



# 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, DECEMBER 20, 2021

- 1.0 CALL TO ORDER - 6:00 P.M. – Pledge of Allegiance
- 2.0 PUBLIC COMMENT
- 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS
- 3.1 Lt. Wilson, Anoka County Sheriff's Office Monthly Report

### 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 December 6, 2021
- 4.2 Approval of claims
- 4.3 Approval of a Resolution approving the Memorandum of Agreement (MOA) between the State of Minnesota and Local Governments and authorizing the participation in National Opioid Settlements
- 4.4 Approval of the following 2022 Business Licenses:  
Hotel/Motel – Kevin Eggerth (Ham Lake Apartments), Oasis Life, LLC (AmericInn Ham Lake)

### 5.0 PLANNING COMMISSION RECOMMENDATIONS

- 5.1 Jeff Entsminger, Entsminger Enterprises LLC, requesting Preliminary and Final Plat Approval, and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010) (this is considered the First Reading of a Rezoning Ordinance)

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

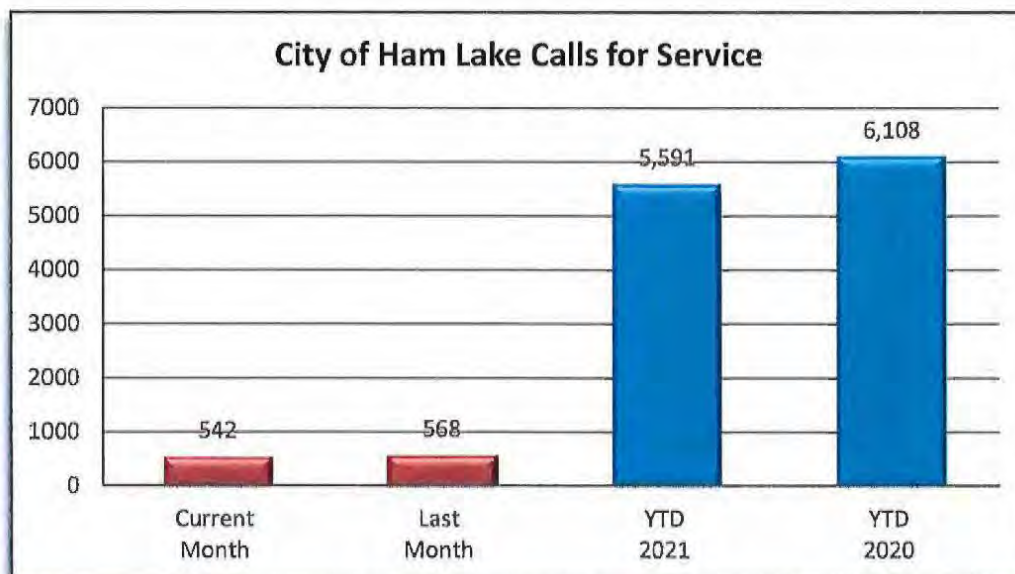
# ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT

# SECTION II

PATROL DIVISION

CITY OF HAM LAKE - OCTOBER 2021

OFFENSE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD 2021	YTD 2020
Call for Service	515	494	572	494	607	606	658	535	568	542			5,591	6,108
Burglaries	0	1	1	2	1	1	9	1	3	4			23	17
Thefts	12	16	23	12	14	22	21	18	25	24			187	156
Crim Sex Conduct	1	0	1	0	0	2	0	0	0	1			5	5
Assault	0	0	1	0	1	1	2	2	1	0			8	18
Dam to Property	4	4	10	5	8	6	14	8	6	8			73	39
Harass Comm	0	0	0	0	1	0	0	0	0	0			1	7
Felony Arrests	19	3	7	5	3	4	5	4	13	2			65	58
Gross Misd Arrests	1	2	2	0	2	1	1	3	2	2			16	14
Misd Arrests	6	2	9	6	8	11	6	9	8	5			70	70
DUI Arrests	2	3	4	2	3	4	1	3	3	6			31	35
Domestic Arrests	2	0	1	2	3	0	0	0	1	1			10	17
Warrant Arrests	10	10	5	11	6	13	4	8	5	4			76	37
Traffic Arrests	93	55	70	34	37	42	27	44	42	32			476	378



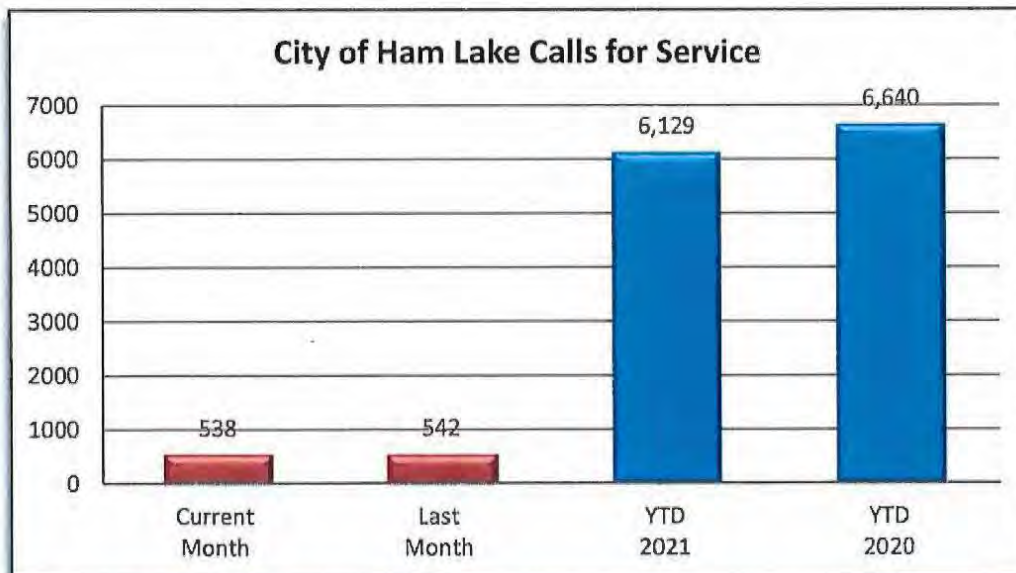
**ANOKA COUNTY SHERIFF'S OFFICE MONTHLY REPORT**

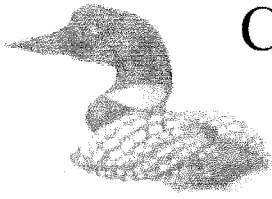
**SECTION II**

**PATROL DIVISION**

**CITY OF HAM LAKE - NOVEMBER 2021**

OFFENSE	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	YTD 2021	YTD 2020
Call for Service	515	494	572	494	607	606	658	535	568	542	538		6,129	6,640
Burglaries	0	1	1	2	1	1	9	1	3	4	3		26	18
Thefts	12	16	23	12	14	22	21	18	25	24	9		196	169
Crim Sex Conduct	1	0	1	0	0	2	0	0	0	1	1		6	5
Assault	0	0	1	0	1	1	2	2	1	0	1		9	19
Dam to Property	4	4	10	5	8	6	14	8	6	8	7		80	42
Harass Comm	0	0	0	0	1	0	0	0	0	0	1		2	7
Felony Arrests	19	3	7	5	3	4	5	4	13	2	2		67	60
Gross Misd Arrests	1	2	2	0	2	1	1	3	2	2	0		16	14
Misd Arrests	6	2	9	6	8	11	6	9	8	5	5		75	75
DUI Arrests	2	3	4	2	3	4	1	3	3	6	3		34	38
Domestic Arrests	2	0	1	2	3	0	0	0	1	1	1		11	19
Warrant Arrests	10	10	5	11	6	13	4	8	5	4	6		82	40
Traffic Arrests	93	55	70	34	37	42	27	44	42	32	26		502	401





# CITY OF HAM LAKE

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## CITY OF HAM LAKE CITY COUNCIL AND ECONOMIC DEVELOPMENT AUTHORITY MINUTES MONDAY, DECEMBER 6, 2021

The Ham Lake City Council and Economic Development Authority met for its regular meeting on Monday, December 6, 2021 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:** Acting Mayor Gary Kirkeide and Councilmembers Jim Doyle, Brian Kirkham and Jesse Wilken

**MEMBERS ABSENT:** Mayor Mike Van Kirk

**OTHERS PRESENT:** City Attorney, Joe Murphy; City Engineer, Tom Collins; City Administrator, Denise Webster; Finance Director, and Andrea Murff

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

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

### 2.0 PUBLIC COMMENT

Roxann Henderson, 532 – 154<sup>th</sup> Avenue NE, stated that she has been a resident of Ham Lake for 30 years. Ms. Henderson stated that she lives in Oak Hill Estates and is the neighborhood watch group coordinator. Ms. Henderson stated that she was before the City Council to inquire if there is a possibility of forming a Neighborhood Watch Group Association, which would include other neighborhood watch groups. Ms. Henderson stated that she has been in contact with Laura Landes at the Anoka County Sheriff's Office and Ms. Landes indicated to her that there were over 100 neighborhood watch groups throughout Anoka County, but she legally can't give out the contact information to those groups. Ms. Henderson requested that an article be placed in the *Ham Laker* and website to contact the groups within Ham Lake to see if they would be interested in forming a Neighborhood Watch Group Association. There was discussion of the implementation of CERT (Community Emergency Response Team) that the City is in the process of developing and how forming the two groups might be beneficial to the City when emergency arise. **It was the consensus of the City Council to have staff place an article in the *Ham Laker* requesting if any neighborhood watch groups would be willing to be added to a data base (which would be public information) for the possibility of forming of a Neighborhood Watch Group Association within Ham Lake.**

### 3.0 SPECIAL APPEARANCES/PUBLIC HEARINGS

#### 3.1 6:01 P.M. – Public Hearing – To consider the adoption of Resolution No. 21-41 for the 2022 Budget, Levy and Five-Year Capital Improvement Plan

Finance Director Murff stated the 2022 budget presents a levy increase of 7.33% and this may seem high alone, but the City has had enough of an increase in Tax Capacity values that the Tax Capacity Rate will actually decrease by 0.50% and the City will have the lowest Tax Capacity Rate in Anoka County. Finance Director Murff stated that if property values remained stagnant that the City portion of the property taxes would decrease, however, most people will see an increase when comparing to the 2021 property tax

statement since property values continue to rise. As for the rest of the property tax statement, it was discussed the rates for all taxing authorities remained relatively the same from 2021 to 2022. Finance Director Murff discussed what was driving the budget for the General Fund. For revenues, the Permits and Licensing items and the Charges for Services items had their revenue increased significantly to be more aligned with actual. Investment and Interest Income were cut 90% since rates have not rebounded and early predictions did not see anything happening in the near future. In expenditures, there was discussion of the increasing expenditures for the new Police contract, the new Full-Time Building Inspector wages and benefits, doing repairs and maintenance on the Public Works Building and Fire Stations, and the new Information Technology contract with Metro-INet. Finance Director Murff proceeded to go over the Capital Improvement Plan with the most significant project for the year being the new construction of Fire Station 3 and equipping it.

**Acting Mayor Kirkeide opened the public hearing at 6:28 p.m. and asked for public comment and with there being none closed the public hearing.**

**Motion by Kirkham, seconded by Doyle, to approve Resolution No. 21-41 adopting the 2022 Budget, Levy and Five-Year Capital Improvement Plan. All present in favor, motion carried.**

3.2 6:02 P.M. – Public Hearing - To consider the vacation of a portion of drainage and utility easement in Section 13 and adoption of Resolution No. 21-42

Engineer Collins gave an overview of the drainage and utility easement that is proposed to be vacated. Engineer Collins stated that there is no public purpose for the drainage and utility easement.

**Acting Mayor Kirkeide opened the public hearing at 6:30 p.m. and asked for public comment. and with there being none closed the public hearing.**

Diane Olson, 15729 Lexington Avenue NE, questioned what the property was going to be used for. Engineer Collins stated that the property would revert back to the property owner as there is not public purpose for it.

**Acting Mayor Kirkeide closed the public hearing at 6:33 p.m.**

**Motion by Kirkham, seconded by Wilken, approve Resolution No. 21-42 to vacate a portion of the drainage and utility easement in Section 13. All present in favor, motion carried.**

#### **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 November 15, 2021
- 4.2 Approval of claims in the amount of \$276,676.93
- 4.3 Approval of hiring part-time snow plow drivers
- 4.4 Approval of a Transfer from the Gambling Fund to the *Ham Laker* Fund
- 4.5 Approval of the release of security maintenance for Crosstown Rolling Acres Second Addition

- 4.6 Approval of Resolution No. 21-43 accepting the Redistribution of Unrequested Coronavirus Local Fiscal Recovery Fund established under the America Rescue Plan Act (ARPA)
- 4.7 Approval of the Outdoor Lighting and Maintenance Agreement for street lights in Crosstown Rolling Acres Third Addition
- 4.8 Approval of reimbursement to Anoka County for the cost associated with constructing the Constance Boulevard NE east bound right-turn lane at Tippecanoe Street NE and releasing the developers Letter of Credit
- 4.9 Approval of accepting Hidden Forest East Second Addition project and commencing the one-year warranty period
- 4.10 Approval of the Parkland Dedication fees for Hidden Forest East
- 4.11 Approval of the following 2022 Business Licenses:
  - Tobacco – Bidhipur Beverage, Inc. dba Ham Lake Liquors; Holiday Stationstores #223; Grape Expectations, Inc. dba Tournament Liquor; Northern Tier Retail, LLC dba Speedway #4537; Eagle Beverage Holdings, LLC dba Majestic Oaks Golf Club; Rama Corporation dba Network Liquor and Wine Corp.; Celine Stop Ham Lake Inc. dba Little Wonder; E-Cig Clubhouse; Zen Inc. dba Ham Lake BP; Casey’s Retail Store #3753; Broadview Operations, LLC, dba 1 Stop Liquor; Broadview Operations, LLC dba 1 Stop Market; A & H, LLC dba Ham Lake Tobacco; Central Tobacco Inc. dba Central Tobacco; and DG Retail, LLC dba Dollar General #21464
  - Cabaret – Maxx Bar & Grill, Eagle Beverage Holdings, LLC (Majestic Oaks Golf Club), Dan Dahlin Inc., (Ham Lake Lanes)
  - Vending Machine – Mendota Valley Amusement, Inc. (for Maxx Bar & Grill), Midwest Coin Concepts (Ham Lake Lanes)
  - Recycling/Refuse – Ham Lake Haulers

**Motion by Doyle, seconded by Wilken, to approve the December 6, 2021 Consent Agenda as written. All present in favor, motion carried.**

- 5.0 PLANNING COMMISSION RECOMMENDATIONS** – None
- 6.0 ECONOMIC DEVELOPMENT AUTHORITY** – None
- 7.0 APPEARANCES** – None
- 8.0 CITY ATTORNEY** – None
- 9.0 CITY ENGINEER** – None
- 10.0 CITY ADMINISTRATOR** – None

**11.0 COUNCIL BUSINESS**

- 11.1 Committee Reports – None
- 11.2 Discussion of cost and updates to the Sunrise River Watershed Management Organization (SRWMO) Joint Powers Agreement (JPA)

Acting Mayor Kirkeide stated that the Joint Powers Agreement (JPA) with the Sunrise River Watershed Management Organization (SRWMO) was being updated and if the City wanted to change anything with the JPA, this was the time. Councilmember Doyle reminded Council that the City only has 3.8% of land located in the SRWMO. The City Council asked Engineer Collins what would happen if they were to leave the SRWMO since the City has such a small portion of land and there is not a lot of impact on the City as a whole. Engineer Collins stated that we could request to be added into the Coon Creek Watershed District (CCWD) or it would have to be taken over by Anoka County. There was discussion that all members of the watershed need to agree upon changes to the JPA or it will not be adopted. City Administrator Webster

added SRWMO is also asking each member City to pay up to \$2,000 in attorney fees and staff time to have the new JPA reviewed and this does not include the cost to have the City Attorney review it for the city's best interest. **It was the consensus of the City Council to only pay the 3.8% of any total expenditures going forward since that is the portion of land in the SRWMO.**

11.3 Announcements and future agenda items

Councilmember Wilken stated that the Santa's neighborhood visits collected an amazing amount of food and cash and wanted to thank all the residents.

Acting Mayor Kirkeide stated that he saw a fish house on the east side of Ham Lake and reminded people that the ice is not safe yet.

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

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Andrea Murff, Finance Director

**CITY OF HAM LAKE**  
**CLAIMS SUBMITTED TO COUNCIL**  
December 20, 2021

**CITY OF HAM LAKE**

<b>EFTS, CHECKS, AND BANK DRAFTS</b>		<b>12/09/21 - 12/22/21</b>	
EFT	# 1575 - 1581		\$ 81,744.94
REFUND CKECKS	#63499 - 63507		\$ 23,350.00
REFUND CKECKS	#63551 - 63552		\$ 70,170.91
CHECKS	# 63553 - 63597		\$ 191,199.02
BANK DRAFTS	DFT0002295 - DFT0002299		\$ 24,033.36
<b>TOTAL EFTS, CHECKS, AND BANK DRAFTS</b>			<u>\$ 390,498.23</u>
<b>PAYROLL CHECKS</b>			
	12/17/21		\$ 35,623.74
<b>TOTAL PAYROLL CHECKS</b>			<u>\$ 35,623.74</u>
<b>TOTAL OF ALL PAYMENTS</b>			<u><u>\$ 426,121.97</u></u>
<b>VOID CHECKS</b>			
CHECKS	#63493 - 63498		\$ -
			\$ -
			\$ -

**APPROVED BY THE HAM LAKE CITY COUNCIL THIS 20TH DAY OF DECEMBER 2021**

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER

\_\_\_\_\_  
COUNCILMEMBER





Packet: ARPKT00051 - 11/18/21 Escrow Refunds

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00024	ANNE ADAMS	11/18/2021	63499	150.00
00078	TH CONSTRUCTION	11/18/2021	63500	2,500.00
Total Refund Amount:				2,650.00

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	2,650.00
Revenue Totals:	2,650.00

## General Ledger Distribution

Posting Date: 11/18/2021

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-2,650.00	Yes
890-11501	Misc receivables	2,650.00	
	<b>890 Total:</b>	<b>0.00</b>	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-2,650.00	
999-20702	Due to other funds	2,650.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Packet: ARPKT00052 - 11/18/21 Escrow Refunds #2

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00054	LANG BUILDERS	11/18/2021	63501	2,600.00
00059	LANG BUILDERS	11/18/2021	63502	5,100.00
00067	PAUL EMMERICH CONSTRUCTION	11/18/2021	63503	2,500.00
00069	JIM & ERICA DIRKES	11/18/2021	63504	5,100.00
Total Refund Amount:				15,300.00

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	15,300.00
Revenue Totals:	15,300.00

## General Ledger Distribution

Posting Date: 11/18/2021

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-15,300.00	Yes
890-11501	Misc receivables	15,300.00	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-15,300.00	
999-20702	Due to other funds	15,300.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Packet: ARPKT00054 - 11/18/21 REFUNDS #3

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00047	TROY CARLSON	11/18/2021	63505	300.00
00061	RAYMOND WARMOUTH	11/18/2021	63506	2,600.00
00077	TJB HOMES	11/18/2021	63507	2,500.00
Total Refund Amount:				5,400.00

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	5,400.00
Revenue Totals:	5,400.00

## General Ledger Distribution

Posting Date: 11/18/2021

Account Number	Account Name	Posting Amount	IFT
Fund: 890 - TRUST FUND			
890-10101	Cash-claim on pooled cash	-5,400.00	Yes
890-11501	Misc receivables	5,400.00	
	<b>890 Total:</b>	<b>0.00</b>	
Fund: 999 - POOLED CASH			
999-10100	Pooled Cash	-5,400.00	
999-20702	Due to other funds	5,400.00	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Packet: ARPKT00082 - DEC PERF BOND REFUND 12/7/21

## Refund Detail

Account Number	Name	Check Date	Check Number	Amount
00053	CROSSTOWN DEVELOPMENT LLC	12/7/2021	63551	69,024.91
00109	HIDDEN FOREST NORTH PROPERTIES LLC	12/7/2021	63552	1,146.00
<b>Total Refund Amount:</b>				<b>70,170.91</b>

## Revenue Totals

Revenue Code	Total Distribution
TRUST DEPOSITS - TRUST DEPOSITS	70,170.91
<b>Revenue Totals:</b>	<b>70,170.91</b>

## General Ledger Distribution

Posting Date: 12/07/2021

Account Number	Account Name	Posting Amount	IFT
<b>Fund: 890 - TRUST FUND</b>			
890-10101	Cash-claim on pooled cash	-70,170.91	Yes
890-11501	Misc receivables	70,170.91	
	<b>890 Total:</b>	<b>0.00</b>	
<b>Fund: 999 - POOLED CASH</b>			
999-10100	Pooled Cash	-70,170.91	
999-20702	Due to other funds	70,170.91	Yes
	<b>999 Total:</b>	<b>0.00</b>	
	<b>Distribution Total:</b>	<b>0.00</b>	



Payment Dates 12/9/2021 - 12/22/2021

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1575	OPTUM BANK - 6011	Health Savings Account-6011	Flexible spending	100-21705	54.17
1576	WELLS FARGO - 6003	Health Savings Account-6003	Flexible spending	100-21705	375.00
1577	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	112.94
1577	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1577	ARAMARK UNIFORM & CAREE	PW UNIFORMS	Clothing & personal protectiv	100-43101-2210	112.94
1577	ARAMARK UNIFORM & CAREE	FIRST AID CABINET	Safety supplies	100-43101-2240	12.00
1578	JOHN WITKOWSKI	SAFETY BOOTS	Clothing & personal protectiv	100-43101-2210	150.00
1579	MIKE RACZKOWSKI	MENARDS - PLYWOOD FOR H	Training supplles	100-42201-3530	208.45
1580	O'REILLY AUTOMOTIVE STORE	CONNECTOR	Equipment parts & supplies	100-43101-2320	8.99
1580	O'REILLY AUTOMOTIVE STORE	VENTSTIK & GOO GONE	Operating supplies	100-43101-2290	15.98
1580	O'REILLY AUTOMOTIVE STORE	#54 PRIMARY WIRE, COPPER L	Vehicle parts & supplies	100-43101-2340	21.78
1580	O'REILLY AUTOMOTIVE STORE	WRENCHES	Small tools	100-43101-2410	19.98
1580	O'REILLY AUTOMOTIVE STORE	AIR BRAKE TUBES	Operating supplies	100-43101-2290	2.28
1581	RFC ENGINEERING, INC.	ABERDEEN, 144TH - 145TH	Engineering	431-43301-3135	701.05
1581	RFC ENGINEERING, INC.	155TH, NAPLES - LEXINGTON	Engineering	431-43301-3135	498.62
1581	RFC ENGINEERING, INC.	TWIN BIRCH ACRES	Engineering	431-43301-3135	813.87
1581	RFC ENGINEERING, INC.	LUND'S LAKEVIEW FOREST	Engineering	431-43301-3135	1,802.08
1581	RFC ENGINEERING, INC.	05-32-23-34-0050 TOWER	Engineering	100-41101-3135	215.22
1581	RFC ENGINEERING, INC.	153RD AVENUE SIREN	Engineering	100-41101-3135	13.45
1581	RFC ENGINEERING, INC.	COUNCIL MEETING	Engineering	100-41101-3135	13.45
1581	RFC ENGINEERING, INC.	ANOKA COUNTY GIS DATA EX	Engineering	100-41101-3135	48.48
1581	RFC ENGINEERING, INC.	159TH AVE ROW VACATION	Engineering	100-41101-3135	40.35
1581	RFC ENGINEERING, INC.	17423 LEVER STREET EASEME	Engineering	100-41101-3135	26.90
1581	RFC ENGINEERING, INC.	COMP PLAN UPDATE	Engineering-comprehensive p	100-41101-3136	87.35
1581	RFC ENGINEERING, INC.	13-32-23-42-0002 LOT LINE A	Engineering	100-41601-3135	53.80
1581	RFC ENGINEERING, INC.	L1 B1 LANDBORG IND'L PARK	Engineering	100-41601-3135	53.80
1581	RFC ENGINEERING, INC.	L3B1 ULFERTS FOURNIER ACR	Engineering	100-41601-3135	263.35
1581	RFC ENGINEERING, INC.	PLANNING/POTENTIAL DEVEL	Engineering	100-41601-3135	419.77
1581	RFC ENGINEERING, INC.	831 - 159TH AVE LOT LINE ADJ	Engineering	100-41601-3135	13.45
1581	RFC ENGINEERING, INC.	17416 LEXINGTON AVE FEMA	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	HAM LAKE BUILDING PERMIT	Engineering	100-42401-3135	188.31
1581	RFC ENGINEERING, INC.	17862 HWY 65 FEMA LOMA	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	L13 B2 LUNDS PINE CREEK FE	Engineering	100-42401-3135	121.06
1581	RFC ENGINEERING, INC.	2759 - 179TH AVENUE FEMA L	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	L5B1 GALLAGHER SHORES DE	Engineering	100-42401-3135	53.80
1581	RFC ENGINEERING, INC.	1927 - 169TH AVENUE FEMA L	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	L8 B8 BIRCH VIEW ACRES BUIL	Engineering	100-42401-3135	26.90
1581	RFC ENGINEERING, INC.	14405 HIGHWAY 65 FEMA LO	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	15633 UNIVERSITY FEMA LO	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	L5 B8 BIRCH VIEW ACRES FEM	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	L1 B4 HARMONY ESTATES FE	Engineering	100-42401-3135	13.49
1581	RFC ENGINEERING, INC.	HAM LAKE GIS WEB CONVERS	Engineering	100-43101-3135	160.12
1581	RFC ENGINEERING, INC.	SRWMO ANNUAL REPORT	Engineering	100-43201-3135	26.90
1581	RFC ENGINEERING, INC.	HAM LAKE AS LGU-WCA	Engineering	100-43201-3135	13.45
1581	RFC ENGINEERING, INC.	2020 SWPPP UPDATE	Engineering	100-43201-3135	26.90
1581	RFC ENGINEERING, INC.	NPDES	Engineering	230-43201-3135	80.71
1581	RFC ENGINEERING, INC.	FIRE #3	Capital assets	420-42201-5110	93.35
1581	RFC ENGINEERING, INC.	COPART	Engineering	431-43301-3135	26.90
1581	RFC ENGINEERING, INC.	1815T, CONCORD - 65	Engineering	431-43301-3135	215.21
1581	RFC ENGINEERING, INC.	BUNKER, JEFFERSON - 65	Engineering	431-43301-3135	53.80
1581	RFC ENGINEERING, INC.	HIDDEN FOREST EAST PARK D	Engineering	440-44103-3135	40.35
1581	RFC ENGINEERING, INC.	ENCHANTED ESTATES 3RD	Engineering	890-90001-3135	473.12
1581	RFC ENGINEERING, INC.	CROSTOWN ROLLING ACRES	Engineering	890-90001-3135	2,486.39
1581	RFC ENGINEERING, INC.	HOLIDAY STATION STORES	Engineering	890-90001-3135	1,846.26

