juan Escorza, Eligibility Worker, effective May 15, 2024. Property and Public Services Property and Public Services Director Jaci Kopet has requested the end of probation for Jessica Boettcher, License Center Specialist, effective April 3, 2024. Sheriff's Office Sheriff Dave Lange has requested the end of probation for Aria Seitzer, Correctional Officer, effective April 19, 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)		
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: Qtr 1 2024 Donations		
Primary Originating Division/Dept.: Finance Contact: Heather McCormick Title: Finance Director Amount of Time Requested: 5 minutes Presenter: Heather McCormick Title: Finance Director		Meeting Date: 04/23/2024 Item Type: Regular Agenda (Select One) Attachments: ☒ Yes ☐ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: This is to present the Quarter 1 2024 Donations received for approval by resolution.		
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 Donations by resolution		
FISCAL IMPACT: Other (Select One) If "Other", specify: Donations		FUNDING County Dollars = Other (1,075.00) (Select One) Total: (1,075.00)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:		



RESOLUTION APPROVING THE ACCEPTANCE OF DONATIONS



WHEREAS, MN Statute 465.03 states any city, county, school district or town may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor. Nothing herein shall authorize such acceptance or use for religious or sectarian purposes. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of it's members, expressing such terms in full.

WHEREAS, the Nicollet County Finance Office has compiled a list of donations made to the County from January 1 through March 31, 2024

THEREFORE, BE IT RESOLVED that the Nicollet County Board of Commissioners approve the following donations made to the County from January 1 through March 31, 2024

Donations received by Nicollet County January 1 through March 31, 2024

<u>FROM WHOM</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
Various Donations	\$140.00	Van Services
N Mankato American Legion #518 Aux	\$300.00	VSO Van Program
	<u>\$ 440.00</u>	
Le Sueur County Sheriff's Youth Project	\$250.00	Community Corrections Program Incentives - GED
Le Sueur County Sheriff's Youth Project (SYP)	\$250.00	Community Corrections Truancy Program Incentives
	<u>\$500.00</u>	
Various Donations	<u>\$135.00</u>	Loan Closet
Total	\$1,075.00	

Date this 23rd day of April, 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: Proclamation of May as Mental Health Month		
Primary Originating Division/Dept.: Health and Human Services	Meeting Date: 04/23/2024	
Contact: Cassandra Sassenberg Title: HHS Director	Item Type: Regular Agenda (Select One)	
Amount of Time Requested 10 minutes		
Presenter: Sump/Sassenberg Title: Peer Support Specialist	Attachments: ☒ Yes ☐ No	
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: Mental health is essential to overall physical health and emotional well-being. There is a need to recognize that mental illness affects the lives of many of our citizens and residents of all ages and sectors. Annually, Nicollet County observes Mental Health Month in May by offering information and educational activities to increase awareness and acceptance. Kati Sump, our Peer Support Specialist at the Lighthouse on Marshall, will read the May is Mental Health Month Proclamation which includes mental health statistics from the National Alliance on Mental Illness (NAMI). Cassie Sassenberg, HHS Director, will provide updates on Nicollet County Health and Human Services' current work as it relates to mental health.		
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) Annual Proclamation		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approval of the Proclamation for May is Mental Health Month		
FISCAL IMPACT: No fiscal impact (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	



Proclamation

WHEREAS, mental health is essential to overall physical health and emotional well-being; and

WHEREAS, millions of people of all ages and backgrounds are affected by mental illness each year; and

WHEREAS, 1 in 5 adults experience mental illness and 17% of youth ages 6-17 years of age experience mental health disorders; and

WHEREAS, half of all lifetime mental illness begins by age 14 and three-quarters by age 24; and

WHEREAS, nearly 60% of adults with mental illness didn't receive mental health services in the previous year; and

WHEREAS, stigma continues to be a barrier to people getting the help they need; and

WHEREAS, Nicollet County observes Mental Health month each May to increase understanding of how common mental illness is, to stress the importance of mental health, and to promote mental health recovery.

NOW THEREFORE, I, Terry Morrow, as Chairperson of the Commissioners of the County of Nicollet, do hereby proclaim May of 2024 as Mental Health Month.

Date: April 23, 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:	
Set Public Hearing Date for the Local Housing Trust Fund Ordinance	
Primary Originating Division/Dept.: Health and Human Services Contact: Cassie Sassenberg Title: HHS Director Amount of Time Requested 5 minutes Presenter: Cassie Sassenberg Title: HHS Director	Meeting Date: 04/23/24 Item Type: Regular Agenda (Select One) Attachments: ☐ Yes ☒ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)	
BACKGROUND/JUSTIFICATION: Consideration of May 28, 2024 at 9:15 a.m. for a public hearing concerning the Local Housing Trust Fund Ordinance.	
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: Set the Local Housing Trust Fund Ordinance public hearing date for May 28, 2024.	
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:	

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: April 15, 2024 Planning & Zoning Advisory Commission Meeting						
Primary Originating Division/Dept.: PPSD -Property Services Contact: John Zehnder Title: Zoning Specialist Amount of Time Requested: 5 minutes Presenter: John Zehnder Title: Zoning Specialist	Meeting Date: 04/23/2024 Item Type: Regular Agenda (Select One) Attachments: ☒ Yes ☐ No					
County Strategy: Programs and Services - deliver value-added quality services (Select One)						
BACKGROUND/JUSTIFICATION: PLN24-07, Willis Walter: 3-year mineral extraction Conditional Use Permit renewal to mine, crush, process, and stockpile gravel. The Planning Commission recommended approval with the conditions recommended by staff, except for condition number 9 which was replaced with the following: The Applicant shall obtain a professional engineer determination of the fill needed to bring the property into compliance with the setbacks. Based upon that opinion, the Applicant shall demonstrate to County Staff a minimum of 20% compliance per year toward meeting the terms set forth in the variance denial of PLN20-31. The Applicant shall pay for the professional engineering costs, and the costs to verify progress toward compliance.						
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 request and findings of fact for approval or denial.						
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify: </td> <td style="width: 50%; vertical-align: top;"> FUNDING County Dollars = State (Select One) Total: </td> </tr> <tr> <td style="vertical-align: top;"> FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments: </td> <td></td> </tr> </table>			FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify:	FUNDING County Dollars = State (Select One) Total:	FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:	
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify:	FUNDING County Dollars = State (Select One) Total:					
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:						

PLANNING COMMISSION REGULAR MONTHLY MEETING MINUTES

APRIL 15, 2024		7:29 PM		E.O.C. CONFERENCE ROOM	
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ROLL CALL	COMMISSIONERS PRESENT	COMMISSIONERS ABSENT EXCUSED	NICOLLET COUNTY STAFF PRESENT
	☒ Lloyd Hoffmann ☒ Justin Laven ☒ Randy Schwab ☒ Jon Thoreson, <i>Vice Chair</i> ☒ Dave Ubel, <i>Chair</i> ☒ Kurt Zins, <i>Commissioner</i>	☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>	☒ 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

REVIEW OF CANCELLATIONS & ADDITIONS	None.
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APPROVAL OF FEBRUARY 26, 2024 MINUTES	MOTION	SECOND
APPROVE	☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>	☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>
VOTE TO APPROVE MINUTES	☒ PASS ☐ FAIL	VOTE: 6 - 0

PUBLIC APPEARANCES	None.
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CONDITIONAL USE PUBLIC HEARINGS	
PLN24-07	APPLICANT/LANDOWNER: Willis Walter
DESCRIPTION OF REQUEST	Three-year Mineral Extraction Conditional Use Permit renewal PID: 1105.02.0
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	ZS Crawford
APPLICANT TESTIMONY	Present to represent the application was Willis Walter located at 40512 County Road 20, 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. CA Zehnder-Fischer recommended Walter reach out to the Nicollet County Engineer, Seth Greenwood, and Staff concerning a ditch answer.

COMMISSION ACTION – MOTION	MOTION	SECOND
RECOMMEND DENIAL of the Conditional Use request	☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>	☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>

COMMISSION ACTION – VOTE ON MOTION			
RECOMMEND DENIAL of the Conditional Use request	☐ PASS	☒ FAIL	VOTE: 3 - 3
COMMISSIONER DISCUSSION	Discussion between the Applicant, Commission, and Staff took place. The Board further discussed a potential motion to continue or approve the request. CA Zehnder-Fischer recommended a motion to revisit Findings of Fact Criteria #5.		
COMMISSION ACTION – MOTION 2	MOTION		SECOND
Revisit Findings of Fact Criteria #5	☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☒ Kurt Zins, <i>Commissioner</i>		☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>
COMMISSION ACTION – VOTE ON MOTION 2			
Revisit Findings of Fact Criteria #5	☒ PASS	☐ FAIL	VOTE: 5 - 1

MEETING RECESS	A ten (10) minute meeting recess took place and the meeting resumed at 9:43 P.M.		
AMENDED CONDITION #9	Amendment of Condition #9: The Applicant shall obtain a professional engineer determination of the fill needed to bring the property into compliance with the setbacks. Based upon that opinion, the Applicant shall demonstrate to County Staff a minimum of 20% compliance per year toward meeting the terms set forth in the variance denial of PLN20-31. The Applicant shall pay for the professional engineering costs, and the costs to verify progress toward compliance.		

COMMISSION ACTION – MOTION 3		MOTION		SECOND	
RECOMMEND APPROVAL with conditions, as amended		☐ Lloyd Hoffman ☐ Justin Laven ☐ Randy Schwab ☒ Jon Thoreson, Vice Chair ☐ Dave Ubel, Chair ☐ Kurt Zins, Commissioner		☐ Lloyd Hoffmann ☒ Justin Laven ☐ Randy Schwab ☐ Jon Thoreson, Vice Chair ☐ Dave Ubel, Chair ☐ Kurt Zins, Commissioner	
COMMISSION ACTION – VOTE ON MOTION 3					
RECOMMEND APPROVAL with conditions, as amended		☒ PASS		☐ FAIL	
				VOTE: 6 - 0	
COMMISSION ACTION – ADOPT FINDINGS		MOTION		SECOND	
ADOPT THE FINDINGS OF THE FACT AS STATED		☒ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab ☐ Jon Thoreson, Vice Chair ☐ Dave Ubel, Chair ☐ Kurt Zins, Commissioner		☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab ☐ Jon Thoreson, Vice Chair ☐ Dave Ubel, Chair ☐ Kurt Zins, Commissioner	
VOTE TO ADOPT THE FINDINGS OF FACT		☒ PASS		☐ FAIL	
				VOTE: 6 – 0	

ADDITIONAL ITEMS	
REVIEW ZONING PERMITS	The Commission had no questions for Staff.
OLD BUSINESS	ZA Crawford stated he is working on the accessory dwelling unit report for presentation at the next scheduled meeting.
OTHER BUSINESS	Chair Ubel mentioned concerns about road damage from a gravel pit in Courtland Township.
COMMUNICATIONS	None.

ADJOURN MEETING	MOTION		SECOND
9:55 PM	☐ Lloyd Hoffmann ☐ Justin Laven ☐ Randy Schwab ☒ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>		☐ Lloyd Hoffmann ☐ Justin Laven ☒ Randy Schwab ☐ Jon Thoreson, <i>Vice Chair</i> ☐ Dave Ubel, <i>Chair</i> ☐ Kurt Zins, <i>Commissioner</i>
VOTE TO ADJOURN MEETING	☒ CARRIED	☐ FAILED	VOTE: 6 – 0

SPENCER CRAWFORD, ZONING SPECIALIST		DATE	5/20/2024
DAVE UBEL, CHAIR		DATE	5/20/2024

DRAFT



PLANNING & ZONING ADVISORY COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant Willis Walter
Property Owner Willis Walter
File PLN24-07

Hearing 4/15/2024
BOC Meeting 4/23/2024
Parcel ID 12.105.0200

Use Request Three-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.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Mineral extraction is a conditionally permitted use in the Agricultural Zoning District. This request does not affect public health, safety or general welfare.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	
Kurt Zins	☒	☐	☐	☐	

2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Yes: The requested use is on County Road 20, which is a ten (10) ton road. The use will not create an excessive burden on the road.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☐	☒	☐	☐	No: The existing setback violation has the potential to cause erosion and damage to the road right-of-way.
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☐	☒	☐	☐	
Kurt Zins	☒	☐	☐	☐	

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	No unreasonable noise or odor is expected. The pit is partially screened from the road by vegetation. The requested use is typical of mining operations in the area.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	
Kurt Zins	☒	☐	☐	☐	

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Yes: The operation appears to be a typical mineral extraction operation, with the exception of the setback violation. The operation is partially screened from the road by vegetation.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☐	☒	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☐	☒	☐	☐	
Kurt Zins	☒	☐	☐	☐	No: The existing setback violation may cause erosion on the road right-of-way and effect future utility installation, thereby affecting nearby properties.

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	The request is not consistent with the County Ordinance, because the Applicant is in violation of the road right-of-way setback. However, an amended permit condition #9 will ensure measurable progress of the road right-of-way setback restoration.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	
Kurt Zins	☒	☐	☐	☐	

6. The requested use is not in conflict with the Nicollet County Comprehensive Plan.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Yes: The aggregate industry provides vital jobs for the County. The operation is typical of mineral extraction operations in the area with the exception of the setback violation.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☐	☒	☐	☐	
Kurt Zins	☒	☐	☐	☐	No: The Comprehensive Plan protects the environment and public safety. Due to the setback violation, the requested use is 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.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	The request is typical of mineral extraction operations in the area. No unreasonable noise, odor or glare is expected, and dust will be controlled.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	
Kurt Zins	☒	☐	☐	☐	

8. The requested use is reasonably related to the existing land use and environment.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Mineral extraction is a conditionally permitted use in the Agricultural Zoning District, and the requested use is typical of mineral extraction operations in the County.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	
Kurt Zins	☒	☐	☐	☐	

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	The Applicant has a general Industrial Stormwater Permit from the Minnesota Pollution Control Agency, no explosives will be used, nor hazardous waste stored onsite.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☒	☐	☐	☐	
Jon Thoreson	☒	☐	☐	☐	
Dave Ubel	☒	☐	☐	☐	
Kurt Zins	☒	☐	☐	☐	

10. The requested use ☐ WILL ☒ WILL NOT have adverse effect upon public health, safety and welfare due to the following other factors:

COMMISSIONER	YES	NO	ABSTAIN	ABSENT	REASON
Lloyd Hoffmann	☒	☐	☐	☐	Yes: There will be no impact on public health, safety and welfare provided that the setback violation is resolved.
Justin Laven	☒	☐	☐	☐	
Randy Schwab	☐	☒	☐	☐	
Jon Thoreson	☒	☐	☐	☐	No: There is potential for adverse effects from the setback violation, because of possible erosion and the interference of utility placement in the future.
Dave Ubel	☐	☒	☐	☐	
Kurt Zins	☒	☐	☐	☐	

THE NICOLLET COUNTY PLANNING AND ZONING ADVISORY COMMISSION

☒ RECOMMENDS APPROVAL OF REQUEST

☐ RECOMMENDS DENIAL OF REQUEST

THIS DECISION WAS BASED UPON

☒ Application

☐ Site visit

☒ Staff Report

☒ Photographs

☐ Information received at public hearing

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: 4/17/24 Chair: Dave Ubel

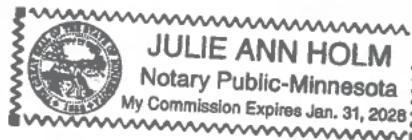
**STATE OF MINNESOTA
COUNTY OF NICOLLET**

The foregoing instrument was acknowledged before me this 17th day of
April 2024, by Julie Holm.

Julie Holm

SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

NOTARIAL STAMP OR SEAL (or other title or rank)





CONDITIONAL USE PERMIT

MINERAL EXTRACTION PERMIT RENEWAL

Willis Walter

PLN24-07

**NICOLLET COUNTY
PLANNING & ZONING ADVISORY COMMISSION**

SUBJECT	Conditional Use Permit PLN24-07
APPLICANT	Willis Walter
LANDOWNER	Willis Walter
LOCATION	Northeast ¼ of the Northwest ¼ and the Southeast ¼ of the Northwest ¼, Section 5-110-26, in Traverse Township
PARCEL NO	12.105.0200
EXISTING ZONING	Agricultural, Shoreland, & Conservancy Zoning Districts
HEARING DATE	04/15/2024
COUNTY BOARD DATE	04/23/2024
60 DAYS FROM REQUEST	05/27/2024
PREPARED BY	Spencer Crawford

REQUEST

The Applicant is requesting a three-year review of their mineral extraction permit to mine, crush, and stockpile gravel.

ORDINANCE

Mineral extraction operations are required to renew their conditional use permit every three (3) years per Nicollet County Zoning Ordinance 724.2 (3). General standards for mineral extraction are found in Nicollet County Zoning Ordinance Section 724.

PROJECT DESCRIPTION

Operations:

The Walter Pit is an approximately seven acre mine located along County Road 20 Northwest of the City of Saint Peter. The Applicant, Willy Walter, states that 11,069 cubic yards of material have been removed over the past three years. Gravel and sand are mined as needed and stored in piles. The equipment used is typical for a gravel pit; a backhoe, two front end loaders, and dump trucks. The site is not permitted for a hot mix plant.

Mining currently takes place in the central-eastern part of the property and is moving in a westward direction. The site plan submitted by the Applicant shows that 14.1 additional acres will be mined in the future, predominantly in the southern and central part of the property. The northern part of the pit, which is adjacent to Rogers Creek, is no longer being mined and is used to store material.

Zoning Ordinance Violations:

In 2015, the Applicant began to expand the mine outside of the area permitted per their Conditional Use Permit for a total of 3.6 acres (see attachment B). 1.23 acres of the unpermitted area was within the 100-foot right of way setback and 500-foot residential structure setback outlined in Nicollet County Zoning Ordinance 724.5 (17). In 2018, staff became aware of the encroachment into the required setbacks and a violation notice was issued. The owner would go on to request a variance (PLN20-31) in 2020 to reduce the following setbacks:

	Required	Proposed	Reduction	% Reduction
Residential Structure Setback	500'	425.4'	-74.6'	-15%
Right of Way Setback	100'	3.8'	-96.2'	-96%

The variance was denied with the following conditions:

1. The mined area encroaching into the required 500-foot residential setback and the 100-foot right of way setback, as depicted on the Applicant's survey (Attachment G.1), must be restored to pre-mining condition. The back slope of the mined area must not exceed one foot vertical to three feet horizontal (33% slope). Such restoration must be completed within nine months from the date of denial of PLN20-31.
2. Following completion of restoration, the Applicant must contact the Zoning Administrator and schedule a final inspection of the site. If the site is not in accordance with these conditions, the County will notify the Applicant of the deficiency and the Applicant must correct the deficiency within thirty days of notification. If the site is in accordance with the conditions, the County shall issue a letter of compliance to the Applicant.
3. The Applicant must submit an erosion and sediment control plan within 60 days from the date of denial of PLN20-31. The plan must identify the practices and methods to be used to mitigate erosion and sedimentation resulting from the encroachment into the required setbacks and from the efforts to restore the encroaching mined areas to pre-mining condition. The plan must be approved by Property Services.

Property Services staff conducted a site visit on November 2nd, 2023 and found that the violation remained and the conditions of the denied variance had not been complied with. However, staff did note that some progress had been made through the placement of fill dirt within the setback area. The property owner stated that he working to correct the violation on a periodic basis as material is obtained from off site.

The property owner met with Property Services staff on December 4th, 2023 and tentatively agreed to fully correct the violation by April 1st, 2027. However, he did note that this timeline may vary

due to the large scale of the job and the availability of materials. If approved, staff have included a recommended condition that all setback violations are restored to their pre-mining condition by the next Conditional Use Permit renewal.

Nonconforming Setbacks:

The facility pre-exists the current setback standards for mineral extraction outlined below. These are not considered Zoning Ordinance violations, but they may not be expanded or enlarged.

Pre- Existing Nonconforming Setbacks (approximate)		
Setback	Required Distance	Existing Distance
Property Lines	50'	36' (East)
Zoning District where mineral extraction is prohibited	100'	40' (North)
Road Right of Way	100'	36' (East)
Ordinary High-Water Level	200'	40' (North)

Access:

The site has an existing access onto County Road 20.

Appearance:

The facility is somewhat visible from Country Road 20, especially around the storage area where mining took place near the ravine. The current mining area is mostly screened by berms.

Hours of Operation:

The Applicant states the hours of operation are Monday through Friday, 7 am to 7 pm. Work occasionally takes place on the weekends as needed, and the pit is closed during the winter.

Bond Requirements:

The required bond amounts are as follows:

Acreage	Required amount per acre	Total
4.7	\$2,500 (pre-2014 amendment)	\$11,750
3.6	\$5,000 (post-2014 amendment)	\$18,000

The Applicant currently has a bond for \$22,500, which will need to be increased to \$29,750.00 to cover the actively mined and not yet reclaimed acres.

Stormwater:

Stormwater drains to the low areas of the pit where it naturally filters into the ground.

Dust, Noise, & Odor Control:

Dust is controlled by spraying water onto the road as needed.

Reclamation Plan:

The Applicant has submitted a reclamation plan which shows the end use as wildlife habitat.

SURROUNDING LAND USE

The surrounding land use is varied with a ravine and platted subdivision to the north; bluff, farmland, and Traverse Cemetery to the east; and farmland to the south and west. There are scattered residences in all directions.

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 is a conditionally permitted use in the Agricultural, Shoreland, & Conservancy Zoning Districts.
 - The Applicant has a general Industrial Stormwater (ISW) Permit from the Minnesota Pollution Control Agency to cover the mining operation.
- 2. The requested use will not create an unreasonably excessive burden on the existing roads or utilities.**
 - The size and function of the facility is not unreasonable for the location, and the pit has access to County Road 20.
 - The existing setback violation creates an increased potential for erosion within the County Road 20 right of way, which may lead to the exposure of existing utilities or problems installing future utilities.
 - Per the staff recommend conditions, the Applicant would be required to restore the setback violations as a requirement of the permit. This would resolve any road or utility concerns if it is fully complied with.

