

CITY OF HERMANTOWN
UTILITY COMMISSION AGENDA – JANUARY 16, 2020

CITY ADMINISTRATIVE BUILDING, 5105 MAPLE GROVE ROAD
5:30 PM – LARGE CONFERENCE ROOM

1. **ROLL CALL**

2. **MINUTES** – Approval or Correction

- a. November 21, 2019 regular meeting. December 19, 2019 meeting was cancelled

3. **PUBLIC DISCUSSION** *(This is the time for which individuals can address the Commission about any item pertaining to utilities. The time limit is three minutes per person)*

4. **OLD BUSINESS**

5. **NEW BUSINESS**

- a. Jim Samberg accepts another term as a Member of the Utility Commission
~ Thank you, Jim for your Time and Dedication, to your Community
- b. Ordinance Amendment to Section 920 by adding a new section 920.05.1.A
Certificate of Building Sewer Compliance

(Motion)

6. **REPORTS**

- a. Budget to Actual Expenditure Report
- b. Water Loss Report
- c. Public Works Utility Maintenance Report
- d. Project and Policy Updates *(No Action Required – Informational)*

City Council adopted the following Resolutions:

- 2019-201 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A License For Utility To Cross Public Waters From The Minnesota Department Of Natural Resources And The City Of Hermantown For Section 24 Trunk Sewer Spur Improvement District No. 448
- 2019-202 Resolution Approving Change Order No. 1 For Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449
- 2019-210 Resolution Approving Change Order No. 1 Part 2 For Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449

2019-211 Resolution Approving Change Order No. 1 In The Amount Of \$8,385.00
And The Final Pay Request To Maguire Iron, Inc. In The Amount Of
\$132,101.70

e. Water and Sewer Applications Report

7. **COMMUNICATIONS**

19-231 MN Department of Natural Resources
TO: City of Hermantown
RE: License #UWAT011742
 Legal Description: Covering certain public water in St. Louis County

19-236 WLSSD
TO: John Mulder, City Administrator
RE: Western Lake Superior Sanitary District's Wastewater Treatment
 Plant Report for October, 2019

19-241 MN Department of Health
TO: Community Water Supply Owner / Operator
RE: Sample Analysis Results for your Public Water Supply

19-244 WLSSD
TO: John Mulder, City Administrator
RE: Western Lake Superior Sanitary District's Wastewater Treatment
 Plant Report for November, 2019

20-001U John Mulder, City Administrator
TO: Utility Commission
RE: Ordinance Amendment to Section 920

8. **COMMISSION MEMBERS REPORT**

- a. Jim Samberg –
- b. William Berg –
- c. Robert McLachlan –
- d. Doug Kerfeld -
- e. Eric Albrecht –
- f. Councilor John Geissler -

9. **RECESS**

**CITY OF HERMANTOWN
UTILITY COMMISSION MEETING SUMMARY
NOVEMBER 21, 2019
5:30 P.M.**

ROLL CALL: Jim Samberg, Rob McLachlan, William Berg, Doug Kerfeld; Eric Albrecht, John Mulder, City Administrator; Councilor John Geissler; Paul Senst, Public Works Director and Janice Shepherd, Utility Billing Clerk

ABSENT: Paul Senst, Public Works Director

VISITORS: Kevin Orme, Finance Director and Joe Wicklund, Communications & Community Engagement Manager

MINUTES

Motion made by Rob McLachlan, seconded by Jim Samberg to approve the minutes of the October 17, 2019 regular meeting. Motion carried.

PUBLIC DISCUSSION

- a. Adam Wallgren was present to dispute stormwater fees. He is wondering why he has to pay for a service he is not getting. He also questioned the purpose of the gas tax and believes that goes towards roads and culverts already.
 - i. It was explained to Adam that everyone in our community is obligated to pay the Stormwater fees in order for the City maintain the entire infrastructure that helps water flow. These include ditches, culverts, storm drains, catch basins, ponds and bridges. All the roads we drive on prevent water from naturally flowing, so all of our culverts, ditches, and bridges help with water flow which assist in flood prevention and helps prevent contamination of our lakes and streams.

It was also explained to him that the City does not tax nor collects for gas tax and the money are not distributed to the various cities for Stormwater use. That is done by the State of Minnesota.

OLD BUSINESS

- a. Kevin Orme, Finance Director was present to answer questions regarding depreciation and how equipment purchases get allocated in the budget. He is going to provide monthly revenue reports to go along with the monthly expenditure reports to make it easier to understand.

NEW BUSINESS

- a. Motion made by Rob McLachlan, seconded by William Berg approving to waive the \$50.00 Administrative Fee if Adam Wallgren pays the \$46.20 Stormwater Fee by November 27, 2019. Motion carried.
- b. Election of Officers for 2020:

Motion made by Jim Samberg, seconded by Rob McLachlan approving the following:

1. Doug Kerfeld remains as Chairman
2. Eric Albrecht remains as Vice-Chairman
3. William Berg remains as Secretary/Recorder.

All in favor, aye. Motion carried.

- c. Motion made by Jim Samberg, seconded by William Berg to cancel December 19, 2019 meeting. Motion carried.

REPORTS

The following reports were read and placed on file:

- a. Budget to Actual Expenditure Report
- b. Water Loss Report
- c. Public Works Utility Maintenance Report
- d. Project and Policy Updates (*No Action Required – Informational*)

City Council adopted the following Resolutions:

- 2019-175 Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver Utility Service Agreement With Adam W. Lilyquist And Kayla M. Lilyquist
- 2019-177 Resolution Directing Preparation Of Assessment Roll For Delinquent Water And Sewer Use, Hookup, Permit And Availability Charges, Water And Sewer Contract Payments And Stormwater Charges And Directing Notice Of Such Assessment Be Given
- 2019-179 Resolution Adopting Availability Charges For Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449
- 2019-184 Resolution Receiving Preliminary Engineering Feasibility Report And Calling Public Hearing For Lindahl Road Bridge Removal

- 2019-185 Resolution Approving Change Order No. 1 And Pay Request No. 1 For Okerstrom Road Culverts Improvement Project No. 533 To Dirt Inc.
- 2019-191 Resolution Adopting Assessment Roll For Delinquent Utility Charges For 2019
- e. Water and Sewer Applications Report

7. **COMMUNICATIONS**

Communication 19-222 from WLSSD to John Mulder, City Administrator regarding Western Lake Superior Sanitary District's Wastewater Treatment Plant Report for September, 2019

Communication 19-223 from Utility Commission to City Council regarding Sewer Rate Increase

Communication 19-228 from Adam Wallgren to Bonnie Engseth, City Clerk regarding Request Hearing

Communication 19-22U from Janice Shepherd, Utility Billing Clerk to Utility Commission regarding Adam Wallgren - Pending Assessment Notice Letter

COMMISSION MEMBERS REPORT

Jim Samberg – No Report

Rob McLachlan – It was very helpful having Kevin Orme, Financial Director attend the meeting and am looking forward to the new reports he is going to provide the commission

William Berg – No Report

Doug Kerfeld – No Report

Eric Albrecht – No Report

Councilor John Geissler – The City has received Contractor bids for Section 24 Trunkline Sewer Project but we are unable to award it because we have not received the required permits needed

RECESS

Motion made by William Berg, seconded by Jim Samberg to recess the meeting at 6:30pm. Motion carried.