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
1581	RFC ENGINEERING, INC.	CONSTANCE BLVD TERRACE	Engineering	890-90001-3135	601.58
1581	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 3RD	Engineering	890-90001-3135	3,794.65
1581	RFC ENGINEERING, INC.	HIDDEN FOREST EAST 2ND	Engineering	890-90001-3135	285.14
1581	RFC ENGINEERING, INC.	HIDDEN FOREST EAST PARK	Engineering	890-90001-3135	324.85
1581	RFC ENGINEERING, INC.	ENTSMINGER FARMS	Engineering	890-90001-3135	295.92
1581	RFC ENGINEERING, INC.	CREEKSIDE FARMS	Engineering	890-90001-3135	407.01
1581	RFC ENGINEERING, INC.	COON CREEK COMMERCIAL P	Engineering	890-90001-3135	260.56
1581	RFC ENGINEERING, INC.	CROSSTOWN ROLLING ACRES	Engineering	890-90001-3135	172.93
1581	RFC ENGINEERING, INC.	EVERGREEN ESTATES	Engineering	890-90001-3135	169.83
1581	RFC ENGINEERING, INC.	RYLIE'S WAY	Engineering	890-90001-3135	26.90
1581	RFC ENGINEERING, INC.	GROWING GENERATIONS DAY	Engineering	890-90001-3135	53.80
1581	RFC ENGINEERING, INC.	WHITETAIL CROSSING 2ND	Engineering	890-90001-3135	142.56
1581	RFC ENGINEERING, INC.	MEADOW PARK RECONSTRUC	Engineering	431-43301-3135	12,119.32
1581	RFC ENGINEERING, INC.	GROUP PERMIT BILLING	Engineering	100-43501-3135	7,759.04
1581	RFC ENGINEERING, INC.	TWIN BIRCH ACRES ROW2020	Engineering	431-43301-3135	80.70
1581	RFC ENGINEERING, INC.	TWIN BIRCH ACRES ROW2021	Engineering	431-43301-3135	121.06
1581	RFC ENGINEERING, INC.	LUNDS LAKEVIEW FOREST RO	Engineering	431-43301-3135	134.51
1581	RFC ENGINEERING, INC.	CREEK VALLEY RECONSTRUCTI	Engineering	431-43301-3135	10,390.98
1581	RFC ENGINEERING, INC.	MSA GROUP BILLING	Engineering	431-43301-3135	789.06
1581	RFC ENGINEERING, INC.	POLK STREET	Engineering	431-43301-3135	13,790.61
1581	RFC ENGINEERING, INC.	TIPPECANOE STREET	Engineering	431-43301-3135	9,744.68
1581	RFC ENGINEERING, INC.	CROSSTOWN BUSINESS PARK	Capital assets	262-46101-5110	8,066.30
63553	HIDDEN FOREST NORTH PROP	HIDDEN FOREST PARK LAND	Capital assets	440-44103-5110	118,429.40
63554	ACE SOLID WASTE INC	DEC ORGANICS	Waste management & recycli	231-43601-3630	297.45
63555	ACE SOLID WASTE INC	NOV YARDWASTE	Waste management & recycli	231-43601-3630	1,152.92
63556	ALVERO LLC	SWING AWAY MAILBOX SUPP	Operating supplies	100-43102-2290	875.00
63557	ANOKA COUNTY PROPERTY	EVELETH DEED 32-32-23-43-0	Filing fees	431-43301-3980	46.00
63558	CENTERPOINT ENERGY	CITY HALL	Natural gas	100-41702-3620	362.87
63558	CENTERPOINT ENERGY	FIRE #1	Natural gas	100-42202-3620	82.17
63558	CENTERPOINT ENERGY	FIRE #2	Natural gas	100-42202-3620	520.28
63558	CENTERPOINT ENERGY	PW	Natural gas	100-43104-3620	442.18
63558	CENTERPOINT ENERGY	H.L. PARK PAVILION	Natural gas	100-44102-3620	84.05
63558	CENTERPOINT ENERGY	H.L. PARK BUILDING	Natural gas	100-44102-3620	337.08
63558	CENTERPOINT ENERGY	SR CENTER	Natural gas	100-44202-3620	195.39
63559	CHARLES SIMMONS	SAFETY BOOTS	Clothing & personal protectiv	100-43101-2210	150.00
63560	CITY OF COLUMBUS	SIGNAL LEXINGTON & BROAD	Electricity	100-43401-3610	23.03
63561	CITY OF COON RAPIDS	2021 SEALCOATING/LEGAL CO	Blacktop maintenance	100-43101-3410	2,009.02
63562	CITY OF ROSEVILLE	2021 DW LASERFICHE & ADO	Software licenses & upgrades	100-41201-2510	19.33
63562	CITY OF ROSEVILLE	2021 DS, SHARED LASERFICHE	Software licenses & upgrades	100-41301-2510	477.58
63562	CITY OF ROSEVILLE	2021 AW, SK LASERFICHE & A	Software licenses & upgrades	100-41401-2510	24.92
63562	CITY OF ROSEVILLE	2021 JB LASERFICHE & ADOBE	Software licenses & upgrades	100-41601-2510	19.33
63562	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-41701-3210	115.83
63562	CITY OF ROSEVILLE	IT SERVICE	Computer & software support	100-41707-3120	3,499.60
63562	CITY OF ROSEVILLE	2021 TM LASERFICHE & ADOB	Software licenses & upgrades	100-42201-2510	24.92
63562	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-42201-3210	64.25
63562	CITY OF ROSEVILLE	2021 NW, TD LASERFICHE & A	Software licenses & upgrades	100-42401-2510	44.25
63562	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-42401-3210	102.83
63562	CITY OF ROSEVILLE	2021 JW ADOBE LICENSE	Software licenses & upgrades	100-43101-2510	5.58
63562	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-43101-3210	64.25
63562	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-44101-3210	12.83
63562	CITY OF ROSEVILLE	PHONES	Phones/radios/pagers	100-44201-3210	51.42
63563	CITY OF WYOMING	NORTHSIDE SEPTIC - 13644 R	Comm Septic Plan Rev/Inspec	890-90001-3461	506.00
63563	CITY OF WYOMING	SWAN EXCAVATING - HOLIDAY	Comm Septic Plan Rev/Inspec	890-90001-3461	822.25
63564	COMMERCIAL ASPHALT CO.	5.05 TN HOTMIX	Street repair & maintenance s	100-43101-2330	317.39
63565	COMPENSATION CONSULTAN	4TH QTR FLEX ADMINISTRATI	Other professional services	100-41701-3190	75.00
63566	DAKOTA SUPPLY GROUP	RECTORSEAL - HAM LAKE FIRE	Operating supplies	100-42201-2290	23.19
63567	DAVID HANSON	SAFETY BOOTS	Clothing & personal protectiv	100-44101-2210	144.49
63568	DEHN OIL CO	396 GAL GASOLINE	Fuel	100-43101-2230	1,094.94
63568	DEHN OIL CO	474 GAL DIESEL	Fuel	100-43101-2230	1,312.98
63569	DO ALL PRINTING	NOV HAM LAKER DELIVERY	Other services and charges	211-41704-3990	130.00

Payment Number	Vendor Name	Description (Item)	Account Name	Account Number	Amount
63570	ECM PUBLISHERS INC	HELP WANTED WARMING HO	Advertising for employment	100-44101-3910	91.00
63570	ECM PUBLISHERS INC	HELP WANTED - WARMING H	Advertising for employment	100-44101-3910	111.00
63571	EMERGENCY APPARATUS MTC	A1 SOLENOID REPLACEMENT	Fire apparatus repair & maint	100-42201-3450	749.65
63572	ERIK SKOGQUIST	4TH QTR ASSESSING	Assessing/property tax admin	100-41403-3105	10,600.63
63573	FIRE EQUIPMENT SPECIALTIES	FIRE HELMETS	Capital assets	100-42201-5110	9,879.95
63574	FIRE INSTRUCTION & RESCUE	LIVE BURN TRAINING	Training/conferences/schools	100-42201-3510	1,500.00
63575	FIRST ADVANTAGE LNS OCC H	CHUCK SIMMONS ANNUAL E	Personnel testing & recruitme	100-43101-3150	34.19
63576	GRATITUDE FARMS	NOV ANIMAL CONTROL	Other professional services	100-42501-3190	250.00
63577	HAM LAKE HARDWARE INC	SUPER GLUE & SPRAY PAINT	Operating supplies	100-43101-2290	14.98
63577	HAM LAKE HARDWARE INC	OTC PARTS	Operating supplies	100-44101-2290	79.90
63578	HAM LAKE PETTY CASH	DVS - C-1 REGISTRATION	Capital assets	420-42201-5110	25.00
63579	HYDRAULIC SPECIALTY CO INC	#54 STEM MOUNT	Vehicle parts & supplies	100-43101-2340	17.00
63580	LINCOLN NATIONAL LIFE INSU	JAN LT DISABILITY	Prepaid expense	100-15501	408.43
63580	LINCOLN NATIONAL LIFE INSU	JAN ST DISABILITY	Prepaid expense	100-15501	805.97
63580	LINCOLN NATIONAL LIFE INSU	OCT - DEC ST DISABILITY ADJU	Other payroll deductions	100-21706	27.03
63581	LUBE-TECH & PARTNERS LLC	MOB GREASE	Operating supplies	100-43101-2290	161.07
63582	MARY WELLS	4TH QTR ASSESSING	Assessing/property tax admin	100-41403-3105	10,600.62
63583	MIDWEST NATURAL RESOURC	FIRE #3 PROJECT SERVICES	Capital assets	420-42201-5110	3,200.63
63584	MINNESOTA EQUIPMENT	SHAFT-CHOKE	Operating supplies	100-44101-2290	16.99
63585	MN DEPT OF LABOR & INDUS	FIRE #1 AIR COMP REGISTRATI	Building repair & maintenanc	100-42202-3420	10.00
63586	MN DEPT OF LABOR & INDUS	ELEVATOR PERMIT	Building repair & maintenanc	100-41702-3420	100.00
63587	MN DEPT OF LABOR & INDUS	AIR TANK REGISTRATION	Building repair & maintenanc	100-43104-3420	10.00
63588	MN DEPT OF LABOR & INDUS	FIRE #2 AIR COMP REGISTRATI	Building repair & maintenanc	100-42202-3420	10.00
63589	MN METRO NORTH TOURISM	OCT LODGING TAX	Convention bureau	263-46101-4120	2,828.08
63590	MN PEIP	JAN HEALTH INSURANCE	Prepaid expense	100-15501	14,535.82
63591	NEW BRIGHTON FORD	SUPPORT PANEL	Vehicle parts & supplies	100-43101-2340	78.97
63592	NORTHERN TOOL & EQUIPME	IMPACT WRENCH	Small tools	100-44101-2410	169.00
63593	PREMIUM WATERS INC	NOV WATER	Equipment rentals	100-41701-3320	21.75
63593	PREMIUM WATERS INC	DEC WATER COOLER RENTAL	Equipment rentals	100-41701-3320	14.00
63594	S & S INDUSTRIAL SUPPLY INC	MISC PARTS	Operating supplies	100-43101-2290	4.43
63594	S & S INDUSTRIAL SUPPLY INC	MISC PARTS	Operating supplies	100-43101-2290	22.91
63595	TDS METROCOM INC	763-434-0454 ELEVATOR	Phones/radios/pagers	100-41701-3210	39.41
63595	TDS METROCOM INC	763-434-9605 FIRE #2	Phones/radios/pagers	100-42201-3210	37.41
63596	TRI STATE BOBCAT, INC.	CHAIN & BAR	Operating supplies	100-44101-2290	88.64
63596	TRI STATE BOBCAT, INC.	HYD BREAKER RENTAL	Equipment rentals	100-43101-3320	165.00
63597	VOSS LIGHTING	LIGHT BULBS	Building repair & maintenanc	100-41702-2310	237.16
63597	VOSS LIGHTING	BALLASTS	Building repair & maintenanc	100-41702-2310	116.96
63597	VOSS LIGHTING	BALLASTS	Building repair & maintenanc	100-43104-2310	175.44
DFT0002295	EMPOWER	Deferred Compensation	Deferred compensation	100-21704	1,600.00
DFT0002295	EMPOWER	Roth IRA	Deferred compensation	100-21704	100.00
DFT0002296	IRS-Payroll Tax	Federal Withholding	Federal WH/FICA/MC	100-21701	4,812.54
DFT0002296	IRS-Payroll Tax	Medicare Payable	Federal WH/FICA/MC	100-21701	1,518.04
DFT0002296	IRS-Payroll Tax	Social Security Payable	Federal WH/FICA/MC	100-21701	6,047.36
DFT0002297	MN STATE DEPT OF REVENUE-	MN State Withholding	State W/H	100-21702	2,180.43
DFT0002298	PERA	Retirement-Coordinated	PERA	100-21703	6,664.94
DFT0002298	PERA	Retirement-Police & Fire	PERA	100-21703	1,055.33
DFT0002299	MN STATE DEPT OF REVENUE-	NOV '21 FUEL TAX	Fuel	100-43101-2230	54.72
<b>Grand Total:</b>					<b>296,977.32</b>



City of Ham Lake, MN

# EFT Payroll Check Register Report Summary

Pay Period: 11/28/2021-12/11/2021

Packet: PYPKT01227 - PPE 12/11/21 PAID 12/17/21  
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	33	35,623.74
<b>Total</b>	<b>33</b>	<b>35,623.74</b>



## RESOLUTION NO. 21-XX

### RESOLUTION APPROVING THE MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE STATE OF MINNESOTA AND LOCAL GOVERNMENTS AND AUTHORIZING PARTICIPATION IN NATIONAL OPIOID SETTLEMENTS

**WHEREAS**, the State of Minnesota, Minnesota counties and cities, and their people, have been harmed by misconduct committed by certain entities that engage in the manufacture, marketing, promotion, distribution, or dispensing of opioids; and

**WHEREAS**, the State of Minnesota and numerous Minnesota cities and counties joined with thousands of local governments across the country to file lawsuits against opioid manufacturer and pharmaceutical distribution companies and hold those companies accountable for their misconduct; and

**WHEREAS**, representatives of local Minnesota governments, the League of Minnesota Cities, the Association of Minnesota Counties, the Coalition of Greater Minnesota Cities, the State of Minnesota, and the Minnesota Attorney General's Office have negotiated and prepared a Memorandum of Agreement (MOA) to provide for the equitable distribution of proceeds to the State of Minnesota and to individual local governments from recent settlements in the national opioid litigation; and

**WHEREAS**, by signing onto the MOA, the state and local governments maximize Minnesota's share of opioid settlement funds, demonstrate solidarity in response to the opioid epidemic, and ensure needed resources reach the most impacted communities; and

**WHEREAS**, it is in the best interests of the State of Minnesota and the residents of the City of Ham Lake and the County of Anoka, that the City participate in the national opioid litigation settlements.

**NOW, THEREFORE**, be it resolved by the City Council of the City of Ham Lake, Minnesota:

1. Participation in the opioid litigation settlements promotes the public health, safety, and welfare of the residents of the City of Ham Lake.
2. The City of Ham Lake supports and opts-in to the national opioid litigation settlements with the Distributors McKesson, Cardinal Health, and Amerisource Bergen, and with the Manufacturer Johnson & Johnson.
3. The Memorandum of Agreement (MOA) between the State of Minnesota and Local Governments relating to the distribution of settlement funds is hereby approved by the City of Ham Lake.
4. City Staff is hereby authorized to take such measures as necessary to sign the MOA and otherwise participate in the national opioid settlements, including executing the Participation Agreement and accompanying Release.

Adopted by the City Council of the City of Ham Lake this 20th day of December, 2021.

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Gary Kirkeide, Acting Mayor

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Denise Webster, City Clerk

## **MINNESOTA OPIOIDS STATE-SUBDIVISION MEMORANDUM OF AGREEMENT**

**WHEREAS**, the State of Minnesota, Minnesota counties and cities, and their people have been harmed by misconduct committed by certain entities that engage in or have engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic;

**WHEREAS**, certain Minnesota counties and cities, through their counsel, and the State, through its Attorney General, are separately engaged in ongoing investigations, litigation, and settlement discussions seeking to hold opioid manufacturers and distributors accountable for the damage caused by their misconduct;

**WHEREAS**, the State and Local Governments share a common desire to abate and alleviate the impacts of the misconduct described above throughout Minnesota;

**WHEREAS**, while the State and Local Governments recognize the sums which may be available from the aforementioned litigation will likely be insufficient to fully abate the public health crisis caused by the opioid epidemic, they share a common interest in dedicating the most resources possible to the abatement effort;

**WHEREAS**, the investigations and litigation with Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson have resulted in National Settlement Agreements with those companies, which the State has already committed to join;

**WHEREAS**, Minnesota's share of settlement funds from the National Settlement Agreements will be maximized only if all Minnesota counties, and cities of a certain size, participate in the settlements;

**WHEREAS**, the National Settlement Agreements will set a default allocation between each state and its political subdivisions unless they enter into a state-specific agreement regarding the distribution and use of settlement amounts;

**WHEREAS**, this Memorandum of Agreement is intended to facilitate compliance by the State and by the Local Governments with the terms of the National Settlement Agreements and is intended to serve as a State-Subdivision Agreement under the National Settlement Agreements;

**WHEREAS**, this Memorandum of Agreement is also intended to serve as a State-Subdivision Agreement under resolutions of claims concerning alleged misconduct in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic entered in bankruptcy court that provide for payments (including payments through a trust) to both the State and Minnesota counties and cities and allow for the allocation between a state and its political subdivisions to be set through a state-specific agreement; and

**WHEREAS**, specifically, this Memorandum of Agreement is intended to serve under the Bankruptcy Resolutions concerning Purdue Pharma and Mallinckrodt as a qualifying Statewide Abatement Agreement.

## I. Definitions

As used in this MOA (including the preamble above):

“Approved Uses” shall mean forward-looking strategies, programming, and services to abate the opioid epidemic that fall within the list of uses on **Exhibit A**. Consistent with the terms of the National Settlement Agreements and Bankruptcy Resolutions, “Approved Uses” shall include the reasonable administrative expenses associated with overseeing and administering Opioid Settlement Funds. Reimbursement by the State or Local Governments for past expenses are not Approved Uses.

“Backstop Fund” is defined in Section VI.B below.

“Bankruptcy Defendants” mean Purdue Pharma L.P. and Mallinckrodt plc.

“Bankruptcy Resolution(s)” means resolutions of claims concerning alleged misconduct in manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic by the Bankruptcy Defendants entered in bankruptcy court that provide for payments (including payments through a trust) to both the State and Minnesota counties and municipalities and allow for the allocation between the state and its political subdivisions to be set through a state-specific agreement.

“Counsel” is defined in Section VI.B below.

“County Area” shall mean a county in the State of Minnesota plus the Local Governments, or portion of any Local Government, within that county.

“Governing Body” means (1) for a county, the county commissioners of the county, and (2) for a municipality, the elected city council or the equivalent legislative body for the municipality.

“Legislative Modification” is defined in Section II.C below.

“Litigating Local Governments” mean a Local Government that filed an opioid lawsuit(s) on or before December 3, 2021, as defined in Section VI.B below.

“Local Abatement Funds” are defined in Section II.B below.

“Local Government” means all counties and cities within the geographic boundaries of the state of Minnesota.

“MDL Matter” means the matter captioned *In re National Prescription Opiate Litigation*, MDL 2804, pending in the United States District Court for the Northern District of Ohio.

“Memorandum of Agreement” or “MOA” mean this agreement, the Minnesota Opioids State-Subdivision Memorandum of Agreement.

“National Settlement Agreements” means the national opioid settlement agreements with the Parties and one or all of the Settling Defendants concerning alleged misconduct in manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic.

“Opioid Settlement Funds” shall mean all funds allocated by the National Settlement Agreements and any Bankruptcy Resolutions to the State and Local Governments for purposes of opioid remediation activities or restitution, as well as any repayment of those funds and any interest or investment earnings that may accrue as those funds are temporarily held before being expended on opioid remediation strategies.

“Opioid Supply Chain Participants” means entities that engage in or have engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic, including their officers, directors, employees, or agents, acting in their capacity as such.

“Parties” means the State and the Participating Local Governments.

“Participating Local Government” means a county or city within the geographic boundaries of the State of Minnesota that has signed this Memorandum of Agreement and has executed a release of claims with the Settling Defendants by signing on to the National Settlement Agreements. For the avoidance of doubt, a Local Government must sign this MOA to become a “Participating Local Government.”

“Region” is defined in Section II.H below.

“Settling Defendants” means Johnson & Johnson, AmerisourceBergen, Cardinal Health, and McKesson, as well as their subsidiaries, affiliates, officers, and directors named in a National Settlement Agreement.

“State” means the State of Minnesota by and through its Attorney General, Keith Ellison.

“State Abatement Fund” is defined in Section II.B below.

## **II. Allocation of Settlement Proceeds**

- A. Method of distribution. Pursuant to the National Settlement Agreements and any Bankruptcy Resolutions, Opioid Settlement Funds shall be distributed directly to the State and directly to Participating Local Governments in such proportions and for such uses as set forth in this MOA, provided Opioid Settlement Funds shall not be considered funds of the State or any Participating Local Government unless and until such time as each annual distribution is made.
- B. Overall allocation of funds. Opioid Settlement Funds will be initially allocated as follows: (i) 25% directly to the State (“State Abatement Fund”), and (ii) 75% directly to abatement funds established by Participating Local Governments (“Local Abatement Funds”). This initial allocation is subject to modification by Sections II.F, II.G, and II.H, below.

C. Statutory change.

1. The Parties agree to work together in good faith to propose and lobby for legislation in the 2022 Minnesota legislative session to modify the distribution of the State's Opiate Epidemic Response Fund under Minnesota Statutes section 256.043, subd. 3(d), so that "50 percent of the remaining amount" is no longer appropriated to county social services, as related to Opioid Settlement Funds that are ultimately placed into the Minnesota Opiate Epidemic Response Fund ("Legislative Modification").<sup>1</sup> Such efforts include, but are not limited to, providing testimony and letters in support of the Legislative Modification.
2. It is the intent of the Parties that the Legislative Modification would affect only the county share under section 256.043, subd. 3(d), and would not impact the provision of funds to tribal social service agencies. Further, it is the intent of the Parties that the Legislative Modification would relate only to disposition of Opioid Settlement Funds and is not predicated on a change to the distribution of the Board of Pharmacy fee revenue that is deposited into the Opiate Epidemic Response Fund.

D. Bill Drafting Workgroup. The Parties will work together to convene a Bill Drafting Workgroup to recommend draft legislation to achieve this Legislative Modification. The Workgroup will meet as often as practicable in December 2021 and January 2022 until recommended language is completed. Invitations to participate in the group shall be extended to the League of Minnesota Cities, the Association of Minnesota Counties, the Coalition of Greater Minnesota Cities, state agencies, the Governor's Office, the Attorney General's Office, the Opioid Epidemic Response Advisory Council, the Revisor's Office, and Minnesota tribal representatives. The Workgroup will host meetings with Members of the Minnesota House of Representatives and Minnesota Senate who have been involved in this matter to assist in crafting a bill draft.

E. No payments until August 1, 2022. The Parties agree to take all steps necessary to ensure that any Opioid Settlement Funds ready for distribution directly to the State and Participating Local Governments under the National Settlement Agreements or Bankruptcy Resolutions are not actually distributed to the Parties until on or after August 1, 2022, in order to allow the Parties to pursue legislative change that would take effect before the Opioid Settlement Funds are received by the Parties. Such steps may include, but are not limited to, the Attorney General's Office delaying its filing of Consent Judgments in Minnesota state court memorializing the National Settlement Agreements. This provision will cease to apply upon the effective date of the Legislative Modification described above, if that date is prior to August 1, 2022.

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<sup>1</sup> It is the intent of the Parties that counties will continue to fund child protection services for children and families who are affected by addiction, in compliance with the Approved Uses in **Exhibit A.**

- F. Effect of no statutory change by August 1, 2022. If the Legislative Modification described above does not take effect by August 1, 2022, the allocation between the Parties set forth in Section II.B shall be modified as follows: (i) 40% directly to the State Abatement Fund, and (ii) 60% to Local Abatement Funds. The Parties further agree to discuss potential amendment of this MOA if such legislation does not timely go into effect in accordance with this paragraph.
- G. Effect of later statutory change. If the Legislative Modification described above takes effect after August 1, 2022, the allocation between the Parties will be modified as follows: (i) 25% directly to the State Abatement Fund, and (ii) 75% to Local Abatement Funds.
- H. Effect of partial statutory change. If any legislative action otherwise modifies or diminishes the direct allocation of Opioid Settlement Funds to Participating Local Governments so that as a result the Participating Local Governments would receive less than 75 percent of the Opioid Settlement Funds (inclusive of amounts received by counties per statutory appropriation through the Minnesota Opiate Epidemic Response Fund), then the allocation set forth in Section II.B will be modified to ensure Participating Local Governments receive 75% of the Opioid Settlement Funds.
- I. Participating Local Governments receiving payments. The proportions set forth in **Exhibit B** provide for payments directly to: (i) all Minnesota counties; and (ii) all Minnesota cities that (a) have a population of more than 30,000, based on the United States Census Bureau's Vintage 2019 population totals, (b) have funded or otherwise managed an established health care or treatment infrastructure (e.g., health department or similar agency), or (c) have initiated litigation against the Settling Defendants as of December 3, 2021.
- J. Allocation of funds between Participating Local Governments. The Local Abatement Funds shall be allocated to Participating Local Governments in such proportions as set forth in **Exhibit B**, attached hereto and incorporated herein by reference, which is based upon the MDL Matter's Opioid Negotiation Class Model.<sup>2</sup> The proportions shall not change based on population changes during the term of the MOA. However, to the extent required by the terms of the National Settlement Agreements, the proportions set forth in **Exhibit B** must be adjusted: (i) to provide no payment from the National Settlement Agreements to any listed county or municipality that does not participate in the National Settlement Agreements; and (ii) to provide a reduced payment from the National Settlement Agreements to any listed county or city that signs on to the National Settlement Agreements after the Initial Participation Date.
- K. Redistribution in certain situations. In the event a Participating Local Government merges, dissolves, or ceases to exist, the allocation percentage for that Participating Local

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<sup>2</sup> More specifically, the proportions in Exhibit B were created based on Exhibit G to the National Settlement Agreements, which in turn was based on the MDL Matter's allocation criteria. Cities under 30,000 in population that had shares under the Exhibit G default allocation were removed and their shares were proportionally reallocated amongst the remaining subdivisions.

Government shall be redistributed equitably based on the composition of the successor Local Government. In the event an allocation to a Local Government cannot be paid to the Local Government, such unpaid allocations will be allocated to Local Abatement Funds and be distributed in such proportions as set forth in Exhibit B.

