

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 7, 2022

- 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 17, 2022
- 4.2 Approval of claims
- 4.3 Approval of an Ordinance rezoning Schwartz Estates
- 4.4 Approval of a Resolution scheduling a public hearing to vacate a portion of the drainage and utility easement for Larson Systems located at 13847 Aberdeen Street NE in Section 32
- 4.5 Approval of Transfer from Cable Funds to the *Ham Laker* Fund
- 4.6 Approval of purchasing a F-350 Utility Vehicle for the Ham Lake Fire Department
- 4.7 Approval of accepting the Coon Creek Commercial Park Development project and commencing the one-year warranty period
- 4.8 Approval of accepting the Enchanted Estates 3rd Addition Development project and commencing the one-year warranty period
- 4.9 Approval of the updated Storm Water Pollution Prevention Plan (SWPPP)
- 4.10 Approval of hiring part-time snow plow driver
- 4.11 Approval of scheduling the Board of Canvass for Wednesday, November 16, 2022 at 7:30 a.m.

5.0 **PLANNING COMMISSION RECOMMENDATIONS – None**

6.0 **ECONOMIC DEVELOPMENT AUTHORITY – None**

7.0 **APPEARANCES – None**

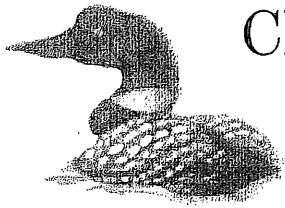
8.0 **CITY ATTORNEY**

9.0 **CITY ENGINEER**

10.0 **CITY ADMINISTRATOR**

11.0 **COUNCIL BUSINESS**

- 11.1 Committee Reports
- 11.2 Discussion of the Sunrise Watershed Management Organization budget
- 11.3 Announcements and future agenda items



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CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, OCTOBER 17, 2022

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, October 17, 2022 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 Jim Doyle, Gary Kirkeide, Al Parranto and Jesse Wilken

MEMBERS ABSENT: None

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

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 Commander Paul Lenzmeier, Anoka County Sheriff's Office Monthly Report

Commander Lenzmeier gave a summary of the Sheriff's Report for the month of September 2022.

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 3, 2022 and Special Meeting Minutes of October 11, 2022

4.2 Approval of claims in the amount of \$394,970.75

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

4.4 Approval of scheduling a Budget Workshop Meeting for Monday, November 7, 2022 (following the regularly scheduled City Council Meeting)

4.5 Approval of Resolution No. 22-37 for the American Rescue Plan Act (ARPA) Funding expenditures for the City of Ham Lake

4.6 Road Committee Recommendations:

- 1) Approval of preparing the Plans and Specifications for the Crosstown Shopping Center street reconstruction of Chisholm Street NE, 176th Lane NE, 177th Avenue NE, Central Avenue NE and 175th Lane NE

Motion by Wilken, seconded by Doyle, to approve the October 17, 2022 Consent agenda as written. All in favor, motion carried.

5.0 PLANNING COMMISSION RECOMMENDATIONS

5.1 Larry Schwartz requesting Preliminary Plat and Final Plat Approval and Rezoning from R-A, Rural Single Family Residential to R-1, Single Family Residential, for Schwartz Estates (3 single family residential lots) located in Section 23 (this is considered the First Reading of a rezoning Ordinance)

Motion by Doyle, seconded by Parranto, to concur with the recommendation of the Planning Commission and approve the request of Larry Schwartz for Preliminary and Final Plat approval and Rezoning of Schwartz Estates, a 3 lot Minor Plat, from R-A, Rural Single Family Residential, to R-1, Single Family Residential, located in Section 23 (PID# 23-32-23-14-0003), subject to paying a parkland and drainage fee for each lot, meeting the requirements of the City Engineer and meeting all City, State and County requirements. All in favor, motion carried.

(This is considered the First Reading of a rezoning Ordinance)

5.2 Larson Systems, Inc. requesting Commercial Site Plan approval to construct a 9,900 square foot building and a 17,776 square foot addition (east addition) to the existing 24,000 square foot building at 13847 Aberdeen Street NE (PID# 32-32-23-13-0026)

Motion by Kirkham, seconded by Doyle, to concur with the recommendation of the Planning Commission and approve the commercial site plan to construct a 9,900 square foot building and a 17,776 square foot addition (east addition) to the existing 24,000 square foot building at 13847 Aberdeen Street NE (PID# 32-32-23-13-0026) subject to adding screening along the south property line adjacent to 1555 138th Avenue NE that meets the requirements of Article 11-1853 of the City Code, installing the southeasterly septic area outside of the 100-year elevations of the existing pond to the west (894.73) and the existing pond to the north (894.97), coordinating septic siting with the building permit review, installing retaining walls to the west and/or north of the proposed septic area if required, adhering to the monitoring and mitigation plan for a Type III subsurface sewage treatment system as directed by the Building Official and submitting documentation as required by the plan, obtaining required permits from the Coon Creek Watershed District and MPCA prior to the commencement of grading operations, obtaining City Council approval of the vacation of easements at a future City Council meeting and meeting all City, State and County requirements. All in favor, motion carried.

6.0 ECONOMIC DEVELOPMENT AUTHORITY – None

7.0 APPEARANCES

7.1 Andrea Murff, Finance Director, 3rd Quarter Financial Report

Finance Director Murff gave the financial report for the 3rd Quarter of 2022. Finance Director Murff reported on the Overall Cash for the City is up approximately \$33,000 with various fluctuations within the different funds due to the purchase of a new City Sign, updating of the City Website, bond payments, purchasing a new plow truck and the annual budgeted transfers. Overall, with the exception of the General Fund, the cash position by the different fund types has stayed relatively flat. The General Fund Cash Balance has increased significantly for 2022 due to receiving the ARPA (American Rescue Plan Act) funds in July. When looking at the General Fund's budgeted activity for 2022, the fund is coming in with an overall favorable variance and expenditures are trending slightly below budget for the period. City investments are down approximately \$151,000 due to the market values on CD's decreasing. However, the return of higher interest rates on CD's has returned and the City has been purchasing more CD's at about a 4% interest rate. The City Council thanked Finance Director Murff.

8.0 CITY ATTORNEY

Attorney Berglund stated that his office is reviewing the history regarding dredging the waterway between Coon Lake and South Coon Lake and will report back at a future meeting.

9.0 CITY ENGINEER – None

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports

Councilmember Doyle stated that the City Council went on a road tour with Administrator Webster, City Engineer Krugler, City Engineer Collins and Public Works Superintendent Witkowski to look at road and assess the conditions of the roads for future road projects and maintenance.

11.2 Announcements and future agenda items – None

Motion by Kirkeide, seconded by Parranto, to adjourn the meeting at 6:17 p.m. All in favor, motion carried.

Dawnette Shimek, Deputy City Clerk

**CITY OF HAM LAKE
CLAIMS SUBMITTED TO COUNCIL
November 7, 2022**

CITY OF HAM LAKE

EFTS, CHECKS, AND BANK DRAFTS	10/18/22 - 11/7/22	
EFT	# 1745 - 1760	\$ 76,574.89
REFUND CHECKS	# 64497 - 64502	\$ 15,600.00
CHECKS	# 64496, 64503 - 64551	\$ 379,693.29
BANK DRAFTS	DFT0002445 - DFT0002457	\$ 52,321.02
TOTAL EFTS, CHECKS, AND BANK DRAFTS		<u>\$ 524,189.20</u>
PAYROLL CHECKS		
10/21/22		\$ 46,456.29
11/04/22		\$ 35,991.45
TOTAL PAYROLL CHECKS		<u>\$ 82,447.74</u>
TOTAL OF ALL PAYMENTS		<u>\$ 606,636.94</u>
VOID CHECKS		
CHECKS	#	
ZERO EFT	#1744	\$ -
BANK DRAFTS		

APPROVED BY THE HAM LAKE CITY COUNCIL THIS 7TH DAY OF NOVEMBER 2022

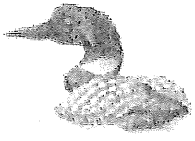
MAYOR

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER

COUNCILMEMBER



Packet: ARPKT00592 - 10/26/22 TRUST REFUND

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00294	MICHELLE TORKELSON	10/26/2022	64497	150.00
Total Refund Amount:				150.00

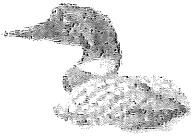
Revenue Totals

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

General Ledger Distribution

Posting Date: 10/26/2022

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



Packet: ARPKT00597 - 10/31/22 TRUST REFUND

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00301	JENNY STEGLICH	10/31/2022	64498	150.00
Total Refund Amount:				150.00

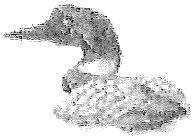
Revenue Totals

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

General Ledger Distribution

Posting Date: 10/31/2022

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



City of Ham Lake, MN

Refund Check Register

Packet: ARPKT00601 - 11/2/22 TRUST REFUND

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00054	LANG BUILDERS	11/2/2022	64499	2,500.00
			Total Refund Amount:	2,500.00

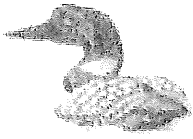
Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	2,500.00
Revenue Totals:	2,500.00

General Ledger Distribution

Posting Date: 11/02/2022

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-2,500.00	Yes
890-11501	Misc receivables	2,500.00	
	890 Total:	0.00	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-2,500.00	
999-20702	Due to other funds	2,500.00	Yes
	999 Total:	0.00	
	Distribution Total:	0.00	



Packet: ARPKT00602 - 11/3/22 TRUST REFUNDS

Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00055	PA WOODWORKING LLC	11/3/2022	64500	5,100.00
00209	EKN PROPERTIES & SERVICES	11/3/2022	64501	2,600.00
00255	DAVID HENDRICKSON	11/3/2022	64502	5,100.00
Total Refund Amount:				12,800.00

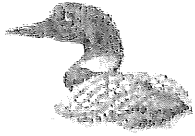
Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	12,800.00
Revenue Totals:	12,800.00

General Ledger Distribution

Posting Date: 11/03/2022

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-12,800.00	Yes
890-11501	Misc receivables	12,800.00	
	890 Total:	0.00	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-12,800.00	
999-20702	Due to other funds	12,800.00	Yes
	999 Total:	0.00	
	Distribution Total:	0.00	



Payment Dates 10/18/2022 - 11/7/2022

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1745	OPTUM BANK - 6011	Health Savings Account-6011	Flexible spending	100-21705	54.17
1746	OPTUM BANK - 6011	Health Savings Account-6011	Flexible spending	100-21705	54.17
1747	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	80.94
1747	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1747	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	25.65
1747	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	80.94
1747	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1747	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	25.65
1747	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	86.49
1747	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1747	ARAMARK UNIFORM & CAREE	PARK UNIFORMS	Clothing & personal protectiv	100-44101-2210	25.65
1748	BRODIN PRESS	NOV HAM LAKER	Editing	211-41704-3125	900.00
1749	CMT JANITORIAL SERVICES	SHERIFF'S OFFICE CLEANING	Cleaning service	100-41702-3430	130.00
1749	CMT JANITORIAL SERVICES	CITY HALL CLEANING	Cleaning service	100-41702-3430	520.00
1749	CMT JANITORIAL SERVICES	FIRE #2 CLEANING	Cleaning service	100-42202-3430	128.00
1749	CMT JANITORIAL SERVICES	FIRE #1 CLEANING	Cleaning service	100-42202-3430	136.00
1749	CMT JANITORIAL SERVICES	PW CLEANING	Cleaning service	100-43104-3430	125.00
1749	CMT JANITORIAL SERVICES	SR CENTER CLEANING	Cleaning service	100-44202-3430	254.00
1750	DELTA DENTAL PLAN OF MINN	NOV DK COBRA	COBRA receivable	100-11502	42.00
1750	DELTA DENTAL PLAN OF MINN	NOV DENTAL	Dental Insurance	100-21711	833.00
1750	DELTA DENTAL PLAN OF MINN	OCT TK DENTAL	Dental Insurance	100-21711	-110.65
1750	DELTA DENTAL PLAN OF MINN	SEPT TK DENTAL	Dental Insurance	100-21711	-110.65
1751	ESO SOLUTIONS INC	FIREHOUSE SUPPORT 2/22 - 1	Computer & software support	100-42201-3120	700.20
1752	O'REILLY AUTOMOTIVE STORE	TREAD GAUGE	Small tools	100-43101-2410	2.49
1752	O'REILLY AUTOMOTIVE STORE	#54 BAND CLAMP	Vehicle parts & supplies	100-43101-2340	20.05
1752	O'REILLY AUTOMOTIVE STORE	#54 CORE CHARGE	Vehicle parts & supplies	100-43101-2340	22.00
1752	O'REILLY AUTOMOTIVE STORE	#54 BATTERY	Vehicle parts & supplies	100-43101-2340	105.04
1752	O'REILLY AUTOMOTIVE STORE	GLOVES	Clothing & personal protectiv	100-43101-2210	24.99
1752	O'REILLY AUTOMOTIVE STORE	#54 HEATER & FUEL HOSE	Vehicle parts & supplies	100-43101-2340	25.55
1753	QUADIENT FINANCE USA INC	POSTAGE	Postage	100-41701-2120	500.00
1754	RFC ENGINEERING, INC.	165TH, FRAIZER, 167TH	Engineering	431-43301-3135	190.31
1754	RFC ENGINEERING, INC.	TWIN BIRCH ACRES	Engineering	431-43301-3135	2,284.33
1754	RFC ENGINEERING, INC.	TWIN BIRCH ACRES	Engineering	431-43301-3135	2,072.90
1754	RFC ENGINEERING, INC.	LUND'S LAKEVIEW FOREST	Engineering	431-43301-3135	503.08
1754	RFC ENGINEERING, INC.	LUND'S LAKEVIEW FOREST	Engineering	431-43301-3135	27.71
1754	RFC ENGINEERING, INC.	MEADOW PARK RECONSTRUC	Engineering	431-43301-3135	2,390.88
1754	RFC ENGINEERING, INC.	MEADOW PARK RECONSTRUC	Engineering	431-43301-3135	3,886.82
1754	RFC ENGINEERING, INC.	CREEK VALLEY RECONSTRUCTI	Engineering	431-43301-3135	1,822.48
1754	RFC ENGINEERING, INC.	CREEK VALLEY RECONSTRUCTI	Engineering	431-43301-3135	834.60
1754	RFC ENGINEERING, INC.	POLK STREET	Engineering	431-43301-3135	415.58
1754	RFC ENGINEERING, INC.	POLK STREET	Engineering	431-43301-3135	215.23
1754	RFC ENGINEERING, INC.	TIPPECANOE STREET	Engineering	431-43301-3135	685.14
1754	RFC ENGINEERING, INC.	TIPPECANOE STREET	Engineering	431-43301-3135	215.23
1754	RFC ENGINEERING, INC.	CROSSTOWN BUSINESS PARK	Capital assets	262-46101-5110	755.64
1754	RFC ENGINEERING, INC.	CROSSTOWN BUSINESS PARK	Capital assets	262-46101-5110	2,334.96
1754	RFC ENGINEERING, INC.	159TH AVE ROW VACATION	Engineering	100-41101-3135	27.71
1754	RFC ENGINEERING, INC.	COUNCIL MEETINGS	Engineering	100-41101-3135	126.87
1754	RFC ENGINEERING, INC.	HALF SECTION MAPS	Engineering	100-41101-3135	391.46
1754	RFC ENGINEERING, INC.	1360 CONSTANCE BLVD & 161	Engineering	100-41101-3135	180.13
1754	RFC ENGINEERING, INC.	VOTING MAP	Engineering	100-41101-3135	143.07
1754	RFC ENGINEERING, INC.	ANOKA COUNTY GIS DATA EX	Engineering	100-41101-3135	53.08
1754	RFC ENGINEERING, INC.	COMP PLAN UPDATE	Engineering-comprehensive p	100-41101-3136	41.57
1754	RFC ENGINEERING, INC.	CITY CODE UPDATE	Engineering	100-41102-3135	443.39
1754	RFC ENGINEERING, INC.	PLANNING/POTENTIAL DEVEL	Engineering	100-41601-3135	1,055.22

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1754	RFC ENGINEERING, INC.	BASE MAP	Engineering	100-41601-3135	510.60
1754	RFC ENGINEERING, INC.	ZONING MAP	Engineering	100-41601-3135	1,075.08
1754	RFC ENGINEERING, INC.	L4 B1 TIMBER WOODS ACCES	Engineering	100-42401-3135	55.42
1754	RFC ENGINEERING, INC.	HAM LAKE BUILDING PERMIT	Engineering	100-42401-3135	204.33
1754	RFC ENGINEERING, INC.	L1 B1 HIDDEN FOREST EAST P	Engineering	100-42401-3135	55.42
1754	RFC ENGINEERING, INC.	THOROUGHFARE PLAN	Engineering	100-43101-3135	418.06
1754	RFC ENGINEERING, INC.	5 YR PLAN	Engineering	100-43101-3135	1,496.45
1754	RFC ENGINEERING, INC.	COMFORT RESORT STORM PI	Engineering	100-43103-3135	415.19
1754	RFC ENGINEERING, INC.	DRAINAGE SOUTH PORTION	Engineering	100-43103-3135	63.44
1754	RFC ENGINEERING, INC.	2020 SWPPP UPDATE	Engineering	100-43201-3135	63.44
1754	RFC ENGINEERING, INC.	L1 B2 ENTERPRISE PLAZA 2ND	Engineering	100-43201-3135	967.07
1754	RFC ENGINEERING, INC.	SRWMO 2023 BUDGET	Engineering	100-43201-3135	27.71
1754	RFC ENGINEERING, INC.	HAM LAKE AS LGU-WCA	Engineering	100-43201-3135	193.99
1754	RFC ENGINEERING, INC.	CCWD RULES AMENDMENTS	Engineering	100-43201-3135	126.87
1754	RFC ENGINEERING, INC.	05-32-23-42-0012 WETLAND	Engineering	100-43201-3135	97.00
1754	RFC ENGINEERING, INC.	2022 SWPPP UPDATE	Engineering	100-43201-3135	96.99
1754	RFC ENGINEERING, INC.	SUBWATERSHED DIVIDES	Engineering	230-43201-3135	54.26
1754	RFC ENGINEERING, INC.	NPDES	Engineering	230-43201-3135	25.37
1754	RFC ENGINEERING, INC.	LEXINGTON, BUNKER TO CON	Engineering	431-43301-3135	27.71
1754	RFC ENGINEERING, INC.	181ST, CONCORD - 65	Engineering	431-43301-3135	235.55
1754	RFC ENGINEERING, INC.	2022 REHAB	Engineering	431-43301-3135	359.10
1754	RFC ENGINEERING, INC.	MILLINGS SURFACE STREETS L	Engineering	431-43301-3135	25.00
1754	RFC ENGINEERING, INC.	CRRSAA FUNDING	Engineering	431-43301-3135	41.57
1754	RFC ENGINEERING, INC.	2023 REHAB	Engineering	431-43301-3135	710.47
1754	RFC ENGINEERING, INC.	CREEKSIDE FARMS	Engineering	890-90001-3135	1,526.77
1754	RFC ENGINEERING, INC.	SCHWARTZ ESTATES	Engineering	890-90001-3135	963.39
1754	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 4TH	Engineering	890-90001-3135	928.36
1754	RFC ENGINEERING, INC.	16905 BALTIMORE STREET LO	Engineering	890-90001-3135	873.41
1754	RFC ENGINEERING, INC.	CONSTANCE BLVD TERRACE	Engineering	890-90001-3135	2,143.49
1754	RFC ENGINEERING, INC.	831 - 159TH AVENUE LOT SPLI	Engineering	890-90001-3135	136.16
1754	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 3RD	Engineering	890-90001-3135	659.34
1754	RFC ENGINEERING, INC.	HIDDEN FOREST EAST PARK	Engineering	890-90001-3135	7.49
1754	RFC ENGINEERING, INC.	MAGERS MEADOWS	Engineering	890-90001-3135	14.98
1754	RFC ENGINEERING, INC.	CATCHERS CREEK	Engineering	890-90001-3135	22.46
1754	RFC ENGINEERING, INC.	SCOOTER'S COFFEE	Engineering	890-90001-3135	26.55
1754	RFC ENGINEERING, INC.	NETTAS PRESERVE	Engineering	890-90001-3135	27.72
1754	RFC ENGINEERING, INC.	HOLIDAY	Engineering	890-90001-3135	694.23
1754	RFC ENGINEERING, INC.	BLUEGRASS ESTATES 3RD	Engineering	890-90001-3135	41.57
1754	RFC ENGINEERING, INC.	13-41-0001 & 42-0001 CHAD	Engineering	890-90001-3135	51.06
1754	RFC ENGINEERING, INC.	ENTSMINGER FARMS	Engineering	890-90001-3135	52.42
1754	RFC ENGINEERING, INC.	CROSTOWN ROLLING ACRES	Engineering	890-90001-3135	71.52
1754	RFC ENGINEERING, INC.	RADISSON SUNSET ESTATES	Engineering	890-90001-3135	37.44
1754	RFC ENGINEERING, INC.	EVERGREEN ESTATES	Engineering	890-90001-3135	87.61
1754	RFC ENGINEERING, INC.	CROSTOWN ROLLING ACRES	Engineering	890-90001-3135	96.99
1754	RFC ENGINEERING, INC.	COON CREEK COMMERCIAL P	Engineering	890-90001-3135	273.66
1754	RFC ENGINEERING, INC.	18001/18007 UNIVERSITY AV	Engineering	890-90001-3135	263.26
1754	RFC ENGINEERING, INC.	FLAMINGO TERRACE EXPANSI	Engineering	890-90001-3135	230.70
1754	RFC ENGINEERING, INC.	BOBBY'S CAR WASH	Engineering	890-90001-3135	128.04
1754	RFC ENGINEERING, INC.	13-32-23-42-0002 LOT SPLIT	Engineering	890-90001-3135	127.65
1754	RFC ENGINEERING, INC.	ANOKA COUNTY GIS DATA EX	Engineering	100-41101-3135	12.69
1754	RFC ENGINEERING, INC.	COUCIL MEETING	Engineering	100-41101-3135	542.55
1754	RFC ENGINEERING, INC.	1360 CONSTANCE BLVD & 161	Engineering	100-41101-3135	290.98
1754	RFC ENGINEERING, INC.	HALF SECTION MAPS	Engineering	100-41101-3135	170.20
1754	RFC ENGINEERING, INC.	BASE MAP	Engineering	100-41101-3135	53.24
1754	RFC ENGINEERING, INC.	ROAD COMMITTEE MEETING	Personnel testing & recruitme	100-41101-3150	265.43
1754	RFC ENGINEERING, INC.	CITY CODE UPDATE	Engineering	100-41102-3135	83.14
1754	RFC ENGINEERING, INC.	PLANNING/POTENTIAL DEVEL	Engineering	100-41601-3135	870.43
1754	RFC ENGINEERING, INC.	PLANNING COMMISSION MEE	Engineering	100-41601-3135	50.75
1754	RFC ENGINEERING, INC.	L3 B2 HAM LAKE IND'L PARK 4	Engineering	100-41601-3135	69.28
1754	RFC ENGINEERING, INC.	4611 - 139TH LANE LOT LINE	Engineering	100-42401-3135	138.56

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1754	RFC ENGINEERING, INC.	L1 B5 CROSSTOWN SHOPPING	Engineering	100-42401-3135	13.86
1754	RFC ENGINEERING, INC.	L1 B1 HIDDEN FOREST EAST P	Engineering	100-42401-3135	55.42
1754	RFC ENGINEERING, INC.	HAM LAKE BUILDING PERMIT	Engineering	100-42401-3135	540.38
1754	RFC ENGINEERING, INC.	5 YR PLAN	Engineering	100-43101-3135	1,233.18
1754	RFC ENGINEERING, INC.	PW TRAFFIC SIGN POLICY	Engineering	100-43101-3135	55.42
1754	RFC ENGINEERING, INC.	THOROUGHFARE PLAN	Engineering	100-43101-3135	660.07
1754	RFC ENGINEERING, INC.	COON LAKE CHANNEL DREDG	Engineering	100-43101-3135	27.71
1754	RFC ENGINEERING, INC.	L1 B2 ENTERPRISE PLAZA 2ND	Engineering	100-43201-3135	1,678.22
1754	RFC ENGINEERING, INC.	2022 SWPPP UPDATE	Engineering	100-43201-3135	41.57
1754	RFC ENGINEERING, INC.	CCWD RULES AMENDMENTS	Engineering	100-43201-3135	452.23
1754	RFC ENGINEERING, INC.	HAM LAKE AS LGU-WCA	Engineering	100-43201-3135	96.99
1754	RFC ENGINEERING, INC.	NPDES	Engineering	230-43201-3135	96.99
1754	RFC ENGINEERING, INC.	STREET LIGHT ASSESSMENT A	Other professional services	232-43701-3190	50.75
1754	RFC ENGINEERING, INC.	CRRSAA FUNDING	Engineering	431-43301-3135	55.42
1754	RFC ENGINEERING, INC.	2023 REHAB	Engineering	431-43301-3135	279.29
1754	RFC ENGINEERING, INC.	181ST, CONCORD - 65	Engineering	431-43301-3135	124.70
1754	RFC ENGINEERING, INC.	CONSTANCE BOULEVARD TER	Engineering	890-90001-3135	3,560.66
1754	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 3RD	Engineering	890-90001-3135	1,885.55
1754	RFC ENGINEERING, INC.	BOBBY'S CAR WASH	Engineering	890-90001-3135	1,532.29
1754	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 2ND	Engineering	890-90001-3135	656.21
1754	RFC ENGINEERING, INC.	16905 BALTIMORE STEET LOT	Engineering	890-90001-3135	725.84
1754	RFC ENGINEERING, INC.	CROSSTOWN ROLLING ACRES	Engineering	890-90001-3135	1,268.44
1754	RFC ENGINEERING, INC.	TOBY'S TRAILS	Engineering	890-90001-3135	13.86
1754	RFC ENGINEERING, INC.	EVERGREEN ESTATES	Engineering	890-90001-3135	21.35
1754	RFC ENGINEERING, INC.	SCHWARTZ ESTATES LABELS	Engineering	890-90001-3135	25.00
1754	RFC ENGINEERING, INC.	COON CREEK COMMERCIAL P	Engineering	890-90001-3135	82.37
1754	RFC ENGINEERING, INC.	18001/18007 UNIVERSITY AV	Engineering	890-90001-3135	180.13
1754	RFC ENGINEERING, INC.	CATCHERS CREEK	Engineering	890-90001-3135	197.60
1754	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 4TH	Engineering	890-90001-3135	290.98
1754	RFC ENGINEERING, INC.	CREEKSIDE FARMS	Engineering	890-90001-3135	339.23
1754	RFC ENGINEERING, INC.	SCOOTER'S COFFEE	Engineering	890-90001-3135	13.86
1754	RFC ENGINEERING, INC.	SCHWARTZ ESTATES	Engineering	890-90001-3135	581.78
1754	RFC ENGINEERING, INC.	HOLIDAY SKETCH	Engineering	890-90001-3135	641.77
1754	RFC ENGINEERING, INC.	GROUP PERMIT BILLING	Engineering	100-43501-3135	8,584.31
1754	RFC ENGINEERING, INC.	TWIN BIRCH ACRES ROW2021	Engineering	431-43301-3135	110.85
1754	RFC ENGINEERING, INC.	CREEK VALLEY ROW2022-199	Engineering	431-43301-3135	83.14
1754	RFC ENGINEERING, INC.	CREEK VALLEY ROW2022-147	Engineering	431-43301-3135	27.71
1754	RFC ENGINEERING, INC.	GROUP PERMIT BILLING	Engineering	100-43501-3135	3,297.69
1754	RFC ENGINEERING, INC.	CREEK VALLEY ROW2022-199	Engineering	431-43301-3135	194.69
1754	RFC ENGINEERING, INC.	TWIN BIRCH ACRES ROW2021	Engineering	431-43301-3135	124.70
1754	RFC ENGINEERING, INC.	181ST, CONCORD - 65 ROW20	Engineering	431-43301-3135	13.86
1754	RFC ENGINEERING, INC.	MSA GROUP BILLING	Engineering	431-43301-3135	69.28
1754	RFC ENGINEERING, INC.	MSA GROUP BILLING	Engineering	431-43301-3135	634.22
1759	STAR TRIBUNE MEDIA COMPA	PUBLIC ACCURACY TEST	Legal notices/publications/bid	100-41302-3950	27.36
1759	STAR TRIBUNE MEDIA COMPA	ELECTION BALLOT	Legal notices/publications/bid	100-41302-3950	27.36
1759	STAR TRIBUNE MEDIA COMPA	POLLING PLACES	Legal notices/publications/bid	100-41302-3950	61.92
1760	WICK COMMUNICATIONS-LEA	NOV HAM LAKER	Printing	211-41704-3970	645.00
64496	DAMA METAL PRODUCTS INC	RAPID ENTRY KEY BOXES	Fire Extinguisher	100-20203	738.00
64503	ACCESS	CITY HALL SHREDDING	Other professional services	100-41701-3190	168.00
64504	ALEX AIR APPARATUS, INC	FIRE #1 AIR COMPRESSOR TES	Equipment repair & maintena	100-42201-3440	971.44
64504	ALEX AIR APPARATUS, INC	FIRE #2 AIR COMPRESSOR TES	Equipment repair & maintena	100-42201-3440	971.44
64505	AMERICAN PRESSURE INC	PRESURE WASHER	Controllable assets	100-43101-5120	1,350.00
64506	ANOKA COUNTY FIRE PROTEC	PSDS COST ALLOCATION	Other communication	100-42201-3290	11,628.00
64506	ANOKA COUNTY FIRE PROTEC	SPECIAL TEAM ALLOCATION	Other communication	100-42201-3290	789.00
64506	ANOKA COUNTY FIRE PROTEC	AUDIT FEE ALLOCATION	Other communication	100-42201-3290	291.00
64507	ANOKA COUNTY TREASURY D	NOV BROADBAND FIRE #2	Internet & website	100-41301-3220	75.00
64507	ANOKA COUNTY TREASURY D	NOV BROADBAND	Internet & website	100-41301-3220	37.50
64508	ANOKA COUNTY TREASURY D	4TH QTR LAW ENFORCEMENT	Police protection	100-42101-3155	323,048.75
64508	ANOKA COUNTY TREASURY D	4TH QTR LAW ENFORCEMENT	Police protection	100-42101-3155	-50,920.00
64509	BAUER BUILT INC	#71 TIRE REPAIR	Equipment repair & maintena	100-43101-3440	699.92

