

# CITY OF HAM LAKE

15544 Central Avenue NE  
Ham Lake, Minnesota 55304  
(763) 434-9555  
Fax: (763) 434-9599

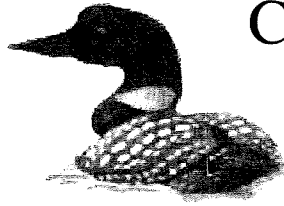
## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY AGENDA MONDAY, NOVEMBER 4, 2024

- 1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance**
- 2.0 PUBLIC COMMENT**
- 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS – None**
- 4.0 CONSENT AGENDA**

These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent Agenda are recommended for approval.)

- 4.1 Approval of minutes of October 16, 2024
- 4.2 Approval of claims
- 4.3 Approval of scheduling the Board of Canvass for Wednesday, November 13, 2024 at 7:30 a.m.
- 4.4 Approval of a Resolution accepting the \$50,000 escrow for Lot 8, Block 5, Evergreen Estates trail easement
- 4.5 Approval of the 2025 Residential Recycling Agreement with Anoka County
- 4.6 Approval of accepting the Hidden Forest East Fourth Addition project and commencing the one-year warranty period
- 4.7 Approval of releasing the Maintenance Security for Constance Boulevard Terrace
- 4.8 Approval of ordering the preparation of the 2025 bituminous overlay project plans and specifications
- 4.9 Approval of final completion of Fire Station #3 project
- 4.10 Code Committee Recommendations:
  - 1) Consideration of the First Reading of an Ordinance regarding extreme curves under Article 10 of the Ham Lake City Code

- 5.0 PLANNING COMMISSION RECOMMENDATIONS – None**
- 6.0 ECONOMIC DEVELOPMENT AUTHORITY – None**
- 7.0 APPEARANCES – None**
- 8.0 CITY ATTORNEY**
- 9.0 CITY ENGINEER**
- 10.0 CITY ADMINISTRATOR**
- 11.0 COUNCIL BUSINESS**
  - 11.1 Committee Reports
  - 11.2 Announcements and future agenda items



# CITY OF HAM LAKE

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Ham Lake, Minnesota 55304  
(763) 434-9555  
info@ci.ham-lake.mn.us

## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, OCTOBER 21, 2024

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, October 21, 2024 at 6:00 p.m. in the Council Chambers at the Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** Mayor Brian Kirkham and Councilmembers Jesse Wilken, Al Parranto and Gary Kirkeide

**MEMBERS ABSENT:** Councilmember Jim Doyle

**OTHERS PRESENT:** City Attorney, Mark Berglund; City Engineer, Dave Krugler; City Administrator, Denise Webster; and Deputy City Clerk, Dawnette Shimek

### 1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance

Mayor Kirkham called the meeting to order and the Pledge of Allegiance was recited by all in attendance.

### 2.0 PUBLIC COMMENT – None

### 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

#### 3.1 Lt. Anthony Mendoza, Anoka County Sheriff's Office Monthly Report - cancelled

#### 3.2 Jerry Auge – Assistant Anoka County Engineer – update on Anoka County Road projects

Jerry Auge, Assistant Anoka County Engineer, was present before the City Council to give an update on Anoka County Highway projects that will take place in Ham Lake over the next five years. Engineer Auge stated that the upcoming Highway projects include: Lexington Avenue Projects include Bunker Lake Boulevard NE to Viking Boulevard NE (4 projects 2025-2029); Highway 65 NE that includes the interchange at Bunker Lake Boulevard NE (2028); Bunker Lake Boulevard NE from Naples Street NE to Lexington Avenue NE (2028); Bunker Lake Boulevard NE from VanBuren Street NE to Highway 65 NE (2028); and Constance Boulevard NE from Buchanan Street NE to Trunk Highway 65 NE.

### 4.0 CONSENT AGENDA

These items are considered to be routine and will be enacted in one motion. There will be no separate discussion of these items unless a Councilmember or citizen so requests, in which event the item will be removed from the Consent Agenda and considered in normal sequence. (All items listed on the Consent Agenda are recommended for approval.)

4.1 Approval of minutes of October 7, 2024 and Special Meeting minutes of October 14, 2024

4.2 Approval of claims in the amount of \$513,390.22

4.3 Approval of scheduling a Budget Workshop Meeting on Monday, November 4, 2024 at 5:30 p.m.

4.4 Approval of the re-appointment of Jerry Gilmer to the position of Deputy Fire Chief

4.5 Approval of the contract with Embedded Systems for the maintenance and monitoring of the radio equipment for the outdoor warning sirens

**Motion by Kirkeide, seconded by Parranto, to approve the Consent Agenda as written. All present in favor, motion carried.**

5.0 **PLANNING COMMISSION RECOMMENDATIONS** – None

6.0 **ECONOMIC DEVELOPMENT AUTHORITY** – None

7.0 **APPEARANCES** – None

8.0 **CITY ATTORNEY** – None

9.0 **CITY ENGINEER** – None

10.0 **CITY ADMINISTRATOR** – None

11.0 **COUNCIL BUSINESS**

11.1 Committee Reports – None

11.2 Announcements and future agenda items – None

**Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 6:45 p.m. All present in favor, motion carried.**

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Dawnette Shimek, Deputy City Clerk

**CITY OF HAM LAKE**  
**CLAIMS SUBMITTED TO COUNCIL**  
November 4, 2024

**CITY OF HAM LAKE**

<b>EFTS, CHECKS, AND BANK DRAFTS</b>		<b>10/22/24 - 11/04/24</b>	
<b>EFT</b>	<b># 2160 - 2168</b>		\$ 5,754.66
<b>REFUND CHECKS</b>	<b># 66614 - 66622</b>		\$ 11,730.75
<b>CHECKS</b>	<b># 66623 - 66650</b>		\$ 157,951.22
<b>BANK DRAFTS</b>	<b>DFT0002793 - DFT0002799</b>		\$ 30,968.69
<b>TOTAL EFTS, CHECKS, AND BANK DRAFTS</b>			<u>\$ 206,405.32</u>
<b>PAYROLL CHECKS</b>			
<b>11/01/24</b>	<b>Direct Deposits</b>		\$ 42,414.71
<b>TOTAL PAYROLL CHECKS</b>			<u>\$ 42,414.71</u>
<b>VOID CHECKS</b>			
<b>CHECKS</b>			
<b>ZERO CHECKS</b>	<b>#66648</b>		\$ -
<b>ZERO EFT</b>			\$ -
<b>BANK DRAFTS</b>			\$ -
<b>TOTAL VOIDS</b>			<u>\$ -</u>
<b>TOTAL OF ALL PAYMENTS</b>			<u>\$ 248,820.03</u>

APPROVED BY THE HAM LAKE CITY COUNCIL THIS 4TH DAY OF NOVEMBER 2024

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER



Packet: ARPKT01226 - 10/21/24 TRUST REFUNDS

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00090	ZACH WEBER	10/21/2024	66614	2,600.00
00354	PARENT BUILDERS INC	10/21/2024	66615	5,100.00
00449	CASPERS EXCAVATING	10/21/2024	66616	455.75
00477	JUNK BE GONE OF MN INC	10/21/2024	66617	375.00
00493	INNOVATION HOMES	10/21/2024	66618	2,600.00
00600	JAMES H RINEHART	10/21/2024	66619	150.00
00607	PAMELA BINTNER	10/21/2024	66620	150.00
00609	ADISA FEATHERSTONE	10/21/2024	66621	150.00
Total Refund Amount:				11,580.75

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	11,580.75
Revenue Totals:	11,580.75

## General Ledger Distribution

Posting Date: 10/21/2024

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-11,580.75	Yes
890-11501	Misc receivables	11,580.75	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-11,580.75	
999-20702	Due to other funds	11,580.75	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Packet: ARPKT01231 - 10/22/24 TRUST REFUND

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00611	NICHOLAS MULCARE	10/22/2024	66622	150.00
Total Refund Amount:				150.00

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	150.00
Revenue Totals:	150.00

## General Ledger Distribution

Posting Date: 10/22/2024

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-150.00	Yes
890-11501	Misc receivables	150.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-150.00	
999-20702	Due to other funds	150.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Payment Dates 10/22/2024 - 11/4/2024

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
2160	CMT JANITORIAL SERVICES	CITY HALL CLEANING	Cleaning service	100-41702-3430	612.00
2160	CMT JANITORIAL SERVICES	SHERIFF'S OFFICE CLEANING	Cleaning service	100-41702-3430	153.00
2160	CMT JANITORIAL SERVICES	FIRE #2 CLEANING	Cleaning service	100-42202-3430	151.00
2160	CMT JANITORIAL SERVICES	FIRE #3	Cleaning service	100-42202-3430	387.00
2160	CMT JANITORIAL SERVICES	FIRE #1 CLEANING	Cleaning service	100-42202-3430	161.00
2160	CMT JANITORIAL SERVICES	PW CLEANING	Cleaning service	100-43104-3430	148.00
2160	CMT JANITORIAL SERVICES	SR CENTER CLEANING	Cleaning service	100-44202-3430	300.00
2161	DELTA DENTAL PLAN OF MINN	NOV COBRA - DK	COBRA receivable	100-11502	51.04
2161	DELTA DENTAL PLAN OF MINN	NOV DENTAL	Dental Insurance	100-21711	922.58
2162	GRAINGER	#69 VIBRATION CLAMPS	Vehicle parts & supplies	100-43101-2340	97.44
2163	HYDRAULIC SPECIALTY INC	#52 CYLINDER REPAIR	Vehicle repair & maintenance	100-43101-3470	670.37
2164	MATT SCHOMMER	SAFETY BOOTS	Clothing & personal protectiv	100-44101-2210	150.00
2165	O'REILLY AUTOMOTIVE STORE	ABSORBENT	Operating supplies	100-43101-2290	139.90
2165	O'REILLY AUTOMOTIVE STORE	MARKER LIGHTS	Operating supplies	100-43101-2290	12.69
2165	O'REILLY AUTOMOTIVE STORE	CAP WRENCH	Small tools	100-43101-2410	10.99
2165	O'REILLY AUTOMOTIVE STORE	#93 WELDED CLEVIS	Vehicle parts & supplies	100-43101-2340	-103.18
2165	O'REILLY AUTOMOTIVE STORE	MEGACRIMPS	Operating supplies	100-43101-2290	38.22
2165	O'REILLY AUTOMOTIVE STORE	BRAKE PADS, ROTORS, OIL FIL	Operating supplies	100-43101-2290	252.90
2165	O'REILLY AUTOMOTIVE STORE	MEGACRIMPS	Operating supplies	100-43101-2290	29.07
2165	O'REILLY AUTOMOTIVE STORE	BRAKE PADS, ROTORS, OIL FIL	Operating supplies	100-43101-2290	-252.90
2165	O'REILLY AUTOMOTIVE STORE	#69 - 2 BATTERIES	Vehicle parts & supplies	100-43101-2340	287.26
2165	O'REILLY AUTOMOTIVE STORE	#69 - 2 BATTERIES	Vehicle parts & supplies	100-43101-2340	287.26
2165	O'REILLY AUTOMOTIVE STORE	#69 - 2 CORES	Vehicle parts & supplies	100-43101-2340	44.00
2165	O'REILLY AUTOMOTIVE STORE	#69 - 2 CORES	Vehicle parts & supplies	100-43101-2340	44.00
2165	O'REILLY AUTOMOTIVE STORE	#69 BATTERIES	Vehicle parts & supplies	100-43101-2340	-287.26
2165	O'REILLY AUTOMOTIVE STORE	#69 CORES	Vehicle parts & supplies	100-43101-2340	-44.00
2165	O'REILLY AUTOMOTIVE STORE	BARREL PUMP	Small tools	100-43101-2410	61.99
2165	O'REILLY AUTOMOTIVE STORE	BARREL PUMP	Small tools	100-43101-2410	-61.99
2165	O'REILLY AUTOMOTIVE STORE	#69 CORES	Vehicle parts & supplies	100-43101-2340	-44.00
2165	O'REILLY AUTOMOTIVE STORE	SAFETY GLASSES	Clothing & personal protectiv	100-43101-2210	10.81
2165	O'REILLY AUTOMOTIVE STORE	#69 HYD HOSE & MEGACRIM	Vehicle parts & supplies	100-43101-2340	390.91
2166	UNLIMITED SUPPLIES INC	MISC SUPPLIES	Operating supplies	100-43101-2290	54.34
2167	VESTIS	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	94.26
2167	VESTIS	FIRST AID CABINET	Safety supplies	100-43101-2240	14.99
2167	VESTIS	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.61
2167	VESTIS	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	94.26
2167	VESTIS	FIRST AID CABINET	Safety supplies	100-43101-2240	14.99
2167	VESTIS	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	59.61
2168	WICK COMMUNICATIONS-LEA	NOV HAM LAKER	Printing	211-41704-3970	742.50
66623	A.R. WELDING	TRAILER - 48" 1X2	Equipment parts & supplies	100-43101-2320	40.00
66623	A.R. WELDING	#93 ANGLE CUT	Vehicle parts & supplies	100-43101-2340	20.00
66623	A.R. WELDING	#81 TANK STEEL	Vehicle parts & supplies	100-43101-2340	300.00
66623	A.R. WELDING	#61 WELD TANK	Equipment repair & maintena	100-43101-3440	410.00
66623	A.R. WELDING	BASKET BALL BRACKET - LION'	Operating supplies	100-44101-2290	30.00
66624	ALL SEASONS RENTAL	BOBCAT BREAKER - PREP EQU	Equipment rentals	100-43101-3320	192.50
66625	ANOKA COUNTY TREASURY D	OCT BROADBAND CITY HALL C	Internet & website	100-41707-3220	37.50
66625	ANOKA COUNTY TREASURY D	OCT BROADBAND FIRE #2	Internet	100-42201-3220	75.00
66626	BASSING ELECTRIC INC	HAM LAKE PARK BUILDING GF	Building repair & maintenanc	100-44102-3420	115.00
66627	CITY OF ST PAUL	8 TN ASPHALT MIX	Street repair & maintenance s	100-43101-2330	605.36
66628	COMCAST BUSINESS	FIRE #1 ADD'L CABLE BOX	Rentals-other	100-42201-3390	11.33
66629	DEARBORN LIFE INS CO	NOV LIFE	Life Insurance	100-21714	57.60
66629	DEARBORN LIFE INS CO	NOV VOL LIFE	Life Insurance	100-21714	177.90
66630	EBERT COMPANIES	FIRE #3	Capital assets	420-42201-5110	133,263.54
66631	EBERT COMPANIES	FIRE #3	Capital assets	420-42201-5110	9,126.65