William Berg, Recording Secretary

Tape transcribed by:

Janice Shepherd, Utility Billing Clerk

260 Cable TV Fund

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% (100) Committed
456100							
456101	Cable						
	101 Full-Time Employees - Regular	415.94	4,431.36	5,758.00	5,758.00	1,326.64	77 %
	111 Severance Pay - Vacation/Sick Leave	0.00	751.79	0.00	0.00	-751.79	%
	121 PERA Contributions - Coordinated	33.06	348.44	420.00	420.00	71.56	83 %
	128 Social Security	26.27	291.06	357.00	357.00	65.94	82 %
	129 Medicare	6.13	68.16	83.00	83.00	14.84	82 %
	131 Health Insurance	57.46	1,126.36	1,626.00	1,626.00	499.64	69 %
	132 Health Care Savings Plan/Sick	40.35	40.35	0.00	0.00	-40.35	%
	133 Life Insurance	1.08	11.36	16.00	16.00	4.64	71 %
	134 Disability Insurance	1.75	17.85	25.00	25.00	7.15	71 %
	136 MSRS	1.79	11.35	0.00	0.00	-11.35	%
	151 Workers Compensation	0.00	5.50	6.00	6.00	0.50	92 %
	308 Legal Fees	0.00	115.00	300.00	300.00	185.00	38 %
	319 Contracted Services	625.00	7,500.00	7,500.00	7,500.00	0.00	100 %
	331 Travel Expense	24.93	214.88	0.00	0.00	-214.88	%
	361 General Liability Insurance	0.00	57.50	58.00	58.00	0.50	99 %
	404 Equipment Maintenance	0.00	0.00	2,000.00	2,000.00	2,000.00	%
	Account Total:	1,233.76	14,990.96	18,149.00	18,149.00	3,158.04	83 %
	Account Group Total:	1,233.76	14,990.96	18,149.00	18,149.00	3,158.04	83 %
	Fund Total:	1,233.76	14,990.96	18,149.00	18,149.00	3,158.04	83 %

601 Water Enterprise Fund

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% (100) Committed
494300 Water Distribution							
494300 Water Distribution							
	101 Full-Time Employees - Regular	11,652.97	97,199.77	165,568.00	165,568.00	68,368.23	59 %
	102 Full-Time Employees - Overtime	4,041.38	17,884.11	10,208.00	10,208.00	-7,676.11	175 %
	103 Part-Time Employees - Regular	0.00	1,016.32	0.00	0.00	-1,016.32	%
	121 PERA Contributions - Coordinated	1,061.25	10,552.74	11,749.00	11,749.00	1,196.26	90 %
	128 Social Security	847.43	8,500.94	9,713.00	9,713.00	1,212.06	88 %
	129 Medicare	198.20	1,988.27	2,272.00	2,272.00	283.73	88 %
	131 Health Insurance	2,596.26	53,764.61	71,757.00	71,757.00	17,992.39	75 %
	132 Health Care Savings Plan/Sick	124.93	124.93	0.00	0.00	-124.93	%
	133 Life Insurance	21.37	204.24	247.00	247.00	42.76	83 %
	134 Disability Insurance	64.86	690.21	839.00	839.00	148.79	82 %
	151 Workers Compensation	0.00	4,885.70	5,217.00	5,217.00	331.30	94 %
	212 Motor Fuels	248.55	3,197.80	3,000.00	3,000.00	-197.80	107 %
	216 Uniforms	0.00	462.28	300.00	300.00	-162.28	154 %
	221 General Supplies	211.00	4,501.07	5,000.00	5,000.00	498.93	90 %
	228 Utility System Maint Supplies	0.00	0.00	4,000.00	4,000.00	4,000.00	%
	315 School & Conference	27.64	431.67	3,500.00	3,500.00	3,068.33	12 %
	317 Personnel Testing, Physicals,	0.00	108.50	0.00	0.00	-108.50	%
	331 Travel Expense	0.00	0.00	750.00	750.00	750.00	%
	361 General Liability Insurance	0.00	8,086.00	6,256.00	6,256.00	-1,830.00	129 %
	382 Water Purchases	44,880.33	563,807.23	715,748.00	715,748.00	151,940.77	79 %
	404 Equipment Maintenance	1,396.18	2,806.60	4,500.00	4,500.00	1,693.40	62 %
	406 Vehicle Maintenance	60.00	958.04	2,500.00	2,500.00	1,541.96	38 %
	413 Equipment Rental	0.00	851.69	12,500.00	12,500.00	11,648.31	7 %
	417 Uniform Rental	0.00	0.00	500.00	500.00	500.00	%
	451 Dues & Subscriptions	0.00	717.00	700.00	700.00	-17.00	102 %
	470 Booster Pump Repairs	0.00	105.22	825.00	825.00	719.78	13 %
	471 Water Line Repairs	2,475.00	49,134.56	25,000.00	25,000.00	-24,134.56	197 %
	472 Hydrant Repairs	0.00	18,859.71	10,000.00	10,000.00	-8,859.71	189 %
	499 Miscellaneous	0.71	0.71	100.00	100.00	99.29	1 %
	540 Office Equip/Furnishings	0.00	25,913.22	25,500.00	25,500.00	-413.22	102 %
	544 Motor Vehicles	0.00	0.00	85,000.00	85,000.00	85,000.00	%
	580 Other Equipment	336.00	6,785.77	2,000.00	2,000.00	-4,785.77	339 %
	Account Total:	70,244.06	883,538.91	1,185,249.00	1,185,249.00	301,710.09	75 %
	Account Group Total:	70,244.06	883,538.91	1,185,249.00	1,185,249.00	301,710.09	75 %
494400 Water Administration and General							
494400 Water Administration and General							
	101 Full-Time Employees - Regular	8,442.62	56,158.61	101,623.00	101,623.00	45,464.39	55 %
	102 Full-Time Employees - Overtime	35.53	365.94	377.00	377.00	11.06	97 %
	111 Severance Pay - Vacation/Sick Leave	0.00	351.69	0.00	0.00	-351.69	%
	121 PERA Contributions - Coordinated	648.29	5,724.09	7,541.00	7,541.00	1,816.91	76 %
	128 Social Security	516.86	4,612.11	6,301.00	6,301.00	1,688.89	73 %
	129 Medicare	120.92	1,078.69	1,474.00	1,474.00	395.31	73 %
	131 Health Insurance	1,236.78	17,323.53	30,887.00	30,887.00	13,563.47	56 %
	132 Health Care Savings Plan/Sick	268.97	268.97	0.00	0.00	-268.97	%
	133 Life Insurance	19.48	154.27	209.00	209.00	54.73	74 %
	134 Disability Insurance	38.67	322.92	471.00	471.00	148.08	69 %
	136 MSRS	24.00	144.43	0.00	0.00	-144.43	%
	151 Workers Compensation	0.00	108.50	112.00	112.00	3.50	97 %

601 Water Enterprise Fund

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% (100) Committed
	202 Printing Supplies	242.38	337.99	600.00	600.00	262.01	56 %
	301 Audit/Account Services	0.00	4,097.00	4,097.00	4,097.00	0.00	100 %
	302 Assessors Fees	7.00	7.00	0.00	0.00	-7.00	%
	305 Engineer Fees	0.00	242.50	0.00	0.00	-242.50	%
	308 Legal Fees	14.00	-482.50	5,000.00	5,000.00	5,482.50	-10 %
	314 Computer/Software Fees	194.88	2,780.50	1,293.00	1,293.00	-1,487.50	215 %
	315 School & Conference	0.00	0.00	150.00	150.00	150.00	%
	319 Contracted Services	903.12	-809.34	32.00	5,532.00	6,341.34	-15 %
	321 Telephone	8.82	2,513.71	2,093.00	2,093.00	-420.71	120 %
	322 Internet	37.38	280.86	110.00	110.00	-170.86	255 %
	323 Gopher One Call Locates	0.00	1,852.21	1,600.00	1,600.00	-252.21	116 %
	325 Postage	0.00	4,346.93	3,600.00	3,600.00	-746.93	121 %
	331 Travel Expense	186.01	1,580.49	1,000.00	1,000.00	-580.49	158 %
	351 Legal Notices Publishing	74.25	610.50	420.00	420.00	-190.50	145 %
	361 General Liability Insurance	0.00	1,285.34	1,360.00	1,360.00	74.66	95 %
	381 Electricity	599.51	5,524.47	7,000.00	7,000.00	1,475.53	79 %
	383 Heating Gas	0.00	2,639.41	3,000.00	3,000.00	360.59	88 %
	405 Computer Maintenance	50.00	9,524.94	11,900.00	11,900.00	2,375.06	80 %
	420 Depreciation Expenses	0.00	0.00	196,797.00	196,797.00	196,797.00	%
	720 Transfer Out	65,697.00	65,697.00	65,697.00	65,697.00	0.00	100 %
	Account Total:	79,366.47	188,642.76	454,744.00	460,244.00	271,601.24	41 %
	Account Group Total:	79,366.47	188,642.76	454,744.00	460,244.00	271,601.24	41 %
495000	Transfer Out						
495000	Transfer Out						
	720 Transfer Out	100,333.00	100,333.00	100,333.00	100,333.00	0.00	100 %
	Account Total:	100,333.00	100,333.00	100,333.00	100,333.00	0.00	100 %
	Account Group Total:	100,333.00	100,333.00	100,333.00	100,333.00	0.00	100 %
	Fund Total:	249,943.53	1,172,514.67	1,740,326.00	1,745,826.00	573,311.33	67 %