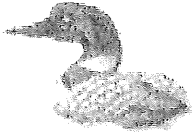
Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
64509	BAUER BUILT INC	#57 TIRE REPAIR	Equipment repair & maintena	100-43101-3440	328.42
64510	BJORKLUND TRUCKING LLC	9.68 TN CLASS 5	Street repair & maintenance s	100-43101-2330	147.62
64511	BOYER FORD TRUCK INC	#54 TENSIONER, BLET, PULLEY	Vehicle parts & supplies	100-43101-2340	394.84
64512	CENTURY COLLEGE	FIRE CEU PROGRAM 2022	Training/conferences/schools	100-42201-3510	1,356.25
64513	CITY OF COLUMBUS	SIGNAL LEXINGTON & BROAD	Electricity	100-43401-3610	166.22
64514	CITY OF COON RAPIDS	2022 SEALCOATING	Blacktop maintenance	100-43101-3410	2,284.33
64515	CONNEXUS ENERGY	HAM LAKE WELL	Electricity	100-44101-3610	163.40
64516	CONNEXUS ENERGY	CITY HALL	Electricity	100-41702-3610	896.02
64516	CONNEXUS ENERGY	GARAGE	Electricity	100-41702-3610	59.07
64516	CONNEXUS ENERGY	SOUTH WELCOME	Electricity	100-41703-3610	14.62
64516	CONNEXUS ENERGY	CITY SIGN	Electricity	100-41703-3610	97.77
64516	CONNEXUS ENERGY	FIRE #1	Electricity	100-42202-3610	426.52
64516	CONNEXUS ENERGY	FIRE #2	Electricity	100-42202-3610	213.05
64516	CONNEXUS ENERGY	SIRENS	Electricity	100-42302-3610	65.00
64516	CONNEXUS ENERGY	PW	Electricity	100-43104-3610	742.25
64516	CONNEXUS ENERGY	BUNKER/JEFFERSON SIGNALS	Electricity	100-43401-3610	65.81
64516	CONNEXUS ENERGY	HWY 65/ANDOVER BLVD SIGN	Electricity	100-43401-3610	75.62
64516	CONNEXUS ENERGY	CROSSTOWN/HWY 65 SIGNAL	Electricity	100-43401-3610	75.62
64516	CONNEXUS ENERGY	RADISSON/BUNKER SIGNALS	Electricity	100-43401-3610	77.23
64516	CONNEXUS ENERGY	HWY 65/BUNKER SIGNALS	Electricity	100-43401-3610	82.48
64516	CONNEXUS ENERGY	LEXINGTON/CROSSTOWN SIG	Electricity	100-43401-3610	49.83
64516	CONNEXUS ENERGY	BUNKER/LEXINGTON SIGNALS	Electricity	100-43401-3610	66.76
64516	CONNEXUS ENERGY	STREET LIGHTS #1	Electricity	100-43401-3610	25.68
64516	CONNEXUS ENERGY	HWY 65/CONSTANCE SIGNALS	Electricity	100-43401-3610	116.67
64516	CONNEXUS ENERGY	STREET LIGHTS #2	Electricity	100-43401-3610	284.46
64516	CONNEXUS ENERGY	SODERVILLE PARK	Electricity	100-44101-3610	38.35
64516	CONNEXUS ENERGY	SODERVILLE PARK WELL	Electricity	100-44101-3610	13.63
64516	CONNEXUS ENERGY	HAM LAKE PARK	Electricity	100-44101-3610	120.32
64516	CONNEXUS ENERGY	HAM LAKE PARK SHELTER	Electricity	100-44102-3610	29.23
64516	CONNEXUS ENERGY	HAM LAKE PARK BUILDING	Electricity	100-44102-3610	167.30
64516	CONNEXUS ENERGY	LION'S PARK PAVILION	Electricity	100-44102-3610	190.39
64516	CONNEXUS ENERGY	LION'S PARK CONCESSION	Electricity	100-44102-3610	65.94
64516	CONNEXUS ENERGY	HAM LAKE PARK CONCESSION	Electricity	100-44102-3610	73.55
64516	CONNEXUS ENERGY	SR CENTER	Electricity	100-44202-3610	482.47
64516	CONNEXUS ENERGY	STREET LIGHTS	Electricity	232-43701-3610	4,746.19
64518	CROSSTOWN SIGN INC	CITY SIGN	Capital assets	210-41705-5110	34,780.00
64519	CZARS OF TAR INC	LUND'S PINE CREEK BASKETB	Capital assets	100-44101-5110	2,497.50
64519	CZARS OF TAR INC	FOX RUN BASKETBALL COURT	Capital assets	100-44101-5110	2,497.50
64520	DEARBORN LIFE INS CO	NOV LIFE	Life Insurance	100-21714	54.40
64520	DEARBORN LIFE INS CO	NOV VOL LIFE	Life Insurance	100-21714	185.70
64520	DEARBORN LIFE INS CO	SEPT TK LIFE	Life Insurance	100-21714	-3.20
64520	DEARBORN LIFE INS CO	OCT TK LIFE	Life Insurance	100-21714	-3.20
64520	DEARBORN LIFE INS CO	NOV CH LIFE	Life/disability/other insurance	100-43101-1320	3.20
64521	DEHN OIL CO	200 GAL GASOLINE	Fuel	100-43101-2230	655.00
64521	DEHN OIL CO	400.1 GAL DIESEL	Fuel	100-43101-2230	1,876.47
64522	EMERGENCY APPARATUS MTC	R1 FUEL PUMP MODULE	Fire apparatus repair & maint	100-42201-3450	990.74
64523	FIRE CATT LLC	FIRE HOSE TESTING	Equipment repair & maintena	100-42201-3440	2,530.50
64524	FIRE SAFETY USA INC	ELKHART HANDLE	Equipment parts & supplies	100-42201-2320	60.00
64525	FORCE AMERICA, INC	#80 MOTOR	Vehicle parts & supplies	100-43101-2340	600.45
64526	GAME TIME	SPACE WHIRL - LION'S PARK	Capital assets	440-44103-5110	9,829.61
64527	GRAINGER	#67 KEYSTOCK	Equipment parts & supplies	100-44101-2320	6.24
64527	GRAINGER	#67 KEYSTOCK	Equipment parts & supplies	100-44101-2320	27.87
64528	HAM LAKE HARDWARE INC	OAK WILT SPRAY PAINT	Operating supplies	250-45101-2290	25.98
64528	HAM LAKE HARDWARE INC	HEDGE TRIMMER REPAIR	Equipment repair & maintena	100-44101-3440	38.90
64529	HAM LAKE HAULERS INC	3RD QTR RECYCLING	Waste management & recycli	231-43601-3630	8,127.50
64530	HYDRAULIC SPECIALTY CO INC	#80 MOTOR REPAIR	Vehicle repair & maintenance	100-43101-3470	838.70
64531	I-STATE TRUCK CENTER INC	#54 BELTS, SEAL, PIPE HEATER	Vehicle parts & supplies	100-43101-2340	234.95
64532	LEPAGE & SONS INC	10/13 YARDWASTE	Waste management & recycli	231-43601-3630	466.10
64532	LEPAGE & SONS INC	10/19 YARDWASTE	Waste management & recycli	231-43601-3630	466.10
64533	LUBE-TECH & PARTNERS LLC	94.9 GAL 5W40	Operating supplies	100-43101-2290	1,517.45

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
64534	MCCLELLAN SALES INC	SWEATSHIRT	Clothing & personal protectiv	100-43101-2210	266.00
64534	MCCLELLAN SALES INC	JACKETS & SWEATSHIRT	Clothing & personal protectiv	100-43101-2210	137.64
64535	MENARDS-BLAINE	HAM LAKE SPRINKLER PARTS	Operating supplies	100-44101-2290	40.56
64535	MENARDS-BLAINE	USED REBATE #2054	Misc receivables	100-11501	-75.74
64535	MENARDS-BLAINE	COFFEEMAKER	Operating supplies	100-43101-2290	25.83
64535	MENARDS-BLAINE	DRIVEWAY MARKERS	Operating supplies	100-43102-2290	297.00
64535	MENARDS-BLAINE	MARKING PAINT - OAK WILT	Operating supplies	250-45101-2290	27.44
64536	MENARDS-CR	MOUNTING TAPE & STUD FIN	Operating supplies	100-43101-2290	16.57
64537	MINNESOTA EQUIPMENT	LATCH	Operating supplies	100-44101-2290	12.04
64538	MINUTEMAN PRESS INC	STREETLIGHT ASSESMENT PO	Other professional services	232-43701-3190	378.88
64539	NCPERS GROUP LIFE INSURAN	NOV LIFE	Life Insurance	100-21714	96.00
64539	NCPERS GROUP LIFE INSURAN	OCT TK LIFE	Life Insurance	100-21714	-16.00
64539	NCPERS GROUP LIFE INSURAN	SEPT TK LIFE	Life Insurance	100-21714	-16.00
64540	NORTHERN TOOL & EQUIPME	BENCH VICE, SOCKET TRAYS	Small tools	100-43101-2410	285.97
64541	RESPEC	4TH QTR MAPFEEDER SUBSCR	Software licenses & upgrades	230-43201-2510	750.00
64541	RESPEC	4TH QTR FULCRUM SUBSCRIP	Software licenses & upgrades	230-43201-2510	315.00
64542	SUMMIT COMPANIES	RESIDENT EXTINGUISHER SER	Fire Extinguisher	100-20203	33.00
64543	TASC	NOV COBRA ADMINISTRATIO	Other professional services	100-41701-3190	25.00
64543	TASC	DEC COBRA ADMINISTRATION	Other professional services	100-41701-3190	25.00
64544	THE MPX GROUP	NOV HAM LAKER - ADD'L SOR	Other services and charges	211-41704-3990	50.00
64544	THE MPX GROUP	NOV HAM LAKER DELIVERY	Other services and charges	211-41704-3990	225.00
64545	ULTIMATE SAFETY CONCEPTS I	FIRE #1 WELL PIPING	Building repair & maintenanc	100-42202-2310	503.27
64546	UNLIMITED SUPPLIES INC	BOLTS, BULBS, TUBING	Operating supplies	100-43101-2290	94.84
64546	UNLIMITED SUPPLIES INC	NUTS, BOLTS, MINI BULBS	Operating supplies	100-43101-2290	58.34
64547	US BANK CORPORATE PAYME	ZOOM-Oct Zoom-DW	Dues & subscriptions	100-41201-3920	12.84
64547	US BANK CORPORATE PAYME	IOS-Hand Sanitizer-NW	Office supplies	100-41302-2110	37.34
64547	US BANK CORPORATE PAYME	AMAZON-DISINFECTANT WIP	Office supplies	100-41302-2110	14.20
64547	US BANK CORPORATE PAYME	IOS-paper clip dispensers-NW	Office supplies	100-41302-2110	7.80
64547	US BANK CORPORATE PAYME	IOS-divider tabs, susan-NW	Office supplies	100-41401-2110	3.00
64547	US BANK CORPORATE PAYME	ARROWWOOD-GFOA Annual	Training/conferences/schools	100-41401-3510	272.42
64547	US BANK CORPORATE PAYME	IOS-Pens and Paper-NW	Office supplies	100-41701-2110	107.55
64547	US BANK CORPORATE PAYME	IOS-toilet paper-NW	Operating supplies	100-41701-2290	23.55
64547	US BANK CORPORATE PAYME	AMAZON-INDOOR FLAG POLE	Operating supplies	100-41701-2290	26.90
64547	US BANK CORPORATE PAYME	IOS-can liners-NW	Operating supplies	100-41701-2290	32.18
64547	US BANK CORPORATE PAYME	IOS-hand soap-NW	Operating supplies	100-41701-2290	13.92
64547	US BANK CORPORATE PAYME	IOS-paper towels-NW	Operating supplies	100-41701-2290	135.44
64547	US BANK CORPORATE PAYME	IOS-Hand Sanitizer-NW	Operating supplies	100-41701-2290	9.33
64547	US BANK CORPORATE PAYME	PANTHEON-Oct website-NW	Software licenses & upgrades	100-41701-2510	300.00
64547	US BANK CORPORATE PAYME	FELD FIRE-SHIPPING-MR	Covid 19	100-41701-4153	400.00
64547	US BANK CORPORATE PAYME	IOS-hand soap-NW	Operating supplies	100-42201-2290	4.16
64547	US BANK CORPORATE PAYME	AMAZON-hose, cooler, batteri	Operating supplies	100-42201-2290	221.46
64547	US BANK CORPORATE PAYME	CLAREY'S-PREMIX HOLDERS-	Equipment parts & supplies	100-42201-2320	148.50
64547	US BANK CORPORATE PAYME	IOS-folders-NW	Office supplies	100-42401-2110	35.60
64547	US BANK CORPORATE PAYME	INT'L CODE COUNCIL-Membe	Dues & subscriptions	100-42401-3920	145.00
64547	US BANK CORPORATE PAYME	NORTH CENTRAL INT'L-#93 T	Vehicle parts & supplies	100-43101-2340	731.49
64547	US BANK CORPORATE PAYME	MN FALL EXPO-TRAINING-JW	Training/conferences/schools	100-43101-3510	90.00
64547	US BANK CORPORATE PAYME	MN FALL EXPO-TRAINING-JW	Training/conferences/schools	100-43101-3510	120.00
64547	US BANK CORPORATE PAYME	IOS-toilet paper-NW	Operating supplies	100-44201-2290	69.18
64547	US BANK CORPORATE PAYME	IOS-paper towels-NW	Operating supplies	100-44201-2290	135.44
64549	VERIZON WIRELESS	MR	Phones/radios/pagers	100-42201-3210	41.15
64549	VERIZON WIRELESS	TD, MJ, & 2 LAPTOPS	Phones/radios/pagers	100-42401-3210	162.32
64549	VERIZON WIRELESS	JK, JW, JC, CS, EH, & 2 LAPTOP	Phones/radios/pagers	100-43101-3210	293.76
64549	VERIZON WIRELESS	DH, AC	Phones/radios/pagers	100-44101-3210	82.30
64550	VERIZON WIRELESS	612-916-1358 SR CTR	Phones/radios/pagers	100-44201-3210	8.50
64551	WRIGHT-HENNEPIN COOPERA	ELEVATOR MONITORING	Monitoring	100-41702-3145	10.00
64551	WRIGHT-HENNEPIN COOPERA	SECURITY MONITORING	Monitoring	100-41702-3145	33.95
64551	WRIGHT-HENNEPIN COOPERA	PW FIRE PANEL MONITORING	Monitoring	100-43104-3145	52.95
DFT0002445	COMPENSATION CONSULTAN	Health Savings Account	Flexible spending	100-21705	216.66
DFT0002446	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,545.00
DFT0002446	EMPOWER	Roth IRA	Deferred compensation	100-21704	50.00

Council Approval List

Payment Dates: 10/18/2022 - 11/7/2022

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
DFT0002447	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	5,167.16
DFT0002447	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,866.96
DFT0002447	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	7,399.32
DFT0002448	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,432.98
DFT0002449	PERA	Retirement-Coordinated	PERA	100-21703	6,595.09
DFT0002449	PERA	Retirement-Elected Officials	PERA	100-21703	81.68
DFT0002449	PERA	Retirement-Police & Fire	PERA	100-21703	1,146.78
DFT0002450	COMPENSATION CONSULTAN	Health Savings Account	Flexible spending	100-21705	216.66
DFT0002451	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,545.00
DFT0002451	EMPOWER	Roth IRA	Deferred compensation	100-21704	50.00
DFT0002452	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	5,084.17
DFT0002452	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,535.24
DFT0002452	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	6,082.50
DFT0002453	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,411.70
DFT0002454	PERA	Retirement-Coordinated	PERA	100-21703	6,604.94
DFT0002454	PERA	Retirement-Police & Fire	PERA	100-21703	1,146.78
DFT0002456	US POSTMASTER	6059 PIECES HAM LAKER	Postage	211-41704-2120	1,102.74
DFT0002457	US POSTMASTER	SR CENTER POSTAGE	Postage Liability	100-20204	39.66
Grand Total:					508,589.20



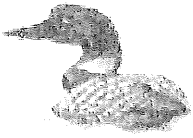
City of Ham Lake, MN

EFT Payroll Check Register Report Summary

Pay Period: 10/2/2022-10/15/2022

Packet: PYPKT01388 - PPE10/15/22 PAID 10/21/22
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	70	46,456.29
Total	70	46,456.29



City of Ham Lake, MN

Payroll Check Register Report Summary

Pay Period: 10/16/2022-10/29/2022

Packet: PYPKT01392 - PPE 10/29/22 PAID 11/4/22
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	35,991.45
Total	32	35,991.45

ORDINANCE NO. 22-XX

AN ORDINANCE AMENDING A PORTION OF CHAPTER 9 OF THE CITY OF HAM LAKE, COUNTY OF ANOKA, STATE OF MINNESOTA.

The City Council of the City of Ham Lake does hereby ordain as follows, pursuant to Article 9 of the Ham Lake City Code.

That the zoning classification for the following described property situated in the City of Ham Lake, Anoka County, Minnesota is hereby designated R-1 (Single Family Residential) (Schwartz Estates).

PID# 23-32-23-14-0003

THE E 600 FT OF N 726 FT OF W 2052.14 FT OF S1/2 OF NE 1/4 OF
SEC 23-32-23 EX RD; SUBJ TO EASE OF REC.

Presented to the Ham Lake City Council on October 17, 2022 and adopted by a unanimous vote this 7th day of November, 2022.

Brian Kirkham, Mayor

Denise Webster, City Clerk

Meeting Date: November 7, 2022



***CITY OF HAM LAKE
STAFF REPORT***

To: Mayor and Councilmembers

From: Dawnette Shimek, Deputy City Clerk

Item/Title/Subject: Vacation of Drainage and Utility Easement for Larson Systems located at 13847 Aberdeen Street NE in Section 32

Introduction/Discussion:

Larson Systems, Inc., is requesting to vacate a portion of the Drainage and Utility Easement at 13847 Aberdeen Street NE in Section 32, which was part of the approval by the City Council at the October 17, 2022 meeting. Engineer Collins has reviewed the legal description and has no issue with this vacation being there is no public need for the easement.

Recommendation:

I recommend approval of the Resolution scheduling a Public Hearing for November 21, 2022 to vacate a portion of the drainage and utility easement for Larson Systems located at 13847 Aberdeen Street NE in Section 32.

RESOLUTION NO. 22-XX

WHEREAS, the Ham Lake City Council, on its own motion, wishes to consider the vacation of the following described land in the City of Ham Lake, pursuant to Minnesota Statutes Chapter 412.851:

That part of the drainage and utility easement over and across the south 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota as dedicated on said plat which lies east of the west 10 feet of said Lot 1 and which lies west of the east and northeasterly 10 feet of said Lot 1.

and

That part of the drainage and utility easement over and across the north 10 feet of Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota as dedicated on said plat which lies east of the west 10 feet of said Lot 1 and which lies west of the east 10 feet of said Lot 1 and which lies westerly of the west line of the northeasterly 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota and its southeasterly extension.

and

That part of the drainage and utility easement over and across Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota as dedicated on said plat described as follows:

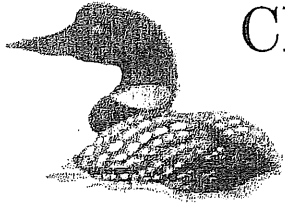
Commencing at the southwest corner of said Lot 1; thence on an assumed bearing of South 89 degrees 55 minutes 03 seconds East along the south line of said Lot 1 a distance of 219.86 feet to the point of beginning of the area to be described; thence continuing South 89 degrees 55 minutes 03 seconds East along the south line of said Lot 1 a distance of 268.40 feet; thence North 00 degrees 04 minutes 57 seconds East a distance of 145.00 feet; thence North 89 degrees 55 minutes 03 seconds West a distance of 226.27 feet; thence South 08 degrees 58 minutes 17 seconds West a distance of 41.98 feet; thence South 19 degrees 04 minutes 45 seconds West a distance of 109.49 to the point of beginning. EXCEPT the south 10 feet thereof.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Ham Lake, that the City Clerk is directed to post in a conspicuous place in the City Hall between the dates of November 10, 2022 and November 21, 2022 and to cause publication of a NOTICE OF PUBLIC HEARING, a copy of which is attached to this Resolution, for a public hearing to be held on November 21, 2022, with publication to occur in the Star Tribune on November 10, 2022.

Adopted by the City Council of the City of Ham Lake this 7th day of November, 2022.

Brian Kirkham, Mayor

Denise Webster, City Clerk



CITY OF HAM LAKE

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

NOTICE OF PUBLIC HEARING VACATION OF PUBLIC LAND

NOTICE IS HEREBY GIVEN, that a Public Hearing will be held before the Ham Lake City Council February 16, 2021 at 6:01 p.m. in the City Council Chambers, City Hall, 15544 Central Avenue N.E. Ham Lake, Minnesota 55304, to hear comments and questions concerning the proposed vacation of the following described land within the City of Ham Lake, Minnesota:

That part of the drainage and utility easement over and across the south 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota as dedicated on said plat which lies east of the west 10 feet of said Lot 1 and which lies west of the east and northeasterly 10 feet of said Lot 1.

and

That part of the drainage and utility easement over and across the north 10 feet of Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota as dedicated on said plat which lies east of the west 10 feet of said Lot 1 and which lies west of the east 10 feet of said Lot 1 and which lies westerly of the west line of the northeasterly 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota and its southeasterly extension.

and

That part of the drainage and utility easement over and across Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota as dedicated on said plat described as follows:

Commencing at the southwest corner of said Lot 1; thence on an assumed bearing of South 89 degrees 55 minutes 03 seconds East along the south line of said Lot 1 a distance of 219.86 feet to the point of beginning of the area to be described; thence continuing South 89 degrees 55 minutes 03 seconds East along the south line of said Lot 1 a distance of 268.40 feet; thence North 00 degrees 04 minutes 57 seconds East a distance of 145.00 feet; thence North 89 degrees 55 minutes 03 seconds West a distance of 226.27 feet; thence South 08 degrees 58 minutes 17 seconds West a distance of 41.98 feet; thence South 19 degrees 04 minutes 45 seconds West a distance of 109.49 to the point of beginning. EXCEPT the south 10 feet thereof.

Said hearing is conducted pursuant to Minnesota Statutes Chapter 412.851.

Dated: November 10, 2022

Dawnette Shimek, Deputy City Clerk

Posted at City Hall between the dates of November 10, 2022 and November 21, 2021

Published in the Star Tribune on November 10, 2021

SKETCH AND DESCRIPTION

-for~ LARSON SYSTEMS
-of~ DRAINAGE AND UTILITY EASEMENT VACATION

PROPERTY DESCRIPTION

LOT 1, BLOCK 2, ENTERPRISE PLAZA 2ND ADDITION, ANOKA COUNTY, MINNESOTA;
and
LOT 1, BLOCK 2, LARSON'S COMMERCIAL PARK, ANOKA COUNTY, MINNESOTA.

DESCRIPTION OF EASEMENTS TO BE VACATED

That part of the drainage and utility easement over and across the south 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota, as indicated on said site plan, which has a width of 10 feet, which has a length of 10 feet, and which has a bearing of approximately 10 feet of said Lot 1.

and
That part of the drainage and utility easement over and across the north 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota, as indicated on said site plan, which has a width of 10 feet, which has a length of 10 feet, and which has a bearing of approximately 10 feet of the east line of said Lot 1, and which has a bearing of approximately 10 feet of the east line of said Lot 1.

and
That part of the easement and utility easement over and across Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota, as indicated on said site plan, which has a width of 10 feet, which has a length of 10 feet, and which has a bearing of approximately 10 feet of the east line of said Lot 1.