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
66632	IRON VALLEY EQUIPMENT	#61 PLOW BOLTS, SKID SHOES	Equipment parts & supplies	100-43101-2320	382.88
66633	KINGS III EMERGENCY COMM	OCT ELEVATOR PHONE	Phones/radios/pagers	100-41701-3210	39.17
66634	LEPAGE & SONS INC	YARDWASTE	Waste management & recycli	231-43601-3630	542.48
66634	LEPAGE & SONS INC	10/14 YARDWASTE	Waste management & recycli	231-43601-3630	542.48
66635	LITTLE FALLS MACHINE INC	#80 FLANGE BEARING	Vehicle parts & supplies	100-43101-2340	327.37
66636	MACQUEEN EQUIPMENT/MA	#52 PIN	Vehicle parts & supplies	100-43101-2340	104.28
66637	MENARDS-BLAINE	ANTIFREEZE	Operating supplies	100-44101-2290	17.94
66637	MENARDS-BLAINE	INSTANT POST CONCRETE	Street signs	100-43401-2250	9.99
66638	MINNEAPOLIS OXYGEN COMP	ACETYLENE & OXYGEN	Operating supplies	100-43101-2290	182.56
66639	MN METRO NORTH TOURISM	SEPT LODGING TAX	Convention bureau	263-46101-4120	2,520.65
66640	NICK MULCARE	11/03/24 HAM LAKE PARK RE	Sales tax	100-21801	14.22
66640	NICK MULCARE	11/03/24 HAM LAKE PARK RE	Park/pavilion rentals	100-34702	175.00
66641	NORTHERN TOOL & EQUIPME	TRANSFER PUMP & BATTERY	Covid 19	100-41701-4153	501.60
66642	NUSS EQUIPMENT GROUP LL	#80 LEAF SPRINT & U-BOLTS	Vehicle parts & supplies	100-43101-2340	1,607.95
66643	RIVARD COMPANIES	STORM CLEAN UP	Operating supplies	100-43101-2290	1,800.00
66643	RIVARD COMPANIES	STORM CLEAN UP	Operating supplies	100-43101-2290	300.00
66644	SPECIALTY SOLUTIONS LLC	SEED - CROSSTOWN ROLLING	Capital assets	440-44103-5110	140.00
66644	SPECIALTY SOLUTIONS LLC	SEED - GRANDPA SCOTT'S	Capital assets	440-44103-5110	140.00
66645	TASC	DEC COBRA ADMINISTRATION	Other professional services	100-41701-3190	28.30
66646	THE MPX GROUP	NOV HAM LAKER DELIVERY	Other services and charges	211-41704-3990	400.00
66647	US BANK CORPORATE PAYME	SPOTIFY-- Spotify - Pd on PCar	Other Misc Receivables	100-11503	12.96
66647	US BANK CORPORATE PAYME	ZOOM-Zoom - October-DW	Dues & subscriptions	100-41201-3920	13.83
66647	US BANK CORPORATE PAYME	IOS-address labels, pens-DW	Office supplies	100-41302-2110	76.42
66647	US BANK CORPORATE PAYME	IOS-folders-NW	Office supplies	100-41401-2110	17.60
66647	US BANK CORPORATE PAYME	HAMPTON INNS-- MNGFOA -	Training/conferences/schools	100-41401-3510	290.51
66647	US BANK CORPORATE PAYME	IOS-sharpie, stapler, pens, corr t	Office supplies	100-41701-2110	251.31
66647	US BANK CORPORATE PAYME	IOS-envelopes-NW	Office supplies	100-41701-2110	146.76
66647	US BANK CORPORATE PAYME	AMAZON-AAA batteries-NW	Operating supplies	100-41701-2290	13.48
66647	US BANK CORPORATE PAYME	AMAZON-wireless doorbell-N	Operating supplies	100-41701-2290	23.70
66647	US BANK CORPORATE PAYME	IOS-calendars denise & workr	Operating supplies	100-41701-2290	15.55
66647	US BANK CORPORATE PAYME	AMAZON-toilet plunger-NW	Operating supplies	100-41701-2290	16.79
66647	US BANK CORPORATE PAYME	AMAZON-Calendars Mark & T	Operating supplies	100-41701-2290	16.73
66647	US BANK CORPORATE PAYME	PANTHEON-website-NW	Internet & website	100-41707-3220	350.00
66647	US BANK CORPORATE PAYME	AMAZON-traffic wands-NW	Operating supplies	100-42201-2290	21.99
66647	US BANK CORPORATE PAYME	AMAZON-traffic wands-NW	Operating supplies	100-42201-2290	21.99
66647	US BANK CORPORATE PAYME	IOS-C batteries-NW	Operating supplies	100-42201-2290	14.35
66647	US BANK CORPORATE PAYME	COMCAST-- Fire #3 August Int	Internet	100-42201-3220	397.66
66647	US BANK CORPORATE PAYME	COMCAST-- Fire #3 Sept Inter	Internet	100-42201-3220	397.66
66647	US BANK CORPORATE PAYME	COMCAST-- Fire #3 June & Jul	Internet	100-42201-3220	632.53
66647	US BANK CORPORATE PAYME	MFSCB-Recertification Brando	Dues & subscriptions	100-42201-3920	52.50
66647	US BANK CORPORATE PAYME	IOS-calendars mark, tom, bldg	Operating supplies	100-42401-2290	39.75
66647	US BANK CORPORATE PAYME	INT'L CODE COUNCIL-- MJ Me	Dues & subscriptions	100-42401-3920	170.00
66647	US BANK CORPORATE PAYME	IOS-calendar pw dept-NW	Operating supplies	100-43101-2290	18.61
66647	US BANK CORPORATE PAYME	HARBOR FRT-LP REGULATOR	Operating supplies	100-43101-2290	32.42
66647	US BANK CORPORATE PAYME	DOLLAR GENERAL-Dist water-	Equipment parts & supplies	100-43101-2320	1.75
66647	US BANK CORPORATE PAYME	DIAMOND MOWERS-#61 BEA	Equipment parts & supplies	100-43101-2320	-72.86
66649	VERIZON WIRELESS	MR	Phones/radios/pagers	100-42201-3210	41.39
66649	VERIZON WIRELESS	TD, MJ & 2 LAPTOPS	Phones/radios/pagers	100-42401-3210	162.80
66649	VERIZON WIRELESS	JK, JW, JC, CS, EH, & 2 LAPTOP	Phones/radios/pagers	100-43101-3210	306.06
66649	VERIZON WIRELESS	DH, AC, MS	Phones/radios/pagers	100-44101-3210	130.83
66650	WRIGHT-HENNEPIN COOPERA	NOV SECURITY MONITORING	Monitoring	100-41702-3145	33.95
66650	WRIGHT-HENNEPIN COOPERA	NOV ELEVATOR MONITORING	Monitoring	100-41702-3145	10.00
66650	WRIGHT-HENNEPIN COOPERA	NOV PW FIRE PANEL MONITO	Monitoring	100-43104-3145	52.95
DFT0002793	COMPENSATION CONSULTAN	Health Savings Account	HSA Account	100-21712	150.00
DFT0002794	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,810.00
DFT0002794	EMPOWER	Roth IRA	Deferred compensation	100-21704	200.00
DFT0002795	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	6,539.42
DFT0002795	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,832.34
DFT0002795	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	7,296.88
DFT0002796	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,948.44



Council Approval List

Payment Dates: 10/22/2024 - 11/4/2024

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
DFT0002797	PERA	Retirement-Coordinated	PERA	100-21703	7,454.59
DFT0002797	PERA	Retirement-Police & Fire	PERA	100-21703	1,280.53
DFT0002798	US POSTMASTER	NOV HAM LAKER POSTAGE	Postage	211-41704-2120	1,414.30
DFT0002799	US POSTMASTER	SR CENTER POSTAGE	Postage Liability	100-20204	42.19
<b>Grand Total:</b>					<b>194,674.57</b>

## Report Summary

## Fund Summary

Fund	Payment Amount
100 - GENERAL	45,841.97
211 - HAM LAKER	2,556.80
231 - RECYCLING	1,084.96
263 - LODGING TAX	2,520.65
420 - FIRE EQUIPMENT	142,390.19
440 - PARK & BEACH LAND	280.00
<b>Grand Total:</b>	<b>194,674.57</b>

## Account Summary

Account Number	Account Name	Payment Amount
100-11502	COBRA receivable	51.04
100-11503	Other Misc Receivables	12.96
100-20204	Postage Liability	42.19
100-21701	Federal WH/FICA/MC	15,668.64
100-21702	State W/H	2,948.44
100-21703	PERA	8,735.12
100-21704	Deferred compensation	2,010.00
100-21711	Dental Insurance	922.58
100-21712	HSA Account	150.00
100-21714	Life Insurance	235.50
100-21801	Sales tax	14.22
100-34702	Park/pavilion rentals	175.00
100-41201-3920	Dues & subscriptions	13.83
100-41302-2110	Office supplies	76.42
100-41401-2110	Office supplies	17.60
100-41401-3510	Training/conferences/sc	290.51
100-41701-2110	Office supplies	398.07
100-41701-2290	Operating supplies	86.25
100-41701-3190	Other professional servi	28.30
100-41701-3210	Phones/radios/pagers	39.17
100-41701-4153	Covid 19	501.60
100-41702-3145	Monitoring	43.95
100-41702-3430	Cleaning service	765.00
100-41707-3220	Internet & website	387.50
100-42201-2290	Operating supplies	58.33
100-42201-3210	Phones/radios/pagers	41.39
100-42201-3220	Internet	1,502.85
100-42201-3390	Rentals-other	11.33
100-42201-3920	Dues & subscriptions	52.50
100-42202-3430	Cleaning service	699.00
100-42401-2290	Operating supplies	39.75
100-42401-3210	Phones/radios/pagers	162.80
100-42401-3920	Dues & subscriptions	170.00
100-43101-2210	Clothing & personal prot	199.33
100-43101-2240	Safety supplies	29.98
100-43101-2290	Operating supplies	2,607.81
100-43101-2320	Equipment parts & suppl	351.77
100-43101-2330	Street repair & mainten	605.36
100-43101-2340	Vehicle parts & supplies	3,032.03
100-43101-2410	Small tools	10.99
100-43101-3210	Phones/radios/pagers	306.06
100-43101-3320	Equipment rentals	192.50
100-43101-3440	Equipment repair & mai	410.00
100-43101-3470	Vehicle repair & mainten	670.37
100-43104-3145	Monitoring	52.95
100-43104-3430	Cleaning service	148.00
100-43401-2250	Street signs	9.99

**Account Summary**

Account Number	Account Name	Payment Amount
100-44101-2210	Clothing & personal prot	269.22
100-44101-2290	Operating supplies	47.94
100-44101-3210	Phones/radios/pagers	130.83
100-44102-3420	Building repair & mainte	115.00
100-44202-3430	Cleaning service	300.00
211-41704-2120	Postage	1,414.30
211-41704-3970	Printing	742.50
211-41704-3990	Other services and charg	400.00
231-43601-3630	Waste management & r	1,084.96
263-46101-4120	Convention bureau	2,520.65
420-42201-5110	Capital assets	142,390.19
440-44103-5110	Capital assets	280.00
<b>Grand Total:</b>		<b>194,674.57</b>

**Project Account Summary**

Project Account Key	Payment Amount
**None**	193,589.61
231004009	1,084.96
<b>Grand Total:</b>	<b>194,674.57</b>



City of Ham Lake, MN

# EFT Payroll Check Register

## Report Summary

Pay Period: 10/13/2024-10/26/2024

Packet: PYPKT01680 - PPE 10/26/24 PAID 11/1/24

Payroll Set: City of Ham Lake - 01

Type	Count	Amount
Regular Checks	0	0.00
Manual Checks	0	0.00
Reversals	0	0.00
Voided Checks	0	0.00
Direct Deposits	32	42,414.71
<b>Total</b>	<b>32</b>	<b>42,414.71</b>

**RESOLUTION NO. 24-XX**  
**A RESOLUTION TO DRAW UPON THE EVERGREEN DEVELOPMENT COMPANY**  
**ESCROW FOR THE PROJECT KNOWN AS EVERGREEN ESTATES**

**WHEREAS**, the City of Ham Lake called upon the Letter of Credit provided to the City from Evergreen Development Company LLC (the “Developer”) for Evergreen Estates on September 16, 2024, Resolution No. 24-47;

**WHEREAS**, the Developer has completed all of the requirements of the development agreement for Evergreen Estates with the exception of obtaining a trail easement over Lot 8, Block 5, Evergreen Estates;

**WHEREAS**, in lieu of calling upon the Letter of Credit and at the request of the Developer, the City has accepted Fifty Thousand and 00/100 Dollars (\$50,000) to be held in escrow by the City to cover the cost to obtain the required trail easement

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAM LAKE, MINNESOTA AS FOLLOWS:**

1. The City of Ham Lake confirms receipt of the \$50,000 escrow.
2. The Letter of Credit can and is released.
3. The City shall use the funds in escrow to cover the costs of obtaining the easement over Lot 8, Block 5, Evergreen Estates
4. Any remaining funds after the City has obtained the easement, if any, shall be returned to the Developer.

Passed by the City Council of Ham Lake, Minnesota this 4th day of November, 2024.

\_\_\_\_\_  
Brian Kirkham, Mayor

Attested:

\_\_\_\_\_  
Denise Webster, City Administrator

**Meeting Date: November 4, 2024**

**CITY OF HAM LAKE**

**STAFF REPORT**

**To: Mayor and Councilmembers**

**From: Nicole Wheeler, Recycling Coordinator**

**Subject: Agreement for 2025 Residential Recycling Program**

**Introduction/Discussion:** The following agreement with Anoka County provides for the distribution for SCORE (Select Committee on Recycling and the Environment) funds to the City for the recycling program in the amount of \$85,579.00. Approximately thirty eight percent (38%) of these funds, \$32,510.00, have been committed to Ham Lake Haulers, Inc. to pay the cost of curbside recycling for our residents under the current refuse and recycling contract. The balance of the funds will be used to off-set the cost of recycling events at City Hall and Recycle Technologies, Inc., yard waste and organic drop-off programs, the cost of printing and mailing a promotional flier for all residents informing them of our recycling programs, and other miscellaneous recycling programs.

In 2025 the abatement goal is 1821 ton of recyclable material. The goal is based on 225 pounds/person/year single family home up to 4 units and 150 pounds/person/year multi-family dwellings 5 units or more. (In 2024, the City's goal was 1816 ton of recyclables.) Residents of the City have recycled 831.93 ton of material through June 30, 2024 satisfying 45.8% of this year's goal.

**Recommendation: I recommend approval of the 2025 Agreement for Residential Recycling Program with Anoka County for SCORE funds.**



# Anoka County

## HUMAN SERVICES DIVISION

Community Social Services and Behavioral Health

October 22, 2024

City of Ham Lake  
Attn: Brian Kirkham  
15544 Central Ave NE  
Ham Lake, MN 55304

Dear Mr. Kirkham:

Enclosed is your 2025 contract with Anoka County. Please review the contract and complete the signature portion using DocuSign. If applicable and ready, please attach the necessary insurance information using the attachment link in the DocuSign document. If insurance is not ready and you will be sending this information at a later date, please send to:

[Angela.Rodine@co.anoka.mn.us](mailto:Angela.Rodine@co.anoka.mn.us)

**OR**

Angie Rodine  
County of Anoka  
2100 3rd Avenue, 5th Floor  
Anoka, MN 55303

***PLEASE NOTE: The following information is required as part of your contract. If the contract is signed and executed without receiving this information in a timely manner, it may be referred to the County Attorney's Office for possible Breach of Contract and/or payments may be withheld until information is received.***

**CERTIFICATE OF LIABILITY INSURANCE - Required**

No insurance information is required for this contract.

**CONTRACTOR INFORMATION SHEET - Required**

Please update/complete and sign this page and return with your contract.

DocuSign will automatically forward a copy of the signed contract to you, once completed. If you have questions regarding the contract, please call your Contract Manager, Sue Doll, at 763-324-3482.

Sincerely,

Angie Rodine  
Administrative Assistant, Planning and Operations Support Services

**2025 AGREEMENT FOR RESIDENTIAL RECYCLING PROGRAM**

**THIS AGREEMENT** made and entered into on the 1st day of January 2025, notwithstanding the date of the signatures of the parties, between the COUNTY OF ANOKA, State of Minnesota, hereinafter referred to as the "COUNTY", and the CITY OF HAM LAKE, hereinafter referred to as the "MUNICIPALITY".

**WITNESSETH:**

**WHEREAS**, the County will receive funding from the State of Minnesota pursuant to Minn. Stat. § 115A.557, the Select Committee on Recycling and the Environment (hereinafter "SCORE funds") during 2025 which must be used to encourage and improve recycling and a portion must be specifically directed to recycling source -separated compostable materials; and

**WHEREAS**, the County will also receive funding pursuant to Minn. Stat. § 473.8441, Local Recycling Development Grants (hereinafter "LRDG funds") during 2025; and

**WHEREAS**, the County also has additional budgeted program funding available to supplement SCORE and LRDG funds for solid waste recycling programs, so that the available amount for the Residential Recycling Program is \$1,620,370.50; and

**WHEREAS**, the County Solid Waste Management Master Plan 2018 (Master Plan 2018) and the Minnesota Pollution Control Agency (hereinafter "MPCA") Metropolitan Solid Waste Management Policy Plan 2016-2036 state that MSW generated in the County that is not reused, recycled, or composted, will be processed to the extent that processing capacity is available; and

**WHEREAS**, the Master Plan 2018 was developed with the participation of a representative from the Municipality staff, and the Municipality is required to develop and implement programs, practices, or methods designed to meet waste abatement goals by Minn. Stat. § 115A.551, Subd 2a. (b).; and

**WHEREAS**, the County wishes to assist the Municipality in meeting recycling goals established by Anoka County by providing said SCORE, LRDG, and County budgeted program funds to cities and townships in the County for solid waste recycling programs.

**NOW, THEREFORE**, in consideration of the mutual covenants and promises contained in this Agreement, the parties mutually agree to the following terms and conditions:

1. **PURPOSE AND CONTRACT DOCUMENTS.** The purpose of this Agreement is to provide for cooperation between the County and the Municipality to implement solid waste recycling programs in the Municipality which will help the County and member municipalities meet the goals set in the current Anoka County Solid Waste Management Master Plan. The County and the Municipality agree that the information provided in the recitals above is to be incorporated into the purpose of this agreement.

The Anoka County Municipal Waste Abatement Grant Program (hereinafter "Grant Program") Contract Documents include: the **Anoka County Municipal Waste**



**Abatement Grant Funding Application** submitted by the Municipality for the current contract year, and the **Grant Funding Award** issued by Anoka County for the current contract year. These documents are incorporated into this agreement by reference and are components of the entire contract package. The order of precedence of these documents in the event of inconsistency or ambiguity shall be resolved in the following order: 1) this **Agreement for Residential Recycling Program**; 2) **Grant Funding Award**; and 3) **Anoka County Municipal Waste Abatement Grant Funding Application**.

2. **TERM.** The term of this Agreement is from January 1, 2025, through December 31, 2025, unless earlier terminated as provided herein.
3. **DEFINITIONS.** Defined terms contained in this Agreement and all the attachments are found in Minn. Stat. § 115A.03; 115A.471; and 115A.552. The use of capitalization for defined terms has no special effect. Additionally:
  - a. "Full-Service Recycling Drop-off Center" means centralized permanent drop-off center that is open at least two times a week and accepts at least four types of materials beyond traditional curbside recyclables, i.e.: mattresses, appliances, scrap metal, furniture, source-separated compostable materials, electronics, etc.
  - b. "Multi-family dwellings" means households within apartment complexes, condominiums, townhomes, mobile homes, and senior housing complexes.
  - c. "Community Partner" means community festivals which appear to the public to be supported and run by the Municipality but in fact are sponsored or co-sponsored by a municipality or an independent non-profit 501c (3) organization, for example: the Anoka Halloween Parade.
4. **ELIGIBILITY FOR FUNDS.** Per Minn. Stat. § 115A.557, Subd. 1, funding eligibility is based primarily on population, with a minimum funding floor. For 2025, the County has determined that funding will be determined by the Grant Program funding application. The Municipality is entitled to receive reimbursement for eligible expenses, less revenues or other reimbursement received, for eligible activities up to the project maximum, which shall not exceed \$85,579.00. The Municipality shall be provided documentation of the funding award determination and rationale as indicated by the approved 2025 Grant Program Funding Application.

The County reserves the right to assess reimbursement reporting status for each municipality mid-year and recommend funding adjustments as determined by the County Program Specialist managing the Grant Program.

The County also reserves the right to withdraw reimbursement of approved expenses if the requirements noted in section 6. of this contract are not met.