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

- The mineral extraction operation is partially screened from the road.
- No unreasonable noise, odor, or glare is expected. The Applicant has a method of controlling dust.
- 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 mineral extraction operation is partially screened from the road.
- With the exception of the setback violation, the operation appears to be typical for mineral extraction within the County.

5. The requested use is consistent with the Nicollet County Land Use Ordinances.

- The requested use is **not** consistent with the Nicollet County Land Use Ordinances. It does not meet the setbacks outlined in Nicollet County Zoning Ordinance 724.5 (17).
- The staff recommended conditions requires the Applicant to address all violations before the next renewal. If complied with, the pit would meet all Nicollet County Zoning Ordinance standards, with the exception of the Pre- Existing Nonconforming Setbacks.

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.

- No noise, odor, glare or general unsightliness beyond what is reasonable for a gravel pit is expected.
- The Applicants have a method of controlling dust.

- No blasting takes place onsite.

8. The requested use is reasonably related to the existing land use and environment.

- Mineral extraction is a conditionally permitted use in the Agricultural, Shoreland, & Conservancy Zoning Districts.

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

- The Applicant has a general Industrial Stormwater (ISW) Permit from the Minnesota Pollution Control Agency to cover the mining operation.
- The Applicants are not using explosives nor storing hazardous waste.

10. The requested use will/will not have an adverse effect upon public health, safety, and welfare due to the following other factors:

- The requested use does not appear to have an impact on public health, safety, and welfare, provided the setback violations are resolved.

STAFF RECOMMENDATIONS

1. The Applicant shall undertake the project 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 conditions, and all other applicable statutes, rules, and ordinances.
4. The conditional use permit to mine, crush, and stockpile gravel will be reviewed in April of 2027.
5. The bond shall be amended as needed to cover the amount of actively mined acres and not yet reclaimed acres. The bond must be kept in force during the time of operation.
6. A continuation certificate of the bond shall be sent to the Property Services Division with no lapse in time during the course of this permit.
7. The Applicants shall conduct mining operations between 7 a.m. and 7 p.m., except in the event of an emergency.
8. The Applicant shall maintain all required permits from the Minnesota Pollution Control Agency.
9. The mined area encroaching into the required 500-foot residential setback and the 100-foot right of way setback, as depicted on the Applicant's site plan submitted with the application, shall be restored to pre-mining condition. The back slope of the mined area must not exceed one foot vertical to three feet horizontal (33% slope). Such restoration must be completed by April 1st, 2027.
10. It is the property owner's reasonability to pay for any damage to the County Road 20 right of way resulting from the setback violations.

**Applicant: Willis Walter
Landowner: Willis Walter**

PLN24-07

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

Parcel#: 12.105.0200

Permit#: PLN24-07

Date: 3/27/2024

Applicant: Willis Walter

Telephone: 507 381 2139

Owner: Willis Walter

Property Address: 40512 CO RD 20, SAINT PETER, MN 56082

Abbreviated Legal Description: NENW 5-110-26 & SESW 5-110-26

Township: Traverse Township

Zoning District(s): AGRICULTURAL

CONSERVANCY

SHORELAND

Record Type: Conditional Use Permit

Subtype: Renewal

Category: Other

Description: Mineral Extraction renewal

G.C. Licence#: N/A

Job Cost: N/A

ATTACHMENT A
Application

Hearing Date: 04/15/24

Willis Walter

APPLICANT SIGNATURE

DATE

3/28/24

PROPERTY SERVICES

James Heenan

DATE

DATE

3/28/24



MINERAL EXTRACTION CHECKLIST

The following information is required to be provided for a conditional use permit application. Additional information may be required, as determined necessary by the Zoning Administrator and per Section 724 of the Zoning Ordinance.

NUMBER OF ACRES AS FOLLOWS:

7.07 1 Acres being mined or used for mining purposes (stockpiles, equipment storage, haul roads, etc).
14.1 39 Acres permitted and remaining to be mined in future phases.
0 0 Acres where land reclamation has occurred.
60.83 43 Acres not permitted to be mined (non-mining related acres).
82 82 Total acreage of property.

W.W. TONNAGE OF MATERIAL REMOVED:

11,069 cu. yds Tons of material removed from site over the past three (3) years, or since last permit renewal date.

Include a copy of the renewed **BOND** or **LETTER OF CREDIT** for the site. Continuation letters must to be sent to the Property Services Office on years when the permit is not scheduled for renewal.

PLEASE PRINT:

Property Owner: WILLY WALTER

Owner's Address: 40512 Co. Rd 20 ST. PETER

Contractor working the site: WILLY'S INC. / WALTER GRANULAR MATERIALS

Contractor's address: SAME

Contractor's phone number: (507) 381-2139

Date: 3/18/24

Applicant (Landowner or Contractor) Signature: Willy Walter

Parcel No. _____

Map No. _____

Revised 11-29-18 JH

ATTACHMENT B
Submitted by Applicant

Mission Statement

Providing efficient services
with innovation and accountability.

**Leadership. Efficiency.
Accountability. Innovation.
Integrity.**

Vision Statement

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

Walter Pit Summary

A description of the vehicles, machinery, and materials used on site, including any hot mix or batch plants.

Backhoe, two front end loaders, and dump trucks. No hot mix or batch plants.

Estimated number of trips to the facility per day.

1.4 trips per day; no work during the winter.

Dust, noise, and odor control measures.

Apply water as needed.

A list of any hazardous materials stored or used on site.

None.

An explanation of how waste and hazardous materials are disposed of.

No hazardous materials on site.

Dates and hours of operation.

7 am to 7 pm, typically Monday- Friday, but sometimes on weekends as needed.

Complaint management procedures, including the primary contact.

Call the pit owner, Willy Walter.

Dictated by Willy Walter to Spencer Crawford, Nicollet County Zoning Specialist.



EXHIBIT SKETCH
NICOLLET COUNTY, MINNESOTA



**BOLTON
& MENK**

1960 PREMIER DRIVE
MANKATO, MINNESOTA 56001
(507) 625-4171

PART OF THE E 1/2 OF THE NW 1/4 OF SECTION
5, TOWNSHIP 110 NORTH, RANGE 26 WEST,
NICOLLET COUNTY, MINNESOTA

FOR: WILLY WALTERS

SD8118236H

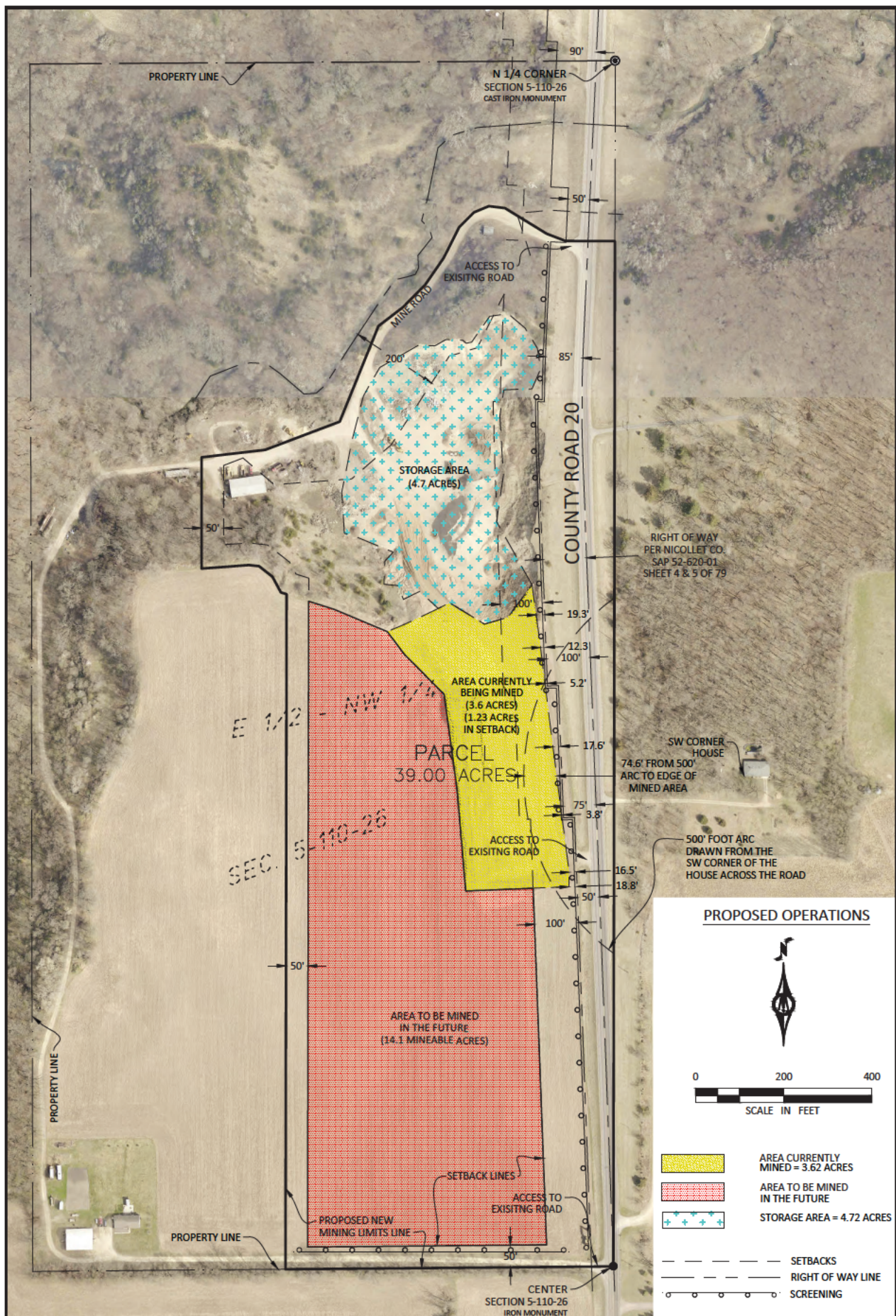


EXHIBIT SKETCH
NICOLLET COUNTY, MINNESOTA



1960 PREMIER DRIVE
MANKATO, MINNESOTA 56001
(507) 625-4171

PART OF THE E 1/2 OF THE NW 1/4 OF SECTION 5, TOWNSHIP 110 NORTH, RANGE 26 WEST, NICOLLET COUNTY, MINNESOTA

FOR: WILLY WALTERS

SDB118236H

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**AUTHORIZATION TO DISCHARGE
STORMWATER ASSOCIATED WITH INDUSTRIAL ACTIVITY
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/
STATE DISPOSAL SYSTEM (SDS) PROGRAM
MNR053CM6**

Facility Name: Walter Granular Materials
Permittee (Owner): Willy's Inc.
Permittee (Operator): Willy's Inc.
City or Township: Saint Peter, **County:** Nicollet
Issuance date: October 14, 2022
Expiration date: March 31, 2025

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 discharge stormwater associated with industrial activity to waters of the state of Minnesota 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 permit is effective on the issuance date identified above. This permit expires at midnight on the expiration date identified above.

Signature: 
This document has been electronically signed.

for the Minnesota Pollution Control Agency

Jeff Udd, P.E.
Manager
Water and Mining Section
Industrial Division

Permit application & reports:
Submit via the MPCA Online e-Services Portal at
<https://rsp.pca.state.mn.us/>

Questions?
Contact the Stormwater Program at:
iswprogram.pca@state.mn.us or
651-757-2119 or 800-657-3804

Table of Contents

1. Monitoring locations
2. Limits and monitoring requirements
3. Submittal requirements summary
4. Permit requirements

1. Monitoring locations

Location ID	Monitoring location description	Latitude	Longitude
Gravel Pit	Lowest point on property	44.367012	-93.981355

2. Limits and monitoring requirements

Monitoring location	Parameter	Benchmark value	Units	Minimum sampling frequency
Gravel Pit Lowest point on property	Solids, Total Suspended (TSS)	100	milligrams per liter	once per quarter

Monitoring location	Parameter	Effluent limit minimum	Effluent limit average	Effluent limit maximum	Units	Frequency	Effective period
There are no effluent limits for this facility							

3. Submittal requirements summary

Gravel Pit	Lowest point on property	
		Benchmark Monitoring
	6.1.1	The Permittee shall submit a quarterly CMR : Due by 21 days after the first full calendar quarter following coverage issuance & quarterly thereafter. [Minn. R. 7001]
MNR053CM6	Walter Granular Materials	
		General Requirements
	6.2.1	To continue permit coverage beyond the date of permit expiration, Permittees shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. [Minn. R. 7001.0040, Minn. R. 7090.0160]
	6.2.2	Permittees shall submit an annual report : Due annually, by the 31st of March. [Minn. R. 7090]

4. Permit requirements

0.1	This Notice of Coverage (NOC) is specific to your facility. The requirements contained in the NOC are determined by the industrial activities conducted at your facility, according to your permit application. Permittees are required to comply with all applicable requirements of the Industrial Stormwater General Permit MNR050000 (General Permit). A copy of the General Permit can be found on the MPCA website at
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	https://www.pca.state.mn.us/sites/default/files/wq-strm3-67i.pdf . [Minn. R. 7090]
1.1	PART I. PERMIT AUTHORIZATION. [Minn. R. 7090]
1.2	This permit authorizes stormwater discharges associated with industrial activity for any primary SIC code and/or narrative activities and co-located industrial activities, as defined in 40 CFR 122.26 (b)(14)(i)- (xi), except (x), which includes ten categories of industrial activity required to obtain an industrial stormwater permit. The categories are organized by 29 sectors of industrial activity listed in Appendix A of the General Permit, available on the MPCA website. [Minn. R. 7090.0010]
1.3	For sectors J and L that have construction stormwater discharges, as defined in 40 CFR parts 122.26(b)(14)(x) and (b)(15), a separate construction stormwater permit is not required if the Permittee notifies the MPCA prior to starting construction activity as described in Sector J - Mineral Mining and Dressing and Sector L - Landfills and Land Application Sites. [Minn. R. 7090]
2.1	Prohibitions and Limitations on Authorization. [Minn. R. 7090]
2.2	This permit does not authorize the following activities, discharges, or releases. a. Non-stormwater (except those with authorization of non-stormwater discharges), such as: i. Non-contact cooling water. ii. Domestic and industrial wastewater and process wastewater. For example, wash water, commercial equipment and/or vehicle cleaning. iii. Biosolids. iv. Spills of any substance that may cause water pollution as defined in Minn. Stat. 115.01, subd. 13. v. Placement of fill into waters of the state requiring local, state, or federal authorizations (such as U.S. Army Corps of Engineers Section 404 Permits, Department of Natural Resources Public Waters Work Permits, or Local Governmental Unit Wetland Conservation Act replacement plans or determinations). b. Piping and drainage systems for process wastewater and floor drains from process areas that lead to the stormwater drainage system must be separated from the storm drainage system to prevent any inadvertent discharge of pollutants. The Permittee shall obtain a separate NPDES/SDS permit for process wastewater discharges. c. Stormwater discharges mixed with non-stormwater, except those authorized non-stormwater discharges identified as: emergency firefighting activities and uncontaminated non-stormwater discharges not already listed in 2.2.a. d. Stormwater discharges from any portion of the facility where stormwater discharge has authorization under an NPDES/SDS permit. e. Stormwater discharges associated with construction activity as defined in 40 CFR 122.26(b)(14)(x) and (b)(15) (except for sectors J and L that have construction stormwater discharges, as defined in 40 CFR parts 122.26(b)(14)(x) and (b)(15)) and have notified the MPCA prior to construction activity. f. This permit does not replace or satisfy any environmental review requirements, including those under the Minnesota Environmental Policy Act (Minn. Stat. ch. 116D), or the National Environmental Policy Act (42 U.S.C. 4321 - 4370 f). g. This permit does not replace or satisfy any review requirements for endangered or threatened species, from new or expanded discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species, or adversely modify a designated critical habitat. h. This permit does not replace or satisfy any review requirements for historic places or archeological sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites. i. Discharges to impaired water(s) when a USEPA-approved Total Maximum Daily Load (TMDL) report applies a Waste Load Allocation of zero (0) to a specific facility or industrial activity. j. Discharges to an impaired water when a USEPA-approved TMDL report has identified a specific facility or industrial activity that requires stormwater control measures, BMP provisions, or compliance schedules not contained in this permit for that impaired water. k. Industrial stormwater discharges flowing to prohibited waters, as defined in Minn. R. 7050.0335. l. Any discharges or activities described under "limitation on authorization" in the sector-specific requirements of the permit. [40 CFR 122.26, Minn. R. 7090, Minn. Stat. 115.01, Subd. 13, Minn. Stat. 116.D]

2.3	This permit authorizes the following discharges or activities provided the Permittee complies with all terms and conditions of this permit, and all terms and conditions of the Additional Requirements for Discharges to Special (Prohibited, Restricted, Other) and Impaired Waters section of this permit. a. Industrial stormwater discharges flowing to restricted waters as defined in Minn. R. 7050.0335. b. Industrial stormwater discharges flowing to trout waters listed in Minn. R. 6264.0050, subps. 2 and 4 and Minn. R. 7050.0420. c. Industrial stormwater discharges flowing to wetlands as defined in Minn. R. 7050.0186, subp. 1a(B). [Minn. R. 6264.0050, Subp. 2, Minn. R. 6264.0050, Subp. 4, Minn. R. 7050.0186, Subp. 1(a)B, Minn. R. 7050.0335, Minn. R. 7050.0420, Minn. R. 7090]
3.1	Eligibility Requirements. [Minn. R. 7090]
3.2	To be eligible for authorization to discharge industrial stormwater under this permit, the Owner/Operator's facility shall have a primary Standard Industrial Classification (SIC) code or narrative activity as defined in 40 CFR 122.26(b)(14)(i)-(xi), except (x), and as summarized in Appendix A of the General Permit, available on the MPCA website. [Minn. R. 7090]
4.1	Obtaining Coverage. [Minn. R. 7090]
4.2	To obtain coverage under the General Permit, the applicant shall: a. Meet the eligibility requirements of this permit. b. Develop a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the Stormwater Pollution Prevention Plan (SWPPP) section of this permit prior to submitting an application to the MPCA. c. Submit a complete and accurate permit application with appropriate fee, on a form the MPCA provides, and certify that the Applicant has completed a SWPPP. d. Receive written or electronic notification from the Agency granting permit coverage. [Minn. R. 7090]
4.3	The Agency issues a facility-specific Notice of Coverage to facilities that obtain coverage under the General Permit. The Notice of Coverage includes effluent limit and/or benchmark monitoring requirements specific to the facility. [Minn. R. 7090]
5.1	Submitting an Application. [Minn. R. 7090]
5.2	An Owner/Operator of a facility that has a stormwater discharge associated with industrial activity for any primary SIC code and/or narrative activities and co-located industrial activities regulated under 40 CFR 122.26(b)(14)(i)-(xi), except (x), as summarized in Table 5 of Appendix A of the General Permit (available on the MPCA website), that is seeking a conditional exclusion for No Exposure in accordance with this Part of the permit shall submit an application to obtain the No Exposure Exclusion. Any facility that obtains a conditional exclusion for No Exposure prior to the effective date of this permit must submit a new application for the No Exposure Exclusion. A facility seeking the No Exposure Exclusion does not need to develop a SWPPP. [Minn. R. 7090.3060]
5.3	If a person proposes to construct a new facility or engages in a new activity that requires permit coverage, the person shall submit a complete permit application at least 180 days before the planned date of the commencement of facility construction or the planned date of the commencement of the activity, whichever occurs first. [Minn. R. 7090.3010]
5.4	To continue permit coverage beyond the date of permit expiration, Permittees shall submit an application for permit reissuance : Due by 180 days prior to permit expiration. [Minn. R. 7001.0040, Minn. R. 7090.0160]
5.5	If the Permittee has submitted a timely application, 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 any of the following (Minn. R. 7001.0040 and 7001.0160): a. The Permittee is not in substantial compliance with the requirements of this permit, or with a stipulation agreement or compliance schedule designed to bring the Permittee into compliance with this permit; b. The Permittee has submitted an application with major deficiencies or has failed to properly supplement the application. [Minn. R. 7001.0040, Minn. R. 7090.0160]
5.6	The MPCA may deny authorization under this permit and require the applicant to submit an application for a separate NPDES/SDS permit in accordance with Minn. R. ch. 7001. [Minn. R. 7090.0020]
5.7	Permittees are authorized to discharge industrial stormwater from their facility under the terms and conditions

	of this permit beginning on the issuance date listed on their permit coverage. [Minn. R. 7090]
6.1	MS4 Notification. [Minn. R. 7090]
6.2	If the Permittee has an industrial stormwater discharge and directly discharges into a regulated Municipal Separate Storm Sewer System (MS4), the Permittee shall notify the MS4 operator that they are discharging industrial stormwater into their storm sewer system. [Minn. R. 7090]
7.1	Transfer of Ownership or Control. [Minn. R. 7090]
7.2	When the ownership or operational control of the facility changes, the Permittee must submit an application request, on a form the MPCA provides, for permit transfer to the MPCA as designated by the Agency. The new Owner/Operator shall sign, certify, and submit the form to the Agency on or before the effective date of the change. The new Owner/Operator shall comply with the terms and conditions of this permit. [Minn. R. 7090.2060]
8.1	Termination of Coverage. [Minn. R. 7090]
8.2	Permittees shall comply with this permit until the Permittee completes and submits a Notice of Termination Form, on a form the MPCA provides. The Permittee shall sign and submit a Notice of Termination request within 30 days after one or more of the following conditions are met: a. The Permittee ceases industrial activity regulated under this permit and eliminates the contact of stormwater with significant materials. b. The Permittee obtains authorization under an individual NPDES/SDS permit or industry specific general NPDES/SDS permit for industrial stormwater discharges. [Minn. R. 7090]
8.3	Authorization to discharge industrial stormwater under this permit terminates after the Permittee receives either written or electronic notification of coverage termination by the MPCA. [Minn. R. 7001.0030]
9.1	Issuance of an Individual Permit. [Minn. R. 7090]
9.2	In place of General Permit coverage, an Owner/Operator may apply for an individual permit to authorize industrial stormwater discharges, in accordance with Minn. R. 7001.0210, subp. 6. [Minn. R. 7001.0210, Subp. 6]
9.3	The Agency may require an individual permit for the applicant or Permittee, in accordance with Minn. R. 7001.0210, subp. 6. [Minn. R. 7001.0210, Subp. 6]
10.1	Conditional Exclusion for No Exposure. [Minn. R. 7090.3060]
10.2	A facility that meets the eligibility requirements for this permit and No Exposure Exclusion requirements outlined below may submit an application for No Exposure to the Agency in accordance with Minn. R. 7090.3060. Beginning upon the issuance date on the written or electronic notification of No Exposure from the Agency, the facility must maintain the No Exposure Exclusion requirements for the permit term or apply for permit coverage. [Minn. R. 7090.3060]
11.1	No Exposure Exclusion Requirements. [Minn. R. 7090]
11.2	This exclusion is for facilities where all industrial materials or activities are protected by a storm-resistant shelter to prevent exposure to rain, snow, snowmelt, and/or runoff. A facility must meet the following conditions to qualify for this exclusion: a. Eliminate or obtain permit coverage for all prohibited non-stormwater discharges. b. As appropriate, inspect and eliminate all areas of past exposure (e.g., stains or debris resulting from previous runoff and exposure of stormwater to significant materials). c. Eliminate exposure of authorized non-stormwater discharges and all significant materials related to industrial activity (including but not limited to waste materials, dumpsters that are not empty/lidded or at loading docks). d. Eliminate exposure of all industrial activities or authorized non-stormwater discharges coming in contact with stormwater. Ensure that industrial equipment is properly maintained and free of leaks. e. Eliminate exposure of significant materials through any direct or indirect pathway, such as from industrial activities that generate dust and particulates. [40 CFR 122.26(g), Minn. R. 7090.3060, Minn. R. 7090.3080]
11.3	The conditional exclusion for No Exposure is available on a facility-wide basis in accordance with Minn. R. 7090.3060, subp. 5(B). [Minn. R. 7090.3060, Subp. 5(B)]
11.4	If a Permittee is ending their permit coverage to certify for No Exposure Exclusion, a separate Notice of Termination is not required. The permit coverage will automatically end when the Permittee completes the No