- L. City may direct payments to county. Any city allocated a share may elect to have its full share or a portion of its full share of current or future annual distributions of settlement funds instead directed to the county or counties in which it is located, so long as that county or counties are Participating Local Governments[s]. Such an election must be made by January 1 each year to apply to the following fiscal year. If a city is located in more than one county, the city's funds will be directed based on the MDL Matter's Opioid Negotiation Class Model.

### III. Special Revenue Fund

- A. Creation of special revenue fund. Every Participating Local Government receiving Opioid Settlement Funds through direct distribution shall create a separate special revenue fund, as described below, that is designated for the receipt and expenditure of Opioid Settlement Funds.
- B. Procedures for special revenue fund. Funds in this special revenue fund shall not be commingled with any other money or funds of the Participating Local Government. The funds in the special revenue fund shall not be used for any loans or pledge of assets, unless the loan or pledge is for an Approved Use. Participating Local Governments may not assign to another entity their rights to receive payments of Opioid Settlement Funds or their responsibilities for funding decisions, except as provided in Section II.L.
- C. Process for drawing from special revenue funds.
  - 1. Opioid Settlement Funds can be used for a purpose when the Governing Body includes in its budget or passes a separate resolution authorizing the expenditure of a stated amount of Opioid Settlement Funds for that purpose or those purposes during a specified period of time.
  - 2. The budget or resolution must (i) indicate that it is an authorization for expenditures of opioid settlement funds; (ii) state the specific strategy or strategies the county or city intends to fund, using the item letter and/or number in **Exhibit A** to identify each funded strategy, if applicable; and (iii) state the amount dedicated to each strategy for a stated period of time.
- D. Local government grantmaking. Participating Local Governments may make contracts with or grants to a nonprofit, charity, or other entity with Opioid Settlement Funds.
- E. Interest earned on special revenue fund. The funds in the special revenue fund may be invested, consistent with the investment limitations for local governments, and may be



placed in an interest-bearing bank account. Any interest earned on the special revenue funds must be used in a way that is consistent with this MOA.

#### **IV. Opioid Remediation Activities**

- A. Limitation on use of funds. This MOA requires that Opioid Settlement Funds be utilized only for future opioid remediation activities, and Parties shall expend Opioid Settlement Funds only for Approved Uses and for expenditures incurred after the effective date of this MOA, unless execution of the National Settlement Agreements requires a later date. Opioid Settlement Funds cannot be used to pay litigation costs, expenses, or attorney fees arising from the enforcement of legal claims related to the opioid epidemic, except for the portion of Opioid Settlement Funds that comprise the Backstop Fund described in Section VI. For the avoidance of doubt, counsel for Litigating Local Governments may recover litigation costs, expenses, or attorney fees from the common benefit, contingency fee, and cost funds established in the National Settlement Agreements, as well as the Backstop Fund described in Section VI.
- B. Public health departments as Chief Strategists. For Participating Local Governments that have public health departments, the public health departments shall serve as the lead agency and Chief Strategist to identify, collaborate, and respond to local issues as Local Governments decide how to leverage and disburse Opioid Settlement Funds. In their role as Chief Strategist, public health departments will convene multi-sector meetings and lead efforts that build upon local efforts like Community Health Assessments and Community Health Improvement Plans, while fostering community focused and collaborative evidence-informed approaches that prevent and address addiction across the areas of public health, human services, and public safety. Chief Strategists should consult with municipalities located within their county in the development of any Community Health Assessment, and are encouraged to collaborate with law enforcement agencies in the county where appropriate.
- C. Administrative expenses. Reasonable administrative costs for the State or Local Government to administer its allocation of the Opioid Settlement Funds shall not exceed actual costs, 10% of the relevant allocation of the Opioid Settlement Funds, or any administrative expense limitation imposed by the National Settlement Agreements or Bankruptcy Resolution, whichever is less.
- D. Regions. Two or more Participating Local Governments may at their discretion form a new group or utilize an existing group (“Region”) to pool their respective shares of settlement funds and make joint spending decisions. Participating Local Governments may choose to create a Region or utilize an existing Region under a joint exercise of powers under Minn. Stat. § 471.59.
- E. Consultation and partnerships.
  1. Each county receiving Opioid Settlement Funds must consult annually with the municipalities in the county regarding future use of the settlement funds in the

county, including by holding an annual meeting with all municipalities in the county in order to receive input as to proposed uses of the Opioid Settlement Funds and to encourage collaboration between Local Governments both within and beyond the county. These meetings shall be open to the public.

2. Participating Local Governments within the same County Area have a duty to regularly consult with each other to coordinate spending priorities.
  3. Participating Local Governments can form partnerships at the local level whereby Participating Local Governments dedicate a portion of their Opioid Settlement Funds to support city- or community-based work with local stakeholders and partners within the Approved Uses.
- F. Collaboration. The State and Participating Local Governments must collaborate to promote effective use of Opioid Settlement Funds, including through the sharing of expertise, training, and technical assistance. They will also coordinate with trusted partners, including community stakeholders, to collect and share information about successful regional and other high-impact strategies and opioid treatment programs.

## V. **Reporting and Compliance**

- A. Construction of reporting and compliance provisions. Reporting and compliance requirements will be developed and mutually agreed upon by the Parties, utilizing the recommendations provided by the Advisory Panel to the Attorney General on Distribution and Allocation of Opioid Settlement Funds.
- B. Reporting Workgroup. The Parties will work together to establish a Reporting Workgroup that includes representatives of the Attorney General's Office, state stakeholders, and city and county representatives, who will meet on a regular basis to develop reporting and compliance recommendations. The Reporting Workgroup must produce a set of reporting and compliance measures by June 1, 2022. Such reporting and compliance measures will be effective once approved by representatives of the Attorney General's Office, the Governor's Office, the Association of Minnesota Counties, and the League of Minnesota Cities that are on the Workgroup.

## VI. **Backstop Fund**

- A. National Attorney Fee Fund. The National Settlement Agreements provide for the payment of all or a portion of the attorney fees and costs owed by Litigating Local Governments to private attorneys specifically retained to file suit in the opioid litigation ("National Attorney Fee Fund"). The Parties acknowledge that the National Settlement Agreements may provide for a portion of the attorney fees of Litigating Local Governments.
- B. Backstop Fund and Waiver of Contingency Fee. The Parties agree that the Participating Local Governments will create a supplemental attorney fees fund (the "Backstop Fund") to be used to compensate private attorneys ("Counsel") for Local Governments that filed opioid lawsuits on or before December 3, 2021 ("Litigating Local Governments"). By

order<sup>3</sup> dated August 6, 2021, Judge Polster capped all applicable contingent fee agreements at 15%. Judge Polster's 15% cap does not limit fees from the National Attorney Fee Fund or from any state backstop fund for attorney fees, but private attorneys for local governments must waive their contingent fee agreements to receive payment from the National Attorney Fee Fund. Judge Polster recognized that a state backstop fund can be designed to incentivize private attorneys to waive their right to enforce contingent fee agreements and instead apply to the National Attorney Fee Fund, with the goals of achieving greater subdivision participation and higher ultimate payouts to both states and local governments. Accordingly, in order to seek payment from the Backstop Fund, Counsel must agree to waive their contingency fee agreements relating to these National Settlement Agreements and first apply to the National Attorney Fee Fund.

- C. Backstop Fund Source. The Backstop Fund will be funded by seven percent (7%) of the share of each payment made to the Local Abatement Funds from the National Settlement Agreements (annual or otherwise), based upon the initial allocation of 25% directly to the State Abatement Fund and 75% directly to Local Abatement Funds, and will not include payments resulting from the Purdue or Mallinckrodt Bankruptcies. In the event that the initial allocation is modified pursuant to Section II.F. above, then the Backstop Fund will be funded by 8.75% of the share of each payment made to the Local Abatement Funds from the National Settlement Agreements (annual or otherwise), based upon the modified allocation of 40% directly to the State Abatement Fund and 60% directly to the Local Abatement Funds, and will not include payments resulting from the Purdue or Mallinckrodt Bankruptcies. In the event that the allocation is modified pursuant to Section II.G. or Section II.H. above, back to an allocation of 25% directly to the State Abatement Fund and 75% directly to Local Abatement Funds, then the Backstop Fund will be funded by 7% of the share of each payment made to the Local Abatement Funds from the National Settlement Agreements (annual or otherwise), and will not include payments resulting from the Purdue or Mallinckrodt Bankruptcies.
- D. Backstop Fund Payment Cap. Any attorney fees paid from the Backstop Fund, together with any compensation received from the National Settlement Agreements' Contingency Fee Fund, shall not exceed 15% of the total gross recovery of the Litigating Local Governments' share of funds from the National Settlement Agreements. To avoid doubt, in no instance will Counsel receive more than 15% of the amount paid to their respective Litigating Local Government client(s) when taking into account what private attorneys receive from both the Backstop Fund and any fees received from the National Settlement Agreements' Contingency Fee Fund.
- E. Requirements to Seek Payment from Backstop Fund. A private attorney may seek payment from the Backstop Fund in the event that funds received by Counsel from the National Settlement Agreements' Contingency Fee Fund are insufficient to cover the amount that would be due to Counsel under any contingency fee agreement with a Litigating Local Government based on any recovery Litigating Local Governments receive from the National Settlement Agreements. Before seeking any payment from the Backstop Fund,

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<sup>3</sup> Order, In re: Nat'l Prescription Opiate Litig., Case No. 17-MD-02804, Doc. No. 3814 (N.D. Ohio August 6, 2021).

private attorneys must certify that they first sought fees from the National Settlement Agreements' Contingency Fee Fund, and must certify that they agreed to accept the maximum fees payments awarded to them. Nothing in this Section, or in the terms of this Agreement, shall be construed as a waiver of fees, contractual or otherwise, with respect to fees that may be recovered under a contingency fee agreement or otherwise from other past or future settlements, verdicts, or recoveries related to the opioid litigation.

- F. Special Master. A special master will administer the Backstop Fund, including overseeing any distribution, evaluating the requests of Counsel for payment, and determining the appropriate amount of any payment from the Backstop Fund. The special master will be selected jointly by the Minnesota Attorney General and the Hennepin County Attorney, and will be one of the following individuals: Hon. Jeffrey Keyes, Hon. David Lillehaug; or Hon. Jack Van de North. The special master will be compensated from the Backstop Fund. In the event that a successor special master is needed, the Minnesota Attorney General and the Hennepin County Attorney will jointly select the successor special master from the above-listed individuals. If none of the above-listed individuals is available to serve as the successor special master, then the Minnesota Attorney General and the Hennepin County Attorney will jointly select a successor special master from a list of individuals that is agreed upon between the Minnesota Attorney General, the Hennepin County Attorney, and Counsel.
- G. Special Master Determinations. The special master will determine the amount and timing of any payment to Counsel from the Backstop Fund. The special master shall make one determination regarding payment of attorney fees to Counsel, which will apply through the term of the recovery from the National Settlement Agreements. In making such determinations, the special master shall consider the amounts that have been or will be received by the private attorney's firm from the National Settlement Agreements' Contingency Fee Fund relating to Litigating Local Governments; the contingency fee contracts; the dollar amount of recovery for Counsel's respective clients who are Litigating Local Governments; the Backstop Fund Payment Cap above; the complexity of the legal issues involved in the opioid litigation; work done to directly benefit the Local Governments within the State of Minnesota; and the principles set forth in the Minnesota Rules of Professional Conduct, including the reasonable and contingency fee principles of Rule 1.5. In the interest of transparency, Counsel shall provide information in their initial fee application about the total amount of fees that Counsel have received or will receive from the National Attorney Fee Fund related to the Litigating Local Governments.
- H. Special Master Proceedings. Counsel seeking payment from the Backstop Fund may also provide written submissions to the special master, which may include declarations from counsel, summaries relating to the factors described above, and/or attestation regarding total payments awarded or anticipated from the National Settlement Agreements' Contingency Fee Fund. Private attorneys shall not be required to disclose work product, proprietary or confidential information, including but not limited to detailed billing or lodestar records. To the extent that counsel rely upon written submissions to support their application to the special master, the special master will incorporate said submission or summary into the record. Any proceedings before the special master and documents filed with the special master shall be public, and the special master's determinations regarding

any payment from the Backstop Funds shall be transparent, public, final, and not appealable.

- I. Distribution of Any Excess Funds. To the extent the special master determines that the Backstop Fund exceeds the amount necessary for payment to Counsel, the special master shall distribute any excess amount to Participating Local Governments according to the percentages set forth in **Exhibit B**.
- J. Term. The Backstop Fund will be administered for (a) the length of the National Litigation Settlement payments; or (b) until all Counsel for Litigating Local Governments have either (i) received payments equal to the Backstop Fund Payment Cap above or (ii) received the full amount determined by the special master; whichever occurs first.
- K. No State Funds Toward Attorney Fees. For the avoidance of doubt, no portion of the State Abatement Fund will be used to fund the Backstop Fund or in any other way to fund any Litigating Local Government's attorney fees and expenses. Any funds that the State receives from the National Settlement Agreements as attorney fees and costs or in lieu of attorney fees and costs, including the Additional Restitution Amounts, will be treated as State Abatement Funds.

## VII. General Terms

- A. Scope of agreement. This MOA applies to all settlements under the National Settlement Agreements with Settling Defendants and the Bankruptcy Resolutions with Bankruptcy Defendants.<sup>4</sup> The Parties agree to discuss the use, as the Parties may deem appropriate in the future, of the settlement terms set out herein (after any necessary amendments) for resolutions with Opioid Supply Chain Participants not covered by the National Settlement Agreements or a Bankruptcy Resolution. The Parties acknowledge that this MOA does not excuse any requirements placed upon them by the terms of the National Settlement Agreements or any Bankruptcy Resolution, except to the extent those terms allow for a State-Subdivision Agreement to do so.
- B. When MOA takes effect.
  - 1. This MOA shall become effective at the time a sufficient number of Local Governments have joined the MOA to qualify this MOA as a State-Subdivision Agreement under the National Settlement Agreements or as a Statewide Abatement Agreement under any Bankruptcy Resolution. If this MOA does not thereby qualify as a State-Subdivision Agreement or Statewide Abatement Agreement, this MOA will have no effect.
  - 2. The Parties may conditionally agree to sign on to the MOA through a letter of intent, resolution, or similar written statement, declaration, or pronouncement declaring

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<sup>4</sup> For the avoidance of doubt, this includes settlements reached with AmerisourceBergen, Cardinal Health, and McKesson, and Janssen, and Bankruptcy Resolutions involving Purdue Pharma L.P., and Mallinckrodt plc.

their intent to sign on to the MOA if the threshold for Party participation in a specific Settlement is achieved.

C. Dispute resolution.

1. If any Party believes another Party has violated the terms of this MOA, the alleging Party may seek to enforce the terms of this MOA in Ramsey County District Court, provided the alleging Party first provides notice to the alleged offending Party of the alleged violation and a reasonable opportunity to cure the alleged violation.
2. If a Party believes another Party, Region, or individual involved in the receipt, distribution, or administration of Opioid Settlement Funds has violated any applicable ethics codes or rules, a complaint shall be lodged with the appropriate forum for handling such matters.
3. If a Party believes another Party, Region, or individual involved in the receipt, distribution, or administration of Opioid Settlement Funds violated any Minnesota criminal law, such conduct shall be reported to the appropriate criminal authorities.

D. Amendments. The Parties agree to make such amendments as necessary to implement the intent of this MOA.

E. Applicable law and venue. Unless otherwise required by the National Settlement Agreements or a Bankruptcy Resolution, this MOA, including any issues related to interpretation or enforcement, is governed by the laws of the State of Minnesota. Any action related to the provisions of this MOA must be adjudicated by the Ramsey County District Court. If any provision of this MOA is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision which can be given effect without the invalid provision.

F. Relationship of this MOA to other agreements and resolutions. All Parties acknowledge and agree that the National Settlement Agreements will require a Participating Local Government to release all its claims against the Settling Defendants to receive direct allocation of Opioid Settlement Funds. All Parties further acknowledge and agree that based on the terms of the National Settlement Agreements, a Participating Local Government may receive funds through this MOA only after complying with all requirements set forth in the National Settlement Agreements to release its claims. This MOA is not a promise from any Party that any National Settlement Agreements or Bankruptcy Resolution will be finalized or executed.

G. When MOA is no longer in effect. This MOA is effective until one year after the last date on which any Opioid Settlement Funds are being spent by the Parties pursuant to the National Settlement Agreements and any Bankruptcy Resolution.

H. No waiver for failure to exercise. The failure of a Party to exercise any rights under this MOA will not be deemed to be a waiver of any right or any future rights.

- I. No effect on authority of Parties. Nothing in this MOA should be construed to limit the power or authority of the State of Minnesota, the Attorney General, or the Local Governments, except as expressly set forth herein.
  
- J. Signing and execution. This MOA may be executed in counterparts, each of which constitutes an original, and all of which constitute one and the same agreement. This MOA may be executed by facsimile or electronic copy in any image format. Each Party represents that all procedures necessary to authorize such Party's execution of this MOA have been performed and that the person signing for such Party has been authorized to execute the MOA in an official capacity that binds the Party.

This **Minnesota Opioids State-Subdivision Memorandum of Agreement** is signed

this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by:

\_\_\_\_\_

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

On behalf of: \_\_\_\_\_



## EXHIBIT A

### List of Opioid Remediation Uses

Settlement fund recipients shall choose from among abatement strategies, including but not limited to those listed in this Exhibit. The programs and strategies listed in this Exhibit are not exclusive, and fund recipients shall have flexibility to modify their abatement approach as needed and as new uses are discovered.

PART ONE: TREATMENT
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#### A. TREAT OPIOID USE DISORDER (OUD)

Support treatment of Opioid Use Disorder (“*OUD*”) and any co-occurring Substance Use Disorder or Mental Health (“*SUD/MH*”) conditions through evidence-based or evidence-informed programs<sup>5</sup> or strategies that may include, but are not limited to, those that:<sup>6</sup>

1. Expand availability of treatment for OUD and any co-occurring SUD/MH conditions, including all forms of Medication for Opioid Use Disorder (“*MOUD*”)<sup>7</sup> approved by the U.S. Food and Drug Administration.
2. Support and reimburse evidence-based services that adhere to the American Society of Addiction Medicine (“*ASAM*”) continuum of care for OUD and any co-occurring SUD/MH conditions.
3. Expand telehealth to increase access to treatment for OUD and any co-occurring SUD/MH conditions, including *MOUD*, as well as counseling, psychiatric support, and other treatment and recovery support services.
4. Improve oversight of Opioid Treatment Programs (“*OTPs*”) to assure evidence-based or evidence-informed practices such as adequate methadone dosing and low threshold approaches to treatment.

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<sup>5</sup> Use of the terms “evidence-based,” “evidence-informed,” or “best practices” shall not limit the ability of recipients to fund innovative services or those built on culturally specific needs. Rather, recipients are encouraged to support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions.

<sup>6</sup> As used in this Exhibit, words like “expand,” “fund,” “provide” or the like shall not indicate a preference for new or existing programs.

<sup>7</sup> Historically, pharmacological treatment for opioid use disorder was referred to as “Medication-Assisted Treatment” (“*MAT*”). It has recently been determined that the better term is “Medication for Opioid Use Disorder” (“*MOUD*”). This Exhibit will use “*MOUD*” going forward. Use of the term *MOUD* is not intended to and shall in no way limit abatement programs or strategies now or into the future as new strategies and terminology evolve.

5. Support mobile intervention, treatment, and recovery services, offered by qualified professionals and service providers, such as peer recovery coaches, for persons with OUD and any co-occurring SUD/MH conditions and for persons who have experienced an opioid overdose.
6. Provide treatment of trauma for individuals with OUD (*e.g.*, violence, sexual assault, human trafficking, or adverse childhood experiences) and family members (*e.g.*, surviving family members after an overdose or overdose fatality), and training of health care personnel to identify and address such trauma.
7. Support detoxification (detox) and withdrawal management services for people with OUD and any co-occurring SUD/MH conditions, including but not limited to medical detox, referral to treatment, or connections to other services or supports.
8. Provide training on MOUD for health care providers, first responders, students, or other supporting professionals, such as peer recovery coaches or recovery outreach specialists, including telementoring to assist community-based providers in rural or underserved areas.
9. Support workforce development for addiction professionals who work with persons with OUD and any co-occurring SUD/MH or mental health conditions.
10. Offer fellowships for addiction medicine specialists for direct patient care, instructors, and clinical research for treatments.
11. Offer scholarships and supports for certified addiction counselors, licensed alcohol and drug counselors, licensed clinical social workers, licensed mental health counselors, and other mental and behavioral health practitioners or workers, including peer recovery coaches, peer recovery supports, and treatment coordinators, involved in addressing OUD and any co-occurring SUD/MH or mental health conditions, including, but not limited to, training, scholarships, fellowships, loan repayment programs, continuing education, licensing fees, or other incentives for providers to work in rural or underserved areas.
12. Provide funding and training for clinicians to obtain a waiver under the federal Drug Addiction Treatment Act of 2000 (“*DATA 2000*”) to prescribe MOUD for OUD, and provide technical assistance and professional support to clinicians who have obtained a *DATA 2000* waiver.
13. Dissemination of web-based training curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service–Opioids web-based training curriculum and motivational interviewing.
14. Develop and disseminate new curricula, such as the American Academy of Addiction Psychiatry’s Provider Clinical Support Service for Medication–Assisted Treatment.

**B. SUPPORT PEOPLE IN TREATMENT AND RECOVERY**

Support people in recovery from OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the programs or strategies that:

1. Provide comprehensive wrap-around services to individuals with OUD and any co-occurring SUD/MH conditions, including housing, transportation, education, job placement, job training, or childcare.
2. Provide the full continuum of care of treatment and recovery services for OUD and any co-occurring SUD/MH conditions, including supportive housing, peer support services and counseling, community navigators, case management, and connections to community-based services.
3. Provide counseling, peer-support, recovery case management and residential treatment with access to medications for those who need it to persons with OUD and any co-occurring SUD/MH conditions.
4. Provide access to housing for people with OUD and any co-occurring SUD/MH conditions, including supportive housing, recovery housing, housing assistance programs, training for housing providers, or recovery housing programs that allow or integrate FDA-approved medication with other support services.
5. Provide community support services, including social and legal services, to assist in deinstitutionalizing persons with OUD and any co-occurring SUD/MH conditions.
6. Support or expand peer-recovery centers, which may include support groups, social events, computer access, or other services for persons with OUD and any co-occurring SUD/MH conditions.
7. Provide or support transportation to treatment or recovery programs or services for persons with OUD and any co-occurring SUD/MH conditions.
8. Provide employment training or educational services for persons in treatment for or recovery from OUD and any co-occurring SUD/MH conditions.
9. Identify successful recovery programs such as physician, pilot, and college recovery programs, and provide support and technical assistance to increase the number and capacity of high-quality programs to help those in recovery.
10. Engage non-profits, faith-based communities, and community coalitions to support people in treatment and recovery and to support family members in their efforts to support the person with OUD in the family.

11. Provide training and development of procedures for government staff to appropriately interact and provide social and other services to individuals with or in recovery from OUD, including reducing stigma.
12. Support stigma reduction efforts regarding treatment and support for persons with OUD, including reducing the stigma on effective treatment.
13. Create or support culturally appropriate services and programs for persons with OUD and any co-occurring SUD/MH conditions, including but not limited to new Americans, African Americans, and American Indians.
14. Create and/or support recovery high schools.
15. Hire or train behavioral health workers to provide or expand any of the services or supports listed above.

**C. CONNECT PEOPLE WHO NEED HELP TO THE HELP THEY NEED  
(CONNECTIONS TO CARE)**

Provide connections to care for people who have—or are at risk of developing—OUD and any co-occurring SUD/MH conditions through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Ensure that health care providers are screening for OUD and other risk factors and know how to appropriately counsel and treat (or refer if necessary) a patient for OUD treatment.
2. Fund Screening, Brief Intervention and Referral to Treatment (“SBIRT”) programs to reduce the transition from use to disorders, including SBIRT services to pregnant women who are uninsured or not eligible for Medicaid.
3. Provide training and long-term implementation of SBIRT in key systems (health, schools, colleges, criminal justice, and probation), with a focus on youth and young adults when transition from misuse to opioid disorder is common.
4. Purchase automated versions of SBIRT and support ongoing costs of the technology.
5. Expand services such as navigators and on-call teams to begin MOUD in hospital emergency departments.
6. Provide training for emergency room personnel treating opioid overdose patients on post-discharge planning, including community referrals for MOUD, recovery case management or support services.
7. Support hospital programs that transition persons with OUD and any co-occurring SUD/MH conditions, or persons who have experienced an opioid overdose, into clinically appropriate follow-up care through a bridge clinic or similar approach.

8. Support crisis stabilization centers that serve as an alternative to hospital emergency departments for persons with OUD and any co-occurring SUD/MH conditions or persons that have experienced an opioid overdose.
9. Support the work of Emergency Medical Systems, including peer support specialists, to connect individuals to treatment or other appropriate services following an opioid overdose or other opioid-related adverse event.
10. Provide funding for peer support specialists or recovery coaches in emergency departments, detox facilities, recovery centers, recovery housing, or similar settings; offer services, supports, or connections to care to persons with OUD and any co-occurring SUD/MH conditions or to persons who have experienced an opioid overdose.
11. Expand warm hand-off services to transition to recovery services.
12. Create or support school-based contacts that parents can engage with to seek immediate treatment services for their child; and support prevention, intervention, treatment, and recovery programs focused on young people.
13. Develop and support best practices on addressing OUD in the workplace.
14. Support assistance programs for health care providers with OUD.
15. Engage non-profits and the faith community as a system to support outreach for treatment.
16. Support centralized call centers that provide information and connections to appropriate services and supports for persons with OUD and any co-occurring SUD/MH conditions.

**D. ADDRESS THE NEEDS OF CRIMINAL JUSTICE-INVOLVED PERSONS**

Address the needs of persons with OUD and any co-occurring SUD/MH conditions who are involved in, are at risk of becoming involved in, or are transitioning out of the criminal justice system through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support pre-arrest or pre-arraignment diversion and deflection strategies for persons with OUD and any co-occurring SUD/MH conditions, including established strategies such as:
  1. Self-referral strategies such as the Angel Programs or the Police Assisted Addiction Recovery Initiative (“*PAARF*”);
  2. Active outreach strategies such as the Drug Abuse Response Team (“*DART*”) model;

3. “Naloxone Plus” strategies, which work to ensure that individuals who have received naloxone to reverse the effects of an overdose are then linked to treatment programs or other appropriate services;
  4. Officer prevention strategies, such as the Law Enforcement Assisted Diversion (“*LEAD*”) model;
  5. Officer intervention strategies such as the Leon County, Florida Adult Civil Citation Network or the Chicago Westside Narcotics Diversion to Treatment Initiative; or
  6. Co-responder and/or alternative responder models to address OUD-related 911 calls with greater SUD expertise.
2. Support pre-trial services that connect individuals with OUD and any co-occurring SUD/MH conditions to evidence-informed treatment, including MOUD, and related services.
  3. Support treatment and recovery courts that provide evidence-based options for persons with OUD and any co-occurring SUD/MH conditions.
  4. Provide evidence-informed treatment, including MOUD, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are incarcerated in jail or prison.
  5. Provide evidence-informed treatment, including MOUD, recovery support, harm reduction, or other appropriate services to individuals with OUD and any co-occurring SUD/MH conditions who are leaving jail or prison or have recently left jail or prison, are on probation or parole, are under community corrections supervision, or are in re-entry programs or facilities.
  6. Support critical time interventions (“*CTP*”), particularly for individuals living with dual-diagnosis OUD/serious mental illness, and services for individuals who face immediate risks and service needs and risks upon release from correctional settings.
  7. Provide training on best practices for addressing the needs of criminal justice-involved persons with OUD and any co-occurring SUD/MH conditions to law enforcement, correctional, or judicial personnel or to providers of treatment, recovery, harm reduction, case management, or other services offered in connection with any of the strategies described in this section.