**The County also reserves the ability to assess the programs and reallocate unused SCORE and/or, LRDG funds mid-year if any participating municipality demonstrates the need for the funding and funds are available.** The Municipality shall be provided documentation of the Grant Program funding award determination and rationale as indicated by the 2025 Grant Program Funding Award.

5. **PROGRAM.** The Municipality shall develop and implement a residential solid waste recycling program adequate to meet the Municipality's annual recycling goal of 1,821 tons of recyclable and source-separated compostable materials as established by the County. The Municipality shall ensure that the recyclable materials collected are delivered to processors or end markets for recycling or composting.
- a. The Municipal recycling program shall include the following components:
- i. Per Minn. Stat. § 115A.552, each household (including both single and Multi-family dwellings) in the Municipality shall have the Opportunity to Recycle at least four broad types of materials, including but not limited to, paper (including cardboard/paperboard cartons), glass, plastic, and metal.
  - ii. The recycling (including any organics) program shall be operated in compliance with all applicable federal, state, and local laws, ordinances, rules, and regulations.
  - iii. The Municipality shall implement a public information program that contains at least one of the following components:
    - (1) One promotional mailing to each household focused exclusively on the Municipality's recycling and source-separated compostable materials program;
    - (2) One promotional advertisement detailing recycling and source-separated compostable materials opportunities available for residents included in the Municipality's newsletter or local newspaper; or
    - (3) Two community outreach activities at Municipal or Community Partner events to inform residents about recycling and source-separated compostable materials opportunities.
  - iv. The public information components listed above shall focus on all recyclable materials and the various opportunities to recycle and compost source-separated compostable materials within the Municipality. The Municipality shall incorporate County/regional/State campaigns and images and use the toolkits provided by the County when preparing promotional materials. The Municipality, on an ongoing basis, shall identify new residents and provide detailed information on the recycling opportunities available to these new residents. The County shall work with the Municipality on promotional materials to coordinate messages. The Municipality shall provide promotional materials to the County for review prior to publication to ensure accuracy.
  - v. The Municipality shall offer a minimum of one spring or fall recycling drop-off event where items not normally accepted at the curb are collected for recycling. If the Municipality is hosting a monthly drop-off as described below, the spring/fall recycling drop-off events may be included within that program.
- b. The Municipality is encouraged to expand its recycling program to include one or more of the following components in order to receive additional funding.

- i. Organize monthly/quarterly recycling drop-off events which can be held in conjunction with a neighboring municipality(ies) on a cooperative basis for the citizens of both/all municipalities.
  - ii. Provide a community event recycling program, which at a minimum would consist of providing recycling opportunities at all Municipal sponsored or Community Partner events and festivals as required by Minn. Stat. § 115A.151. The feasibility of adding source-separated compostable material collection at the event will be explored, and if feasible, implemented as an enhancement to the waste abatement program.
  - iii. Provide the opportunity for citizens to engage in recycling activities at Municipal and Community Partner facilities as required by Minn. Stat. § 115A.151 such as athletic fields and public centers.
  - iv. Organize and manage a Full-Service Recycling Drop-off Center.
  - v. Implement enhanced recycling promotion and assistance for Multi-family dwellings.
  - vi. Develop additional opportunities for source-separated compostable materials collection.
  - vii. Develop and implement additional opportunities to recycle bulky and problem materials (e.g., appliances, batteries, electronics, fluorescent lamps, mattresses, oil, scrap metal, etc.) from residents on an on-going basis either curbside or at a drop-off.
- c. If the Municipality's recycling program did not achieve the Municipality's recycling goals as established by the County for the prior calendar year, the Municipality shall work with the County to prepare a plan to achieve the recycling goals set forth in this Agreement.
  - d. The Municipality's recycling program shall be limited to residential programming for funding reimbursements under this Agreement. The County will not reimburse business recycling programming or household hazardous waste programming by the Municipality. Any inquiries or requests regarding these topics should be sent to the County for response.
  - e. In addition to the above requirements designed to increase residential recycling opportunities, the Municipality shall provide recycling opportunities in all municipal buildings including but not limited to, city offices, public meeting rooms and parks, as required by Minn. Stat. § 115A.151.
  - f. If the Municipality requests reimbursement for park/public entity recycling/organics/trash waste systems/containers, the Municipality needs to work with the County before an order is placed to make sure the containers are consistent with the requirements set forth by the County for colors e.g. (blue for recycling, green for organics and gray or black for trash), openings and labels.

- g. Pursuant to Minn. Stat. §§ 115A. 46, 115A.471 and 473.848, all waste generated by municipal government activities (including city/town halls, public works and public safety buildings, parks, and libraries, and for municipalities that arrange for waste services on behalf of their residents (organized collection)) shall be delivered to a waste processing plant for disposal as long as capacity is available. Failure to comply with this provision shall constitute a breach of this Agreement resulting in the loss of all Grant Funding unless, pursuant to statute, the Municipality has conferred with the County and developed a plan to comply within a reasonable period of time.
6. **REPORTING.** The Municipality shall submit the following forms via Re-TRAC: application, reimbursement, and tonnage report forms to the County on the schedule noted below:
- a. June 2, 2025 – Deadline for submitting via Re-TRAC the 2026 Anoka County Municipal Waste Abatement Grant Funding Application and all required attachments
- b. July 11, 2025 – Deadline for submitting via Re-TRAC the 2025 January – June Anoka County Municipal Reimbursement Report Form and all required attachments
- c. July 31, 2025 – Deadline for submitting via Re-TRAC the 2025 January – June Anoka County Municipal Tonnage Report Form and all required attachments
- d. November 14, 2025 – Deadline for submitting via DocuSign the signed 2026 Agreement for Residential Recycling Program
- e. January 9, 2026 – Deadline for submitting via Re-TRAC the 2025 July – December Anoka County Municipal Reimbursement Report Form and all required attachments
- f. January 30, 2026 – Deadline for submitting via Re-TRAC the 2025 July – December Anoka County Municipal Tonnage Report Form and all required attachments
- g. For the Anoka County **Municipal Waste Abatement Grant Funding Application, using set categories in Re-TRAC**, the:
- Municipality is required to follow application instructions
  - Municipality must refer to list of eligible expenses when completing the application
  - Municipality is required to upload in Re-TRAC a complete and accurate 2025 Staffing Metric and Drop-off Calculator
  - Municipality is required to upload in Re-TRAC a complete and accurate .pdf file of up-to-date promotions listing collection opportunities at curbside, permanent drop-off centers or other special events
- h. For the Anoka County **Municipal Reimbursement Report Form, using set categories in Re-TRAC**, the:
- Municipality is required to follow reimbursement form instructions

- Municipality must refer to list of eligible expenses when completing the reimbursement form
- If the Municipality is being audited, the Municipality must provide a full accounting of the expenses incurred that have been approved in the 2025 Municipal Waste Abatement Grant Funding Application
- Municipality is required to upload in Re-TRAC a complete and accurate Reimbursement Worksheet which matches the amounts entered in the associated sections in the Re-TRAC Reimbursement Report Form
- Information regarding any revenue received from sources other than the County, for the Municipality's recycling and source-separated organics programs, i.e., revenue taken in from the sale of recyclables and fees collected from residents, shall be reported
- Copies of all promotional materials that have been prepared by the Municipality during each reporting period shall be uploaded in the Re-TRAC Reimbursement Report Form

i. For the **Municipal Tonnage Report Form, using set categories in Re-TRAC**, the:

- Municipality is required to follow tonnage report form instructions
- Municipality shall keep detailed records documenting the disposition of all recyclable materials collected pursuant to this Agreement
- When calculating all tonnage categories, weight slips from haulers and end markets are required. If weight slips cannot be obtained, written documentation of the quantity and type of material being reused, recycled, or composted must be provided
- Using quantity and type of material, the Municipality shall use the conversion factors provided by the County to determine the tonnage
- If County conversion factors do not apply to any given materials, a description of the methodology used for calculations must be provided to the County
- If the Municipality is being audited, the Municipality must provide a full accounting of the amount of waste which has been reused, recycled, and composted due to the Municipality's activities and the efforts of other community programs, redemption centers and drop-off centers
- Municipality is required to upload in Re-TRAC a complete and accurate Tonnage Worksheet which matches the amounts entered in the associated sections in the Re-TRAC Tonnage Report Form
- For waste abatement programs run by other persons or entities, the Municipality shall provide documentation of materials recycled by the Municipality's residents through these other programs

j. The Municipality agrees to support County efforts in obtaining hauler reports by ensuring compliance through ordinance, contract or license requirements and the ability to exercise punitive actions, if needed.

k. The Municipality agrees to furnish the County with additional reports in form and at frequencies requested by the County for financial evaluation, program management purposes, and reporting to the State of Minnesota.

7. **REIMBURSEMENT PAYMENT PROCEDURE.** Approved grant reimbursement payments shall be paid in accordance with standard County procedures, subject to the approval of the Anoka County Board of Commissioners. Payments will not be made until the set contract deadlines are met.
  
8. **PUBLICATIONS.** The Municipality shall acknowledge the financial assistance of Anoka County on all promotional materials, reports and publications relating to the activities funded under this Agreement, by including the following acknowledgement: "Funded by the Anoka County Board of Commissioners and State SCORE funds." The Municipality shall provide to the County copies of all promotional materials funded by this grant.

The County shall provide to the Municipalities printed public information pieces about County programs and topics developed by the Recycling Education Committee (REC). The Municipality shall not modify County provided publications and promotional materials.

Information about all County programs and drop-off sites that a Municipality plans to publish in a Municipal communication, printed, electronic, or on social media platforms shall be provided to the County for review and approved by the County prior to publication. This includes all information related to County waste prevention, reduction, recycling programs, County household hazardous waste operations and the County compost sites.

To ensure content accuracy and message consistency throughout the region, any technical information about waste prevention, reduction, recycling, composting and household hazardous waste should be provided to the County for review, before it is printed, to verify that it is correct information for Anoka County. Information copied from the Internet may not be accurate for the twin cities metro area.

9. **INDEMNIFICATION.** The County agrees to indemnify, defend, and hold the Municipality harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the County under this Agreement.

The Municipality agrees to indemnify, defend, and hold the County harmless from all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, resulting from the acts or omissions of its public officials, officers, agents, employees, and contractors relating to activities performed by the Municipality under this Agreement.

The provisions of this subdivision shall survive the termination or expiration of the term of this Agreement.

10. **GENERAL PROVISIONS.**
  - a. In performing the provisions of this Agreement, both parties agree to comply with all applicable federal, state, or local laws, ordinances, rules, regulations, or

standards established by any agency or special governmental unit which are now or hereafter promulgated insofar as they relate to performance of the provisions of this Agreement. In addition, the Municipality shall comply with all applicable requirements of the State of Minnesota for the use of SCORE funds provided to the Municipality by the County under this Agreement. The Municipality shall also comply with all relevant portions of the current Anoka County Solid Waste Management Master Plan and shall participate in the preparation of the successor Master Plans.

- b. If the Municipality utilizes the services of a subcontractor for purposes of meeting requirements herein, the Municipality shall be responsible for the performance of all such subcontracts and shall ensure that the subcontractors perform fully the terms of the subcontract. The agreement between the Municipality and a subcontractor shall obligate the subcontractor to comply fully with the terms of this Agreement.
- c. It is understood and agreed that the entire agreement is contained herein, and that this Agreement supersedes all oral and written agreements and negotiations between the parties relating to the subject matter hereof.
- d. Any amendments, alterations, variations, modifications, or waivers of this Agreement shall be valid only when they have been reduced to writing, duly signed by the parties.
- e. The provisions of this Agreement are severable. If any paragraph, section, subdivision, sentence, clause, or phrase of this Agreement is for any reason held to be contrary to law, such decision shall not affect the remaining portion of this Agreement.
- f. Nothing in this Agreement shall be construed as creating the relationship of co-partners, joint venturers, or an association between the County and the Municipality, nor shall the Municipality, its employees, agents, or representatives be considered employees, agents, or representatives of the County for any purpose.
- g. The Municipality shall maintain financial and other records and accounts in accordance with requirements of the County and the State of Minnesota. The Municipality shall maintain strict accountability of all funds and maintain records of all receipts and disbursements. Such records and accounts shall be maintained in a form which will permit the tracing of funds and program income to final expenditure. The Municipality shall maintain records sufficient to reflect that all funds received under this Agreement were expended in accordance with Minn. Stat. § 115A.557, Subd. 2, for residential solid waste recycling purposes. The Municipality shall also maintain records of the quantities of materials recycled. All records and accounts shall be retained as provided by law, but in no event for a period of less than five years from the last receipt of payment from the County pursuant to this Agreement.
- h. Pursuant to Minn. Stat. § 16C.05, the Municipality shall allow the County or other persons or agencies authorized by the County, and the State of Minnesota, including the Legislative Auditor or the State Auditor, access to the records of the

Municipality at reasonable hours, including all books, records, documents, and accounting procedures and practices of the Municipality relevant to the subject matter of the Agreement, for purposes of audit. In addition, the County shall have access to the project site(s), if any, at reasonable hours.

- i. The County reserves the right to withdraw reimbursement of approved expenses if the Municipality does not comply with state law or the County's Solid Waste Ordinance.

11. **TERMINATION.** This Agreement may be terminated by mutual written agreement of the parties or by either party, with or without cause, by giving not less than seven (7) days' written notice, delivered by mail or in person to the other party, specifying the date of termination. If this Agreement is terminated, assets acquired in whole or in part with funds provided under this Agreement shall be the property of the Municipality so long as said assets are used by the Municipality for the purpose of a landfill abatement program approved by the County.

**IN WITNESS WHEREOF**, the parties hereunto set their hands.

**CITY OF HAM LAKE**

**COUNTY OF ANOKA**

By: \_\_\_\_\_  
 Brian Kirkham  
 Mayor

By: \_\_\_\_\_  
 Cindy Cesare, Chief Officer  
 Anoka County Human Services

Date: \_\_\_\_\_

Date: \_\_\_\_\_

By: \_\_\_\_\_  
 Denise Webster  
 City Administrator/Clerk

By: \_\_\_\_\_  
 Jim Dickinson  
 County Administrator

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form and legality:

Approved as to form and legality:

By: \_\_\_\_\_  
 Scott Baumgartner  
 City Attorney

By: \_\_\_\_\_  
 Kurt Deile  
 Assistant County Attorney

Date: \_\_\_\_\_

Date: \_\_\_\_\_



## Attachment A

# Minnesota Statutes Referenced in Agreement for Residential Recycling Program

## Chapter 115A WASTE MANAGEMENT

### Minn. Stat. §115A.03 Definitions

#### Subdivision 1. **Applicability.**

For the purposes of this chapter, the terms defined in this section have the meanings given them, unless the context requires otherwise.

#### Subd. 2. **Agency.**

"Agency" means the Pollution Control Agency.

#### Subd. 3.

[Repealed, [1989 c 335 art 1 s 270](#)]

#### Subd. 3a. **Arrange for management.**

"Arrange for management" means an activity undertaken by a person that determines the ultimate disposition of solid waste that is under the control of the person, including delivery of the waste to a transfer station for transport to another solid waste management facility. Knowledge of the destination of waste by a generator is by itself insufficient for arranging for management unless the generator knows that the destination is an environmentally inferior facility as defined in this section, has the ability to redirect the waste to an environmentally superior facility and ensure its delivery to that facility, and chooses not to redirect the waste.

#### Subd. 4. **Cities.**

"Cities" means statutory and home rule charter cities and towns authorized to plan under sections [462.351](#) to [462.364](#).

#### Subd. 5. **Collection.**

"Collection" means the aggregation of waste from the place at which it is generated and includes all activities up to the time the waste is delivered to a waste facility.

#### Subd. 6. **Commercial waste facility.**

"Commercial waste facility" means a waste facility established and permitted to sell waste processing or disposal services to generators other than the owner and operator of the facility.

#### Subd. 6a. **Commissioner.**

"Commissioner" means the commissioner of the Pollution Control Agency.

**Subd. 7. Construction debris.**

"Construction debris" means waste building materials, packaging, and rubble resulting from construction, remodeling, repair, and demolition of buildings and roads.

**Subd. 7a. Containment.**

"Containment" means isolating, controlling, and monitoring waste in a waste facility in order to prevent a release of waste from the facility that would have an adverse impact upon human health and the environment.

**Subd. 8. Development region.**

"Development region" means a region designated pursuant to sections [462.381](#) to [462.397](#).

**Subd. 8a.**

[Repealed, [1Sp2005 c 1 art 2 s 162](#)]

**Subd. 9. Disposal or dispose.**

"Disposal" or "dispose" means the discharge, deposit, injection, dumping, spilling, leaking, or placing of any waste into or on any land or water so that the waste or any constituent thereof may enter the environment or be emitted into the air, or discharged into any waters, including groundwaters.

**Subd. 10. Disposal facility.**

"Disposal facility" means a waste facility permitted by the agency that is designed or operated for the purpose of disposing of waste on or in the land, together with any appurtenant facilities needed to process waste for disposal or transfer to another waste facility.

**Subd. 10a. Environmentally inferior.**

"Environmentally inferior" means a solid waste management method that is lower on the list of preferred waste management methods in section [115A.02](#) than a solid waste management method chosen by a county or, as applied to a facility, means a waste management facility that utilizes a waste management method that is lower on the list of preferred waste management methods than the waste management method chosen by a county. In addition, as applied to disposal facilities, a facility that does not meet the standards for new facilities in Code of Federal Regulations, title 40, chapters 257 and 258, is environmentally inferior to a facility that does meet these standards.

**Subd. 11. Generation.**

"Generation" means the act or process of producing waste.

**Subd. 12. Generator.**

"Generator" means any person who generates waste.