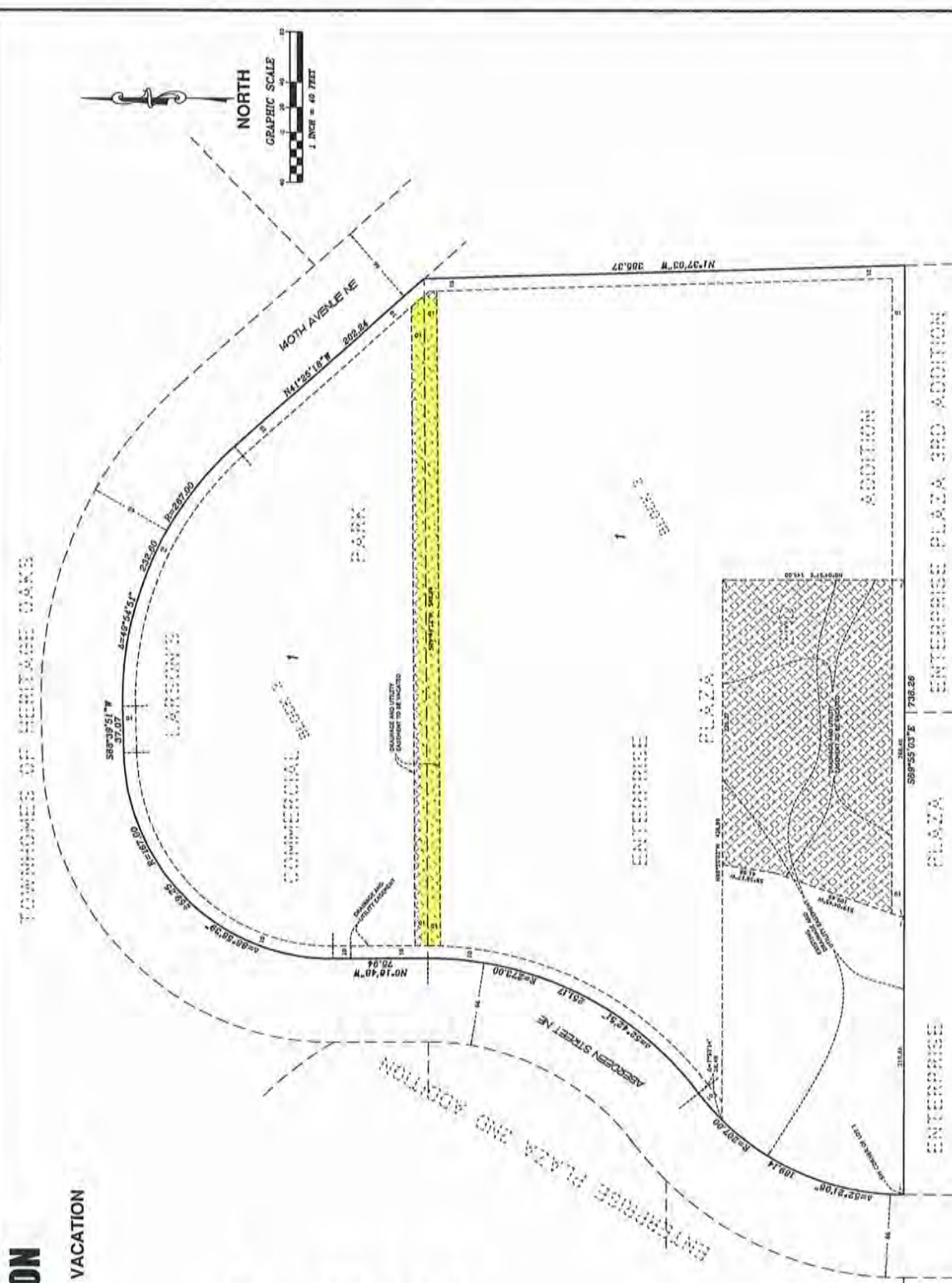
and
That part of the easement and utility easement over and across Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota, as indicated on said site plan, which has a width of 10 feet, which has a length of 10 feet, and which has a bearing of approximately 10 feet of the east line of said Lot 1.

and
That part of the easement and utility easement over and across Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota, as indicated on said site plan, which has a width of 10 feet, which has a length of 10 feet, and which has a bearing of approximately 10 feet of the east line of said Lot 1.

I, the undersigned, being duly sworn, depose and say that I am a duly licensed Professional Land Surveyor in the State of Minnesota, and that I am a duly licensed Professional Engineer in the State of Minnesota.

[Signature]
DATE: 11/22/2022 License No. 41578

REMOVES EASEMENTS TO BE VACATED
(AREA = 0.114 SQ FT)



NO.	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

22.0213E1

E. G. RUD & SONS, INC.
Professional Land Surveyors
6776 Lake Drive NE, Suite 110
Lino Lakes, MN 55014
Tel: (651) 351-8200 Fax: (651) 351-6701

That part of the drainage and utility easement over and across the south 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota as dedicated on said plat which lies east of the west 10 feet of said Lot 1 and which lies west of the east and northeasterly 10 feet of said Lot 1.

and

That part of the drainage and utility easement over and across the north 10 feet of Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota as dedicated on said plat which lies east of the west 10 feet of said Lot 1 and which lies west of the east 10 feet of said Lot 1 and which lies westerly of the west line of the northeasterly 10 feet of Lot 1, Block 2, LARSON'S COMMERCIAL PARK, Anoka County, Minnesota and its southeasterly extension.

and

That part of the drainage and utility easement over and across Lot 1, Block 2, ENTERPRISE PLAZA 2ND ADDITION, Anoka County, Minnesota as dedicated on said plat described as follows:

Commencing at the southwest corner of said Lot 1; thence on an assumed bearing of South 89 degrees 55 minutes 03 seconds East along the south line of said Lot 1 a distance of 219.86 feet to the point of beginning of the area to be described; thence continuing South 89 degrees 55 minutes 03 seconds East along the south line of said Lot 1 a distance of 268.40 feet; thence North 00 degrees 04 minutes 57 seconds East a distance of 145.00 feet; thence North 89 degrees 55 minutes 03 seconds West a distance of 226.27 feet; thence South 08 degrees 58 minutes 17 seconds West a distance of 41.98 feet; thence South 19 degrees 04 minutes 45 seconds West a distance of 109.49 to the point of beginning. EXCEPT the south 10 feet thereof.

Meeting Date: November 7, 2022



CITY OF HAM LAKE

MEMO

To: Mayor and Councilmembers
From: Andrea Murff, Finance/Human Resource Director
Subject: Transfer from the Cable Funds Fund to the Ham Laker Fund

Introduction/Discussion:

As discussed previously, the Ham Laker Fund has been carrying a deficit cash balance year after year and at the end of 2021 it was \$61,690. It is trending that in 2022 will be adding approximately \$25,600 bringing the total deficit to \$87,290 at year end.

The Cable Fund currently has a healthy fund balance of \$361,000 and these extra funds are restricted for communication uses for the City and can be used towards the Ham Laker Fund.

In order to be compliant with Audit and to get the Ham Laker Fund out of a deficit, I propose doing a one-time transfer of \$89,000 from the Cable Fund to the Ham Laker Fund.

Recommendation:

I recommend transferring \$89,000 from the Cable Fund to the Ham Laker Fund.

Meeting Date: November 7, 2022

CITY OF HAM LAKE

STAFF REPORT

To: Mayor and Councilmembers

From: Mike Raczkowski, Fire Chief

Item/Title/Subject: Replacement of the Utility Vehicle

Introduction/Discussion:

I have discussed with Fire Department liaisons Mayor Kirkham and Councilmember Parranto about replacing the F-250 Utility Vehicle with a F-350 Utility Vehicle. This vehicle has been budgeted for this year for up to \$60,00.00. Due to the current situation with the auto manufacturers and the delay in purchasing and receiving vehicles, the manufacturers have given us a week to look over options, then only a three-day window to order a new vehicle from the State Contract. With such a short window, the exact pricing and ordering will be only available November 7th - November 9th, 2022.

Recommendation:

We recommend approving the purchase of a new F-350 Utility Vehicle as replacement for the current one. Funds are available in the Fire Equipment Fund and will not exceed the budgeted amount of \$60,000.

Memorandum

Date: October 19, 2022
To: Mayor and Councilmembers
From: Tom Collins, City Engineer *TPC*
Subject: Coon Creek Commercial Park

Introduction:

An inspection of the Coon Creek Commercial Park development project was completed today.

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 commences, and it is recommended that the cash performance security, in the amount of \$30,825, be released after the maintenance security, in the amount of \$17,600, is received.

Memorandum

Date: October 24, 2022
To: Mayor and Councilmembers
From: Tom Collins, City Engineer *TPC*
Subject: Enchanted Estates 3rd Addition

Introduction:

An inspection of the Enchanted Estates 3rd Addition residential development project was completed today.

Discussion:

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


Recommendation:

It is recommended that the Enchanted Estates 3rd Addition project be accepted and that the one-year maintenance period commences, and it is recommended that the cash performance security, in the amount of \$9,800, be released after the maintenance security, in the amount of \$9,800, is received.

Memorandum

Date: November 3, 2022

To: Mayor and Councilmembers

From: David A. Krugler, City Engineer 

Subject: NPDES program

Introduction:

The MPCA implements the EPA NPDES Phase 2 program for Minnesota. The Small Municipal Separate Storm Sewer System (MS4) General Permit MNR040000 (MS4 General Permit) became effective June 1, 2006. The Permit has a 5-year permit cycle. The MPCA issued the MS4 General Permit on November 16, 2020, which is effective until November 15, 2025. The attached 2020 MS4 General Permit is highlighted to identify requirements that the MPCA finds notable, such as new requirements or where additional specificity was included from the prior (2013) MS4 General Permit. The total number of sections within the 2020 MS4 Permit highlighted with new or updated requirements is 57.

Discussion:

The SWPPP (<http://www.rfcengineering.com/HamLake/SWPPP2022.pdf>) has been updated to address the 2020 MS4 Permit. The SWPPP outlines processes that will protect water quality and reduce the discharge of pollutants from the storm sewer system to the maximum extent practicable. The SWPPP covers six minimum control measures (MCMs), best management practices (BMPs) and the measurable goals associated with each MCM which have been updated or new BMPs added to comply with the new requirements of the 2020 MS4 Permit.

Each MS4 was required to submit a Part 2 Permit Application form to the MPCA due to the November 16, 2020 MS4 General Permit. The City of Ham Lake's submitted the MS4 Part 2 Permit Application to the MPCA, and the MPCA assigned a 30-day public notice comment period from September 7, 2021 to October 7, 2021 (as submitted in Appendix A in the SWPPP link above). The MPCA issued coverage under the MS4 General Permit to the City effective November 12, 2021. The Coverage Letter and Final Notice of Coverage are attached. The issued coverage requires that the City update the Storm Sewer Pollution Prevention Plan (SWPPP) by November 12, 2022.

In 2021, as a requirement of completing the Comprehensive Plan, the Surface Water Management Plan (SWMP) was separated from the SWPPP. The documents were separated because the SWMP is a regulatory document identifying rules that the City and developer must follow and must be updated after either Coon Creek Watershed District (CCWD) or the Sunrise River or Upper Rum River Watershed Management Organizations (SRWMO, URRWMO) updates their respective Plan(s). The SWPPP which is not a regulatory document, needs to be updated with every MS4 General Permit renewal to outline the process in which the City will comply with the 2020 MS4 Permit. The SWPPP outlines the steps the City is taking, goals that the City is required to have, literature the City is going to provide the community and what the City is expecting during new construction or steps the City is taking in reducing or preventing

illicit discharges into stormwater and to provide stormwater protection and treatment to the maximum extent practical, or the most economical method of treating stormwater and preventing stormwater pollutants from entering the drainage system.

The new 2020 MS4 General Permit requirements have added 57 more outreach plans and requirements. For example, smart salt application and illicit discharge response which Public Works and the Fire Department are already complying with on an implementation level. Complying with the SWPPP will require more outreach in publications such as literature in the Ham Laker and articles on the City website regarding steps the public can take to help reduce stormwater pollution. New BMPs have been created or existing BMPs have been updated to accommodate these revised requirements.

The partnership with CCWD has also complied with the permit to reduce waste load allocations (WLA) required for Coon Creek. In order to comply with this permit, the City in conjunction with CCWD will need to implement goals to reduce Total Suspended Solids (TSS), Total Phosphorous (TP) and E. Coli. for Coon Creek. The CCWD is still in the investigation stage of this process; the steps the City may be expected to resolve these impairments remain unclear.

The MPCA has an inspection program for all MS4s to audit the stormwater program. All MS4s are to be evaluated within a 5-year period. The level of evaluation can range from a comprehensive audit of all six MCMs to a brief screening of only a few MCMs. The City has not received notification of pending audit timeframe of the level of evaluation.

The inspection requirement is 20% of the stormwater ponds. There were 430 stormwater ponds in the City as reported to the MPCA thru 2021. The Inventory of City jurisdictional ponds, BMPs and outlets has unique structure and outfall identification numbers to assist with future documentation of inspections completed by Public Works in addition to information concerning hydrologic functions and drainage areas.

The inspection requirement is 100% of the structural pollution control devices (sump manholes, and Rain Guardians). There were 218 structural pollution control devices in the City as reported to the MPCA thru 2021.

The MPCA also requires 20% of outfalls to be inspected annually. The MPCA defines a stormwater flowing into a natural wetland or judicial ditch in addition to flows entering another MS4 as an outfall. As developments are added to the City, the City Inventory of ponds and structural pollution control devices is updated. There were 131 outfalls in the City as reported to the MPCA thru 2021.

Recommendation:

It is recommended that the updated SWPPP be approved by motion.

**AUTHORIZATION TO DISCHARGE STORMWATER
ASSOCIATED WITH SMALL MUNICIPAL SEPARATE STORM SEWER SYSTEMS
UNDER THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)/
STATE DISPOSAL SYSTEM (SDS) PROGRAM**

MS400092

Permittee: City of Ham Lake
Coverage issuance date: November 12, 2021
Expiration date: November 15, 2025

The state of Minnesota, on behalf of its citizens through the Minnesota Pollution Control Agency (MPCA), authorizes the Permittee to operate a small municipal separate storm sewer system (MS4) and to discharge from the small MS4 to receiving waters, in accordance with the requirements of the Small Municipal Separate Storm Sewer Systems General Permit MNR040000 (General Permit).

The goal of the General Permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S. Clean Water Act, Minnesota statutes and rules, and federal laws and regulations.

The MPCA issued the General Permit on November 16, 2020, however the permittee received coverage under the General Permit on the coverage issuance date identified above. The General Permit expires at midnight on the expiration date identified above.

Signature: *Duane Duncanson* for the Minnesota Pollution Control Agency

This document has been electronically signed.

Duane Duncanson
Supervisor, Municipal Stormwater Unit
Municipal Division

If you have questions about the General Permit, including specific permit requirements, permit reporting, or permit compliance status, please contact the MPCA at:

Municipal Stormwater Program
Municipal Division
Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155-4194
Telephone: 651-296-6300 or toll free in Minnesota: 800-657-3864

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1.1	Eligibility. [Minn. R. 7090]
1.2	To be eligible for authorization to discharge stormwater under the Small Municipal Separate Storm Sewer Systems General Permit (General Permit), the applicant must be an owner and/or operator (owner/operator) of a small Municipal Separate Storm Sewer System (MS4) and meet one or more of the criteria requiring permit issuance as specified in Minn. R. 7090.1010. [Minn. R. 7090.1010]
2.1	Authorized Stormwater Discharges. [Minn. R. 7090]
2.2	The General Permit authorizes stormwater discharges from small MS4s as defined in 40 CFR 122.26(b)(16). [Minn. R. 7090]
3.1	Authorized Non-Stormwater Discharges. [Minn. R. 7090]
3.2	The following categories of non-stormwater discharges or flows are authorized under the General Permit to enter the permittee's small MS4 only if the permittee does not identify them as significant contributors of pollutants (i.e., illicit discharges), in which case the discharges or flows must be addressed in the permittee's Stormwater Pollution Prevention Program (SWPPP): water line flushing, landscape irrigation, diverted stream flows, rising groundwaters, uncontaminated groundwater infiltration (as defined at 40 CFR 35.2005(b)(20)), uncontaminated pumped groundwater, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, water from crawl space pumps, footing drains, lawn watering, individual residential car washing, flows from riparian habitats and wetlands, dechlorinated swimming pool discharges, street wash water, and discharges or flows from firefighting activities. [Minn. R. 7090]
4.1	Limitations on Authorization. [Minn. R. 7090]
4.2	<p>The following discharges or activities are not authorized by the General Permit:</p> <ul style="list-style-type: none">a. non-stormwater discharges, except those authorized by the permittee in item 3.2;b. discharges of stormwater to the small MS4 from activities requiring a separate NPDES/SDS permit. The General Permit does not replace or satisfy any other permitting requirements;c. the General Permit does not replace or satisfy any environmental review requirements, including those under the Minnesota Environmental Policy Act (Minn. Stat. 116D), or the National Environmental Policy Act (42 U.S.C. 4321 et seq.);d. the General Permit does not replace or satisfy any review requirements for endangered or threatened species, from new or expanded discharges that adversely impact or contribute to adverse impacts on a listed endangered or threatened species, or adversely modify a designated critical habitat;e. the General Permit does not replace or satisfy any review requirements for historic places or archeological sites, from new or expanded discharges which adversely affect properties listed or eligible for listing in the National Register of Historic Places or affecting known or discovered archeological sites; andf. discharges to prohibited outstanding resource value waters pursuant to Minn. R. 7050.0335, Subp. 3. <p>Only the permittee's small MS4 and the portions of the storm sewer system that are under the permittee's operational control are authorized by the General Permit. [Minn. R. 7090]</p>
5.1	Permit Authorization. [Minn. R. 7001]
5.2	The applicant must submit a complete application in accordance with Sections 9 through 12 in order to obtain authorization to discharge stormwater from a small MS4 under the General Permit. [Minn. R. 7001]
5.3	<p>The Commissioner reviews the General Permit application for completeness. After review, the Commissioner will do one of the following:</p> <ul style="list-style-type: none">a. if an application is determined to be incomplete, the Commissioner will notify the applicant in writing, indicate why the application is incomplete, and request that the applicant resubmit the application; orb. if an application is determined to be complete, the Commissioner will make a preliminary determination as to whether coverage under the General Permit should be issued or denied in accordance with Minn. R. 7001. [Minn. R. 7001]
5.4	The Commissioner provides a public notice with the opportunity for a hearing on the preliminary determination to issue coverage under the General Permit. [Minn. R. 7001]
5.5	Upon receipt of written notification of final approval of the application from the Commissioner, the applicant is authorized to discharge stormwater from the small MS4 under the terms and conditions of the General Permit. [Minn. R. 7001]

6.1	Transfer of Ownership or Control. [Minn. R. 7001, Minn. R. 7090.0080]
6.2	Where the ownership or significant operational control of the small MS4 changes after the submittal of an application in accordance with Sections 9 through 12, the new owner/operator must submit a new application in accordance with Sections 9 through 12. [Minn. R. 7090]
7.1	Issuance of Individual Permits. [Minn. R. 7001]
7.2	The permit applicant may request an individual permit in accordance with Minn. R. 7001.0210, Subp. 6, for authorization to discharge stormwater associated with a small MS4. [Minn. R. 7001.0210, Subp. 6]
7.3	The Commissioner may require an individual permit for the permit applicant or permittee covered by a general permit, in accordance with Minn. R. 7001.0210, Subp. 6. [Minn. R. 7001.0210, Subp. 6]
8.1	Rights and Responsibilities. [Minn. R. 7001, Minn. R. 7090]
8.2	The Commissioner may modify the General Permit or issue other permits, in accordance with Minn. R. 7001, to include more stringent effluent limitations or permit requirements that modify or are in addition to the Minimum Control Measures of the General Permit, or both. These modifications may be based on the Commissioner's determination that such modifications are needed to protect water quality. [Minn. R. 7001]
8.3	The Commissioner may designate additional small MS4s for coverage under the General Permit in accordance with Minn. R. 7090. The owner/operator of a small MS4 that is designated for coverage must comply with the permit requirements by the dates specified in the Commissioner's determination. [Minn. R. 7090]
9.1	Application for Reissuance. [Minn. R. 7001]
9.2	If an existing permittee desires to continue permit coverage beyond the expiration date, the permittee must submit an application for permit reissuance : Due by 180 days prior to permit expiration. [Minn. R. 7001.0040, Subp. 3]
10.1	New Permittee Applicants. [Minn. R. 7090]
10.2	To become a new permittee authorized to discharge stormwater under the General Permit, the owner/operator of a small MS4 must submit an application, on a form provided by the Agency, in accordance with the schedule in Appendix B, Table 3, and the following requirements: a. submit Part 1 of the permit application (includes the permit application fee); and b. submit Part 2 of the permit application, also known as the Stormwater Pollution Prevention Program (SWPPP) document, in accordance with Section 12. [Minn. R. 7090]
11.1	Existing Permittee Applicants. [Minn. R. 7090]
11.2	All existing permittees seeking to continue discharging stormwater associated with a small MS4 after the issuance date of the General Permit must submit Part 2 of the permit application : Due by 150 days after permit issuance. Existing permittees were required to submit Part 1 of the permit application prior to the expiration date (July 31, 2018) of the Agency's small MS4 general permit No.MNR040000, effective August 1, 2013. [Minn. R. 7090]
12.1	Stormwater Pollution Prevention Program (SWPPP) Document. [Minn. R. 7090]
12.2	All applicants must submit a SWPPP Document (i.e., Part 2 of the permit application) when seeking coverage under the General Permit. The SWPPP Document will become an enforceable part of the General Permit upon approval by the Agency. Modifications to the SWPPP Document that are required or allowed by the General Permit (see Section 24) will also become enforceable provisions. The applicant must submit the SWPPP Document on a form provided by the Agency. The applicant's SWPPP Document must include items 12.3 through 12.11, as applicable. [Minn. R. 7090]
12.3	The applicant must provide a description of partnerships with another regulated small MS4(s), into which the applicant has entered in order to satisfy one or more requirements of the General Permit. [Minn. R. 7090]
12.4	The applicant must provide a description of each program the applicant has developed and implemented to satisfy the Minimum Control Measure (MCM) requirements, including: a. the Best Management Practices (BMPs) the applicant has implemented for each MCM at the time of application; b. the status of each required component of the program; and c. name(s) of individual(s) or position titles responsible for implementing and/or coordinating each component of the program.

	<p>If the program has not been developed at the time of application (e.g., new permittee applicants), or revised to meet new requirements of the General Permit (e.g., existing permittee applicants); the applicant must satisfy the permit requirements in accordance with the schedule in Appendix B, Table 2 (existing permittee applicants), or Table 3 (new permittee applicants). [Minn. R. 7090]</p>
12.5	<p>The applicant must indicate whether each storm sewer system map requirement of Section 14 is satisfied at the time of application. For each requirement of Section 14 that is not satisfied at the time of application, the applicant must satisfy the permit requirements in accordance with the schedule in Appendix B, Table 2 (existing permittee applicants), or Table 3 (new permittee applicants). [Minn. R. 7090]</p>
12.6	<p>The applicant must provide a description of existing regulatory mechanism(s) the applicant has developed, implemented, and enforced to satisfy the requirements of Sections 18, 19, and 20. At a minimum, the applicant must provide the following information:</p> <ol style="list-style-type: none">the type(s) of regulatory mechanism(s) the applicant has in place at the time of application that will be used to satisfy the requirements;the status of each required component of the regulatory mechanism(s); andif available, a website address to the regulatory mechanism(s). <p>If the regulatory mechanism(s) have not been developed at the time of application (e.g., new permittee applicants), or revised to meet new requirements of the General Permit (e.g., existing permittee applicants); the applicant must satisfy the permit requirements in accordance with the schedule in Appendix B, Table 2 (existing permittee applicants), or Table 3 (new permittee applicants). [Minn. R. 7090]</p>
12.7	<p>The applicant must provide a description of existing enforcement response procedures (ERPs) the applicant has developed and implemented that satisfy the ERP requirements of items 18.14, 19.12, and 20.19. If the applicant has not yet developed ERPs (e.g., new permittee applicants), or existing ERPs must be updated to satisfy new requirements, the applicant must satisfy the permit requirements in accordance with the schedule in Appendix B, Table 2 (existing permittee applicants), or Table 3 (new permittee applicants). [Minn. R. 7090]</p>
12.8	<p>The applicant must submit a compliance schedule for each applicable Waste Load Allocation (WLA) not being met for oxygen demand, nitrate, total suspended solids (TSS), and total phosphorus (TP). The applicant may develop a compliance schedule to include multiple WLAs. The applicant's compliance schedule must include the following information:</p> <ol style="list-style-type: none">proposed BMPs or progress toward implementation of BMPs to be achieved during the permit term;the year each BMP is expected to be implemented;a target year the applicable WLA(s) will be achieved; andif the applicant has an applicable WLA for TSS or TP, a cumulative estimate of TSS and TP load reductions (in pounds) to be achieved during the permit term and the Agency-approved method used to determine the estimate. <p>Agency-approved methods include "Program for Predicting Polluting Particle Passage thru Pits, Puddles, and Ponds (P8) Urban Catchment Model", "Source Loading and Management Model for Windows (WinSLAMM)", "Minimal Impact Design Standards (MIDS) calculator", "Minnesota Pollution Control Agency (MPCA) simple estimator tool", or any other method that receives Agency-approval. [Minn. R. 7090]</p>
12.9	<p>For each applicable WLA where a reduction in pollutant loading is required for bacteria, chloride, and temperature, the applicant must provide a description of any existing BMPs the applicant has developed and implemented to satisfy the requirements of items 22.3 through 22.7, including:</p> <ol style="list-style-type: none">the BMPs the applicant has implemented for each required component at the time of application;the status of each required component; andname(s) of individual(s) or position titles responsible for implementing and/or coordinating each required component. <p>If the required components have not been developed at the time of application (e.g., new permittee applicants), or revised to meet new requirements of the General Permit (e.g., existing permittee applicants); the applicant must satisfy the permit requirements in accordance with the schedule in Appendix B, Table 2 (existing permittee applicants), or Table 3 (new permittee applicants). [Minn. R. 7090]</p>