	Exposure Exclusion application. The same is true if a facility must switch from No Exposure Exclusion to permit coverage. [Minn. R. 7090]
11.5	If the facility operations terminate entirely after obtaining the conditional exclusion for No Exposure, the Permittee shall submit a Notice of Termination. [Minn. R. 7090.3060, Subp. 5]
11.6	The conditional exclusion for No Exposure is nontransferable, in accordance with Minn. R. 7090.3060, subp. 5(D). [Minn. R. 7090.3060, Subp. 5(D)]
11.7	Any facility that has a conditional exclusion for No Exposure must re-certify for the exclusion at least 180 days before the expiration date of the existing permit. [Minn. R. 7090.3060, Subp. 5(D)]
11.8	If a Permittee plans a change that will result in failure to maintain a condition of No Exposure at a facility, the Owner/Operator of a facility shall apply for and receive permit authorization before commencing the change. [Minn. R. 7090.3010, Subp. 2, Minn. R. 7090.3060, Subp. 5]
11.9	Any facility that has authorization for the conditional exclusion for No Exposure by the Agency must post the No Exposure Certification in an area of the facility that provides highest visibility to employees and visitors. [Minn. R. 7090]
11.10	An Owner/Operator of a facility that has a stormwater discharge associated with industrial activity for any primary SIC code and/or narrative activities and co-located industrial activities regulated under 40 CFR 122.26(b)(14)(i)-(xi), except (x), as summarized in this Part of the permit, that is seeking a conditional exclusion for No Exposure shall submit an application to obtain the No Exposure Exclusion. Any facility that obtains a conditional exclusion for No Exposure prior to the effective date of this permit must submit a new application for the No Exposure Exclusion. A facility seeking the No Exposure Exclusion does not need to develop a SWPPP. [40 CFR 122.26(g), Minn. R. 7090]
12.1	Responsibilities. [Minn. R. 7090]
12.2	The Owner/Operator, who signs the application, is the Permittee and is responsible for compliance with all terms and conditions of this permit. [Minn. R. 7001.0150, Subp. 3, Minn. R. 7090]
13.1	PART II. STORMWATER CONTROL MEASURES. [Minn. R. 7090]
13.2	The Permittee shall design and implement BMPs for each stormwater control measure below. The Permittee shall design and implement all stormwater control measures, including BMPs, to reduce or eliminate contact or exposure of pollutants to stormwater or remove pollutants from stormwater prior to discharge from the facility. The SWPPP must include the type and objective of the BMP, and a description of how the Permittee shall evaluate each BMP to determine proper function. The Permittee shall implement all non-structural BMPs immediately and all structural BMPs within 12 months of receiving authorization to discharge industrial stormwater under this permit. [Minn. R. 7090]
14.1	Good Housekeeping. [Minn. R. 7090]
14.2	The Permittee shall keep exposed areas that may contribute pollutants to stormwater sufficiently clean to reduce or eliminate contaminated stormwater runoff. Typical problem areas include, but are not limited to, trash containers, storage areas, loading docks, vehicle fueling, maintenance areas, and: a. Dust Generation. Identify and properly manage through BMPs all on-site sources of dust to minimize stormwater contamination from the deposition of dust on the areas exposed to precipitation. b. Vehicle Tracking of Significant Materials. The Permittee shall remove and properly dispose of significant materials that have been tracked off-site within 72 hours of discovery. [Minn. R. 7090]
15.1	Eliminating and Reducing Exposure. [Minn. R. 7090]
15.2	The Permittee shall evaluate their stormwater control measures of their significant materials to determine if and how they can reduce or eliminate exposed materials. To the extent prudent and feasible, the Permittee shall situate industrial activities and significant materials in areas not exposed to rain, snow, snowmelt, or runoff. [Minn. R. 7090]
16.1	Salt storage, use, and management at the facility (If present at the facility). [Minn. R. 7090]
16.2	The Permittees should implement the following BMPs if salt piles are present at the facility: a. Cover salt piles or store the salt piles indoors; b. Minimize the use of salt or other de-icing/anti-icing materials by using the proper equipment, material, and

	application rates. c. Implement practices to reduce exposure resulting from adding or removing material from the salt piles (e.g., sweeping, diversions, containment); and d. Document within the SWPPP the location of any storage piles containing salt stored outside. [Minn. R. 7090]
16.3	Hired contractors should minimize the use of salt or other de-icing/anti-icing materials by using equipment, material, and application rates, as recommended by the Winter Parking Lot and Sidewalk Maintenance Manual found on the MPCA's website (www.pca.state.mn.us). In addition, the Permittee may attend and/or encourage their contractor to attend training and/or utilize best practices for winter maintenance activities. [Minn. R. 7090]
17.1	Erosion Prevention and Sediment Control. [Minn. R. 7090]
17.2	The Permittee shall identify areas at the facility that, due to topography, land disturbance (e.g. construction, grading, landscaping), or other factors, have potential for soil erosion. In those areas, the Permittee shall implement structural, vegetative, and/or stabilization BMPs to prevent or control on-site erosion and reduce sediment loads in stormwater discharges. [Minn. R. 7090]
18.1	Chemical Additive Use. [Minn. R. 7090]
18.2	If the Permittee intends to use polymers, flocculants, or other sedimentation treatment chemicals at the facility, the Permittee shall comply with the following minimum requirements: a. The Permittees must use conventional erosion and sediment controls prior to chemical addition to ensure effective treatment. b. Chemicals may only be applied where treated stormwater flows to a sediment control system that allows for filtration or settlement of the floc prior to discharge. c. Chemicals must be selected that are appropriately suited to the types of soils likely to be exposed to stormwater runoff at the facility, and to the expected turbidity, pH, and flow rate of stormwater flowing into the chemical treatment system. d. Use chemicals in accordance with standard engineering practices, and with dosing specifications and sediment removal design specifications of the manufacturer or chemical supplier. [Minn. R. 7090]
18.3	The SWPPP must contain an inventory of all chemical additives the Permittee uses to treat stormwater including, at a minimum, the following: a. The process for the use of the additive. b. The method of application, application frequency, concentration, and daily average and maximum rates of use. c. A complete product use and instruction label. d. Material Safety Data Sheet (MSDS), for the additive(s), which must include: i. Aquatic toxicity, human health, and environmental fate information for the additive. The aquatic toxicity information must include, at minimum, the results of: a) a 48-hour LC50 or EC50 acute study for a North American freshwater planktonic crustacean (either Ceriodaphnia or Daphnia sp.) and b) a 96-hour LC50 acute study for rainbow trout, bluegill or fathead minnow or another North American freshwater aquatic species other than a planktonic crustacean; and ii. The commercial and chemical names and Chemical Abstract Survey (CAS) number for all ingredients in the additive to the extent possible. [Minn. R. 7090]
18.4	The Permittee shall retain chemical additive use records for at least three years. [Minn. R. 7090]
19.1	Management of Runoff. [Minn. R. 7090]
19.2	The SWPPP must describe all permanent stormwater BMPs the Permittee implements at the facility to manage runoff, including, but not limited to, the permanent structural BMPs used to divert stormwater runoff away from fueling, manufacturing, treatment, storage, and disposal areas, and BMPs that treat, infiltrate, reuse, contain, or otherwise reduce pollutants in stormwater discharges. [Minn. R. 7090]
19.3	Industrial stormwater ponds and infiltration systems must not contribute to contaminant spreading to a greater extent or rate in locations where high levels of contaminants (as defined by the Agency) exist in the soil or in the shallow aquifer. A qualified professional (e.g. professional hydrogeologist, engineer, etc.) shall conduct a site analysis and file a report with the SWPPP for any contamination on-site, as determined by the Agency. [Minn. R. 7090]

19.4	If the Permittee finds that industrial stormwater ponds and infiltration systems are a contributor to contaminant increases or movement, the Permittee shall submit a plan to the Agency that describes how the Permittee will reduce contaminants, or will redesign, relocate, or eliminate the industrial stormwater ponds and infiltration systems, as needed, to eliminate the contribution to contaminant problems. The Permittee shall submit the plan to the Agency within one year of the Permittee's authorization to discharge under this permit or within one year of discovery if the Permittee discovers their ponds or infiltration systems are a contributor of contaminant spreading. The Permittee shall implement the plan as soon as the Agency grants approval. The plan does not reduce or eliminate more stringent requirements that other Agency regulatory programs may impose. If the Permittee and the Agency cannot seek agreement with an acceptable plan, the Permittee shall apply for an individual NPDES/SDS permit. [Minn. R. 7090]
19.5	This permit prohibits Permittees from constructing infiltration systems in areas within 1,000 feet up-gradient or 100 feet down-gradient of active karst features. The Permittee shall not use industrial stormwater ponds and infiltration systems in any high-risk karst area unless a qualified professional (e.g. professional hydrogeologist, engineer, etc.) conducts a geotechnical evaluation to ensure that the industrial stormwater pond or infiltration system does not present a significant risk to groundwater. The Minnesota Stormwater Manual describes standard engineering practices. The Manual can be found on the MPCA's website. If the industrial stormwater ponds and infiltration systems present a risk, the Permittee shall take appropriate measures to minimize or eliminate the risk, such as sealing or removal of the industrial stormwater ponds or infiltration systems. The Permittee shall document the evaluation with the SWPPP. [Minn. R. 7090]
19.6	This permit prohibits the construction of a new infiltration system in the following areas: a. Areas that receive discharges from vehicle fueling and maintenance activity. b. Areas with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock. c. Areas of predominately Hydrologic Soil Group D (clay) soils. d. Areas where soil infiltration rates are field measured at more than 8.3 inches per hour unless the Permittee amends the soil to slow the infiltration rate below 8.3 inches per hour. [Minn. R. 7090]
19.7	The Permittee shall coordinate industrial stormwater ponds and infiltration systems in vulnerable wellhead protection areas with local drinking water authorities and design them to not adversely affect drinking water supplies. The Permittee shall contact the appropriate local drinking water authorities and document coordination efforts with the SWPPP. [Minn. R. 7090]
19.8	This permit prohibits Permittees from constructing infiltration systems within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, subp. 13. If Permittees locate infiltration systems within the following areas, Permittees shall review and apply the requirements found in the "Guidance and recommendations for conducting a higher level of engineering review for stormwater infiltration in DWSMAs and Wellhead Protection Areas" section of the Minnesota Stormwater manual (www.pca.state.mn.us): a. In an Emergency Response Area (ERA) within a DWSMA classified as having high or very high vulnerability as defined by the Minnesota Department of Health; or b. In an ERA within a DWSMA classified as moderate vulnerability unless a regulated MS4 Permittee performed or approved a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater; or c. Outside of an ERA within a DWSMA classified as having high or very high vulnerability, unless a regulated MS4 Permittee performed or approved a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater. [Minn. R. 7090]
19.9	Permittees with any infiltration system defined as a USEPA "Class V injection well" shall contact the USEPA Region V to determine the need to register as a "Class V injection well." Refer to the USEPA Underground Injection Well Program for the definitions and complete registration process. The Permittee shall document contacts and USEPA response with the SWPPP. [Minn. R. 7090]
20.1	Facility Inspection Requirements. [Minn. R. 7090]
20.2	Unless the facility is inactive and unstaffed, the Permittee shall develop and implement an inspection schedule that includes a minimum of 1 facility inspection per calendar month that the facility is active and staffed. Further, the Permittee shall conduct a minimum of 1 of these inspections per calendar year during a rain or snowmelt

	runoff event. [Minn. R. 7090]
20.3	If a facility is inactive and unstaffed, monthly facility inspections are not required as long as there are no industrial materials or activities exposed to stormwater. However, the Permittee shall include the following in the SWPPP: a. BMP implementation that assures adequate protection of all waters receiving industrial stormwater discharges from the facility during the months the facility is inactive and unstaffed and; b. which months the facility was inactive and unstaffed. [Minn. R. 7090]
20.4	All facility inspections must include the following: a. An evaluation of the facility to determine that the SWPPP accurately reflects site conditions. At a minimum, the Permittee shall inspect storage tank areas, waste disposal areas, maintenance areas, loading/unloading areas, and raw material, intermediate product, by-product and final product storage areas. b. An evaluation of all structural and non-structural BMPs to determine effectiveness and proper function. c. An evaluation of the facility to determine whether there are new exposed significant materials or activities at the site since completion of the SWPPP. d. During an inspection conducted during a runoff event, an evaluation of the stormwater runoff to determine discoloration or if other contaminants are visible in the runoff (e.g. oil & grease). [Minn. R. 7090]
20.5	The Permittee shall document all inspections and the following information must be stored with the SWPPP: a. Inspection date (i.e. mm/dd/yyyy), time, and weather conditions. b. Inspector name. c. Inspection findings. d. A description of any necessary corrective actions and a schedule for corrective action completion. [Minn. R. 7090]
21.1	Maintenance Requirements. [Minn. R. 7090]
22.1	BMP Maintenance. [Minn. R. 7090]
22.2	The Permittee shall maintain all stormwater BMPs at the facility, to ensure BMP effectiveness. a. The Permittee shall develop a schedule for preventive maintenance of all stormwater BMPs, and store the schedule with the SWPPP. b. If the Permittee identifies BMPs that are not functioning properly, the Permittee shall replace, maintain, or repair the BMPs within 7 calendar days of discovery. If the Permittee cannot complete BMP replacement, maintenance, or repair within 7 calendar days, the Permittee shall implement effective backup BMPs within 48 hours of discovery, and maintain the backup BMPs until the Permittee restores the effectiveness of the original BMPs. The Permittee shall document the justification for an extended replacement, maintenance, or repair schedule of the failed BMPs, and store it with the SWPPP. c. The Permittee shall record dates of all maintenance and repairs. The Permittee shall store these records with the SWPPP. [Minn. R. 7090]
23.1	Equipment Preventative Maintenance. [Minn. R. 7090]
23.2	The Permittee shall develop and implement a preventive maintenance program and store the information with the SWPPP. The program must require regular inspection, maintenance, and repair of industrial equipment and systems. The inspections must identify conditions that could cause breakdowns or failures, which may result in leaks, spills, and other releases (e.g. hydraulic leaks, torn bag-house filters, etc.), and the discharge of pollutants to stormwater. The preventive maintenance program may incorporate, by reference, a separate Operation and Maintenance Manual (or equivalent), as long as it addresses the items the preventive maintenance program requires above. [Minn. R. 7090]
24.1	Elimination of Unauthorized Non-Stormwater Discharges. [Minn. R. 7090]
24.2	The Permittee shall evaluate and document all non-stormwater discharges and eliminate all discharges not authorized by this permit or a separate NPDES/SDS permit. The Permittee shall document the evaluation with the SWPPP, and must include: a. The date of any evaluation. b. A description of the evaluation criteria used. c. A list of monitoring locations the Permittee observes during the evaluation.

	d. The different types of non-stormwater discharges and source locations. e. The action(s) taken, such as a list of control measures used to eliminate any unauthorized discharge(s) the Permittee identifies. [Minn. R. 7090]
25.1	Spill Prevention and Response Requirements. [Minn. R. 7090]
25.2	The Permittee shall develop and implement a spill prevention and response procedure. If the facility already has a separate plan (e.g. Prevention and Response Plan as required by Minn. Stat. ch. 115E, or Spill Prevention Control and Countermeasure (SPCC) Plan as required by Federal Law), that Permittee can incorporate the plan by reference into the SWPPP. In either case, the Permittee shall include a minimum of the following components with the SWPPP or in a separate SPCC document: a. Areas where the storage, transfer, or use of solid or liquid significant materials occurs and, where spills and leaks of the material may potentially contribute pollutants to stormwater discharges. b. Identify areas, monitoring locations and surface waters that may be affected by spills, leaks, or discharges from emergency firefighting activities. c. Report and document spills or leaks (pursuant to Minn. Stat. 115.061) that occur in exposed areas, or that drain to a monitoring location. d. Material handling procedures, storage requirements, and cleanup equipment/materials and procedures necessary to recover as rapidly and thoroughly as possible spills or leaks pursuant to Minn. Stat. 115.061. The Permittee shall make all methods and procedures available to appropriate facility personnel. e. Contact information for individuals and emergency and regulatory agencies that require notification in the event of a spill. When a spill or discharge of a potentially polluting material occurs, the Permittee shall immediately notify the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (metro area) per Minn. Stat. 115.061. [Minn. R. 7090]
25.3	The Permittee shall ensure the use of infiltration is not part of a spill containment plan. This includes spill plans required under Federal Spill Prevention Containment and Control (SPCC) requirements or Minn. Stat. ch. 115E "The Spill Bill.". [Minn. R. 7090]
25.4	The Permittee shall ensure the use of a pond is not part of a spill containment plan, including spill plans required under Federal Spill Prevention Containment and Control (SPCC requirements or Minn. Stat. ch. 115E), unless appropriate controls are in place to contain the spill. If the Permittee uses a pond as part of a spill containment plan, the pond must have a chemically compatible liner for chemical spills that the Permittee expects to enter the pond and must have outlet controls to contain a spill. A plan must also be in place to clean up a spill so that the pond will not continue to be a source of spilled pollutants. The Permittee shall document evaluations with the SWPPP. [Minn. R. 7090]
26.1	Mercury Minimization Plan. [Minn. R. 7090]
26.2	The Permittee shall evaluate the facility to determine if stormwater can come into contact with any mercury sources. If mercury sources are exposed to stormwater, the Permittee shall develop a Mercury Minimization Plan that describes how the Permittee will manage mercury sources at the site to eliminate exposure to precipitation and stormwater runoff. To the extent feasible, the Permittee shall remove and manage mercury sources and devices from stormwater exposure in accordance with Minn. R. ch. 7045, Hazardous Waste, and any additional applicable state and federal rules. [Minn. R. 7090]
27.1	Employee Training Program. [Minn. R. 7090]
27.2	The Permittee shall develop and implement a training program for employees. Training must cover stormwater control measures, components and goals of the SWPPP, monitoring procedures, and other applicable requirements of the permit. The program must include a training schedule that includes training at least annually. Training must correlate with the job function of the employee. At a minimum, the Permittee shall ensure that the following individuals receive training: a. Employee(s) responsible for writing, revising, and implementing the SWPPP. b. Employee(s) responsible for installing, inspecting, maintaining, and repairing BMPs. c. Employee(s) whose work involves the regulated industrial activity, including but not limited to loading/unloading areas, processing areas, waste and fluid management areas, fueling areas, and vehicle maintenance areas. d. Employee(s) who conduct stormwater discharge monitoring. [Minn. R. 7090]