602 Sewer Enterprise Fund

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% (100) Committed
494500 Sewer Maintenance							
494500	Sewer Maintenance						
	101 Full-Time Employees - Regular	8,565.32	68,431.71	110,379.00	110,379.00	41,947.29	62 %
	102 Full-Time Employees - Overtime	1,536.64	9,726.98	6,805.00	6,805.00	-2,921.98	143 %
	103 Part-Time Employees - Regular	0.00	200.77	0.00	0.00	-200.77	%
	121 PERA Contributions - Coordinated	757.63	7,074.72	7,833.00	7,833.00	758.28	90 %
	128 Social Security	603.49	5,656.43	6,475.00	6,475.00	818.57	87 %
	129 Medicare	141.13	1,322.94	1,514.00	1,514.00	191.06	87 %
	131 Health Insurance	2,030.50	36,221.60	47,838.00	47,838.00	11,616.40	76 %
	132 Health Care Savings Plan/Sick	74.96	74.96	0.00	0.00	-74.96	%
	133 Life Insurance	13.85	127.08	165.00	165.00	37.92	77 %
	134 Disability Insurance	46.47	452.23	559.00	559.00	106.77	81 %
	151 Workers Compensation	0.00	3,353.20	3,553.00	3,553.00	199.80	94 %
	212 Motor Fuels	165.70	2,131.82	1,500.00	1,500.00	-631.82	142 %
	216 Uniforms	0.00	462.29	350.00	350.00	-112.29	132 %
	221 General Supplies	109.95	2,738.51	2,500.00	2,500.00	-238.51	110 %
	228 Utility System Maint Supplies	0.00	0.00	1,500.00	1,500.00	1,500.00	%
	229 Lift Station Maintenance	0.00	11,008.45	15,000.00	15,000.00	3,991.55	73 %
	305 Engineer Fees	0.00	8,017.00	0.00	0.00	-8,017.00	%
	308 Legal Fees	124.00	1,228.00	0.00	0.00	-1,228.00	%
	310 Recording/Filing Fees	0.00	230.00	0.00	0.00	-230.00	%
	315 School & Conference	27.64	601.65	1,500.00	1,500.00	898.35	40 %
	317 Personnel Testing, Physicals,	0.00	108.50	450.00	450.00	341.50	24 %
	319 Contracted Services	0.00	8,097.50	23,500.00	23,500.00	15,402.50	34 %
	331 Travel Expense	0.00	428.11	500.00	500.00	71.89	86 %
	351 Legal Notices Publishing	0.00	561.00	0.00	0.00	-561.00	%
	361 General Liability Insurance	0.00	3,523.00	1,853.00	1,853.00	-1,670.00	190 %
	385 Sewer Charges	39,182.00	509,714.00	512,920.00	512,920.00	3,206.00	99 %
	404 Equipment Maintenance	0.00	5,597.97	5,500.00	5,500.00	-97.97	102 %
	406 Vehicle Maintenance	0.00	1,095.43	2,500.00	2,500.00	1,404.57	44 %
	413 Equipment Rental	0.00	7,780.50	6,500.00	6,500.00	-1,280.50	120 %
	417 Uniform Rental	0.00	0.00	250.00	250.00	250.00	%
	451 Dues & Subscriptions	0.00	100.00	150.00	150.00	50.00	67 %
	460 Permits & Licenses	0.00	289.00	250.00	250.00	-39.00	116 %
	475 Sewerline Repairs	696.25	2,543.65	22,000.00	22,000.00	19,456.35	12 %
	476 Lift Station Repairs Sewer	0.00	12,759.06	15,000.00	15,000.00	2,240.94	85 %
	477 I & I Maintenance	0.00	675.90	15,000.00	15,000.00	14,324.10	5 %
	478 Sewer Cleaning	0.00	36,084.97	40,000.00	40,000.00	3,915.03	90 %
	499 Miscellaneous	0.00	379.00	500.00	500.00	121.00	76 %
	510 Land Acquisition	0.00	572.65	0.00	0.00	-572.65	%
	540 Office Equip/Furnishings	0.00	2,450.40	750.00	750.00	-1,700.40	327 %
	580 Other Equipment	0.00	0.00	2,500.00	2,500.00	2,500.00	%
	590 Pumping Plant & Lift Stations	3,067.37	58,043.72	540,000.00	540,000.00	481,956.28	11 %
	Account Total:	57,142.90	809,864.70	1,397,594.00	1,397,594.00	587,729.30	58 %
	Account Group Total:	57,142.90	809,864.70	1,397,594.00	1,397,594.00	587,729.30	58 %

602 Sewer Enterprise Fund

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% (100) Committed
494900 Sewer Administration and General							
494900 Sewer Administration and General							
	101 Full-Time Employees - Regular	6,555.29	44,310.44	76,062.00	76,062.00	31,751.56	58 %
	102 Full-Time Employees - Overtime	26.83	272.06	251.00	251.00	-21.06	108 %
	111 Severance Pay - Vacation/Sick Leave	0.00	351.69	0.00	0.00	-351.69	%
	121 PERA Contributions - Coordinated	499.88	4,316.08	5,624.00	5,624.00	1,307.92	77 %
	128 Social Security	399.21	3,479.60	4,716.00	4,716.00	1,236.40	74 %
	129 Medicare	93.35	813.78	1,103.00	1,103.00	289.22	74 %
	131 Health Insurance	938.08	12,773.21	22,412.00	22,412.00	9,638.79	57 %
	132 Health Care Savings Plan/Sick	134.48	134.48	0.00	0.00	-134.48	%
	133 Life Insurance	16.12	125.32	157.00	157.00	31.68	80 %
	134 Disability Insurance	29.48	249.89	345.00	345.00	95.11	72 %
	136 MSRS	21.00	120.84	0.00	0.00	-120.84	%
	151 Workers Compensation	0.00	88.00	84.00	84.00	-4.00	105 %
	202 Printing Supplies	161.59	257.21	500.00	500.00	242.79	51 %
	301 Audit/Account Services	0.00	4,097.00	4,097.00	4,097.00	0.00	100 %
	305 Engineer Fees	0.00	3,115.00	2,000.00	2,000.00	-1,115.00	156 %
	308 Legal Fees	0.00	270.50	1,300.00	1,300.00	1,029.50	21 %
	314 Computer/Software Fees	194.88	2,780.50	1,293.00	1,293.00	-1,487.50	215 %
	315 School & Conference	0.00	0.00	50.00	50.00	50.00	%
	319 Contracted Services	4.68	4,099.76	49.00	5,549.00	1,449.24	74 %
	321 Telephone	13.23	2,250.26	1,723.00	1,723.00	-527.26	131 %
	322 Internet	56.07	421.29	165.00	165.00	-256.29	255 %
	323 Gopher One Call Locates	0.00	1,234.79	1,200.00	1,200.00	-34.79	103 %
	325 Postage	0.00	2,897.94	2,400.00	2,400.00	-497.94	121 %
	331 Travel Expense	96.29	803.20	881.00	881.00	77.80	91 %
	351 Legal Notices Publishing	44.55	44.55	0.00	0.00	-44.55	%
	361 General Liability Insurance	0.00	1,585.02	1,360.00	1,360.00	-225.02	117 %
	381 Electricity	670.78	6,920.91	8,400.00	8,400.00	1,479.09	82 %
	383 Heating Gas	0.00	1,649.58	2,000.00	2,000.00	350.42	82 %
	405 Computer Maintenance	50.00	9,524.95	11,901.00	11,901.00	2,376.05	80 %
	420 Depreciation Expenses	0.00	0.00	511,747.00	511,747.00	511,747.00	%
	720 Transfer Out	54,609.00	54,609.00	54,609.00	54,609.00	0.00	100 %
	Account Total:	64,614.79	163,596.85	716,429.00	721,929.00	558,332.15	23 %
	Account Group Total:	64,614.79	163,596.85	716,429.00	721,929.00	558,332.15	23 %
495000 Transfer Out							
495000 Transfer Out							
	720 Transfer Out	63,333.00	63,333.00	63,333.00	63,333.00	0.00	100 %
	Account Total:	63,333.00	63,333.00	63,333.00	63,333.00	0.00	100 %
	Account Group Total:	63,333.00	63,333.00	63,333.00	63,333.00	0.00	100 %
	Fund Total:	185,090.69	1,036,794.55	2,177,356.00	2,182,856.00	1,146,061.45	47 %