- 12.10 If the applicant is claiming to meet an applicable WLA where a reduction in pollutant loading is required for oxygen demand, nitrate, TSS, or TP, the applicant must provide documentation to demonstrate the applicable WLA is being met. At a minimum, the applicant must provide the following information:
- a. a list of all structural stormwater BMPs implemented to achieve the applicable WLA, including the BMP type (e.g., constructed basin, infiltrator, filter, swale or strip, etc.), location in geographic coordinates, owner, and year implemented; and
 - b. documentation using an Agency-approved method, which demonstrates the estimated reductions of oxygen demand (or its surrogate pollutants), nitrate, TSS, or TP from BMPs meet the MS4 WLA reductions included in the TMDL report, if that information is available (e.g., percent reduction or pounds reduced); or
 - c. documentation using an Agency-approved method, which demonstrates the applicant's existing load meets the WLA. [Minn. R. 7090]
- 12.11 For the requirements of Section 23, alum or ferric chloride phosphorus treatment systems, if applicable, the applicant must submit the following information:
- a. location of the system in geographic coordinates;
 - b. name(s) of the individual(s) or position titles responsible for the operation of the system;
 - c. information described in item 23.11, if the system is constructed at the time the applicant submits the application to the Agency;
 - d. indicate if the system complies with the requirements in Section 23; and
 - e. if applicable, for each requirement in Section 23 that the applicant's system does not comply with at the time of application, the applicant must bring the system into compliance in accordance with the schedule in Appendix B, Table 2 (existing permittee applicants), or Table 3 (new permittee applicants). [Minn. R. 7090]
- 13.1 **Stormwater Pollution Prevention Program (SWPPP).** [Minn. R. 7090]
- 13.2 The permittee must develop, implement, and enforce a SWPPP designed to reduce the discharge of pollutants from the small MS4 to the Maximum Extent Practicable (MEP) and to protect water quality. Existing permittees regulated within the urbanized area as defined by the United States Census Bureau, the applicable urbanized area for which the permittee must develop, implement, and enforce a SWPPP can be based on the most recent decennial census of 2010 for the duration of the General Permit. [Minn. R. 7090]
- 13.3 If the permittee enters into a partnership for purposes of meeting SWPPP requirements, the permittee maintains legal responsibility for compliance with the General Permit. [Minn. R. 7090]
- 13.4 Existing permittees must revise their SWPPP developed under the Agency's small MS4 general permit No.MNR040000 that was effective August 1, 2013, to meet the requirements of the General Permit in accordance with the schedule in Appendix B, Table 2. New permittees must develop, implement, and enforce their SWPPP in accordance with the schedule in Appendix B, Table 3. The permittee's SWPPP must consist of Sections 14 through 23, as applicable. [Minn. R. 7090]
- 14.1 **Mapping.** [Minn. R. 7090]
- 14.2 New permittees must develop, and existing permittees must update, as necessary, a storm sewer system map that depicts the following:
- a. the permittee's entire MS4 as a goal, but at a minimum, all pipes 12 inches or greater in diameter, including stormwater flow direction in those pipes;
 - b. outfalls, including a unique identification (ID) number assigned by the permittee, and an associated geographic coordinates;
 - c. structural stormwater BMPs that are part of the permittee's MS4; and
 - d. all receiving waters. [Minn. R. 7090]
- 15.1 **Minimum Control Measures (MCMs).** [Minn. R. 7090.1040]
- 15.2 The permittee must incorporate the following six MCMs into the SWPPP. [Minn. R. 7090.1040]
- 16.1 **MCM 1: Public Education and Outreach.** [Minn. R. 7090]
- 16.2 New permittees must develop and implement, and existing permittees must revise their current program, as necessary, and continue to implement, a public education program to distribute educational materials or equivalent outreach that informs the public of the impact stormwater discharges have on waterbodies and that includes actions citizens, businesses, and

	other local organizations can take to reduce the discharge of pollutants to stormwater. The permittee may use existing materials if they are appropriate for the message the permittee chooses to deliver, or the permittee may develop its own educational materials. The permittee may partner with other MS4 permittees, community groups, watershed management organizations, or other groups to implement its education and outreach program. The permittee must incorporate Section 16 requirements into their program. [Minn. R. 7090]
16.3	During the permit term, the permittee must distribute educational materials or equivalent outreach focused on at least two (2) specifically selected stormwater-related issues of high priority to the permittee (e.g., specific TMDL reduction targets, changing local business practices, promoting adoption of residential BMPs, lake improvements through lake associations, household chemicals, yard waste, etc.). The topics must be different from those described in items 16.4 through 16.6. [Minn. R. 7090]
16.4	At least once each calendar year, the permittee must distribute educational materials or equivalent outreach focused on illicit discharge recognition and reporting illicit discharges to the permittee. [Minn. R. 7090]
16.5	For cities and townships, at least once each calendar year, the permittee must distribute educational materials or equivalent outreach to residents, businesses, commercial facilities, and institutions, focused on the following: a. impacts of deicing salt use on receiving waters; b. methods to reduce deicing salt use; and c. proper storage of salt or other deicing materials. [Minn. R. 7090]
16.6	For cities and townships, at least once each calendar year, the permittee must distribute educational materials or equivalent outreach focused on pet waste. The educational materials or equivalent outreach must include information on the following: a. impacts of pet waste on receiving waters; b. proper management of pet waste; and c. any existing permittee regulatory mechanism(s) for pet waste. [Minn. R. 7090]
16.7	The permittee must develop and implement an education and outreach plan that consists of the following: a. target audience(s) (e.g., residents, businesses, commercial facilities, institutions, and local organizations; consideration should be given to low-income residents, people of color, and non-native English speaking residents. A resource to help identify these areas is available on the Agency's environmental justice website); b. name or position title of responsible person(s) for overall plan implementation; c. specific activities and schedules to reach each target audience; and d. a description of any coordination with and/or use of stormwater education and outreach programs implemented by other entities, if applicable. [Minn. R. 7090]
16.8	The permittee must document the following information: a. a description of all specific stormwater-related issues identified by the permittee in item 16.3; b. all information required under the permittee's education and outreach plan in item 16.7; c. activities held, including dates, to reach each target audience; d. quantities and descriptions of educational materials distributed, including dates distributed; and e. estimated audience (e.g., number of participants, viewers, readers, listeners, etc.) for each completed education and outreach activity. [Minn. R. 7090]
16.9	The permittee must conduct an annual assessment of the public education program to evaluate program compliance, the status of achieving the measurable requirements in Section 16, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., education and outreach efforts, implementation of written plans, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment. [Minn. R. 7090]
17.1	MCM 2: Public Participation/Involvement. [Minn. R. 7090]
17.2	New permittees must develop and implement, and existing permittees must revise their current program, as necessary, and continue to implement, a Public Participation/Involvement program to solicit public input on the SWPPP and involve the public in activities that improve or protect water quality. The permittee must incorporate Section 17 requirements into

	their program. [Minn. R. 7090]
17.3	Each calendar year, the permittee must provide a minimum of one (1) opportunity for the public to provide input on the adequacy of the SWPPP. The permittee may conduct a public meeting(s) to satisfy this requirement, provided appropriate local public notice requirements are followed and the public is given the opportunity to review and comment on the SWPPP. [Minn. R. 7090]
17.4	The permittee must provide access to the SWPPP Document, annual reports, and other documentation that supports or describes the SWPPP (e.g., regulatory mechanism(s), etc.) for public review, upon request. All public data requests are subject to the Minnesota Government Data Practices Act, Minn. Stat. 13. [Minn. Stat. 13]
17.5	The permittee must consider oral and written input regarding the SWPPP submitted by the public to the permittee. [Minn. R. 7090]
17.6	Each calendar year, the permittee must provide a minimum of one (1) public involvement activity that includes a pollution prevention or water quality theme (e.g., rain barrel distribution event, rain garden workshop, cleanup event, storm drain stenciling, volunteer water quality monitoring, adopt a storm drain program, household hazardous waste collection day, etc.). [Minn. R. 7090]
17.7	The permittee must document the following information: a. all relevant written input submitted by persons regarding the SWPPP; b. all responses from the permittee to written input received regarding the SWPPP, including any modifications made to the SWPPP as a result of the written input received; c. date(s), location(s), and estimated number of participants at events held for purposes of compliance with item 17.3; d. notices provided to the public of any events scheduled to meet item 17.3, including any electronic correspondence (e.g., website, e-mail distribution lists, notices, etc.); and e. date(s), location(s), description of activities, and estimated number of participants at events held for the purpose of compliance with item 17.6. [Minn. R. 7090]
17.8	The permittee must conduct an annual assessment of the Public Participation/Involvement program to evaluate program compliance, the status of achieving the measurable requirements in Section 17, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., public input and involvement opportunities, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment. [Minn. R. 7090]
18.1	MCM 3: Illicit Discharge Detection and Elimination (IDDE). [Minn. R. 7090]
18.2	New permittees must develop, implement, and enforce, and existing permittees must revise their current program as necessary, and continue to implement and enforce, a program to detect and eliminate illicit discharges into the MS4. The permittee must incorporate Section 18 requirements into their program. [Minn. R. 7090]
18.3	The permittee must maintain a map of the permittee's MS4, as required in Section 14. [Minn. R. 7090]
18.4	To the extent allowable under state or local law, the permittee must develop, implement, and enforce a regulatory mechanism(s) that prohibits non-stormwater discharges into the permittee's MS4, except those non-stormwater discharges authorized in item 3.2. A regulatory mechanism(s) for the purposes of the General Permit may consist of contract language, an ordinance, permits, standards, written policies, operational plans, legal agreements, or any other mechanism, that will be enforced by the permittee. The regulatory mechanism(s) must also include items 18.5 and 18.6, as applicable. [Minn. R. 7090]
18.5	For cities, townships, and counties, the permittee's regulatory mechanism(s) must require owners or custodians of pets to remove and properly dispose of feces on permittee owned land areas. [Minn. R. 7090]
18.6	For cities and townships, the permittee's regulatory mechanism(s) must require proper salt storage at commercial, institutional, and non-NPDES permitted industrial facilities. At a minimum, the regulatory mechanism(s) must require the following: a. designated salt storage areas must be covered or indoors; b. designated salt storage areas must be located on an impervious surface; and c. implementation of practices to reduce exposure when transferring material in designated salt storage areas (e.g., sweeping, diversions, and/or containment). [Minn. R. 7090]

- 18.7 The permittee must incorporate illicit discharge detection into all inspection and maintenance activities conducted in items 21.9, 21.10, and 21.11. Where feasible, the permittee must conduct illicit discharge inspections during dry-weather conditions (e.g., periods of 72 or more hours of no precipitation). [Minn. R. 7090]
- 18.8 At least once each calendar year, the permittee must train all field staff in illicit discharge recognition (including conditions which could cause illicit discharges), and reporting illicit discharges for further investigation. Field staff includes, but is not limited to, police, fire department, public works, and parks staff. Training for this specific requirement may include, but is not limited to, videos, in-person presentations, webinars, training documents, and/or emails. [Minn. R. 7090]
- 18.9 The permittee must ensure that individuals receive training commensurate with their responsibilities as they relate to the permittee's IDDE program. Individuals includes, but is not limited to, individuals responsible for investigating, locating, eliminating illicit discharges, and/or enforcement. The permittee must ensure that previously trained individuals attend a refresher-training every three (3) calendar years following the initial training. [Minn. R. 7090]
- 18.10 The permittee must maintain a written or mapped inventory of priority areas the permittee identifies as having a higher likelihood for illicit discharges. At a minimum, the permittee must evaluate the following for potential inclusion in the inventory:
- a. land uses associated with business/industrial activities;
 - b. areas where illicit discharges have been identified in the past; and
 - c. areas with storage of significant materials that could result in an illicit discharge. [Minn. R. 7090]
- 18.11 To the extent allowable under state or local law, the permittee must conduct additional illicit discharge inspections in areas identified in item 18.10. [Minn. R. 7090]
- 18.12 The permittee must implement written procedures for investigating, locating, and eliminating the source of illicit discharges. At a minimum, the written procedures must include:
- a. a timeframe in which the permittee will investigate a reported illicit discharge;
 - b. use of visual inspections to detect and track the source of an illicit discharge;
 - c. tools available to the permittee to investigate and locate an illicit discharge (e.g., mobile cameras, collecting and analyzing water samples, smoke testing, dye testing, etc.);
 - d. cleanup methods available to the permittee to remove an illicit discharge or spill; and
 - e. name or position title of responsible person(s) for investigating, locating, and eliminating an illicit discharge. [Minn. R. 7090]
- 18.13 The permittee must implement written procedures for responding to spills, including emergency response procedures to prevent spills from entering the MS4. The written procedures must also include the immediate notification of the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (Metro area), if the source of the illicit discharge is a spill or leak as defined in Minn. Stat. 115.061. [Minn. R. 7090]
- 18.14 The permittee must maintain written enforcement response procedures (ERPs) to compel compliance with the permittee's regulatory mechanism(s) in Section 18. At a minimum, the written ERPs must include:
- a. a description of enforcement tools available to the permittee and guidelines for the use of each tool;
 - b. timeframes to complete corrective actions; and
 - c. name or position title of responsible person(s) for conducting enforcement. [Minn. R. 7090]
- 18.15 The permittee must document the following information:
- a. date(s) and location(s) of IDDE inspections conducted in accordance with items 18.7 and 18.11;
 - b. reports of alleged illicit discharges received, including date(s) of the report(s), and any follow-up action(s) taken by the permittee;
 - c. date(s) of discovery of all illicit discharges;
 - d. identification of outfalls, or other areas, where illicit discharges have been discovered;
 - e. sources (including a description and the responsible party) of illicit discharges (if known); and
 - f. action(s) taken by the permittee, including date(s), to address discovered illicit discharges. [Minn. R. 7090]
- 18.16 For each training in item 18.8 and 18.9, the permittee must document:

	<ul style="list-style-type: none">a. general subject matter covered;b. names and departments of individuals in attendance; andc. date of each event. [Minn. R. 7090]
18.17	<p>The permittee must document any enforcement conducted pursuant to the ERPs in item 18.14, including verbal warnings. At a minimum, the permittee must document the following:</p> <ul style="list-style-type: none">a. name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s);b. date(s) and location(s) of the observed violation(s);c. description of the violation(s);d. corrective action(s) (including completion schedule) issued by the permittee;e. referrals to other regulatory organizations (if any); andf. date(s) violation(s) resolved. [Minn. R. 7090]
18.18	<p>The permittee must conduct an annual assessment of the IDDE program to evaluate program compliance, the status of achieving the measurable requirements in Section 18, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., trainings, inventory, inspections, enforcement, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment. [Minn. R. 7090]</p>
19.1	<p>MCM 4: Construction Site Stormwater Runoff Control. [Minn. R. 7090]</p>
19.2	<p>New permittees must develop, implement, and enforce, and existing permittees must revise their current program, as necessary, and continue to implement and enforce, a Construction Site Stormwater Runoff Control program. The program must address construction activity with a land disturbance of greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, within the permittee's jurisdiction and that discharge to the permittee's MS4. The permittee must incorporate Section 19 requirements into their program. [Minn. R. 7090]</p>
19.3	<p>To the extent allowable under state or local law, the permittee must develop, implement, and enforce a regulatory mechanism(s) that establishes requirements for erosion, sediment, and waste controls that is at least as stringent as the Agency's most current Construction Stormwater General Permit (MNR100001), herein referred to as the CSW Permit. A regulatory mechanism(s) for the purposes of the General Permit may consist of contract language, an ordinance, permits, standards, written policies, operational plans, legal agreements, or any other mechanism, that will be enforced by the permittee. [Minn. R. 7090]</p>
19.4	<p>When the CSW Permit is reissued, the permittee must revise their regulatory mechanism(s), if necessary, within 12 months of the issuance date of that permit, to be at least as stringent as the requirements for erosion, sediment, and waste controls described in the CSW Permit. [Minn. R. 7090]</p>
19.5	<p>The permittee's regulatory mechanism(s) must require that owners and operators of construction activity develop site plans that must be submitted to the permittee for review and confirmation that regulatory mechanism(s) requirements have been met, prior to the start of construction activity. The regulatory mechanism(s) must require the owners and operators of construction activity to keep site plans up-to-date with regard to stormwater runoff controls. The regulatory mechanism(s) must require that site plans incorporate the following erosion, sediment, and waste controls that are at least as stringent as described in the CSW Permit:</p> <ul style="list-style-type: none">a. erosion prevention practices;b. sediment control practices;c. dewatering and basin draining;d. inspection and maintenance;e. pollution prevention management measures;f. temporary sediment basins; andg. termination conditions. [Minn. R. 7090]
19.6	<p>The permittee must implement written procedures for site plan reviews conducted by the permittee prior to the start of all construction activity, to ensure compliance with requirements of the regulatory mechanism(s). At a minimum, the procedures must include:</p> <ul style="list-style-type: none">a. written notification to owners and operators proposing construction activity, including projects less than one acre that

- are part of a larger common plan of development or sale, of the need to apply for and obtain coverage under the CSW Permit; and
- b. use of a written checklist, consistent with the requirements of the regulatory mechanism(s), to document the adequacy of each site plan required in item 19.5. [Minn. R. 7090]
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- 19.7 The permittee must implement an inspection program that includes written procedures for conducting site inspections, to determine compliance with the permittee's regulatory mechanism(s). The inspection program must also meet the requirements in items 19.8 and 19.9. [Minn. R. 7090]
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- 19.8 The permittee must maintain written procedures for identifying high-priority and low-priority sites for inspection. At a minimum, the written procedures must include:
- a. a detailed explanation describing how sites will be categorized as either high-priority or low-priority;
 - b. a frequency at which the permittee will conduct inspections for high-priority sites;
 - c. a frequency at which the permittee will conduct inspections for low-priority sites; and
 - d. the name(s) of individual(s) or position title(s) responsible for conducting site inspections. [Minn. R. 7090]
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- 19.9 The permittee must implement a written checklist to document each site inspection when determining compliance with the permittee's regulatory mechanism(s). At a minimum, the checklist must include the permittee's inspection findings on the following areas, as applicable to each site:
- a. stabilization of exposed soils (including stockpiles);
 - b. stabilization of ditch and swale bottoms;
 - c. sediment control BMPs on all downgradient perimeters of the project and upgradient of buffer zones;
 - d. storm drain inlet protection;
 - e. energy dissipation at pipe outlets;
 - f. vehicle tracking BMPs;
 - g. preservation of a 50 foot natural buffer or redundant sediment controls where stormwater flows to a surface water within 50 feet of disturbed soils;
 - h. owner/operator of construction activity self-inspection records;
 - i. containment for all liquid and solid wastes generated by washout operations (e.g., concrete, stucco, paint, form release oils, curing compounds, and other construction materials); and
 - j. BMPs maintained and functional. [Minn. R. 7090]
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- 19.10 The permittee must implement written procedures for receipt and consideration of reports of noncompliance or other stormwater related information on construction activity submitted by the public to the permittee. [Minn. R. 7090]
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- 19.11 The permittee must ensure that individuals receive training commensurate with their responsibilities as they relate to the permittee's Construction Site Stormwater Runoff Control program. Individuals includes, but is not limited to, individuals responsible for conducting site plan reviews, site inspections, and/or enforcement. The permittee must ensure that previously trained individuals attend a refresher-training every three (3) calendar years following the initial training. [Minn. R. 7090]
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- 19.12 The permittee must maintain written enforcement response procedures (ERPs) to compel compliance with the permittee's regulatory mechanism(s) in item 19.3. At a minimum, the written ERPs must include:
- a. a description of enforcement tools available to the permittee and guidelines for the use of each tool; and
 - b. name or position title of responsible person(s) for conducting enforcement. [Minn. R. 7090]
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- 19.13 For each site plan review conducted by the permittee, the permittee must document the following:
- a. project name;
 - b. location;
 - c. total acreage to be disturbed;
 - d. owner and operator of the proposed construction activity;
 - e. proof of notification to obtain coverage under the CSW Permit, as required in item 19.6, or proof of coverage under the CSW Permit; and
 - f. any stormwater related comments and supporting completed checklist, as required in item 19.6, used by the permittee to determine project approval or denial. [Minn. R. 7090]

19.14	For each training in item 19.11, the permittee must document: a. general subject matter covered; b. names and departments of individuals in attendance; and c. date of each event. [Minn. R. 7090]
19.15	The permittee must document any enforcement conducted pursuant to the ERPs in item 19.12, including verbal warnings. At a minimum, the permittee must document the following: a. name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s); b. date(s) and location(s) of the observed violation(s); c. description of the violation(s); d. corrective action(s) (including completion schedule) issued by the permittee; e. referrals to other regulatory organizations (if any); and f. date(s) violation(s) resolved. [Minn. R. 7090]
19.16	The permittee must conduct an annual assessment of the Construction Site Stormwater Runoff Control program to evaluate program compliance, the status of achieving the measurable requirements in Section 19, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., inventory, trainings, site plan reviews, inspections, enforcement, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment. [Minn. R. 7090]
20.1	MCM 5: Post-Construction Stormwater Management. [Minn. R. 7090]
20.2	New permittees must develop, implement, and enforce, and existing permittees must revise their current program, as necessary, and continue to implement and enforce, a Post-Construction Stormwater Management program that prevents or reduces water pollution after construction activity is completed. The program must address construction activity with land disturbance of greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale, within the permittee's jurisdiction and that discharge to the permittee's MS4. The permittee must incorporate Section 20 requirements into their program. [Minn. R. 7090]
20.3	To the extent allowable under state or local law, the permittee must develop, implement, and enforce a regulatory mechanism(s) that incorporates items 20.4 through 20.15. A regulatory mechanism(s) for the purposes of the General Permit may consist of contract language, an ordinance, permits, standards, written policies, operational plans, legal agreements, or any other mechanism, that will be enforced by the permittee. [Minn. R. 7090]
20.4	The permittee's regulatory mechanism(s) must require owners of construction activity to submit site plans with post-construction stormwater management BMPs designed with accepted engineering practices to the permittee for review and confirmation that regulatory mechanism(s) requirements have been met, prior to start of construction activity. [Minn. R. 7090]
20.5	The permittee's regulatory mechanism(s) must require owners of construction activity to treat the water quality volume on any project where the sum of the new impervious surface and the fully reconstructed impervious surface equals one or more acres. [Minn. R. 7090]
20.6	For construction activity (excluding linear projects), the water quality volume must be calculated as one (1) inch times the sum of the new and the fully reconstructed impervious surface. [Minn. R. 7090]
20.7	For linear projects, the water quality volume must be calculated as the larger of one (1) inch times the new impervious surface or one-half (0.5) inch times the sum of the new and the fully reconstructed impervious surface. Where the entire water quality volume cannot be treated within the existing right-of-way, a reasonable attempt to obtain additional right-of-way, easement, or other permission to treat the stormwater during the project planning process must be made. Volume reduction practices must be considered first, as described in item 20.8. Volume reduction practices are not required if the practices cannot be provided cost effectively. If additional right-of-way, easements, or other permission cannot be obtained, owners of construction activity must maximize the treatment of the water quality volume prior to discharge from the MS4. [Minn. R. 7090]
20.8	Volume reduction practices (e.g., infiltration or other) to retain the water quality volume on-site must be considered first when designing the permanent stormwater treatment system. The General Permit does not consider wet sedimentation basins and filtration systems to be volume reduction practices. If the General Permit prohibits infiltration as described in

	item 20.9, other volume reduction practices, a wet sedimentation basin, or filtration basin may be considered. [Minn. R. 7090]
20.9	<p>Infiltration systems must be prohibited when the system would be constructed in areas:</p> <ul style="list-style-type: none">a. that receive discharges from vehicle fueling and maintenance areas, regardless of the amount of new and fully reconstructed impervious surface;b. where high levels of contaminants in soil or groundwater may be mobilized by the infiltrating stormwater. To make this determination, the owners and/or operators of construction activity must complete the Agency's site screening assessment checklist, which is available in the Minnesota Stormwater Manual, or conduct their own assessment. The assessment must be retained with the site plans;c. where soil infiltration rates are more than 8.3 inches per hour unless soils are amended to slow the infiltration rate below 8.3 inches per hour;d. with less than three (3) feet of separation distance from the bottom of the infiltration system to the elevation of the seasonally saturated soils or the top of bedrock;e. of predominately Hydrologic Soil Group D (clay) soils;f. in an Emergency Response Area (ERA) within a Drinking Water Supply Management Area (DWSMA) as defined in Minn. R. 4720.5100, Subp. 13, classified as high or very high vulnerability as defined by the Minnesota Department of Health;g. in an ERA within a DWSMA classified as moderate vulnerability unless the permittee performs or approves a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater;h. outside of an ERA within a DWSMA classified as high or very high vulnerability unless the permittee performs or approves a higher level of engineering review sufficient to provide a functioning treatment system and to prevent adverse impacts to groundwater;i. within 1,000 feet up-gradient or 100 feet down gradient of active karst features; orj. that receive stormwater runoff from these types of entities regulated under NPDES for industrial stormwater: automobile salvage yards; scrap recycling and waste recycling facilities; hazardous waste treatment, storage, or disposal facilities; or air transportation facilities that conduct deicing activities. <p>See "higher level of engineering review" in the Minnesota Stormwater Manual for more information. [Minn. R. 7090]</p>
20.10	For non-linear projects, where the water quality volume cannot cost effectively be treated on the site of the original construction activity, the permittee must identify, or may require owners of the construction activity to identify, locations where off-site treatment projects can be completed. If the entire water quality volume is not addressed on the site of the original construction activity, the remaining water quality volume must be addressed through off-site treatment and, at a minimum, ensure the requirements of items 20.11 through 20.14 are met. [Minn. R. 7090]
20.11	<p>The permittee must ensure off-site treatment project areas are selected in the following order of preference:</p> <ul style="list-style-type: none">a. locations that yield benefits to the same receiving water that receives runoff from the original construction activity;b. locations within the same Department of Natural Resource (DNR) catchment area as the original construction activity;c. locations in the next adjacent DNR catchment area up-stream; ord. locations anywhere within the permittee's jurisdiction. [Minn. R. 7090]
20.12	Off-site treatment projects must involve the creation of new structural stormwater BMPs or the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP. Routine maintenance of structural stormwater BMPs already required by the General Permit cannot be used to meet this requirement. [Minn. R. 7090]
20.13	Off-site treatment projects must be completed no later than 24 months after the start of the original construction activity. If the permittee determines more time is needed to complete the treatment project, the permittee must provide the reason(s) and schedule(s) for completing the project in the annual report. [Minn. R. 7090]
20.14	If the permittee receives payment from the owner of a construction activity for off-site treatment, the permittee must apply any such payment received to a public stormwater project, and all projects must comply with the requirements in items 20.11 through 20.13. [Minn. R. 7090]
20.15	The permittee's regulatory mechanism(s) must include the establishment of legal mechanism(s) between the permittee and owners of structural stormwater BMPs not owned or operated by the permittee, that have been constructed to meet the requirements in Section 20. The legal mechanism(s) must include provisions that, at a minimum:

	<p>a. allow the permittee to conduct inspections of structural stormwater BMPs not owned or operated by the permittee, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the permittee determines the owner of that structural stormwater BMP has not ensured proper function;</p> <p>b. are designed to preserve the permittee's right to ensure maintenance responsibility, for structural stormwater BMPs not owned or operated by the permittee, when those responsibilities are legally transferred to another party; and</p> <p>c. are designed to protect/preserve structural stormwater BMPs. If structural stormwater BMPs change, causing decreased effectiveness, new, repaired, or improved structural stormwater BMPs must be implemented to provide equivalent treatment to the original BMP. [Minn. R. 7090]</p>
20.16	<p>The permittee must maintain a written or mapped inventory of structural stormwater BMPs not owned or operated by the permittee that meet all of the following criteria:</p> <p>a. the structural stormwater BMP includes an executed legal mechanism(s) between the permittee and owners responsible for the long-term maintenance, as required in item 20.15; and</p> <p>b. the structural stormwater BMP was implemented on or after August 1, 2013. [Minn. R. 7090]</p>
20.17	<p>The permittee must implement written procedures for site plan reviews conducted by the permittee prior to the start of construction activity, to ensure compliance with requirements of the permittee's regulatory mechanism(s). [Minn. R. 7090]</p>
20.18	<p>The permittee must ensure that individuals receive training commensurate with their responsibilities as they relate to the permittee's Post-Construction Stormwater Management program. Individuals includes, but is not limited to, individuals responsible for conducting site plan reviews and/or enforcement. The permittee must ensure that previously trained individuals attend a refresher-training every three (3) calendar years following the initial training. [Minn. R. 7090]</p>
20.19	<p>The permittee must maintain written enforcement response procedures (ERPs) to compel compliance with the permittee's regulatory mechanism(s) required in Section 20. At a minimum, the written ERPs must include:</p> <p>a. a description of enforcement tools available to the permittee and guidelines for the use of each tool; and</p> <p>b. name or position title of responsible person(s) for conducting enforcement. [Minn. R. 7090]</p>
20.20	<p>For each site plan review conducted by the permittee, the permittee must document the following:</p> <p>a. supporting documentation used to determine compliance with Section 20 of the General Permit, including any calculations for the permanent stormwater treatment system;</p> <p>b. the water quality volume that will be treated through volume reduction practices (e.g., infiltration or other) compared to the total water quality volume required to be treated;</p> <p>c. documentation associated with off-site treatment projects authorized by the permittee, including rationale to support the location of permanent stormwater treatment projects in accordance with items 20.10 and 20.11;</p> <p>d. payments received and used in accordance with item 20.14; and</p> <p>e. all legal mechanisms drafted in accordance with item 20.15, including date(s) of the agreement(s) and name(s) of all responsible parties involved. [Minn. R. 7090]</p>
20.21	<p>For each training in item 20.18, the permittee must document:</p> <p>a. general subject matter covered;</p> <p>b. names and departments of individuals in attendance; and</p> <p>c. date of each event. [Minn. R. 7090]</p>
20.22	<p>The permittee must document any enforcement conducted pursuant to the ERPs in item 20.19, including verbal warnings. At a minimum, the permittee must document the following:</p> <p>a. name of the person responsible for violating the terms and conditions of the permittee's regulatory mechanism(s);</p> <p>b. date(s) and location(s) of the observed violation(s);</p> <p>c. description of the violation(s);</p> <p>d. corrective action(s) (including completion schedule) issued by the permittee;</p> <p>e. referrals to other regulatory organizations (if any); and</p> <p>f. date(s) violation(s) resolved. [Minn. R. 7090]</p>
20.23	<p>The permittee must conduct an annual assessment of the Post-Construction Stormwater Management program to evaluate</p>

program compliance, the status of achieving the measurable requirements in Section 20, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., inventory, trainings, site plan reviews, inspections, enforcement, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment. [Minn. R. 7090]