**Subd. 13. Hazardous waste.**

"Hazardous waste" has the meaning given it in section [116.06, subdivision 11](#).

Subd. 13a. **Industrial waste.**

"Industrial waste" means solid waste resulting from an industrial, manufacturing, service, or commercial activity that is managed as a separate waste stream.

Subd. 14. **Intrinsic hazard.**

"Intrinsic hazard" of a waste means the propensity of the waste to migrate in the environment, and thereby to become exposed to the public, and the significance of the harm or damage likely to result from exposure of natural resources or the public to the waste, as a result of such inherent or induced attributes of the waste as its chemical and physical stability, solubility, bioconcentratability, toxicity, flammability, and corrosivity.

Subd. 15. **Intrinsic suitability.**

(a) "Intrinsic suitability" of a land area or site means that, based on existing data on the inherent and natural attributes, physical features, and location of the land area or site, there is no known reason why the waste facility proposed to be located in the area or site cannot reasonably be expected to qualify for permits in accordance with agency rules. Agency certification of intrinsic suitability shall be based on data submitted to the agency by the proposing entity and data included by the administrative law judge in the record of any public hearing on recommended certification, and applied against criteria in agency rules and any additional criteria developed by the agency in effect at the time the proposing entity submits the site for certification.

(b) In the event that all candidate sites selected by the board before May 3, 1984, are eliminated from further consideration and a new search for candidate sites is commenced, "intrinsic suitability" of a land area or site shall mean that, because of the inherent and natural attributes, physical features, and location of the land area or site, the waste facility proposed to be located in the area or site would not be likely to result in material harm to the public health and safety and natural resources and that therefore the proposed facility can reasonably be expected to qualify for permits in accordance with agency rules.

Subd. 16.

[Repealed, [1997 c 7 art 1 s 26](#)]

Subd. 17. **Local government unit.**

"Local government unit" means cities, towns, and counties.

Subd. 17a. **Major appliances.**

"Major appliances" means clothes washers and dryers, dishwashers, hot water heaters, heat pumps, furnaces, garbage disposals, trash compactors, conventional and microwave ovens, ranges and stoves, air conditioners, dehumidifiers, refrigerators, and freezers.

Subd. 18. **Metropolitan area.**

"Metropolitan area" has the meaning given it in section [473.121](#).

Subd. 19. **Metropolitan Council.**

"Metropolitan Council" means the council established in chapter 473.

Subd. 20.

[Repealed, [1994 c 628 art 3 s 209](#)]

Subd. 21. **Mixed municipal solid waste.**

(a) "Mixed municipal solid waste" means garbage, refuse, and other solid waste from residential, commercial, industrial, and community activities that the generator of the waste aggregates for collection, except as provided in paragraph (b).

(b) Mixed municipal solid waste does not include auto hulks, street sweepings, ash, construction debris, mining waste, sludges, tree and agricultural wastes, tires, lead acid batteries, motor and vehicle fluids and filters, and other materials collected, processed, and disposed of as separate waste streams.

Subd. 22. **Natural resources.**

"Natural resources" has the meaning given it in chapter 116B.

Subd. 22a.

[Repealed, [1Sp2005 c 1 art 2 s 162](#)]

Subd. 22b. **Packaging.**

"Packaging" means a container and any appurtenant material that provide a means of transporting, marketing, protecting, or handling a product. "Packaging" includes pallets and packing such as blocking, bracing, cushioning, weatherproofing, strapping, coatings, closures, inks, dyes, pigments, and labels.

Subd. 23. **Person.**

"Person" has the meaning given it in section [116.06](#), but does not include the Pollution Control Agency.

Subd. 24. **Political subdivision.**

"Political subdivision" means any municipal corporation, governmental subdivision of the state, local government unit, special district, or local or regional board, commission, or authority authorized by law to plan or provide for waste management.

Subd. 24a. **Problem material.**

"Problem material" means a material that, when it is processed or disposed of with mixed municipal solid waste, contributes to one or more of the following results:

- (1) the release of a hazardous substance, or pollutant or contaminant, as defined in section [115B.02, subdivisions 8, 13, and 15](#);
- (2) pollution of water as defined in section [115.01, subdivision 13](#);
- (3) air pollution as defined in section [116.06, subdivision 4](#); or
- (4) a significant threat to the safe or efficient operation of a solid waste facility.

**Subd. 24b. Postconsumer material.**

"Postconsumer material" means a finished material that would normally be discarded as a solid waste having completed its life cycle as a consumer item.

**Subd. 24d. Prepared sewage sludge.**

"Prepared sewage sludge" means exceptional quality sewage sludge, as defined in Minnesota Rules, part 7041.0100, subpart 20, applied to a lawn or home garden and sold or given away in a bag or other container that:

- (1) meets low limits on metal concentrations;
- (2) has been treated to ensure pathogens, pollutants, and vectors that can transport disease have been carefully managed; and
- (3) is labeled with the nutrient content.'

**Subd. 25. Processing.**

"Processing" means the treatment of waste after collection and before disposal. Processing includes but is not limited to reduction, storage, separation, exchange, resource recovery, physical, chemical, or biological modification, and transfer from one waste facility to another.

**Subd. 25a. Recyclable materials.**

"Recyclable materials" means materials that are separated from mixed municipal solid waste for the purpose of recycling or composting, including paper, glass, plastics, metals, automobile oil, batteries, source-separated compostable materials, and sole source food waste streams that are managed through biodegradative processes. Refuse-derived fuel or other material that is destroyed by incineration is not a recyclable material.

**Subd. 25b. Recycling.**

"Recycling" means the process of collecting and preparing recyclable materials and reusing the materials in their original form or using them in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

**Subd. 25c. Recycling facility.**

"Recycling facility" means a facility at which materials are prepared for reuse in their original form or for use in manufacturing processes that do not cause the destruction of the materials in a manner that precludes further use.

**Subd. 25d. Refuse-derived fuel.**

"Refuse-derived fuel" means a product resulting from the processing of mixed municipal solid waste in a manner that reduces the quantity of noncombustible material present in the waste, reduces the size of waste components through shredding or other mechanical means, and produces a fuel suitable for combustion in existing or new solid fuel-fired boilers.

**Subd. 26. Regional development commission.**

"Regional development commission" means a commission established pursuant to sections [462.381](#) to [462.397](#).

**Subd. 26a. Resource conservation.**

"Resource conservation" means the reduction in the use of water, energy, and raw materials.

**Subd. 27. Resource recovery.**

"Resource recovery" means the reclamation for sale, use, or reuse of materials, substances, energy, or other products contained within or derived from waste.

**Subd. 28. Resource recovery facility.**

"Resource recovery facility" means a waste facility established and used primarily for resource recovery, including related and appurtenant facilities such as transmission facilities and transfer stations primarily serving the resource recovery facility.

**Subd. 28a. Retrievable storage.**

"Retrievable storage" means a method of disposal whereby wastes are placed in a facility established pursuant to sections [115A.18](#) to [115A.30](#) for an indeterminate period in a manner designed to allow the removal of the waste at a later time.

**Subd. 28b. Sanitary district.**

"Sanitary district" means a sanitary district with the authority to regulate solid waste.

**Subd. 29. Sewage sludge.**

"Sewage sludge" means solid, semisolid, or liquid residue generated during the treatment of domestic sewage in a treatment works. It includes, but is not limited to, scum or solids removed in primary, secondary, or advanced wastewater treatment processes and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works. Sewage sludge that is acceptable and beneficial for recycling on land as a soil conditioner and nutrient source is also known as biosolids.

**Subd. 30. Sewage sludge disposal facility.**

"Sewage sludge disposal facility" means property owned or leased by a political subdivision and used for interim or final disposal or land spreading of sewage sludge.

**Subd. 31. Solid waste.**

"Solid waste" has the meaning given it in section [116.06. subdivision 22](#).

**Subd. 32. Solid waste management district or waste district.**

"Solid waste management district" or "waste district" means a geographic area extending into two or more counties in which the management of solid waste is vested in a special district established pursuant to sections [115A.62](#) to [115A.72](#).

Subd. 32a.

MS 1994 [Renumbered subd 32c]

Subd. 32a. **Source-separated compostable materials.**

"Source-separated compostable materials" means materials that:

- (1) are separated at the source by waste generators for the purpose of preparing them for use as compost;
- (2) are collected separately from mixed municipal solid waste, and are governed by the licensing provisions of section [115A.93](#);
- (3) are comprised of food wastes, fish and animal waste, plant materials, diapers, sanitary products, and paper that is not recyclable because the commissioner has determined that no other person is willing to accept the paper for recycling;
- (4) are delivered to a facility to undergo controlled microbial degradation to yield a humus-like product meeting the agency's class I or class II, or equivalent, compost standards and where process rejects do not exceed 15 percent by weight of the total material delivered to the facility; and
- (5) may be delivered to a transfer station, mixed municipal solid waste processing facility, or recycling facility only for the purposes of composting or transfer to a composting facility, unless the commissioner determines that no other person is willing to accept the materials.

Subd. 32b.

MS 1994 [Renumbered subd 32d]

Subd. 32b. **Source-separated recyclable materials.**

"Source-separated recyclable materials" means recyclable materials, including commingled recyclable materials, that are separated by the generator.

Subd. 32c. **Stabilization.**

"Stabilization" means a chemical or thermal process in which materials or energy are added to waste in order to reduce the possibility of migration of any hazardous constituents of the resulting stabilized waste in preparation for placement of the waste in a stabilization and containment facility.

Subd. 32d. **Stabilization and containment facility.**

"Stabilization and containment facility" means a waste facility that is designed for stabilization and containment of waste, together with other appurtenant facilities needed to process waste for stabilization, containment, or transfer to another facility.

Subd. 33. **Transfer station.**

"Transfer station" means an intermediate waste facility in which waste collected from any source is temporarily deposited to await transportation to another waste facility.

Subd. 34. **Waste.**

"Waste" means solid waste, sewage sludge, and hazardous waste.

**Subd. 35. Waste facility.**

"Waste facility" means all property, real or personal, including negative and positive easements and water and air rights, which is or may be needed or useful for the processing or disposal of waste, except property for the collection of the waste and property used primarily for the manufacture of scrap metal or paper. Waste facility includes but is not limited to transfer stations, processing facilities, and disposal sites and facilities.

**Subd. 36. Waste management.**

"Waste management" means activities which are intended to affect or control the generation of waste and activities which provide for or control the collection, processing and disposal of waste.

**Subd. 36a. Waste management method chosen by a county.**

"Waste management method chosen by a county" means:

(1) a waste management method that is mandated for waste generated in the county by section [115A.415](#), [473.848](#), [473.849](#), or other state law, or by county ordinance based on the county solid waste management plan developed, adopted, and approved under section [115A.46](#) or [458D.05](#) or the county solid waste management master plan developed, adopted, and approved under section [473.803](#); or

(2) a waste management facility or facilities, developed under the county solid waste management plan or master plan, to which solid waste generated in a county is directed by an ordinance developed, adopted, and approved under sections [115A.80](#) to [115A.893](#).

**Subd. 36b. Waste reduction or source reduction.**

"Waste reduction" or "source reduction" means an activity that prevents generation of waste or the inclusion of toxic materials in waste, including:

- (1) reusing a product in its original form;
- (2) increasing the life span of a product;
- (3) reducing material or the toxicity of material used in production or packaging; or
- (4) changing procurement, consumption, or waste generation habits to result in smaller quantities or lower toxicity of waste generated.

**Subd. 37. Waste rendered nonhazardous.**

"Waste rendered nonhazardous" means (1) waste excluded from regulation as a hazardous waste under the delisting requirements of United States Code, title 42, section 6921 and any federal and state delisting rules, and (2) other nonhazardous residual waste from the processing of hazardous waste.

**Subd. 38. Yard waste.**

"Yard waste" means garden wastes, leaves, lawn cuttings, weeds, shrub and tree waste, and prunings.

**History:**

[1980 c 564 art 1 s 3](#); [1981 c 352 s 1,2](#); [1983 c 373 s 5,6](#); [1984 c 640 s 32](#); [1984 c 644 s 1,2](#); [1985 c 274 s 1-3](#); [1986 c 425 s 12-17](#); [1987 c 348 s 1,2](#); [1988 c 524 s 1](#); [1988 c 685 s 3,4,21](#); [1989 c 325 s 3](#); [1989 c 335 art 1 s 128,129,269](#); [1Sp1989 c 1 art 18 s 3](#); [art 20 s 1,2](#); [1991 c 303 s 1](#); [1991 c 337 s 6,7,44](#); [1992 c 593 art 1 s 5-7,28](#); [1993 c 249 s](#)



7,8,61; 1994 c 548 s 1; 1994 c 585 s 3; 1994 c 639 art 5 s 3; 1995 c 220 s 96; 1995 c 247 art 1 s 66; 1996 c 470 s 2-5; 1Sp2005 c 1 art 2 s 161; 2008 c 357 s 32,33; 2011 c 107 s 81; 2014 c 248 s 14; 1Sp2015 c 4 art 4 s 104,105

### **Minn. Stat. § 115A.151 RECYCLING REQUIREMENTS; PUBLIC ENTITIES; COMMERCIAL BUILDINGS; SPORTS FACILITIES.**

(a) A public entity, the owner of a sports facility, and an owner of a commercial building shall:

(1) ensure that facilities under its control, from which mixed municipal solid waste is collected, also collect at least three recyclable materials, such as, but not limited to, paper, glass, plastic, and metal; and

(2) transfer all recyclable materials collected to a recycler.

(b) For the purposes of this section:

(1) "public entity" means the state, an office, agency, or institution of the state, the Metropolitan Council, a metropolitan agency, the Metropolitan Mosquito Control Commission, the legislature, the courts, a county, a statutory or home rule charter city, a town, a school district, a special taxing district, or any entity that receives an appropriation from the state for a capital improvement project after August 1, 2002;

(2) "metropolitan agency" and "Metropolitan Council" have the meanings given them in section [473.121](#);

(3) "Metropolitan Mosquito Control Commission" means the commission created in section [473.702](#);

(4) "commercial building" means a building that:

(i) is located in a metropolitan county, as defined in section [473.121](#);

(ii) contains a business classified in sectors 42 to 81 under the North American Industrial Classification System; and

(iii) contracts for four cubic yards or more per week of solid waste collection; and

(5) "sports facility" means a professional or collegiate sports facility at which competitions take place before a public audience.

**History:** [1Sp1989 c 1 art 18 s 9](#); [1991 c 337 s 12](#); [1996 c 457 s 10](#); [2002 c 312 s 2](#); [2014 c 225 s 4](#); [2014 c 312 art 13 s 24](#)

### **Minn. Stat. §115A.46 REGIONAL AND LOCAL SOLID WASTE MANAGEMENT PLAN; REQUIREMENTS.**

Subdivision 1. **General.**

(a) Plans shall address the state policies and purposes expressed in section [115A.02](#) and may not be inconsistent with state law.

(b) Plans for the location, establishment, operation, maintenance, and postclosure use of facilities and facility sites, for ordinances, and for licensing, permit, and enforcement activities shall be consistent with the rules adopted by the agency pursuant to chapter 116.

(c) Plans shall address:

- (1) the resolution of conflicting, duplicative, or overlapping local management efforts;
- (2) the establishment of joint powers management programs or waste management districts where appropriate; and
- (3) other matters as the rules of the agency may require consistent with the purposes of sections [115A.42](#) to [115A.46](#).

(d) Political subdivisions preparing plans under sections [115A.42](#) to [115A.46](#) shall consult with persons presently providing solid waste collection, processing, and disposal services.

(e) Plans must be submitted to the commissioner for approval. When a county board is ready to have a final plan approved, the county board shall submit a resolution requesting review and approval by the commissioner. After receiving the resolution, the commissioner shall notify the county within 45 days whether the plan as submitted is complete and, if not complete, the specific items that need to be submitted to make the plan complete. Within 90 days after a complete plan has been submitted, the commissioner shall approve or disapprove the plan. If the plan is disapproved, reasons for the disapproval must be provided.

(f) After initial approval, each plan must be updated and submitted for approval at least every ten years. The plan must be revised as necessary so that it is not inconsistent with state law.

(g) Rules that regulate plan content under subdivision 2 must reflect demographic, geographic, regional, and solid waste system differences that exist among the counties.

#### **Subd. 2. Contents.**

(a) The plans shall describe existing collection, processing, and disposal systems, including schedules of rates and charges, financing methods, environmental acceptability, and opportunities for improvements in the systems.

(b) The plans shall include an estimate of the land disposal capacity in acre-feet which will be needed through the year 2000, on the basis of current and projected waste generation practices. In assessing the need for additional capacity for resource recovery or land disposal, the plans shall take into account the characteristics of waste stream components and shall give priority to waste reduction, separation, and recycling.

(c) The plans shall require the most feasible and prudent reduction of the need for and practice of land disposal of mixed municipal solid waste.

(d) The plans shall address at least waste reduction, separation, recycling, and other resource recovery options, and shall include specific and quantifiable objectives, immediately and over specified time periods, for reducing the land disposal of mixed municipal solid waste and for the implementation of feasible and prudent reduction, separation, recycling, and other resource recovery options. These objectives shall be consistent with statewide objectives as identified in statute. The plans shall describe methods for identifying the portions of the waste stream such as leaves, grass, clippings, tree and plant residue, and paper for application and mixing into the soil and use in agricultural practices. The plans shall describe specific functions to be performed and activities to be undertaken to achieve the abatement, reduction, separation, recycling, and other resource recovery objectives and shall describe the estimated cost, proposed manner of financing, and timing of the functions and activities. The plans shall describe proposed mechanisms for complying with the recycling requirements of section [115A.551](#), and the household hazardous waste management requirements of section [115A.96, subdivision 6](#).