603 Storm Water Enterprise Fund

Account	Object	Committed Current Month	Committed YTD	Original Appropriation	Current Appropriation	Available Appropriation	% (100) Committed
441100	Storm Water						
441100	Storm Water						
	101 Full-Time Employees - Regular	8,586.24	85,761.57	0.00	0.00	-85,761.57	%
	102 Full-Time Employees - Overtime	860.53	4,959.51	0.00	0.00	-4,959.51	%
	111 Severance Pay - Vacation/Sick Leave	0.00	351.69	0.00	0.00	-351.69	%
	121 PERA Contributions - Coordinated	714.71	6,857.92	0.00	0.00	-6,857.92	%
	128 Social Security	572.69	5,536.72	0.00	0.00	-5,536.72	%
	129 Medicare	133.91	1,294.78	0.00	0.00	-1,294.78	%
	131 Health Insurance	1,330.40	25,606.51	0.00	0.00	-25,606.51	%
	132 Health Care Savings Plan/Sick	184.46	184.46	0.00	0.00	-184.46	%
	133 Life Insurance	21.16	176.22	0.00	0.00	-176.22	%
	134 Disability Insurance	41.61	398.08	0.00	0.00	-398.08	%
	136 MSRS	18.00	102.80	0.00	0.00	-102.80	%
	151 Workers Compensation	0.00	309.00	0.00	0.00	-309.00	%
	302 Assessors Fees	50.00	50.00	0.00	0.00	-50.00	%
	305 Engineer Fees	2,395.00	19,346.00	0.00	0.00	-19,346.00	%
	308 Legal Fees	0.00	1,567.80	0.00	0.00	-1,567.80	%
	310 Recording/Filing Fees	0.00	138.00	0.00	0.00	-138.00	%
	314 Computer/Software Fees	77.94	827.94	0.00	0.00	-827.94	%
	319 Contracted Services	0.00	39,352.93	124,660.00	124,660.00	85,307.07	32 %
	325 Postage	0.00	337.33	0.00	0.00	-337.33	%
	331 Travel Expense	83.07	763.55	0.00	0.00	-763.55	%
	351 Legal Notices Publishing	112.20	260.70	0.00	0.00	-260.70	%
	405 Computer Maintenance	0.00	3,723.00	0.00	0.00	-3,723.00	%
	413 Equipment Rental	0.00	6,997.86	0.00	0.00	-6,997.86	%
	451 Dues & Subscriptions	0.00	1,739.00	6,110.00	6,110.00	4,371.00	28 %
	530 Improvements Other Than Bldgs	0.00	39,371.98	169,230.00	169,230.00	129,858.02	23 %
	Account Total:	15,181.92	246,015.35	300,000.00	300,000.00	53,984.65	82 %
	Account Group Total:	15,181.92	246,015.35	300,000.00	300,000.00	53,984.65	82 %
	Fund Total:	15,181.92	246,015.35	300,000.00	300,000.00	53,984.65	82 %
	Grand Total:	451,449.90	2,470,315.53	4,235,831.00	4,246,831.00	1,776,515.47	58 %

City of Hermantown - 2019 Water Loss Report

	Duluth		Hermantown		Cycle Days Diff	Usage Diff	Hermantown Equiv Billed	Difference		Water				Total Unaccounted
	Reading Date	Duluth Billed	Reading Date	Hermantown BM Billed						Main Breaks	Other	City Usage	Total accounted	
Jan	1/2/2019	11,041,976	1/3/2019	11,911,640	1	397,055	11,514,585	(472,609)	-4.3%	-	14,600	28,010	42,610	(515,219)
Feb	2/1/2019	10,354,564	2/4/2019	12,290,540	3	1,229,054	11,061,486	(706,922)	-6.8%	-	32,500	18,060	50,560	(757,482)
Mar	3/1/2019	10,867,692	3/5/2019	11,176,400	4	1,490,187	9,686,213	1,181,479	10.9%	708,000	63,200	16,780	787,980	393,499
Apr	4/1/2019	11,557,348	4/4/2019	11,748,160	3	1,174,816	10,573,344	984,004	8.5%	-	6,600	31,490	38,090	945,914
May	5/1/2019	10,586,444	5/6/2019	12,109,190	5	2,018,198	10,090,992	495,452	4.7%	-	65,200	24,670	89,870	405,582
Jun	6/3/2019	13,259,796	6/5/2019	12,917,610	2	861,174	12,056,436	1,203,360	9.1%	100,000	321,600	39,360	460,960	742,400
Jul	7/1/2019	13,088,504	7/3/2019	13,400,980	2	893,399	12,507,581	580,923	4.4%	100,000	189,800	28,710	318,510	262,413
Aug	8/1/2019	15,490,332	8/5/2019	16,560,670	4	2,208,089	14,352,581	1,137,751	7.3%	-	309,000	38,740	347,740	790,011
Sep	9/3/2019	15,416,280	9/6/2019	15,072,680	3	1,507,268	13,565,412	1,850,868	12%	-	56,600	45,210	101,810	1,749,058
Oct	10/1/2019	10,958,200	10/4/2019	11,016,870	3	1,101,687	9,915,183	1,043,017	9.5%	-	225,100	169,650	394,750	648,267
Nov	11/1/2019	10,942,492	11/4/2019	11,925,850	3	1,192,585	10,733,265	209,227	2%	-	32,500	76,050	108,550	100,677
Dec	12/2/2019	10,592,428	12/4/2019	11,524,310	2	768,287	10,756,023	(163,595)	-1.5%	100,000	19,500	224,030	343,530	(507,125)
		144,156,056		151,654,900		14,841,799	136,813,101	7,342,955	5.1%	1,008,000	1,336,200	740,760	3,084,960	4,257,995
Percent of Total										0.70%	0.93%	0.51%	2.14%	2.95%
Percent of Water lost										14%	18%	10%	42%	58%

Water Rates: (Per 1,000 Gallons)

	TIERS	RATES 2019 / 2020	USAGE BREAKS
Residential	Tier 1	\$7.54 / \$7.84	Up to 2,500 Gallons
	Tier 2	\$8.67 / \$9.02	Between 2,501 - 4,500 Gallons
	Tier 3	\$9.54 / \$9.92	Over 4,501 Gallons
Multi-Family	Tier 1	\$8.67 / \$9.02	All Usage
Commercial	Tier 1	\$7.80 / \$8.11	Up to 20,000 Gallons
	Tier 2	\$8.20 / \$8.53	Between 20,001 - 50,000 Gallons
	Tier 3	\$9.01 / \$9.37	Over 50,001 Gallons
Irrigation	Tier 1	\$9.54 / \$9.92	All Usage

Attachments:

- Comfort Systems Water Bill
- Documented Water Loss
- Booster Station Monthly Water Flow Report
- City Usage Report