27.3	The Permittee shall maintain training records including: a. The trainer's name and trainer's organization (internal or external). b. The names (printed first and last) of the employee(s) and date(s) the employee(s) received training. c. A detailed description of the training provided to each employee. [Minn. R. 7090]
27.4	The Permittee shall maintain the training records either in the SWPPP, or in a separate record stored with the SWPPP, for at least three years. [Minn. R. 7090]
28.1	PART III. STORMWATER POLLUTION PREVENTION PLAN (SWPPP). [Minn. R. 7090]
29.1	General SWPPP Requirements. [Minn. R. 7090]
29.2	a. The Permittee shall develop, implement and maintain a SWPPP for each facility authorized by this permit. b. The Permittee shall complete a SWPPP prior to submitting the permit application. c. A Permittee with authorization under the previous version of this permit shall modify the SWPPP to comply with the requirements of this permit prior to submitting the application. d. The SWPPP must identify the individuals responsible for managing, implementing, maintaining, modifying, and ensuring compliance with the facility's SWPPP. e. The Permittee shall incorporate into the SWPPP, a section specific to any mobile industrial activities the Permittee conducts away from the facility. The section must address each stormwater control measure required by this permit, and sector specific requirements of all applicable sectors. The Permittee shall keep a copy of this section of the SWPPP at the location where the mobile industrial activity occurs. f. Any sector specific SWPPP requirements must be in addition to SWPPP requirements in this section of the permit. g. The SWPPP must list all personnel receiving training to conduct facility inspections. h. The SWPPP must include records of all details relating to the monthly visual inspections in accordance with the Stormwater Control Measures section of this permit. i. The SWPPP must include all information pertaining to maintenance in accordance with the Stormwater Control Measures section of this permit. j. The SWPPP must include all documentation pertaining to the elimination of unauthorized non-stormwater discharges as required by the Stormwater Control Measures section of this permit. k. The SWPPP must contain, or the Permittee shall keep as a separate document, any documentation the Spill Prevention and Response Requirements of the Stormwater Control Measures section of this permit requires. l. The SWPPP must contain a Mercury Minimization Plan if the Permittee discovers mercury sources as a result of compliance with the Stormwater Control Measures section of this permit. The SWPPP must include all information regarding the Employee Training Program requirements from the Stormwater Control Measures section of this permit. [Minn. R. 7090]
30.1	Facility Description. [Minn. R. 7090]
30.2	The SWPPP must include: a. A narrative description of the industrial activities the Permittee conducts at the facility. b. The total size of the facility property in acres. c. A calculation of the facility acreage that has industrial activity and/or significant materials in contact with stormwater. The calculation excludes acreage that does not discharge industrial stormwater, such as natural and landscaped areas, employee parking lots, and office buildings, etc. [Minn. R. 7090]
31.1	Facility Map. [Minn. R. 7090]
31.2	The SWPPP must include a map. The facility map(s) must be a United States Geological Survey map or equivalent, and must depict the following: a. Location of the facility in relation to surface waters receiving industrial stormwater discharges from the facility. Include the name of the surface water on the map. If the name is not known, indicate that on the map. b. Location of all impervious surfaces within the facility property boundaries. c. Arrows that indicate directions of stormwater flow. d. Location of all activities and materials identified in the Assessment of Activities and Materials items 33.1 through 35.2 below. e. Location of all structural BMPs. f. Location of all impaired waters within one mile of any monitoring location. The Permittee shall include the

	name of the impaired water and the impairment (e.g. impaired for biota, turbidity, nutrients, etc.). g. Location and name of any designated, special or restricted waters described in the Additional Requirements for Discharges to Special and Impaired Waters section of this permit that is within one mile of a facility's monitoring location. h. Location of all storm sewer inlets. i. Location of all loading dock drains, including those that connect to a storm sewer. j. Location of each benchmark monitoring location. Assign each benchmark monitoring location a unique identifying number (e.g. BML01, BML02, BML03, etc.) that the Permittee uses when submitting monitoring data to the Agency. Clearly label each benchmark monitoring location from which a discharge flows to, and is within one mile of, an impaired water. k. Location of each effluent monitoring location, if applicable. Assign each effluent monitoring location a unique identifying number (e.g. EML01, EML02, EML03, etc.) that the Permittee uses when submitting monitoring data to the Agency. Clearly label each effluent monitoring location to which a discharge flows, and is within one mile of, an impaired water. l. Location and description of any non-stormwater discharges authorized by this permit. [Minn. R. 7090]
32.1	Facility Assessment of Activities and Materials. [Minn. R. 7090]
33.1	Assessment of Activities. [Minn. R. 7090]
33.2	The SWPPP must include an assessment and inventory of all activities that can potentially be sources of pollutants to industrial stormwater discharges. Examples of these activities include: a. Fueling. b. Vehicle and equipment maintenance. c. Loading and unloading of dry bulk materials or liquids. d. Liquid storage tanks. e. Outdoor manufacturing and processing. f. Outdoor storage of significant materials. g. Access roads, rail cars, and tracks. h. Waste treatment, storage, or disposal including waste ponds, dumpsters, and solid waste storage or management. i. Dust or particulate-generating processes including dust collection devices and vents. j. Contamination of rooftops by pollution control devices. The Permittee may have additional examples. [Minn. R. 7090]
34.1	Assessment of Materials and Associated Pollutants. [Minn. R. 7090]
34.2	The SWPPP must include documentation of an assessment and inventory of all facility materials that can potentially be a source of pollutants to industrial stormwater discharges from the following: a. Raw materials. b. Intermediate products. c. By-products. d. Final products. e. Waste products. The assessment must also include pollutant constituents, such as crankcase oil, zinc, sulfuric acid, cleaning solvents, etc. associated with the sources listed above. [Minn. R. 7090]
35.1	BMP Documentation. [Minn. R. 7090]
35.2	The Permittee shall document in the SWPPP all BMPs the Permittee uses to comply with each stormwater control measure required in the Stormwater Control Measures section of this permit. The Permittee shall design and implement BMPs to address the potential pollutants associated with the activities and materials that the Permittee identifies in the Facility Assessment of Activities and Materials section above. The documentation must include a list of all structural and non-structural BMPs the Permittee designs and implements at the facility. [Minn. R. 7090]

36.1	SWPPP Modification Requirements. [Minn. R. 7090]
36.2	The Permittee shall review the SWPPP at least annually and modify the SWPPP if: a. There is construction or a change in design, operation, or maintenance at the facility that affects stormwater management or compliance with this permit. b. The Permittee identifies a monitoring location that is within one mile of an impaired water, including newly listed impaired waters. c. A routine inspection, compliance evaluation, or visual inspection identifies deficiencies in the SWPPP and/or BMPs. d. Additional stormwater control measures and BMPs are necessary to meet applicable water quality standards or to address exceedances of benchmark values. e. There is an unauthorized discharge from the facility. If the SWPPP modification is because of a release or unauthorized discharge, update the SWPPP to include a description and date of the release, the circumstances leading to the release, actions taken in response to the release, and measures to prevent the recurrence of such releases. Unauthorized releases and discharges are subject to the reporting requirements in the Stormwater Control Measures section of this permit. f. There is a change in personnel responsible for managing the SWPPP, implementing BMPs, conducting monthly visual inspections, or collecting stormwater samples at the facility. [Minn. R. 7090]
37.1	SWPPP Availability Requirements. [Minn. R. 7090]
37.2	Permittees shall keep the SWPPP at the industrial facility and make it available to the Agency within 72 hours of a request for review. (Minn. R. 7090.3040, subp. 2). [Minn. R. 7090]
38.1	PART IV. ANNUAL REPORT. [Minn. R. 7090]
38.2	Permittees shall submit an annual report : Due annually, by the 31st of March. [Minn. R. 7090]
38.3	The Annual Report must cover those portions of the previous calendar year the Permittee had authorization to discharge industrial stormwater. The Annual Report must include, at a minimum, the following information: a. A summary of inspection dates, findings, and any BMP maintenance the Permittee conducted during the course of the reporting year. b. The results of any inspection requirements involving oil and grease, as described in the Sector-Specific Requirements section of this permit, if applicable. c. A confirmation that the SWPPP accurately reflects facility conditions. d. A confirmation that newly-exposed significant materials (if any) are identified and that the Permittee modifies the SWPPP to address them. e. A confirmation that the Permittee conducts a review of impaired waters and that the Permittee modifies the SWPPP to address applicable permit requirements of the Stormwater Pollution Prevention Plan and Benchmark Monitoring Requirements sections of this permit, if necessary. f. A confirmation that the Permittee meets the review requirements of USEPA-approved TMDLs that may apply to the facility, g. A description of any SWPPP modification the Permittee makes in accordance with the Stormwater Pollution Prevention Plan section of this permit, including any information supporting the use of a monitoring waiver outlined in the Benchmark Monitoring Requirements Section of this permit. h. A list of all spills and leaks (as pursuant to Minn. Stat. 115.061) occurring at the facility during the reporting year. i. If applicable, a summary of all facility mobile industrial activities. At a minimum, the summary must include a description (including SIC code and/or narrative activity), locations of the mobile industrial activity (including latitude and longitude coordinates), and length of time of the mobile industrial activity occurrence(s). [Minn. R. 7090]
38.4	The Permittee shall submit the Annual Report in a format determined by the MPCA. [Minn. R. 7090]
39.1	PART V. BENCHMARK MONITORING REQUIREMENTS. [Minn. R. 7090]
39.2	The Permittee shall monitor benchmark parameters specified for the Permittee's industrial sector(s) using the procedures outlined in this section of the Permit. [Minn. R. 7090]
39.3	The Permittee shall monitor each benchmark monitoring location for all benchmark parameters specified for the

	facility's primary SIC code and/or narrative activity and any co-located industrial activity as outlined in the Sector-Specific Requirements portion of this permit, unless exempted by a benchmark monitoring waiver. Appendix B of the General Permit, available on the MPCA website, lists the benchmark monitoring parameters and corresponding values for each sector. [Minn. R. 7090]
39.4	An exceedance of an applicable benchmark value does not constitute a violation. However, the Permittee shall perform all necessary corrective action(s) to address stormwater control measures, including the maintenance or implementation of BMPs, when an exceedance of an applicable benchmark value occurs. Failure to respond to a benchmark value exceedance is a permit violation. [Minn. R. 7090]
40.1	Monitoring Procedures and Sample Collection Methods. [Minn. R. 7090]
40.2	If the Permittee identifies multiple but separate industrial stormwater discharges, and each area of discharge is substantially similar in terms of exposure, BMPs, pollutants, and surface water receiving runoff, the Permittee may choose one benchmark monitoring location that is most representative and best allows for obtaining a sample. If the surface water receiving runoff is not substantially similar, the Permittee must designate multiple unique benchmark monitoring location(s). [Minn. R. 7090]
40.3	The Permittee shall ensure that a laboratory certified by the Minnesota Department of Health (MDH) and/or registered with the MPCA (or other MPCA-approved accredited lab) conducts analyses this permit requires. Laboratory certification is not required for the visual observation of the presence of debris. Analysis of pH must comply with manufacturer's specifications for equipment calibration and use. pH analysis must occur on-site, within 15 minutes of sample collection. (Minn. Stat. 144.97 through 144.98 and Minn. R. 4740.2010 and 4740.2050 through 4740.2120). The Permittee shall maintain written records of all calibrations and maintenance within the SWPPP. Sample preservation and test procedures for the analysis of pollutants must conform to 40 CFR 136.3. [40 CFR 136.3]
40.4	Sample preservation and test procedures for the analysis of pollutants must conform to 40 CFR 136.3(e). [Minn. R. 7090]
41.1	Where to Collect a Sample; Number of Samples. [Minn. R. 7090]
41.2	Permittees shall collect one sample per quarter from each benchmark monitoring location and analyze each sample for the sector-specific benchmark parameters. The Permittee shall collect samples from each stormwater benchmark monitoring location the Permittee identifies in the permit application and the SWPPP. Permittees shall collect samples for at least four calendar quarters. [Minn. R. 7090]
41.3	Sampling intervals correspond to calendar quarters. Sampling requirements begin the first full calendar quarter following the facility's coverage issuance date. For example, if the Permittee obtains coverage on June 29, monitoring starts in the quarter beginning July 1. If the Permittee obtains coverage on April 1, monitoring starts in the quarter beginning July 1. [Minn. R. 7090]
42.1	When to Collect a Sample. [Minn. R. 7090]
42.2	Permittees shall collect samples from a measurable runoff event (rain or snowmelt) at the benchmark monitoring location(s), provided there is a gap of 3 days between measurable runoff events. During a measurable runoff event, Permittees shall collect samples in each of the first 4 calendar quarters after receiving coverage. The Permittee shall attempt to collect a stormwater sample within the first 30 minutes upon the discharge reaching the benchmark monitoring location, to the extent feasible. If it is not possible to collect the sample within the first 30 minutes of a measurable runoff event, the Permittee shall collect the sample as soon as practicable and note this information on the Stormwater Monitoring Report. It is not necessary to collect samples outside the facility's normal operating hours. [Minn. R. 7090]
43.1	How to Collect a Sample. [Minn. R. 7090]
43.2	The Permittee shall take samples either manually by grab method, or by automated sampling. If a Permittee uses automated sampling, the device must either collect one sample during the first 30 minutes of discharge or must collect samples throughout the discharge period, and then combined them as a composite sample. [Minn. R. 7090]
44.1	Unable to Collect a Sample. [Minn. R. 7090]
44.2	Permittees shall submit a Stormwater Monitoring Report to the MPCA for every calendar quarter the Permittee

	has sampling requirements, even if there is not a measurable runoff sufficient to obtain a sample. In the absence of a measurable runoff event during a quarter due to weather conditions and/or site soil characteristics, the Permittee shall complete the appropriate sections of a Stormwater Monitoring Report, providing an explanation, and submit the report to the MPCA. [Minn. R. 7090]
44.3	If the Permittee is unable to obtain a minimum of four (4) quarterly samples over four (4) separate quarters, the Permittee shall continue the quarterly monitoring requirements until they obtain four (4) quarterly samples. [Minn. R. 7090]
45.1	Compare four (4) quarterly samples to benchmark value. [Minn. R. 7090]
45.2	After collecting and analyzing four (4) separate quarterly samples, one per calendar quarter for each benchmark monitoring location, Permittees shall average the values for each benchmark parameter, and compare it against the benchmark value. If the Permittee collects more than one sample per quarter then, the results must be averaged within the quarter. The Permittee shall compare the average of the quarterly monitoring results with the applicable benchmark value for its applicable sectors and refer to the "Benchmark Values Met" and/or "Benchmark Values Exceeded" sections below to determine any necessary further actions. [Minn. R. 7090]
45.3	For averaging purposes, the Permittee shall use a value of zero for any sample result the laboratory reports that is less than the method detection limit. For results the laboratory reports as falling between the method detection level and the quantitation limit (i.e. a confirmed detection, but below the level that can be reliably quantified), the Permittee shall use a value halfway between zero and the quantitation limit. [Minn. R. 7090]
46.1	Benchmark Values Met. [Minn. R. 7090]
46.2	The Permittee does not need to collect additional samples for any parameter where the averaged results are below the permit benchmark value, unless the Agency lists a new impaired water and the facility has a monitoring location from which the discharge flows to, and is within one mile of the impaired water. If this occurs, the Permittee shall complete additional monitoring for the benchmark parameter(s) for which the recently listed water is impaired. This only applies if the pollutant(s) of impairment or its appropriate surrogate(s) is among the list of benchmark parameters listed for the Permittee's industrial sector(s). [Minn. R. 7090]
47.1	Pollutant of Impairment: Surrogate. [Minn. R. 7090]
47.2	Biota (Fish): Solids, Total Suspended (TSS) Biota (Macroinvertebrates): Solids, Total Suspended (TSS) Biota (Plant): Solids, Total Suspended (TSS) Dissolved Oxygen (DO): *BOD, Carbonaceous 05 Day (20 Deg C) (CBOD5), and/or COD (Chemical Oxygen Demand) Nutrient Eutrophication Biological Indicators: Phosphorus, Total (as P) Turbidity: Solids, Total Suspended (TSS) *In the case of water impaired for Dissolved Oxygen, the Permittee shall monitor for either CBOD 5 or COD, or both, depending if these pollutants are among the sector-specific pollutants of the Permittee's sector. [Minn. R. 7090]
47.3	Prior to the first full calendar quarter following the USEPA-approved listing of the impaired water, the Permittee shall submit a modification application to restart benchmark monitoring. Then, beginning the first full calendar quarter following the USEPA-approved listing of the impaired water, the Permittee shall begin the additional monitoring for the pollutant(s) of impairment or its appropriate surrogate(s), using the procedures outlined above. [Minn. R. 7090]
48.1	Benchmark Values Exceeded. [Minn. R. 7090]
48.2	The Permittee shall collect a least one sample in the following quarter at the benchmark monitoring location(s) where exceedance(s) have occurred. Calculate the average of the four most recent quarters and compare this new average with the applicable benchmark value(s). [Minn. R. 7090]
48.3	If a benchmark value is at or is exceeded, Permittees shall complete the following steps: 1. Modify the SWPPP and document all corrective actions necessary to meet the applicable benchmark values, including improvements to BMPs. 2. Initiate modifications and upgrade the SWPPP and BMPs immediately, but no later than 14 days beyond

	discovery of a benchmark value exceedance. 3. Install a new or repair an existing control measure to make it operational as soon as possible. a. If the Permittee is unable to complete the installation or repair within 14 calendar days, the Permittee shall document why it is infeasible within the 14-day timeframe. b. Identify a schedule for completing the work, and document as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. Include all documentation within or as an attachment to the SWPPP. These time intervals are not grace periods, but are reasonable schedules for documenting findings and for making repairs and improvements. These time intervals are in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely. [Minn. R. 7090]
49.1	Reporting Benchmark Monitoring Data. [Minn. R. 7090]
49.2	Monitoring data must be submitted in a format determined by the MPCA. The Permittee shall record information in the specific areas on the form and in the units specified. [Minn. R. 7001.0150, Subp. 2(B), Minn. R. 7001.1090, Subp. 1(D)]
49.3	The Permittee shall submit monitoring data to the MPCA no later than the 21st day of the month following the sampling quarter. [Minn. R. 7090]
49.4	If the Permittee discovers their submission of an incomplete or incorrect report, or if the Agency notifies the Permittee that they submitted an incomplete or incorrect report, the Permittee shall immediately submit an amended report to the Agency. The amended report must contain the missing or corrected data along with a cover letter explaining the circumstances of the incomplete or incorrect report. [Minn. R. 7001.0150, Subp. 3(G)]
50.1	Benchmark Monitoring Waivers. [Minn. R. 7090]
50.2	Permittees shall complete benchmark monitoring as required by the Sector-Specific Requirements section in this permit unless they are approved for a benchmark monitoring waiver. Permittees may submit a benchmark monitoring waiver during the permit application process. [Minn. R. 7090]
50.3	There are three Benchmark Monitoring Waivers Permittees may request depending on their facility circumstances: 1. General Benchmark Monitoring Waiver, 2. Run-On Demonstration Waiver, or 3. Natural Background Pollutant Waiver. These waivers are for Benchmark monitoring only, not effluent limits. [Minn. R. 7090]
51.1	General Benchmark Monitoring Waiver. [Minn. R. 7090]
51.2	Permittees with either of the following systems at the facility or a portion of the facility may be eligible for a General Benchmark Monitoring Waiver: a. Infiltration system: The Permittee has an infiltration system in accordance with the Benchmark Monitoring Waiver for Industrial Stormwater Infiltration and Ponding section of this permit b. Pond system: The Permittee has a pond system in accordance with the Benchmark Monitoring Waiver for Industrial Stormwater Infiltration and Ponding section of this permit. [Minn. R. 7090]
52.1	Run-On Demonstration Waiver. [Minn. R. 7090]
52.2	Upon calculating quarterly benchmark averages, if Permittees demonstrate drainage onto the site from upgradient sources (run-on) are the source of any benchmark value exceedance, the Permittee may be eligible for a Run-On Demonstration Waiver. [Minn. R. 7090]
52.3	To qualify for this waiver, the Permittee shall demonstrate that the specific run-on pollutant is causing the parameter exceedance at the benchmark monitoring location. At a minimum, the Permittee shall conduct the following activities to complete the demonstration: a. Sample the run-on prior to co-mingling with other stormwater discharges, and analyze the run-on against the pollutant parameter with exceedances. b. Complete a run-on demonstration narrative that describes the following: i. Nature of the run-on including a description of the adjacent property, land use type, and the activity the