**E. ADDRESS THE NEEDS OF THE PERINATAL POPULATION, CAREGIVERS, AND FAMILIES, INCLUDING BABIES WITH NEONATAL OPIOID WITHDRAWAL SYNDROME.**

Address the needs of the perinatal population and caregivers with OUD and any co-occurring SUD/MH conditions, and the needs of their families, including babies with

neonatal opioid withdrawal syndrome (“*NOWS*”), through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, those that:

1. Support evidence-based or evidence-informed treatment, including MOUD, recovery services and supports, and prevention services for the perinatal population—or individuals who could become pregnant—who have OUD and any co-occurring SUD/MH conditions, and other measures to educate and provide support to caregivers and families affected by Neonatal Opioid Withdrawal Syndrome.
2. Expand comprehensive evidence-based treatment and recovery services, including MOUD, for uninsured individuals with OUD and any co-occurring SUD/MH conditions for up to 12 months postpartum.
3. Provide training for obstetricians or other healthcare personnel who work with the perinatal population and their families regarding treatment of OUD and any co-occurring SUD/MH conditions.
4. Expand comprehensive evidence-based treatment and recovery support for *NOWS* babies; expand services for better continuum of care with infant-caregiver dyad; and expand long-term treatment and services for medical monitoring of *NOWS* babies and their caregivers and families.
5. Provide training to health care providers who work with the perinatal population and caregivers on best practices for compliance with federal requirements that children born with *NOWS* get referred to appropriate services and receive a plan of safe care.
6. Provide child and family supports for caregivers with OUD and any co-occurring SUD/MH conditions, emphasizing the desire to keep families together.
7. Provide enhanced support for children and family members suffering trauma as a result of addiction in the family; and offer trauma-informed behavioral health treatment for adverse childhood events.
8. Offer home-based wrap-around services to persons with OUD and any co-occurring SUD/MH conditions, including, but not limited to, parent skills training.
9. Provide support for Children’s Services—Fund additional positions and services, including supportive housing and other residential services, relating to children being removed from the home and/or placed in foster care due to custodial opioid use.

PART TWO: PREVENTION

**F. PREVENT OVER-PRESCRIBING AND ENSURE APPROPRIATE PRESCRIBING AND DISPENSING OF OPIOIDS**

Support efforts to prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding medical provider education and outreach regarding best prescribing practices for opioids consistent with the Guidelines for Prescribing Opioids for Chronic Pain from the U.S. Centers for Disease Control and Prevention, including providers at hospitals (academic detailing).
2. Training for health care providers regarding safe and responsible opioid prescribing, dosing, and tapering patients off opioids.
3. Continuing Medical Education (CME) on appropriate prescribing of opioids.
4. Providing Support for non-opioid pain treatment alternatives, including training providers to offer or refer to multi-modal, evidence-informed treatment of pain.
5. Supporting enhancements or improvements to Prescription Drug Monitoring Programs (“PDMPs”), including, but not limited to, improvements that:
  1. Increase the number of prescribers using PDMPs;
  2. Improve point-of-care decision-making by increasing the quantity, quality, or format of data available to prescribers using PDMPs, by improving the interface that prescribers use to access PDMP data, or both; or
  3. Enable states to use PDMP data in support of surveillance or intervention strategies, including MOUD referrals and follow-up for individuals identified within PDMP data as likely to experience OUD in a manner that complies with all relevant privacy and security laws and rules.
6. Ensuring PDMPs incorporate available overdose/naloxone deployment data, including the United States Department of Transportation’s Emergency Medical Technician overdose database in a manner that complies with all relevant privacy and security laws and rules.
7. Increasing electronic prescribing to prevent diversion or forgery.
8. Educating dispensers on appropriate opioid dispensing.



**G. PREVENT MISUSE OF OPIOIDS**

Support efforts to discourage or prevent misuse of opioids through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Funding media campaigns to prevent opioid misuse, including but not limited to focusing on risk factors and early interventions.
2. Corrective advertising or affirmative public education campaigns based on evidence.
3. Public education relating to drug disposal.
4. Drug take-back disposal or destruction programs.
5. Funding community anti-drug coalitions that engage in drug prevention efforts.
6. Supporting community coalitions in implementing evidence-informed prevention, such as reduced social access and physical access, stigma reduction—including staffing, educational campaigns, support for people in treatment or recovery, or training of coalitions in evidence-informed implementation, including the Strategic Prevention Framework developed by the U.S. Substance Abuse and Mental Health Services Administration (“SAMHSA”).
7. Engaging non-profits and faith-based communities as systems to support prevention.
8. Funding evidence-based prevention programs in schools or evidence-informed school and community education programs and campaigns for students, families, school employees, school athletic programs, parent-teacher and student associations, and others.
9. School-based or youth-focused programs or strategies that have demonstrated effectiveness in preventing drug misuse and seem likely to be effective in preventing the uptake and use of opioids.
10. Create or support community-based education or intervention services for families, youth, and adolescents at risk for OUD and any co-occurring SUD/MH conditions.
11. Support evidence-informed programs or curricula to address mental health needs of young people who may be at risk of misusing opioids or other drugs, including emotional modulation and resilience skills.
12. Support greater access to mental health services and supports for young people, including services and supports provided by school nurses, behavioral health

workers or other school staff, to address mental health needs in young people that (when not properly addressed) increase the risk of opioid or another drug misuse.

## **H. PREVENT OVERDOSE DEATHS AND OTHER HARMS (HARM REDUCTION)**

Support efforts to prevent or reduce overdose deaths or other opioid-related harms through evidence-based or evidence-informed programs or strategies that may include, but are not limited to, the following:

1. Increased availability and distribution of naloxone and other drugs that treat overdoses for first responders, overdose patients, individuals with OUD and their friends and family members, schools, community navigators and outreach workers, persons being released from jail or prison, or other members of the general public.
2. Public health entities providing free naloxone to anyone in the community.
3. Training and education regarding naloxone and other drugs that treat overdoses for first responders, overdose patients, patients taking opioids, families, schools, community support groups, and other members of the general public.
4. Enabling school nurses and other school staff to respond to opioid overdoses, and provide them with naloxone, training, and support.
5. Expanding, improving, or developing data tracking software and applications for overdoses/naloxone revivals.
6. Public education relating to emergency responses to overdoses.
7. Public education relating to immunity and Good Samaritan laws.
8. Educating first responders regarding the existence and operation of immunity and Good Samaritan laws.
9. Syringe service programs and other evidence-informed programs to reduce harms associated with intravenous drug use, including supplies, staffing, space, peer support services, referrals to treatment, fentanyl checking, connections to care, and the full range of harm reduction and treatment services provided by these programs.
10. Expanding access to testing and treatment for infectious diseases such as HIV and Hepatitis C resulting from intravenous opioid use.
11. Supporting mobile units that offer or provide referrals to harm reduction services, treatment, recovery supports, health care, or other appropriate services to persons that use opioids or persons with OUD and any co-occurring SUD/MH conditions.

12. Providing training in harm reduction strategies to health care providers, students, peer recovery coaches, recovery outreach specialists, or other professionals that provide care to persons who use opioids or persons with OUD and any co-occurring SUD/MH conditions.
13. Supporting screening for fentanyl in routine clinical toxicology testing.

<b>PART THREE: OTHER STRATEGIES</b>
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**I. FIRST RESPONDERS**

In addition to items in section C, D and H relating to first responders, support the following:

1. Law enforcement expenditures related to the opioid epidemic.
2. Education of law enforcement or other first responders regarding appropriate practices and precautions when dealing with fentanyl or other drugs.
3. Provision of wellness and support services for first responders and others who experience secondary trauma associated with opioid-related emergency events.

**J. LEADERSHIP, PLANNING AND COORDINATION**

Support efforts to provide leadership, planning, coordination, facilitations, training and technical assistance to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, the following:

1. Statewide, regional, local or community regional planning to identify root causes of addiction and overdose, goals for reducing harms related to the opioid epidemic, and areas and populations with the greatest needs for treatment intervention services, and to support training and technical assistance and other strategies to abate the opioid epidemic described in this opioid abatement strategy list.
2. A dashboard to (a) share reports, recommendations, or plans to spend opioid settlement funds; (b) to show how opioid settlement funds have been spent; (c) to report program or strategy outcomes; or (d) to track, share or visualize key opioid- or health-related indicators and supports as identified through collaborative statewide, regional, local or community processes.
3. Invest in infrastructure or staffing at government or not-for-profit agencies to support collaborative, cross-system coordination with the purpose of preventing overprescribing, opioid misuse, or opioid overdoses, treating those with OUD and any co-occurring SUD/MH conditions, supporting them in treatment or recovery, connecting them to care, or implementing other strategies to abate the opioid epidemic described in this opioid abatement strategy list.

4. Provide resources to staff government oversight and management of opioid abatement programs.
5. Support multidisciplinary collaborative approaches consisting of, but not limited to, public health, public safety, behavioral health, harm reduction, and others at the state, regional, local, nonprofit, and community level to maximize collective impact.

**K. TRAINING**

In addition to the training referred to throughout this document, support training to abate the opioid epidemic through activities, programs, or strategies that may include, but are not limited to, those that:

1. Provide funding for staff training or networking programs and services to improve the capability of government, community, and not-for-profit entities to abate the opioid crisis.
2. Support infrastructure and staffing for collaborative cross-system coordination to prevent opioid misuse, prevent overdoses, and treat those with OUD and any co-occurring SUD/MH conditions, or implement other strategies to abate the opioid epidemic described in this opioid abatement strategy list (*e.g.*, health care, primary care, pharmacies, PDMPs, etc.).

**L. RESEARCH**

Support opioid abatement research that may include, but is not limited to, the following:

1. Monitoring, surveillance, data collection and evaluation of programs and strategies described in this opioid abatement strategy list.
2. Research non-opioid treatment of chronic pain.
3. Research on improved service delivery for modalities such as SBIRT that demonstrate promising but mixed results in populations vulnerable to opioid use disorders.
4. Research on novel harm reduction and prevention efforts such as the provision of fentanyl test strips.
5. Research on innovative supply-side enforcement efforts such as improved detection of mail-based delivery of synthetic opioids.
6. Expanded research on swift/certain/fair models to reduce and deter opioid misuse within criminal justice populations that build upon promising approaches used to address other substances (*e.g.*, Hawaii HOPE and Dakota 24/7).

7. Epidemiological surveillance of OUD-related behaviors in critical populations, including individuals entering the criminal justice system, including, but not limited to approaches modeled on the Arrestee Drug Abuse Monitoring (“ADAM”) system.
8. Qualitative and quantitative research regarding public health risks and harm reduction opportunities within illicit drug markets, including surveys of market participants who sell or distribute illicit opioids.
9. Geospatial analysis of access barriers to MOUD and their association with treatment engagement and treatment outcomes.

**M. POST-MORTEM**

1. Toxicology tests for the range of opioids, including synthetic opioids, seen in overdose deaths as well as newly evolving synthetic opioids infiltrating the drug supply.
2. Toxicology method development and method validation for the range of synthetic opioids observed now and in the future, including the cost of installation, maintenance, repairs and training of capital equipment.
3. Autopsies in cases of overdose deaths resulting from opioids and synthetic opioids.
4. Additional storage space/facilities for bodies directly related to opioid or synthetic opioid related deaths.
5. Comprehensive death investigations for individuals where a death is caused by or suspected to have been caused by an opioid or synthetic opioid overdose, whether intentional or accidental (overdose fatality reviews).
6. Indigent burial for unclaimed remains resulting from overdose deaths.
7. Navigation-to-care services for individuals with opioid use disorder who are encountered by the medical examiner’s office as either family and/or social network members of decedents dying of opioid overdose.
8. Epidemiologic data management and reporting to public health and public safety stakeholders regarding opioid overdose fatalities.

**EXHIBIT B**

**Local Abatement Funds Allocation**

<b>Subdivision</b>	<b>Allocation Percentage</b>
AITKIN COUNTY	0.5760578506020%
Andover city	0.1364919450741%
ANOKA COUNTY	5.0386504680954%
Apple Valley city	0.2990817344560%
BECKER COUNTY	0.6619330684437%
BELTRAMI COUNTY	0.7640787092763%
BENTON COUNTY	0.6440948102319%
BIG STONE COUNTY	0.1194868774775%
Blaine city	0.4249516912759%
Bloomington city	0.4900195550092%
BLUE EARTH COUNTY	0.6635420704652%
Brooklyn Center city	0.1413853902225%
Brooklyn Park city	0.2804136234778%
BROWN COUNTY	0.3325325415732%
Burnsville city	0.5135361296508%
CARLTON COUNTY	0.9839591749060%
CARVER COUNTY	1.1452829659572%
CASS COUNTY	0.8895681513437%
CHIPPEWA COUNTY	0.2092611794436%
CHISAGO COUNTY	0.9950193750117%
CLAY COUNTY	0.9428475281726%
CLEARWATER COUNTY	0.1858592042741%
COOK COUNTY	0.1074594959729%
Coon Rapids city	0.5772642444915%
Cottage Grove city	0.2810994719143%
COTTONWOOD COUNTY	0.1739065270025%
CROW WING COUNTY	1.1394859174804%
DAKOTA COUNTY	4.4207140602835%
DODGE COUNTY	0.2213963257778%
DOUGLAS COUNTY	0.6021779472345%
Duluth city	1.1502115379896%
Eagan city	0.3657951576014%
Eden Prairie city	0.2552171572659%
Edina city	0.1973054822135%
FARIBAULT COUNTY	0.2169409335358%
FILLMORE COUNTY	0.2329591105316%
FREEBORN COUNTY	0.3507169823793%
GOODHUE COUNTY	0.5616542387089%

Subdivision	Allocation Percentage
GRANT COUNTY	0.0764556498477%
HENNEPIN COUNTY	19.0624622261821%
HOUSTON COUNTY	0.3099019273452%
HUBBARD COUNTY	0.4582368775192%
Inver Grove Heights city	0.2193400520297%
ISANTI COUNTY	0.7712992707537%
ITASCA COUNTY	1.1406408131328%
JACKSON COUNTY	0.1408950443531%
KANABEC COUNTY	0.3078966749987%
KANDIYOHI COUNTY	0.1581167542252%
KITSON COUNTY	0.0812834506382%
KOOCHICHING COUNTY	0.2612581865885%
LAC QUI PARLE COUNTY	0.0985665133485%
LAKE COUNTY	0.1827750320696%
LAKE OF THE WOODS COUNTY	0.1123105027592%
Lakeville city	0.2822249627090%
LE SUEUR COUNTY	0.3225703347466%
LINCOLN COUNTY	0.1091919983965%
LYON COUNTY	0.2935118186364%
MAHNOMEN COUNTY	0.1416417687922%
Mankato city	0.3698584320930%
Maple Grove city	0.1814019046900%
Maplewood city	0.1875101678223%
MARSHALL COUNTY	0.1296352091057%
MARTIN COUNTY	0.2543064014046%
MCLEOD COUNTY	0.1247104517575%
MEEKER COUNTY	0.3744031515243%
MILLE LACS COUNTY	0.9301506695846%
Minneapolis city	4.8777618689374%
Minnetonka city	0.1967231070869%
Moorhead city	0.4337377037965%
MORRISON COUNTY	0.7178981419196%
MOWER COUNTY	0.5801769148506%
MURRAY COUNTY	0.1348775389165%
NICOLLET COUNTY	0.1572381052896%
NOBLES COUNTY	0.1562005111775%
NORMAN COUNTY	0.1087596675165%
North St. Paul city	0.0575844069340%
OLMSTED COUNTY	1.9236715094724%
OTTER TAIL COUNTY	0.8336175418789%
PENNINGTON COUNTY	0.3082576394945%
PINE COUNTY	0.5671222706703%

Subdivision	Allocation Percentage
PIPESTONE COUNTY	0.1535154503112%
Plymouth city	0.1762541472591%
POLK COUNTY	0.8654291473909%
POPE COUNTY	0.1870129873102%
Proctor city	0.0214374127881%
RAMSEY COUNTY	7.1081424150498%
RED LAKE COUNTY	0.0532649128178%
REDWOOD COUNTY	0.2809842366614%
RENVILLE COUNTY	0.2706888807449%
RICE COUNTY	0.2674764397830%
Richfield city	0.2534018444052%
Rochester city	0.7363082848763%
ROCK COUNTY	0.2043437335735%
ROSEAU COUNTY	0.2517872793025%
Roseville city	0.1721905548771%
Savage city	0.1883576635033%
SCOTT COUNTY	1.3274301645797%
Shakopee city	0.2879873611373%
SHERBURNE COUNTY	1.2543449471994%
SIBLEY COUNTY	0.2393480708456%
ST LOUIS COUNTY	4.7407767169807%
St. Cloud city	0.7330089009029%
St. Louis Park city	0.1476314588229%
St. Paul city	3.7475206797569%
STEARNS COUNTY	2.4158085321227%
STEELE COUNTY	0.3969975262520%
STEVENS COUNTY	0.1439474275223%
SWIFT COUNTY	0.1344167568499%
TODD COUNTY	0.4180909816781%
TRAVERSE COUNTY	0.0903964133868%
WABASHA COUNTY	0.3103038996965%
WADENA COUNTY	0.2644094336575%
WASECA COUNTY	0.2857912156338%
WASHINGTON COUNTY	3.0852862512586%
WATONWAN COUNTY	0.1475626355615%
WILKIN COUNTY	0.0937962507119%
WINONA COUNTY	0.7755267356126%
Woodbury city	0.4677270171716%
WRIGHT COUNTY	1.6985269385427%
YELLOW MEDICINE COUNTY	0.1742264836427%



Meeting Date: December 20, 2021



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

**To:** Mayor and Councilmembers  
**From:** Dawnette Shimek, Deputy City Clerk  
**Item/Title/Subject:** Approval of the following Business Licenses for 2022

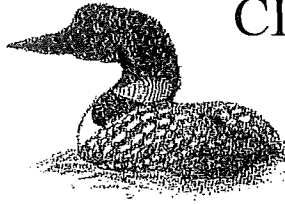
**Discussion:**

The following businesses are recommended for approval and have completed the application process to obtain business licenses in the City of Ham Lake:

**Hotel/Motel:** Oasis Live, LLC dba Americinn Lodge & Suites  
K. E. Ham Lake Apartments dba Ham Lake Apartments

**Recommendation:**

I recommend approval of the above listed Business Licenses for 2022.



# CITY OF HAM LAKE

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

## CITY OF HAM LAKE PLANNING COMMISSION AGENDA MONDAY, DECEMBER 13, 2021

**CALL TO ORDER:** 6:00 p.m.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:** October 11, 2021

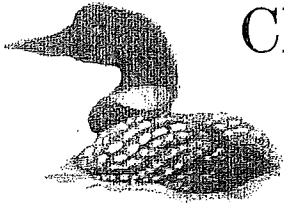
**PUBLIC HEARINGS:**

**6:01 p.m.** Jeff Entsminger, Entsminger Enterprises LLC, requesting Preliminary and Final Plat Approval, and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010).

**NEW BUSINESS:** None

**COMMISSION BUSINESS:**

1. City Council Update



# CITY OF HAM LAKE

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

## CITY OF HAM LAKE PLANNING COMMISSION MINUTES MONDAY, DECEMBER 13, 2021

The Ham Lake Planning Commission met for its regular meeting on Monday, December 13, 2021 in the Council Chambers at Ham Lake City Hall located at 15544 Central Avenue NE in Ham Lake, Minnesota.

**MEMBERS PRESENT:** Commissioners Brian Pogalz, Dave Ringler, Scott Heaton, Erin Dixson and Jeff Entsminger

**MEMBERS ABSENT:** Commissioners Kyle Lejonvarn and Jonathan Fisher

**OTHERS PRESENT:** Assistant City Engineer, Dave Krugler and Building and Zoning Clerk, Jennifer Bohr

**CALL TO ORDER:** Commissioner Pogalz called the meeting to order at 6:00 p.m.

**PLEDGE OF ALLEGIANCE:**

The pledge of allegiance was recited by all in attendance.

**APPROVAL OF MINUTES:**

**Motion by Ringler, seconded by Dixson, to approve the minutes of the October 11, 2021 Planning Commission meeting as written. All present in favor, motion carried.**

Commissioner Entsminger removed himself from the table due to his ownership interest in the Entsminger Farms plat.

**PUBLIC HEARING:**

Jeff Entsminger, Entsminger Enterprises LLC, requesting Preliminary and Final Plat Approval, and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010)

Jeff Entsminger, from Entsminger Enterprises, LLC was present. Mr. Entsminger stated he is purchasing Lot 1 as shown on the plat and the Buchholz family will maintain ownership of Lot 2 as shown on the plat. Mr. Entsminger stated he owns the adjoining property to the east of Lot 1.

Chair Pogalz asked Engineer Krugler to comment on the plat. Engineer Krugler stated this is a minor plat in which preliminary and final approval is being sought. Engineer Krugler stated the City received notification on December 6, 2021 that parcels 29-32-23-32-0004 and 29-32-23-32-0009 were combined to create parcel 29-32-23-32-0010.

Engineer Krugler stated parkland dedication and a twenty-foot bike trail easement south of Andover Boulevard NE will be required. Engineer Krugler stated the plat shows a roadway easement that connects Lincoln Street NE at 143rd Avenue NE to Pierce Street NE at Andover Boulevard NE matching the Municipal State Aid (MSA) street alignment, per the 2006 MSA designation; the developer will not be required to construct the street. Engineer Krugler stated the existing driveway for 1163 143<sup>rd</sup> Avenue NE encroaches into the proposed side yard drainage and utility easement; additional field verification is going to be performed to determine what portion of the driveway needs to be relocated. Engineer Krugler stated the soil boring report confirms there is adequate area for a primary and secondary septic system on Lot 1 and for a secondary septic system on Lot 2; the current septic system on Lot 2 was found to be non-compliant and must be repaired or replaced within 24 months of October 18, 2021 per Section 11-450.7.B of the Ham Lake City Code. Engineer Krugler stated easements required include a 10-foot drainage and utility easement around the perimeter of both Lots 1 and 2, a 200-foot easement positioned on the centerline of Coon Creek County Ditch #59 and a 100-foot easement positioned on the center line of branch 2 of County Ditch #57. Engineer Krugler stated Andover Boulevard NE right-of-way dedication is shown on the plat to meet the 60-foot minimum and right of access. Engineer Krugler stated Coon Creek Watershed District approval is not needed for the Minor Subdivision but will be required prior to construction of any structures within proposed Lot 1; a Natural Heritage Information System data review by the DNR will also be required prior to any building construction. Commissioner Heaton asked what impact the plat and proposed road would have on the driveways. Engineer Krugler stated the plat will dedicate an easement for a roadway but at the current time there are no plans to construct a road; there are no MSA funds available for the road construction and the road has not been included in the Capital Improvement Plan for construction within the next five years. There was discussion about requiring the septic system to be updated within two years. Building and Zoning Clerk Bohr stated City Code requires a compliance inspection for existing septic systems when land is subdivided; though Lot 2 will remain with the Buchholz family it is part of the plat and repairing or replacing the system prior to the issuance of a building permit for Lot 1 is a condition of plat approval. Mr. Entsminger stated the current resident may only reside at the property for a few more years and it seemed impractical to spend thousands of dollars to replace the system. Chair Pogalz stated when future use of the land is determined, there may be other options that could be discussed with the Building Official to address the non-compliant septic. Commissioner Ringler completed the inspection, a copy which is on file. Commissioner Ringler stated the property is open land that appeared buildable; he stated he wasn't able to see much of the property due to existing homes on the property.

**Chair Pogalz opened the public hearing at 6:14 p.m. and asked for public comment.**

Travis Walby, 1117 142<sup>nd</sup> Avenue NE, asked if Lot 1 would be divided into two lots, would development be south of the creek and how many structures would be built on Lot 1. Chair Pogalz stated Lot 1 is a single lot and future use is to be determined; Lot 2 will be maintained by the current owner.

The Commissioners reviewed comments submitted via email.

Douglas Beal, 1130 Andover Boulevard NE, stated he is against any road being constructed unless it goes through to 143<sup>rd</sup> Avenue NE. Chair Pogalz stated no road is being constructed at this point. Chair Pogalz asked Mr. Entsminger if turn lanes will be constructed for this plat. Mr. Entsminger stated turn lanes are currently not part of the plan as he is just requesting approval for the plat. Mr. Entsminger stated there is limited high ground on Lot 1; if he did anything in the near future, he would adjoin Lot 1 to his existing lot to the east.

Randy Johnson and Peggy Peck, 1112 Andover Boulevard NE, stated access to their driveway and garages would be needed 100% of the time during construction of the street. Mr. Johnson and Ms. Peck asked if they would be compensated for the crushed rock recently put down on their driveway, would there be a walking and/or bike path constructed instead of having a path along the road, would there be a separate entrance into the neighborhood other than what is identified on the plat which is their current driveway. Mr. Johnson and Ms. Peck stated they would like a walkway or crossing bridge over the creek and a border of trees between the proposed Lot 1 and existing residential homes to the north of the plat. Chair Pogalz stated Mr. Johnson and Ms. Peck's comments and concerns would be addressed in the future if/when construction is proposed on the parcels and per the Proposed Municipal Bike Trail System document, Anoka County may construct a bike trail south of Andover Boulevard NE in the future.