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- 21.1 **MCM 6: Pollution Prevention/Good Housekeeping For Municipal Operations.** [Minn. R. 7090]
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- 21.2 New permittees must develop and implement, and existing permittees must revise their current program, as necessary, and continue to implement, an operations and maintenance program that prevents or reduces the discharge of pollutants to the MS4 from permittee owned/operated facilities and operations. The permittee must incorporate Section 21 requirements into their program. [Minn. R. 7090]
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- 21.3 The permittee must maintain a written or mapped inventory of permittee owned/operated facilities that contribute pollutants to stormwater discharges. The permittee must implement BMPs that prevent or reduce pollutants in stormwater discharges from all inventoried facilities. Facilities to be inventoried may include, but is not limited to:
- a. composting;
 - b. equipment storage and maintenance;
 - c. hazardous waste disposal;
 - d. hazardous waste handling and transfer;
 - e. landfills;
 - f. solid waste handling and transfer;
 - g. parks;
 - h. pesticide storage;
 - i. public parking lots;
 - j. public golf courses;
 - k. public swimming pools;
 - l. public works yards;
 - m. recycling;
 - n. salt storage;
 - o. snow storage;
 - p. vehicle storage and maintenance (e.g., fueling and washing) yards; and
 - q. materials storage yards. [Minn. R. 7090]
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- 21.4 The permittee must implement BMPs that prevent or reduce pollutants in stormwater discharges from the following municipal operations that may contribute pollutants to stormwater discharges, where applicable:
- a. waste disposal and storage, including dumpsters;
 - b. management of temporary and permanent stockpiles of materials such as street sweepings, snow, sand and sediment removal piles (e.g., effective sediment controls at the base of stockpiles on the downgradient perimeter);
 - c. vehicle fueling, washing, and maintenance;
 - d. routine street and parking lot sweeping;
 - e. emergency response;
 - f. cleaning of maintenance equipment, building exteriors, dumpsters, and the disposal of associated waste and wastewater;
 - g. use, storage, and disposal of significant materials;
 - h. landscaping, park, and lawn maintenance;
 - i. road maintenance, including pothole repair, road shoulder maintenance, pavement marking, sealing, and repaving;
 - j. right-of-way maintenance, including mowing; and
 - k. application of herbicides, pesticides, and fertilizers. [Minn. R. 7090]
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- 21.5 The permittee must implement the following BMPs at permittee owned/operated salt storage areas:
- a. cover or store salt indoors;
 - b. store salt on an impervious surface; and
 - c. implement practices to reduce exposure when transferring material from salt storage areas (e.g., sweeping, diversions, and/or containment). [Minn. R. 7090]
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- 21.6 The permittee must implement a written snow and ice management policy for individuals that perform winter maintenance activities for the permittee. The policy must establish practices and procedures for snow and ice control operations (e.g., plowing or other snow removal practices, sand use, and application of deicing compounds). [Minn. R. 7090]
- 21.7 Each calendar year, the permittee must ensure all individuals that perform winter maintenance activities for the permittee receive training that includes:
- a. the importance of protecting water quality;
 - b. BMPs to minimize the use of deicers (e.g., proper calibration of equipment and benefits of pretreatment, pre-wetting, and anti-icing); and
 - c. tools and resources to assist in winter maintenance (e.g., deicing application rate guidelines, calibration charts, Smart Salting Assessment Tool).
- The permittee may use training materials from the Agency's Smart Salting training or other organizations to meet this requirement. [Minn. R. 7090]
- 21.8 The permittee must maintain written procedures for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater. [Minn. R. 7090]
- 21.9 The permittee must inspect structural stormwater BMPs (excluding stormwater ponds, which are under a separate schedule below) each calendar year to determine structural integrity, proper function, and maintenance needs unless the permittee determines either of the following conditions apply:
- a. complaints received or patterns of maintenance indicate a greater frequency is necessary; or
 - b. maintenance or sediment removal is not required after completion of the first two calendar year inspections; in which case the permittee may reduce the frequency of inspections to once every two (2) calendar years. [Minn. R. 7090]
- 21.10 Prior to the expiration date of the General Permit, the permittee must conduct at least one inspection of all ponds and outfalls (excluding underground outfalls) in order to determine structural integrity, proper function, and maintenance needs. [Minn. R. 7090]
- 21.11 Based on inspection findings, the permittee must determine if repair, replacement, or maintenance measures are necessary in order to ensure the structural integrity and proper function of structural stormwater BMPs and outfalls. The permittee must complete necessary maintenance as soon as possible. If the permittee determines necessary maintenance cannot be completed within one year of discovery, the permittee must document a schedule(s) for completing the maintenance. [Minn. R. 7090]
- 21.12 The permittee must implement a stormwater management training program commensurate with individual's responsibilities as they relate to the permittee's SWPPP, including reporting and assessment activities. The permittee may use training materials from the United States Environmental Protection Agency (USEPA), state and regional agencies, or other organizations as appropriate to meet this requirement. The training program must:
- a. address the importance of protecting water quality;
 - b. cover the requirements of the permit relevant to the responsibilities of the individual not already addressed in items 18.8, 18.9, 19.11, 20.18, and 21.7; and
 - c. include a schedule that establishes initial training for individuals, including new and/or seasonal employees, and recurring training intervals to address changes in procedures, practices, techniques, or requirements. [Minn. R. 7090]
- 21.13 The permittee must document the following information associated with the operations and maintenance program:
- a. date(s) and description of findings, including whether or not an illicit discharge is detected, for all inspections conducted in accordance with items 21.9 and 21.10;
 - b. any adjustments to inspection frequency as authorized in item 21.9;
 - c. date(s) and a description of maintenance conducted as a result of inspection findings, including whether or not an illicit discharge is detected;
 - d. schedule(s) for maintenance of structural stormwater BMPs and outfalls as required in item 21.11; and
 - e. stormwater management training events, including general subject matter covered, names and departments of individuals in attendance, and date of each event. [Minn. R. 7090]
- 21.14 The permittee must document pond sediment excavation and removal activities, including:

	<p>a. a unique ID number and geographic coordinates of each stormwater pond from which sediment is removed;</p> <p>b. the volume (e.g., cubic yards) of sediment removed from each stormwater pond;</p> <p>c. results from any testing of sediment from each removal activity; and</p> <p>d. location(s) of final disposal of sediment from each stormwater pond. [Minn. R. 7090]</p>
21.15	<p>The permittee must conduct an annual assessment of the operations and maintenance program to evaluate program compliance, the status of achieving the measurable requirements in Section 21, and determine how the program might be improved. Measurable requirements are activities that must be documented or tracked as applicable to the MCM (e.g., inventory, trainings, inspections, maintenance activities, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the program as a result of the annual assessment. [Minn. R. 7090]</p>
22.1	<p>Discharges to Impaired Waters with a USEPA-Approved TMDL that Includes an Applicable WLA. [Minn. R. 7090]</p>
22.2	<p>If the permittee has an applicable WLA not being met for oxygen demand, nitrate, TSS, or TP, the permittee must provide a summary of the permittee's progress toward achieving those applicable WLAs with the annual report. The summary must include the following information:</p> <p>a. a list of all BMPs applied towards achieving applicable WLAs for oxygen demand, nitrate, TSS, and TP;</p> <p>b. the implementation status of BMPs included in the compliance schedule at the time of final application submittal; and</p> <p>c. an updated estimate of cumulative TSS and TP load reductions. [Minn. R. 7090]</p>
22.3	<p>If the permittee has an applicable WLA where a reduction in pollutant loading is required for bacteria, the permittee must maintain a written or mapped inventory of potential areas and sources of bacteria (e.g., dense populations of waterfowl or other bird, dog parks). [Minn. R. 7090]</p>
22.4	<p>If the permittee has an applicable WLA where a reduction in pollutant loading is required for bacteria, the permittee must maintain a written plan to prioritize reduction activities to address the areas and sources identified in the inventory in item 22.3. The written plan must include BMPs the permittee will implement over the permit term, which may include, but is not limited to:</p> <p>a. water quality monitoring to determine areas of high bacteria loading;</p> <p>b. installation of pet waste pick-up bags in parks and open spaces;</p> <p>c. elimination of over-spray irrigation that may occur at permittee owned areas;</p> <p>d. removal of organic matter via street sweeping;</p> <p>e. implementation of infiltration structural stormwater BMPs; or</p> <p>f. management of areas that attract dense populations of waterfowl (e.g., riparian plantings). [Minn. R. 7090]</p>
22.5	<p>If the permittee has an applicable WLA where a reduction in pollutant loading is required for chloride, the permittee must document the amount of deicer applied each winter maintenance season to all permittee owned/operated surfaces. [Minn. R. 7090]</p>
22.6	<p>If the permittee has an applicable WLA where a reduction in pollutant loading is required for chloride, each calendar year the permittee must conduct an assessment of the permittee's winter maintenance operations to reduce the amount of deicing salt applied to permittee owned/operated surfaces and determine current and future opportunities to improve BMPs. The permittee may use the Agency's Smart Salting Assessment Tool or other available resources and methods to complete this assessment. The permittee must document the assessment. The assessment may include, but is not limited to:</p> <p>a. operational changes such as pre-wetting, pre-treating the salt stockpile, increasing plowing prior to deicing, monitoring of road surface temperature, etc.;</p> <p>b. implementation of new or modified equipment providing pre-wetting, or other capability for minimizing salt use;</p> <p>c. regular calibration of equipment;</p> <p>d. optimizing mechanical removal to reduce use of deicers; or</p> <p>e. designation of no salt and/or low salt zones. [Minn. R. 7090]</p>
22.7	<p>If the permittee has an applicable WLA where a reduction in pollutant loading is required for temperature (i.e., City of Duluth, City of Hermantown, City of Rice Lake, City of Stillwater, MnDOT Outstate, St. Louis County, University of Minnesota - Duluth, and Lake Superior College), the permittee must maintain a written plan that identifies specific activities the</p>

	<p>permittee will implement to reduce thermal loading during the permit term. The written plan may include, but is not limited to:</p> <ul style="list-style-type: none">a. implementation of infiltration BMPs such as bioinfiltration practices;b. disconnection and/or reduction of impervious surfaces;c. retrofitting existing structural stormwater BMPs; ord. improvement of riparian vegetation. [Minn. R. 7090]
23.1	Alum or Ferric Chloride Phosphorus Treatment Systems. [Minn. R. 7090]
23.2	If the permittee uses an alum or ferric chloride phosphorus treatment system, the permittee must comply with Section 23 requirements. [Minn. R. 7090]
23.3	The permittee's alum or ferric chloride phosphorus treatment system must comply with the following: <ul style="list-style-type: none">a. the permittee must use the treatment system for the treatment of phosphorus in stormwater. Non-stormwater discharges must not be treated by this system;b. the treatment system must be contained within the conveyances and structural stormwater BMPs of the MS4. The utilized conveyances and structural stormwater BMPs must not include any receiving waters;c. phosphorus treatment systems utilizing chemicals other than alum or ferric chloride must receive written approval from the Agency; andd. in-lake phosphorus treatment activities are not authorized under the General Permit. [Minn. R. 7090]
23.4	The permittee's alum or ferric chloride phosphorus treatment system must meet the following design parameters: <ul style="list-style-type: none">a. the treatment system must be constructed in a manner that diverts the stormwater flow to be treated from the main conveyance system;b. a high flow bypass must be part of the inlet design; andc. a flocculant storage/settling area must be incorporated into the design, and adequate maintenance access must be provided (minimum of 8 feet wide) for the removal of accumulated sediment. [Minn. R. 7090]
23.5	A designated person must perform visual monitoring of the treatment system for proper performance at least once every seven (7) days, and within 24 hours after a rainfall event greater than 2.5 inches in 24 hours. Following visual monitoring which occurs within 24 hours after a rainfall event, the next visual monitoring must be conducted within seven (7) days after that rainfall event. [Minn. R. 7090]
23.6	Three (3) benchmark monitoring stations must be established. Table 1 in Appendix A must be used for the parameters, units of measure, and frequency of measurement for each station. [Minn. R. 7090]
23.7	Samples must be collected as grab samples or flow-weighted 24-hour composite samples. [Minn. R. 7090]
23.8	Each sample, excluding pH samples, must be analyzed by a laboratory certified by the Minnesota Department of Health and/or the Agency, and: <ul style="list-style-type: none">a. sample preservation and test procedures for the analysis of pollutants must conform to 40 CFR Part 136 and Minn. R. 7041.3200;b. detection limits for dissolved phosphorus, dissolved aluminum, and dissolved iron must be a minimum of 6 micrograms per liter, 10 micrograms per liter, and 20 micrograms per liter, respectively; andc. pH must be measured within 15 minutes of sample collection using calibrated and maintained equipment. [Minn. R. 7090]
23.9	In the following situations, the permittee must perform corrective action(s) and immediately notify the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 (toll free) or 651-649-5451 (Metro area): <ul style="list-style-type: none">a. the pH of the discharged water is not within the range of 6.0 and 9.0;b. any indications of toxicity or measurements exceeding water quality standards which could endanger human health, public drinking water supplies, or the environment; orc. a spill or discharge or alteration resulting in water pollution as defined in Minn. Stat. 115.01, subd. 13, of alum or ferric chloride. <p>If item b is applicable, the permittee must also report the non-compliance to the Commissioner as required in item 26.11.</p>

	[Minn. R. 7001.0150, Subp. 3(K), Minn. R. 7090]
23.10	If the permittee discovers indications of toxicity or measurements exceeding water quality standards that the permittee determines does not endanger human health, public drinking water supplies, or the environment, the permittee must report the non-compliance to the Commissioner as required in item 26.12. [Minn. R. 7001.0150, Subp. 3(L), Minn. R. 7090]
23.11	The permittee must submit the following information with the annual report. The annual report must include a month-by-month summary of: a. date(s) of operation; b. chemical(s) used for treatment; c. gallons of water treated; d. gallons of alum or ferric chloride treatment used; e. calculated pounds of phosphorus removed; and f. any performance issues and the corrective action(s), including the date(s) when corrective action(s) were taken. [Minn. R. 7090]
23.12	A record of the design parameters in items 23.13 through 23.15 must be kept on-site. [Minn. R. 7090]
23.13	Site-specific jar testing conducted using typical and representative water samples in accordance with the most current approved version of ASTM D2035. [Minn. R. 7090]
23.14	Baseline concentrations of the following parameters in the influent and receiving waters: a. aluminum or iron; and b. phosphorus. [Minn. R. 7090]
23.15	The following system parameters and how each was determined: a. flocculant settling velocity; b. minimum required retention time; c. rate of diversion of stormwater into the system; d. the flow rate from the discharge of the outlet structure; and e. range of expected dosing rates. [Minn. R. 7090]
23.16	The following site-specific procedures must be developed and a copy kept on-site: a. procedures for the installation, operation and maintenance of all pumps, generators, control systems, and other equipment; b. specific parameters for determining when the solids must be removed from the system and how the solids will be handled and disposed of; and c. procedures for cleaning up and/or containing a spill of each chemical stored on-site. [Minn. R. 7090]
24.1	Stormwater Pollution Prevention Program (SWPPP) Modification. [Minn. R. 7090]
24.2	The Commissioner may require the permittee to modify the SWPPP as needed, in accordance with the procedures of Minn. R. 7001, and may consider the following factors: a. discharges from the MS4 are impacting the quality of receiving waters; b. more stringent requirements are necessary to comply with state or federal regulations; and c. additional conditions are deemed necessary to comply with the goals and applicable requirements of the Clean Water Act and protect water quality. [Minn. R. 7090]
24.3	Modifications that the permittee chooses to make to the SWPPP other than modifications authorized in item 24.4, must be approved by the Commissioner in accordance with the procedures of Minn. R. 7001. All requests must be in writing, setting forth schedules for compliance. The request must discuss alternative program modifications, assure compliance with requirements of the permit, and meet other applicable laws. [Minn. R. 7090]
24.4	The permittee may modify the SWPPP without prior approval of the Commissioner provided the Commissioner is notified of the modification in the annual report for the year the modification is made and the modification falls under one of the following categories:

	<p>a. a BMP is added, and none subtracted, from the SWPPP; or</p> <p>b. a less effective BMP is replaced with a more effective BMP. The alternate BMP must address the same, or similar, concerns as the ineffective or failed BMP. [Minn. R. 7090]</p>
25.1	Annual Assessment, Annual Reporting, and Recordkeeping. [Minn. R. 7090]
25.2	The permittee must conduct an annual assessment to evaluate compliance with the terms and conditions of the General Permit, including the effectiveness of the components of the SWPPP and the status of achieving the measurable requirements in the General Permit. Measurable requirements are activities that must be documented or tracked (e.g., education and outreach efforts, implementation of written plans, inventories, trainings, site plan reviews, inspections, enforcement, etc.). The permittee must perform the annual assessment prior to completion of each annual report and document any modifications made to the SWPPP as a result of the annual assessment. [Minn. R. 7090]
25.3	<p>The permittee must submit an annual report : Due annually, by the 30th of June. The annual report must cover the portion of the previous calendar year during which the permittee was authorized to discharge stormwater under the General Permit. The annual report shall be submitted to the Agency, in a manner determined by the Agency, that includes but is not limited to:</p> <p>a. the status of compliance with permit terms and conditions, including an assessment of the appropriateness of BMPs identified by the permittee and progress towards achieving the measurable requirements of each of the MCMs. The assessment must be based on results of information collected and analyzed, including monitoring (if any), inspection findings, and public input received during the reporting period;</p> <p>b. the stormwater activities the permittee plans to undertake during the next reporting cycle;</p> <p>c. a change in any identified BMPs for any of the MCMs;</p> <p>d. the summary required in item 22.2 to demonstrate progress toward achieving applicable WLAs;</p> <p>e. information required to be recorded or documented in Sections 13 through 24; and</p> <p>f. a statement that the permittee is relying on a partnership(s) with another regulated small MS4(s) to satisfy one or more permit requirements (if applicable), and what agreements the permittee has entered into in support of this effort. [Minn. R. 7090]</p>
25.4	The permittee must make records, including components of the SWPPP, available to the public at reasonable times during regular business hours (see 40 CFR 122.7 for confidentiality provision). [Minn. R. 7090]
25.5	The permittee must retain copies of the permit application, all documentation necessary to comply with SWPPP requirements, all data and information used by the permittee to complete the application process, and any information developed as a requirement of the General Permit or as requested by the Commissioner, for a period of at least three (3) years beyond the date of permit expiration. This period is automatically extended during the course of an unresolved enforcement action regarding the small MS4 or as requested by the Commissioner. [Minn. R. 7001.0080, Minn. R. 7090]
25.6	The permittee must, when requested by the Commissioner, submit within a reasonable time the information and reports that are relevant to the control of pollution regarding the construction, modification, or operation of the facility covered by the General Permit or regarding the conduct of the activity covered by the General Permit. [Minn. R. 7001.0150, Subp. 3(H), Minn. R. 7090]
25.7	<p>The permittee must use an electronic submittal process, as provided by the Agency, to submit information required by the General Permit. If electronic submittal is not available, the permittee must use the following mailing address:</p> <p>Supervisor, Municipal Stormwater Unit Minnesota Pollution Control Agency 520 Lafayette Road North St. Paul, Minnesota 55155-4194. [Minn. R. 7090]</p>
26.1	General Conditions. [Minn. R. 7090]
26.2	The Agency's issuance of a permit does not release the permittee from any liability, penalty, or duty imposed by Minnesota or federal statutes or rules or local ordinances, except the obligation to obtain the General Permit. [Minn. R. 7001.0150, Subp. 3(A)]
26.3	The Agency's issuance of a permit does not prevent the future adoption by the Agency of pollution control rules, standards, or orders more stringent than those now in existence and does not prevent the enforcement of these rules, standards, or orders against the permittee. [Minn. R. 7001.0150, Subp. 3(B)]

26.4	The General Permit does not convey a property right or an exclusive privilege. [Minn. R. 7001.0150, Subp. 3(C)]
26.5	The Agency's issuance of a permit does not obligate the Agency to enforce local laws, rules or plans beyond that authorized by Minnesota statutes. [Minn. R. 7001.0150, Subp. 3(D)]
26.6	The permittee must perform the actions or conduct the activity authorized by the permit in accordance with the plans and specifications approved by the Agency and in compliance with the conditions of the permit. [Minn. R. 7001.0150, Subp. 3(E)]
26.7	The permittee must at all times properly operate and maintain the facilities and systems of treatment and control and the appurtenances related to them which are installed or used by the permittee to achieve compliance with the conditions of the General Permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. The permittee must install and maintain appropriate backup or auxiliary facilities if they are necessary to achieve compliance with the conditions of the General Permit and, for all permits other than hazardous waste facility permits, if these backup or auxiliary facilities are technically and economically feasible. [Minn. R. 7001.0150, Subp. 3(F)]
26.8	The permittee may not knowingly make a false or misleading statement, representation, or certification in a record, report, plan, or other document required to be submitted to the Agency or to the Commissioner by the General Permit. The permittee must immediately upon discovery report to the Commissioner an error or omission in these records, reports, plans, or other documents. [Minn. R. 7001.0150, Subp. 3(G), Minn. R. 7001.1090, Subp. 1(G), Minn. R. 7001.1090, Subp. 1(H), Minn. Stat. 609.671]
26.9	When authorized by Minn. Stat. 115.04, 115B.17, subd. 4, and 116.091, and upon presentation of proper credentials, the Agency, or an authorized employee or agent of the Agency, must be allowed by the permittee to enter at reasonable times upon the property of the permittee to examine and copy books, papers, records, or memoranda pertaining to the activity covered by the General Permit; and to conduct surveys and investigations, including sampling or monitoring, pertaining to the construction, modification, or operation of the facility covered by the permit or pertaining to the activity covered by the General Permit. [Minn. R. 7001.0150, Subp. 3(I)]
26.10	If the permittee discovers, through any means, including notification by the Agency, that noncompliance with a condition of the General Permit has occurred, the permittee must take all reasonable steps to minimize the adverse impacts on human health, public drinking water supplies, or the environment resulting from the noncompliance. [Minn. R. 7001.0150, Subp. 3(J)]
26.11	If the permittee discovers that noncompliance with a condition of the General Permit has occurred which could endanger human health, public drinking water supplies, or the environment, the permittee must, within 24 hours of the discovery of the noncompliance, orally notify the Commissioner. Within five days of the discovery of the noncompliance, the permittee must submit to the Commissioner a written description of the noncompliance; the cause of the noncompliance; the exact dates of the period of the noncompliance; if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. [Minn. R. 7001.0150, Subp. 3(K)]
26.12	The permittee must report noncompliance with the General Permit not reported under item 26.11 as a part of the next report which the permittee is required to submit under the General Permit. If no reports are required within 30 days of the discovery of the noncompliance, the permittee must submit the information listed in item 26.11 within 30 days of the discovery of the noncompliance. [Minn. R. 7001.0150, Subp. 3(L), Minn. R. 7090]
26.13	The permittee must give advance notice to the Commissioner as soon as possible of planned physical alterations or additions to the permitted facility (MS4) or activity that may result in noncompliance with a Minnesota or federal pollution control statute or rule or a condition of the General Permit. [Minn. R. 7001.0150, Subp. 3(M)]
26.14	The General Permit is not transferable to any person without the express written approval of the Agency after compliance with the requirements of Minn. R. 7001.0190. A person to whom the permit has been transferred must comply with the conditions of the General Permit. [Minn. R. 7001.0150, Subp. 3(N)]
26.15	The General Permit authorizes the permittee to perform the activities described in the permit under the conditions of the General Permit. In issuing the permit, the state and Agency assume no responsibility for damage to persons, property, or the environment caused by the activities of the permittee in the conduct of its actions, including those activities authorized, directed, or undertaken under the permit. To the extent the state and Agency may be liable for the activities of its employees, that liability is explicitly limited to that provided in the Tort Claims Act, Minn. Stat. 3.736. [Minn. R. 7001.0150, Subp. 3(O)]

26.16	The General Permit incorporates by reference the applicable portions of 40 CFR 122.41 and 122.42(c) and (d), and Minn. R. 7001.1090, which are enforceable parts of the General Permit. [Minn. R. 7090]
26.17	The provisions of the General Permit are severable, and if any provision of the General Permit, or the application of any provision of the General Permit to any circumstance, is held invalid, the application of such provision to other circumstances and the remainder of the General Permit shall not be affected thereby. [Minn. R. 7090]
27.1	Definitions. [Minn. R. 7090]
27.2	"Active karst" means a terrain having distinctive landforms and hydrology created primarily from the dissolution of soluble rocks within 50 feet of the land surface. [Minn. R. 7090]
27.3	"Agency" means the Minnesota Pollution Control Agency or MPCA. [Minn. Stat. 116.36, subd. 2]
27.4	"Alum or Ferric Chloride Phosphorus Treatment System" means the diversion of flowing stormwater from a MS4, removal of phosphorus through the use a continuous feed of alum or ferric chloride additive, flocculation, and the return of the treated stormwater back into a MS4 or receiving water. [Minn. R. 7090]
27.5	"Applicable WLA" means a Waste Load Allocation assigned to the permittee and approved by the USEPA prior to the issuance date of the General Permit. [Minn. R. 7090]
27.6	"Best Management Practices" or "BMPs" means practices to prevent or reduce the pollution of the waters of the state, including schedules of activities, prohibitions of practices, and other management practices, and also includes treatment requirements, operating procedures and practices to control plant site runoff, spillage or leaks, sludge, or waste disposal or drainage from raw material storage. [Minn. R. 7001.1020, Subp. 5]
27.7	"Commissioner" means the Commissioner of the Minnesota Pollution Control Agency or the Commissioner's designee. [Minn. Stat. 116.36, subd. 3]
27.8	"Common Plan of Development or Sale" means a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur. [Minn. R. 7090]
27.9	"Construction Activity" means activities including clearing, grading, and excavating, that result in land disturbance of equal to or greater than one acre, including the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre. This includes a disturbance to the land that results in a change in the topography, existing soil cover, both vegetative and nonvegetative, or the existing soil topography that may result in accelerated stormwater runoff that may lead to soil erosion and movement of sediment. Construction activity does not include a disturbance to the land of less than five acres for the purpose of routine maintenance performed to maintain the original line and grade, hydraulic capacity, and original purpose of the facility. Routine maintenance does not include activities such as repairs, replacement and other types of non-routine maintenance. Pavement rehabilitation that does not disturb the underlying soils (e.g., mill and overlay projects) is not construction activity. [Minn. R. 7090]
27.10	"DNR Catchment Area" means the Hydrologic Unit 08 areas delineated and digitized by the Minnesota DNR. The catchment areas are available for download at the Minnesota DNR Geospatial Commons website. DNR catchment areas may be locally corrected, in which case the local corrections may be used. [Minn. R. 7090]
27.11	"Existing Permittee" means an owner/operator of a small MS4 that has been authorized to discharge stormwater under a previously issued general permit for small MS4s in the state of Minnesota. [Minn. R. 7090]
27.12	"Fully reconstructed" means areas where impervious surfaces have been removed down to the underlying soils. Activities such as structure renovation, mill and overlay projects, and other pavement rehabilitation projects that do not expose the underlying soils beneath the structure, pavement, or activity are not considered fully reconstructed. Maintenance activities such as catch basin repair/replacement, utility repair/replacement, pipe repair/replacement, lighting, and pedestrian ramp improvements are not considered fully reconstructed. [Minn. R. 7090]
27.13	"General permit" means a permit issued under Minn. R. 7001.0210 to a category of permittees whose operations, emissions, activities, discharges, or facilities are the same or substantially similar. [Minn. R. 7001.0010, Subp. 4]
27.14	"Geographic Coordinates" means the point location of a stormwater feature expressed by X, Y coordinates of a standard Cartesian coordinate system (i.e. latitude/longitude) that can be readily converted to Universal Transverse Mercator (UTM), Zone 15N in the NAD83 datum. For polygon features, the geographic coordinates will typically define the approximate center of a stormwater feature. [Minn. R. 7090]