	Permittee believes to be responsible for the stormwater contamination. ii. The dates and lab results of the samples taken for comparison purposes of the facility benchmark monitoring locations and the sampling points the Permittee selects for run-on sampling. iii. A statement that the Permittee assesses and believes that the run-on flows to, and is directly impacting the specific benchmark monitoring location where exceedances are occurring. iv. Any efforts the Permittee takes to divert or minimize run-on to the facility. v. Any other relevant information that supports the Permittee's use of this waiver. c. The Permittee shall document the demonstration in the facility's waiver request and, once approved, in the facility's SWPPP. d. Address the use of an approved waiver in all subsequent Annual Report submittals to the Agency. [Minn. R. 7090]
53.1	Natural Background Pollutant Waiver. [Minn. R. 7090]
53.2	Upon calculating quarterly benchmark averages, if Permittees demonstrate the exceedance of the benchmark value is attributable to the presence of that pollutant in the natural background, the Permittee may be eligible for a Natural Background Pollutant Waiver. Pollutants from former site operations or run-on are not natural background pollutants. [Minn. R. 7090]
53.3	To qualify for the waiver, Permittees shall complete the following: a. Demonstrate that the average of all samples taken of a specific benchmark parameter of the natural background is significantly contributing to and causing the benchmark value exceedance at the benchmark monitoring location. b. Document in the facility's waiver request and, once approved, maintain with the SWPPP the supporting rationale for concluding the benchmark value exceedance is attributable to natural background pollutant levels. The Permittee shall include with the supporting rationale any previously collected data that describes the levels of natural background pollutants in the industrial facility stormwater discharge. c. Address the use of an approved waiver in all subsequent Annual Report submittals to the MPCA. [Minn. R. 7090]
54.1	Benchmark Monitoring Waiver for Industrial Infiltration and Ponding. [Minn. R. 7090]
54.2	This section addresses requirements for the Benchmark Monitoring Waiver for industrial stormwater infiltration systems, and industrial stormwater ponds as defined in the Definitions and Abbreviations section of this permit. (Note that effluent limit monitoring is not exempt from monitoring.) The Agency will not grant the Benchmark Monitoring Waiver unless the Permittee complies with all applicable requirements of the permit, and specifically this section. Note that the Stormwater Control Measures and Sector-Specific Requirements sections of this permit have specific additional sector or subsector requirements and certain prohibitions as stated in the Stormwater Control Measures - Facility Inspection Requirements section of this permit regarding stormwater infiltration. The Permittee shall comply with the Stormwater Control Measures and Sector-Specific Requirements sections in order to utilize infiltration or ponding as part of a stormwater treatment system. Violation of any specific requirements that may affect the operation of the industrial stormwater pond or infiltration system may result in revocation of the monitoring waiver. [Minn. R. 7090]
55.1	Requirements for a Benchmark Monitoring Waiver for Infiltration Systems. [Minn. R. 7090]
55.2	Unless prohibited from obtaining a Benchmark Monitoring Waiver under the sector or subsector requirements of the Sector-Specific section of this permit, a Permittee may request a Benchmark Monitoring Waiver for infiltration systems that the Permittee operates in accordance with the applicable requirements of the permit. For Permittees with infiltration systems that experience a bypass or overflow of stormwater from storm events that exceed the design capacity of the infiltration system, the Permittee does not have to monitor for benchmark parameters. (Note that effluent limit monitoring is not exempt from monitoring.) To obtain a Benchmark Monitoring Waiver, the Permittee shall submit a waiver request to the MPCA and once approved, comply with the terms and conditions below. [Minn. R. 7090]
56.1	Design Requirements for a Benchmark Monitoring Waiver for Infiltration Systems. [Minn. R. 7090]
56.2	The Permittee shall design infiltration systems consistent with accepted engineering practices. A professional engineer or other licensed professional shall approve the designs. The Minnesota Stormwater Manual describes accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must

	meet the minimum requirements outlined in this section. [Minn. R. 7090]
56.3	The Permittee shall design and operate Infiltration systems to infiltrate at a long-term expected rate of no less than 0.2 inches per hour to no greater than 1.63 inches per hour. See the Minnesota Stormwater Manual for detailed information on soils and long-term versus perk test or infiltrometer measurements. [Minn. R. 7090]
56.4	The infiltration system must provide, at minimum, a storage volume that will contain the entire volume of runoff to the infiltration system, up to and including the 2-year, 24-hour storm event. [Minn. R. 7090]
56.5	Infiltration devices must infiltrate the design storage volume (which may be equal to or greater than the runoff from the 2-year event) within 48 hours at the long-term infiltration rate. The Permittee shall base the calculated design volume of runoff from National Oceanic and Atmospheric Administration Atlas 14, Volume 8 (NOAA Atlas 14, Volume 8) and the runoff characteristics of the watershed to the infiltration system. [Minn. R. 7090]
56.6	Infiltration devices must have suitable soils to provide treatment at the design long-term infiltration rate. The Permittee shall conduct testing to ensure that the infiltration system stormwater storage area has at least three feet of suitable soils between the stormwater storage area and either groundwater, the soil elevation leaving evidence of seasonally saturated soils, or fractured bedrock, whichever is least. The Permittee shall test the soil pursuant to the recommendations of the Minnesota Stormwater Manual or equivalent professional sources. [Minn. R. 7090]
57.1	Operation and Maintenance. [Minn. R. 7090]
57.2	The Permittee shall maintain and operate the infiltration system to meet the design criteria. In addition, the Permittee shall design, maintain, and modify the outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair. For example, pre-settling of solids, removal of floatable material, and other maintenance actions, which allow the Permittee to provide effective long-term operation of the infiltration system. [Minn. R. 7090]
57.3	The Permittee shall visually inspect all newly constructed or up-graded infiltration systems after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Pollution Prevention Plan - Facility Inspection Requirements section of the permit or, if applicable, the Sector-Specific Requirements of the permit, to ensure that infiltration is occurring at the appropriate rate and the device is operating correctly. [Minn. R. 7090]
57.4	The Permittee shall provide appropriate access, equipment, and training for staff for operation and maintenance of the infiltration systems. [Minn. R. 7090]
57.5	Permit violations regarding the design, operation, and maintenance of an infiltration system, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
58.1	Documentation. [Minn. R. 7090]
58.2	The Permittee shall keep the design basis for meeting the criteria for a Benchmark Monitoring Waiver under this part with the SWPPP. The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
59.1	Requirements for a Benchmark Monitoring Waiver for Industrial Stormwater Ponds. [Minn. R. 7090]
59.2	For industrial stormwater ponds meeting the requirements of a Benchmark Monitoring Waiver, stormwater bypasses or overflow from storm events exceeding the Benchmark Monitoring Waiver design capacity are exempt from permit monitoring requirements. Note that effluent limit monitoring is not exempt from monitoring, under this part. To obtain a Benchmark Monitoring Waiver, the Permittee shall submit a waiver request to the MPCA and comply with the following terms and conditions. [Minn. R. 7090]
60.1	Design Requirements for an Industrial Stormwater Pond Benchmark Monitoring Waiver. [Minn. R. 7090]
60.2	The Permittee shall design industrial stormwater ponds qualifying for a Benchmark Monitoring Waiver consistent with accepted engineering practices and a professional engineer or other licensed professional approves. The applicable portions of the Minnesota Stormwater Manual describe generally accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must meet the minimum requirements outlined in this section. [Minn. R. 7090]

60.3	Permittees shall design and operate the industrial stormwater pond to eliminate scour and re-suspending of sediment at high flows, so Permittees expect to meet that benchmark values up to the 10-year, 24-hour storm event based on NOAA Atlas 14, Volume 8. [Minn. R. 7090]
60.4	The Permittee shall design the industrial stormwater pond permanent storage (dead storage below the outlet) volume to eliminate scour and re-suspension of settled solids for the expected flow velocities. The Permittee shall adjust the maximum permanent storage (or dead storage) depth for the site conditions to provide enough sediment storage, and to prevent scour. The Permittee shall limit the depth to prevent anaerobic conditions from developing in the pool. The optimum depth in the permanent pool usually varies between 3 feet to 10 feet deep, depending on the site-specific conditions of flow and the nature of the pollutants. [Minn. R. 7090]
60.5	The Permittee shall incorporate skimmers, screens, or equivalent collection devices into the outlets so that the industrial stormwater pond will not discharge floatable materials. The Permittee shall inspect and maintain such devices to prevent clogging or discharge of collected material. The Permittee shall dispose collected materials properly. [Minn. R. 7090]
61.1	Operation and Maintenance. [Minn. R. 7090]
61.2	The Permittee shall maintain and operate the industrial stormwater pond to meet design criteria. In addition, the Permittee shall design, maintain and modify outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair, as needed. For example, pre-settling of solids, removal of floatable material, or other maintenance actions which allow the Permittee to provide effective long-term operation of the industrial stormwater pond. [Minn. R. 7090]
61.3	The Permittee shall visually inspect newly constructed or up-graded industrial stormwater ponds after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Pollution Prevention Plan - Facility Inspection Requirements section of the permit or, if applicable, the Sector-Specific Requirements section of the permit, to ensure that the industrial stormwater pond is operating correctly. [Minn. R. 7090]
61.4	The Permittee shall provide access, equipment, and training for appropriate staff for operation and maintenance of the industrial stormwater pond. [Minn. R. 7090]
61.5	The Permittee shall operate and maintain all industrial stormwater ponds as required by this permit, and any restrictions in the sector or subsector specific requirements of the Sector-Specific section of this permit. Permit violations regarding the design, operation, and maintenance of an industrial stormwater pond, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
62.1	Documentation. [Minn. R. 7090]
62.2	The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
63.1	PART VI. EFFLUENT LIMIT REQUIREMENTS. [Minn. R. 7090]
63.2	If applicable, Permittees shall comply with the effluent limitations required in the Sector-Specific Requirements section of this permit. The Permittee shall identify and monitor all effluent monitoring locations at the facility where industrial activity with an effluent limit occurs. [Minn. R. 7090]
63.3	Appendix B of the General Permit, available on the MPCA website, lists the parameters with corresponding effluent limits for specific sectors. This Effluent Limit Requirements section of the permit is not applicable to Permittees with no effluent limit requirements listed for their corresponding sector(s). [Minn. R. 7090]
64.1	Effluent Monitoring Procedures and Sample Collection Methods. [Minn. R. 7090]
64.2	Permittees shall collect one (1) sample annually from each effluent monitoring location and analyze the sample for each required effluent limit parameter. Permittees shall collect the sample(s) each calendar year the Permittee has permit coverage. [Minn. R. 7090]
64.3	Permittees shall collect samples during any measurable runoff event at each effluent monitoring location. Collect the sample(s) within the first 30 minutes of the measurable runoff event. If it is not possible to collect the sample(s) within the first 30 minutes, collect the sample(s) as soon as practicable and document on the

	Monitoring Report Form that it was not possible to collect the sample(s) within the first 30 minutes. [Minn. R. 7090]
64.4	Permittees shall take samples either manually by grab method, or by automated sampling. If the Permittee uses automated sampling, the device must either collect one sample during the first 30 minutes of discharge, or must collect a series of samples throughout the discharge period and combine them as a composite sample. [Minn. R. 7090]
64.5	If the Permittee determines that an effluent monitoring location and a benchmark monitoring location are at the same location, and the effluent sampling of a pollutant parameter coincides with the sampling of a benchmark pollutant parameter, the Permittee may collect one sample and analyze for both purposes. [Minn. R. 7090]
65.1	Effluent Limit Exceedances. [Minn. R. 7090]
65.2	A sampling result that exceeds an effluent limit is a permit violation. The Permittee shall immediately make every effort to verify the violation by collecting additional samples. The Permittee shall investigate the cause of the violation and take action to prevent future violations. Immediately report violations that pose a threat to human health or a drinking water supply, or represent a significant risk to the environment to the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (metro area). In addition, the Permittee may also contact the Agency during business hours. [Minn. R. 7090]
65.3	If any monitoring value exceeds a numeric effluent limit contained in this permit, the Permittee shall indicate the violation on its Industrial Stormwater Monitoring Report and conduct follow-up monitoring within 30 calendar days (or during the next qualifying runoff event, should none occur within 30 days) of implementing the corrective actions required below. [Minn. R. 7090]
65.4	If an effluent limit is at or is exceeded, Permittees shall complete the following steps: 1. Modify the SWPPP and document all corrective actions necessary to meet the applicable effluent limit, including improvements to BMPs. 2. Initiate modifications and upgrade the SWPPP and BMPs immediately, but no later than 14 days beyond discovery of an effluent limit violation. 3. Install a new or repair an existing control measure to make it operational as soon as possible. a. If the Permittee is unable to complete the installation or repair within 14 calendar days, the Permittee shall document why it is infeasible within the 14-day timeframe. b. Identify a schedule for completing the work, and document as soon as practicable after the 14-day timeframe but no longer than 45 days after discovery. Include all documentation within or as an attachment to the SWPPP. These time intervals are not grace periods, but are reasonable schedules for documenting findings and for making repairs and improvements. These time intervals are in this permit to ensure that the conditions prompting the need for these repairs and improvements do not persist indefinitely. [Minn. R. 7090]
65.5	Additional effluent monitoring must be conducted monthly, at a minimum, until the discharge is in compliance with the effluent limit or the MPCA waives the requirement for additional monitoring. The additional monitoring must be reported to the MPCA. [Minn. R. 7090]
66.1	Effluent Monitoring Data Reporting. [Minn. R. 7090]
66.2	The Permittee shall submit the data in a format determined by the MPCA. Record the information in the specific areas on the form and in the specific units. If the Permittee cannot acquire a sample during the sampling period due to weather conditions and/or site soil characteristics, the Permittee shall check the "No Flow" box and note the conditions on the form. [Minn. R. 7001.0150, Subp. 2(B), Minn. R. 7001.1090, Subp. 1(D)]
66.3	The Permittee shall submit the monitoring data for each required effluent monitoring location even if a discharge did not occur during the sampling period. [Minn. R. 7001.0150, Subp. 2(B), Minn. R. 7001.0150, Subp. 3(H)]
66.4	The Permittee shall submit the annual monitoring report no later than 21 days after the end of each calendar year following issuance of ISW permit coverage. [Minn. R. 7090]
66.5	If the Permittee discovers their submission of an incomplete or incorrect report, or if the Agency notifies the

	Permittee of an incomplete or incorrect report, the Permittee shall immediately submit an amended form to the Agency. The amended report must contain the missing or correct data along with a cover letter explaining the circumstances of the incomplete or incorrect report. [Minn. R. 7001.0150, Subp. 3(G)]
67.1	PART VIII. GENERAL PROVISIONS. [Minn. R. 7090]
68.1	Incorporation by Reference. [Minn. R. 7090]
68.2	This permit incorporates by reference the applicable portions of 40 CFR pts. 122, 123, and 124; Minn. R. chs. 7001, 7050, and 7090; and Minn. Stat. chs. 115 and 116, all of which are enforceable parts of this permit. [Minn. R. 7090]
69.1	Liabilities. [Minn. R. 7001.0150, Subp. 3(A)]
69.2	The Agency's issuance of this 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, Subp. 3(A)]
70.1	More Stringent Rules. [Minn. R. 7001.0150, Subp. 3(B)]
70.2	The Agency's issuance of this 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, Subp. 3(B)]
71.1	Property Rights. [Minn. R. 7001.0150, Subp. 3(C)]
71.2	This permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, Subp. 3(C)]
72.1	Agency Obligation. [Minn. R. 7001.0150, Subp. 3(D)]
72.2	The Agency's issuance of this permit does not obligate the Agency to enforce local laws, rules, or plans beyond what Minnesota statutes authorizes. [Minn. R. 7001.0150, Subp. 3(D)]
73.1	Compliance. [Minn. R. 7001.0150, Subp. 3(E)]
73.2	The Permittee shall perform the actions or conduct the activity this permit authorizes in accordance with the plans and specifications the Agency approves, if required, and in compliance with the conditions of the permit. [Minn. R. 7001.0150, Subp. 3(E)]
74.1	Toxic Pollutant Discharge. [Minn. R. 7001.0190, Subp. 1(A)]
74.2	Notwithstanding the absence in this permit of an effluent limitation for any toxic pollutant, the Permittee shall not discharge a toxic pollutant except according to 40 CFR pts. 400 to 460 and Minn. R. 7050.0100 to 7050.0220 and 7055.0010 to 7055.0120, and any other applicable Agency rules. [Minn. R. 7001.0190, Subp. 1(A)]
75.1	Operation and Maintenance. [Minn. R. 7001.0150, Subp. 3(F)]
75.2	The Permittee shall at all times properly operate and maintain the facility and systems of treatment and control and the appurtenances related to them that the Permittee uses or installs 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 of 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, Subp. 3(F)]
76.1	Criminal Activity. [Minn. R. 7001.0150, Subp. 3(G)]
76.2	The Permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document the permit requires the Permittee to submit to the Agency. Upon discovery, the Permittee shall immediately report to the Agency an error or omission in these records, reports, plans, or other documents. [Minn. R. 7001.0150, Subp. 3(G)]
77.1	Noncompliance. [Minn. R. 7001.0150, Subp. 3(J)]
77.2	If the Permittee discovers an occurrence of noncompliance with a condition of the permit, through any means including notification by the Agency, 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, Subp. 3(J)]
78.1	Subject to Enforcement Action and Penalties. [Minn. R. 7001.1090, Subp. 3(B)]
78.2	Noncompliance with a term or condition of this permit subjects the Permittee to federal and state law penalties set forth in section 309 of the Clean Water Act, United States Code, Title 33, Section 1319 as amended; and in Minn. Stat. 115.071, including monetary penalties, imprisonment, or both. [Minn. R. 7001.1090, Subp. 3(B)]
79.1	Records. [Minn. R. 7001.0150, Subp. 3(H)]
79.2	Upon request from the Agency, the Permittee shall 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 authorized by the permit or regarding the conduct of the activity authorized by the permit. [Minn. R. 7001.0150, Subp. 3(H)]
79.3	The Permittee shall retain copies of the permit application, all data and information gathered to complete the application, and all data and information related to the requirements of this permit or by the Agency's request, for a period of at least three (3) years. This period automatically extends throughout the course of an unresolved enforcement action regarding the facility or upon request by the Agency. [Minn. R. 7090]
79.4	The Permittee shall keep all monitoring records for at least three (3) years, including any calculations, original recordings from automatic monitoring devices, and laboratory sheets. The Permittee shall extend these record retention periods upon request by the Agency. In accordance with Minn. R. 7001.0150, subp. 2(C), the records must include the following information: a. The exact place, date, and time of sample or measurement. b. The date of analysis. c. The name of the person who performed the sample collection, measurement, analysis, or calculation. d. The analytical techniques, procedures, and methods used. e. The results of the analysis. [Minn. R. 7001.0150, Subp. 2(C)]
79.5	The Permittee shall ensure that a laboratory certified by the Minnesota Department of Health (MDH) and/or registered with the MPCA (or other MPCA-approved accredited lab) conducts all analyses this permit requires. Laboratory certification is not required for the visual observation of the presence of debris. Analysis of pH must comply with manufacturer's specifications for equipment calibration and use. pH analysis must occur on-site within 15 minutes of sample collection. The Permittee shall maintain written records of all calibrations and maintenance with the SWPPP. [Minn. R. 7090]
80.1	Confidential Information. [Minn. R. 7000.1300, Subp. 1]
80.2	All reports this permit requires must be available for public inspection, except for any records or other information under Minn. Stat. 116.075, subd. 2 determines to be confidential. In order to maintain data for confidential use of the Agency, (pursuant to Minn. Stat. 116.075, or as nonpublic data not on individuals or private data as it relates to individuals, pursuant to Minn. Stat. 13.37), a person shall affirmatively request such recognition by providing to the Agency a written request setting forth the statutory grounds and the reasons that justify the classification of the records or other information as not public. [Minn. R. 7000.1300, Subp. 1]
81.1	Inspection and Entry. [Minn. R. 7001.0150, Subp. 3(I)]
81.2	The Permittee shall allow the Agency, an authorized employee, or agent of the Agency 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 or the facility industrial activities under authorization of this permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility authorized by the permit or pertaining to the activity authorized by the permit with authorization of Minn. Stat. 115.04, 115B.17, subd. 4, and 116.091; and upon presentation of proper credentials. [Minn. R. 7001.0150, Subp. 3(I)]
82.1	Transfer of Ownership or Control. [Minn. R. 7001.0150, Subp. 3(N)]
82.2	This permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person receiving the permit shall comply with the conditions of the permit. [Minn. R. 7001.0150, Subp. 3(N)]
83.1	Liability Exemption. [Minn. R. 7001.0150, Subp. 3(O)]

83.2	This permit authorizes the Permittee to perform the activities in this permit under the conditions of the permit. In issuing this permit, the State and Agency assume no responsibility for any damage to persons, property or the environment caused by the activities of the Permittee in the conduct of its actions, including those activities this permit authorizes, directs, or undertook. 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 Torts Claim Act, Minn. Stat. 3.736. [Minn. R. 7001.0150, Subp. 3(O)]
84.1	Civil and Criminal Liability. [Minn. R. 7001.0150, Subp. 3(A)]
84.2	Nothing in this permit shall relieve the Permittee from civil or criminal penalties for noncompliance with the terms and conditions herein. Nothing in this permit shall preclude the initiation of any legal action or relieve the Permittee from any responsibilities, liabilities, or penalties to which the Permittee is or may be subject to under Section 311 of the Clean Water Act and Minn. Stat. chs. 115 and 116, as amended; and any rules adopted thereunder. [Minn. R. 7090]
85.1	Severability. [Minn. R. 7001]
85.2	The provisions of this permit are severable. If any provision in this permit, or application of any provision, is invalid, the remainder of this permit still applies. [Minn. R. 7001]
86.1	PART IX. ADDITIONAL REQUIREMENTS FOR DISCHARGES TO SPECIAL (PROHIBITED, RESTRICTED, OTHER) AND IMPAIRED WATERS. [Minn. R. 7050]
87.1	General Requirements. [Minn. R. 7050]
87.2	The Permittee shall document and implement all appropriate changes to the SWPPP, including all industrial stormwater BMPs used to comply with this section of the permit in accordance with the documentation, conclusions, and other requirements in this section. [Minn. R. 7050]
87.3	If the Permittee cannot meet the terms and conditions of this section of the permit, the Permittee does not have authorization to discharge industrial stormwater under this permit. The Permittee shall notify the Agency and seek coverage under an individual NPDES/SDS permit in accordance with Minn. R. ch. 7001. [Minn. R. 7050]
87.4	Specific Requirements for Industrial Facility Discharges Regulated Under Minn. R. 7050.0335., Nondegradation For Outstanding Resource Value Waters. [Minn. R. 7050.0335]
87.5	Industrial facilities do not have authorization to discharge industrial stormwater to the Outstanding Resource Value Waters listed below unless the Permittee complies with all terms and conditions of this permit, including the additional required BMP's outlined below. Any industrial facility that has a monitoring location from which a discharge flows to, and is within one mile of, the Outstanding Resource Value Water, if after the effective date the Outstanding Resource Value Water was designated, the industrial facility either: a. Commenced discharging industrial stormwater, or b. Changed industrial stormwater discharges in a manner (location, volume, or any other manner) such that an increase in one or more pollutants has occurred. [Minn. R. 7050]
87.6	Restricted discharges as defined in Minn. R. 7050.0335. [Minn. R. 7050.0335]
87.7	Lake Superior, except those portions identified as a prohibited discharges zone. a. The Permittee shall comply with BMP 1 below. [Minn. R. 7050]
87.8	The Mississippi River, those portions from Lake Itasca to the southerly boundary of Morrison County that are included in the Mississippi Headwaters Board comprehensive plan dated February 12, 1981. a. The Permittee shall comply with BMP 1 below. [Minn. R. 7050]
87.9	Lake trout lakes, identified in Minn. R. 7050.0460 to 7050.0470. a. The Permittee shall comply with BMP 1 and BMP 3 below. [Minn. R. 7050]
87.10	Federal or state designated scenic or recreational river segments: Saint Croix river, entire length; Cannon River from northern city limits of Faribault to its confluence with the Mississippi River; North Fork of the Crow River from Lake Koronis outlet to the Meeker-Wright County line; Kettle River from north Pine County line to the site of the former dam at Sandstone; Minnesota River from Lac qui Parle dam to Redwood County state aid highway 11; Mississippi River from county state aid highway 7 bridge in Saint Cloud to northwestern city limits of Anoka; and Rum River from state aid Highway 27 bridge in Onamia to Madison and Rice streets in Anoka. a. The Permittee shall comply with BMP 1 below. [Minn. R. 7050]