**Commissioner Pogalz closed the public hearing at 6:20 p.m.**

**Motion by Ringler, seconded by Dixon, to recommend Preliminary and Final Plat Approval, and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010) based on discussions and what has been written.** Commissioner Heaton asked if all requirements noted in the City Engineer's memo were to be included in the motion. **Commissioner Ringler amended the motion, seconded by Dixon, to recommend approval of the Preliminary and Final Plat and rezoning of portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential), of a 2 lot Minor Plat located in Section 29 (PID# 29-32-23-23-0010) contingent on a quit claim deed being recorded with Anoka County for the MSA roadway easement, the existing 1163 143<sup>rd</sup> Avenue NE driveway encroachments being relocated to outside of the drainage and utility easement and the existing septic system on Lot 2 being brought into compliance by October 18, 2023 (no building permits are to be issued, or rezoning approved, until the contingencies are completed), to recommend accepting monies in lieu of parkland for two lots in Section 29 with credit being given for land dedicated for the 20-foot bike trail easement south of Andover Boulevard NE, meeting the requirements of the City Engineer and meeting all City, State and County requirements. Commissioners Pogalz, Ringler, Heaton and Dixon voted yes, Commissioner Entsminger abstained. Motion carried. *This application will be placed on the City Council's Monday, December 20, 2021 agenda.***

**NEW BUSINESS:** None

**COMMISSION BUSINESS:**

City Council Update

Commissioner Entsminger stated the City Council concurred with the Planning Commission's recommendation to allow Richland Refrigerated Solutions to expand their truck parking area. Commissioner Entsminger stated the City Council discussed the type of surface that should be outdoors for employees and agreed that it should be a paved surface. Commissioner Ringler will be attending the December 20, 2021 City Council meeting.

**ADJOURNMENT:**

**Motion by Heaton, seconded by Dixon, to adjourn the Planning Commission meeting at 6:26 p.m. All present in favor, motion carried.**

---

Jennifer Bohr  
Building and Zoning Clerk



# CITY OF HAM LAKE

## PLANNING REQUEST

15544 Central Avenue NE

Ham Lake, MN 55304

Phone (763) 434-9555 Fax (763) 235-1697

Date of Application 7-21-2021

Date of Receipt \_\_\_\_\_

Receipt # \_\_\_\_\_

### Meeting Appearance Dates:

Planning Commission 12-13-21

City Council 12-20-2021

### Please check request(s):

Metes & Bounds Conveyance

Commercial Building Permit

Sketch Plan

Certificate of Occupancy

Preliminary Plat Approval\*

Home Occupation Permit

Final Plat Approval

Conditional Use Permit (New)\*

Rezoning\*

Conditional Use Permit (Renewal)

Multiple Dog License\*

Other \_\_\_\_\_

*\*NOTE: Advisory Signage is required for land use alterations and future road connections. This application also requires a Public Hearing. Such fees shall be deducted from deposit.*

Development/Business Name: Entsminger Farms

Address/Location of property: Andover Blvd.

Legal Description of property: See Survey

PIN # 29-32-23-23-0010 Current Zoning RA + R-1 Proposed Zoning R-A CD-2

Notes: Combined 29-32-23-23-0006 + 29-32-23-32-0002 + then

Applicant's Name: Jeff Entsminger Combined 29-32-23-23-0009 + 29-32-23-32-0004

Business Name: Entsminger Enterprises LLC.

Address 14916 Central Ave Ne

City Ham Lake State MN Zip Code 55304

Phone 612-669-4004 Cell Phone \_\_\_\_\_ Fax \_\_\_\_\_

Email address jeff@allseasonservices.com

*You are advised that the 60-day review period required by Minnesota Statutes Chapter 15.99 does not begin to run until all of the required items have been received by the City of Ham Lake.*

SIGNATURE [Signature] DATE 7-21-2021

\*\*\*\*\*

- FOR STAFF USE ONLY -

ACTION BY: Planning Commission 12-13-21  
City Council \_\_\_\_\_

PROPERTY TAXES CURRENT YES NO

**ORDINANCE NO. 21-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-A (Rural Single Family Residential) (Entsminger Farms).

**PARCEL 1:**

The Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section Twenty-nine (29), Township Thirty-two (32), Range Twenty-three (23).

except the East 165 feet of the West Half (W 1/2) of said Quarter, lying Southerly of County Road No. 16,

also except the North 300 feet of the West 135 feet of the East 300 feet of said Quarter, Quarter,

also except that part described as follows:

Beginning at a point of the North line of said Quarter, Quarter, 376.88 feet West of the Northeast corner thereof; thence East along said North line 76.88 feet; thence South parallel with the East line of said Quarter, Quarter, 300 feet; thence West parallel with said North line 184.85 feet; thence Northeasterly on a line to the point of beginning (said line a/k/a Line "A"),

also except that part described as follows:

Commencing at a point on said North line 376.88 feet West of said Northeast corner; thence West along said North line to point of intersection with a line running Northeasterly and Southwesterly parallel with the 66 feet measured at right angles to said Line "A"; thence continuing West along said North line 617.31 feet; thence South and parallel with said East line 313 feet; thence East parallel with said North line to the intersection of a line drawn parallel with said East line and 550.85 feet West of said East line as measured along a line parallel with said North line; thence North along said parallel line to the intersection of a line drawn parallel with the 66 feet Northwesterly as measured at right angles from said Line "A"; thence Northeasterly along said line to point of beginning;

also excepting therefrom that part of said SW 1/4 of NW 1/4 described as follows:

Beginning at a point on the South line of said SW 1/4 of NW 1/4 300 feet East of the Southwest corner thereof; thence South parallel with the West line of the NW 1/4 of SW 1/4 of said Section to the South line of said NW 1/4 of SW 1/4; thence East along said South line 310 feet; thence North parallel with said West line to a point 100 feet North of said South line of said SW 1/4 of NW 1/4; thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning.



Subject to roads and easements of record, if any.

AND

That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), all in Section Twenty-nine (29), Township Thirty-two (32), Range Twenty-three (23), Anoka County, Minnesota, described as follows:

Beginning at a point on the North line of said NW 1/4 of SW 1/4, 300 feet East of the Northwest corner thereof; thence South parallel with the West line of said NW 1/4 of SW 1/4 and to the South line thereof; thence East along said South line 310 feet; thence North parallel with said West line to a point 100 feet North of the North line of said NW 1/4 of SW 1/4; thence West parallel with said North line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning and there to terminate.

Subject to roads and easements of record, if any.

**PARCEL 2:**

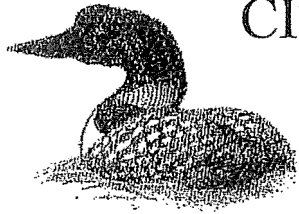
That part of the Northwest Quarter of the Southwest Quarter of Section 29, Township 32, Range 23, Anoka County, Minnesota, lying easterly of the following described line:

Commencing at a point on the North line of said Northwest Quarter of the Southwest Quarter, 300 feet east of the Northwest corner thereof; thence south and parallel with the West line of said Northwest Quarter of the Southwest Quarter to the South line of said Northwest Quarter of the Southwest Quarter; thence East along said South line a distance of 310 feet to the point of beginning; thence North and parallel with said West line to said North line, and said line there terminating.

**Presented to the Ham Lake City Council on December 20, 2021 and adopted by a unanimous vote this \_\_\_\_ day of \_\_\_\_\_, 2022.**

\_\_\_\_\_  
**Michael G. Van Kirk, 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 CITY OF HAM LAKE COUNTY OF ANOKA STATE OF MINNESOTA

TAKE NOTICE, that pursuant to the requirements of Minnesota Law, a public hearing shall be held before the Ham Lake Planning Commission on Monday, December 13, 2021 at 6:01 p.m. at the City Hall located at 15544 Central Avenue NE for the purpose of considering the application of Jeff Entsminger, Entsminger Enterprises, LLC, requesting preliminary plat approval of Entsminger Farms and rezoning portions of Entsminger Farms from R-1 (Residential Single Family) to R-A (Rural Single Family Residential) located in Section 29, a parcel of certain land situated in the City of Ham Lake, Anoka County, Minnesota and which is described as follows to wit:

### **PARCEL 1:**

The Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section Twenty-nine (29), Township Thirty-two (32), Range Twenty-three (23).

except the East 165 feet of the West Half (W 1/2) of said Quarter, lying Southerly of County Road No. 16,

also except the North 300 feet of the West 135 feet of the East 300 feet of said Quarter, Quarter,

also except that part described as follows:

Beginning at a point of the North line of said Quarter, Quarter, 376.88 feet West of the Northeast corner thereof; thence East along said North line 76.88 feet; thence South parallel with the East line of said Quarter, Quarter, 300 feet; thence West parallel with said North line 184.85 feet; thence Northeasterly on a line to the point of beginning (said line a/k/a Line "A"),

also except that part described as follows:

Commencing at a point on said North line 376.88 feet West of said Northeast corner; thence West along said North line to point of intersection with a line running Northeasterly

and Southwesterly parallel with the 66 feet measured at right angles to said Line "A"; thence continuing West along said North line 617.31 feet; thence South and parallel with said East line 313 feet; thence East parallel with said North line to the intersection of a line drawn parallel with said East line and 550.85 feet West of said East line as measured along a line parallel with said North line; thence North along said parallel line to the intersection of a line drawn parallel with the 66 feet Northwesterly as measured at right angles from said Line "A"; thence Northeasterly along said line to point of beginning;

also excepting therefrom that part of said SW 1/4 of NW 1/4 described as follows:

Beginning at a point on the South line of said SW 1/4 of NW 1/4 300 feet East of the Southwest corner thereof; thence South parallel with the West line of the NW 1/4 of SW 1/4 of said Section to the South line of said NW 1/4 of SW 1/4; thence East along said South line 310 feet; thence North parallel with said West line to a point 100 feet North of said South line of said SW 1/4 of NW 1/4; thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning.

Subject to roads and easements of record, if any.

AND

That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), all in Section Twenty-nine (29), Township Thirty-two (32), Range Twenty-three (23), Anoka County, Minnesota, described as follows:

Beginning at a point on the North line of said NW 1/4 of SW 1/4, 300 feet East of the Northwest corner thereof; thence South parallel with the West line of said NW 1/4 of SW 1/4 and to the South line thereof; thence East along said South line 310 feet; thence North parallel with said West line to a point 100 feet North of the North line of said NW 1/4 of SW 1/4; thence West parallel with said North line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning and there to terminate.

Subject to roads and easements of record, if any.

**PARCEL 2:**

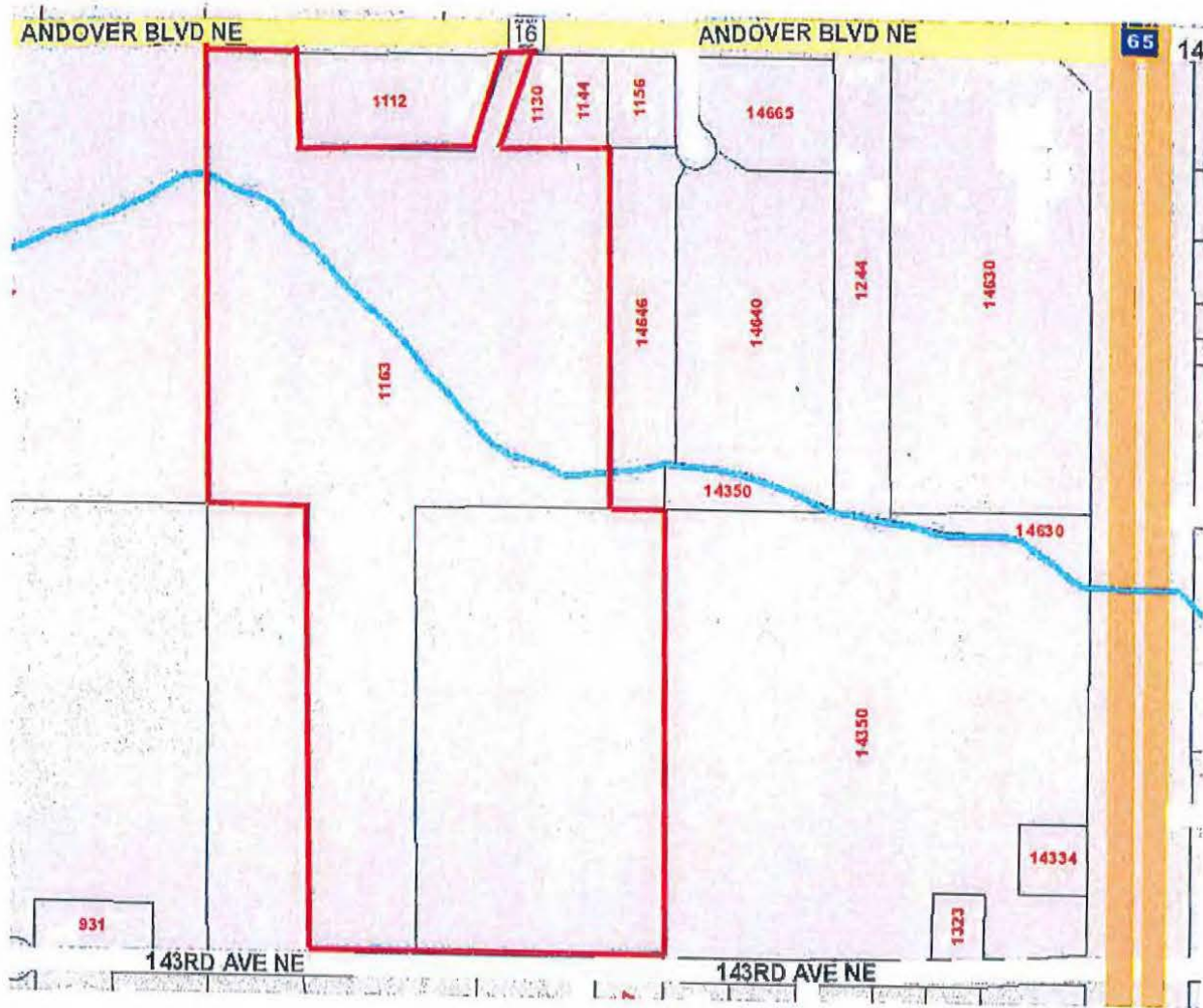
That part of the Northwest Quarter of the Southwest Quarter of Section 29, Township 32, Range 23, Anoka County, Minnesota, lying easterly of the following described line:

Commencing at a point on the North line of said Northwest Quarter of the Southwest Quarter, 300 feet east of the Northwest corner thereof; thence south and parallel with the West line of said Northwest Quarter of the Southwest Quarter to the South line of said Northwest Quarter of the Southwest Quarter; thence East along said South line a distance of 310 feet to the point of beginning; thence North and parallel with said West line to said North line, and said line there terminating.

At such hearing both written and oral comments will be heard.

DATED: December 3, 2021

Jennifer Bohr  
Building & Zoning Clerk  
City of Ham Lake



Entsminger Farms



## Jennifer Bohr

---

**From:** Peggy Beck  
**Sent:** Tuesday, December 7, 2021 7:32 PM  
**To:** Jennifer Bohr  
**Subject:** New plats in Ham Lake

Hello Jennifer,

Per our conversation here are some items we would like you to mention at the next meeting.

We currently live at 1112 Andover Blvd Ham Lake. Please see the following:

1. We will need to have access to our driveway and garages 100% of the time while any road work is being done.
2. Will there be compensation for the \$3000 in crushed rock I recently put down to improve my driveway?
3. Ham Lake currently does not have walking or bike paths other than at Lions park. We would like to see a walking/bike path for the neighborhood to enjoy and be safe instead of having to walk and bike on the road.
4. We are hoping there will be a separate entrance to the neighborhood other than our current driveway, which would end up being a road.
5. Would like to see a walkway or crossing bridge over the creek.
6. We have been looking at a farm field since we moved in not expecting land would be sold for business or homes. It would be nice if this development would have plenty of trees and possibly a border of trees separating the new neighborhood from the old.

Thank you,  
Randy Johnson and Peggy Beck

## Jennifer Bohr

---

**From:** D B -  
**Sent:** Sunday, December 12, 2021 9:30 PM  
**To:** Jennifer Bohr  
**Subject:** 12/13/21 Planning Commission Meeting Comment

Message for Planning Commission:

I live at 1130 Andover Blvd. NE, Ham Lake, MN and we're against any road being built unless it goes all the way to 143rd.

Also, that any road design include low-cut curb for our soon to be planned garage on the south side of our property.

Thanks,

Douglas Beal  
1130 Andover Blvd. NE  
Ham Lake, MN

## Memorandum

Date: December 9, 2021  
To: Planning Commissioners  
From: Tom Collins, City Engineer *TPC*  
Subject: Entsminger Farms

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### **Introduction:**

The Preliminary and Final Plat for Entsminger Farms subdivides the 60.66-acre parcel 29-32-23-32-0010 (formerly 29-32-23-32-0004 and -0009) into two lots, with a common lot line at the centerline of County Ditch #59 (Coon Creek). Per the Preliminary Plat the proposed lot area of Lot 1 and Lot 2 are 16.96 acres and 43.70 acres respectively. The existing house and accessory buildings (1163 143<sup>rd</sup> Avenue) are located on the proposed Lot 2. The current zoning is both Rural Single Family Residential (R-A) and Single Family Residential (R-1), per the attached 800-scale zoning map. The proposed zoning is R-A. 400-scale half-section maps and a 400-scale aerial photo are also attached.

**Discussion:** The proposed subdivision falls under the Minor Plat portion of City Code Section 10-101. The City received notification on December 6<sup>th</sup> from Anoka County Property Records & Taxation that parcels 29-32-23-32-0004 and -0009 were combined to create parcel -0010. Parkland dedication will be required for the both Lot 1 and Lot 2.

The Preliminary Plat and the Sketch and Description exhibit show the roadway easement that is to be dedicated to the City with a quit claim deed. The legal description will be forwarded to the City Attorney for preparation of the quit claim deeds after Council approval of the Minor Subdivision. The roadway easement matches the Municipal State Aid street alignment, per the 2006 MSA designation, that connects Lincoln Street at 143<sup>rd</sup> Avenue to Pierce Street at Andover Boulevard. The MSA street is not required to be constructed by the Developer. A 600-scale aerial photo is attached with the MSA alignment.

The existing 1163 143<sup>rd</sup> Avenue driveway encroaches into the proposed 10-foot side yard drainage and utility easement, which is not allowed. Per the note on the Preliminary Plat, additional field verification is going to be performed to determine the extent of encroachment and what portion needs to be relocated to outside the drainage and utility easement.

The Soil Boring Test Report confirms that there is adequate area for a primary and secondary septic system for Lot 1, and for a secondary septic system for Lot 2. An additional soil boring will be required to determine the low floor elevation prior to consideration of issuing a future building permit for Lot 1. 11-450.4c of City Code requires that a septic compliance inspection be performed when a parcel with an existing septic system is subdivided. The attached compliance inspection found that the existing 1163 143<sup>rd</sup> Avenue septic system is non-compliant. The system will need to be repaired or replaced within 24 months of the 10/18/21 inspection report date, per section 11-450.7.B of City Code.

In addition to the required 10-foot drainage and utility easements around the perimeter of both Lot 1 and Lot 2, the Plat includes the dedication of a 200-foot easement positioned on the centerline of Coon Creek (County Ditch #59) and a 100-foot easement positioned on the centerline of branch 2 of County Ditch #57. Easement dedication is not required for the Minor Plat for the wetlands, which are shown per a combination of a recent delineation and aerial mapping.

The October 12<sup>th</sup> Anoka County Transportation Division review, and the November 30<sup>th</sup> email response are attached. The additional Andover Boulevard right-of-way dedication is shown on the Final Plat to meet the 60-foot minimum and the right of access over the westerly 270.60 feet is dedicated to Anoka County.

Coon Creek Watershed District (CCWD) approval is not needed for the Minor Subdivision. CCWD approval will be required prior to any building construction within proposed Lot 1, due to the proximity of the County Ditch, the existence of wetlands and the presence of the floodplain adjacent to the County Ditch. The CCWD has confirmed that the proposed building area adjacent to the proposed Lot 1 soil borings is not located within floodplain. A Natural Heritage Information System data review by the DNR will also be required to determine whether any state-protected species may be located within the proposed Lot 1. There are FEMA Zone A limits adjacent to the County Ditch, per the attached 400 scale Flood Zone map. A FEMA Letter of Map Amendment will not be required.

**Recommendations:**

It is recommended that the Preliminary Plat and Final Plat for Entsminger Farms be recommended for approval, contingent on the quit claim deed being recorded with Anoka County for the MSA roadway easement, the existing 1163 143<sup>rd</sup> Avenue driveway encroachments being relocated to outside of the drainage and utility easement and the existing septic system being brought into compliance by October 18, 2023. No building permits will be issued or rezoning public hearings scheduled until the contingencies are completed.



# PRELIMINARY PLAT

~for~ ENTSMINGER ENTERPRISES  
~of~ ENTSMINGER FARMS

## BENCHMARK

NAD83 (1116) 0285 N  
GSD STATION: 8563  
ELEVATION: 680.293 (HANDS)

## EXISTING LEGAL DESCRIPTION

**PARCEL 1:**  
The Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section Twenty-nine (29), Township Twenty-two (22), Range Twenty-three (23), except the East 165 feet of the West line (W 1/2) of said Quarter, lying boundary of County Road No. 18,  
also except the North 200 feet of the West 135 feet of the East 300 feet of said Quarter, Quarter,  
also except that part described as follows:  
Beginning at a point on the North line of said Quarter, Quarter, 276.88 feet West of the Northwest corner thereof; thence East along said North line to the intersection with a line running Northwesterly and Southeasterly parallel with the 66 feet measured at right angles to said line "A" (thence continuing West along said North line 613.31 feet; thence South and parallel with said East line 313 feet; thence East parallel with said North line to the intersection of a line drawn parallel with said East line and 553.85 feet West of said East line as measured along a line parallel with said North line; thence North along said parallel line to the intersection of a line drawn parallel with the 66 feet Northwesterly as measured at right angles to said line "A"; thence Northwesterly along said line to point of beginning.  
Also accepting therefrom that part of said NW 1/4 of NW 1/4 described as follows:  
Beginning at a point on the South line of said SW 1/4 of NW 1/4 300 feet East of the Northwest corner thereof; thence South parallel with the West line of the NW 1/4 of SW 1/4 of said Section to the South line of said NW 1/4 of SW 1/4; thence East along the South line 316 feet; thence North parallel with said West line to a point 195 feet North of said South line of said SW 1/4 of NW 1/4; thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning.  
Subject to roads and easements of record, if any.

**AND**  
That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4 of NW 1/4), all in Section Twenty-nine (29), Township Twenty-two (22), Range Twenty-three (23), Anoka County, Minnesota, described as follows:  
Beginning at a point on the North line of said NW 1/4 of SW 1/4, 300 feet East of the Northwest corner thereof; thence South parallel with the West line of said NW 1/4 of SW 1/4 and to the South line thereof; thence East along said South line 310 feet; thence North parallel with said West line to a point 300 feet North of the North line of said NW 1/4 of SW 1/4; thence West parallel with said North line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning and there to terminate.  
Subject to roads and easements of record, if any.

**PARCEL 2:**  
That part of the Northwest Quarter of the Southwest Quarter of Section 29, Township 22, Range 23, Anoka County, Minnesota, lying easterly of the following described line:  
Commencing at a point on the North line of said Northwest Quarter of the Southwest Quarter, 300 feet east of the Northwest corner thereof; thence South and parallel with the West line of said Northwest Quarter of the Southwest Quarter to the South line of said Northwest Quarter of the Southwest Quarter; thence East along said North line a distance of 310 feet to the point of beginning; thence North and parallel with said North line to a North line, and said line there terminating.

**EXISTING ZONING INFORMATION**

- PRDID PID: 21-32-23-32-0009
- ZONING: R-1 Single Family Residential
- AND
- ZONING: R-A Rural Single Family Residential
- PRDID PID: 21-32-23-32-0004
- ZONING: R-3 Single Family Residential

**PROPOSED ZONING INFORMATION**

- LOT 1:
- ZONING: R-A Rural Single Family Residential
- LOT 2:
- ZONING: R-A Rural Single Family Residential

## NOTES

- This survey was completed by E.G. Rud and Sons, Inc. on 06/07/21.
- Bearings shown are on Anoka County datum.
- Existing contours are shown per LIDAR mapping as provided by MDEK.
- Proposed right-of-way alignment is shown per design by APC Engineering.
- Wet lands were partially delineated by Jacobson Environmental.
- Proposed parcel ID: 21-32-23-32-0010.
- This survey was prepared with the benefit of information furnished by the landowner, and the accuracy of the same is not guaranteed by the Surveyor, E.G. Rud and Sons, Inc., as an Agent for First American Title Insurance Company, Licensing Agent File No. T21-00004, dated effective July 16, 2021, at 8:00 A.M.

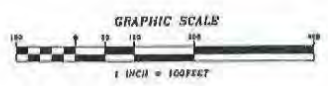
## LEGEND

- DENOTES IRON PEGGMENT FOUND AS LABELED
- DENOTES IRON PEGGMENT SET, MARKED AS 4158
- DENOTES SOIL BORING. (BY MARK TRADEVELL)
- DENOTES WELL
- DENOTES EXISTING CONTOURS
- DENOTES ADJACENT PARCEL OWNER INFORMATION (SEE ANOKA COUNTY TAX INFORMATION)
- DENOTES WET LAND PER DELINEATION BY JACOBSON ENVIRONMENTAL
- DENOTES WET LAND AERIAL MAPPING (NOT DELINEATED)
- DENOTES RIGHT OF ACCESS DEICATED TO THE COUNTY OF ANOKA

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

**E.G. RUD**  
Date: 12/9/2021 License No. 41378

DATE	BY	JOB NO.	DATE	REVISION
12/9/21	ER	2102101	12/9/21	FIELD DATA BY LOT
12/9/21	ER	2102101	12/9/21	REVISION: REVISION
12/9/21	ER	2102101	12/9/21	REVISION: RIGHT OF WAY
12/9/21	ER	2102101	12/9/21	REVISION: COMMENTS
12/9/21	ER	2102101	12/9/21	REVISION: COMMENTS
12/9/21	ER	2102101	12/9/21	REVISION: CHECKLIST



NORTH

**E.G. RUD & SONS, INC.**  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-8200 Fax (651) 361-8701

PRELIMINARY COPY

LAST SAID BY CHEASTY ON TUESDAY, NOVEMBER 23, 2021, AT 3:10 PM CST  
LOCATED: S:\MAGAC\OFFPROJ\025252\F  
FILENAME: 211158P - FULL PLAT.DWG  
PLOTNO: 211158

# ENTSMINGER FARMS

CITY OF HAM LAKE  
COUNTY OF ANOKA  
SEC. 29, T32N, R23W

KNOW ALL PERSONS BY THESE PRESENTS: That Ronald A. Buchholz, as trustee of the Ronald A. Buchholz and Deanna M. Buchholz Living Trust, dated October 15, 2009 (as to an undivided 1/25th interest); Paul W. Buchholz as trustee of the Buchholz Family Trust dated October 4, 2010 (as to an undivided 1/25th interest); the Estate of Marvin J. Buchholz (as to an undivided 1/25th interest); Charlotte Frances, a single person (as to an undivided 1/25th interest); and Judith Ann Flint, a single person (as to an undivided 1/25th interest), for owners of the following described property:

The Southwest Quarter of the Northwest Quarter of Section 29, Township 32, Range 23.

EXCEPT the East 165 feet of the West Half of said Quarter, lying Southwesterly of County Road No. 16.

ALSO EXCEPT the North 300 feet of the West 135 feet of the East 300 feet of said Quarter-Quarter.