27.15	"High Flow Bypass" means a function of an inlet device that allows a certain flow of water through, but diverts any higher flows away. High flow bypasses are generally used for BMPs that can only treat a designed amount of flow and that would be negatively affected by higher flows. [Minn. R. 7090]
27.16	"Illicit Discharge" means any discharge to a municipal separate storm sewer that is not composed entirely of stormwater except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from firefighting activities. [40 CFR 122.26(b)(2)]
27.17	"Impaired Water" means waters identified as impaired by the Agency, and approved by the USEPA, pursuant to section 303(d) of the Clean Water Act (33 U.S.C. 303(d)). [Minn. R. 7090]
27.18	"Linear project" means construction of new or fully reconstructed roads, trails, sidewalks, or rail lines that are not part of a common plan of development or sale. For example, roads being constructed concurrently with a new residential development are not considered linear projects because they are part of a common plan of development or sale. [Minn. R. 7090]
27.19	"Maximum Extent Practicable" or "MEP" means the statutory standard (33 U.S.C. 1342(p)(3)(B)(iii)) that establishes the level of pollutant reductions that an owner or operator of regulated MS4s must achieve. The USEPA has intentionally not provided a precise definition of MEP to allow maximum flexibility in MS4 permitting. The pollutant reductions that represent MEP may be different for each small MS4, given the unique local hydrologic and geologic concerns that may exist and the differing possible pollutant control strategies. Therefore, each permittee will determine appropriate BMPs to satisfy each of the six Minimum Control Measures (MCMs) through an evaluative process. The USEPA envisions application of the MEP standard as an iterative process. [Minn. R. 7090]
27.20	"Municipal separate storm sewer system" or "MS4" means a conveyance or system of conveyances including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains: a. owned or operated by a state, city, town, county, district, association, or other public body, created by or pursuant to state law, having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district, or drainage district or similar entity, or an Indian tribe or an authorized Indian tribe organization, or a designated and approved management Agency under section 208 of the federal Clean Water Act, United States Code, title 33, section 1288, that discharges into waters of the state; b. designed or used for collecting or conveying stormwater; c. that is not a combined sewer; and d. that is not part of a publicly owned treatment works as defined in 40 CFR 122.2. Municipal separate storm sewer systems do not include separate storm sewers in very discrete areas, such as individual buildings. [Minn. R. 7090.0080, Subp. 8]
27.21	"New Permittee" means an owner/operator of a small MS4 that has not been authorized to discharge stormwater under a previously issued General Stormwater Permit for small MS4s in the state of Minnesota and that applies for, and obtains coverage under the General Permit. [Minn. R. 7090]
27.22	"Non-Stormwater Discharge" means any discharge not composed entirely of stormwater. [Minn. R. 7090]
27.23	"Operator" means the person with primary operational control and legal responsibility for the MS4. [Minn. R. 7090.0080, Subp. 10]
27.24	"Outfall" means the point source where a MS4 discharges to a receiving water, or the stormwater discharge permanently leaves the permittee's MS4. It does not include diffuse runoff or conveyances that connect segments of the same stream or water systems (e.g., when a conveyance temporarily leaves an MS4 at a road crossing). [Minn. R. 7090]
27.25	"Owner" means the person that owns the MS4. [Minn. R. 7090.0080, Subp. 11]
27.26	"Permittee" means a person or persons, that signs the permit application submitted to the Agency and is responsible for compliance with the terms and conditions of the General Permit. [Minn. R. 7090]
27.27	"Person" means the state or any Agency or institution thereof, any municipality, governmental subdivision, public or private corporation, individual, partnership, or other entity, including, but not limited to, association, commission or any interstate body, and includes any officer or governing or managing body of any municipality, governmental subdivision, or public or private corporation, or other entity. [Minn. Stat. 115.01, subd. 10]
27.28	"Pipe" means a closed manmade conveyance device used to transport stormwater from location to location. The definition

	of pipe does not include foundation drain pipes, irrigation pipes, land drain tile pipes, culverts, and road sub-grade drain pipes. [Minn. R. 7090]
27.29	"Receiving Water" means any lake, river, stream or wetland that receives stormwater discharges from an MS4. [Minn. R. 7090]
27.30	"Reduce" means reduce to the Maximum Extent Practicable (MEP) unless otherwise defined in the context in which it is used. [Minn. R. 7090]
27.31	"Seasonally Saturated Soil" means the highest seasonal elevation in the soil in a reduced chemical state because of soil voids filled with water causing anaerobic conditions. Seasonally saturated soil is evidenced by the presence of redoximorphic features or other information determined by scientifically established methods or empirical field measurements. [Minn. R. 7090]
27.32	"Section" includes all item numbers of the same whole number. For example, "Section 5" of the General Permit refers to items 5.1 through 5.5. [Minn. R. 7090]
27.33	"Significant Materials" includes, but is not limited to: raw materials, fuels, materials such as solvents, detergents, and plastic pellets; finished materials such as metallic products; raw materials used in food processing or production; hazardous substances designated under Section 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); any chemical the facility is required to report pursuant to Section 313 of the Emergency Planning and Community Right-to-Know Act (EPCRA); fertilizers, pesticides, and waste products such as ashes, slag, and sludge that have the potential to be released with stormwater discharges. When determining whether a material is significant, the physical and chemical characteristics of the material should be considered (e.g. the material's solubility, transportability, and toxicity characteristics) to determine the material's pollution potential. [40 CFR 122.26(b)(12)]
27.34	"Small Municipal Separate Storm Sewer System" or "small MS4", means all separate storm sewers that are: a. Owned or operated by the United States, a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to state law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under state law such as a sewer district, flood control district or drainage district, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management Agency under section 208 of the CWA that discharges to waters of the United States. b. Not defined as "large" or "medium" Municipal Separate Storm Sewer Systems pursuant to 40 CFR 122.26 paragraphs (b)(4) and (b)(7) or designated under paragraph (a)(1)(v). c. This term includes systems similar to separate storm sewer systems in municipalities, such as systems at military bases, large hospital or prison complexes, and highways and other thoroughfares. The term does not include separate storm sewers in very discrete areas, such as individual buildings. [Minn. R. 7090]
27.35	"Stormwater" means stormwater runoff, snow melt runoff, and surface runoff and drainage. [Minn. R. 7090.0080, Subp. 12]
27.36	"Stormwater flow direction" means the direction of predominant flow within a pipe. Flow direction can be discerned if pipe elevations can be displayed on the storm sewer system map. [Minn. R. 7090]
27.37	"Stormwater Pollution Prevention Program" or "SWPPP" means a comprehensive program developed by the permittee to manage and reduce the discharge of pollutants in stormwater to and from the small MS4. [Minn. R. 7090]
27.38	"Structural Stormwater BMP" means a stationary and permanent BMP that is designed, constructed, and operated to prevent or reduce the discharge of pollutants in stormwater. [Minn. R. 7090]
27.39	"Total Maximum Daily Load" or "TMDL" means the sum of the individual Waste Load Allocations for point sources and load allocations for nonpoint sources and natural background, as more fully defined in 40 CFR 130.2, paragraph (i). A TMDL sets and allocates the maximum amount of a pollutant that may be introduced into a water of the state and still assure attainment and maintenance of water quality standards. [Minn. R. 7052.0010, Subp. 42]
27.40	"Waste Load Allocation" or "WLA" means the portion of a receiving water's loading capacity that is allocated to one of its existing or future point sources of pollution, as more fully defined in Code of Federal Regulations, title 40, section 130.2, paragraph (h). In the absence of a TMDL approved by USEPA under 40 CFR 130.7, or an assessment and remediation plan developed and approved according to Minn. R. 7052.0200, Subp. 1.C, a WLA is the allocation for an individual point source that ensures that the level of water quality to be achieved by the point source is derived from and complies with all applicable water quality standards and criteria. [Minn. R. 7052.0010, Subp. 45]
27.41	"Water pollution" means (a) the discharge of any pollutant into any waters of the state or the contamination of any waters of the state so as to create a nuisance or render such waters unclean, or noxious, or impure so as to be actually or

	potentially harmful or detrimental or injurious to public health, safety or welfare, to domestic, agricultural, commercial, industrial, recreational or other legitimate uses, or to livestock, animals, birds, fish or other aquatic life; or (b) the alteration made or induced by human activity of the chemical, physical, biological, or radiological integrity of waters of the state. [Minn. Stat. 115.01, subd. 13]
27.42	"Water Quality Standards" means those provisions contained in Minn. R. 7050 and 7052. [Minn. R. 7090]
27.43	"Water Quality Volume" means either: a. for construction activity (excluding linear projects), one (1) inch of runoff from the sum of the new and fully reconstructed impervious surfaces created by the project (calculated as an instantaneous volume); or b. for linear projects, the greater of one (1) inch of runoff from the new impervious surface or one-half (0.5) inch of runoff from the sum of the new and fully reconstructed impervious surfaces created by the project (calculated as an instantaneous volume). [Minn. R. 7090]
27.44	"Waters of the State" means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof. [Minn. Stat. 115.01, subd. 22]
27.45	"Wetlands" means those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands must have the following attributes: a. a predominance of hydric soils; b. inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition; and c. under normal circumstances support a prevalence of such vegetation. [Minn. R. 7050.0186, Subp. 1a.B]

Appendix A. Alum or Ferric Chloride Phosphorus Treatment Systems

Table 1:
Monitoring parameters during operation

Station	Alum parameters	Ferric parameters	Units	Frequency
Upstream-background	Total Phosphorus	Total Phosphorus	mg/L	1 x week
	Dissolved Phosphorus	Dissolved Phosphorus	mg/L	1 x week
	Total Aluminum	Total Iron	mg/L	1 x month
	Dissolved Aluminum	Dissolved Iron	mg/L	1 x week
	pH	pH	SU	1 x week
	Flow	Flow	Mgd	Daily
Alum or Ferric Chloride Feed	Alum	Ferric	Gallons	Daily total dosed in gallons
Discharge from treatment	Total Phosphorus	Total Phosphorus	mg/L	1 x week
	Dissolved Phosphorus	Dissolved Phosphorus	mg/L	1 x week
	Total Aluminum	Total Iron	mg/L	1 x month
	Dissolved Aluminum	Dissolved Iron	mg/L	1 x week
	pH	pH	SU	1 x week
	Flow	Flow	Mgd	Daily

Appendix B. Schedules

Table 2:
 Existing Permittees - Schedule of permit requirements

<i>Permit requirement</i>	<i>Schedule</i>
<p>Section 12. Stormwater Pollution Prevention Program (SWPPP) Document</p> <ul style="list-style-type: none"> • <i>Submit the SWPPP Document completed in accordance with Section 12.</i> 	<ul style="list-style-type: none"> • Within 150 days after General Permit issuance date.
<p>Section 13. Stormwater Pollution Prevention Program (SWPPP)</p> <ul style="list-style-type: none"> • <i>Complete revisions to incorporate the new requirements of Sections 14 - 23 into current SWPPP.</i> 	<ul style="list-style-type: none"> • Within 12 months of the date General Permit coverage is extended, unless other timelines have been specifically established in the General Permit and identified below.
<p>Section 19. Construction Site Stormwater Runoff Control</p> <ul style="list-style-type: none"> • <i>Complete revisions to Construction Site Stormwater Runoff Control program, including revisions to regulatory mechanism(s), if necessary.</i> • <i>When the CSW Permit is reissued, revise regulatory mechanism(s), if necessary, to be at least as stringent as the requirements for erosion, sediment, and waste controls described in the CSW Permit.</i> 	<ul style="list-style-type: none"> • Within 12 months of the date General Permit coverage is extended. • Within 12 months of the issuance date of the CSW Permit (expected issuance date of the CSW Permit is August 1, 2023).
<p>Section 21. Pollution Prevention/Good Housekeeping for Municipal Operations</p> <ul style="list-style-type: none"> • <i>Conduct structural stormwater best management practice (BMP) inspections.</i> • <i>Conduct pond and outfall inspections.</i> 	<ul style="list-style-type: none"> • Each calendar year. • Prior to the expiration date of the General Permit.
<p>Section 22. Discharges to Impaired Waters with a USEPA-Approved TMDL that includes an Applicable WLA</p> <ul style="list-style-type: none"> • <i>Submit all information required in item 22.2.</i> • <i>Meet requirements for applicable WLAs for bacteria, chloride, and temperature in Section 22.</i> 	<ul style="list-style-type: none"> • With each annual report. • Within 12 months of the date General Permit coverage is extended.
<p>Section 25. Annual Assessment, Annual Reporting, and Recordkeeping</p> <ul style="list-style-type: none"> • <i>Conduct assessment of the SWPPP.</i> • <i>On a form provided by the Agency, submit an annual report.</i> 	<ul style="list-style-type: none"> • Prior to completion of each annual report. • By June 30th of each calendar year.

Table 3:
New Permittees - Schedule of permit requirements

<i>Permit requirement</i>	<i>Schedule</i>
<p>Section 10. New Permittee Applicants</p> <ul style="list-style-type: none"> • <i>Submit Part 1, and Part 2 of the permit application as required by Section 12.</i> 	<ul style="list-style-type: none"> • Within 18 months of written notification from the Commissioner that the MS4 meets the criteria in Minn. R. 7090.1010, subp. 1.A. or B. and General Permit coverage is required.
<p>Section 13. Stormwater Pollution Prevention Program (SWPPP)</p> <ul style="list-style-type: none"> • <i>Complete all requirements of Sections 14 - 23.</i> 	<ul style="list-style-type: none"> • Within 36 months of the date General Permit coverage is extended, unless other timelines have been specifically established in the General Permit and identified below; or • Within timelines established by the Commissioner in item 8.3.
<p>Section 14. Mapping</p> <ul style="list-style-type: none"> • <i>Develop a storm sewer system map.</i> 	<ul style="list-style-type: none"> • Within 24 months of the date General Permit coverage is extended.
<p>Section 18. Illicit Discharge Detection and Elimination</p> <ul style="list-style-type: none"> • <i>Develop, implement, and enforce an Illicit Discharge Detection and Elimination Program.</i> 	<ul style="list-style-type: none"> • Within 12 months of the date General Permit coverage is extended.
<p>Section 19. Construction Site Stormwater Runoff Control</p> <ul style="list-style-type: none"> • <i>Develop, implement, and enforce a Construction Site Stormwater Runoff Control Program.</i> • <i>When the CSW Permit is reissued, revise regulatory mechanism(s), if necessary, to be at least as stringent as the requirements for erosion, sediment, and waste controls described in the CSW Permit.</i> 	<ul style="list-style-type: none"> • Within 12 months of the date General Permit coverage is extended. • Within 12 months of the issuance date of the CSW Permit (expected issuance date of the CSW Permit is August 1, 2023).
<p>Section 20. Post-Construction Stormwater Management</p> <ul style="list-style-type: none"> • <i>Develop, implement, and enforce a Post-Construction Stormwater Management program.</i> 	<ul style="list-style-type: none"> • Within 24 months of the date General Permit coverage is extended.
<p>Section 21. Pollution Prevention/Good Housekeeping for Municipal Operations</p> <ul style="list-style-type: none"> • <i>Conduct structural stormwater BMP inspections.</i> • <i>Conduct pond and outfall inspections.</i> 	<ul style="list-style-type: none"> • Each calendar year. • Prior to the expiration date of the General Permit.
<p>Section 22. Discharges to Impaired Waters with a USEPA-Approved TMDL that includes an Applicable WLA</p> <ul style="list-style-type: none"> • <i>Submit all information required in item 22.2.</i> • <i>Meet requirements for applicable WLAs for bacteria, chloride, and temperature in Section 22.</i> 	<ul style="list-style-type: none"> • With each annual report. • Within 12 months of the date General Permit coverage is extended.
<p>Section 23. Alum or Ferric Chloride Phosphorus Treatment Systems (if applicable)</p> <ul style="list-style-type: none"> • <i>Meet requirements for treatment systems in Section 23.</i> 	<ul style="list-style-type: none"> • Within 12 months of the date General Permit coverage is extended.
<p>Section 25. Annual SWPPP Assessment, Annual Reporting, and Recordkeeping</p> <ul style="list-style-type: none"> • <i>Conduct assessment of the SWPPP.</i> • <i>On a form provided by the Agency, submit an annual report.</i> 	<ul style="list-style-type: none"> • Prior to completion of each annual report. • By June 30th of each calendar year.



520 Lafayette Road North | St. Paul, Minnesota 55155-4194 | 651-296-6300
800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

November 12, 2021

Denise Webster
City of Ham Lake
15544 Central Avenue Northeast
Ham Lake, MN 55304

RE: Issuance of Coverage under the Small Municipal Separate Storm Sewer Systems General Permit MNR040000 for city of Ham Lake MS4

Dear Denise Webster:

In accordance with Minn. R. 7001.0140, the Minnesota Pollution Control Agency (MPCA) is issuing coverage under the Small Municipal Separate Storm Sewer System (MS4) General Permit MNR040000 (MS4 General Permit) to the city of Ham Lake MS4, effective November 12, 2021. Enclosed is your official Notice of Coverage, which includes the above referenced MS4 General Permit requirements.

Our final decision to issue permit coverage was based on the following:

- You submitted a complete application; and
- No applicable comments were received or all applicable comments received have been addressed;

If you were covered under the August 1, 2013, MS4 General Permit, coverage under that permit is immediately terminated as of the date on this letter.

You must:

- Comply with the requirements of the MS4 General Permit and your Stormwater Pollution Prevention Program (SWPPP) Document;
- Meet the new requirements in the MS4 General Permit within 12 months of the date of receiving permit coverage;
- Retain your SWPPP Document and all records pertinent to it for at least three (3) years beyond the term of the MS4 General Permit;
- Report on activities that were required or committed to under the previous permit. Your annual report, due June 30 of each year, must cover all activities and permit requirements of the previous calendar year regardless which permit those activities are conducted under; and
- Retain this letter as documentation of your coverage under the MS4 General Permit.

The issuance of coverage does not preclude the MPCA from conducting inspections or audits.

Denise Webster
Page 2
November 12, 2021

If you have questions, please contact Nick Nistler at 218-302-6670 or nicholas.nistler@state.mn.us.

Sincerely,

Duane Duncanson

This document has been electronically signed.

Duane Duncanson
Supervisor
Municipal Stormwater Unit
Municipal Division

DD/NN:jg

cc: Activity GEN20180001@82038

Meeting Date: November 7, 2022

CITY OF HAM LAKE
STAFF REPORT

To: Mayor and Councilmembers

From: John Witkowski, Public Works Superintendent

Subject: Hiring Public Works part-time Seasonal/On-Call Snowplow Operator

Introduction: I am recommending the hiring of one Public Works part-time seasonal/on-call snowplow operators. At this time, we are still actively seeking applicants, and in the future, may recommend additional personnel to fill open spots.

Recommendation: Listed below is one individual that is being recommended for the Public Works part-time seasonal/on-call snowplow operator position.

Mark Madich will be at a pay rate of \$19.81/per hour.

Memorandum

Date: November 3, 2022

To: Mayor and Councilmembers

From: Tom Collins, City Engineer *TPC*

Subject: Sunrise River Watershed Management Organization funding contribution alternatives

Introduction:

The Sunrise River Watershed Management Organization (SRWMO) has four member communities – Columbus, East Bethel, Ham Lake and Linwood Township. The Joint Powers Agreement (JPA), that was last revised August 2011, is proposed to be updated. The September 15, 2021 SRWMO memo is attached. The JPA stipulates that operating (administrative) costs are paid equally at 25% per community and non-operating costs are paid by the percentage of each community based on a 50/50 formula between land area and market value. The community funding portion of the JPA is attached. Updates would be reflected in the 2024 and subsequent budgets.

For the 2023 SRWMO budget, that was approved at the March 21st Council meeting, the City of Ham Lake cost projections were \$3,499.50 for operating costs and \$1,159.08 for non-operating costs. This equates to 75.1% for operating costs and 24.9% for non-operating costs. The non-operating costs for Ham Lake was 3.8% for the 2023 budget.

Discussion:

The City of Ham Lake has requested that the operating costs be based on the non-operating costs formula for several years. The April 20, 2015 City Council meeting minutes are attached that resulted in the attached June 22, 2015 request and proposed JPA amendment. A similar August 21, 2019 request is also attached. The funding formula for both the SRWMO and the Upper Rum River WMO was discussed at the February 7th City Council meeting, where the consensus was that future budgets would not be approved unless the operating costs be based on the non-operating costs formula. The applicable portion of the meeting minutes are attached.

City Administrator Denise Webster and I attended a facilitated communities meeting on October 4th to discuss the JPA. Those meeting minutes are attached. At that meeting I stated that operating costs needed to be revised to the non-operating costs formula or the City will back out of the SRWMO. Those meeting minutes are attached. The non-operating costs, based on the current 50/50 formula between land area and market value, has been revised to 4.12%. This is based on a revised SRWMO jurisdictional boundary and updated market valuations.

Administrator Webster and I also participated in a funding formula scenarios Zoom meeting on October 19th. The meeting minutes are attached. A number of different funding formulas were discussed at that meeting, with some funding formulas being eliminated from future consideration.

The following is a summary of the two funding formula scenario, which include two variations, based on the average budgets over the last 5-years that the SRWMO is still considering:

Scenario 1

This is the current formula, where operating costs are paid equally at 25% per community and non-operating costs are paid by the percentage of each community based on a 50/50 formula between land area and market value. The operating costs for Ham Lake are \$3,112.04 and non-operating costs are \$1,288.89 for a total of \$4,400.93.

Variation 1A

This is Ham Lake's requested formula, where operating costs and non-operating costs are paid by the percentage of each community based on a 50/50 formula between land area and market value. The operating costs for Ham Lake are \$512.88 and non-operating costs are the same \$1,288.89 for a total of \$1,801.77.

Variation 1B

This is Ham Lake's requested formula, with the addition of a minimum contribution. The minimum contribution amount shown is \$1,300. The operating costs for Ham Lake, which includes the minimum contribution amount, are \$1,598.63 and non-operating costs are the same \$1,288.89 for a total of \$2,887.52.

Scenario 4

This scenario is similar to Scenario 1, with the 50/50 formula for non-operating costs being based on private land area and lakes/streams. The formula revision increases Ham Lake's percentage to 6.97%. The operating costs for Ham Lake are the same as Scenario 1 at \$3,112.04 and non-operating costs are \$2,178.87 for a total of \$5,290.91.

Variation 4A

This variation is similar to Scenario 1A, with same 50/50 formula as Scenario 4 for non-operating costs. The operating costs for Ham Lake are \$867.04 and non-operating costs are \$2,178.87 for a total of \$3,045.91.

Variation 4B

This variation is similar to 1B with a minimum contribution amount. The minimum contribution amount shown is \$1,300. The operating costs for Ham Lake, which includes the minimum contribution amount, are \$2,898.63 and non-operating costs are \$1,085.09 for a total of \$3,983.72.

The SRWMO has requested that the Councils determine what funding scenario that is their first choice, along with additional scenario/variation(s) would be approved "if need be". Administrator Webster and I will participate in a December 1st Zoom meeting. The SRWMO has requested that a Council member attend the community meetings.

Administrator Webster requested that the SRWMO take over maintenance responsibilities of the channel that connects Coon Lake and South Coon Lake earlier this year. The July 7th email is attached. The SRWMO determined that it would not take over maintenance responsibilities. The applicable portion of their September 1st board meeting minutes are attached.

The JPA stipulates that if one community fails to ratify an annual WMO budget, that budget cannot be adopted. This would result in funding the essentials (insurance, audit, required state reporting, etc.) on meager reserve funds as long as possible. The state would find the WMO to be "failing to implement"

and therefore in violation of state law. If the issue could not be resolved, watershed management responsibilities would revert to Anoka County if not transferred to the Coon Creek Watershed District, leaving the state to consider creating a watershed district in its place.

Columbus Councilmember Janet Hegland met with Councilmember Kirkeide, Administrator Webster and I in February to discuss the funding formula. Administrator Webster's memo for the March 7th City Council meeting is attached. At that meeting, there was discussion of how the City of Columbus levies properties within the SRWMO and that the SRWMO budget is paid thru the levy rather than the City of Columbus General Fund. Finance Director Andrea Murff investigated this alternative and found the following:

The SRWMO budget can be separated from the General Levy. This would be declaring a district within the City for this WMO. Then the people that are living in this area would be the only ones to pay any portion of budgeted expenses for the WMO. This would increase taxes for those in that watershed management organization. On their tax statement, it would not show the WMO as being taxed separately, it would all get lumped under the City line on their tax statements.

Recommendations:

Determine the following:

- Which funding scenario/variation is Ham Lake's first choice and whether there are any other scenario/variations that would be approved "if need be".
- Whether to levy the properties within the SRWMO (all of the above applies to the URRWMO).
- Who will attend community meetings.



Sunrise River Watershed Management Organization

MEMO

To: Jack Davis, East Bethel Administrator
East Bethel City Council
Pam Olson, Linwood Township Clerk
Linwood Township Board
Elizabeth Mursko, Columbus Administrator
Columbus City Council
Denise Webster, Ham Lake Administrator
Ham Lake City Council

From: Janet Hegland, Vice Chair, Sunrise River WMO Board on behalf of the
Sunrise River WMO Board

Date: September 15, 2021

Re: SRWMO Joint Powers Agreement

The Sunrise River Watershed Management Organization (SRWMO) was formed through a joint powers agreement (JPA) of four member communities – Ham Lake, East Bethel, Linwood, and Columbus. Among the duties of the SRWMO Board is to periodically recommend JPA updates to the member communities.

The JPA is more than 30 years old. While there have been minor amendments several times, portions of the JPA remain operationally clumsy or out of date. Additionally, there are incorrect state statute references, undefined terms, and nonsense references to sections of the JPA that are unrelated to the topic being referenced. Attached is a marked-up version of the JPA with the SRWMO Board's recommended amendments. Our comments are intended to be a plain language summary of shortcomings and recommended updates. If those changes have support, we expect the communities' legal counsel would craft language that achieves the desired outcomes.

The SRWMO board believes it is their duty to provide recommendations, but not drive the process, as the JPA is the cities' and township's agreement. Review and any action on these recommendations will require leadership from the cities and township. We are therefore reaching out to the administrative staff in each of the four communities to coordinate the amendment process with each of their respective Councils or Boards.