87.11	Calcareous fens as identified in Minn. R. 7050.0335 subp. 1(E). a. The Permittee shall comply with BMP 1, and BMP 5 below. [Minn. R. 7050.0335, subp. (1)E]
87.12	Special requirements for industrial facilities that have a monitoring location from which a discharge flows to, and is within One Mile of, Trout Streams listed in Minn. R. 6264.0050, subp. 4 and Minn. R. 7050.0420. a. The Permittee shall comply with BMP 1, and BMP 2 below. [Minn. R. 7050]
87.13	Special requirements for industrial facilities that have a monitoring location from which a discharge flows to, and is within One Mile of, Trout Lakes listed in Minn. R. 6264.0050, subp. 2 and Minn. R. 7050.0420. a. The Permittee shall comply with BMP 1, and BMP 3 below. [Minn. R. 7050]
87.14	Special requirements for industrial facilities that have a monitoring location from which a discharge flows to, and is within One Mile of, Wetlands as defined in Minn. R. 7050.0186, subp 1a.B. The Permittee shall comply with the requirements of Minn. R. 7050.0186, WETLAND STANDARDS AND MITIGATION. [Minn. R. 7050.0189, Subp. 1(a)B]
87.15	Additional Required BMPs. [Minn. R. 7050]
87.16	If the Permittee cannot certify a condition of No Exposure, as described in this permit, the Permittee shall comply with the appropriate requirements below. [Minn. R. 7050]
87.17	BMP 1. The Permittee shall develop and implement stormwater control measures, including BMPs that restrict the facility industrial stormwater discharges to the extent necessary to preserve the existing high quality, or to preserve the wilderness, scientific, recreational, or other special characteristics that make the water an Outstanding Resource Value Water. In addition, a benchmark value of 65 mg/L for Solids, Total Suspended (TSS) applies to the discharge at a benchmark monitoring location, instead of 100 mg/L as specified in the sector requirements of Appendix B of the General Permit, available on the MPCA website. If the Permittee has a waiver from the requirements to conduct benchmark monitoring, the benchmark value does not apply. The SWPPP must contain the following components: a. A selection of industrial stormwater volume reduction and/or pollutant concentration reduction BMPs, designed to restrict industrial stormwater discharges to the designated water. The SWPPP must include necessary calculations to demonstrate the effectiveness of the chosen BMPs in reducing volume and/or pollutant concentrations. BMP options the Permittee can include, but are not limited to, removing industrial activities and/or significant materials from contact with rain or snowmelt, re-use of industrial stormwater, stormwater ponding, infiltration, filtration, porous pavement, constructed wetlands, evaporation, evapotranspiration, etc. b. A narrative discussion describing how the Permittee will monitor and maintain the BMPs the Permittee uses long-term, to ensure the industrial facility will sustain restricted industrial stormwater discharges. [Minn. R. 7050]
87.18	BMP 2. The Permittee shall design and implement BMPs specifically protecting the water quality of trout streams from excess temperature increases. The Permittee shall include any associated calculations and design details with the SWPPP, as required by BMP 1. [Minn. R. 7050]
87.19	BMP 3. The Permittee shall design and implement BMPs specifically protecting the water quality of trout lakes from excess phosphorus increases. The Permittee shall include any associated calculations and design details with the SWPPP, as required by BMP 1. [Minn. R. 7050]
87.20	BMP 4. The Permittee shall design and implement BMPs specifically protecting the water quality of calcareous fens. The BMPs must ensure that the Permittee does not impact or otherwise degrade calcareous fens, wholly or partially, unless the Permittee has a management plan the DNR Commissioner approves. The Permittee shall include any associated calculations and design details with the SWPPP, as required by BMP 1. [Minn. R. 7050]
88.1	PART X. BENCHMARK MONITORING WAIVER FOR INDUSTRIAL STORMWATER INFILTRATION AND PONDING. [Minn. R. 7090]
88.2	This part addresses requirements for the Benchmark Monitoring Waiver for industrial stormwater infiltration

	systems, and industrial stormwater ponds. (Note that effluent limit monitoring is not exempt from monitoring.) The Agency will not grant the Benchmark Monitoring Waiver unless the Permittee complies with all applicable requirements of the permit. Note that the Stormwater Control Measures and the Sector-Specific sections of this permit have specific additional sector or subsector requirements and certain prohibitions as stated in the Stormwater Control Measures section of this permit regarding stormwater infiltration. The Permittee shall comply with the Stormwater Control Measures and the Sector-Specific sections of this permit in order to utilize infiltration or ponding as part of a stormwater treatment system. Violation of any specific requirements that may affect the operation of the industrial stormwater pond or infiltration system may result in revocation of the monitoring waiver. [Minn. R. 7090]
89.1	Requirements for a Benchmark Monitoring Waiver for Infiltration Systems. [Minn. R. 7090]
89.2	Unless specifically prohibited from obtaining a Benchmark Monitoring Waiver under the sector or subsector requirements of the Sector-Specific Requirements section of this permit, a Benchmark Monitoring Waiver has authorization for infiltration systems that the Permittee operates in accordance with the applicable requirements of the permit. For infiltration systems that meet the requirements of a Benchmark Monitoring Waiver, bypasses or overflow of stormwater from storm events that exceed the Benchmark Monitoring Waiver design capacity, the Permittee does not have to monitor for benchmark parameters. (Note that effluent limit monitoring is not exempt from monitoring.) To obtain a Benchmark Monitoring Waiver, the Permittee shall comply with the following terms and conditions: [Minn. R. 7090]
90.1	Design Requirements for a Benchmark Monitoring Waiver for Infiltration Systems. [Minn. R. 7090]
90.2	The Permittee shall design infiltration systems consistent with accepted engineering practices. A professional engineer or other licensed professional shall approve the designs. The Minnesota Stormwater Manual describes accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must meet the minimum requirements for a Benchmark Monitoring Waiver outlined in this section. [Minn. R. 7090]
90.3	The Permittee shall design and operate Infiltration systems to infiltrate at a long-term expected rate of no less than 0.2 inches per hour to no greater than 1.63 inches per hour. See the Minnesota Stormwater Manual for detailed information on soils and long-term versus perk test or infiltrometer measurements. [Minn. R. 7090]
90.4	The infiltration system must provide, at minimum, a storage volume that will contain the entire volume of runoff to the infiltration system, up to and including the 2-year, 24-hour storm event. [Minn. R. 7090]
90.5	Infiltration devices must infiltrate the design storage volume (which may be equal to or greater than the runoff from the 2 year event) within 48 hours at the long-term infiltration rate. The Permittee shall base the calculated design volume of runoff from National Oceanic and Atmospheric Administration Atlas 14, Volume 8 (NOAA Atlas 14, Volume 8) and the runoff characteristics of the watershed to the infiltration system. [Minn. R. 7090]
90.6	Infiltration devices must have suitable soils to provide treatment at the design long-term infiltration rate. The Permittee shall conduct testing to ensure that the infiltration system stormwater storage area has at least three feet of suitable soils between the stormwater storage area and either groundwater, the soil elevation leaving evidence of seasonally saturated soils, or fractured bedrock, whichever is least. The Permittee shall test the soil pursuant to the recommendations of the Minnesota Stormwater Manual or equivalent professional sources. [Minn. R. 7090]
91.1	Operation and Maintenance. [Minn. R. 7090]
91.2	The Permittee shall maintain and operate the infiltration system to meet the design criteria. In addition, the Permittee shall design, maintain, and modify the outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair. For example, pre-settling of solids, removal of floatable material, and other maintenance actions, which allow the Permittee to provide effective long-term operation of the infiltration system. [Minn. R. 7090]
91.3	The Permittee shall visually inspect all newly constructed or up-graded infiltration systems after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Control Measures of the permit or, if applicable, the Sector-Specific Requirements section of the permit, to ensure that infiltration is occurring at the appropriate rate and the device is operating correctly. [Minn. R. 7090]
91.4	The Permittee shall provide appropriate access, equipment, and training for staff for operation and maintenance

	of the infiltration systems. [Minn. R. 7090]
91.5	Permit violations regarding the design, operation, and maintenance of an infiltration system, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
92.1	Documentation. [Minn. R. 7090]
92.2	The Permittee shall keep the design basis for meeting the criteria for a Benchmark Monitoring Waiver under this part with the SWPPP. The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
93.1	Requirements for a Benchmark Monitoring Waiver for Industrial Stormwater Ponds. [Minn. R. 7090]
93.2	Unless specifically prohibited from obtaining a Benchmark Monitoring Waiver under the sector or subsector requirements of the Sector-Specific Requirements section of this permit, a Benchmark Monitoring Waiver has authorization for industrial stormwater ponds that the Permittee operates in accordance with the applicable requirements of the permit. For industrial stormwater ponds meeting the requirements of a Benchmark Monitoring Waiver, stormwater bypasses or overflow from storm events exceeding the Benchmark Monitoring Waiver design capacity are exempt from permit monitoring requirements. Note that effluent limit monitoring is not exempt from monitoring, under this part. To obtain a Benchmark Monitoring Waiver, the Permittee shall comply with the following terms and conditions. [Minn. R. 7090]
94.1	Design Requirements for an Industrial Stormwater Pond Benchmark Monitoring Waiver. [Minn. R. 7090]
94.2	The Permittee shall design industrial stormwater ponds qualifying for a Benchmark Monitoring Waiver consistent with accepted engineering practices and a professional engineer or other licensed professional approves. The applicable portions of the Minnesota Stormwater Manual describe generally accepted practices. The Permittee can use other applicable technical sources as appropriate. The design must meet the minimum requirements outlined in this section. [Minn. R. 7090]
94.3	The Permittee shall design the industrial stormwater pond to have a permanent dead storage volume, which is the volume below the normal outlet, that is equal to or exceeds the entire runoff volume to the pond which would result from the 5-year, 24-hour rainfall event based on NOAA Atlas 14, Volume 8. [Minn. R. 7090]
94.4	The industrial stormwater pond must be designed and operated to eliminate scour and re-suspending of sediment at high flows, so that benchmark values will be expected to be met up to the 10-year, 24-hour storm event based on NOAA Atlas 14, Volume 8. [Minn. R. 7090]
94.5	The Permittee shall design the industrial stormwater pond permanent storage (dead storage below the outlet) volume to eliminate scour and re-suspension of settled solids for the expected flow velocities. The Permittee shall adjust the maximum permanent storage (or dead storage) depth for the site conditions to provide enough sediment storage, and to prevent scour. The Permittee shall limit the depth to prevent anaerobic conditions from developing in the pool. The optimum depth in the permanent pool usually varies between 3 feet to 10 feet deep, depending on the site-specific conditions of flow and the nature of the pollutants. [Minn. R. 7090]
94.6	The Permittee shall incorporate skimmers, screens, or equivalent collection devices into the outlets so that the industrial stormwater pond will not discharge floatable materials. The Permittee shall inspect and maintain such devices to prevent clogging or discharge of collected material. The Permittee shall dispose collected materials properly. [Minn. R. 7090]
95.1	Operation and Maintenance. [Minn. R. 7090]
95.2	The Permittee shall maintain and operate the industrial stormwater pond to meet design criteria. In addition, the Permittee shall design, maintain and modify outlets, overflows or bypasses to expedite maintenance including periodic cleaning and repair, as needed. For example, pre-settling of solids, removal of floatable material, or other maintenance actions which allow the Permittee to provide effective long-term operation of the industrial stormwater pond. [Minn. R. 7090]
95.3	The Permittee shall visually inspect newly constructed or up-graded industrial stormwater ponds after all precipitation events for 30 days after initiation of operation, and thereafter in accordance with inspection requirements outlined in the Stormwater Control Measures of the permit or, if applicable, the Sector-Specific

	Requirements section of the permit, to ensure that the industrial stormwater pond is operating correctly. [Minn. R. 7090]
95.4	The Permittee shall provide access, equipment, and training for appropriate staff for operation and maintenance of the industrial stormwater pond. [Minn. R. 7090]
95.5	The Permittee shall operate and maintain all industrial stormwater ponds as required by this permit, including all applicable specific requirements of this section and any restrictions in the sector or subsector specific requirements of the Sector-Specific Requirements section of this permit. Permit violations regarding the design, operation, and maintenance of an industrial stormwater pond, may be grounds for the Agency to revoke the Benchmark Monitoring Waiver. [Minn. R. 7090]
96.1	Documentation. [Minn. R. 7090]
96.2	The Permittee shall keep all design assumptions, operational and maintenance methods, tests, calculations and monitoring with the SWPPP. The Permittee may summarize portions of the SWPPP that are essential to operations with specific references. The Permittee shall make design and reference documents available within 72 hours of request. [Minn. R. 7090]
97.1	PART XI. DEFINITIONS AND ABBREVIATIONS. [Minn. R. 7090]
97.2	"Active" means that significant materials and/or industrial activities, whether temporary or permanent, are present at the facility, regardless if staff is present at the facility. [Minn. R. 7090]
97.3	"Agency" means the Minnesota Pollution Control Agency or MPCA. [Minn. Stat. 116.36, Subd. 2]
97.4	"Benchmark monitoring location" for purposes of the industrial stormwater permit, means the location(s) within the boundary of the facility where the Permittee will collect stormwater samples for the purpose of compliance with the benchmark monitoring requirements of this permit. The benchmark monitoring location(s) selected by the Permittee shall be in a location that: a. Is below the most down-gradient BMP from the source of industrial activity or significant materials, but prior to discharging from the Permittee's operational control. b. Minimizes or eliminates sampling of stormwater from off-site sources (run-on). c. Yields a sample that best represents the contribution of pollutants the Permittee is required to monitor for in accordance with the Benchmark Monitoring Requirements section of this permit, and that receives discharge from an area of industrial activities, processes, and significant materials exposed to stormwater. [Minn. R. 7090]
97.5	"Best management practices" or "BMPs" means practices to prevent or reduce the pollution of waters of the state, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage. [Minn. R. 7001.1020, Subp. 5]
97.6	"Class V Injection Well" refers to any well or disposal method used to dispose of non-hazardous fluids underground. Examples of Class V Injection Wells include stormwater drainage wells, septic system leach fields, and agricultural drainage wells. [Minn. Stat. 115.03]
97.7	"Co-located industrial activities" means any industrial activities at a facility defined by the stormwater regulations at 40 CFR 122.26(b)(14)(i)-(ix) and (xi), other than the primary SIC Code or narrative activity. [Minn. R. 7090]
97.8	"Commissioner" means the Commissioner of the Minnesota Pollution Control Agency or the Commissioner's designee. [Minn. Stat. 116.36, Subd. 3]
97.9	"Construction activity" for this permit includes construction activity as defined in 40 CFR 122.26(b)(14)(x) and small construction activity as defined in 40 CFR 122.26(b)(15). This includes a disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling, and excavating. Construction activity includes the disturbance of less than one acre of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more. [40 CFR 122.26(b)]
97.10	"Effluent monitoring location" for the purposes of this permit means the location(s) within the boundary of the facility where the Permittee will collect stormwater samples for the purpose of compliance with the Effluent

	Monitoring Requirements section of this permit. The effluent monitoring location(s) selected by the Permittee shall be in a location that: a. Is immediately below the most down-gradient BMP from the specific industrial activity that has a numeric effluent limit, but prior to where the discharge co-mingles with stormwater from other sources. b. Yields a sample that represents the contribution of the pollutants the Permittee is required to monitor for in accordance with the Sector-Specific Requirements section of this permit, and that receives discharge from an area of industrial activities, processes, and significant materials exposed to stormwater that has a numeric effluent limit. [Minn. R. 7090]
97.11	"Facility" for the purposes of this permit, means land that shares a common border and that has an industrial stormwater discharge as defined by 40 CFR 122.26(b)(14) with the discharge having a common owner or operator. [40 CFR 122.26(b)(14)]
97.12	"Impaired water" means waters identified as impaired by the Agency, and approved by the USEPA, pursuant to section 303(d) of the Clean Water Act (33 U.S.C. 303(d)). [CWA Sect. 303]
97.13	"Impervious surface" means a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads. [Minn. R. 7090]
97.14	"Inactive" means a facility or portion of a facility at which significant materials are not present and at which no industrial activities are conducted and is not an active facility, and where the inactive portion is not covered by any active permit issued by the applicable State or Federal agency. An inactive facility has no staff, no significant materials, and no industrial activities exposed to stormwater. [Minn. R. 7090]
97.15	"Industrial activity" means the eleven categories of industrial activity which are directly related to manufacturing, processing, or raw materials storage areas at an industrial plant, as defined in 40 CFR 122.26(b)(14)(i)-(xi). Not every industrial activity in this definition is eligible for authorization under this permit (e.g. construction activity); see the Authorization section of this permit for eligibility criteria. [Minn. R. 7090.0080, Subp. 6]
97.16	"Industrial stormwater pond" for purposes of the industrial stormwater permit means constructed detention or retention facilities for the treatment of stormwater runoff under the requirements of this permit. This includes permanent ponds, dry ponds, flow equalization ponds (followed by other BMPs), and constructed wetlands. However, natural wetlands (including types 1-8) and other natural surface water bodies are not industrial stormwater ponds, parts of ponds or pond systems, and cannot be used as BMPs for stormwater treatment unless mitigated in accordance with applicable state rules. [Minn. R. 7090]
97.17	"Infiltration system" for purposes of the industrial stormwater permit, means a designed and constructed Best Management Practice to which industrial stormwater runoff is diverted, collected, or conveyed for the purpose of infiltration. An infiltration system does not include the parts of the system that diverts, collects, or conveys industrial stormwater. Incidental infiltration from conveyances such as swales or ditches, including those with erosion prevention devices such as vegetation, silt fence, or fiber bails, is not an infiltration system. However, swales, ditches, or similar devices constructed with stop logs, ditch excavation for storage or other retention devices, which are for the purpose of increased infiltration, are infiltration systems. Wetlands (including types 1 through 8) and other natural surface water bodies are not infiltration systems or parts of infiltration system systems, and cannot be used as infiltration systems, unless mitigated in accordance with applicable state rules. [Minn. R. 7090]
97.18	"Monitoring location" means any Benchmark Monitoring Location (including those locations that are part of a representative location) and/or any Effluent Monitoring Location. [Minn. R. 7090]
97.19	"Municipal separate storm sewer system or MS4" means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains: a. owned or operated by a state, city, town, county, district, association, or other public body, created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts under state law such as a sewer district, flood control district, or drainage district or similar entity, or an Indian tribe or an authorized Indian tribe organization, or a designated and approved management agency under section 208 of the federal Clean Water Act, United States Code, title 33,

	section 1288, that discharges into waters of the state; b. designed or used for collecting or conveying storm water; c. that is not a combined sewer; and d. that is not part of a publicly owned treatment works as defined in Code of Federal Regulations, title 40, section 122.2. Municipal separate storm sewer systems do not include separate storm sewers in very discrete areas, such as individual buildings. [Minn. R. 7090.0800, Subp. 8]
97.20	"Narrative activity" means those industrial activities as defined by 40 CFR 122.26(b)(14)(i), (iv), (v), (vii) and (ix). [40 CFR 122.26(b)(14)]
97.21	"No exposure" means that all industrial materials or activities are protected by a storm resistant shelter to prevent exposure to rain, snow, snowmelt, or runoff. Industrial materials or activities include, but are not limited to, material handling equipment or activities, industrial machinery, raw materials, intermediate products, by-products, final products, or waste products. Material handling activities include the storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, or waste product. [Minn. R. 7090.0080, Subp. 9]
97.22	"Non-stormwater discharge" means any discharge not comprised entirely of stormwater. [Minn. R. 7090]
97.23	"One mile" for purposes of the industrial stormwater permit, means a direct horizontal distance of one mile measured from any monitoring location to the Ordinary High Water Level (Minn. Stat. 103G.005, subd. 14) where the stormwater discharge associated with industrial activity enters either an impaired water, or any water described in the Additional Requirements for Discharges to Special and Impaired Waters section of this permit. [Minn. R. 7090]
97.24	"Operator" is the person responsible for the overall operation of an industrial facility under Minn. R. 7090.3000. [Minn. R. 7090.0080, Subp. 10]
97.25	"Owner" is the person who owns an industrial facility or part of an industrial facility under Minn. R. pt. 7090.3000. [Minn. R. 7090.0080, Subp. 11]
97.26	"Permittee" means a person or persons, firm, or governmental agency or other institution that signs the permit application submitted to the Agency and is responsible for compliance with the terms and conditions of this permit. [Minn. R. 7090]
97.27	"Person" means any human being, any municipality or other governmental or political subdivision or public agency, any public or private corporation, any partnership, firm, association, or other organization, any receiver, trustee, assignee, agent, or other legal representative of any of the foregoing, or any other legal entity, but does not include the MPCA. [Minn. Stat. 116.06, Subd. 17]
97.28	"Primary standard industrial classification (SIC) code" for the purposes of the industrial stormwater permit, is the SIC code associated with the industrial activity that generates the greatest revenue. If revenue data is not available, the owner/operator shall base the determination on the number of employees engaged in the industrial activity. If it is not possible to determine the primary SIC code using either of these two methods, the owner/operator shall base the determination on the SIC code with the greatest production. The industrial activity that generates the greatest revenue, employs the most personnel, or has the greatest production, is the industrial activity assigned the primary SIC code. [Minn. R. 7090]
97.29	"Saturated soil" for the purposes of the industrial stormwater permit, means the highest seasonal elevation in the soil that is in a reduced chemical state because of soil voids being filled with water. Saturated soil is evidenced by the presence of redoximorphic features or other information upon determination by a Minnesota-licensed Professional Geoscientist or Engineer. [Minn. R. 7090]
97.30	"Significant materials" includes, but is not limited to: raw materials; fuels; materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers; pesticides; and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges. When determining whether a material is significant, the physical and chemical characteristics of the