ALSO EXCEPT that part described as follows:

Beginning at a point on the North line of said Quarter, Quarter, 376.88 feet West of the Northwest corner thereof; thence East along said North line 75.28 feet thence South parallel with the East line of said Quarter, Quarter, 300 feet; thence West parallel with said North line 184.85 feet; thence Northeasterly on a line to the point of beginning (said line also known as Line "A");

ALSO EXCEPT that part described as follows:

Commencing at a point on said North line 376.88 feet West of said Northeast corner; thence West along said North line to the point of intersection with a line running Northeasterly and Southwesterly parallel with and 66 feet measured at right angles to said Line "A"; thence continuing West along said North line 627.31 feet; thence South and parallel with said East line 313 feet; thence East parallel with said North line to the intersection of a line drawn parallel with said East line and 550.85 feet West of said East line as measured along a line parallel with said North line; thence North along said parallel line to the intersection of a line drawn parallel with and 66 feet Northwesterly as measured at right angles from said Line "A"; thence Northeasterly along said line to point of beginning.

ALSO EXCEPTING therefrom that part of said Southwest Quarter of the Northwest Quarter described as follows:

Beginning at a point on the South line of said Southwest Quarter of the Northwest Quarter 300 feet East of the Southwest corner thereof; thence South parallel with the West line of the Northwest Quarter of the Southwest Quarter of said Section to the South line of said Southwest Quarter of said Southwest Quarter; thence East along said South line 310 feet; thence North parallel with said West line to a point 130 feet North of said South line of said Southwest Quarter of Northwest Quarter; thence West parallel with said South line to a point 300 feet East of the West line of the West Half of the Northwest Quarter of said Section; thence South to the point of beginning.

AND

That part of the Southwest Quarter of the Northwest Quarter and of the Northwest Quarter of the Southwest Quarter, all in Section 29, Township 32, Range 23, Anoka County, Minnesota, described as follows:

Beginning at a point on the North line of said Northwest Quarter of the Southwest Quarter, 300 feet East of the Northwest corner thereof; thence South parallel with the West line of said Northwest Quarter of the Southwest Quarter and to the South line thereof; thence East along said South line 330 feet; thence North parallel with said West line to a point 100 feet North of the North line of said Northwest Quarter of the Southwest Quarter; thence West parallel with said North line to a point 300 feet East of the West line of the West Half of the Northwest Quarter of said Section; thence South to the point of beginning and there to terminate.

AND

That part of the Northwest Quarter of the Southwest Quarter of Section 29, Township 32, Range 23, Anoka County, Minnesota, lying easterly of the following described line:

Commencing at a point on the North line of said Northwest Quarter of the Southwest Quarter, 300 feet east of the Northwest corner thereof; thence south and parallel with the West line of said Northwest Quarter of the Southwest Quarter to the South line of said Northwest Quarter of the Southwest Quarter; thence East along said South line a distance of 210 feet to the point of beginning; thence North and parallel with said West line to said North line, and said line there terminating.

Have caused the same to be surveyed and plotted as ENTSMINGER FARMS and do hereby dedicate to the public for public use the public ways and the drainage and utility easements as shown on this plat. Also dedicating to the County of Anoka the right of access onto County Road 16 as shown on this plat.

In witness whereof said Ronald A. Buchholz, as trustee of the Ronald A. Buchholz and Deanna M. Buchholz Living Trust, dated October 15, 2009, has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Ronald A. Buchholz, trustee of the Ronald A. Buchholz and Deanna M. Buchholz Living Trust, dated October 15, 2009.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Ronald A. Buchholz, as trustee of the Ronald A. Buchholz and Deanna M. Buchholz Living Trust, dated October 15, 2009.

\_\_\_\_\_  
(Signature)  
\_\_\_\_\_  
(Print Name)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

In witness whereof said Paul W. Buchholz, as trustee of the Buchholz Family Trust, dated October 4, 2010, has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Paul W. Buchholz, as trustee of the Buchholz Family Trust, dated October 4, 2010.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Paul W. Buchholz, as trustee of the Buchholz Family Trust, dated October 4, 2010.

\_\_\_\_\_  
(Signature)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

In witness whereof said Paul W. Buchholz, as Personal Representative of the Estate of Marvin J. Buchholz, has hereunto set his hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Paul W. Buchholz, as Personal Representative of the Estate of Marvin J. Buchholz.

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Paul W. Buchholz, as Personal Representative of the Estate of Marvin J. Buchholz.

\_\_\_\_\_  
(Signature)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

In witness whereof said Charlotte Frances, a single person, has hereunto set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Charlotte Frances

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Charlotte Frances.

\_\_\_\_\_  
(Signature)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

In witness whereof said Judith Ann Flint, a single person, has hereunto set her hand this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Judith Ann Flint

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Judith Ann Flint.

\_\_\_\_\_  
(Signature)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

I, Jason E. Rud do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wetlands, as defined in Minnesota Statutes, Section 260.03, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Jason E. Rud, Licensed Land Surveyor  
Minnesota License No. 41578

STATE OF MINNESOTA  
COUNTY OF \_\_\_\_\_

This instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by Jason E. Rud.

\_\_\_\_\_  
(Signature)

Notary Public, \_\_\_\_\_ County, Minnesota  
My Commission Expires \_\_\_\_\_

CITY COUNCIL, CITY OF HAM LAKE, MINNESOTA

This plat of ENTSMINGER FARMS was approved and accepted by the City Council of the City of Ham Lake, Minnesota at a regular meeting thereof held this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.63, Subd. 2.

City Council, City of Ham Lake, Minnesota

By \_\_\_\_\_ Mayor

By \_\_\_\_\_ Clerk

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

David M. Ziegler  
Anoka County Surveyor

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20\_\_\_\_ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Property Tax Administrator

By \_\_\_\_\_ Deputy

COUNTY RECORDER/REGISTRAR OF TITLES  
COUNTY OF ANOKA, STATE OF MINNESOTA

I hereby certify that this plat of ENTSMINGER FARMS was filed in the office of the County Recorder/Registrar of Titles for public record on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., and was duly recorded as Document Number \_\_\_\_\_.

County Recorder/Registrar of Titles

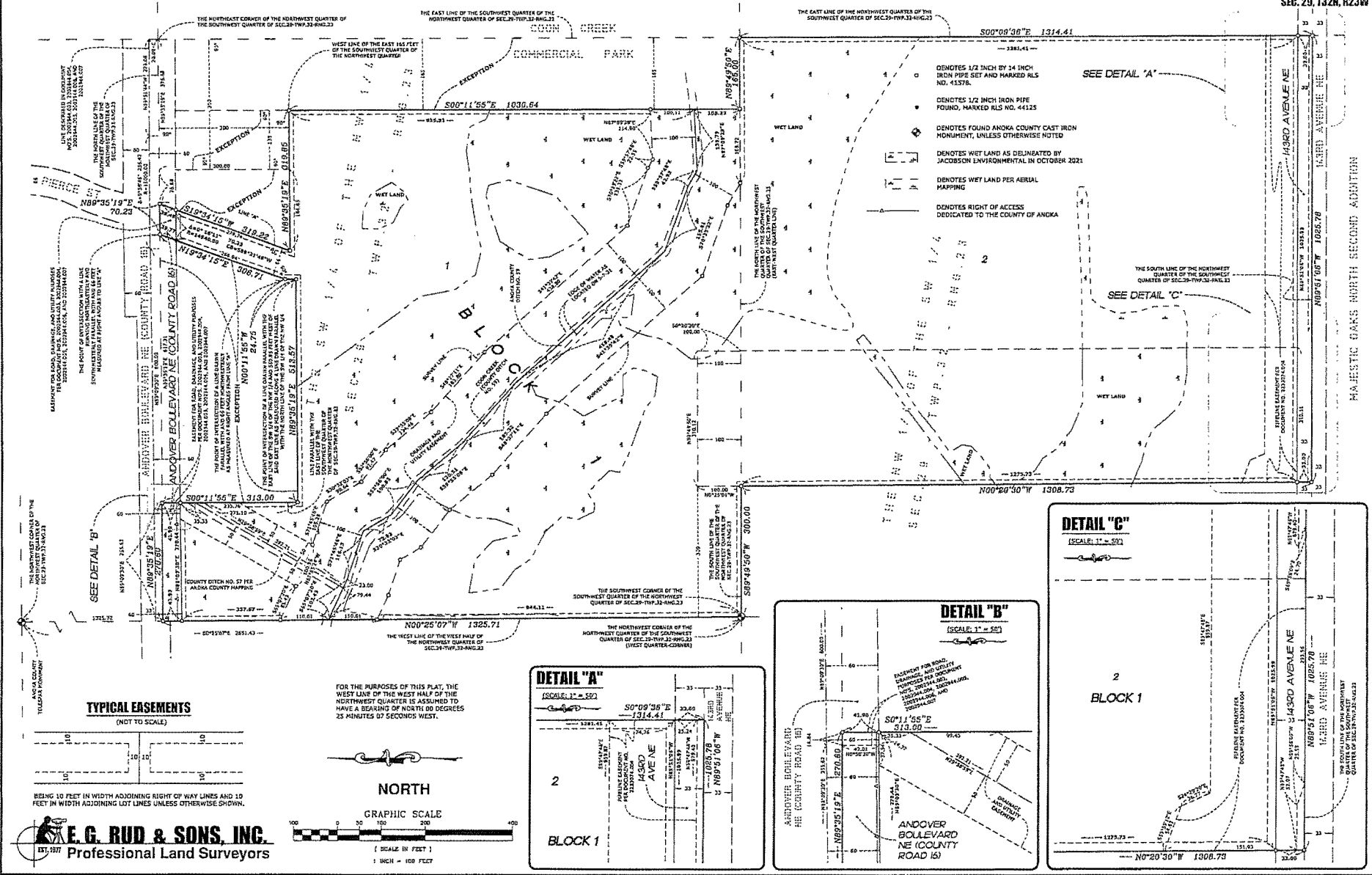
By \_\_\_\_\_ Deputy



# ENTSMINGER FARMS

CITY OF HAM LAKE  
COUNTY OF ANOKA  
SEC. 29, T32N, R23W

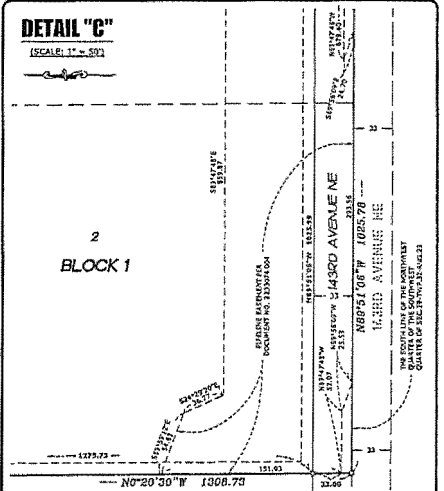
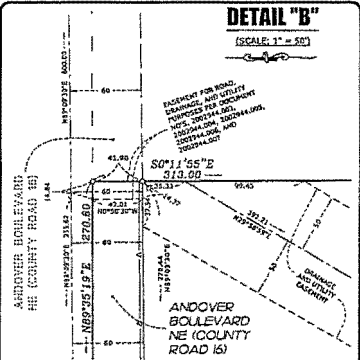
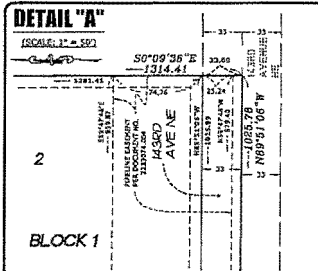
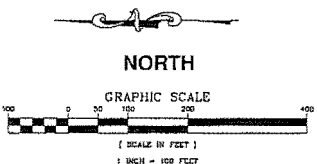
**PRELIMINARY COPY**  
DATE: 08/21/2024 10:05 AM  
PROJECT: 24-00000000-0000000000  
FILE: 24-00000000-0000000000



**TYPICAL EASEMENTS**  
(NOT TO SCALE)

BEING 10 FEET IN WIDTH ADJOINING RIGHT OF WAY LINES AND 20 FEET IN WIDTH ADJOINING LOT LINES UNLESS OTHERWISE SHOWN.

**E. G. RUD & SONS, INC.**  
Professional Land Surveyors  
EST. 1917



# SKETCH AND DESCRIPTION ~for~ ENTSMINGER ENTERPRISES ~of~ ENTSMINGER FARMS

## EXISTING LEGAL DESCRIPTION

**PARCEL 1:**  
 The Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section Twenty-nine (29), Township Three (3), Range Twenty (20) East 15, except the East 165 feet of the West 1450 feet (W 1/2) of said Quarter, being hereof by Survey Book 74, 14.  
 also except the North 200 feet of the West 233 feet of the East 300 feet of said Quarter, Quarter;  
 also except that part described as follows:  
 Beginning at a point on the North line of said Quarter, Quarter, 378.86 feet West of the southeast corner thereof; thence East along said North line 70.88 feet; thence South parallel with the East line of said Quarter, Quarter, 300 feet; thence West parallel with said North line 318.55 feet; thence Northwesterly on a line to the point of beginning (said line being 150' 10" 1/2);  
 also except that part described as follows:  
 Commencing at a point on said North line 378.86 feet West of said Northeast corner; thence East North 80 degrees 15 minutes 30 seconds East with a line running Northwesterly and Southwesterly parallel with the 66 feet measured at right angles to said line 14'; thence curving West along said North line 617.31 feet; thence South parallel with said East line 312 feet; thence East parallel with said North line to the intersection of a line drawn parallel with said East line to the intersection of a line drawn parallel with the 66 feet Northwesterly as measured at right angles from said line 14'; thence Northwesterly along said line to point of beginning;  
 also except therefrom that part of said SW 1/4 of NW 1/4 of Section 29, Township Three (3), Range Twenty (20) East 15, as follows:  
 Beginning at a point on the South line of said SW 1/4 of NW 1/4 of Section 29, Township Three (3), Range Twenty (20) East 15, 100 feet East of the Northwest corner thereof; thence South parallel with the West line of the NW 1/4 of NW 1/4 and to the South line thereof; thence East along said North line 310 feet; thence North parallel with said West line to a point 100 feet North of said South line of said SW 1/4 of NW 1/4; thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning and there it terminates.  
 Subject to roads and easements of record, if any.

**PARCEL 2:**  
 That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4), all in Section Twenty-nine (29), Township Three (3), Range Twenty (20) East 15, Anoka County, Minnesota, described as follows:  
 Beginning at a point on the North line of said SW 1/4 of NW 1/4, 100 feet East of the Northwest corner thereof; thence South parallel with the West line of the NW 1/4 of NW 1/4 and to the South line thereof; thence East along said North line 310 feet; thence North parallel with said West line to a point 100 feet North of said South line of said SW 1/4 of NW 1/4; thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning and there it terminates.  
 Subject to roads and easements of record, if any.

**PARCEL 3:**  
 That part of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) and of the Southwest Quarter of the Southwest Quarter (SW 1/4 of SW 1/4), all in Section Twenty-nine (29), Township Three (3), Range Twenty (20) East 15, Anoka County, Minnesota, described as follows:  
 Commencing at a point on the North line of said Northwest Quarter of the Southwest Quarter, 300 feet East of the Northwest corner thereof; thence South parallel with the West line of the NW 1/4 of SW 1/4 and to the South line thereof; thence East along said North line 310 feet; thence North parallel with said West line to a point 100 feet North of said South line of said SW 1/4 of SW 1/4; thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section; thence South to the point of beginning and there it terminates.  
 Subject to roads and easements of record, if any.

## ROADWAY EASEMENT

A 66 foot wide parallel easement for public roadway purposes, over and across Lots 1 and 2, Block 2, ENTSMINGER FARMS, Anoka County, Minnesota. The calculation of said easement is described as follows:  
 Commencing at the southeast corner of said Lot 2, Block 2, ENTSMINGER FARMS; thence North 08 degrees 09 minutes 35 seconds West, an assumed bearing along the East line of said Lot 2, Block 2, a distance of 583.80 feet to the point of beginning of the easement to be described; thence North 65 degrees 34 minutes 21 seconds West, a distance of 238.78 feet; thence Northwesterly a distance of 356.11 feet along a tangential curve concave to the northeast, said curve having a radius of 312.00 feet and a central angle of 85 degrees 23 minutes 43 seconds; thence North 00 degrees 10 minutes 38 seconds West, a distance of 318.74 feet; thence North 01 degrees 03 minutes 45 seconds West, a distance of 528.09 feet; thence Northwesterly a distance of 109.33 feet along a tangential curve concave to the southwest, said curve having a radius of 312.00 feet and a central angle of 31 degrees 05 minutes 44 seconds; thence North 32 degrees 09 minutes 29 seconds West, a distance of 81.76 feet; thence Northwesterly a distance of 281.99 feet along a tangential curve concave to the east, said curve having a radius of 312.00 feet and a central angle of 51 degrees 43 minutes 44 seconds; thence North 19 degrees 34 minutes 15 seconds East, a distance of 277.67 feet to the North line of said Lot 1 and said line there terminating.  
 The side lines of said easement are prolonged or shortened to terminate on the North line of said Lot 1 and the East line of said Lot 2.

## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 07/07/21.
- Bearings shown are an Anoka County datum.
- Existing contours are shown per LIDAR mapping as provided by METRO.
- Proposed right-of-way alignment is shown per design by H2C Engineering.
- Wet lands were partially delineated by Jacobson Environmental. This survey was prepared on the behalf of EEntsminger. Compensation for title insurance prepared by Registered Abstractors, Inc., as issuing agent for First American Title Insurance Company, 1400 14th Ave SW, PO Box 771, Grand Rapids, Michigan 49506-0771, 2021 at 9:00 A.M.

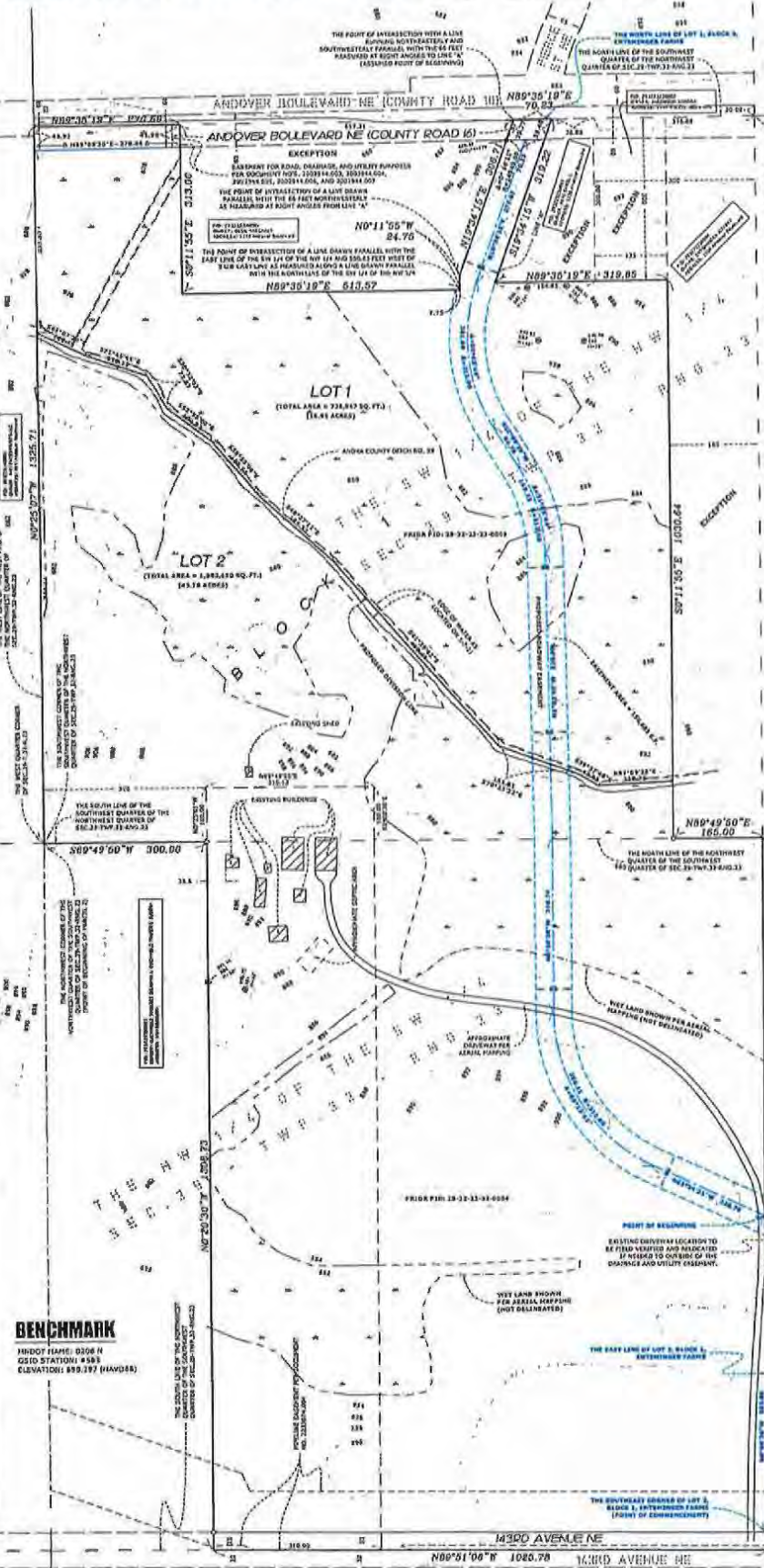
## LEGEND

- IDENTIFIES IRON MONUMENT FOUND AS LABELED
- IDENTIFIES IRON MONUMENT NOT LABELED
- IDENTIFIES SOIL BORING (BY HARR TRADEVEL)
- IDENTIFIES WELL
- IDENTIFIES EXISTING CONTOURS
- IDENTIFIES ADJACENT PARCEL, OWNER INFORMATION (PER ANOKA COUNTY TAX RECORDS)
- IDENTIFIES WET LAND PER DELINEATION BY JACOBSON ENVIRONMENTAL
- IDENTIFIES WET LAND AERIAL MAPPING (NOT DELINEATED)
- IDENTIFIES RIGHT OF ACCESS DEDICATED TO THE COUNTY OF ANOKA

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

**E. G. RUD & SONS, INC.**  
 Date: 12/08/2021 License No. 41578

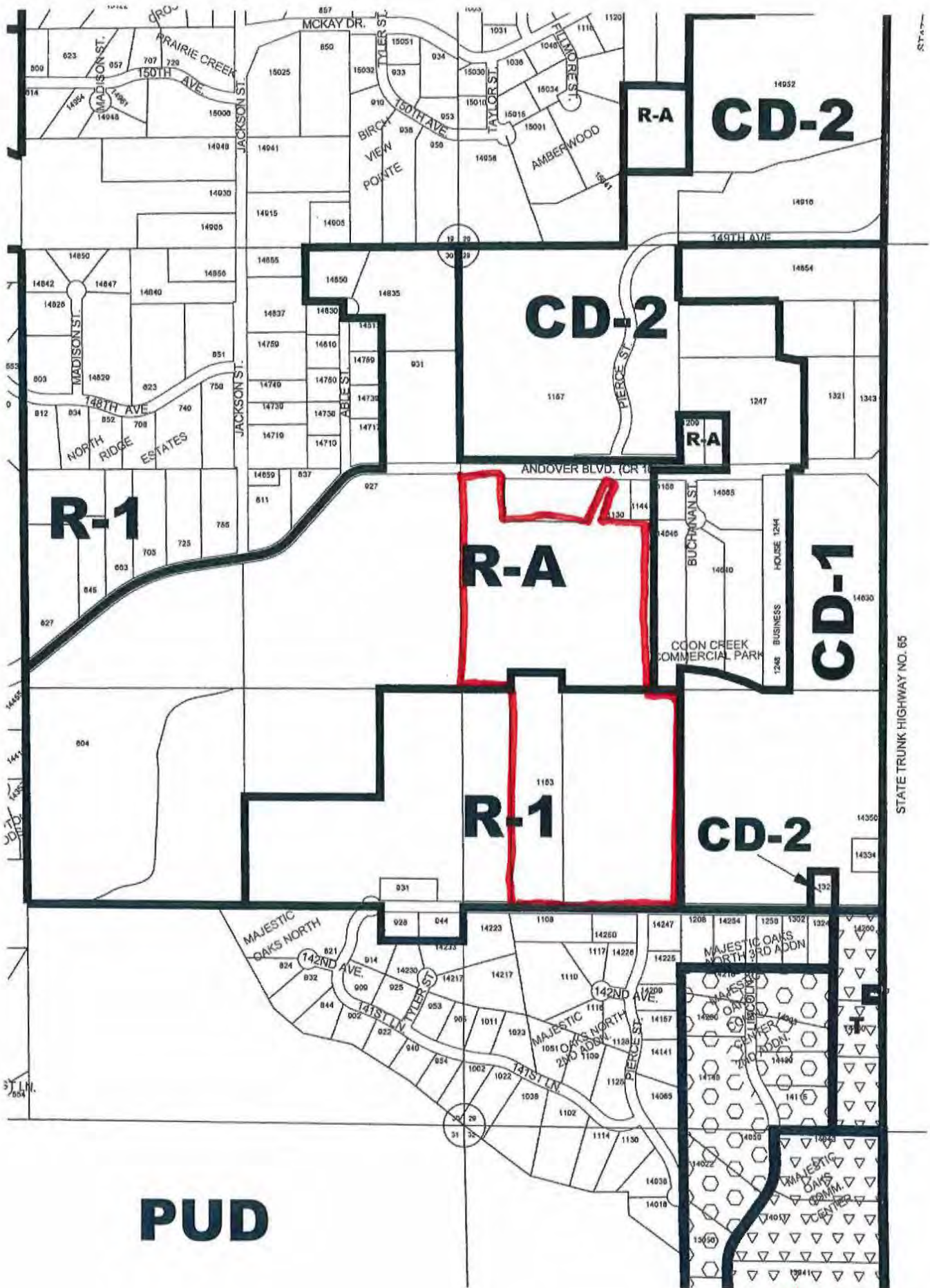
DATE	BY	FOR	PROJECT
12/08/2021	EGR	ENTSMINGER FARMS	1210529PP



**E. G. RUD & SONS, INC.**  
 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-0200 Fax (651) 361-8701



**NORTH**



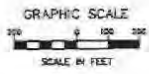
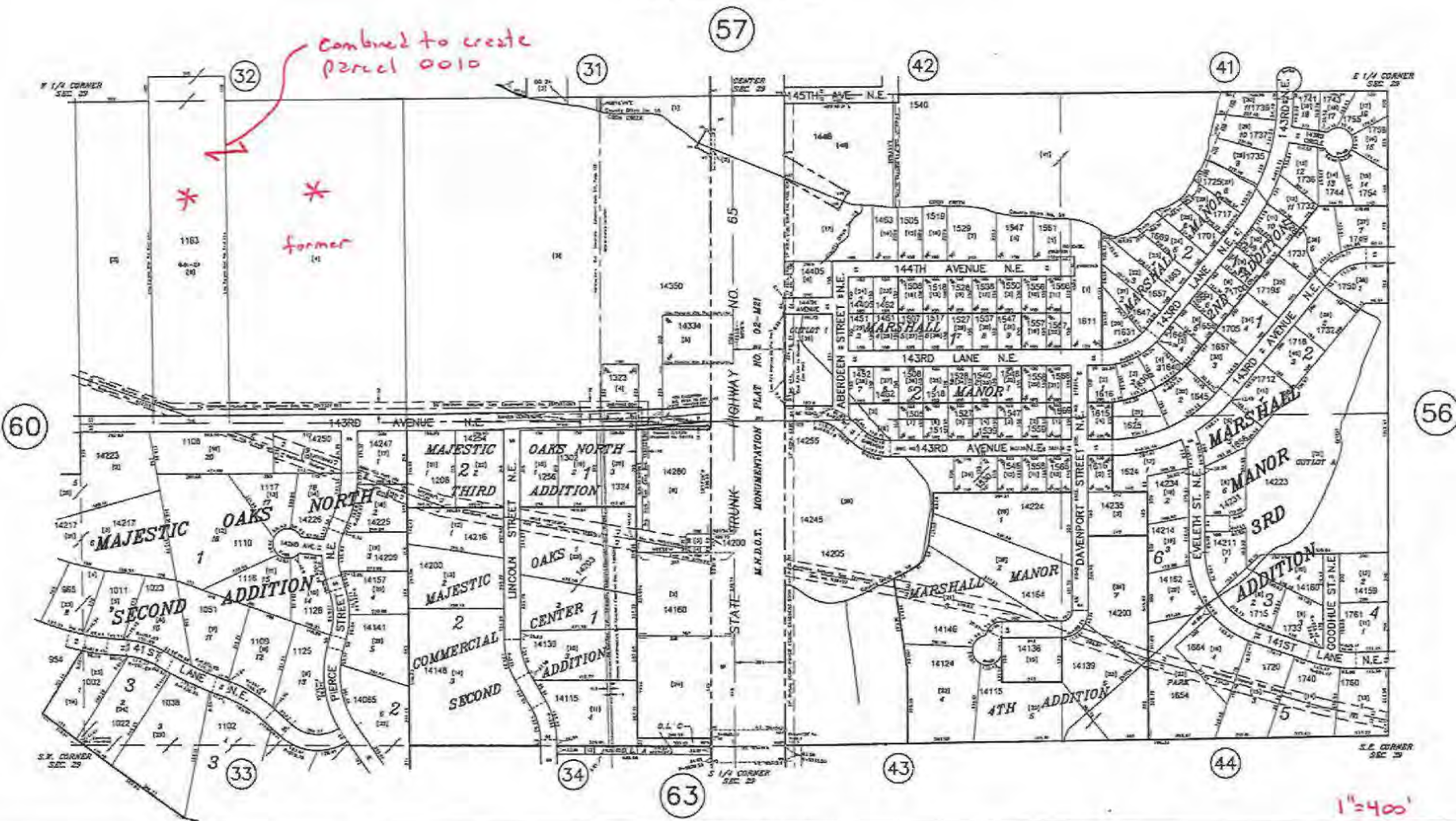
STATE TRUNK HIGHWAY NO. 65