The following process for review is proposed:

1. **City staff review** – Janet Hegland, SRWMO Board Vice Chair will organize a meeting to facilitate a review of the recommendations with administrative staff from all four communities. In addition to the review of recommendations, finalizing the next steps, responsible parties and timeline will be an outcome of this meeting.
2. **Work session by each community's elected officials**, coordinated by each city/township administrative lead, is held to review recommendations.
3. **Legal review of agreed upon JPA edits by legal counsel** from each community. Determining who "translates" agreed upon edits into appropriate legal language will be an outcome of this meeting. Communities should consider now that there may be upcoming legal expenses for this revised JPA and for subsequent ordinance updates (if necessary).
4. **City council and town board reviews**.
5. **Approvals** by each community.
6. **SRWMO board prepares bylaws** if allowed in amended JPA.

Please note, any amended JPA must be approved by all four member communities. It's reasonable to think that amending the JPA will take 6+ months.

Please respond to this memo by indicating on the below link, your availability for an initial meeting to review the attached recommendations and chart next steps. The plan is to meet in person, location TBD, but if anyone is uncomfortable meeting in person, please indicate on your response that you will be attending virtually. We would appreciate your response by 9am on September 27th.

Thank you in advance for your assistance with this process.

[Link to indicate availability for initial meeting](#)

3.6 Review and Recommendations: Where the Organization is authorized or requested to review and make recommendations on any matter relating to the Watershed Management Plan, the Organization shall act on such matter within 60 days of receipt of the matter referred. Failure of the Organization to act within 60 days shall constitute approval of the matter referred, unless the Organization requests and receives from the referring unit of government an extension of time to act on the matter referred. Such extension shall be in writing and acknowledged by both parties.

The Board shall adopt an appeal procedure for any party aggrieved by a decision of the Board or an alleged failure to implement the Plan pursuant to Minnesota Statutes, Chapter 103B.231, Subd. 13.

3.7 Ratification: The Organization may, and where required by this Agreement shall, refer matters to the governing bodies of the parties for review, comment or action

3.8 Financial Matters:

A. Method of Operation: The Organization may collect and receive money and contract for services subject to the provision of the Agreement from the parties and from any other sources approved by the Organization. The organization may incur expenses and make disbursements necessary and incidental to the effectuation of the purposes of this Agreement. Funds may be expended by the Organization in accordance with procedures established herein. Checks shall be signed by the chair or treasurer. Other legal instruments shall be executed on behalf of the Organization by the chair or vice-chair and an appointed Board member.

B. **Operating Funds.** On or before June 1st of each year, the Organization shall prepare a work plan and operating budget for the following year. The annual budget shall provide details to support the proposed revenues and expenditures for the Organization. This detail shall be sufficient to meet standard budget and/or accounting principles generally recognized for governmental organizations. Expenditures may include administrative expenses, plan development costs, review expenses, capital improvement costs authorized in Section 3.12, and insurance costs as authorized in Section 3.14. Upon the approval of a majority of the partners of this agreement, the budget shall be recommended to the parties for ratification along with a statement showing each party's proposed share of the budget. The budget shall be implemented only after ratification by all parties to this Agreement. Failure to ratify or pay its share of the budget by any party to this Agreement shall be subject to the procedures in Section 3.6. Each party's share of the operating cost is based on 50% of their portion of the watershed's Total Market Value (TMV) and 50% of their portion of the Total Taxable Watershed Acreage (TWA).

Work Plan - $((PA / WA) + (PV / WV)) / 2$ = the party's percentage share of the organization's operating budget.

PA = Party's area within the watershed organization area

WA = watershed organization area

PV = party's market valuation within the watershed organization area

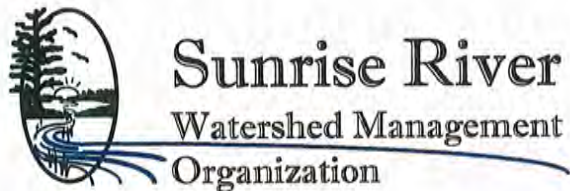
WV = market valuation of the watershed organization area

Operating Costs - Total amount to be divided equally between members of the Joint Powers Agreement. Operating costs per the operating budget are defined as copies, postage, recording secretary fees, insurance, and administrative fee charged to each member community.

After ratification by the organization, the Organization Chair or Vice Chair shall certify the recommended budget to each party on or before June 1 of each year together with a statement showing the budgeted amounts applicable to each party. Each party shall pay over to the Organization the amount owing in two (2) equal installments, the first on or before January 15 and the second on or before July 15 in accordance with the tax year for which the amount due is being paid.

C. Review Services: When the Organization is authorized or requested to undertake a review and submit recommendations to a party as provided in this Agreement, the Organization shall conduct such review, without charge, except as provided below. Where the project size and complexity of review are deemed by the Organization to be extraordinary and substantial, the Organization may charge a fee for such review services, the amount to be based upon direct and indirect costs attributable to that portion of review services determined by the Organization to be extraordinary and substantial. Where the Organization determines that a fee will be charged for extraordinary and substantial review services, or where the flowage enters the Sunrise River, but the party is not a member of the Sunrise River Watershed Management Organization, the party to be charged shall receive written notice from the Organization of the services to be performed and the fee therefore, prior to undertaking such review services. Unless the party to be charged objects within fifteen (15) days of receipt of such written notice to the amount of the fee to be charged, such review services shall be performed and the party shall be responsible for the cost thereof. If the party to be charged objects to the proposed fee for such services with fifteen (15) days and the party and the Organization are unable to agree on a reasonable alternative amount for review services, such extraordinary and substantial review services shall not be undertaken by the Organization. Payment for such services shall be in advance of any work performed.

3.9 Annual Audit. The Organization shall annually prepare a comprehensive financial report on operations and activities. An annual audit, by an independent accounting firm or the State Auditor, shall be provided for that includes a full and complete audit of all books and accounts the Organization is charged with maintaining. Such audit shall be conducted in accordance with generally accepted auditing principles and guidelines. A copy of the annual financial report and auditor's statement shall be provided to all parties to this agreement and to the Board of Water and Soil Resources no later than June 30th of each year. The report to the Board of Water and Soil Resources shall include an annual



2023 DRAFT Budget

2/4/2022

Notes:

Budget was developed 2020-2029 SRWMO Watershed Management Plan.

		Linwood	East Bethel	Columbus	Ham Lake	
	Cost	47.04%	29.99%	19.17%	3.80%	
NON-OPERATING EXPENSES (split by percentages)						
1 Non-operating General						
2	Grant Search and Applications	\$1,109.00	\$521.67	\$332.59	\$212.60	\$42.14
3 Multi-Partner Coordination						
4	Participate in One Watershed, One Plan (1W1P)	\$710.00	\$333.98	\$212.93	\$136.11	\$26.98
5 Effectiveness Monitoring						
6	Lake Water Quality	\$4,246.00	\$1,997.32	\$1,273.38	\$813.96	\$161.35
7 Surveillance Monitoring						
8	Lake Level Monitoring	\$1,745.00	\$820.85	\$523.33	\$334.52	\$66.31
9	Secchi Transparency Lake Monitoring - volunteer coord.	\$972.00	\$457.23	\$291.50	\$186.33	\$36.94
10	Reference Wetland Hydrology Monitoring	\$2,130.00	\$1,001.95	\$638.79	\$408.32	\$80.94
11 Water Quality Improvement Projects						
12	SRWMO Cost Share Grant Fund - open to public	\$1,500.00	\$705.60	\$449.85	\$287.55	\$57.00
13	SRWMO Cost Share Grant Fund - through lake associations	\$6,250.00	\$2,940.00	\$1,874.38	\$1,198.13	\$237.50
14	Ditch 20 Wetland Restoration Outreach	\$343.00	\$161.35	\$102.87	\$65.75	\$13.03
15	Carp Mgmt Feasibility Study or Maintenance Harvests	\$2,000.00	\$940.80	\$599.80	\$383.40	\$76.00
16	Alum Feasibility Study or Treatment	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
17 Studies and Inventories						
18	Linwood Lake Subwatershed Retrofitting Study	\$2,000.00	\$940.80	\$599.80	\$383.40	\$76.00
19 Education and Public Outreach						
20	Newsletters	\$938.00	\$441.24	\$281.31	\$179.81	\$35.64
21	Website	\$725.00	\$341.04	\$217.43	\$138.98	\$27.55
22	Anoka Co Outreach Coordinator Position	\$4,606.00	\$2,166.66	\$1,381.34	\$882.97	\$175.03
23	Promote Well Water Wise	\$54.00	\$25.40	\$16.19	\$10.35	\$2.05
24 Rollover Funds (used to maintain a flat budget of \$50K, covering planned expenses over that amount in future years)						
25	Rollover Funds	\$1,174.00	\$552.25	\$352.08	\$225.06	\$44.61
26 Undesignated reserve account spend down						
27	Reserve spend down (negative number)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
28	SUBTOTAL	\$30,502.00	\$14,348.14	\$9,147.55	\$5,847.23	\$1,159.08
	Cost	25.00%	25.00%	25.00%	25.00%	
OPERATING EXPENSES (split equally four ways)						
29 Operating Expenses						
30	Recording Secretary services	\$1,600.00	\$400.00	\$400.00	\$400.00	\$400.00
31	Liability Insurance	\$1,613.00	\$403.25	\$403.25	\$403.25	\$403.25
32 Administrative fee charged to member communities, component activities/costs listed below						
33	On-call Administrative Assistance - ACD	\$8,800.00	\$2,200.00	\$2,200.00	\$2,200.00	\$2,200.00
34	Annual Written Communication to Member Communities	\$665.00	\$166.25	\$166.25	\$166.25	\$166.25
35	Annual Reports to BWSR, State Auditor	\$1,220.00	\$305.00	\$305.00	\$305.00	\$305.00
36	Advertise Bids for Pro Services (req'd in odd yrs)	\$100.00	\$25.00	\$25.00	\$25.00	\$25.00
37	Reserve spend down (negative number)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
38	SUBTOTAL	\$13,998.00	\$3,499.50	\$3,499.50	\$3,499.50	\$3,499.50
39						
40	GRAND TOTAL	\$44,500.00	\$17,847.64	\$12,647.05	\$9,346.73	\$4,658.58

11.0 CITY ADMINISTRATOR – None

12.0 COUNCIL BUSINESS

12.1 Committee Reports

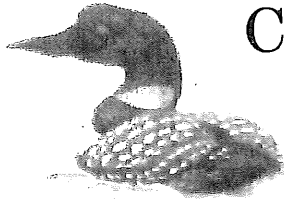
Councilmember Kirkeide stated that there was a Road Committee meeting last week regarding the installation of a signal light at 143rd Avenue NE and Highway 65. Administrator Nivala stated that MnDOT will not commit to the installation for a signal light until the properties are developed on the southeast and southwest corners of 143rd Avenue NE and Highway 65 as MnDOT makes decisions on existing traffic volumes, not projected traffic volumes. Councilmember Kirkeide stated that service lanes (roads) work a lot better to get to the businesses than slowing down traffic on Highway 65. Councilmember Kirkeide stated that Highway 65 is a thoroughfare and is meant to get traffic flowing faster.

* 12.2 Discussion of the 2016 Budget for Sunrise and Upper Rum River Watershed Management Organizations (WMO's)

Administrator Nivala reviewed the 2016 Budgets for Sunrise and Upper Rum River Watershed Management Organizations and stated that the budgets are similar to previous years. Administrator Nivala stated that it has been discussed by the Council that the budgets are set up with all the cities sharing in the administrative costs equally. Administrator Nivala stated that there has been discussion of possibly withdrawing from the two WMO's and there is a provision in the JPA (Joint Powers Agreement) that allows for that to happen with a 60-day notice. Engineer Collins stated that Minnesota Statute requires that a City be within a watershed district. Engineer Collins stated that BWSR (Board of Water and Soil Resources) administers the watersheds and they stated that if the city withdrew from the WMO's then Coon Creek Watershed District could petition for the expansion of the entire city to be in their district, which is what the city was trying to accomplish last year. Engineer Collins stated that initially BWSR stated that they would not support the change in the WMO's but has now changed their position. Engineer Collins stated that BWSR is first asking that the City request a revised JPA to the administrative costs. Engineer Collins stated that currently the City is only 1% of the Upper Rum River and 4% of the Sunrise Watershed District, but are being charged an administrative fee of 17% in Upper Rum River and 25% in Sunrise Watershed District. The Council discussed what would happen if the City decided to withdraw from the JPA and BWSR did not approve the change in the WMO's. Engineer Collins stated that in the Statute it states that if the City is not within a watershed district or watershed management organization, the oversight is then provided by the County. **Motion by Kirkeide, seconded by Van Kirk, to table the approval the 2016 Budget for Sunrise and Upper Rum River Watershed Management Organizations until other alternatives can be explored regarding opting out of the JPA (Joint Powers Agreement), which could possibly allow BWSR (Board of Water and Soil Resources) to approve all of Ham Lake to be located in the Coon Creek Watershed District or requesting the adjustment of the administrative costs of the JPA with the Sunrise and Upper Rum River Watershed Management Organizations. All present in favor, motion carried.**

12.3 Discussion of Charter Commission Amendment relating to referendums

Councilmember Kirkeide explained that the Charter Commission would like to explore the options of requiring any City referendum only be allowed on a general election year. Councilmember Kirkeide also stated that they would like to research if school referendums can be required to be on a general election year. **It was the consensus of the City Council to concur with the recommendation of the**



CITY OF HAM LAKE

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

June 22, 2015

Jack Davis, Administrator
City of East Bethel
2241 221 Ave. NE
East Bethel, MN 55011

Elizabeth Mursko, Administrator
City of Columbus
16319 Kettle River Blvd.
Columbus, MN 55025

Judy Hanna, Clerk
Linwood Township
22817 Typo Creek Drive NE
Stacy, MN 55079

Re: Sunrise River Watershed Management Organization JPA

Dear City Administrator/Clerk:

The Ham Lake City Council directed the City Attorney to prepare the attached amendment to the Sunrise River WMO Joint Powers Agreement. This was a result of discussions at several City Council meetings. The attached minutes from the April 20th Council meeting summarize the origin of the proposed amendment.

Section 3.8 of the Joint Powers Agreement references the Work Plan costs based on market value and watershed acreage, and Operating Costs (split equally between member cities). The Work Plan cost computation incorrectly references "operating costs" in the discussion of market value and watershed acreage. The amendment proposes to revise Operating Costs to also be based on market value and watershed acreage, similar to Work Plan costs. Per Section VII of the JPA, the proposed JPA amendment has been submitted to the Chair for consideration of an amendment.

Sincerely,


Doris Nivala, Administrator

Attachments

cc: Dan Babineau, Chair
SRWMO

Amendment to WMO Agreement

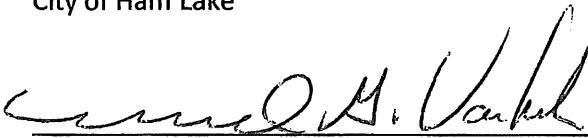
This amendment is made to paragraph 3.8 (B) of that certain Joint Powers Agreement (the "Agreement") executed by the City of Ham Lake, Minnesota dated April 20, 2011 and including all amendments thereto among certain Minnesota Cities also including the Cities of East Bethel, Ham Lake, Columbus, and Linwood (hereafter referred to as "member cities" or "member city") regarding the Sunrise River Watershed Management Organization (SRWMO).

The Portion of Section 3.8 (B) headed "Operating Costs" of Section 3.8 (B) of the Agreement (the "Amended Language" is hereby amended as follows:

1. The Amended Language is hereby deleted in its entirety.
2. The following language is hereby substituted as a new paragraph 3.8(B):

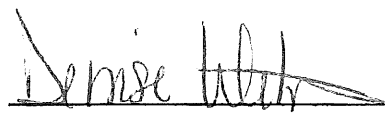
Paragraph 3.8 (B) Operating Funds. All costs, including copies, postage, recording secretary's fees insurance and administrative costs, shall be allocated among the member cities on a pro rata basis, in the same manner as above.

City of Ham Lake



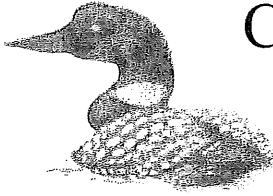
Michael G. Van Kirk, Mayor

Dated 6/15/15



Denise Webster, City Clerk

Dated 6/15/15



CITY OF HAM LAKE

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

August 21, 2019

Dear Sunrise and Upper Rum River WMO Board Members, City Staff and City Councilmembers:

At the August 5, 2019 Ham Lake City Council Meeting, the City Council and Member Cities Representatives from the Upper Rum River and Sunrise River Watershed Management Organizations thought it would be beneficial to schedule a workshop meeting to discuss each of the Watershed's Joint Powers Agreements. Below is the discussion from the August 5th meeting.

Discussion of the Upper Rum River and Sunrise River Watershed Management Organizations; this discussion is in conjunction with agenda item 3.6 Member Cities Representatives from the Upper Rum River and Sunrise River Watershed Management Organization

Dan Babineau representing the Sunrise River Watershed Management Organization (SRWMO); John West representing the Upper Rum River Watershed Management Organization (URRWMO); Sandy Flaherty, Ham Lake representative for both WMO's; Jamie Schurbon representing the Anoka Conservation District (ACD); and Dan Breyen representing the Upper Rum River Watershed Management Organization (URRWMO), were present before the City Council to discuss the JPA (Joint Powers Agreement) and Budget. The budget increase to the SRWMO budget is 38% and the budget increase for the URRWMO is 422%. Bethel, East Bethel, Linwood and Ham Lake are located within the SRWMO district. Columbus, East Bethel, Oak Grove, Nowthen, St. Francis and Ham Lake are within the URRWMO district. The City of Ham Lake is a small portion of these watershed districts, but all of the members pay equal amounts of the administrative costs. Councilmember Johnson stated that the costs are only going to keep escalating. **It was the consensus of the City Council to appoint Councilmember's Johnson and Kirkham as the liaisons to the SRWMO and URRWMO Watersheds.** Planning Commissioner Heaton was in the audience and has been a representative of the watershed districts in the past. Commissioner Heaton suggested that the JPA be changed and suggested that the City Council's watershed liaison's review the JPA's line by line. The City of Ham Lake has been working to amend the JPA since 2015. **It was the consensus of the City Council to have representatives from each watershed attend a workshop to discuss the JPA's.** The JPA states that all member communities must agree to amendments. **Motion by Kirkeide, seconded by Doyle, to ratify the 2020 budgets for both the Sunrise Watershed Management Organization (SRWMO) and the Upper Rum River Watershed Management Organization (URRWMO) and that the City work with Member Cities on the JPA (Joint Powers Agreement) to amend the cost share of the administrative fees; to be completed no later than March, 2020 allowing time to resolve this issue as quickly and fairly as possible and if not resolved, allowing time for the City of Ham Lake opt out of the JPA and expand all of Ham Lake with the Coon Creek Watershed District (CCWD). All in favor, motion carried.**

We would like to invite representatives from each of the cities to attend a workshop meeting on Tuesday, October 1, 2018 at 6:00 p.m. The workshop will be held at the City of Ham Lake in the Council Chambers.

Sincerely,

Denise Webster
City Administrator

4.9 Approve the Plans and Specifications for the 2022 tree removal project and authorize the advertisement for bids

4.10 Approval of the Contract with SafeAssure for safety training for 2022

Motion by Wilken, seconded by Doyle, to approve the February 7, 2022 Consent Agenda with the omission of item 4.9. All present in favor, motion carried.

Acting Mayor Kirkham questioned if the Tree Removal projects for Polk Street NE and Tippecanoe Street NE could be removed from this project in order to save money on the bidding process. Engineer Collins stated removing these from the current project would delay the projects and may increase costs due to there being more demand for these services towards the end of summer. Councilmember Wilken then questioned where tree removal is done. Engineer Collins stated it was done in the City's right-of-way. **Motion by Kirkham, seconded by Wilken, to approve item 4.9 of the Consent Agenda. 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

8.1 Discussion of the First Reading of an Ordinance regarding Catalytic Converters

Attorney Murphy explained the new ordinance would give the Anoka County Sheriff's Office the authority to charge a person with theft if during a routine traffic stop the person was found to have a catalytic converter in their possession. Councilmember Kirkeide stated he had mixed feeling since the charge is not a felony and questioned if it was going to be effective. Attorney Murphy stated it would be a misdemeanor charge if caught with catalytic converter. Councilmember Wilken stated that it would be another tool that can be used for law enforcement.

This is considered the First Reading of an Ordinance regarding Catalytic Converters.

8.2 Discussion of the 159th Avenue NE right-of-way within Ham Lake Industrial Park 4th Addition

Attorney Murphy stated he is requesting direction from the City Council in order to proceed preparing deeds for the 159th Avenue NE cul-de-sac that was vacated in the 1990's. **Motion by Kirkeide, seconded by Doyle, to direct Attorney Murphy to prepare deeds conveying the vacated 159th Avenue NE cul-de-sac within Ham Lake Industrial Park 4th Addition to the two abutting property owners. All present in favor, motion carried.**

9.0 CITY ENGINEER – None

10.0 CITY ADMINISTRATOR – None

11.0 COUNCIL BUSINESS

11.1 Committee Reports – None

* 11.2 Discussion of cost and updates to the Upper Rum River Watershed Management Organization (URRWMO) Joint Powers Agreement (JPA)

Administrator Webster brought forward the Joint Powers Agreement (JPA) for the Upper Rum River Watershed District. Administrator Webster stated she received an email prior to the City Council Meeting

stating the Sunrise Watershed Management Organization would like to have all member cities approve the 2023 budget by April 7, 2022. The City Council questioned if it would cost more to get out of the Upper Rum River and Sunrise Watershed Districts. Councilmember Kirkeide also wanted to know if there were any other options. Engineer Collins stated that the other option would be to request from the Coon Creek Watershed District to take over those portions of the Upper Rum River and Sunrise Watershed Districts. Engineer Collins stated if the Council did not approve the budgets, the Watersheds then would not be able to certify to Anoka County and the County would then have to get involved due to non-compliance. Engineer Collins added that there have not been any recent projects done for the City by the Watersheds. Acting Mayor Kirkham stated that other cities within the JPA's, with the exception of Bethel, are okay with the funding formula and do not want to change it to the funding formula that Ham Lake is requesting, which is Ham Lake only pays for the portion that they city is in and not be split equally across the board with the other cities. Engineer Collins stated that all cities have to approve the budget unanimously. **It was the consensus of the City Council that they would not be approving the budgets for the Upper Rum and Sunrise Watershed Management Organizations unless Ham Lake's portion of the funding and expenses reflects the City's geographical portions within the Upper Rum and Sunrise Watershed Districts.**

11.3 Announcements and future agenda items

Councilmember Kirkeide stated in past years, the Council would put together a list of ideas they wanted to complete for the year and asked the other Councilmembers to think about if there are any ideas that they would like to discuss.

Councilmember Doyle stated he has received some inquiries regarding the Snowbowl. Acting Mayor Kirkham stated he would reach out to the Ham Lake Chamber of Commerce regarding options for possibly bringing the Snowbowl back.

Motion by Kirkeide, seconded by Wilken, to adjourn the meeting at 6:37 p.m. All present in favor, motion carried.

Andrea Murff, Finance Director

Sunrise River WMO Joint Powers Agreement Facilitated communities' meeting

October 4, 2022
Columbus City Hall

Attendance:

- | | |
|--|--------------------------------|
| <input checked="" type="checkbox"/> Milt Thomas | (Facilitator) |
| <input checked="" type="checkbox"/> Jamie Schurbon | (SRWMO Admin) |
| <input checked="" type="checkbox"/> Janet Hegland | (Columbus City Councilmember) |
| <input checked="" type="checkbox"/> Elizabeth Mursko | (Columbus Administrator) |
| <input checked="" type="checkbox"/> Bob Millerbernd | (Linwood Town Supervisor) |
| <input checked="" type="checkbox"/> Pam Olson | (Linwood Clerk) |
| <input checked="" type="checkbox"/> Tim Harrington | (East Bethel Councilmember) |
| <input checked="" type="checkbox"/> Jack Davis | (East Bethel Administrator) |
| <input checked="" type="checkbox"/> Denise Webster | (Ham Lake Administrator) |
| <input checked="" type="checkbox"/> Tom Collins | (Ham Lake Consulting Engineer) |
| <input type="checkbox"/> Gary Kirkeide | (Ham Lake Councilmember) |

Meeting began at 5:30pm

Introductions

Welcome by Hegland. Meeting purpose summarized by Milt. Ground rules agreed upon included hearing each other out, balancing floor time, and ensuring we hear from council members. Introductions were made with the note that Collins is attending in Kirkeide's stead.

Background

Schurbon summarized the JPA history. Hegland noted the JPA and how the organization is working need to be more frequently reviewed.

Opening statements

- East Bethel – Davis noted his council and he have reviewed the JPA recommended edits and found them straightforward and non-controversial. Interested in finding a funding formula meeting everyone's needs. His city council has been briefed on these topics.
- Columbus – Hegland stated city council has been briefed. Housekeeping/admin edits look ok. Want a decision on funding formula. Want a formula methodology that can be explained and defended to others. Want to start with agreeing on a concept or methodology. Has JPA suggestions but will hold those until later as they are not priority.
- Linwood – Olson stated that housekeeping/admin edits look ok. Linwood is where the most SRWMO work takes place and Linwood pays the most. In addition, Linwood also accepts maintenance responsibilities for some SRWMO projects, which carries additional cost that only Linwood bears. Bob continued that Linwood gets many WMO projects and he was on the SRWMO board for 8 yrs. He has never heard any complaints from the Linwood Town Board about SRWMO expenses and they appreciate the WMO's work. He described the passion of the SRWMO board members and lake associations, whose efforts extent beyond their own lakes. He noted that these lake groups have donated large sums to SRWMO projects, helping to secure large grants. Linwood is not in favor of changing the funding formula.

- Ham Lake – Collins said Ham Lake's concern is with the admin (operating) part of the funding formula. They pay 3.8% for most expenses but 25% for operating expenses. Their city council says this must be revised ^{or} for they will back out of the SRWMO. They recognize the benefits of the SRWMO projects, but object to the admin costs.

Collins described that Hegland and Kirkeide met early this year. They discussed separating the SRWMO levy from the city's general levy. Webster wasn't sure what happened to that but thinks the city finance staff may have found they couldn't do it. Hegland said she thought that was strongly favored by Kirkeide and it would address much of Ham Lake's concern. Mursko described how it works in Columbus so residents are only taxed for the watershed they live in and it is separate from the city levy. Columbus does this by creating special taxing districts. Collins asked if rates are based on market valuations and Mursko replied yes. Mursko offered to help Ham Lake staff understand how to do this. Davis said East Bethel rolls the WMO expenses into their general budget, and they have no watershed districts with levy authority. Milt suggested a remedy to the perceived unfairness is changing the way Ham Lake levies.

Administrative Edits

Schurbon described SRWMO Board recommended JPA edits that are likely non-controversial. Discussion was:

- Section 3.2 – Olson asked whether it should refer to 'subd 4' or 6? Schurbon to ask the attorney to check.
- Section 3.2 – Discussion ensued about part H. H can be fully deleted because it is already covered in the text above. However that text should be modified to make it clear that the plan can be amended. State statute is expected to change from time to time.

Milt asked if there was agreement to accept all of the edits marked as "administrative edit" along with the bulleted points above. All were in agreement.

Budget Ratifications

Schurbon described that the current JPA required unanimous ratification by all four cities of a budget before it can be adopted. There is no timeline for ratifications, and no remedy if a community fails to respond.