	material should be considered (e.g. the material's solubility, transportability, and toxicity characteristics) to determine the material's pollution potential. [40 CFR 122.26(b)(12)]
97.31	"Storm-resistant shelter" means completely roofed and walled buildings or structures, as well as structures with only a top cover but no side coverings, and the material under the structure is not subjected to any run-on and subsequent runoff of stormwater. [Minn. R. 7090]
97.32	"Stormwater" means stormwater runoff, snowmelt runoff, and surface runoff and drainage. [Minn. R. 7090.0080, Subp. 12]
97.33	"Stormwater discharge associated with industrial activity" or "industrial stormwater discharge" means the discharge from any conveyance that is used for collecting and conveying stormwater and that is directly related to manufacturing, processing or raw materials storage areas at an industrial plant. The term does not include discharges from facilities or activities excluded from the NPDES program under 40 CFR pt. 122. For the categories of industries identified in this section, the term includes, but is not limited to, stormwater discharges from: a. Industrial plant yards. b. Immediate access roads and rail lines used or traveled by carriers of raw materials, manufactured products, waste material, or by-products used or created by the facility. c. Material handling sites. d. Refuse sites. e. Sites used for the application or disposal of process wastewater (as defined at part 401 of this chapter). f. Sites used for the storage and maintenance of material handling equipment. g. Sites used for residual treatment, storage, or disposal. h. Shipping and receiving areas. i. Manufacturing buildings. j. Storage areas (including tank farms) for raw materials, and intermediate and final products; and k. Areas where industrial activity has taken place in the past and significant materials remain and are exposed to stormwater. For the purposes of this paragraph, material handling activities include storage, loading and unloading, transportation, or conveyance of any raw material, intermediate product, final product, by- product or waste product. The term excludes areas located on plant lands separate from the plant's industrial activities, such as office buildings and accompanying parking lots as long as the drainage from the excluded areas is not mixed with stormwater drained from the above described areas. Industrial facilities include those that are federally, State, or municipally owned or operated that meet the description of the facilities listed in 40 CFR 122.26 (b)(14)(i) through (xi), except (x). The term also includes those facilities designated under the provisions of 40 CFR 122.26 (a)(1)(v). [Minn. R. 7090]
97.34	"Stormwater pollution prevention plan" or "SWPPP" means a plan for stormwater discharge that includes facility-specific activities and actions to, first, identify sources of pollution or contamination at the facility, and second, select and implement BMPs to reduce or eliminate contact of stormwater with significant materials that may result in polluted runoff from the facility. [Minn. R. 7090]
97.35	"Control Measure or Stormwater Control Measure" means any stormwater control or other method (including numeric or narrative effluent limitations) used to prevent or reduce the discharge of pollutants to waters of the United States. [Minn. R. 7090]
97.36	"Surface water or waters" for purposes of the industrial stormwater permit, means all streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems whether natural or artificial, public, or private. [Minn. R. 7090]
97.37	"Total maximum daily load" or "TMDL" means the sum of the individual wasteload allocations for point sources and load allocations for nonpoint sources and natural background, as more fully defined in Code of Federal Regulations, title 40, section 130.2, paragraph (i). A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into a water of the state and still assure attainment and maintenance of water quality standards. [Minn. R. 7052.0010, Subp. 42]
97.38	"Wasteload allocation (WLA)" means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution, as more fully defined in Code of Federal Regulations, title 40, section 130.2, paragraph (h). In the absence of a TMDL approved by USEPA under 40 CFR, 130.7, or an

	assessment and remediation plan developed and approved according to part 7052.0200, subpart 1, item C, a WLA is the allocation for an individual point source that ensures that the level of water quality to be achieved by the point source is derived from and complies with all applicable water quality standards and criteria. [Minn. R. 7052.0010, Subp. 45]
97.39	"Water quality standards" means those provisions contained in Minn. R. 7050 and 7052. [Minn. R. 7050]
97.40	"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, which are contained within, flow through, or border upon the state or any portion thereof. [Minn. Stat. 115.01, Subd. 22]
97.41	"Wetlands" are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands shall have the following attributes: a. A predominance of hydric soils. b. Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition. c. Under normal circumstances support a prevalence of such vegetation. [Minn. R. 7050.0186, Subp. 1(B)]
97.42	ABBREVIATIONS AND ACRONYMS a. BOD 5 - Biochemical Oxygen Demand (5 day test) b. BMP - Best Management Practice c. CERCLA - Comprehensive Environmental Response, Compensation and Liability Act d. CFR - Code of Federal Regulations e. COD- Chemical Oxygen Demand f. CWA - Clean Water Act or the Federal Water Pollution Control Act, 33 U.S.C. 1251 et seq) g. LA - Load Allocations h. MS4 - Municipal Separate Storm Sewer System i. NPDES - National Pollutant Discharge Elimination System j. POTW - Publicly Owned Treatment Works k. SDS - State Disposal System l. SIC - Standard Industrial Classification m. SPCC - Spill Prevention, Control, and Countermeasures n. SWPPP - Stormwater Pollution Prevention Plan o. TMDL - Total Maximum Daily Load p. TSS - Total Suspended Solids q. USEPA means the United States Environmental Protection Agency. r. WLA - Wasteload Allocation. [Minn. R. 7090]
98.1	PART VII. SECTOR-SPECIFIC REQUIREMENTS. [Minn. R. 7090]
98.2	The Permittee shall comply with these sector-specific requirements for any primary SIC code and/or narrative activity and co-located industrial activities as defined in the eligibility requirements of this permit. The sector-specific requirements apply to those areas of the Permittee's facility where those sector- specific activities occur. [Minn. R. 7090]
99.1	Sector J. Mineral Mining and Dressing. [Minn. R. 7090]
100.1	Authorized Stormwater Discharges. [Minn. R. 7090]
100.2	These Sector J requirements apply to stormwater discharges occurring from construction activity and industrial activity from the following activities specified in Appendix A of the General Permit, available on the MPCA website: a. Active, temporarily inactive, and inactive mineral mining and dressing facilities; b. Mining sites undergoing reclamation; and c. Earth-disturbing activities conducted prior to active mining activities as defined in this section. [Minn. R. 7090]

101.1	Limitations on Eligibility for Coverage. [Minn. R. 7090]
101.2	The Permittee is not allowed to conduct the following earth-disturbing activities conducted prior to active mining activities under this permit: a. Disturbing 50 acres or more where stormwater will discharge within one mile to special waters; or b. Disturbing 50 acres or more where stormwater will discharge to impaired waters. If the Permittee will conduct either of these activities, the Permittee shall submit an application for coverage under the Construction Stormwater NPDES/SDS General Permit MNR100001 (CSW Permit). [Minn. R. 7090]
102.1	Limitations on Authorization. [Minn. R. 7090]
102.2	The following discharges are not authorized under this permit: a. Dewatering of mine or quarry areas. b. Aggregate wash water The following activities do not require coverage under this permit a. Discharges from exploration sites and land disturbance activities to determine the financial viability of a site prior to mineral extraction that disturb less than one acre, including the building of site roads and removal of overburden and waste rock to expose minerals and are not covered by an active mining permit issued by the applicable State or Federal agency. Note: If these activities disturb greater than one acre, you must obtain coverage under either this Industrial Stormwater Permit or the General Stormwater Permit for Construction Activity. b. Discharges from earth-disturbing activities that disturb less than one acre for construction of infrastructure at mineral extraction, including the building of site roads and removal of overburden and waste rock to expose minerals do not require industrial stormwater permit. c. Closed mineral mining sites where disturbances associated with extraction, removal or recovery of minerals took place prior to September 30, 1992, and where extraction, removal or recovery activities have not taken place on or after September 30, 1992 are not active or inactive mineral mining facilities and do not require an industrial stormwater permit. d. Sites where the Permittee maintains mineral mining claims to extraction disturbances removal, or recovery of minerals and sites where minimal activities are undertaken for the sole purpose of maintaining a mineral mining claim are not active or inactive mining facilities and do not require an industrial stormwater permit. [Minn. R. 7090]
103.1	Sector-Specific Definitions. [Minn. R. 7090]
103.2	The following definitions do not supersede the definitions of active and inactive mining facilities established by 40 CFR 122.26(b)(14)(iii). [Minn. R. 7090]
103.3	Earth-disturbing activities conducted prior to active mining activities. These activities consists of two classes of earth-disturbing (i.e., clearing, grading and excavation) activities: a. Activities performed for purposes of mine site preparation, including: cutting new rights of way (except when related to road construction); providing access to a mine site for vehicles and equipment (except when related to road construction); or other earth disturbances associated with mine site preparation activities on any areas where active mining activities have not yet commenced (e.g., for heap leach pads, waste rock facilities, tailings impoundments, wastewater treatment plants); and b. Construction of staging areas to prepare for erecting structures (e.g., to house project personnel and equipment, mill buildings, etc.) and construction of roads. Earth-disturbing activities associated with the construction of staging areas and the construction of roads conducted prior to active mining are "construction activity" or "small construction activity" as defined by 40 CFR Parts 122.26(b)(14)(x) and (b)(15)(i) and have additional effluent limits if more than one acre is disturbed. [Minn. R. 7090]
103.4	"Reclamation" means activities undertaken in compliance with applicable mined land reclamation requirements following the cessation of activities associated with extraction, removal and recovery of minerals, intended to return the land to an appropriate post- mining land use. [Minn. R. 7090]
103.5	"Active Mineral Mining Facility" means a place where the Permittee conducts work or other activity related to the extraction, removal, or recovery of minerals. For surface mines, this definition does not include any land where grading has returned the earth to desired contour and reclamation has begun. This definition is derived from the definition of "active mining area" found at 40 CFR 440.132(a). [Minn. R. 7090]

103.6	"Inactive Mineral Mining Facility" means a site or portion of a site with past mineral mining and/or milling activities but is not an active facility as defined above, and where the inactive portion does not have active mining permit coverage from the applicable State or Federal agency. [Minn. R. 7090]
103.7	"Temporarily Inactive Mineral Mining Facility" means a site or portion of a site where mineral mining and/or milling occurred in the past but currently are not active, and the facility is covered by an active mining permit issued by the applicable State or Federal agency. [Minn. R. 7090]
104.1	Requirements Applicable to Earth-Disturbing Activities Conducted Prior to Active Mining Activities. [Minn. R. 7090]
104.2	Permittees must notify the MPCA prior to initiating earth-disturbing activities conducted prior to active mining. Permittees must submit the notification to csw.notify.pca@state.mn.us or in another manner determined by the MPCA. The notification must include the following information: a. Name of facility or permit identification number b. County where work will be performed c. Estimated start date for construction and estimated completion date d. Approximate number of acres to be disturbed. [Minn. R. 7090]
104.3	This permit covers stormwater discharges from earth-disturbing activities conducted prior to active mining activities that disturb an area equal to or greater than one acre. For these earth-disturbing activities, the Permittee must comply with all applicable requirements of this permit except for the stormwater control measures in the Stormwater Control Measures and Sector Specific Requirements sections of this permit and the monitoring requirements in Effluent Monitoring & Benchmark sections of this permit. In addition, the Permittee shall comply with the following requirements: a. A Permittee that conducts type a. activities as defined by Earth-Disturbing Activities Conducted Prior to Active Mining must comply with sections 7-11, 14, and 22-23 of the CSW Permit. The CSW Permit stormwater control measures supersede the stormwater controls listed above. Compliance with the CSW Permit requirements for earth disturbing activities conducted prior to active mining no longer apply when active mining activities commence. b. A Permittee that conducts type b. activities as defined by Earth-Disturbing Activities Conducted Prior to Active Mining must comply with sections 5-23 of the CSW Permit. The CSW Permit stormwater control measures supersede the stormwater controls listed above. Compliance with these requirements for earth-disturbing activities conductive at active mine sites is no longer required when the Permittee ceases earth-disturbing activities and has met final stabilization requirements with the CSW Permit. [Minn. R. 7090]
105.1	Erosion and Sedimentation Controls. [Minn. R. 7090]
105.2	The Permittee shall implement sediment control on all down-gradient perimeters before any up-gradient land disturbing activities begin. Use a range of erosion controls within the broad categories of: flow diversion (e.g. swales); stabilization (e.g. temporary or permanent seeding); and structural controls (e.g. sediment traps, dikes, silt fences). The Permittee shall adjust the timing of the installation of sediment control practices to accommodate short-term activities. [Minn. R. 7090]
106.1	Inspections. [Minn. R. 7090]
106.2	If a facility is inactive and unstaffed, the Permittee does not have to conduct monthly facility inspections outlined in the Stormwater Controls Section of this permit and may conduct semi-annual inspections. This exception only applies to Sector J activities. [Minn. R. 7090]
107.1	SWPPP Requirements. [Minn. R. 7090]
107.2	The SWPPP requirements are applicable for active mineral mining facilities, earth-disturbing activities, inactive mining facilities, temporarily inactive mineral mining facilities, temporarily inactive mineral mining facilities, and sites undergoing reclamation. In addition to the requirements in the Stormwater Pollution Prevention Plan section of this permit, the Permittee shall also comply with the following: a. Facility Map. The Permittee shall identify the following locations: i. Mining or milling site boundaries. ii. Access and haul roads.

	iii. Outline of the drainage areas of each monitoring location within the facility with indications of the types of discharges from the drainage areas. iv. Location(s) of all permitted discharges covered under a separate NPDES/SDS permit. v. Outdoor equipment storage, fueling, and maintenance areas. vi. Materials handling areas. vii. Outdoor manufacturing, outdoor storage, and material disposal areas. viii. Outdoor chemicals and explosives storage areas. ix. Overburden, materials, soils, or waste storage areas. x. Heap leach pads. xi. Surface waters. xii. Boundary of tributary areas that are subject to effluent limitations guidelines. xiii. Location(s) of reclaimed areas.
	b. Potential Pollutant Sources. i. For each area of the mine or mill site where industrial stormwater discharges occur, the Permittee shall identify the types of pollutants (e.g. heavy metals, sediment) likely present in significant amounts. Evaluate the following factors in the identification of pollutants: a. The mineralogy of the waste rock (e.g. acid forming). b. Toxicity and quantity of chemicals the Permittee uses, produces, or discharges. c. The likelihood of contact with stormwater. d. Vegetation of site (if any). e. History of significant leaks or spills of toxic or hazardous pollutants. Also include a summary of any existing waste rock or overburden characterization data and test results for potential generation of acid rock. ii. The Permittee shall describe the mining and associated activities that can affect the stormwater discharges covered by this permit, including a general description of the location of the site relative to major transportation routes and communities. [Minn. R. 7090]
108.1	Monitoring and Reporting Requirements. [Minn. R. 7090]
108.2	In accordance with the Benchmark Monitoring Requirements section of this permit, the Permittee shall monitor the applicable parameters in Table J-1 in Appendix B of the General Permit, available on the MPCA website. [Minn. R. 7090]
109.1	Use of Infiltration Systems and/or Industrial Stormwater Ponds for Stormwater Treatment and Disposal. [Minn. R. 7090]
109.2	Sector J industrial facilities may use infiltration systems or industrial stormwater ponds for stormwater management. [Minn. R. 7090]
110.1	Termination of Coverage. [Minn. R. 7090]
110.2	If a site, or portion of a site, has no applicable county, state, or federal reclamation requirements after September 30, 1992, it no longer meets permit requirements provided the stormwater discharges do not have the potential to cause or contribute to violations of state water quality standards. The permit requirements also do not apply to reclamation sites after September 30, 1992. A site or portion of a site is considered a reclamation area if: a. Raw materials, intermediate byproducts, finished products, and waste products do not have the potential to cause or contribute pollutants to stormwater discharges. b. The Permittee stabilizes the drainage ways that leave the site to prevent erosion with riprap or other protective material. c. The Permittee completes soil-disturbing activities at the site and stabilizes all soils with a uniform perennial vegetative cover with a density of 70 percent over the entire pervious surface area, or other equivalent means necessary to prevent soil failure under erosive conditions. d. The Permittee stabilizes drainage ditches constructed to drain water from the site to preclude erosion. e. The Permittee removes temporary synthetic and structural erosion prevention and sediment control BMPs. f. The Permittee cleans out all sediment from conveyances and from temporary sedimentation basins that the

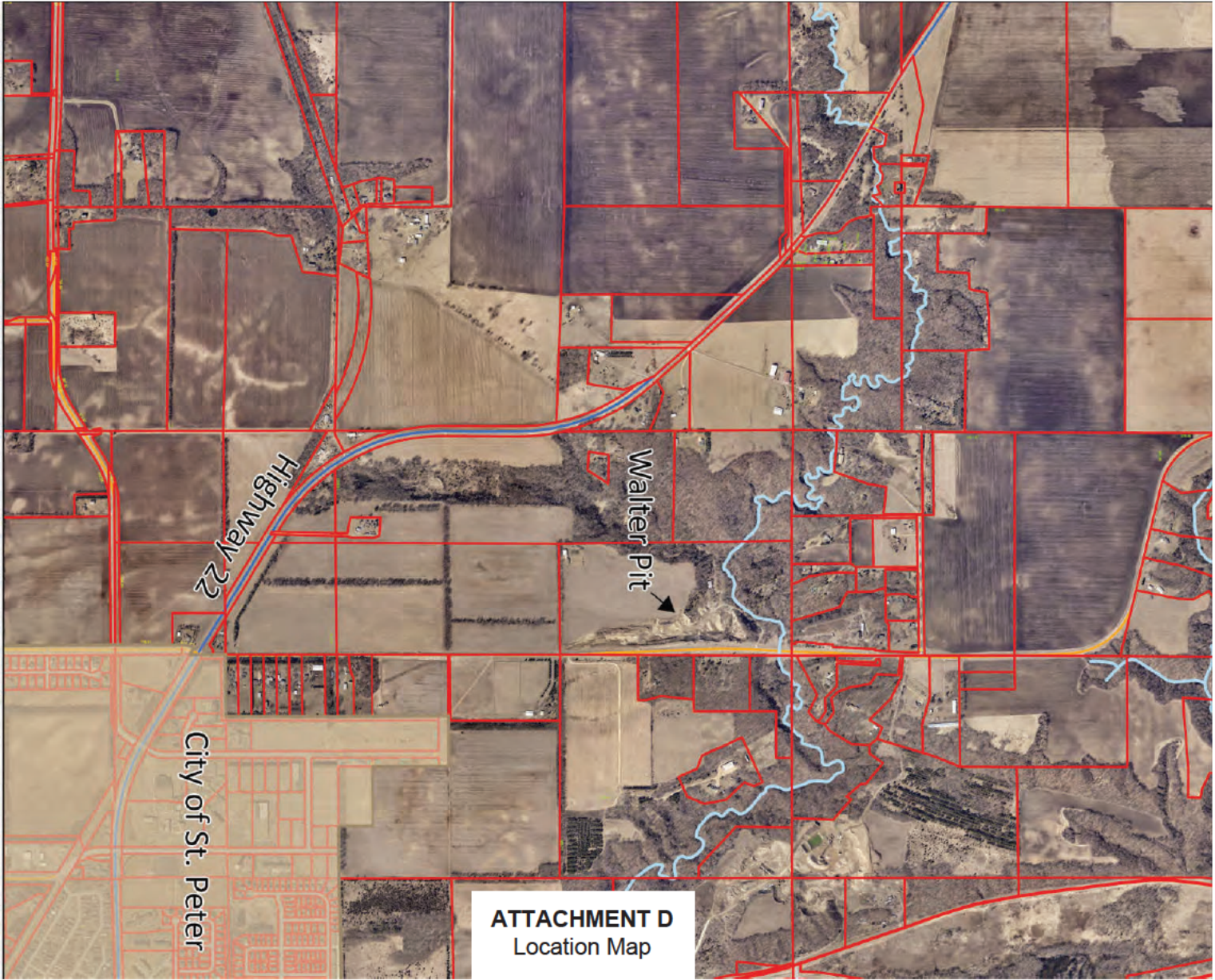
Permittee uses as permanent water quality management basins. The Permittee shall stabilize sediment to prevent it from washing back into the basin, conveyances or drainage-ways discharging off-site or to surface waters. The cleanout of permanent basins must be sufficient to return the basin to design capacity.

g. The Permittee shall install permanent stormwater treatment for new impervious surfaces the Permittee creates.

h. The Permittee shall implement other BMPs as necessary to prevent erosion from the site excavation areas and stockpiles that the Permittee uses. [Minn. R. 7090]



ATTACHMENT C
Aerial Map





ATTACHMENT E
Site Photographs











3/28/2024

DISPLAYNAME	MAILINGADDR	MAILINGCITYSTATEZIP
ANDERSON KIRK H & AMY M ANDERSON	39870 COUNTY ROAD 20	SAINT PETER MN 56082
BAKKER BRADLEY W REVOCABLE TRUST	40535 COUNTY ROAD 20	SAINT PETER MN 56082
CARLBLOM TORREY C & JULIE A CARLBLOM	35545 398TH LN	SAINT PETER MN 56082
CHABOT DALE	35571 398TH LN	SAINT PETER MN 56082
CHILMAN HERBERT S JR	1754 DES JARDINES PO BOX 230172	HOUSTON TX 77023
CONLON FAMILY IRREVOCABLE TRUST	40297 STATE HIGHWAY 22	SAINT PETER MN 56082
DAVIS JAMES S & ANNE L DAVIS	39835 COUNTY ROAD 20	SAINT PETER MN 56082
DRANTTEL MARIE	34697 DAISY LN	SAINT PETER MN 56082
EMICH SCOTT R	35627 398TH LN	SAINT PETER MN 56082
HART MARILYN C	35697 398TH LN	SAINT PETER MN 56082
HELGESON TRUST	35615 398TH LN	SAINT PETER MN 56082
KEELEY JEFFREY J & KIM M KEELEY	35667 398TH LN	SAINT PETER MN 56082
KIENHOLZ JEFFERY L & DEBORAH J KIENHOLZ	35693 398TH LN	SAINT PETER MN 56082
MCCABE AMBROSE & SCHELLI REVOCABLE TRUST	40497 COUNTY ROAD 20	SAINT PETER MN 56082
MCCABE AMBROSE R & SCHELLI O MCCABE	40497 COUNTY ROAD 20	SAINT PETER MN 56082
MILLER GARY A & JOANN L	40415 STATE HWY 22	SAINT PETER MN 56082
OLSON SANDRA K	40323 COUNTY ROAD 20	SAINT PETER MN 56082
QUICK WESLEY H & KAREN E QUICK	35623 398TH LN	SAINT PETER MN 56082
SELY FRANKLIN P	40557 STATE HIGHWAY 22	SAINT PETER MN 56082
SKOOG DAVID MICHAEL	35689 398TH LN	SAINT PETER MN 56082
SODERLUND WILLIAM A JR & BETH A SODERLUND	40293 STATE HWY 22 PO BOX 492	SAINT PETER MN 56082
SOROKA JACEK T & MALGORZATA D SOROKA	39877 COUNTY ROAD 20	SAINT PETER MN 56082
THOEMKE JOHN D & CHERYL M THOEMKE	35631 398TH LN	SAINT PETER MN 56082
TRAVERSE CEMETERY	524 CAPITAL DRIVE	SAINT PETER MN 56082
TROCKE PETER J & WANDA A TROCKE	40301 STATE HIGHWAY 22	SAINT PETER MN 56082
WALTER JEREMY A & LISA F WALTER	39761 COUNTY ROAD 20	SAINT PETER MN 56082
WALTER WILLIS JOSEPH	40512 COUNTY RD 20	SAINT PETER MN 56082

ATTACHMENT F
Neighbor Notification List



PLANNING COMMISSION CRITERIA FOR GRANTING A CONDITIONAL USE PERMIT

Name of Applicant Willis Walter

Hearing April 15, 2024

Property Owner Willis Walter

Continuation N/A

File PLN24-07

Commission Member _____

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 public health, safety, and general welfare.