Comfort Systems

Serving the City of Duluth

Account No.	230516840-001	Service Address	4335 HAINES RD	Billing Date	12/09/2019
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Service Period
11/02/2019 - 12/02/2019

Meter Readings

Meter No	Read Dates	Days	Previous	Current	Rate	Usage	Unit of Measure
B19221894	11/01/2019-12/02/2019	30	290182	304343	3.160	14161	CCFW

Previous Balance	\$46,359.21
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Penalties	\$616.58
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Adjustments	\$0.00
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Payments Received	\$0.00
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Balance at Billing	\$46,975.79
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Current Billing	
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City of Hermantown

Description: _____

Charge Code	Amount
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WATER FIXED CHG	131.57
WATER	44748.76

Code: _____

Approved By: _____

New water rates approved by the Public Utilities Commission will be effective January 1, 2020

Current Charges	\$44,880.33
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Balance Due	\$91,856.12
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Due Date	Amount Due
12/30/2019	\$91,856.12

Account No.	Due Date	Amount Due	Amount Paid
230516840-001	12/30/2019	\$91,856.12	

Service Address	4335 HAINES RD
	DULUTH MN 55811
Mailing Address	

Please include this stub with your payment

CITY OF HERMANTOWN
5105 MAPLE GROVE RD
HERMANTOWN MN 558110

000082

CITY OF DULUTH COMFORT SYSTEMS
PO BOX 860643
MINNEAPOLIS, MN 55486-0643

230516840001 0009185612 00

City of Hermantown - 2019 Documented Water Loss

Date or End Date	Location/Name	Notes	Water Main Breaks	Individual Users Exemptions	Leaks & Misc Breaks	Billed Hydrant Water	Truck Fill Station	Maint.	City Usage
Jan 12/03 - 1/03	12/11/2019	City Usage Truck Fill					14,600		28,010
Feb 1/03 - 2/04	1/3/2019 1/18/2019 1/18/2019	City Usage Truck Fill Wellness Center System Flush					7,500	25,000	18,060
Mar 2/04 - 3/05	2/5/2019 2/12/2019 2/13/2019 2/20/2019 2/21/2019 2/22/2019 2/25/2019	City Usage 2 Watermain Breaks (Stebner/Getchell) Watermain Break (Haines / VW) Watermain Break (Anderson Rd) Fosters Fire Hydrant / Arrowhead Rd Truck Fill Watermain Break (Maple Grove Rd) Watermain Break (LaVaque/MTH)	200,000 120,000 150,000		60,000		3,200		16,780
Apr 3/05 - 4/04	3/5/2019 3/22/2019	City Usage Truck Fill					6,600		31,490
May 4/04 - 5/06	4/4/2019 4/8/2019	City Usage Truck Fill					65,200		24,670
June 5/06 - 6/05	5/6/2019 5/14/2019 5/20/2019 5/29/2019	City Usage Truck Fill Watermain Break (Hwy 53) Street Cleaning Flush Hydrant Main - Richard Ave County Street Cleaning	100,000				21,600	205,000 80,000 15,000	39,360
July 6/05 - 7/03	6/6/2019 6/13/2019 6/14/2019 6/20/2019 6/26/2019	City Usage Truck Fill Watermain Flush-Maple Grove Rd Hawk Circle Water Tower Dump Waterline Break - Soccer Bldg	100,000	20,000			49,800	40,000	28,710
Aug 7/03 - 8/05	7/9/2019 7/11/2019 7/12/2019 7/16/2019 7/17/2019 7/24/2019 7/26/2019 7/29/2019 7/31/2019	City Usage Replaced Hydrant - Hwy 53/LaVaque Fire Department - Delivered Water Watermain Flush - Learning Ctr Watermain Flush - Maple Grove Watermain Repair - Copley Rd Truck Fill Watermain Repair - Lightning Dr Valve Replacement - DQ Market Street			80,000 20,000 50,000	5,000	64,000	10,000 40,000 40,000	38,740
Sept 8/05 - 9/06	8/6/2009 8/27/2019 8/28/2019	City Usage Truck Fill Truck Fill					26,600 30,100	30,000	45,210
Oct 9/06 - 10/04	9/11/2019 9/11/2019 9/25/2019 10/1/2019	Truck Fill City Usage Truck Fill City Usage Hawk Circle Water Tower Hydrant Flush - Wellness Ctr					30,100	165,000 30,000	169,650
Nov 10/04 - 11/04	10/4/2019 10/4/2019 10/29/2019	City Usage Truck Fill Truck Fill Fire Department - Delivered Water				7,500	25,000		76,050
Dec 11/04 - 12/04	11/6/2019 11/19/2019 12/3/2019	City Usage Truck Fill Truck Fill Watermain Break - Getchell Rd	100,000				19,500		224,030
Grand Total			1,008,000	20,000	210,000	12,500	333,700	760,000	740,760
Grand Total			3,084,960						

Hermantown MN Report

November 2019	Booster Station Pump 1		Booster Station Pump 2		Booster Station Pump 2		Booster Station Flow Total (MG)
	Runtime	Starts	Runtime	Starts	Starts		
1	0.0	0	0.0	0	0	0.335	
2	0.0	0	0.0	0	0	0.299	
3	0.0	0	0.0	0	0	0.391	
4	0.0	0	0.0	0	0	0.404	
5	0.0	0	0.0	0	0	0.356	
6	0.0	2	0.0	0	1	0.358	
7	0.0	0	0.0	0	0	0.345	
8	0.0	0	0.0	0	0	0.356	
9	0.0	0	0.0	0	0	0.293	
10	0.0	0	0.0	0	0	0.307	
11	0.0	0	0.0	0	0	0.374	
12	0.0	0	0.0	0	0	0.357	
13	0.0	0	0.0	0	0	0.356	
14	0.0	0	0.0	0	0	0.316	
15	0.0	0	0.0	0	0	0.278	
16	0.0	0	0.0	0	0	0.388	
17	0.0	0	0.0	0	0	0.397	
18	0.0	0	0.0	0	0	0.376	
19	0.0	0	0.0	0	0	0.317	
20	0.0	0	0.0	0	0	0.402	
21	0.0	0	0.0	0	0	0.250	
22	0.0	0	0.0	0	0	0.402	
23	0.0	0	0.0	0	0	0.312	
24	0.0	0	0.0	0	0	0.430	
25	0.0	0	0.0	0	0	0.420	
26	0.0	0	0.0	0	0	0.310	
27	0.0	0	0.0	0	0	0.399	
28	0.0	0	0.0	0	0	0.324	
29	0.0	0	0.0	0	0	0.248	
30	0.0	0	0.0	0	0	0.348	
Total	0.0	2	0.0	1	1	10.448	
Minimum	0.0	0	0.0	0	0	0.248	
Maximum	0.0	2	0.0	1	1	0.480	
Average	0.0	0	0.0	0	0	0.348	

BLACK MOUNTAIN SOFTWARE UTILITY BILLING SYSTEM
 DETAILED METER READINGS For 11-2019 Ordered by Account for Usage from 0 to 999999999 For All Sections

CITY OF HERMANTOWN
 08:20:56 - 12/03/2019

FINAL BILL STATUS ALL

Page 1

[USAGE IN ACTUAL GALLONS]

Account	Route - Meter	Customer Name	Reading	[Current]	Date	Reading	[Previous]	Date	Monthly Usage
0724-02	14-0724	CITY OF HERMANTOWN	7336000		05/04/2018	7336000		05/04/2018	0
2030-01	14-2030	ROSE ROAD ATHLETIC P	16400		02/04/2019	16400		02/04/2019	0
2040-00	14-2040	FICHTNER FIELD MIDDLE	85100		11/04/2019	85100		10/14/2019	0
2041-00	14-2041	FICHTNER FIELD CORNE	294800		11/04/2019	294800		10/17/2019	0
2042-00	14-2042	OLD CITY HALL	2368800		11/06/2019	2368200		10/03/2019	600
2043-00	14-2043	OLD PUBLIC WORKS	303660		11/06/2019	302330		10/03/2019	1330
2044-00	14-2044	FIRE HALL #1	2188800		11/06/2019	2188500		10/03/2019	300
2045-00	14-2045	PUBLIC SAFETY BLDG (1608200		11/06/2019	1606500		10/03/2019	1700
2046-00	14-2046	CITY ADMINISTRATIVE	258220		11/06/2019	256620		10/03/2019	1600
2047-00	14-2047	PUBLIC WORKS BLDG	1490000		11/04/2019	1485000		10/04/2019	5000
2048-00	24-2048	FIRE HALL #2	7200		11/04/2019	6800		10/04/2019	400
3354-00	24-3354	ESSENTIA WELLNESS CE	519000		11/04/2019	309000		10/04/2019	210000
3362-00	24-3362	PATRIOT PROPERTIES O	66400		11/08/2019	63300		08/21/2019	3100