- Tom stated Ham Lake wants to keep the requirement of unanimous ratification. It is leverage for their city.
- Davis said East Bethel prefers unanimous. Does not want a community's budget decided by others.
- Thomas clarified there are two issues: timeliness of responses to the budget and whether it needs to be unanimous.
- Hegland would like to see a time period for responses and then a process to address any concerns.
- Olson stated there needs to be a reason why a community doesn't ratify the budget. And that reason should be something in the budget that the SRWMO board has the authority to change. It should not be a concern with the JPA that the SRWMO board can't change.
- **All discussed a 60 day period for responses to a budget and a requirement to provide a rationale for any "no." Also, no response within 60-days should constitute ratification. Thomas asked if all agreed? Yes, all agreed.**
- The group polled themselves regarding whether budgets should require unanimous ratification (East Bethel and Ham Lake in favor) or ¾ communities (Linwood and Columbus ok with this).
- The process of dealing with budget concerns was discussed.

- Hegland suggested mediation as an option.
- Olson asked if there is a budget concern and the SRWMO amends the draft budget, then does it need to go back to all the cities. Schurbon suggested yes, and a second review would be 45 days. Davis felt 30 days would be sufficient. Mursko asked about timing of when communities set their levies (Linwood in March) and that Linwood must use a draft budget when setting their levy.
- **Decisions agreed upon:**
 - A period of 60 days should be allowed for community's initial review of a draft SRWMO budget. Failure to respond within this time period constitutes ratification.
 - If there are objections to the budget the SRWMO may amend the budget and send it back to the communities for review. That second review is 30 days. Failure to respond within this time period constitutes ratification.
 - Objections to ratifying the budget must include a reason which must be about the budget, not about the JPA terms.
 - Unanimous budget ratification by all four communities is required.
 - All of the above points are agreed upon, but a final decision to accept them is not yet made. They will be revisited after a funding formula resolution is found.
- Davis – the need for unanimous ratification can be up for discussion.
- Hegland – Budgets shouldn't be a surprise because they follow the SRWMO's 10-year plan which communities approve.

Funding Formula

- Schurbon summarized the current formula, which splits operating costs equally amongst communities and the non-operating costs are split by formula that gives equal weight to land area and market valuation in the SRWMO.
- * ● Collins said Ham Lake has no problem with the formula for non-operating, but does not want operating expenses split equally. They want all expenses to use the formula that is currently used for non-operating.
- Hegland said Columbus explored taking public lands out of the formula, and found it makes an inconsequentially small change. Olson said Linwood found the same.
- Hegland suggested a minimum contribution from every community, and then apply the formula. Wants a formula method that makes sense and is defensible. Doesn't think market value should matter in water management. Major considerations should be land area and amount of work being done. Like a minimum contribution and then 50% land and 50% water area.
- Collins agreed that market valuation is not important to include.
- Olson thinks there is a market valuation connection because that is how property tax levy is done. Spreading costs over lower income homes can be an issue.
- Olson noted the time spent for administration (operating expenses) like meeting packets equally apply to all communities.
- Olson noted Linwood began paying a larger share of costs in 2019 when some costs where switch from operating to non-operating.
- Hegland said it is tough to explain to the public why they are paying when only a sliver of Coon Lake is in their city. The funding method needs to make sense.
- Collins said he is ok with not including market valuations in the funding formula.
- Davis said he is satisfied with the current formula and like anyone is not interested in paying more.

- Davis asked if there are line items that can be shifted out of operating expenses. Schurbon replied that current items in that category include required items like state reporting, audits, insurance, recording secretary, the watershed coordinator, etc. It is at the group's discretion to redefine what belongs in that category.
- Hegland suggested a minimum contribution for all and then the remainder split by formula. Operating costs would not be considered separately – all costs would be treated the same.
- Millerbernd said it feels like we are trying to appease one city that doesn't like the formula and is threatening to leave if they don't get their way.
- Hegland explained she felt public lands should be excluded because most projects are not done on public lands.
- Collins said that Ham Lake's current portion of the budget for operating expenses is \$1,059 and anything more will not be supported.
- Davis suggested philosophy behind a funding mechanism is more important than the dollar amount. He's ok with funding formula ideas, but whatever is decided can't be a big change in the amount paid relative to other cities.
- Davis noted that Coon Lake is a common resource for three cities.
- Thomas asked if the previously-discussed levy method is a solution (for Ham Lake to separate WMO from general city levy). Schurbon replied that Ham Lake needs to pursue this and Mursko has offered to provide guidance.
- Hegland noted that taxpayers already pay based on market valuation.
- Olson likes option #3 in the meeting packet (minimum contribution, private land, public waters). Prefers to see market valuation still in the formula.
- Olson Davis and Collins prefer market valuation be kept in the formula.
- Hegland prefers private land area option #3 in the meeting packet (minimum contribution, private land, public waters). Would like to know acres of public waters in the SRWMO.
- Davis sees roadblocks could occur to this method because it looks at subcategories of land.
- Schurbon asked what the group wishes to do with Ham Lake's strong position of not wanting operating expenses split equally? Olson says it is equitable to split such administration costs. Schurbon noted that the current method of equally splitting administration costs is not much different than the minimum contribution option that some in the group favor. Currently that equal share of operating is about \$3,500/community.
- Hegland likes the simplicity of not having separate operating and non-operating, but having a minimum contribution.
- Schurbon noted that a minimum contribution as a dollar amount may lose its appropriateness over time due to inflationary changes.
- Davis discussed next steps, saying he plans a city council work session to discuss all this and suggests the same for others.
- Schurbon was directed to:
 - Prepare percent and actual costs for scenarios including:
 - Current funding formula
 - Private lands, public waters
 - Private lands, public waters and market valuation
 - All expenses split by formula (operating expenses not split equally)
 - Poll the group to find a date soon for a Zoom meeting to review these scenarios so that everyone has their questions answered and can present these to their city council or town board.
 - Direct the attorney to make the JPA edits that were agreed upon at this meeting.

Bylaws

- Hegland explained that some items currently in the JPA could be moved to bylaws. In that way, they could be more frequently and easily updated.
- Collins asked whether the cities would review and need to unanimously approve the bylaws? Hegland replied “no,” bylaws would be developed and approved by the SRWMO board.
- Collins would like to see any bylaws. Hegland replied that the content would include items already marked in the draft JPA from the meeting packet.
- Olson is ok with bylaws.
- It was asked whether there was any more discussion and whether the group wished to edit the JPA in favor of allowing bylaws. **All were in support.**

Joining other joint powers agreements

- Hegland described that the JPA gives the SRWMO authority to enter into contracts and is silent regarding entering into joint powers agreements. The SRWMO recently joined the Lower St. Croix Partnership, along with about 15 other watershed organizations, counties and soil and water conservation districts. Because it is a collaboration, there is liability exposure for the SRWMO. Schurbon noted that the SRWMO communities all were notified when the SRWMO was considering joining this group, and asked to provide input. Hegland further described concerns with the Partnership now that it is operating, and that the SRWMO may leave.
- Hegland recommended that the SRWMO JPA should require the communities review and approve before the SRWMO joins any JPO in the future.
- Olson and Davis supported the recommendation that this should go back to the communities.
- **The group decided to accept Hegland’s recommendation and direct the SRWMO JPA be edited accordingly.**

The meeting concluded at 8:35pm.

Compiled by J. Schurbon

Meeting recorded by E. Mursko

**Sunrise River WMO Joint Powers Agreement
Facilitated communities' meeting**

October 19, 2022

Zoom

Attendance:

- Milt Thomas (Facilitator)
- Jamie Schurbon (SRWMO Admin)
- Janet Hegland (Columbus City Councilmember)
- Elizabeth Mursko (Columbus Administrator)
- Bob Millerbernd (Linwood Town Supervisor)
- Pam Olson (Linwood Clerk)
- Tim Harrington (East Bethel Councilmember)
- Jack Davis (East Bethel Administrator)
- Denise Webster (Ham Lake Administrator)
- Tom Collins (Ham Lake Consulting Engineer)
- Gary Kirkeide (Ham Lake Councilmember)

Meeting began at 4:00pm

Funding Formula Scenarios

Schurbon reviewed the four funding formula scenarios, plus alternates A and B.

Summary of Scenarios						
Factor	SCENARIO 1 - Current SRWMO formula	SCENARIO 2 - Private lands, public waters	SCENARIO 3 - Private lands, public waters, market valuations	SCENARIO 4 - Private lands, lakes & streams (a subset of public waters where projects are most likely).	VARIATION A: All expenses split by formula (operating expenses not split equally).	VARIATION B: Minimum contribution
Land area	50%				Show as "#A" below for each scenario.	Can be applied to any scenario. Not shown below.
Market value	50%		33%			
Private land area		50%	33%	50%		
Public water area		50%	33%			
Lakes and streams				50%		

Discussion of Funding Formula Scenarios

- Ham Lake, Collins
 - Don't like the inclusion of market valuation (options 1 & 3).
 - Favors option 1a.
 - Least likes 3a.
 - Wants whatever option is lowest cost for Ham Lake.
 - City council input needed.
- Columbus, Hegland
 - Wants a formula that is defensible and makes sense. Asked Ham Lake to not favor only the option that costs them the least because if every community takes that stance there will be gridlock. Asked that the reasoning for a favored option not simply be that it costs one community the least.
 - Favors option 4, and especially 4b.

- Linwood, Olson
 - If a minimum contribution is used, it should be subject to inflationary adjustment.
 - Hegland agreed and suggested an annual meeting of the cities where the minimum contribution is revisited.
 - Olson expressed hesitation because this may make budgeting difficult if Linwood doesn't know what minimum contribution will be selected year to year.
 - If a minimum contribution is used, it seems like it is just going right back to the operating costs split out, which is in the current formula.
 - Schurbon noted an alternative - that in the current formula the items that are "operating" could be reviewed and narrowed.
 - Olson feels that staff time needed to operate the organization is a direct and necessary expense and should not be pulled out of the operating expenses.
- East Bethel, Davis
 - Suggested a goal for today of eliminating two of four options, then allowing city councils discussion.
 - City council work session planned for Nov. 7.
 - Favors options 1 & 4.
 - Likes option b, but we need realistic numbers for what the minimum contribution would be.
- Using market valuation in the formula
 - Hegland noted that residents' property taxes are calculated from their property's market valuation, so it is inherently in any formula.
 - Olson expressed concern about lack of tax base and reservations about not having market valuation in the formula.
 - Davis noted that using market valuation reflects ability to pay.
- Summary outcomes of discussion above

Funding formula scenario	Ham Lake	Columbus	Linwood	East Bethel	Decision
1	Like 1a		Like 1 but opposed to 1a	OK. 1b maybe ok.	Keep option
2					Removed from consideration by consensus
3	Dislike		Like		Removed from consideration by consensus
4	Dislike 4b	Like 4, especially 4b	Like 4, especially 4b		Keep option
Variation a	Like		Dislike		Keep option
Variation b		Like	Like		Keep option

Next Steps

- Schurbon to:
 - **Remove options 2 & 3** from consideration in future handouts/meetings.
 - **Variation B** – Review past budgets to estimate typical amount of operating costs, excluding watershed coordinator staff time. Minimum contributions could be based on this amount.
 - **Poll for a Zoom meeting** between Nov 21 and the scheduled Dec 6 facilitated meeting of cities.
- **“If need be options”** – Schurbon asked all communities to identify both their most favored option and options that could be acceptable if need be.
- **Council reviews** – Each community to have internal review of funding formula options by Nov 21 and report outcomes to Schurbon.
- **“If needed” Zoom meeting** – between Nov 21 and the scheduled Dec 6 facilitated meeting of cities.

The meeting concluded at 5:00pm.

Compiled by J. Schurbon

Meeting recorded by J. Schurbon



Sunrise River Watershed Management Organization

Member Community Contributions

SCENARIO EXPORATION: This spreadsheet compares funding contributions from each community under the current SRWMO joint powers agreement and scenarios requested at a 10/4/2022 meeting of member communities.

IMPORTANT NOTE: Land areas and market valuations used are as of Oct 2022 for all scenarios below. Therefore the scenario 1 percents for each community will not exactly match what you see in most recent SRWMO budgets.

This method allowed the greatest comparability amongst scenarios. Market valuations vary annually and the SRWMO updates community contributions with the latest market valuations every five years (last done in 2019). The SRWMO boundary was changed in 2021.

OPTIONS CONSIDERED BY MEMBER COMMUNITY REPS AND REMOVED: Option 2: 50% weight on each private lands & public waters. Option 3: 33% weight on each private lands, public waters, & market valuation.

Summary of Scenarios				
Factor	SCENARIO 1 - Current SRWMO formula	SCENARIO 4 - Private lands, lakes & rivers (a subset of public waters where projects are most likely).	VARIATION A: All expenses split by formula	VARIATION B: Minimum contribution
Land area	50%		Operating and non-operating expenses are not differentiated. All costs split by calculated percentage.	Operating and non-operating expenses are not differentiated. Min contribution from each city req'd, then remaining costs split by calculated percentage.
Market value	50%			
Private land area		50%		
Public water area				
Lakes and rivers		50%		

SCENARIO 1 - Current SRWMO formula					
Community	Non-Operating		Operating		Total
	%	Average SRWMO budget (last 5 yrs)	%	Average SRWMO budget (last 5 yrs)	
Columbus	18.86%	\$5,900.46	25%	\$3,112.04	\$9,012.49
East Bethel	30.01%	\$9,387.22	25%	\$3,112.04	\$12,499.26
Ham Lake	4.12%	\$1,288.89	25%	\$3,112.04	\$4,400.92
Linwood	47.01%	\$14,705.73	25%	\$3,112.04	\$17,817.77

VARIATION 1A - Operating and non-operating not differentiated.				
Community	All Expenses		Total	
	%	Average SRWMO budget (last 5 yrs)		
Columbus	18.86%	\$8,248.42	\$8,248.42	
East Bethel	30.01%	\$13,122.68	\$13,122.68	
Ham Lake	4.12%	\$1,801.77	\$1,801.77	
Linwood	47.01%	\$20,557.57	\$20,557.57	

VARIATION 1B - Operating and non-operating not differentiated, and minimum contribution					
Community	Minimum Contribution		All Expenses after Min Contribution		Total
	%	Minimum Contribution*	%	Average SRWMO budget (last 5 yrs)	
Columbus	NA	\$1,300.00	18.86%	\$7,267.60	\$8,567.60
East Bethel	NA	\$1,300.00	30.01%	\$11,562.25	\$12,862.25
Ham Lake	NA	\$1,300.00	4.12%	\$1,587.52	\$2,887.52
Linwood	NA	\$1,300.00	47.01%	\$18,113.07	\$19,413.07

**SCENARIO 4 - Private lands, lakes and rivers**

Community	Non-Operating		Operating		Total
	%	Average SRWMO budget (last 5 yrs)	%	Average SRWMO budget (last 5 yrs)	
Columbus	17.94%	\$5,613.54	25%	\$3,112.04	\$8,725.58
East Bethel	29.13%	\$9,111.51	25%	\$3,112.04	\$12,223.55
Ham Lake	6.97%	\$2,178.87	25%	\$3,112.04	\$5,290.91
Linwood	45.96%	\$14,378.37	25%	\$3,112.04	\$17,490.41

**VARIATION 4A - Operating and non-operating not differentiated.**

Community	All Expenses		Total
	%	Average SRWMO budget (last 5 yrs)	
Columbus	17.94%	\$7,847.34	\$7,847.34
East Bethel	29.13%	\$12,737.25	\$12,737.25
Ham Lake	6.97%	\$3,045.91	\$3,045.91
Linwood	45.96%	\$20,099.95	\$20,099.95

**VARIATION 4B - Operating and non-operating not differentiated, and minimum contribution**

Community	Minimum Contribution		All Expenses after Min Contribution		Total
	%	Minimum Contribution*	%	Average SRWMO budget (last 5 yrs)	
Columbus	NA	\$1,300.00	17.94%	\$6,914.21	\$8,214.21
East Bethel	NA	\$1,300.00	29.13%	\$11,222.66	\$12,522.66
Ham Lake	NA	\$1,300.00	6.97%	\$2,683.72	\$3,983.72
Linwood	NA	\$1,300.00	45.96%	\$17,709.86	\$19,009.86

VARIATION B - MINIMUM CONTRIBUTION amount considerations

Member community reps discussed a possible minimum contribution from each community, but wished to further examine actual costs for operating expenditures in order to develop a reasoning for any minimum contribution amount. Below are actual operating costs.

Member community reps discussed, with some support but not unanimous agreement, that the minimum contribution might be based on operating costs excluding administrative staff costs. In the last five years, on average, that amount was \$5,200. Therefore, in the Variation B examples above, \$1,300 (\$5,200 divided by 4 communities) was used as the minimum contribution. Further discussion by community officials is needed to determine any minimum contribution amount. \$1,300 is an example only.

Note: The same numerical outcome is achieved by using Scenario 1 and excluding admin services from the definition of operating expenses. That option would not require regularly revisiting the minimum dollar amount because that amount would be percentage-based.

*Minimum contribution amount applied in Scenarios above:

\$1,300.00

(change this cell to update all of the above tables)

Operating Breakdown

Year	Required by law			Not Required, but likely essential			
	Annual reports to State	Advertise bids for professional services	Member community local water plans review/approve	Insurance	Rec Sec	Finanical Director (EB) assist	
2023	\$1,220.00	\$100.00	\$0.00	\$1,613.00	\$1,600.00	\$0.00	
2022	\$1,178.00	\$0.00	\$0.00	\$1,800.00	\$1,600.00	\$0.00	
2021	\$1,139.00	\$100.00	\$0.00	\$1,550.00	\$1,449.00	\$0.00	
2020	\$1,200.00	\$0.00	\$1,920.00	\$1,850.00	\$1,400.00	\$0.00	
2019	\$1,200.00	\$0.00	\$0.00	\$1,850.00	\$1,750.00	\$300.00	
LAST 5 YRS AVERAGE	\$1,187.40	\$40.00	\$384.00	\$1,732.60	\$1,559.80	\$60.00	
MAX	\$1,220.00	\$100.00	\$1,920.00	\$1,850.00	\$1,750.00	\$300.00	
MOST RECENT	\$1,220.00	\$100.00	\$0.00	\$1,613.00	\$1,600.00		Donated by EB

*Admin services tasks from the most recent 5 yrs: Prepare agendas and meeting packets, advise the board, coordinate special meetings, prepare budgets, documents, joint powers agreement updates, public notices, coordinate audits, prepare materials for State performance reviews of the WMO, WMO bounda prepared financial management policies for the WMO under the State Auditor's guidance, respond to public and board member inquiries, respond to inquiri for SRWMO cost share grant funds, complete annual risk assessments required by the WMO's insurer, staff liasion to the Lower St. Croix One Watershed One Recording Secretary's absence, and others.

Tom Collins

From: Denise Webster <DWebster@ci.ham-lake.mn.us>
Sent: Thursday, July 7, 2022 2:38 PM
To: 'Cmholt77@gmail.com'; 'tim.peterson@linwoodtownship.org'; Janet Hegland; 'timothymelchior@gmail.com'; Tim Harrington; 'lamj3@outlook.com'; Troy Wolens; Jeff Entsminger; 'millerberndashley@gmail.com'; 'jamie.schurbon@anokaswcd.org'
Cc: 'Wes.Saunders-Pearce@state.mn.us'; 'Lucas.Youngsma@state.mn.us'; 'coonlakeimprovementassociation@yahoo.com'; Tom Collins; John Witkowski
Subject: Coon Lake Channel
Attachments: DNR Permit 2001-6042.pdf; Channel connecting South Coon Lake and Coon Lake - Aerial Photo.pdf; 2001-6042_83391_permit.pdf

Dear Sunrise River Watershed Management Organization Board,

The attached DNR permit #2001-6042 was transferred to the City of Ham Lake from a Ham Lake resident with frontage on Coon Lake in 2005. The resident permit was issued by the DNR in 2001. The permit allows for sediment removal from the channel that connects South Coon Lake and Coon Lake (an aerial photo is attached). The City of Ham Lake has not completed any sediment removal from the channel, but has renewed the permit every 5-years. The current expiration date is August 25, 2025.

The City of Ham Lake is requesting that the Sunrise River Watershed Management Organization approve the permit being transferred from the City to the SRWMO. The SRWMO has previously obtained Clean Water Legacy grant funding, and the dredging project may be a good candidate project for a future grant funding application. The dredging project is a water related problem that fits into the mission of the SRWMO of enhancing aquatic habitat and benefitting recreational bodies. The channel can be accessed from Coon Lake from the SRWMO member cities of East Bethel and Linwood.

The Ham Lake City Council has requested revisions to the cost-share formulas within the JPA in recent years. The Council recently requested for all contributions to be based on the non-operating expenses formula, which is currently 3.8%. This is partly based on a large portion of the annual project funding that is for water quality projects that do not benefit the City of Ham Lake. An example would be the annual carp management costs for Linwood Lake, Martin Lake and Typo Lake. The Council would approve the current JPA funding formula, with member communities paying 25% of administrative costs, if the DNR permit was transferred to the SRWMO.

Sincerely,

Denise Webster, City Administrator
City of Ham Lake
15544 Central Avenue NE
Ham Lake, MN 55304
dwebster@ci.ham-lake.mn.us
(763) 235-1680 - Direct
(763) 434-9555 - City Hall
City Hall Hours:
Monday-Thursday: 7:00 a.m. to 4:30 p.m.
Friday: 7:00 a.m. to 11 a.m.

direction towards becoming an JPE. Ms. Hegland noted that the JPE would be able to create the due process that is lacking and to ensure funding is used judiciously.

B. Lower St. Croix Partnership work plan amendment approval

Mr. Schurbon and Ms. Hegland reviewed the Lower St. Croix grant work plan amendment. The amendment is needed to fund two large projects. It includes shifting funding amongst grant pots of money and committing future grant dollars to a specific project. Ms. Hegland & Mr. Schurbon provided a joint recommendation to not approve this work plan amendment. The projects are good but they do not feel the SRWMO can agree to this process.

Mr. Melchoir moved to vote “no” the LSC Partnership work plan amendment and Ms. Hegland seconded this motion. The motion carried with all in favor.

C. Anoka County aerial photo funding request

The group discussed the value of these images. Ms. Hegland said the city has to pay for image requests from the county so she doesn't understand why they would contribute to this cost in addition.

The group asked Mr. Schurbon to share a concern with the county that asking for funding from both the cities and WMOs is essentially a double-ask of the cities (which fund the WMOs).

The consensus of the SRWMO board was not to provide 2023 funding to Anoka County for aerial photos because it is not in the already-finalized 2023 SRWMO budget.

D. Request to assume Coon Lake channel maintenance responsibilities

The group discussed the City of Ham Lake's request that the SRWMO take over maintenance dredging of the channel between Coon and South Coon Lake. It was noted that the city council proposed that they would drop SRWMO funding formula concerns if the SRWMO takes on this activity. Mr. Schurbon provided a summary memo which had been reviewed by the Ham Lake City Administrator for accuracy.

The board noted that the SRWMO has a long standing approach and policy to not take on long term maintenance projects, including for SRWMO's own projects. It was noted this is formalized in both the SRWMO joint powers agreement and SRWMO Watershed Management Plan. In order for the SRWMO to consider this request those documents would need to be amended to include this kind of responsibility. Ham Lake could request this amendment to the other communities and see if there is agreement.

The SRWMO board discussed the history of this area, features on the landscape, and challenges that would require resolution before work could begin. The board noted:

- **Access** – The City's attorney indicated there is no legal access for the maintenance work from land, and adjacent landowners are unwilling to allow it. Either cooperation of the adjacent landowners would need to be obtained or an easement would need to be established.
- **Adjacent structures** – Adjacent private retaining walls, driveways, homes, and other structures are exceedingly close to the channel and an engineering study will likely be needed to ensure they are not destabilized.

- **Achieving a boat-able depth** – A boat-able depth appears to be a resident priority. The current DNR permit allows excavation only 6 inches below the Interlachen Drive culvert invert which is not adequate for boat passage.
- **Permitting** - The City's 2005 DNR permit cannot be transferred to another party. A new permit approval from the MN DNR is needed, which would require development of design plans for the project for DNR consideration. Discussion at the June 2022 city council meeting indicated the DNR may not be in favor of disturbing the sediment.
- **Cost** – A cost estimate and estimate of the recurrence frequency of the work is needed after access and stabilization of the adjacent structures is resolved.
- **Funding** –The SRWMO has found this work would not be eligible for any grants that we have researched because it is considered maintenance. That would leave the funding of the project falling on the four JPA communities.

Mr. Melchoir moved to respond to the City of Ham Lake that the SRWMO could not take maintenance dredging responsibility for the Coon Lake to South Coon Lake channel because it is not a purpose of the SRWMO in its joint powers agreement, would be contrary to the SRWMO Watershed Management Plan policies, and is not a priority task in the SRMWO Watershed Management Plan. This position is to be communicated to the City of Ham Lake by memo. Mr. Harrington seconded this motion. The motion carried with all in favor.

8. Mail

Mail included:

- Advertisement letter from a website domain network.
- Pamphlet from MN Counties Intergovernmental Trust (MCIT) about insurance rate setting. There was a 2022 dividend update from MCIT. The SRWMO will not be receiving one this year.
- MCIT estimated 2023 contribution for insurance in the amount of \$1,774. The invoice for next year usually arrives in December with payment due in January. Due to meeting timing the board usually pre-authorizes an amount at the November meeting so that the invoice can be paid on time.

9. Other

11. Invoice(s) approval

A. Recording Secretary services for June 2022 meeting (\$200)

Ms. Hegland moved to and Mr. Harrington seconded to pay the invoice #62822, payment for \$200. The motion carried with all in favor.

B. Anoka Conservation District 2022 services invoice 2 of 3 (\$17,975.27)

Mr. Melchior moved to and Mr. Harrington seconded to pay the invoice #2022038, payment for \$17,975.27. The motion carried with all in favor.

12. Adjourn

Mr. Mager moved to adjourn the meeting and Ms. Hegland seconded this. The motion carried and Ms. Kantor adjourned the meeting at 8:05PM.

Meeting Date: March 7, 2022



CITY OF HAM LAKE
STAFF REPORT

To: Mayor and Councilmembers

From: City Administrator Webster, Councilmember Kirkeide and Engineer Collins

Subject: Discussion of Sunrise River and Upper Rum River Watershed Management Organizations Budgets and consideration of levying for the Watersheds

Introduction/Discussion:

Myself, Councilmember Kirkeide and Engineer Collins met with the City of Columbus Councilmember Janet Hegland and Jamie Schurbon, Watershed Projects Manager with Anoka Conservation District to discuss the current budgeting formula for the Sunrise River Watershed Management Organization.

Councilmember Hegland stated that the City of Columbus has had the same concerns as the City of Ham Lake regarding the funding formula, as the City of Columbus is also part of three Watersheds, Coon Creek Watershed District, Rice Creek Watershed District and Sunrise River Watershed Management Organization.

Councilmember Hegland shared that the City of Columbus decided to levy for the properties that are located within the Sunrise River Watershed Management Organization, just as the Coon Creek Watershed District does. Because of levying for the Watershed, the budget is paid through the levy and not through the City's General Fund.

There was also discussion of the need to update the Joint Powers Agreement (JPA). The cost for each cities portion to update the JPA would be no more than \$2,000.

Recommendation:

The City Council needs to consider if they would like to levy for both the Sunrise River and Upper Rum River Watershed Management Organizations and pay for their portion of the update of the JPA's not to exceed \$2,000.