(e) The plans shall include a comparison of the costs of the activities to be undertaken, including capital and operating costs, and the effects of the activities on the cost to generators and on persons currently providing solid waste collection, processing, and disposal services. The plans shall include

alternatives which could be used to achieve the abatement objectives if the proposed functions and activities are not established.

(f) The plans shall designate how public education shall be accomplished. The plans shall, to the extent practicable and consistent with the achievement of other public policies and purposes, encourage ownership and operation of solid waste facilities by private industry. For solid waste facilities owned or operated by public agencies or supported primarily by public funds or obligations issued by a public agency, the plans shall include criteria and standards to protect comparable private and public facilities already existing in the area from displacement unless the displacement is required in order to achieve the waste management objectives identified in the plan.

(g) The plans shall establish a siting procedure and development program to assure the orderly location, development, and financing of new or expanded solid waste facilities and services sufficient for a prospective ten-year period, including estimated costs and implementation schedules, proposed procedures for operation and maintenance, estimated annual costs and gross revenues, and proposals for the use of facilities after they are no longer needed or usable.

(h) The plans shall describe existing and proposed county and municipal ordinances and license and permit requirements relating to solid waste management and shall describe existing and proposed regulation and enforcement procedures.

Subd. 3.

[Repealed, [1984 c 644 s 82](#)]

**Subd. 4. Delegating solid waste responsibilities.**

A county or a solid waste management district established under sections [115A.62](#) to [115A.72](#) may not delegate to another governmental unit or other person any portion of its responsibility for solid waste management unless it establishes a funding mechanism to assure the ability of the entity to which it delegates responsibility to adequately carry out the responsibility delegated.

**Subd. 5. Jurisdiction of plan.**

(a) After a county plan has been submitted for approval under subdivision 1, a public entity, as defined in section [16C.073, subdivision 1](#), within the county may not enter into a binding agreement governing a solid waste management activity that is inconsistent with the county plan without the consent of the county.

(b) After a county plan has been approved under subdivision 1, the plan governs all solid waste management in the county and a public entity, as defined in section [16C.073, subdivision 1](#), within the county may not develop or implement a solid waste management activity, other than an activity to reduce waste generation or reuse waste materials, that is inconsistent with the county plan that the county is actively implementing without the consent of the county.

**History:**

[1980 c 564 art 5 s 5](#); [1982 c 569 s 13](#); [1984 c 644 s 32,33](#); [1987 c 404 s 140](#); [1989 c 131 s 3](#); [1989 c 325 s 6](#); [1989 c 335 art 1 s 269](#); [1Sp1989 c 1 art 20 s 3,4](#); [1991 c 337 s 15,16](#); [1995 c 247 art 1 s 8](#); [art 2 s 12](#); [2003 c 13 s 1](#); [1Sp2005 c 1 art 2 s 161](#); [2014 c 196 art 1 s 5](#)

## **Minn. Stat. §115A.471 PUBLIC ENTITIES; MANAGING SOLID WASTE.**

### **Subdivision 1. Definitions.**

(a) Prior to entering into or approving a contract for the management of mixed municipal solid waste which would manage the waste using a waste management practice that is ranked lower on the list of preferred waste management practices in section [115A.02, paragraph \(b\)](#), than the waste management practice selected for such waste in the county plan for the county in which the waste was generated, a public entity must:

(1) determine the potential liability to the public entity and its taxpayers for managing the waste in this manner;

(2) develop and implement a plan for managing the potential liability; and

(3) submit the information from clauses (1) and (2) to the agency.

(b) For the purpose of this subdivision, "public entity" means the state; an office, agency, or institution of the state; the Metropolitan Council; a metropolitan agency; the Metropolitan Mosquito Control District; the legislature; the courts; a county; a statutory or home rule charter city; a town; a school district; another special taxing district; or any other general or special purpose unit of government in the state.

**History:** [1995 c 247 art 1 s 9](#)

## **Minn Stat. §115A.551 RECYCLING.**

### **Subdivision 1. Definitions.**

(a) For the purposes of this section, "recycling" means, in addition to the meaning given in section [115A.03, subdivision 25b](#), yard waste and source-separated compostable materials composting and recycling that occurs through mechanical or hand separation of materials that are then delivered for use in manufacturing processes that do not cause the destruction of recyclable materials in a manner that precludes further use.

(b) For the purposes of this section, "total solid waste generation" means the total by weight of:

(1) materials separated for recycling;

(2) materials separated for yard waste and source-separated compostable materials composting;

(3) mixed municipal solid waste plus motor and vehicle fluids and filters, tires, lead acid batteries, and major appliances; and

(4) residential waste materials that would be mixed municipal solid waste but for the fact that they are not collected as such.

Subd. 2

[Repealed, [2014 c 312 art 13 s 48](#)]

Subd. 2a. **County recycling goals.**

(a) By December 31, 2030, each county will have as a goal to recycle the following amounts:

(1) for a county outside of the metropolitan area, 35 percent by weight of total solid waste generation; and

(2) for a metropolitan county, 75 percent by weight of total solid waste generation.

(b) Each county will develop and implement or require political subdivisions within the county to develop and implement programs, practices, or methods designed to meet its recycling goal. Nothing in

this section or in any other law may be construed to prohibit a county from establishing a higher recycling goal.

(c) Any quantified recyclable materials that meet the definition in subdivision 1, paragraph (a), or section [115A.03, subdivision 25a](#), are eligible to be counted toward a county's recycling goal under this subdivision.

**Subd. 3. Interim goals; nonmetropolitan counties.**

The commissioner shall establish interim recycling goals for the nonmetropolitan counties to assist them in meeting the goals established in subdivision 2a.

**Subd. 4. Interim monitoring.**

The commissioner shall monitor the progress of each county toward meeting the recycling goals in subdivision 2a. The commissioner shall report to the senate and house of representatives committees having jurisdiction over environment and natural resources as part of the report required under section [115A.411](#). If the commissioner finds that a county is not progressing toward the goals in subdivision 2a, the commissioner shall negotiate with the county to develop and implement solid waste management techniques designed to assist the county in meeting the goals, such as organized collection, curbside collection of source-separated materials, and volume-based pricing.

**Subd. 5. Failure to meet goal.**

(a) A county failing to meet the interim goals in subdivision 3 shall, as a minimum:

- (1) notify county residents of the failure to achieve the goal and why the goal was not achieved; and
- (2) provide county residents with information on recycling programs offered by the county.

(b) If, based on the recycling monitoring described in subdivision 4, the commissioner finds that a county will be unable to meet the recycling goals established in subdivision 2a, the commissioner shall, after consideration of the reasons for the county's inability to meet the goals, recommend legislation for consideration by the senate and house of representatives committees having jurisdiction over environment and natural resources and environment and natural resources finance to establish mandatory recycling standards and to authorize the commissioner to mandate appropriate solid waste management techniques designed to meet the standards in those counties that are unable to meet the goals.

**Subd. 6. County solid waste plans.**

Each county shall include in its solid waste management plan described in section [115A.46](#), or its solid waste master plan described in section [473.803](#), a recycling implementation strategy for meeting the recycling goal established in subdivision 2a along with mechanisms for providing financial incentives to solid waste generators to reduce the amount of waste generated and to separate recyclable materials from the waste stream.

**Subd. 7. Recycling implementation strategy.**

Each county shall submit to the commissioner for approval the recycling implementation strategy required in subdivision 6. The recycling implementation strategy must be submitted by October 31, 1995, and must:

- (1) be consistent with the approved county solid waste management plan;

- (2) identify the materials that are being and will be recycled in the county to meet the goals under this section and the parties responsible and methods for recycling the material;
- (3) provide a budget to ensure adequate funding for needed county and local programs and demonstrate an ongoing commitment to spending the money on recycling programs; and
- (4) include a schedule for implementing recycling activities needed to meet the goals in subdivision 2a.

**History:**

1Sp1989 c 1 art 18 s 12; 1991 c 337 s 19-21; 1992 c 593 art 1 s 14-16,54; 1993 c 249 s 13,14,61; 1994 c 639 art 5 s 3; 1995 c 247 art 1 s 14-17; art 2 s 15; 1996 c 470 s 27; 1999 c 73 s 4; 1Sp2005 c 1 art 2 s 161; 2012 c 272 s 67,68; 2014 c 312 art 13 s 26,27; 1Sp2015 c 4 art 4 s 108; 2016 c 158 art 1 s 26-28

**Minn. Stat. §115A.552 OPPORTUNITY TO RECYCLE.**

**Subdivision 1. County requirement.**

Counties shall ensure that residents, including residents of single and multifamily dwellings, have an opportunity to recycle. At least one recycling center shall be available in each county. Opportunity to recycle means availability of recycling and curbside pickup or collection centers for recyclable materials at sites that are convenient for persons to use. Counties shall also provide for the recycling of problem materials and major appliances. Counties shall assess the operation of existing and proposed recycling centers and shall give due consideration to those centers in ensuring the opportunity to recycle. To the extent practicable, the costs incurred by a county for collection, storage, transportation, and recycling of major appliances must be collected from persons who discard the major appliances.

**Subd. 2. Recycling opportunities.**

An opportunity to recycle must include:

- (1) a local recycling center in the county and sites for collecting recyclable materials that are located in areas convenient for persons to use them;
- (2) curbside pickup, centralized drop-off, or a local recycling center for at least four broad types of recyclable materials in cities with a population of 5,000 or more persons; and
- (3) monthly pickup of at least four broad types of recyclable materials in cities of the first and second class and cities with 5,000 or more population in the metropolitan area.

**Subd. 3. Recycling information, education, and promotion.**

(a) Each county shall provide information on how, when, and where materials may be recycled, including a promotional program that publishes notices at least once every three months and encourages source separation of residential, commercial, industrial, and institutional materials.

(b) The commissioner shall develop materials for counties to use in providing information on and promotion of recycling.

(c) The commissioner shall provide technical assistance to counties to help counties implement recycling programs.

**Subd. 4 .Nonresidential recycling.**

Each county shall encourage building owners and managers, business owners and managers, and collectors of commercial mixed municipal solid waste to provide appropriate recycling services and opportunities to generators of commercial, industrial, and institutional solid waste in the county.

**History:** [1Sp1989 c 1 art 18 s 13](#); [1991 c 337 s 22-24](#); [1994 c 639 art 5 s 3](#); [1Sp2005 c 1 art 2 s 161](#)

**Minn. Stat. §115A.557 COUNTY WASTE REDUCTION AND RECYCLING FUNDING.**

**Subdivision 1. Distribution; formula.**

Any funds appropriated to the commissioner for the purpose of distribution to counties under this section must be distributed each fiscal year by the commissioner based on population, except a county may not receive less than \$55,000 in a fiscal year. If the amount available for distribution under this section is less or more than the amount available in fiscal year 2001, the minimum county payment under this section is reduced or increased proportionately. For purposes of this subdivision, "population" has the definition given in section [477A.011, subdivision 3](#). A county that participates in a multicounty district that manages solid waste and that has responsibility for recycling programs as authorized in section [115A.552](#), must pass through to the districts funds received by the county in excess of the minimum county payment under this section in proportion to the population of the county served by that district.

**Subd. 2. Permissible expenditures.**

(a) A county receiving money distributed by the commissioner under this section may use the money only for the development and implementation of programs to:

- (1) reduce the amount of solid waste generated;
- (2) recycle the maximum amount of solid waste technically feasible;
- (3) create and support markets for recycled products;
- (4) remove problem materials from the solid waste stream and develop proper disposal options for them;
- (5) inform and educate all sectors of the public about proper solid waste management procedures;
- (6) provide technical assistance to public and private entities to ensure proper solid waste management;
- (7) provide educational, technical, and financial assistance for litter prevention;
- (8) process mixed municipal solid waste generated in the county at a resource recovery facility located in Minnesota;
- (9) compost source-separated compostable materials, including the provision of receptacles for residential composting;
- (10) prevent food waste or collect and transport food donated to humans or to be fed to animals; and
- (11) process source-separated compostable materials that are to be used to produce class I or class II compost, as defined in Minnesota Rules, part [7035.2836](#), after being processed in an anaerobic digester, but not to construct buildings or acquire equipment.

(b) Beginning in fiscal year 2015 and continuing thereafter, of any money distributed by the commissioner under this section to a metropolitan county, as defined in section [473.121, subdivision 4](#), that exceeds the amount the county was eligible to receive under this section in fiscal year 2014: (1) at

least 50 percent must be expended on activities in paragraph (a), clauses (9) to (11); and (2) the remainder must be expended on activities in paragraph (a), clauses (1) to (7) and (9) to (11), that advance the county toward achieving its recycling goal under section [115A.551](#).

**Subd. 3. Eligibility.**

(a) To be eligible to receive money distributed by the commissioner under this section, a county shall within one year of October 4, 1989:

- (1) create a separate account in its general fund to credit the money; and
- (2) set up accounting procedures to ensure that money in the separate account is spent only for the purposes in subdivision 2.

(b) In each following year, each county shall also:

- (1) have in place an approved solid waste management plan or master plan including a recycling implementation strategy under section [115A.551, subdivision 7](#), and a household hazardous waste management plan under section [115A.96, subdivision 6](#), by the dates specified in those provisions;
- (2) submit a report by April 1 of each year to the commissioner, which may be submitted electronically and must be posted on the agency's website, detailing for the previous calendar year:
  - (i) how the money was spent including, but not limited to, specific recycling and composting activities undertaken to increase the county's proportion of solid waste recycled in order to achieve its recycling goal established in section [115A.551](#); specific information on the number of employees performing SCORE planning, oversight, and administration; the percentage of those employees' total work time allocated to SCORE planning, oversight, and administration; the specific duties and responsibilities of those employees; and the amount of staff salary for these SCORE duties and responsibilities of the employees; and
  - (ii) the resulting gains achieved in solid waste management practices; and
- (3) provide evidence to the commissioner that local revenue equal to 25 percent of the money sought for distribution under this section will be spent for the purposes in subdivision 2.

(c) The commissioner shall withhold all or part of the funds to be distributed to a county under this section if the county fails to comply with this subdivision and subdivision 2.

**Subd. 4. Report.**

The commissioner shall report on how the money was spent and the resulting statewide improvements in solid waste management to the senate and house of representatives committees having jurisdiction over ways and means, finance, environment and natural resources, and environment and natural resources finance. The report shall be included in the report required under section [115A.411](#).

**History:**

[1Sp1989 c 1 art 19 s 1](#); [1991 c 337 s 26](#); [1992 c 593 art 1 s 17,54](#); [1994 c 585 s 13](#); [1994 c 639 art 5 s 3](#); [1995 c 247 art 1 s 19,20](#); [1996 c 470 s 27](#); [2000 c 490 art 10 s 1](#); [1Sp2001 c 2 s 125](#); [2002 c 374 art 6 s 2](#); [2004 c 284 art 2 s 11](#); [1Sp2005 c 1 art 2 s 161](#); [2009 c 37 art 1 s 42](#); [2012 c 272 s 69](#); [2014 c 312 art 13 s 28,29](#); [1Sp2015 c 4 art 4 s 109](#)



## Chapter 473 METROPOLITAN GOVERNMENT

### Minn. Stat. §473.8441 LOCAL RECYCLING DEVELOPMENT PROGRAM.

#### Subdivision 1. Definitions.

"Number of households" has the meaning given in Minnesota Statutes 1992, section [477A.011, subdivision 3a.](#)

#### Subd. 2. Program.

The commissioner shall encourage the development of permanent local recycling programs throughout the metropolitan area. The commissioner shall make grants to qualifying metropolitan counties as provided in this section.

#### Subd. 3. Grants; eligible costs.

Grants may be used to pay for planning, developing, and operating yard waste composting and recycling programs.

#### Subd. 4. Grant conditions.

The commissioner shall administer grants so that the following conditions are met:

(a) A county must apply for a grant in the manner determined by the commissioner. The application must describe the activities for which the grant will be used.

(b) The activities funded must be consistent with the metropolitan policy plan and the county master plan.

(c) A grant must be matched by equal local expenditures for the activities for which the grant is made. A local expenditure may include, but is not limited to, an expenditure by a local unit of government, tribal government, or private sector or nonprofit organization.

(d) All grant funds must be used for new activities or to enhance or increase the effectiveness of existing activities in the county. Grant funds shall not be used for research or development of a product that would be patented, copyrighted, or a subject of trade secrets.

(e) Counties shall provide support to maintain effective municipal recycling where it is already established.

#### Subd. 5. Grant allocation procedure.

(a) The commissioner shall distribute the funds annually so that each qualifying county receives an equal share of 50 percent of the allocation to the program described in this section, plus a proportionate share of the remaining funds available for the program. A county's proportionate share is an amount that has the same proportion to the total remaining funds as the number of households in the county has to the total number of households in all metropolitan counties.

(b) To qualify for distribution of funds, a county, by April 1 of each year, must submit to the commissioner for approval a report on expenditures and activities under the program during the preceding fiscal year and any proposed changes in its recycling implementation strategy or performance funding system. The report shall be included in the county report required by section [473.803, subdivision 3.](#)

**History:** [1987 c 348 s 46](#); [1989 c 325 s 63](#); [1993 c 249 s 41](#); [1995 c 247 art 2 s 47-49](#); [1Sp2005 c 1 art 2 s 161](#); [2016 c 158 art 1 s 194](#); [2018 c 134 s 1](#)

## **Minn. Stat. § 473.848 RESTRICTION ON DISPOSAL.**

### **Subdivision 1. Restriction.**

(a) For the purposes of implementing the waste management policies in section [115A.02](#) and metropolitan area goals related to landfill abatement established under this chapter, a person may not dispose of unprocessed mixed municipal solid waste generated in the metropolitan area at a waste disposal facility unless the waste disposal facility meets the standards in section [473.849](#) and:

- (1) the waste has been certified as unprocessable by a county under subdivision 2; or
- (2)(i) the waste has been transferred to the disposal facility from a resource recovery facility;
- (ii) no other resource recovery facility serving the metropolitan area is capable of processing the waste; and
- (iii) the waste has been certified as unprocessable by the operator of the resource recovery facility under subdivision 3.