**PUD**

1" = 800'

# S 1/2 SECTION 29, T. 32, R. 23

CITY OF HAM LAKE



ANOKA COUNTY  
SURVEYOR'S OFFICE  
ROOM 224  
3100 3RD AVENUE  
ANOKA, MN 55303  
(763) 324-3200

QUARTER QUARTER INDEX

22	21	12	11
33	24	13	14
32	31	42	41
31	34	43	44

NORTH HALF OF SECTION

SOUTH HALF OF SECTION

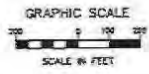
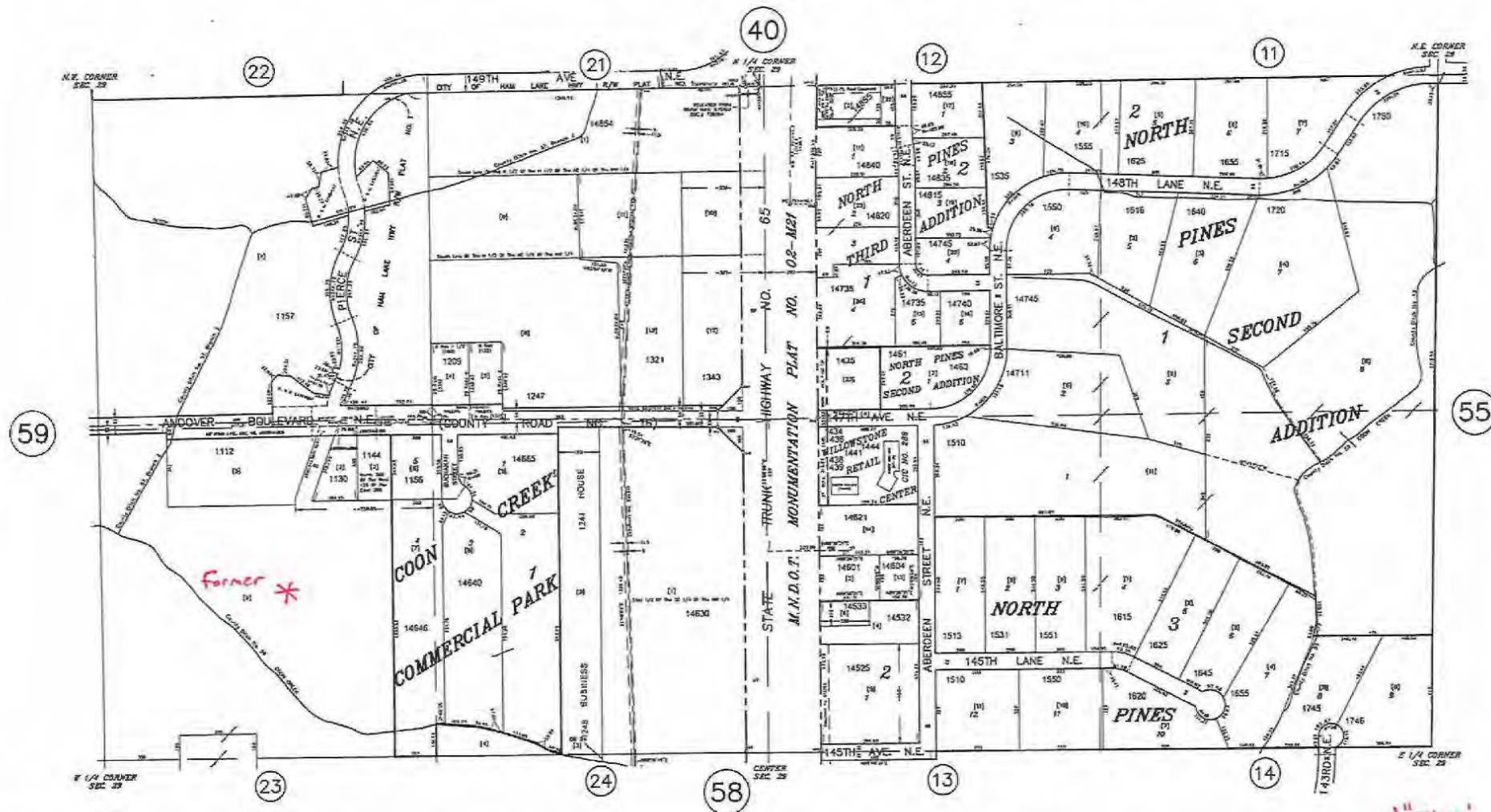
PROPERTY IDENTIFICATION NUMBER

Section Township Range Owner Specific  
Number Number Number Owner Parcel  
XX XX XX XX XXXX  
SPECIFIC PARCEL NUMBERS ARE IN BRACKETS: (1)  
EXAMPLE OF PIN NUMBER: 29-22-23-43-002

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

# N 1/2 SECTION 29, T. 32, R. 23

CITY OF HAM LAKE



ANOKA COUNTY  
SURVEYOR'S OFFICE  
ROOM 224  
2100 3RD AVENUE  
ANOKA, MN 55303  
(763) 324-3200

QUARTER QUARTER INDEX

23	21	12	11
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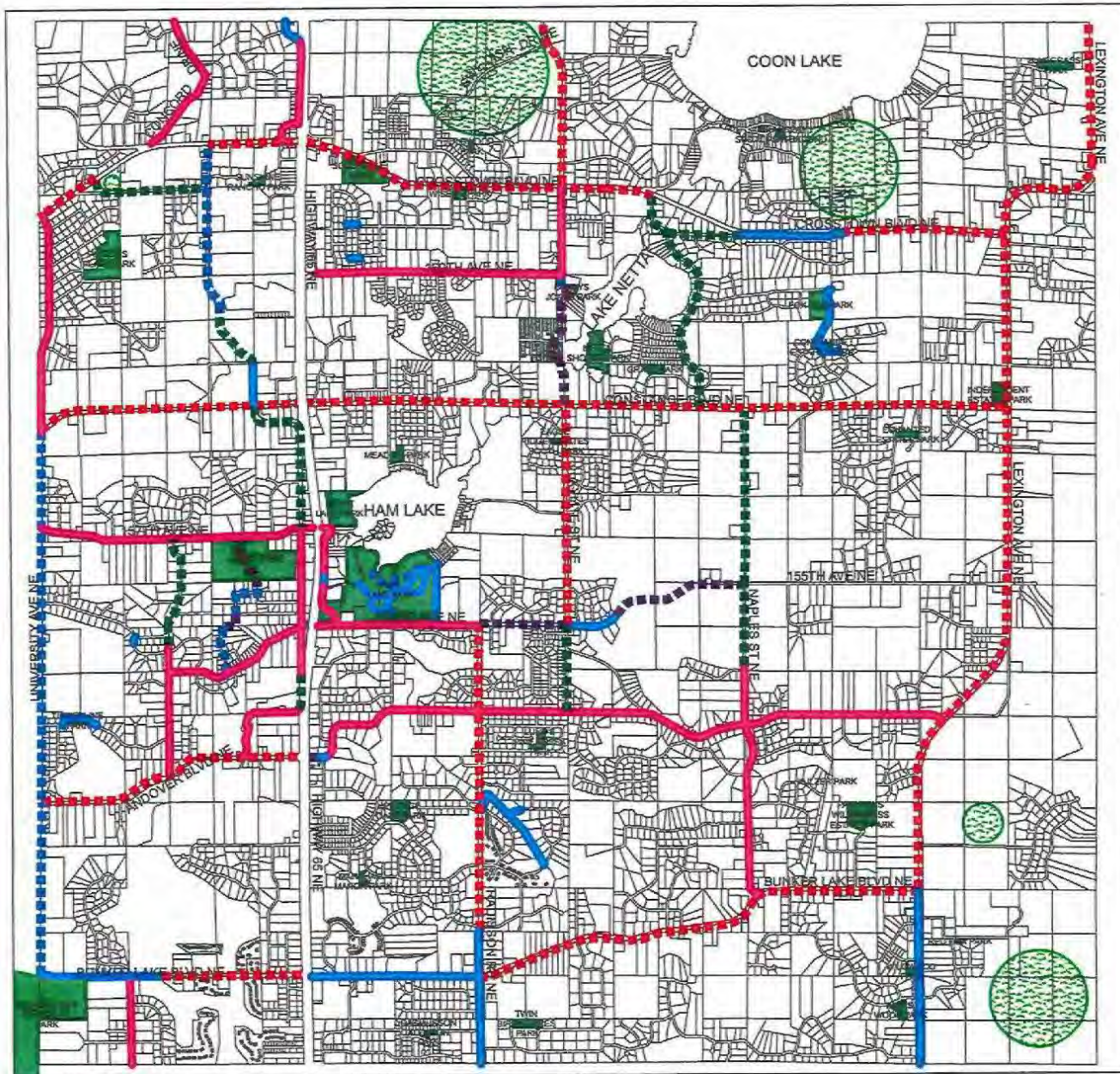

NORTH HALF OF SECTION  
SOUTH HALF OF SECTION

PROPERTY IDENTIFICATION NUMBER

Section	Township	Range	Quarter	Specific
Number	Number	Number	Quarter	Block
XX	XX	XX	XX	XXXX

SPECIFIC PARCEL NUMBERS ARE ON BRACKETS: [1]  
EXAMPLE OF PIN NUMBER: 29-22-23-13-0611

THIS IS A COMPILATION OF RECORDS AS THEY APPEAR IN THE ANOKA COUNTY OFFICES AFFECTING THE AREA SHOWN. THIS DRAWING IS TO BE USED ONLY FOR REFERENCE PURPOSES, AND THE COUNTY IS NOT RESPONSIBLE FOR ANY INACCURACIES HEREIN CONTAINED.

**HAM LAKE,  
MINNESOTA**

**PROPOSED MUNICIPAL  
BIKE TRAIL SYSTEM**

- LEGEND**
- Existing Bike Lane
  - Existing Bike Path
  - - - Proposed County Bike Path
  - - - Proposed Bike Lane/Path
  - - - Proposed Bike Lane
  - - - Proposed Bike Path
  -  Potential Future Park
  -  Existing Park



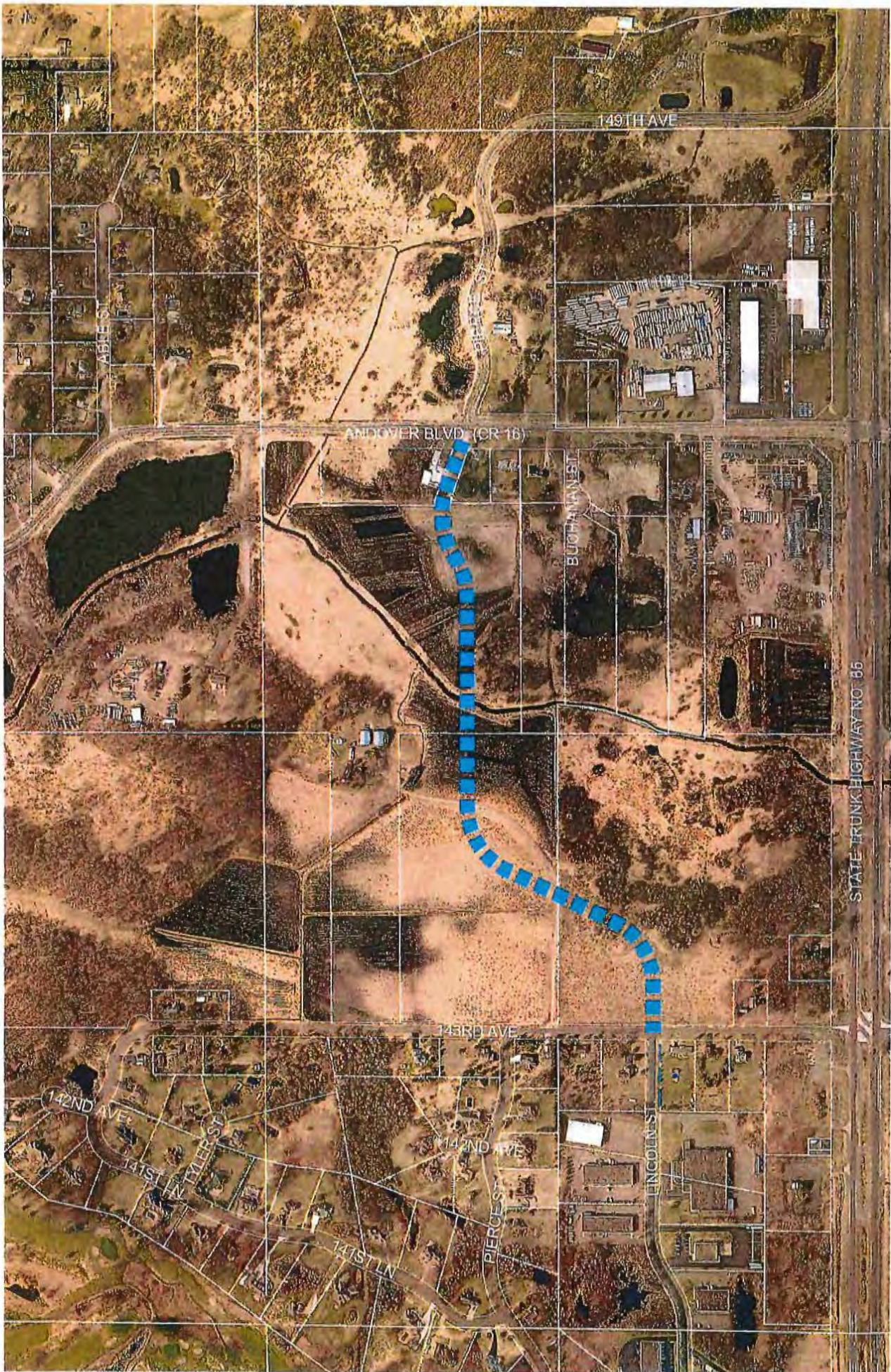
MAP DATE: 11/18/2021







1" = 400'



MSA Alignment

1"=600'

**Tradewell Soil Testing  
18330 Dahlia Street NW  
Cedar, MN 55011**

Date: May 5<sup>th</sup>, 2021

Name: Jeff Entsminger

Address: XXXX Andover Blvd. NE, Ham Lake, MN

**SOIL BORING TEST REPORT**

<b>Boring #1</b>	<b>Boring #2</b>	<b>Boring #3</b>	<b>Boring #4</b>
0"- 12" Topsoil Loamy Fine Sand 10YR 3/3	0"- 12" Topsoil Loamy Fine Sand 10YR 3/3	0"- 10" Topsoil Loamy Fine Sand 10YR 3/3	0"- 10" Topsoil Loamy Fine Sand 10YR 3/3
12"- 24" Fine Sand 10YR 4/6	12"- 28" Fine Sand 10YR 4/6	10"- 28" Fine Sand 10YR 4/4 5/4	10"- 30" Fine Sand 10YR 4/4 5/4
24"- 38" Fine Sand (Mottled Gray & Orange)	28"- 46" Fine Sand 10YR 5/4 5/3 (Mottled)	28"- 48" Fine Sand 10YR 6/4 6/3	30"- 48" Medium Fine Sand 10YR 6/4
			48"- 54" Fine Sandy Loam 7.5YR 3/4
Mottles @ 24" Dry Hole	Mottles @ 26" Dry Hole	Mottles @ 38" Dry Hole	Mottles @ 40" Dry Hole

Soil Borings for 7,500 square foot area for proposed septic areas per City of Ham Lake ordinance.



Mark Tradewell  
MPCA #307

**Tradewell Soil Testing  
18330 Dahlia Street NW  
Cedar, MN 55011**

Date: May 5<sup>th</sup>, 2021

Name: Jeff Entsminger

Address: Existing farmstead off 143<sup>rd</sup> Avenue NE, Ham Lake, MN

**SOIL BORING TEST REPORT**

<b>Boring #1</b>	<b>Boring #2</b>		
0"- 8" Topsoil Loamy Fine Sand 10YR 3/2	0"- 8" Topsoil Loamy Fine Sand 10YR 3/2		
8"- 24" Fine Sand 10YR 3/4 4/4	8"- 30" Fine Sand 10YR 3/4 4/4		
24"- 54" Fine Sand 10YR 5/4 5/3	30"- 60" Medium Fine Sand 10YR 5/4		
Mottles @ 42" Dry Hole	Mottles @ 50" Dry Hole		

Soil Borings for proposed Alternate Septic site on existing parcel.



Mark Tradewell  
MPCA #307

# CERTIFICATE OF SURVEY ~for~ ENTSMINGER ENTERPRISES

## EXISTING LEGAL DESCRIPTION

The Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) of Section Twenty-nine (29), Township Thirty-two (32), Range Twenty-three (23),

except the East 165 feet of the West 100 feet (W 1/2) of said Quarter, being Southwesterly of County Road No. 16,

also except the South 300 feet of the West 135 feet of the East 300 feet of said Quarter, Quarter,

also except that part described as follows:

Beginning at a point of the North line of said Quarter, Quarter, 376.88 feet West of the Northeast corner thereof thence East along said North line 76.88 feet thence South parallel with the East line of said Quarter, Quarter, 300 feet thence West parallel with said North line 184.85 feet thence Northwesterly on a line to the point of beginning (all five of a line "A"),

also except that part described as follows:

Commencing at a point on said North line 376.88 feet West of said Northwest corner thence West along said North line to point of intersection with a line running North (110°) and Southwesterly parallel with the 66 feet measured at right angles to said line "A", thence continuing West along said North line 617.31 feet thence South and parallel with said East line 313 feet thence East parallel with said North line to the intersection of a line drawn parallel with said East line and 500.85 feet West of said East line as measured along a line parallel with said North line thence North along said parallel line to the intersection of a line drawn parallel with the 66 feet Northwesterly as measured at right angles from said line "A" thence Northwesterly along said line to point of beginning;

also except therefrom that part of said SW 1/4 of NW 1/4 described as follows:

Beginning at a point on the South line of said SW 1/4 of NW 1/4 200 feet East of the Southwest corner thereof thence South parallel with the West line of the NW 1/4 of SW 1/4 of said Section to the South line of said SW 1/4 of NW 1/4 of SW 1/4 thence East along said South line 310 feet thence North parallel with said West line to a point 100 feet North of said South line of said SW 1/4 of NW 1/4 of SW 1/4 thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section thence South to the point of beginning.

Subject to rights and easements of record, if any.

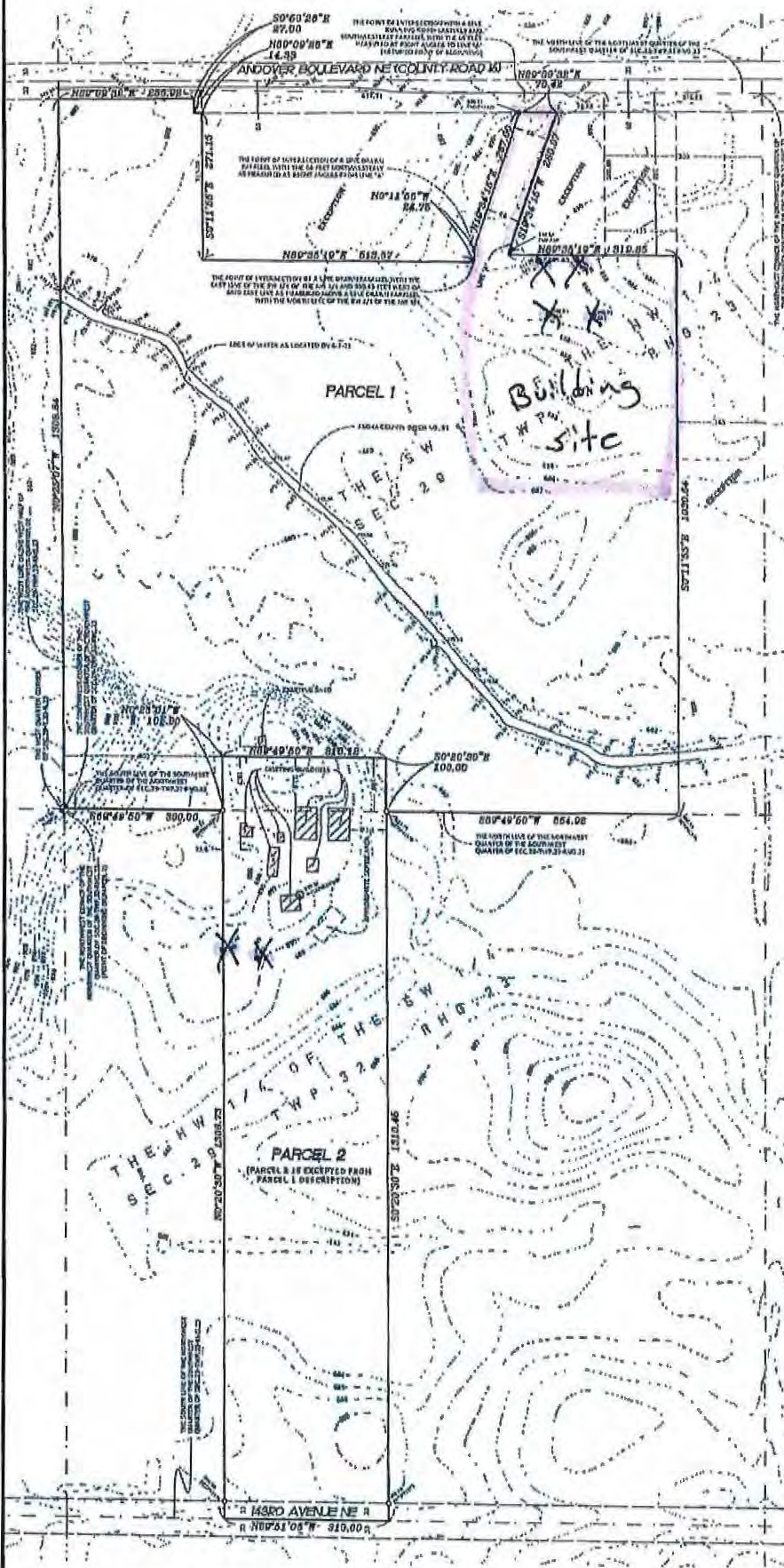
PARCEL 2:

That part of the Southwest Quarter of the Northwest Quarter (SW 1/4 of NW 1/4) and of the Northwest Quarter of the Southwest Quarter (NW 1/4 of SW 1/4) and of Section Twenty-nine (29), Township Thirty-two (32), Range Twenty-three (23), Anoka County, Minnesota, described as follows:

Beginning at a point on the North line of said SW 1/4 of NW 1/4, 300 feet East of the Northwest corner thereof thence South parallel with the West line of said NW 1/4 of SW 1/4 and to the South line thereof thence East along said South line 310 feet thence North parallel with said West line to a point 100 feet North of said South line of said SW 1/4 of NW 1/4 of SW 1/4 thence West parallel with said South line to a point 300 feet East of the West line of the W 1/2 of NW 1/4 of said Section thence South to the point of beginning and thence Northwesterly.

Subject to rights and easements of record, if any.

Borings - X



## NOTES

- Field survey was completed by E.G. Rud and Sons, Inc. on 10/21/21.
- Bearings shown are on Anoka County datum.
- Parcel ID numbers: 21-32-23-21-0006 (Parcel 1) 21-32-23-23-0001 (Parcel 2)
- This survey was prepared without the benefit of this work. Additional information, easements and/or circumstances may exist other than those shown hereon. Survey subject to revision upon receipt of a written title commitment or an attorney's title opinion.
- Existing contours are shown per LIDAR mapping as provided by MNRM.