Total Monthly Usage: 224030

Total Number of Accounts: 13

**Public Works
Utility Maintenance Report**

Meeting Date:	1/16/2020
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Reporting Period:	From:	12/1/19	To:	12/31/19
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1. Water Utility

- a. Telecoms on Water Tower transitioning back to water tower
- b. Should be complete about 1st full week of 2020
- c. 2021 Morris Thomas Road Hydrant and valve replacement
 - i. \$200k +/- Guestimate at this point
 - ii. 15 or so valves and hydrants
 - iii. Part of St. Louis County's work
- d. Watermain repair on Getchell Road 12/3/19

2. Sewer

- a. 2020 I&I Point of Sale sanitary inspection for homes
 - i. WLSSD Mandate
- b. Continue weekly monitoring/checking of a few lift stations to alleviate call ins
 - i. Rebecca
 - ii. Oakridge
 - iii. Radar Rd

3. Stormwater

- a. Watching ditches and culverts w/ amount of heavy wet snow and ground saturation

4. Looking Ahead

- a. Replacement of Centerline culvert on Radar Rd-2020 work
- b. Hydrant fix on Foster's- 2020 work
- c. Fix storm manhole @ Arrowhead and 53 by North Shore Bank- 2020 Work
- d. Credit Card machine for water fill station ordered parts have arrived.
 - i. Hoping to install as soon as we can
 - ii. We re installing ourselves to save the City +/- \$1900

Office of City Clerk

Hermantown, MN

BONNIE ENGSETH, City Clerk

RESOLUTION NO. 2019-201

RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A LICENSE FOR UTILITY TO CROSS PUBLIC WATERS FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES AND THE CITY OF HERMANTOWN FOR SECTION 24 TRUNK SEWER SPUR IMPROVEMENT DISTRICT NO. 448

Motion made by Councilor Schmidt, seconded by Councilor Peterson to adopt Resolution 2019-201, Resolution Authorizing And Directing The Mayor And City Clerk To Execute And Deliver A License For Utility To Cross Public Waters From The Minnesota Department Of Natural Resources And The City Of Hermantown For Section 24 Trunk Sewer Spur Improvement District No. 448. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

I, Bonnie Engseth, City Clerk of the City of Hermantown, Minnesota, do hereby certify that I have compared the annexed copy of Resolution passed by the City Council of the City of Hermantown on the 2nd day of December 2019, with the original in my custody as City Clerk of said City, and that the same is a true and correct transcript therefrom.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City of Hermantown, the 3rd day of December 2019.

BONNIE ENGSETH, CITY CLERK

By Bonnie Engseth

City of Hermantown, MN

Resolution No. 2019-201

**RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR
AND CITY CLERK TO EXECUTE AND DELIVER A LICENSE FOR UTILITY TO CROSS
PUBLIC WATERS FROM THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES
AND THE CITY OF HERMANTOWN FOR SECTION 24 TRUNK SEWER SPUR
IMPROVEMENT DISTRICT NO. 448**

WHEREAS, the City of Hermantown applied for license to construct, maintain and operate a sewer pipeline under Keene Creek as part of the Section 24 Trunk Sewer Spur Improvement District No. 448; and

WHEREAS, the MN Department of Natural Resources has issued the requested license, and

WHEREAS, the license is for a term of 50 years from November 15, 2019 to November 14, 2069, and requires the City to accept and acknowledge the license; and

WHEREAS, a License has been prepared by the MN Department of Natural Resources; and

WHEREAS, the City Administrator and City Council have reviewed the License and believe that it is in the best interest of the City of Hermantown to approve the license and authorize and direct the Mayor and City Clerk to execute and deliver it on behalf of the City of Hermantown.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Hermantown, Minnesota as follows:

1. The License is attached hereto as Exhibit A is hereby approved.
2. The Mayor and City Clerk are hereby authorized and directed to execute and deliver the License on behalf of the City.

Councilor Schmidt introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor Peterson and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors: Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye.

and the following voted in opposition thereto:

None

WHEREUPON, such resolution was declared duly passed and adopted on December 2, 2019.

EXHIBIT A
License for Utility to Cross Public Waters

LICENSE FOR UTILITY TO CROSS PUBLIC WATERS

This license is issued by the State of Minnesota, acting by and through its commissioner of natural resources, and hereafter called the "State", under authority and subject to Minnesota Statutes, section 84.415, and Minnesota Rules Chapter 6135 and other applicable law, to the Licensee as named and for the fee and term as specified below.

Name and Address of Licensee: City of Hermantown
5105 Maple Grove Rd
Hermantown, MN 55811

License Fee: Nine Hundred and Forty Seven and NO/100 Dollars (\$947.00)

Term (years): 50 Years

Effective Date: November 15, 2019

Expiration Date: November 14, 2069

Purpose of License: Construction, maintenance and operation of a sewer pipeline line under water under the covenants and agreements of the Licensee to use the following described waters:

That part of the following descriptions as shown on the attached application and map, all of which are made a part hereof by reference.

NW ¼ SE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County
SW ¼ NE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County
SE ¼ NE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County

This license is granted subject to the following provisions:

1. **Use of premises.**

- A. This license is subject to the provisions of Minnesota Statutes, section 84.415 and Minnesota Rules Chapter 6135. All standards of Chapter 6135 are incorporated as terms and conditions of this license, except such variations as are identified and approved by the State in the license applications, plans and specifications which are attached and made part of the terms and conditions of this license. The Licensee is bound by the crossing location and installation method as detailed in the application and approved by the State. The Licensee shall not deviate from the terms and conditions of this license or the application as approved by the State unless it has first obtained written permission from the State.
- B. When the installation occurs more than six months after the issuance of the license, the Licensee shall contact the State 20 days prior to installation.
- C. No merchantable timber shall be cut, used, removed or destroyed without first paying the State the timber value in the sum stated above as determined by the State. Slash material on state water crossings must be disposed of within 30 days of clearing activities.
- D. For overhead crossings of state waters, lines shall have a minimum clearance of 25 feet above the water, unless otherwise approved by the State.
- E. When directed by the State as a condition of the license, flight diverters shall be placed on overhead utility lines.