(b) For purposes of this section, mixed municipal solid waste does not include street sweepings, construction debris, mining waste, foundry sand, and other materials, if they are not capable of being processed by resource recovery as determined by the council.

### **Subd. 2. County certification; office approval.**

(a) By April 1 of each year, each county shall submit an annual certification report to the office detailing:

- (1) the quantity of waste generated in the county that was not processed prior to transfer to a disposal facility during the year preceding the report;
- (2) the reasons the waste was not processed;
- (3) a strategy for development of techniques to ensure processing of waste including a specific timeline for implementation of those techniques; and
- (4) any progress made by the county in reducing the amount of unprocessed waste.

The report shall be included in the county report required by section [473.803, subdivision 3](#).

(b) The Pollution Control Agency shall approve a county's certification report if it determines that the county is reducing and will continue to reduce the amount of unprocessed waste, based on the report and the county's progress in development and implementation of techniques to reduce the amount of unprocessed waste transferred to disposal facilities. If the Pollution Control Agency does not approve a county's report, it shall negotiate with the county to develop and implement specific techniques to reduce unprocessed waste. If the Pollution Control Agency does not approve two or more consecutive reports from any one county, the Pollution Control Agency shall develop specific reduction techniques that are designed for the particular needs of the county. The county shall implement those techniques by specific dates to be determined by the Pollution Control Agency.

### **Subd. 3. Facility certification.**

The operator of each resource recovery facility that receives waste from counties in the metropolitan area shall certify as unprocessable each load of mixed municipal solid waste it does not process. Certification must be made to each county that sends its waste to the facility at intervals specified by the county. Certification must include at least the number and size of loads certified as unprocessable and the reasons the waste is unprocessable. Loads certified as unprocessable must include the loads that would otherwise have been processed but were not processed because the facility was not in operation,

but nothing in this section relieves the operator of its contractual obligations to process mixed municipal solid waste.

**Subd. 4. Pollution Control Agency report.**

The Pollution Control Agency shall include, as part of its report to the Environment and Natural Resources Committees of the senate and house of representatives, the Finance Division of the senate Committee on Environment and Natural Resources, and the house of representatives Committee on Environment and Natural Resources Finance required under section [473.149](#), an accounting of the quantity of unprocessed waste transferred to disposal facilities, the reasons the waste was not processed, a strategy for reducing the amount of unprocessed waste, and progress made by counties to reduce the amount of unprocessed waste. The Pollution Control Agency may adopt standards for determining when waste is unprocessable and procedures for expediting certification and reporting of unprocessed waste.

**Subd. 5. Definition.**

For the purpose of this section, waste is "unprocessed" if it has not, after collection and before disposal, undergone separation of materials for resource recovery through recycling, incineration for energy production, production and use of refuse-derived fuel, composting, or any combination of these processes so that the weight of the waste remaining that must be disposed of in a mixed municipal solid waste disposal facility is not more than 35 percent of the weight before processing, on an annual average.

**History:**

[1985 c 274 s 35](#); [1989 c 325 s 66](#); [1991 c 337 s 81,82](#); [1993 c 249 s 43,44](#); [1994 c 585 s 49,50](#); [1995 c 247 art 2 s 51,52](#); [1996 c 470 s 27](#); [1Sp2005 c 1 art 2 s 161](#)

## CHAPTER 16C. STATE PROCUREMENT

### **Minn. Stat. § 16C.05 CONTRACT MANAGEMENT; VALIDITY AND REVIEW.**

#### **Subdivision 1. Agency cooperation and delegation.**

Agencies shall fully cooperate with the commissioner in the creation, management, and oversight of state contracts. Authority delegated to agencies shall be exercised in the name of the commissioner and under the commissioner's direct supervision and control. A delegation of duties may include, but is not limited to, allowing individuals within agencies to acquire goods, services, construction, and utilities within dollar limitations and for designated types of acquisitions. Delegation of contract management and review functions must be filed with the secretary of state. The commissioner may withdraw any delegation at the commissioner's sole discretion. The commissioner may require an agency head or subordinate to accept delegated responsibility to procure goods, services, or construction intended for the exclusive use of the agency receiving the delegation.

#### **Subd. 2. Creation and validity of contracts.**

(a) A contract and amendments are not valid and the state is not bound by them and no agency, without the prior written approval of the commissioner granted pursuant to subdivision 2a, may authorize work to begin on them unless:

(1) they have first been executed by the head of the agency or a delegate who is a party to the contract;

(2) they have been approved by the commissioner; and

(3) the accounting system shows an encumbrance for the amount of the contract liability, except as allowed by policy approved by the commissioner and commissioner of management and budget for routine, low-dollar procurements and section 16B.98, subdivision 11.

(b) Grants, interagency agreements, purchase orders, work orders, and annual plans need not, in the discretion of the commissioner and attorney general, require the signature of the commissioner and/or the attorney general. A signature is not required for work orders and amendments to work orders related to Department of Transportation contracts. Bond purchase agreements by the Minnesota Public Facilities Authority do not require the approval of the commissioner.

(c) 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 section [16C.03, subdivision 16](#), must determine that an amendment would serve the interest of the state better than a new contract and would cost no more.

(d) A record must be kept of all responses to solicitations, including names of bidders and amounts of bids or proposals. A fully executed copy of every contract, amendments to the contract, and performance evaluations relating to the contract must be kept on file at the contracting agency for a time equal to that specified for contract vendors and other parties in subdivision 5. These records are open to public inspection, subject to section [13.591](#) and other applicable law.

(e) The attorney general must periodically review and evaluate a sample of state agency contracts to ensure compliance with laws.

(f) Before executing a contract or license agreement involving intellectual property developed or acquired by the state, a state agency shall seek review and comment from the attorney general on the terms and conditions of the contract or agreement.

**Subd. 2a. Emergency authorization.**

The commissioner may grant an agency approval to authorize work to begin on a contract prior to the full execution of the contract in the event of an emergency as defined in section [16C.10. subdivision 2.](#)

**Subd. 3.**

[Repealed by amendment, [2014 c 196 art 2 s 4](#)]

**Subd. 4. Contract administration.**

A contracting agency shall diligently administer and monitor any contract it has entered into. The commissioner may require an agency to report to the commissioner at any time on the status of any contracts to which the agency is a party.

**Subd. 5. Subject to audit.**

A contract or any pass-through disbursement of public funds to a vendor of goods or services or a grantee made by or under the supervision of the commissioner or any county or unit of local government must include, expressed or implied, an audit clause that provides that the books, records, documents, and accounting procedures and practices of the vendor or other party, that are relevant to the contract or transaction, are subject to examination by the contracting agency and either the legislative auditor or the state auditor, as appropriate, for a minimum of six years. If the contracting agency is a local unit of government, and the governing body of the local unit of government requests that the state auditor examine the books, records, documents, and accounting procedures and practices of the vendor or other party pursuant to this subdivision, the contracting agency shall be liable for the cost of the examination. If the contracting agency is a local unit of government, and the grantee, vendor, or other party requests that the state auditor examine all books, records, documents, and accounting procedures and practices related to the contract, the grantee, vendor, or other party that requested the examination shall be liable for the cost of the examination. An agency contract made for purchase, lease, or license of software and data from the state is not required to contain this audit clause.

**Subd. 6. Authority of attorney general.**

The attorney general may pursue remedies available by law to avoid the obligation of an agency to pay under a contract or to recover payments made if services performed or goods received under the contract are so unsatisfactory, incomplete, or inconsistent that payment would involve unjust enrichment. The contrary opinion of the contracting agency does not affect the power of the attorney general under this subdivision.

**Subd. 7. Contracts with Indian tribes and bands.**

Notwithstanding any other law, an agency may not require an Indian tribe or band to deny its sovereignty as a requirement or condition of a contract with an agency.

**History:**

[1994 c 632 art 3 s 33](#); [1998 c 386 art 1 s 6](#); [1999 c 86 art 1 s 11](#); [1999 c 230 s 1](#); [2000 c 488 art 2 s 1](#); [1Sp2001 c 8 art 2 s 10](#); [1Sp2001 c 10 art 2 s 37](#); [2003 c 130 s 12](#); [1Sp2003 c 1 art 2 s 48,49](#); [2004 c 206 s 7](#); [2007 c 148 art 2 s 35,36](#); [2009 c 101 art 2 s 109](#); [2014 c 187 s 3](#); [2014 c 196 art 1 s 5](#); [art 2 s 4](#)

# Anoka County Municipal Waste Abatement Grant Funding Application

Cycle: *Annual* | Year: *2024* | Status: *Verified*

Member Name: *City of Ham Lake*

## 2025 Applications are due June 3, 2024.

### City of Ham Lake is requesting the following funding for their 2025 Anoka County municipal waste abatement program efforts.

#### General Instructions

This application is provided to each municipality in Anoka County for funds to support and increase recycling activities and programs within the municipality.

The funds allocated in this application are based on the number of households in the municipality. The number of households is determined using the most current Met Council household data available. For calendar year 2025, 2022 Met Council data has been used to determine the number of households for this application.

There are three sections in this funding application:

- Base Funding
- Enhancement Funding
- Supplemental Funding

The Enhancement Funding section of the application also has three parts:

- Drop-off
- General Enhancement
- Organics Program Funding

Please complete each section of the grant application. A number value must be entered in each field before submitting the application. If no funds are being requested for any given field, enter a zero. **If a completed funding application isn't submitted by June 3, 2024, the municipality will not be eligible for funding.**

In a separate Re-TRAC form, reimbursement requests will be submitted twice a year.

#### USER TIPS

**To contact support from within this form:** Click "Support" at the top of the screen or "Program Support Request" in the green bar at the top of the form.

**To print this form:** Click the "Export" button found on upper top right corner of the form. You must save the form before you can export it.

**To see eligible expenses within each section:** Click "view eligible expense" in each section.

Click [here](#) to download the full Eligible Expenses document.

**To save this form while working on it:** Click "Save" at the bottom of the form and select "Save as Draft".

**To submit this form:** Click "Save" at the bottom of the form and if there are no errors, click the "Mark as Complete" option. Note

that once you mark the form as complete, you cannot make changes to it.

## Eligible Expenses

The following items are examples of eligible expenses allowed for reimbursement.

**Collection Expenses:** If residents are charged recycling fees for curbside or recycling events, waste abatement funds will reimburse the difference between the fees collected and the cost of recycling or composting the materials.

**Equipment:** The cost to purchase, maintain and repair equipment that is used exclusively to operate the recycling or composting program.

**Containers:** The cost for recycling or organics containers.

**Promotion:** The entire cost of a publication if totally dedicated to waste reduction, recycling or composting information or a percentage of the cost for the portion of a municipal publication dedicated to waste management information.

**Staffing:** Labor and staffing directly related to recycling program administration and implementation may be funded up to 75% of total funding allocation (not including Supplemental Funding). See Labor & Staffing section below for more information.

## Ineligible Expenses

The following general operating expenses should NOT be submitted for reimbursement.

**Standard Operational Expenses/Building Overhead:** Since most of the municipal recycling coordinators are part-time positions and staff serve multiple roles at the municipality, standard operating expenses including office space rental, leasing office equipment and general office supplies, are not eligible for reimbursement.

**Project Expenses:** Specific to transportation, energy or ground water protection.

**Collection Costs:** The costs for general waste and recycling collection at municipal buildings, trash costs when advertised as being accepted at a recycling/cleanup day, and costs associated with road side cleanup of illegally dumped materials should not be included in this application.

**General Municipal Staff:** Staff time related to standard municipal operations (city administrator, office administration, facilities management, finance and legal staff) are not eligible for reimbursement. If municipal staff do not assist the recycling coordinator directly on activities to help the municipality achieve its recycling goal, e.g. communications and collecting, processing or marketing recyclable materials and organics, their time will not be reimbursed.

Click here to view previous years application:

Click [here](#) to download the full Eligible Expenses document.

## 2025 Total Funding Allocation

### UP AVAILABLE

Your Community has access to the following funds for 2025:

\$ 65,579.00

(An additional \$20,000 in discretionary funds may be available through the Supplemental Funding section.)

## 2025 BASE Funding Allocation

All municipalities are eligible for base waste abatement grant funding. When completing this application, base funding requests should fall under one of the following categories:

- regular curbside collection,
- general operations of a drop-off center,
- costs for spring and fall recycling days,
- basic promotion,
- yard waste collection and
- percentage of time the recycling coordinator spends on waste abatement activities.

**Base Funding is \$10,000.00 base, plus \$5.00/household (household counts are based on 2022 Met Council estimates)**

Municipality Name:

City of Ham Lake

Verify Entry	
# of households	5,797

Base Funding	\$ 10,000.00
Base Funding Additional (based on \$5/household)	\$ 28,985.00
<b>Total Base Funding Allocation</b>	<b>\$ 38,985.00</b>

### Curbside Collection

Complete ALL required fields below, if value is zero, enter "0.00".

Click [here](#) to download the Curbside Collection Eligible Expenses document.

Collection Service Provider Expenses	\$ 32,510.00
Contamination Fees	\$ 0.00
Additional Expenses	\$ 0.00
<b>Curbside Collection Expense Subtotal</b>	<b>\$ 32,510.00</b>
Estimated Revenue	\$ 0.00

**Curbside Collection Expenses**

\$ 32,510.00

*Negative values here will not carry forward to*

*other sections.*



### General Operations of a Drop-Off Center/Spring or Fall Recycling Day(s)

Click [here](#) to download the General Operations of a Drop-off Center/Spring or Fall Recycling Days Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

**DO NOT include any expenses for tires, oil, antifreeze & oil filters. These expenses should be listed in the Problem Materials section.**

Collection Service Provider Expenses \$ 4,000.00

Equipment \$ 500.00

Facility Expenses \$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

General Operations of a Drop-off Expense Subtotal

\$ 4,500.00

Estimated Revenue \$ 2,500.00

General Operations of a Drop-off Expenses

\$ 2,000.00

*Negative values here will not carry forward to*

*other sections.*

### Promotion -- Base Funding

Click [here](#) to download the Promotion Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Printing \$ 0.00

Postage \$ 0.00

Advertising \$ 0.00

Volunteer Incentives \$ 0.00

Educational Entertainment \$ 0.00

Promotion -- Base Funding Expenses

\$ 0.00

### Yard Waste/Tree Waste

Click [here](#) to download the Yard/Tree Waste Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses \$ 4,000.00

Equipment \$ 0.00

Yard Waste/Tree Waste Expenses Subtotal

\$ 4,000.00

Estimated Revenue \$ 0.00

Yard Waste/Tree Waste Expenses

\$ 4,000.00

*Negative values here will not carry forward to*

*other sections.*

### Problem Materials

#### (Tires, Oil, Antifreeze, and Oil Filters)

Click [here](#) to download the Problem Materials Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Service Provider Expenses \$ 125.00

Estimated Revenue \$ 0.00

Problem Material Expenses

\$ 125.00

*Negative values here will not carry forward to*

*other sections.*

### Program Administration -- Base Funding

Click [here](#) to download the Program Administration Eligible Expenses document.

Complete ALL required fields below, if value is zero, enter "0.00".

Office supplies \$ 0.00

Training \$ 0.00

Mileage \$ 0.00

Membership Dues, Periodicals \$ 0.00

Professional Services \$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Program Administration- Base Funding Expenses

\$ 0.00

Total BASE Funding Requested \$ 38,635.00

Funding Remaining \$ 26,944.00

**2025 ENHANCEMENT Funding Allocation**

The purpose of the Anoka County Municipal Waste Abatement grant funding program is to increase recycling and organics diversion and help the County achieve the State mandated goal of 75% recycling/composting by 2030. The County recognizes that this funding is needed to support established infrastructure costs that exceed the Base and each communities funding. To be eligible for grant funds, municipalities must apply for these funds. Applicants must itemize expenditures within each of the three grant sections, Drop-off, General Enhancement and Organics Program, below and calculate the total grant request for each category.

**Drop-off Grant**

This grant is allocated to cover additional drop-off center costs or events beyond the regularly scheduled spring and fall recycling days.

**The grant for this section is \$10,000.00 for municipalities with up to 4,999 households and \$15,000.00 for municipalities with household counts 5,000 and over.**

Below are examples of materials that can be collected for reuse or recycling. Only list organics expenses in the organics section.

Additional Reusable or Recyclable Materials Collected at Permanent Drop-off Centers or Special Events:

Appliances, Electronics, Mattresses\*, Confidential Document Destruction, Fluorescent Bulbs, Household Batteries, Fire Extinguishers, Propane Tanks, Bicycles\*\*, and Clothing\*\*.

Additional Items:

Block and Shape Polystyrene, Cell Phones, Film Plastic/Bags, Furniture\* \*\*, Household Goods\*\*, String Lights/Extension Cords, Printer Cartridges

\* None of these materials should be advertised as being collected on a Recycling Day and then disposed of as trash

\*\* Items that should be evaluated for reuse prior to recycling

MMASOHI

Drop-off Grant Amount Available

\$ 15,000.00

Click [here](#) to download the Drop-off Eligible Expenses document.