## LEGEND

- DEOTES IRON MONUMENT FOUND AS LABELED
- DEOTES IRON MONUMENT SET, MARKED AS 41878
- DEOTES SOIL BORING, (BY OTHERS)
- DEOTES WELL
- DEOTES EXISTING CONTOURS

## BENCHMARK

MARKET MARK: 0000 II  
 GRID STATION: 6593  
 ELEVATION: 849.297 (NAVD83)

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

**PRELIMINARY**  
 JAMES E. RUD  
 DATE: 12/22/2021 ISSUE NO. 41878

CLIENT OR OWNER	DATE	PROJECT	DATE
ENTSMINGER ENTERPRISES	12/22/2021	1103299P	12/22/2021

**E.G. RUD & SONS, INC.**  
 Professional Land Surveyors  
 6776 Lake Drive NE, Suite 110  
 Lino Lakes, MN 55014  
 Tel. (651) 361-0200 Fax (651) 361-0701



NORTH

Instructions: Inspector must submit completed form to Local Governmental Unit (LGU) and system owner within 15 days of final determination of compliance or noncompliance. Instructions for filling out this form are located on the Minnesota Pollution Control Agency (MPCA) website at <https://www.pca.state.mn.us/sites/default/files/wq-wwists4-31a.pdf>.

### Property information

Local tracking number: \_\_\_\_\_

Parcel ID# or Sec/Twp/Range: 29-33-23-23-0009 Reason for Inspection sale  
Local regulatory authority info: City of Ham Lake  
Property address: 1163 143<sup>rd</sup> Ave NE Ham Lake, MN 55304  
Owner/representative: Marvin Buchholz (Jeff Entsminger) Owner's phone: 612-669-4004  
Brief system description: 1200gal septic tank w/ gravity system

### System status

System status on date (mm/dd/yyyy): 10/18/2021

**Compliant – Certificate of compliance\***

**Noncompliant – Notice of noncompliance**

*(Valid for 3 years from report date unless evidence of an imminent threat to public health or safety requiring removal and abatement under section 145A.04, subdivision 8 is discovered or a shorter time frame exists in Local Ordinance.)*

*Systems failing to protect ground water must be upgraded, replaced, or use discontinued within the time required by local ordinance.*

*\*Note: Compliance indicates conformance with Minn. R. 7080.1500 as of system status date above and does not guarantee future performance.*

*An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance or under section 145A.04 subdivision 8.*

#### Reason(s) for noncompliance (check all applicable)

- Impact on public health (Compliance component #1) – *Imminent threat to public health and safety*
- Tank integrity (Compliance component #2) – *Failing to protect groundwater*
- Other Compliance Conditions (Compliance component #3) – *Imminent threat to public health and safety*
- Other Compliance Conditions (Compliance component #3) – *Failing to protect groundwater*
- System not abandoned according to Minn. R. 7080.2500 (Compliance component #3) – *Failing to protect groundwater*
- Soil separation (Compliance component #5) – *Failing to protect groundwater*
- Operating permit/monitoring plan requirements (Compliance component #4) – *Noncompliant - local ordinance applies*

#### Comments or recommendations

### Certification

*I hereby certify that all the necessary information has been gathered to determine the compliance status of this system. No determination of future system performance has been nor can be made due to unknown conditions during system construction, possible abuse of the system, inadequate maintenance, or future water usage.*

*By typing my name below, I certify the above statements to be true and correct, to the best of my knowledge, and that this information can be used for the purpose of processing this form.*

Business name: SewerWorks II LLC

Certification number: 6984

Inspector signature: \_\_\_\_\_

License number: 2015

*(This document has been electronically signed)*

Phone: 763-286-6609

### Necessary or locally required supporting documentation (must be attached)

- Soil observation logs
- System/As-Built
- Locally required forms
- Tank Integrity Assessment
- Operating Permit
- Other information (list): location of sb and drawing of septic system

### 1. Impact on public health – Compliance component #1 of 5

**Compliance criteria:**

System discharges sewage to the ground surface	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
System discharges sewage to drain tile or surface waters.	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
System causes sewage backup into dwelling or establishment.	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No

*Any "yes" answer above indicates the system is an imminent threat to public health and safety.*

Describe verification methods and results:

**Attached supporting documentation:**

- Other: \_\_\_\_\_
- Not applicable

### 2. Tank integrity – Compliance component #2 of 5

**Compliance criteria:**

System consists of a seepage pit, cesspool, drywell, leaching pit, or other pit?	<input type="checkbox"/> Yes* <input checked="" type="checkbox"/> No
Sewage tank(s) leak below their designed operating depth?	<input checked="" type="checkbox"/> Yes* <input type="checkbox"/> No
If yes, which sewage tank(s) leaks:	

*Any "yes" answer above indicates the system is failing to protect groundwater.*

Describe verification methods and results:

**Attached supporting documentation:**

- Empty tank(s) viewed by inspector
- Name of maintenance business: \_\_\_\_\_
- License number of maintenance business: \_\_\_\_\_
- Date of maintenance: \_\_\_\_\_
- Existing tank integrity assessment (Attach)
- Date of maintenance (mm/dd/yyyy): \_\_\_\_\_ (must be within three years)
- (See form instructions to ensure assessment complies with Minn. R. 7082.0700 subp. 4 B (1))*
- Tank is Noncompliant (pumping not necessary – explain below)
- Other: \_\_\_\_\_

Property Address: 1163 143<sup>rd</sup> Ave NE Ham Lake, MN 55304

Business Name: SewerWorks II LLC

Date: 10/18/2021

### 3. Other compliance conditions – Compliance component #3 of 5

3a. Maintenance hole covers appear to be structurally unsound (damaged, cracked, etc.), or unsecured?

Yes\*  No  Unknown

3b. Other issues (*electrical hazards, etc.*) to immediately and adversely impact public health or safety?  Yes\*  No  Unknown

*\*Yes to 3a or 3b - System is an imminent threat to public health and safety.*

3c. System is non-protective of ground water for other conditions as determined by inspector?  Yes\*  No

3d. System not abandoned in accordance with Minn. R. 7080.2500?  Yes\*  No

*\*Yes to 3c or 3d - System is failing to protect groundwater.*

Describe verification methods and results:

Attached supporting documentation:  Not applicable

### 4. Operating permit and nitrogen BMP\* – Compliance component #4 of 5 Not applicable

Is the system operated under an Operating Permit?  Yes  No If "yes", A below is required

Is the system required to employ a Nitrogen BMP specified in the system design?  Yes  No If "yes", B below is required

*BMP = Best Management Practice(s) specified in the system design*

*If the answer to both questions is "no", this section does not need to be completed.*

**Compliance criteria:**

a. Have the operating permit requirements been met?  Yes  No

b. Is the required nitrogen BMP in place and properly functioning?  Yes  No

*Any "no" answer indicates noncompliance.*

Describe verification methods and results:

Attached supporting documentation:  Operating permit (Attach)



**5. Soil separation – Compliance component #5 of 5**

Date of installation \_\_\_\_\_  Unknown  
 (mm/dd/yyyy)

Shoreland/Wellhead protection/Food beverage lodging?  Yes  No

Attached supporting documentation:

- Soil observation logs completed for the report
- Two previous verifications of required vertical separation
- Not applicable (No soil treatment area)
- \_\_\_\_\_

**Compliance criteria (select one):**

5a. For systems built prior to April 1, 1996, and not located in Shoreland or Wellhead Protection Area or not serving a food, beverage or lodging establishment:  Yes  No\*  
 Drainfield has at least a two-foot vertical separation distance from periodically saturated soil or bedrock.

5b. Non-performance systems built April 1, 1996, or later or for non-performance systems located in Shoreland or Wellhead Protection Areas or serving a food, beverage, or lodging establishment:  Yes  No\*  
 Drainfield has a three-foot vertical separation distance from periodically saturated soil or bedrock.\*

5c. "Experimental", "Other", or "Performance" systems built under pre-2008 Rules; Type IV or V systems built under 2008 Rules 7080.2350 or 7080.2400 (Intermediate Inspector License required ≤ 2,500 gallons per day; Advanced Inspector License required > 2,500 gallons per day)  Yes  No\*  
 Drainfield meets the designed vertical separation distance from periodically saturated soil or bedrock.

**Indicate depths or elevations**

A. Bottom of distribution media	92.35'
B. Periodically saturated soil/bedrock	93.3'
C. System separation	0.00'
D. Required compliance separation*	2.00'

\*May be reduced up to 15 percent if allowed by Local Ordinance.

**\*Any "no" answer above indicates the system is failing to protect groundwater.**

Describe verification methods and results:

Bottom is distribution media is unable to locate. (elevation of pipe as it exits septic tank is 92.35')

**Upgrade requirements: (Minn. Stat. § 115.55)** An imminent threat to public health and safety (ITPHS) must be upgraded, replaced, or its use discontinued within ten months of receipt of this notice or within a shorter period if required by local ordinance. If the system is failing to protect ground water, the system must be upgraded, replaced, or its use discontinued within the time required by local ordinance. If an existing system is not failing as defined in law, and has at least two feet of design soil separation, then the system need not be upgraded, repaired, replaced, or its use discontinued, notwithstanding any local ordinance that is more strict. This provision does not apply to systems in shoreland areas, Wellhead Protection Areas, or those used in connection with food, beverage, and lodging establishments as defined in law.

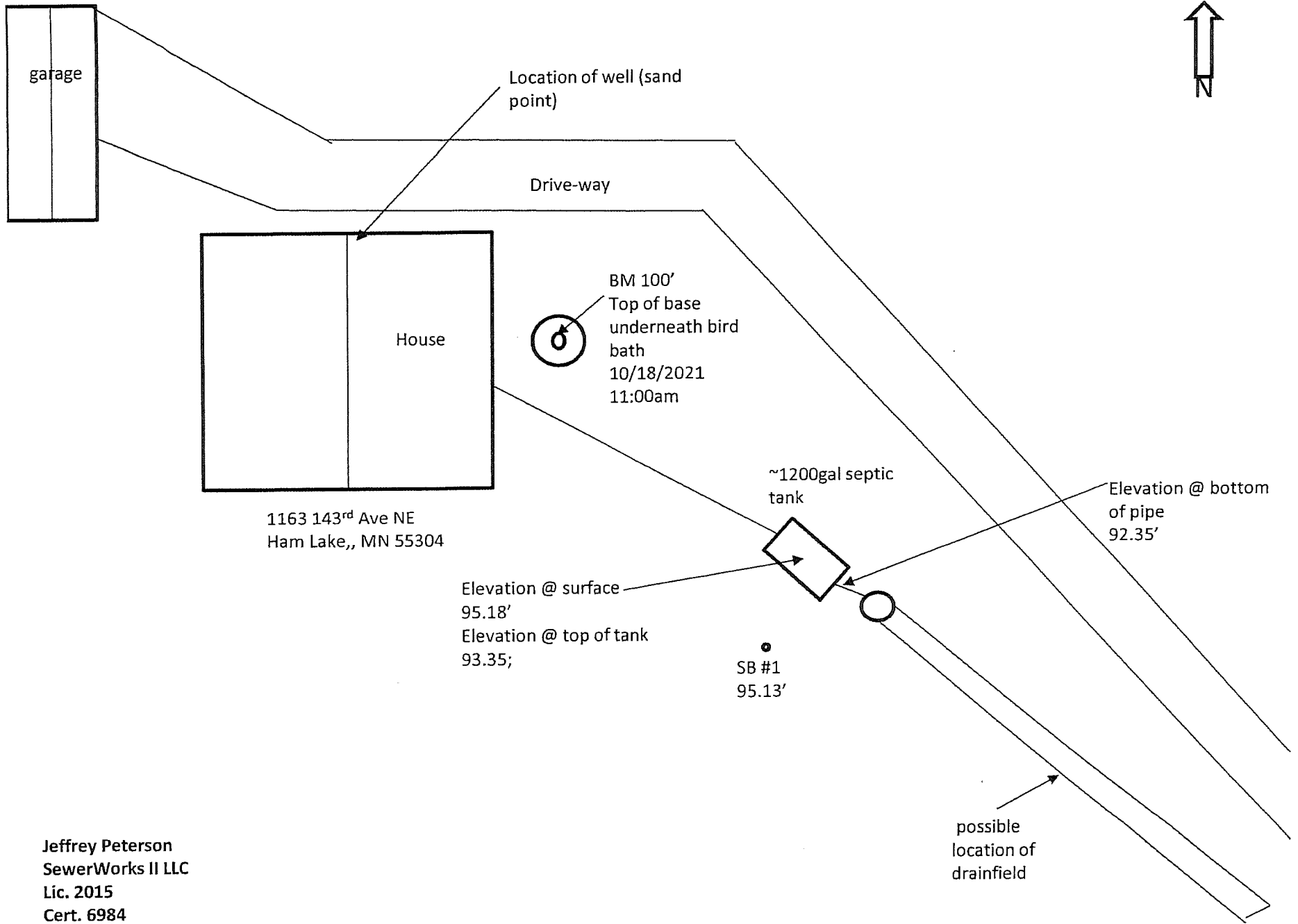
# OSTP Soil Observation Log

Project ID:

v 03.19.15



Client/ Address:		Jeff Entsminger / 1163 143rd Ave NE			Legal Description/ GPS:		29-33-23-23-0009			
Soil parent material(s): (Check all that apply) <input checked="" type="checkbox"/> Outwash <input type="checkbox"/> Lacustrine <input type="checkbox"/> Loess <input type="checkbox"/> Till <input type="checkbox"/> Alluvium <input type="checkbox"/> Bedrock <input type="checkbox"/> Organic Matter										
Landscape Position: (check one) <input type="checkbox"/> Summit <input type="checkbox"/> Shoulder <input checked="" type="checkbox"/> Back/Side Slope <input type="checkbox"/> Foot Slope <input type="checkbox"/> Toe Slope    Slope shape								CL		
Vegetation		grass		Soil survey map units		ZmB	Slope%	6.0	Elevation:	95.13'
Weather Conditions/Time of Day:			Sunny 11:00am				Date		10/18/21	
Observation #/Location:			#1 / SW end of septic tank			Observation Type:		Auger		
Depth (in)	Texture	Rock Frag. %	Matrix Color(s)	Mottle Color(s)	Redox Kind(s)	Indicator(s)	Structure			
							Shape	Grade	Consistence	
0-8	Fine Sand	5	10YR 3/3				Single grain	Structureless	Loose	
8-22	Fine Sand	5	10YR 4/3				Single grain	Structureless	Loose	
22	Fine Sand	5	10YR 5/4	2.5YR 4/6	Concentrations	S1	Single grain	Structureless	Loose	
Comments										
I hereby certify that I have completed this work in accordance with all applicable ordinances, rules and laws.										
Jeffrey Peterson						2015		10/28/2021		
(Designer/Inspector)						(License #)		(Date)		



Jeffrey Peterson  
SewerWorks II LLC  
Lic. 2015  
Cert. 6984

# Anoka County Parcel Viewer



**Parcel Information:**    Approx. Acres: 38.65385183  
29-32-23-23-0009    Commissioner: JULIE BRAASTAD  
1163 143RD AVE NE  
HAM LAKE  
MN 55304  
Plat:

**Owner Information:**



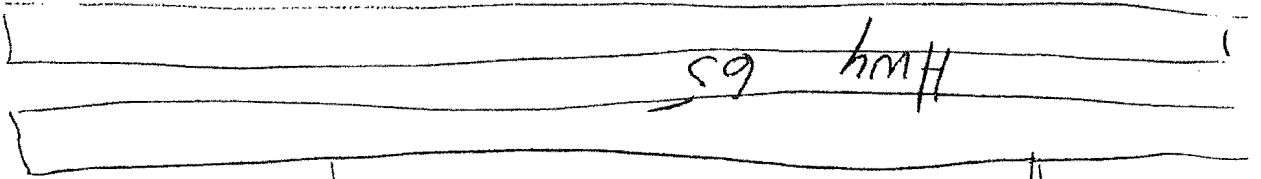
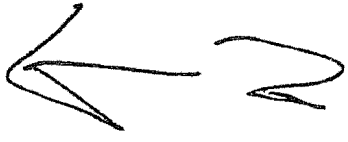
Anoka County GIS

1:4,800

Date: 10/28/2021

Disclaimer: Map and parcel data are believed to be accurate, but accuracy is not guaranteed. This is not a legal document and should not be substituted for a title search, appraisal, survey, or for zoning verification.

Andover NE



1/4 mile

1/4 mile

1/4 mile

1/4 mile

1/2 mile

old shed

old shed

shed



NEW GARAGE

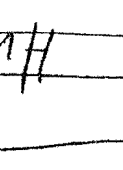
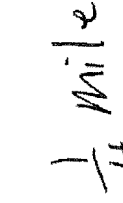
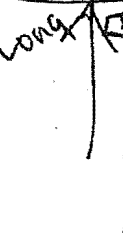
house

DRIVE WAY 3/8 mile long

MAILBOX

143rd Ave N.E.

1163-143rd Ave NE





**Anoka County**  
**TRANSPORTATION DIVISION**

Highway

Jennifer Bohr  
City of Ham Lake  
15544 Central Avenue NE  
Ham Lake, MN 55304

October 12, 2021

RE: Preliminary Plat – Entsminger Farms

Dear Jennifer,

We have reviewed the Preliminary Plat for Entsminger Farms, to be located south of CR 16 (Andover Boulevard NW) across from Pierce Street NW within the City of Ham Lake, and I offer the following comments:

The existing right of way along CR 16 varies from 33 feet to 60 feet south of centerline. An additional 27 feet of right of way adjacent to CR 16 where there is less than 60 feet will be required for future reconstruction purposes (60 feet total right of way width south of CR 16 centerline). As proposed, the plat will not introduce any new residential access points onto CR 16. The accesses for 1112 and 1130 cannot have a driveway located inside of the plat if their parcels are not part of the plat. These access points will need to be relocated onto their own property as a part of this plat. If an access is needed for Lot 1, our preferred location would be directly across from Pierce Street NE. No other accesses will be allowed onto CR 16 for this plat and the right of access along CR 16 should be dedicated to Anoka County with exception for the access across from Pierce Street NE. We reserve the right to comment on future access onto CR 16 for this parcel if it eventually gets developed. If the intent is to continue Pierce Street NW south of CR 16, the accesses for 1112 and 1130 would need to be made off the City Street at that time. EB and WB right and left turn lanes would also need to be constructed if this were to happen and the exact turn lane requirements and design details for construction will be determined through the ACHD Engineering Plan Review process. Please note that no plantings or private signs will be permitted within the county right of way and care must be exercised when locating private signs, buildings, structures, plantings, berms, etc. outside of the county right of way, so as not to create any new sight obstructions for this section of CR 16.

ACHD would like to work with local governments in promoting compatibility between land use and the county highway system. It should be recognized that residential land uses located adjacent to County highways often results in complaints about traffic noise. Existing and/or future traffic noise from CR 16 could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where establishment of the land use would result in violations of established noise standards. It is advised that the City and the Developer assess the

Our Passion Is Your Safe Way Home

1440 Bunker Lake Boulevard N.W. ▲ Andover, MN 55304-4005  
Office: 763-324-3100 ▲ Fax: 763-324-3020 ▲ [www.anokacounty.us/highway](http://www.anokacounty.us/highway)

Affirmative Action / Equal Opportunity Employer

noise situation for this development as it is proposed to be located directly adjacent to CR 16, and take the level of action deemed necessary to minimize the impact of any highway noise by incorporating the appropriate noise mitigation elements into the design and phasing of this plat as applicable.

If there will be any grading within or affecting the county right of way, the ACHD Engineering Plan Review process will apply to this site. Calculations must be submitted along with a grading and erosion control plan that delineates the drainage areas for this development. The post-developed rate/volume of runoff must not exceed the pre-developed rate/volume of runoff for the 10-year critical design storm. County Ditch #59 and #57 run through the middle and northwest parts of the property and these ditches may not be altered without first submitting detailed plans to the appropriate agencies and obtaining their permission as well as permission from the County Engineer. Contact Brandon Ulvenes, Engineer I, via phone at 763.324.3159 or via email at [Brandon.Ulvenes@co.anoka.mn.us](mailto:Brandon.Ulvenes@co.anoka.mn.us) or further information and to coordinate the ACHD Engineering Plan Review Process. Please submit the drainage calculations, grading and erosion control plans, ACHD Design Requirements Checklist for County Highway Modifications (copy available via our website), and the applicable engineering plan review fee (estimated at \$150.00 if applicable) to Mr. Ulvenes for his review and approval.

If any work will be performed in the County Right of Way, a Permit for Work within the County Right of Way (\$150.00) must be obtained prior to the commencement of any construction. License permit bonding, methods of construction, design details, work zone traffic control, restoration requirements and follow-up inspections are typical elements of the permitting process. Contact Sue Burgmeier of the ACHD Permit Office at 763.324.3142 or via email at [Susan.Burgmeier@co.anoka.mn.us](mailto:Susan.Burgmeier@co.anoka.mn.us) for further information and to coordinate the ACHD Permit process.

Thank you for the opportunity to comment. Feel free to contact me if you have any questions regarding this review.

Sincerely,



Logan Keehr  
Traffic Engineering Technician

xc: CR 16/Plats+Developments/2021  
Jerry Auge, Assistant County Engineer  
Jane Rose, Traffic Engineering Manager  
David Zleglmeler, County Surveyor  
Sean Thiel, Graduate Engineer  
Sue Burgmeier, Traffic Engineering Technician  
Brandon Ulvenes, Engineer I

## Tom Collins

---

**From:** Jason Rud <jrud@egrud.com>  
**Sent:** Tuesday, November 30, 2021 3:11 PM  
**To:** Logan.Keehr@co.anoka.mn.us  
**Cc:** Jennifer Bohr; Tom Collins; Jeff Entsminger  
**Subject:** RE: Entsminger Farms  
**Attachments:** ENTSMINGER FARMS PRE PLAT (11-30-21).pdf; ENTSMINGER FARMS FINAL PLAT (11-23-21).pdf

Hello Logan,

On behalf of Jeff Entsminger, please find attached an updated preliminary and final plat for ENTSMINGER FARMS.

A few notes:

- As requested, we are proposing to dedicate the additional 27 feet of right of way, which provides 60 feet from the centerline as traveled.
- As requested, we have added restricted access along Andover Boulevard, with the exception of a future connection for Pierce Street NE.
- There are no new proposed access points as a result of this plat. The main purpose of this plat is to redefine internal lot lines for a land transaction.

Feel free to inquire if you have any additional questions or needs.

Jason Rud  
E.G. Rud and Sons  
651-361-8225

**From:** Logan J. Keehr <Logan.Keehr@co.anoka.mn.us>  
**Sent:** Tuesday, October 12, 2021 10:39 AM  
**To:** Jennifer Bohr <JBohr@ci.ham-lake.mn.us>  
**Subject:** Entsminger Farms

**Caution:** This email originated outside our organization; please use caution.

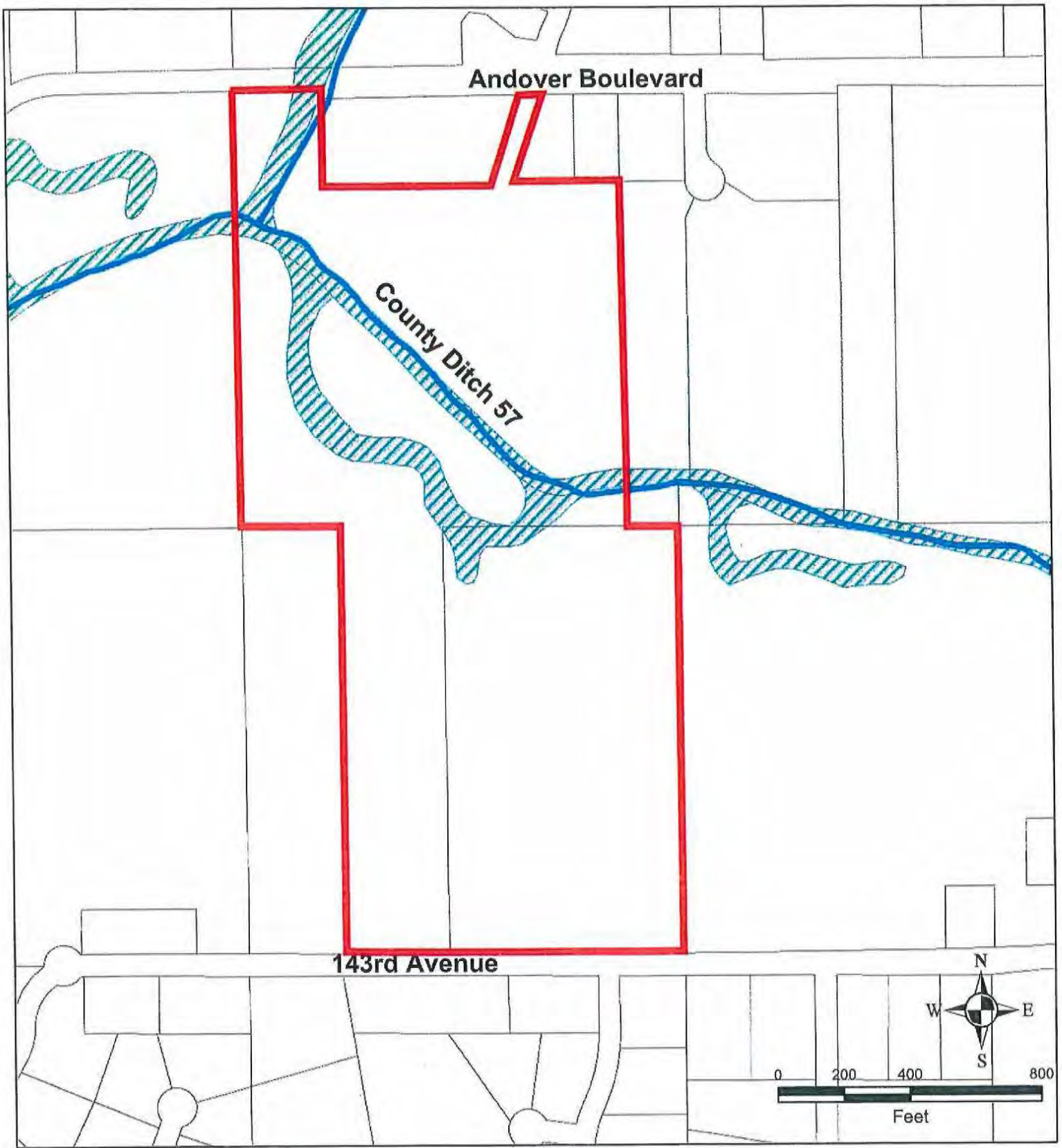
Hi Jennifer,

Attached is a PDF of our review letter for this site. The original is being sent via US Mail.

Logan Keehr, E.I.T.  
Traffic Engineering Technician  
Anoka County Highway Department  
1440 Bunker Lake Boulevard NW  
Andover, MN 55304  
Direct: 763.324.3183  
[Logan.Keehr@co.anoka.mn.us](mailto:Logan.Keehr@co.anoka.mn.us)

NOTICE: Unless restricted by law, email correspondence to and from Anoka County government offices may be public data subject to the Minnesota Data Practices Act and/or may be disclosed to third parties.





 County Ditch  Zone A Floodway

Sheet Title:  
FLOOD ZONE MAP

Drawn:  
EMP

Date:  
12/8/2021

Project No.  
2102.066

Project:  
ENTSMINGER FARMS

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