License Number UWAT011742

- F. Any cable or conduit located at a shoreline shall be sufficiently buried so that it does not become exposed.
 - G. When directed by the State as a condition of the license, underwater crossings shall be marked by permanent signs on the banks at the points where the line enters and leaves the public waters.
 - H. To protect fish spawning activities, the State may prohibit work in the public water or within a specified distance of the public water during the spawning season.
2. **State's rights and reservations.** The use of these waters by the Licensee in constructing or maintaining the lines for which this license is granted shall be subject to the use, sale, or leasing for mineral or other legal purposes. The Licensee will not cause any unnecessary hindrance to the activities of the State and shall allow access across the license area by the State when needed.
 3. **Erosion and Revegetation.**
 - A. Erosion control measures shall be adequately designed for site characteristics. They shall be installed prior to commencement of construction and maintained for as long as needed. All erosion control measures installed next to a water body shall run parallel to the contours.
 - B. All disturbed areas shall be restored to original contours and elevations and stabilized as soon as possible following construction. Areas of subsidence and crowning shall be repaired. Topsoil shall be reserved on site and used to re-dress disturbed areas.
 - C. All disturbed areas shall be revegetated using state approved seed mixes. All seed and plant materials shall be certified weed-free. Weed-free straw or hay shall be used for mulching and erosion control. Native species plants should be used, whenever possible, to revegetate disturbed areas. This revegetation should occur as early in the season as possible to permit adequate regrowth.
 - D. The Licensee shall monitor revegetation at state water crossings until the site is stabilized and the vegetation is self-sustaining. Where severe or repeated damage is occurring or where measures have not been successful, preventative and corrective actions shall be taken by the Licensee, including construction of appropriate barriers, installation of warning signs, and other methods in consultation with the State.
 - E. The Licensee shall routinely inspect for erosion that may develop during the term of the license. Areas of erosion shall be stabilized by the Licensee.
 - F. If a disturbed area cannot be stabilized with vegetation before September 15 in the year that the utility was installed, the Licensee shall submit a written site stabilization plan to the State for approval. This plan shall describe erosion control, mulching, dormant seeding and monitoring. Seeding shall occur as soon as soil conditions are suitable.
 - G. Excavated materials shall not be deposited or stored alongside public water in a manner where the materials can be redeposited into the public water by reasonably expected high water or storm run-off.
 4. **Herbicides and Pesticides.**
 - A. The Licensee must request and obtain written permission to apply herbicides or pesticides to state waters from the State prior to treatment. This request shall consist of (1) a map identifying proposed treatment areas and (2) a description of the proposed treatment plan, including target species, herbicide or pesticide name, rate of application, a description of application method, and beginning and end dates. All applications must be according to label regulations and as otherwise specified by the State. The Licensee shall not apply pesticides that are restricted for use on certified state forest land administered by the State.
 - B. The Licensee must submit annual reports detailing herbicide or pesticide application on areas covered under the license. The report must include the dates, acres, location expressed as quarter-quarter section, township and range, herbicide or pesticide used, target species, and such other information as may be reasonably required by the State for the purpose of verifying herbicide or pesticide use.
 - C. The Licensee shall post all places commonly used by the public for access along the utility corridors treated with herbicides or pesticides.
 5. **Invasive Species.**

License Number UWAT011742

- A. The Licensee shall inspect all state water crossings for the presence of invasive species and noxious weeds prior to commencing clearing activities and take action to prevent their spread. For installation of the utility line, the State will identify on a map the known infested sites to be avoided. For maintenance and operation, the Licensee is responsible for obtaining updated information on known infested sites.
- B. If the State or the Licensee discover additional invasive species infestation areas on state water crossings during construction, the Licensee shall immediately take action to prevent spread from the newly discovered infested area and then consult with the State on a resolution.
- C. The Licensee shall prevent invasive species from entering into or spreading within state water crossing by cleaning equipment and clothing prior to arriving at the license area. The Licensee shall legally dispose of material cleaned from equipment and clothing at a location offsite and the materials must be secured prior to transport to avoid dispersal.
- D. Whenever possible, parking, staging areas and travel routes shall not be within known infested sites. Where there are multiple state water crossings and at least one contains invasive species, the Licensee shall to the extent practicable start work at the site with the fewest number of invasive plants, leaving the most heavily infested sites to last. The Licensee shall make every effort to schedule operations and site visits to avoid the spread of weed seed.
- E. The Licensee shall continue to control invasive species on state water crossings for the terms of the license using methods approved by the State.

6. Crossing of State Trail.

- A. The location of any crossing of a state trail must be approved in advance by the State. The State may provide written instructions as to specific construction standards to be followed for the crossing of the state trail.
- B. Utility installation and maintenance activities shall be conducted in a manner so as to minimize disturbance of state trail use and to separate the public from work areas. The Licensee must provide signs to warn state trail users of construction hazards.
- C. The Licensee is responsible for repairing any damage to the state trail in a manner satisfactory to the State.
- D. For maintenance and operations, prior approval must be obtained from the State for the cutting or trimming of trees within the state trail right-of-way.
- E. The Licensee may not close the state trail right-of-way without the prior written approval of the State.

7. Maintenance, operations and repairs.

- A. The Licensee must keep the premises in a neat and orderly condition, and shall remove all refuse and debris that may accumulate thereon.
- B. After initial installation, no merchantable timber shall be cut, used, removed or destroyed by the Licensee without first contacting the State at least 60 days in advance to determine if a timber payment is needed. Slash material on state water crossings must be disposed of within 30 days of maintenance activities.
- C. Emergency repairs and replacements may be made without prior notification to the State by the Licensee according to conditions and standards prescribed by Minnesota Rules, Chapter 6135 and the method of installation identified in this license. The Licensee shall notify the State of this activity as soon as practicable.
- D. The Licensee shall employ appropriate erosion and sedimentation measures at the site during any emergency repairs. The State must approve plans for restoration of the site after the emergency repairs are conducted.
- E. Other than the herbicide or pesticide application reporting as provided in paragraph 4, the Licensee shall notify the State of the extent and method of any routine maintenance and the proposed schedule. The notification must be in writing and must be provided either annually or at least 20 days prior to commencing any routine maintenance work on state water crossings subject to this license, The Licensee shall include a specific description of the proposed maintenance activities including location, clearing methods, erosion and sedimentation control measures, removal of merchantable timber, revegetation plans, and plans for preventing the spread of invasive species. The Licensee may commence any routine maintenance work unless notified to the contrary by the State within 20 days after the State's receipt of the maintenance plan. The State may require the Licensee to adjust its maintenance plans due to natural resource management concerns.

8. **State inspection.** The project hereunder shall at all times during and after construction be subject to inspection by the State and for that purpose the Licensee shall grant access to the premises at all reasonable times.
9. **Compliance with laws.** The Licensee shall comply with all federal, state and local laws and regulations, including municipal ordinances, affecting said lands or the area in which they are situated.
10. **Taxes and assessments.** The Licensee will pay when due all taxes and assessments levied against said waters or any improvements owned, used, or controlled by the Licensee, provided that the taxes or assessments are imposed due to this license.
11. **Enforcement.** No delay by the State in enforcing any of the conditions of this license shall operate as a waiver of any of its rights.
12. **Liability.** This license is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its officers, agents, or employees, officially or personally, on account of the granting of the license or on account of any damage to any person or property resulting from any act or omission of the Licensee or any of its agents, employees, or contractors relating to any license matter. This license shall not be construed as estopping or limiting any legal claims or right of action of any person against the Licensee, its agents, employees, or contractors for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the State against the Licensee, its agents, employees, or contractors, for violation of or failure to comply with the provisions of the license or applicable provisions of law. The Licensee shall indemnify and hold harmless the State from all claims arising out of the Licensee's use of the above described lands whether such claims are asserted by civil action or otherwise.
13. **Termination and cancellation.**
 - A. At the end of the license period and if both parties wish to renew, the renewal fee will be determined by the State.
 - B. This license shall be cancelable upon reasonable notice by the State for violation of any of its terms, or if at any time its continuance will conflict with a public use of the land over or upon which it is granted, or for any other reason. Licensee shall ensure that Licensee's employees, agents and contractors have received and thoroughly understand all conditions of this license.
 - C. Unless otherwise authorized by the State, upon the surrender, expiration or cancellation of this license, the Licensee shall remove from the above described lands all the utility lines and related structures owned by it. If Licensee does not remove such lines or related structures, all such lines or structures remaining shall become the property of the State, to be used or disposed of as the State elects. If the State requires the Licensee to remove utility lines and related structures and Licensee fails to do so, the Licensee agrees to pay the State for the costs of removing and disposing of such lines or structures.
14. **Assignment or transfer.** The Licensee shall not without the State's prior written consent: a) assign, convey or otherwise transfer this license or any interest under it; b) sublet the license corridor or any part thereof; or c) permit the use or occupancy of the license corridor or any part thereof by anyone other than the Licensee. This license shall extend to, and bind the successors, heirs, legal representatives and assigns of the Licensee, if any. The State may require a party who has requested to sublet, use or occupy the license corridor to obtain a separate license from the State prior to occupying or using the license corridor.
15. **Reports.** The Licensee must submit reports on herbicide and pesticide use as provided in paragraph 4 and maintenance and repair work as provided in paragraph 7.
16. **Contacts.** The contact for the State is the Regional Lands and Minerals Operations Supervisor, who currently is Joe Rokala at 218-328-8923. Any questions about this license shall be directed to the Regional Lands and Minerals Operations Supervisor. The Regional Lands and Minerals Operations Supervisor may direct the Licensee to contact additional State staff for reviews and approvals.