**Permanent Drop-off Center Enhancements**

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses \$ 1,950.00

New Equipment & Supplies \$ 0.00

New Construction \$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Permanent Drop-off Center Enhancement Expenses Subtotal

\$ 1,950.00

Estimated Revenue \$ 0.00

Permanent Drop-off Center Enhancement Expenses

\$ 1,950.00

*Negative values here will not carry forward*

*to other sections.*

### Monthly or Quarterly Drop-off Events

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses \$ 13,200.00

New Equipment & Supplies \$ 0.00

User Coupon Incentives \$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Monthly or Quarterly Drop-off Events Expense Subtotal

\$ 13,200.00

Estimated Revenue \$ 0.00

Monthly or Quarterly Drop-off Event Expenses

\$ 13,200.00

*Negative values here will not carry forward*

*to other sections.*

**Total Drop-off Grant Requested**

\$ 15,150.00

### General Enhancement Grant

The grant amount available for this section is calculated using \$1.00/household.

General Enhancement Grant Amount Available

\$ 5,797.00

Click [here](#) to download the General Enhancement Eligible Expenses document.

### Park Recycling

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses \$ 0.00

Recycling Containers \$ 0.00

Recycling Bags \$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Park Recycling Expenses

\$ 0.00

### Special Municipal Programs or Events - Please list any organics expenses in the organics section.

Complete ALL required fields below, if value is zero, enter "0.00".

Service Provider Expenses \$ 5,800.00

Supplies & Containers \$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

Special Municipal Program or Event Expenses Subtotal

\$ 5,800.00

Estimated Revenue \$ 0.00

Special Municipal Program or Event Expenses

\$ 5,800.00

*Negative values here will not carry forward*

*to other sections.*

### Special Curbside Recycling Collection

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses \$ 0.00

Subsidy to Resident \$ 0.00

Special Curbside Recycling Collection Expenses Subtotal

\$ 0.00

Estimated Revenue \$ 0.00

**Special Curbside Recycling Collection Expenses**

\$ 0.00

*Negative values here will not carry forward*

*to other sections.*

**Multi-Family Recycling Outreach**

Complete ALL required fields below, if value is zero, enter "0.00".

Supplies & Containers \$ 0.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

**Multi-Family Recycling Outreach Expenses**

\$ 0.00

**Promotion -- Enhancement Funding**

Complete ALL required fields below, if value is zero, enter "0.00".

Printing \$ 0.00

Postage \$ 0.00

Advertising \$ 0.00

Volunteer Incentives \$ 0.00

Educational Entertainment \$ 0.00

**Promotion -- Enhancement Funding Expenses**

\$ 0.00

**Total General Enhancement Grant Requested**

\$ 5,800.00

**Organics Program Grant**

**The grant amount for this section is \$0.50/household if additional curbside or drop-off grant programs are not offered to residents or \$1.00/household if curbside or drop-off organics programs are offered to residents.**

Does your municipality offer curbside or drop-off organics programs to your residents? \*

Yes

No

Amount Available \$ 5,797.00

Click [here](#) to download the Organics Eligible Expenses document.

### Organics Program Expenses

Complete ALL required fields below, if value is zero, enter "0.00".

Collection Service Provider Expenses \$ 5,494.00

Organics Equipment \$ 0.00

Organics Only - Promotion \$ 500.00

Please enter Labor & Staffing expenses in Labor & Staffing section below.

#### Organics Program Expenses Subtotal

\$ 5,994.00

Estimated Revenue \* 0.00

#### Organics Program Expenses

\$ 5,994.00

*Negative values here will not carry forward*

*to other sections.*

Total ENHANCEMENT Funding Requested \$ 26,944.00

Maximum Funding Available \$ 65,579.00

*(Base plus Enhancement NOT including Supplemental)*

Total Funding Requested \$ 65,579.00

*(not including Staffing)*

Funding Remaining \$ 0.00

*(Total Requested minus Max Amount available)*

### Labor & Staffing (All Programs)

Salary and labor expenses must be directly related to recycling program operations and administration. These expenses may be funded up to 75% of funding allocation (not including supplemental funding). The final % and expense amount for salary and labor will be determined after Anoka County approves the submitted staffing and labor metric.

#### Upload 2025 Staffing Metric and Drop-off Calculator \*

2025 Staffing Metric and Drop-off Calculator.xlsx

Upload a scanned pdf of recent promotion for your current curbside or drop-off opportunities. It can be from a brochure, newsletter or from your website, for how your special curbside collection program works, and/or what is accepted at your city or town offices (during business hours), spring recycling event, permanent drop-off centers or other drop-off events. +  
Ham Laker May 2024.pdf

Click [here](#) to download the Curbside Collection Eligible Expenses document.



Admin only: The approved Labor and Staffing % from your 2024 Staffing Metric has been inserted to provide an estimate of typical Labor and Staffing costs for your community. In general, this percentage has not changed much over the last several years.

47 %

MANAGE FUNDING

Labor & Staffing Maximum Funds Available

\$ 30,822.13

General Program Administration \$ 0.00

Program Implementation \$ 0.00

Total Labor & Staffing Expenses Requested: \$ 0.00

### Supplemental Funding Request

Supplemental grant funding is currently available to help support municipal waste abatement programs and/or new program development. Supplemental funding, however, should not be depended on for long-term program sustainability. Before requesting supplemental additional grant program dollars, it is critical that your municipality is willing to support and sustain the services before implementation.

**Please be aware that there is a limited amount of supplemental funding available for this section. If the County receives more funding requests than funds, the funds may be reduced or denied for a municipalities supplemental funding request. Grants will be evaluated based on which projects best help the County meet the State mandated goal of 75% by 2030.**

**The maximum supplemental grant available may be up to \$20,000.00 per municipality.**

Supplemental Funding – may include:

- Collection service provider expenses for additional materials
- Additional expenses from construction and paving projects
- Large equipment purchases
- New program expenses

Do you need additional funds to grow existing waste abatement programs? \*

Yes       No

In the box below, please include the following information:

- Identify need for supplemental funding;
- Describe project scope and design;
- Describe how the project may benefit multiple municipalities or the County as a whole;
- Note key stakeholders participating in project activities, including project collaborators;
- Quantify and list expected outcomes, such as, new materials to be collected, projected amount to be collected, percentage increase of currently collected materials if supplemental grant funding is approved. \*

Additional funds are being requested to continue programs in place that residents appreciate and rely on; costs for those programs cannot be covered by base funding as 40%+ of those funds are used to pay a contractual amount to the haulers for curbside pickup of recyclables. Costs for yard waste drop off, on a seasonal basis are significant and continue to rise. Coupon events at Recycle Technologies generate variable expenses from one event to the next. Enhancement funding provided covers



a portion of the expenses incurred for events held at Recycle Technologies. We will continue to look for new, no or low-cost recycling opportunities that can be implemented for our residents.

### Project Budget

List all project elements that require funding. Use the ADD button to add elements to the chart.

Project Element *	Expense *
Items listed above and in Base, Drop-off, Enhancement and Organics Sections	20,000.00
<b>Total Supplemental Funding Requested</b>	<b>\$ 20,000.00</b>

### Summary of Funding Requested

**Base Funding Requested** \$ 38,635.00

#### Enhancement Funding Requested

Drop-off Grant Requested \$ 15,150.00

General Enhancement Grant Requested \$ 5,800.00

Organics Program Grant Requested \$ 5,994.00

#### Total Enhancement Funding Requested

\$ 26,944.00

**Labor & Staffing Funding Requested** \$ 0.00

**Supplemental Funding Requested** \$ 20,000.00

### Total Funding Requested

85,579.00

Date: \* 06/03/2024

Name: \* Nicole Wheeler

Title: \* City of Ham Lake Recycling Coordinator

## Total Funding Granted

MANAGE ONLY

Base Funding Granted	38,635.00
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MANAGE ONLY

Drop-off Funding Granted	15,150.00
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MANAGE ONLY

General Enhancement Funding Granted	5,800.00
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MANAGE ONLY

Organics Program Funding Granted	5,994.00
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MANAGE ONLY

Labor & Staffing Funding Granted	
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MANAGE ONLY

Supplemental Funding Granted	20,000.00
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<b>Total Funding Granted</b>	<b>\$ 85,579.00</b>
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MANAGE ONLY

### \*\*\*Office Use Only\*\*\*

Received By:	Sue Doll
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Date:	06/03/2024
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Manager Notes for Reporters:



Created: Apr 25, 2024 at 03:07 PM CDT

**Robin Wodziak**

Robin.wodziak@anokacountymn.gov

Last Updated: Jul 15, 2024 at 04:45 PM CDT

**Sue Doll**

Sue.doll@anokacountymn.gov

Contract# \_\_\_\_\_

**ANOKA COUNTY HUMAN SERVICES  
CONTRACTOR INFORMATION SHEET**

**Please review the following information for accuracy and completeness, indicate any changes, sign and return to:**

Angie Rodine  
Anoka County Human Services  
2100 3<sup>rd</sup> Ave, Suite 500  
Anoka, MN 55303

**LEGAL NAME FOR CONTRACTOR:** \_\_\_\_\_  
*(Legal name and name on Certificate of Insurance must be exactly the same in order for County Signatures to be obtained on the Contract.)*

**Doing Business As:** \_\_\_\_\_

**Business/Corporate Address:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**National Provider Identification (NPI) #:** \_\_\_\_\_

**Federal Tax Identification #:** \_\_\_\_\_

*NOTICE: Federal Business Tax ID/Social Security Number is needed for tax purposes as mandated by Section 1211 of the Tax Reform Act of 1976 and Minn. Stat 270.66. This information will be shared with the Minnesota Department of Revenue, the Minnesota Department of Human Services, the Internal Revenue Service, and the U.S. Department of Health, Education and Welfare for the purposes of administering the income tax, child support obligation and social security tax programs.*

**Individual who Contractor is designating to receive notice under the contract and to act as the responsible authority for data requests under the Minnesota government data practices act (Minn. Stat. Chap. 13):**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_  
\_\_\_\_\_

**Signature (Required):** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Insurance Agency:** \_\_\_\_\_ **Name of Agent:** \_\_\_\_\_


**Telephone Number of Insurance Agent:** \_\_\_\_\_

**Person Completing this Form:**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

## Memorandum

Date: October 29, 2024  
To: Mayor and Councilmembers  
From: David A. Krugler, City Engineer   
Subject: Hidden Forest East Fourth Addition

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**Introduction:**

An inspection of the Hidden Forest East Fourth Addition project was completed October 17th.


**Discussion:**

All of the Development Agreement Work Items that were guaranteed by the performance security have been completed.

**Recommendation:**

It is recommended that the project be accepted and that the one-year maintenance period commence. It is also recommended that the cash performance security, in the amount of \$328,200 be released after the maintenance security, in the amount of \$203,500 is posted by the developer with the City.

## Memorandum

Date: October 29, 2024  
To: Mayor and Councilmembers  
From: David A. Krugler, City Engineer   
Subject: Constance Boulevard Terrace

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**Introduction:**

The Constance Boulevard Terrace residential development project was accepted at the November 6, 2023 City Council meeting, which commenced the one-year maintenance period.

**Discussion:**

An inspection of the Constance Boulevard Terrace project was completed on September 26<sup>th</sup>. All of the maintenance items have been adequately corrected and there are no known deficiencies.

**Recommendations:**

It is recommended that the maintenance security, in the amount of \$93,400.00, be released.

## Memorandum

Date: October 30, 2024  
To: Mayor and Councilmembers  
From: Tom Collins, City Engineer *TPC*  
Subject: 2025 Bituminous Overlay Project

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### **Introduction:**

The proposed 2025 bituminous overlay locations were discussed at the March 18<sup>th</sup> Road Committee meeting.

### **Discussion:**

The following streets are proposed to receive an overlay in 2025:

- Braastad Farms overlay ('02 construction)
- MSA McKay Drive overlay from 606 feet east of Jackson Street to 100 feet west of Taylor Street ('04 overlay)
- Pingers Plaza Metes and Bounds overlay & 7<sup>th</sup> Street from 168<sup>th</sup> Avenue to 170<sup>th</sup> Avenue ('98 overlay)
- Ravenwood Estates ('98 overlay)
- Woodland Bluffs overlay ('03 construction)
- Woodland Bluffs 2nd Addition overlay ('03 construction)

### **Recommendation:**

Order the preparation of plans and specifications for the 2025 bituminous overlay project.



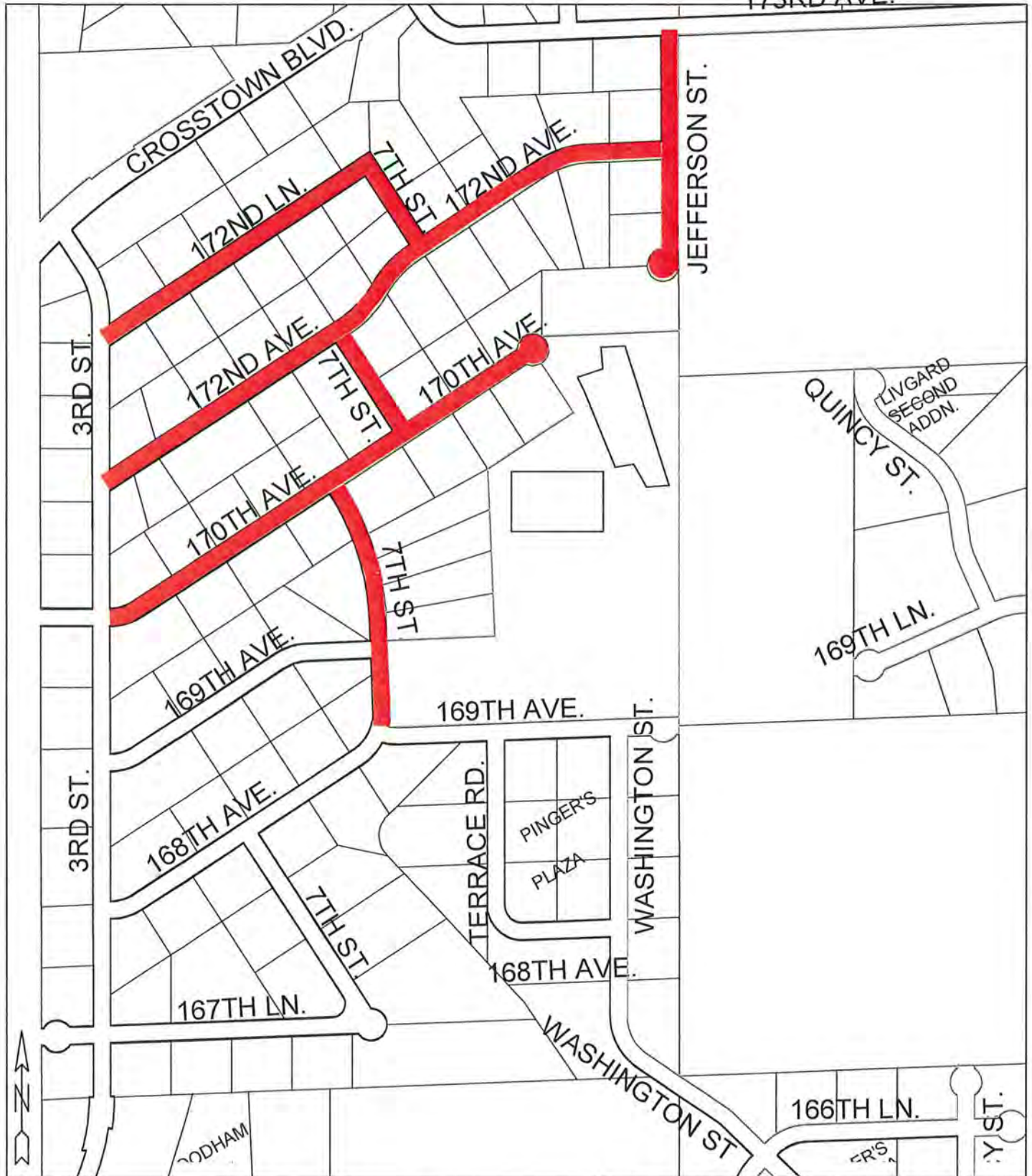
— BITUMINOUS OVERLAY



<p>Sheet Title: CITY OF HAM LAKE BITUMINOUS OVERLAY</p>	<p>Date 10/30/24</p>	<p>Scale 1"=4,000'</p>
<p>Project: OVERALL 2025 OVERLAY LOCATIONS</p>	<p><b>RFC ENGINEERING, INC.</b> <b>Consulting Engineers</b> 13635 Johnson Street Ham Lake, MN 55304 Telephone (763) 862-8000 Fax (763) 862-8042</p>	



173RD AVE.