YES ☐ NO ☐ REASON: _____

2. The requested use will not create an unreasonably excessive burden on the existing roads or other utilities.

YES ☐ NO ☐ REASON: _____

3. The requested use is compatible with the surrounding area and will not significantly depreciate nearby properties.

YES ☐ NO ☐ REASON: _____

ATTACHMENT G
Criteria for Conditional Use Permit

4. The structure and the use shall have an appearance that will not have an unreasonably adverse effect on nearby properties.

YES ☐ NO ☐ REASON: _____

5. The requested use is consistent with the County Zoning Ordinance.

YES ☐ NO ☐ REASON: _____

6. The requested use is not in conflict with the County Comprehensive Plan.

YES ☐ NO ☐ REASON: _____

7. The requested use will not create an unreasonably adverse effect because of noise, odor, glare, or general unsightliness, for nearby property owners.

YES ☐ NO ☐ REASON: _____

8. The requested use is reasonably related to the existing land use and environment.

YES ☐ NO ☐ REASON: _____

9. There are no apparent unreasonable health risks posed to neighbors or the public in general.

YES ☐ NO ☐ REASON: _____

10. The requested use [will/will not] have adverse effect upon public health, safety and welfare due to the following other factors.

YES ☐ NO ☐ REASON: _____

THE NICOLLET COUNTY PLANNING COMMISSION

☐ RECOMMENDS APPROVAL OF THE REQUEST ☐ RECOMMENDS DENIAL OF THE REQUEST

THIS DECISION WAS BASED UPON

☐ Application ☐ Site visit ☐ Staff Report ☐ Photographs
☐ Information received at public hearing

SPECIAL CONDITIONS ARE LISTED ON THE RECORDED CONDITIONAL USE AND IN THE RECORD.
FACTS SUPPORTING THE ANSWER TO EACH QUESTION ABOVE ARE HEREBY CERTIFIED AS THE
FINDINGS OF THE NICOLLET COUNTY PLANNING COMMISSION.

Date: _____ Commission Member: _____



02/01/2024 - 03/31/2024 Permit Form

RECORD ID	RECORD TYPE	DESCRIPTION	ADDRESS	OWNER NAME	PARCEL ID
PLN24-04	CONDITIONAL USE PERMIT	THREE YEAR MINERAL EXTRACTION RENEWAL	51771 CO RD 21, COURTLAND, MN 56021	SHERI HULKE	04.316.0300
BLD24-05	STRUCTURE PERMIT	30' X 48' ACCESSORY STRUCTURE.	52133 350TH ST, LAFAYETTE MN 56054	M. BAGGENSTOSS & K. SCHAEPEKAHM	02.009.0400
SPT24-02	SSTS PERMIT	NEW ATGRADE SSTS FOR NEW HOUSE	43764 361ST LANE, ST. PETER, MN 56082	RON & DEBRA VEITH	10.219.2410
BLD24-06	STRUCTURE PERMIT	NEW 2,908 SQ FT DWELLING & 30' X 45' DETACHED SHED	43764 361ST LANE, ST. PETER, MN 56082	RON & DEBRA VEITH	10.219.2410
SW24-11	SOLID WASTE HAULER LICENSE	SWH LICENSE 01.01-12.31.2024	2724 9TH ST E, STE 2, GLENCOE, MN 55336	PURPLE ROLL-OFF, LLC	N/A
BLD24-07	STRUCTURE PERMIT	15' X 36' SHED LEAN TO	54505 366TH ST, LAFAYETTE, MN 56054	ALLEN & DAWN OSWALD	02.018.0700
BLD24-08	STRUCTURE PERMIT	NEW ELECTRICAL, CONTROL, AND EQUIPMENT ROOMS	34175 CO RD 20, LE SUEUR, MN 56058	MG WALDBAUM COMPANY	07.106.0200
BLD24-09	STRUCTURE PERMIT	CONSTRUCTION OF 36' X 48' COLD STORAGE SHED	52631 MINNEWAUKON CT, NORTH MANKATO, MN 56003	WINCH DENNIS C TRUST AGREEMENT	01.105.1400
SPT24-04	SSTS PERMIT	NEW SEPTIC FOR A NEW 3 BEDROOM HOUSE	44322 STATE HIGHWAY 111, NICOLLET, MN 56074	PAUL HONKEN	05.028.0300
SPT24-05	SSTS PERMIT	NEW HOLDING TANK FOR SHOP	44322 STATE HIGHWAY 111, NICOLLET, MN 56074	PAUL HONKEN	05.028.0300
BLD24-10	STRUCTURE PERMIT	NEW 2,976 SQ FT DWELLING	44322 STATE HIGHWAY 111, NICOLLET, MN 56074	PAUL HONKEN	05.028.0300
PLN24-05	CONDITIONAL USE PERMIT	MINERAL EXTRACTION RENEWAL	52631 475TH ST, COURTLAND, MN 56021	RIVER VALLEY ENTERPRISES LLC	04.309.0710
BLD24-11	STRUCTURE PERMIT	32' X 40' POST FRAME SHED WITH 8' OPEN LEAN-TO	40391 551ST AVE, NEW ULM MN 56073	KEVIN KRAL	03.006.0200
BLD24-12	STRUCTURE PERMIT	54' X 96' MACHINE SHED	47843 FORT RD, NICOLLET MN 56074	RANDY FRAUENDIENST	05.008.0405
BLD24-13	STRUCTURE PERMIT	12KWDC/12KWAC FIXED GROUND MOUNT SOLAR ARRAY	44893 COUNTY ROAD 15, NICOLLET MN 56074	HERMANSON DONALD & RHONDA	08.035.0100
BLD24-14	STRUCTURE PERMIT	170' X 235' LMSA	61958 FORT RD, NEW ULM MN 56073	BERANEK BROTHERS LLP	13.025.0410
SPT24-06	SSTS PERMIT	SEPTIC TANK REPLACEMENT FOR EXISTING MOUND	40700 CEDAR RIDGE RD, ST PETER, MN 56082	RANDY & JOANN FREY-HAWKINS	12.104.0700
PLN24-06	VARIANCE	SIDE AND REAR YARD VARIANCE	45168 STATE HIGHWAY 111, NICOLLET MN 56074	RANDY & SHELLY DORN	05.033.0210
BLD24-15	LAND ALTERATION PERMIT	TEMPORARY 90 DAY BATCH PLANT	N/A	FRED HANSON JR	07.033.0600
PLN24-07	CONDITIONAL USE PERMIT	MINERAL EXTRACTION RENEWAL	40512 CO RD 20, SAINT PETER, MN 56082	WILLIS WALTER	12.105.0200
BLD24-16	STRUCTURE PERMIT	NEW 54' X 56' SHED	35724 375TH AVE, SAINT PETER, MN 56082	RONALD REGENSCHEID TRUST	07.014.0310

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Continuous Improvement - Award for Most Impactful 2023		
Primary Originating Division/Dept.: Administration Contact: Mandy Landkamer Title: County Administrator Amount of Time Requested 5 minutes Presenter: Mandy Landkamer Title: County Administrator	Meeting Date: 04/23/2024 Item Type: Regular Agenda (Select One) Attachments: ☒ Yes ☐ No	
County Strategy: Collaborative Workplace - sustain the core values of our culture (Select One)		
BACKGROUND/JUSTIFICATION: As a result of challenges in securing qualified and consistent interpretative services, staff from Health and Human Services, Human Resources, and Finance, brainstormed and created an avenue to fulfill a department and community need. Current Admin Support staff are able to take a proficiency test through Language Testing International within a desired language category. Proficient staff then accompany social workers in client meetings to provide interpretative services. Staff are eligible to receive premium pay. Benefits to the County include cost savings, return on investment in staff, less hand-offs, delays and waits, defects, non-utilized staff, motion and extra processing. Staff also experience an increase in customer and employee satisfaction as well as increased completion and accuracy.		
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: Informational - Recognize staff on having completed the most impactful Continuous Improvement Project of 2023		
FISCAL IMPACT: No fiscal impact (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	



PROCESS IMPROVEMENT REPORTING FORM

Project Title: Internal Interpreter Services

Location of Improvement (Department, Unit/Division): Health and Human Services: Admin Support

Improvement Team: N.Draeger, Sanjuana Acevedo, Jency Medina, Mariana Figueroa, Juan Escorza, C. Sassenberg, Kristy Larson, Kari Stein, Lynette Idso

Date: _____

Process Improvement Tool Used: ☐ Kaizen ☐ Mini-Kaizen ☐ 7/8 Wastes ☐ 5S ☐ A3 ☐ 5 Why's ☐ Other: _____
☒ No Formal Tool Used

Problem BEFORE

Difficulty finding in-person interpreting services for community outreach activities, after-hours events, assessments, and general client meetings.

Key Outcomes:

Added ability to offer interpreting services
Improved quality, as internal staff members are increasingly more familiar with our programs
Ability to compensate staff for additional duties

Solution AFTER

Created a procedure and pay structure that allows for internal administrative support staff persons interested and capable of providing interpreting services to do so. Interested staff persons complete an assessment with Language Line, after which time they are able to receive a premium pay and be scheduled to offer internal interpreting services. The administrative support team manages requests for internal interpreting based on team availability and schedules.

Key Savings:

Time or difficult conversations when using phone or video services for interpreting; Decreased wait time for external interpreter responses
Cost savings when using internal interpreters versus lengthy contracted phone or in-person services

Process improvements that were made (select all that apply):

COST MEASURES

- ☒ Cost savings
- ☐ Labor savings
- ☐ Increased revenue
- ☒ Return on investment (ROI)

PROCESS COMPLEXITY MEASURES

- ☐ Less process steps (tasks)
- ☒ Less handoffs
- ☐ Less decisions
- ☒ Less delays/waits

QUALITY MEASURES

- ☒ More customer satisfaction
- ☒ More employee satisfaction
- ☒ More percent complete and accurate
- ☐ Less defects/errors

WASTE MEASURES

- ☒ Less defects (defects, errors, mistakes)
- ☐ Less overproduction (more products/services produced than needed)
- ☒ Less waiting (people, parts, systems, facilities wait for a prior step to be completed)
- ☒ Less non-utilized staff creativity (employees skills/abilities not taken advantage of)
- ☐ Less transportation (unnecessary movement of materials and information)
- ☐ Less inventory (unnecessary storage of materials)
- ☒ Less motion (movement of people that does not add value to product/service)
- ☒ Less extra processing (higher quality product/service produced or elaborate/expensive method used than is needed)

CYCLE AND TIME MEASURES

- ☐ Less processing time

PRODUCT MEASURES

- ☐ More customers needing/requesting service
- ☐ Less customers needing/requesting service
- ☐ More units produced
- ☐ Less units waiting for processing
- ☐ More submissions that are complete
- ☐ Rework percentage decreased
- ☐ Less staff working on a process
- ☐ Less area (square feet) per process
- ☐ Less injuries per process
- ☐ Less Work In Progress (WIP)

VALUE MEASURES

- ☒ More value added time
- ☐ Less non-value added time

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Community Corrections Collective Bargaining Agreement		
Primary Originating Division/Dept.: Human Resources Contact: Kristy Larson Title: HR Director Amount of Time Requested: 5 minutes Presenter: Kristy Larson Title: HR Director	Meeting Date: 04/23/2024 Item Type: Regular Agenda (Select One) Attachments: ☐ Yes ☒ No	
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: This portion of the meeting is closed for labor negotiations pursuant to Minnesota Statutes Chapter 13D.03 to discuss the Community Corrections Union Contract 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)		
Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A		
ACTION REQUESTED: Approve the Community Corrections CBA for 2024.		
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:	



APRIL 9, 2024

**OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY**

The Nicollet County Drainage Authority met in regular session on Tuesday, April 9, 2024, following the adjournment of the regular Board of Commissioners meeting. Present at the meeting were Commissioners Morrow, Dranttel, Kolars, Dehen, and Zins. Also present were County Administrator Mandy Landkamer, County Attorney Zehnder Fischer and Recording Secretary Sarah Frahm.

Approval of Agenda

Motion by Commissioner Dehen and seconded by Commissioner Dranttel to approve the agenda, with the addition of the Ditch Repair Reports 24-004 through 24-006 consent items, and the Ditch Repair Report 24-007 on the regular agenda. Carried unanimously.

Consent Agenda

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

- a. March 26, 2024 Drainage Minutes
- b. Consider Ditch Repair Reports 24-004 through 24-006

Carried unanimously.

Public Appearances:

Lynn Fluegge came forward to ask if there were any updates to CD 86A. Commissioner Morrow responded that he does not have additional updates, however he will be asking staff for an update on the Houston Engineering contract later in the meeting.

Public Works

Consider Ditch Repair Report 24-007

Ditch Inspector Henry came forward to discuss repairs on CD 83. A portion of the ditch bank has sloughed off and is encroaching on the driveway of parcel ID 04.027.2700, owned by Michael Hippert.

Motion by Commissioner Zins and seconded by Commissioner Kolars to approve Ditch Repair Report 24-007. Carried unanimously.

At this time, Commissioner Morrow invited Director Greenwood forward to provide an update on CD 86A. He stated that conversations between Houston Engineering, the County Attorney, and Public Works have been ongoing to develop the contract and scope of work documents to proceed with investigating repair options. Attorney Zehnder Fisher shared that the preliminary report from Houston Engineering, which includes all landowner questions, is expected to arrive today.

Adjourn

The meeting was adjourned at 10:14 a.m.

TERRY MORROW, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

DRAFT

Nicollet County Drainage Authority

Meeting Agenda Item

**Agenda Item:**

Consider ditch repair reports 24-008 through 24-010

Primary Originating Division/Dept.: Public Works

Meeting Date: 04/23/2024

Contact: Nate Henry

Title: Drainage Inspector

Item Type:
(Select One) Consent Agenda

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Facilities and Space - preserve, maintain and build our assets

BACKGROUND/JUSTIFICATION:

See attached ditch repair reports

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 ditch repair reports 24-008 through 24-010

FISCAL IMPACT: Other
(Select One)

If "Other", specify: Ditch system

FTE IMPACT: No FTE change
(Select One)

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:

FUNDING

County Dollars = 0

State

(Select One)

Total: \$30,500.00

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 86-A Repair #24-008



OVERVIEW

Date Repair Was Created:	2024-04-03	Branch:	main ditch
Problem/Proposed Work:	A concrete ditch crossing is separated and leaking fill. The landowner is requesting the ditch system repair the crossing.		
Ditch Repair:			
Tile Repair:			
FEMA Event:	None	FEMA Date:	None

REPAIR LOCATION DETAILS

Commissioner District:	2	Township:	Brighton
Twp:	110N	Range:	29W
Section:	6	Qtr-Qtr Section:	
Latitude:	44.366137001816746	Longitude:	-94.35331643228932
Parcel Number:	03.006.0300		
Location Details			

PERSON REQUESTING REPAIR

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

Name	Address	Phone
Tim Gieseke	40322 541st Ave	None

LANDOWNER

Name	Address	Phone
Tim Gieseke	40322 541st Ave	None

STATUS LOG

Action	Date	Initials	Notes
For Review	04/03/2024	nhenry	None

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2024-04-03	Lafayette Excavating	3500	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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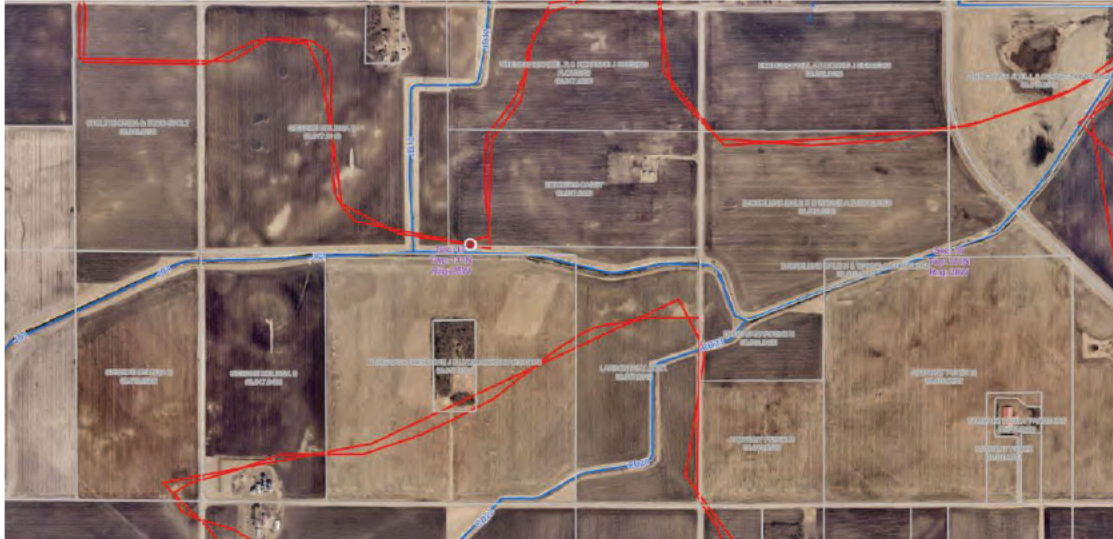
INSPECTION LOG

Date	Initials	Notes
2024-04-03	nhenry	the ditch was inspected and crossing marked.

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

Judicial Ditch 1 Repair #24-009



OVERVIEW

Date Repair Was Created:	2024-04-09	Branch:	Main ditch
Problem/Proposed Work:	A outlet pipe on a erosion control structure has rusted off and failed. The renter is requesting the ditch system install a new plastic outlet pipe.		
Ditch Repair:			
Tile Repair:			
FEMA Event:	None	FEMA Date:	None

REPAIR LOCATION DETAILS

Commissioner District:	1	Township:	New Sweden
Twp:	111N	Range:	28W
Section:	19	Qtr-Qtr Section:	
Latitude:	44.41181386530013	Longitude:	-94.23532742526999
Parcel Number:	08.019.0305		
Location Details			

PERSON REQUESTING REPAIR

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

Name	Address	Phone
Paul Eckberk	None	None

LANDOWNER

Name	Address	Phone
Casey Eckberg	46924 360th ST	None

STATUS LOG

Action	Date	Initials	Notes
For Review	04/09/2024	nhenry	None

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2024-04-09	Lafayette Excavating	2000	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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INSPECTION LOG

Date	Initials	Notes
2024-04-09	nhenry	The ditch was inspected and outlet marked with a pink lath

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 30-A Repair #24-010



OVERVIEW

Date Repair Was Created:	2024-04-17	Branch:	11
Problem/Proposed Work:	A metal 48" ditch crossing pipe is rusted through and failing. The landowner is requesting the ditch system replace the ditch crossing with a new concrete pipe.		
Ditch Repair:			
Tile Repair:			
FEMA Event:	None	FEMA Date:	None

REPAIR LOCATION DETAILS

Commissioner District:	2	Township:	Brighton
Twp:	110N	Range:	29W
Section:	1	Qtr-Qtr Section:	
Latitude:	44.363617909792595	Longitude:	-94.26800227717669
Parcel Number:	03.001.0410		
Location Details			

PERSON REQUESTING REPAIR

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

Name	Address	Phone
Grommersch Farms	40443 501st Ave	None

LANDOWNER

Name	Address	Phone
Grommersch Farms	40443 501st Ave	None

STATUS LOG

Action	Date	Initials	Notes
For Review	04/17/2024	nhenry	None

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2024-04-17	Lafayette Excavating	25000	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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INSPECTION LOG

Date	Initials	Notes
2024-02-05	nhenry	Site was inspected and crossing marked