Sheet Title:  
 CITY OF HAM LAKE 2025 BITUMINOUS OVERLAY

Date  
 10/30/24

Scale  
 1" = 500'

Locations:  
 PINGER'S PLAZA

**RFC ENGINEERING, INC.**  
**Consulting Engineers**

13635 Johnson Street  
 Ham Lake, MN 55304  
 Telephone (763) 862-8000  
 Fax (763) 862-8042



Sheet Title:  
CITY OF HAM LAKE 2025 BITUMINOUS OVERLAY

Date  
10/30/24

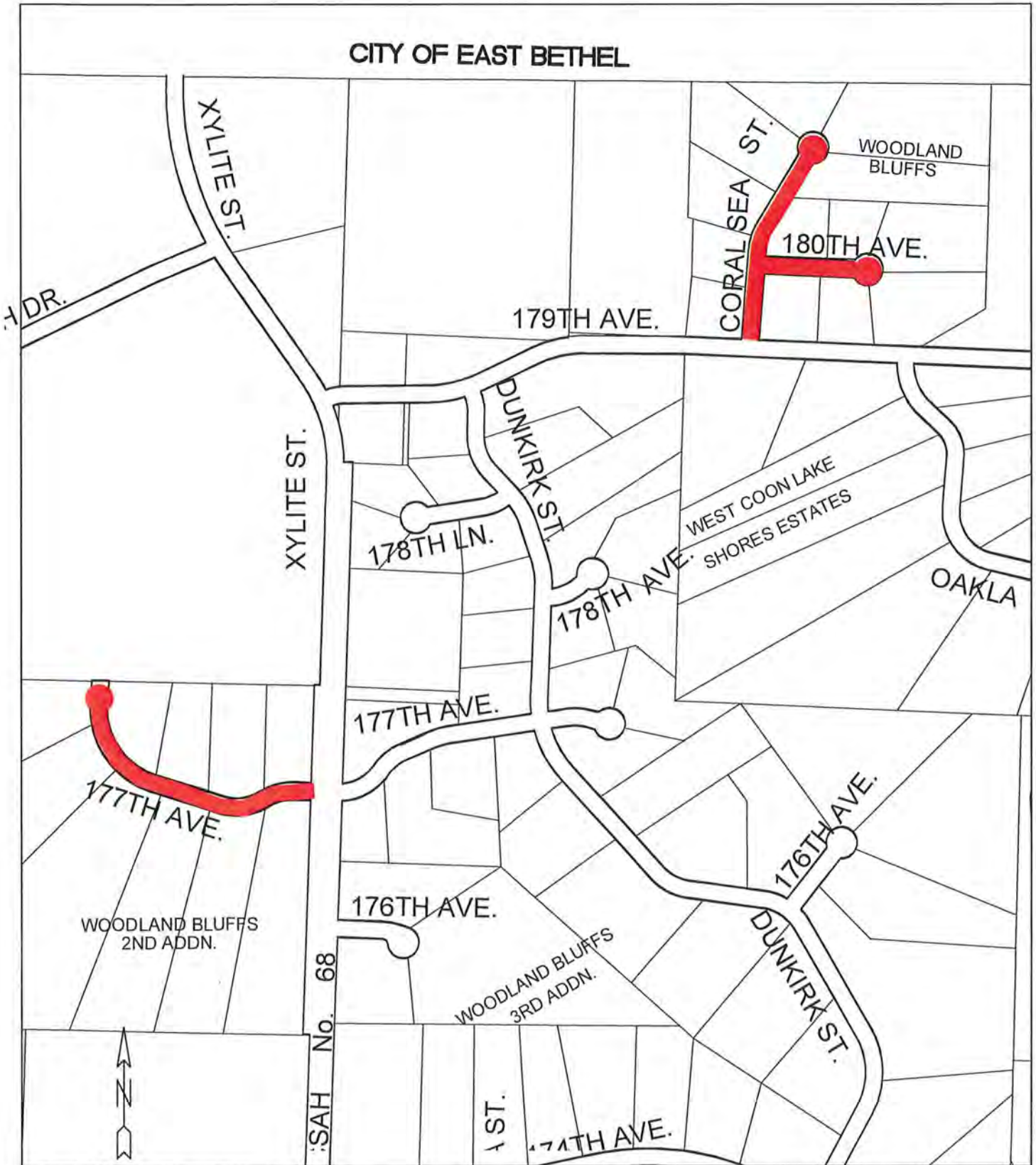
Scale  
1" = 500'

Locations:  
MCKAY DRIVE NE  
(606 FT. EAST OF JACKSON ST. AND  
100 FT. WEST OF TAYLOR ST.)

**RFC ENGINEERING, INC.**  
**Consulting Engineers**

13635 Johnson Street  
Ham Lake, MN 55304  
Telephone (763) 862-8000  
Fax (763) 862-8042

CITY OF EAST BETHEL



Sheet Title:  
CITY OF HAM LAKE 2025 BITUMINOUS OVERLAY

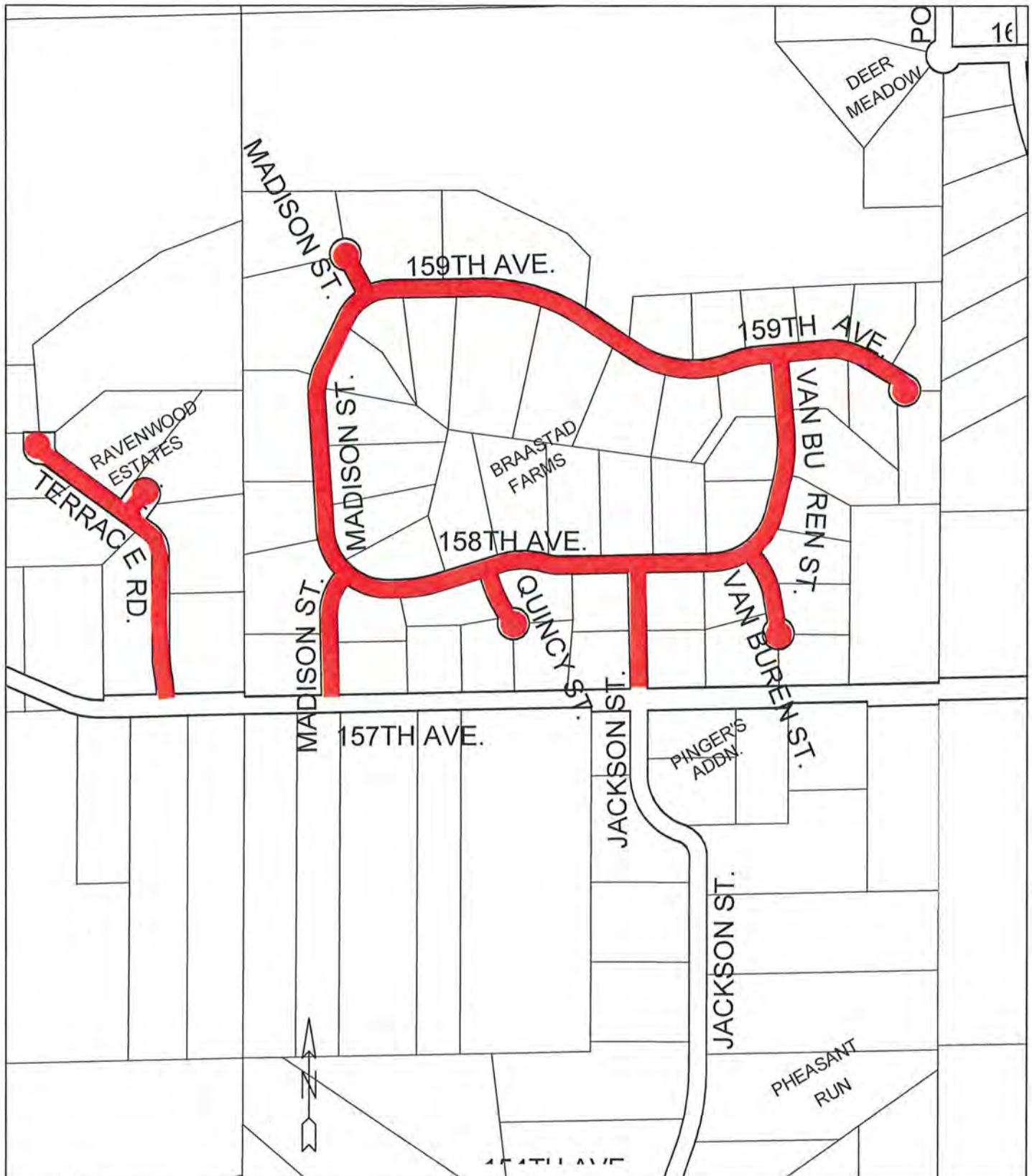
Date  
10/30/24

Scale  
1" = 500'

Locations:  
WOODLAND BLUFFS AND  
WOODLAND BULFFS 2ND ADDITION

**RFC ENGINEERING, INC.**  
**Consulting Engineers**

13635 Johnson Street  
Ham Lake, MN 55304  
Telephone (763) 862-8000  
Fax (763) 862-8042



Sheet Title:  
CITY OF HAM LAKE 2025 BITUMINOUS OVERLAY

Date  
10/30/24


Scale  
1" = 500'

Locations:  
RAVENWOOD ESTATES AND  
BRAASTAD FARMS

**RFC ENGINEERING, INC.**  
**Consulting Engineers**

13635 Johnson Street  
Ham Lake, MN 55304  
Telephone (763) 862-8000  
Fax (763) 862-8042

## Memorandum

Date: October 31, 2024  
To: Mayor and Councilmembers  
From: David A. Krugler, City Engineer   
Subject: Fire Station #3

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**Introduction:**

The final payment for Ebert Companies for the construction of Ham Lake Fire Station #3 is attached. All work for this project has been satisfactorily completed.

**Discussion:**

The total construction cost of the work completed is \$2,531,467.60. This is \$49,467.60 (2.0%) over the contract amount of \$2,482,000.00. There were five change orders that were approved.

The main increases were due to plan omissions. \$19,350.24 was a result of the piping to connect the well to the underground vault and a Reverse Flow Preventer (RPZ) that was not included in the Plans. \$11,061.12 was a result of the Department of Labor and Industry (DLI) requiring that roof drains connect to the storm system rather than surface drain over the parking lot regardless of if any foot traffic was not expected over the area. This was due to the policy change where DLI now applies plumbing rules over the entire site rather than limited to the building footprint. As determined by the City Attorney reviewing the contract with the City and the Architect, unless omissions result in additional work to remedy the omission, the architect/engineer is not responsible for the costs as the cost would have been included in the bid. Other smaller revisions include modifying the hand rail on the upper level to allow a lift to unload supplies, house numbers for the building make up the \$59,109.60 in increases.

The concrete report was completed that resulted in an additional \$5,907.75 performed four corings of the apparatus floor. This was to determine why the floor emitted a white stain when exposed to water. The report identified that all key metrics of the concrete met all criteria. Multiple sealants were used, but had the same effect. The report outlined that the discoloration will not affect service life and is only a cosmetic defect that will disappear over time.

There were two reductions as the well to provide water to the underground vault was downsized resulting in an \$8,180 credit as well as removing a check valve which resulted in a \$1,462 credit. As this project used the national American Institute of Architects specifications, substantial completion is when the Owner may occupy into the facility and use the facility as it was intended which was approved on April 10, 2024 and when the one-year warranty began.

**Recommendation:**

It is recommended that the project be approved for Final Completion and the attached payment to Ebert Companies be approved. The one-year warranty period will expire April 10, 2025.

**CITY OF HAM LAKE  
CODE COMMITTEE NOTES  
OCTOBER 21, 2024**

The Road Committee met on Monday, October 21, 2024 at 5:30 p.m. Present were Mayor Brian Kirkham, Councilmember Gary Kirkeide; City Attorney Mark Berglund; City Engineer Tom Collins; City Administrator Denise Webster; Building Official Mark Jones; and Deputy City Clerk Dawnette Shimek.

1. Extreme Curves

The Code Committee discussed that there currently isn't a definition for "extreme curves" under Article 10-100 in the Ham Lake City Code. There was discussion that an extreme curve could be defined as "a curve with a design speed limit of 20 miles per hour (mph) or less". **It was the consensus of the Code Committee to recommend to the City Council to consider the First Reading of an Ordinance defining an extreme curve under Article 10 of the Ham Lake City Code.**

2. Noise Ordinance

The noise ordinance was discussed regarding dirt bikes, ATVs, etc. under Article 4-700 of the Ham Lake City Code. The Code Committee discussed the circular motion and the timeframe that a dirt bike, etc. could be going in a circular motion. Attorney Berglund stated that there also needs to be consideration for the neighbors who are having issues with dirt bikes, etc. as they have property rights too. Building Official Jones stated that he receives a lot of complaints regarding the noise that dirt bikes, etc. make when continually operating in close vicinities, especially when going in a circular motion. There was discussion on not changing the noise ordinance at this time. Administrator Webster stated that she would research what other cities ordinances are regarding dirt bikes, ATVs, etc. noise.

3. Wetland Banking

Attorney Berglund stated that the City can charge a fee for wetland credits that are sold by the developer, owner, etc. There was discussion of charging 3% for each credit that is sold. There was discussion regarding the dedication of a trail easement on the property or parkland dedication fees if a trail is not feasible to construct. Attorney Berglund stated that the wetland bank would be under a Conditional Use Permit (CUP). There was discussion that 2% would go into the General Fund and 1% would go into a Park and Beach Fund. The Code Committee discussed allowing the developer, who's previous sketch plan was tabled by the Planning Commission, to re-submit their application for sketch plan approval, but will not be able to submit the preliminary plat until the Wetland Banking is codified in the City Code. Attorney Berglund and Engineer Collins will prepare a draft Ordinance for a Public Hearing before the Planning Commission.

**ORDINANCE NO. 24-XX**

**An Ordinance Amending ARTICLE 10, SUBDIVISION REGULATIONS, to clarify that the subdivision of land parcels resulting in up to three lots must be platted but may be approved as Minor Plats.**

**Be it Ordained by the City Council of the City of Ham Lake, Anoka County, Minnesota as follows:**

**ARTICLE 10, SUBDIVISION REGULATIONS of the Ham Lake City Code is hereby amended as indicated in the following sections:**

~~Table 10-1: Lot Standards~~

**10-700 Lot Standards**

Table 10-1

Standards	I-P (Industrial Park) CD-1,CD-2, CD-3,CD-4 (Commercial Development)	I-1 (Light Industry)	GF (Government Facilities)
Lot Size	1 acre	1 acre	1 acre
Lot Width **	200 ft.	200 ft.	200 ft.
Front Yard Setbacks *	30 ft.	30 ft.	30 ft.
Side Yard Setbacks	10 ft.	30 ft.	10 ft.
Rear Yard Setbacks ***	20 ft.	20 ft.	10 ft.

*All setbacks refer to the minimum distance between a given lot line and any building, other structure, or curb line or pavement edge of any driveway, aisle, sidewalk or parking lot.*

**EXCEPTION:** Non-residential structures or uses shall not be located or conducted closer to any lot line of any other lot in any “R” or “PUD” District than the distances specified in the following schedule:

- **Twenty Feet**      Off-street parking spaces and access drives for non-residential uses, churches, schools, and public or semi-public functions, recreational facilities, entertainment facilities, motels, all business uses, and all industrial uses.

*\*\*For lots wholly abutting the turnaround circle portion of a cul-de-sac street, the Lot Width may be 60 feet as measured at the right-of-way line. For lots partially abutting the turnaround circle portion of a cul-de-sac street, the total of that frontage plus the remaining frontage on the street must total 200 or more feet.*

\*\*\*Commercial Condominiums under Article 10-550(D) of this Code may have a Rear Yard Setback of 10 feet.

Standards	R-A (Rural Res)	R-1 (Single-Family Res)	RS-1 & RS-2 (Shoreland Res.)
<b>Lot Size</b>	1 acre	1 acre	1 acre
<b>Lot Width **</b>	200 ft.	200 ft.	200 ft.
<b>Front Yard Setbacks *</b>	30 ft.	30 ft.	30 ft.
<b>Side Yard Setbacks *****</b>	10 ft.	10 ft.	10 ft.
<b>Rear Yard Setbacks *****</b>	10 ft. – Accessory Buildings, 50 ft. for All other structures	10 ft. – Accessory Buildings, 50 ft. for All other structures	10 ft. – Accessory Buildings, 50 ft. for All other structures
Standards	<b>PUD (Planned Unit Dev.)</b>		
<b>Lot Size</b>	1 acre		
<b>Lot Width **</b>	200 ft.		
<b>Front Yard Setbacks *</b>	30 ft.		
<b>Side Yard Setbacks</b>	10 ft.		
<b>Rear Yard Setbacks</b>	50 ft.		
Standards	R-AH (Aff. Housing)	Townhomes	Other
<b>Lot Size</b>	Sufficient for Sewerage	50' x 50'*****or 1 A.	***
<b>Lot Width</b>	***	***	***
<b>Front Setback *</b>	***	***	***
<b>Side Setback</b>	***	***	***
<b>Rear Setback</b>	***	***	***

Standards	R-2 (Multiple Family Residential)
<b>Lot Size</b>	3 acres or more for two unit buildings; four acres or more for three unit buildings; five acres or more for four unit buildings. For buildings having more than four units, five acres plus one acre for every unit in excess of four units.
<b>Lot Width</b>	300 ft.
<b>Front Yard Setbacks *</b>	30 ft.
<b>Side Yard Setbacks</b>	10 ft.
<b>Rear Yard Setbacks</b>	50 ft.

\* 50 Ft. when abutting any State or County Highway

\*\* For lots located on cul-de-sacs or extreme curves for R-1 zoned parcels prior to 1994 the width may be 60 feet at the right-of-way line. An extreme curve is defined as a curve with a



design speed limit of 20 miles per hour or less, as determined by the City Engineer.

\*\*\* As approved by the City Council

\*\*\*\* If used in connection with Common Areas owned by Association

\*\*\*\*\* For corner lots, the lot owner, at the time of application for the first building permit on the lot, may choose which of the non-road frontage lot lines shall be considered the side yard and which shall be the rear yard, regardless of which road provides the driveway access. Once this selection is made, this choice shall apply to all future building permits on this lot. For corner lots abutting two streets, both street lines shall be considered front yard, not side yard, lot lines for purposes of applying the setback requirements.

Physical Standards for RS-1 and RS-2 lands shall be identical with CD-1 or CD-2 Standards for Commercial Uses, I-1 Standards for Industrial Uses, R-A Standards for Residential Agricultural Uses, PUD Standards for planned Unit Development Uses, all subject to any modification imposed by Article 12 of this Code.

**Presented to the Ham Lake City Council on November 4, 2024 and adopted by a unanimous vote this \_\_\_\_ day of \_\_\_\_\_, 2024.**

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**Brian Kirkham, Mayor**

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**Denise Webster, City Clerk**