License Number UWAT011742

17. **Special provisions.** This license is subject to the SPECIAL PROVISIONS attached hereto as EXHIBIT A.

ACCEPTED AND ACKNOWLEDGED

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

HERMANTOWN, CITY OF

Licensee(s)

By Wayne Anderson

By Jessie C. Dahl
Regional Operations Supervisor

Title Mayor

Date 12/26/19

By Bonnie Engsted

Title City Clerk

Date 12-10-19

Form approved by Lands and Minerals Division, DNR, March 5, 2015.

License Number UWAT011742

EXHIBIT A
SPECIAL PROVISIONS (UWAT011742)



This license is granted subject to special provisions, per license provision 17. Special provisions apply to all public water crossings, and may clarify, add to, or substitute for standard license provisions contained within the license and application materials. Changes or exceptions to these special provisions are subject to written approval by the State.

When license and special provisions are in conflict with application materials, the license and special provisions shall prevail and supersede application materials.

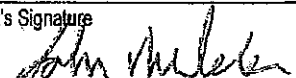
1. In accordance with license provision 1.H., work is prohibited in public waters from September 15 to April 30.

License # UUAT011742

For internal use only

	<p>Minnesota Department of Natural Resources Application for License to Cross Public Lands and Waters (Submit 1 copy of the application and attachments)</p>	
---	--	---

The Applicant, pursuant to Minnesota Statutes, section 84.415 and Minnesota Rules, Chapter 6135, applies for a license to cross PUBLIC LANDS or WATERS described below, in accordance with all maps, plans, specifications and other supporting data submitted with this application and made a part hereof.

<input checked="" type="radio"/> Send completed license to Applicant (listed below)		<input type="radio"/> Send completed license to Applicant's Agent (listed below)	
Applicant's Name (as it will appear on official license): City of Hermantown		Agent's Company: Northland Consulting Engineers	
Applicant's Mailing Address: Street 5105 Maple Grove Road City and State Hermantown, MN Zip Code 55811		Agent's Mailing Address: Street 102 S. 21st Ave. W. City and State Duluth, MN Zip Code 55086	
Applicant's Contact Person: John Mulder		Agent's Contact Person: David Bolf, P.E.	
Office Telephone Number (218) 729 - 3600	Alternate No. (i.e. Cell) () -	Office Telephone Number (218) 727 - 5995	Alternate No. (i.e. Cell) () -
Applicant's E-mail Address: jmulder@hermantownmn.com		Agent's E-mail Address: david@rice-duluth.com	
Applicant's Project No.: 16-808			
I. UTILITY: one utility type per application (check one box) ELECTRIC: <input type="radio"/> Transmission <input checked="" type="radio"/> Distribution Specify Voltage or Rating: _____ PIPELINE: <input type="radio"/> Gases <input checked="" type="radio"/> Liquids Specify Pipe Diameter: _____ COMMUNICATION: <input type="radio"/> Telephone <input type="radio"/> Cable TV <input type="radio"/> Solids in suspension <input type="radio"/> Other (specify) _____			
II. LICENSE OPTIONS TERM of LICENSE: Choose one. <input checked="" type="radio"/> 50 year or <input type="radio"/> 25 year RENEWAL of LICENSE: Choose one. <input type="radio"/> Yes or <input checked="" type="radio"/> No TYPE OF LICENSE: Choose one. <input checked="" type="radio"/> Water Crossing License or <input type="radio"/> Land Crossing License			
III. INFORMATION TO ATTACH TO APPLICATION A. APPLICATION FEE AND WAIVER FORM B. CROSSING TABLE C. MAPS AND PLANS D. ENVIRONMENTAL REVIEW AND ENVIRONMENTAL STANDARDS SUPPLEMENTAL INFORMATION (if applicable). Please indicate if this project has previously been reviewed pursuant to Minnesota Rules Chapter ,4410, the National Environmental Policy Act (NEPA), a Conditional Use Permit, or Natural Heritage Information System (NHIS) Information Request or other similar reviews. <input type="radio"/> Yes or <input checked="" type="radio"/> No <input checked="" type="checkbox"/> This proposed crossing does <u>NOT</u> comply with the environmental standards as listed in Minnesota Rules 6135.1100. Attached is an explanation of the conflict or discrepancy.			
IV. CERTIFICATION Applicant declares that the information submitted herein and statements made herein are a true and correct representation of the facts, and that the filing of this application and information with the Commissioner of Natural Resources is prima facie evidence of the correctness thereof. Applicant agrees to conform with and be bound by the terms of Minnesota Statutes, sec. 84.415 and Minnesota Rules, Chapter 6135; and additional terms of the license applied for, this application and all attachments of which will become a part.			
Applicant's Signature 		Title City Administrator	Date 5/7/19

Form approved by DNR Lands and Minerals on 6/13/2015

Revised 6/26/2019
3rd Revision 8/15/2019
4th Revision 11/13/2019

APPLICATION FEE AND WAIVER FORM

The application fee, unless waived as described below, must be included with the application. Choose one.

- Water Crossing License, Application fee \$2,250.00 or
- Land Crossing License, Application fee \$3,500.00

The application fee, unless waived as described below, **MUST ACCOMPANY THE APPLICATION**. Make the check payable to the Minnesota Department of Natural Resources. No action will be taken on the application until the application fee is received (except as noted below). The application fee is not refundable, even if the application is withdrawn or denied. **DO NOT INCLUDE A LICENSE CROSSING FEE OR MONITORING FEE WITH THE APPLICATION.** The Applicant will be notified of the license crossing fee and monitoring fee when the license is sent out for signature(s).

JOINT APPLICATIONS: Is this a "joint application for residential use" pursuant to Minnesota Statutes, Section 84.415, Subdivision 3a.? Yes or No

If yes, separate applications submitted for the same crossing shall be joined together and processed as one application, provided that the applications are submitted within one year of each other and the utility lines are for residential use only.

ELECTRIC LINES LESS THAN 100kV: Does this application include only crossings of an electric line that are less than 100 kV pursuant to Minnesota Statutes, Section 84.415, Subdivision 7?

- Yes or No

If yes, the application fee is waived. If no, please submit the appropriate application fee.

NON-MAIN PIPELINES: Does this application include only crossings that are considered non-main pipelines pursuant to Minnesota Statutes, Section 84.415, Subdivision 7? Yes or No

If yes, the application fee is waived. If no, please submit the appropriate application fee.

REDUCTION IN LICENSE FEE FOR LAND CROSSINGS: Pursuant to Minnesota Administrative Rules, Chapter 6135, the license fee for a land crossing may be reduced by 50% if an additional crossing is to be placed in an existing right-of-way pursuant to by the original licensee or any other licensee, as if this additional crossing were the original crossing in the right-of-way. Does this application include crossings in an existing utility license right-of-way? Yes or No

If yes, the applicant must provide the appropriate documentation as part of the license application packet.

List the specific crossings that are in an existing utility license right-of-way:

License No.	Licensee	Crossing Location
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

May 6, 2019

Joe Rokala
MnDNR Land & Minerals Department
1201 East Highway 2
Grand Rapids, MN 55744

Re: Hermantown Section 24 Trunk Sewer Spur – Public Waters Crossings

Dear Joe & Permit Review Staff:

The City of Hermantown intends to construct a public sanitary sewer main (Hermantown Trunk Sewer Spur) through Section 24. The City has reviewed many options to serve this undeveloped area of land in the Hermantown Marketplace, a zoning district to promote mixed use development in Hermantown. The study began when the City realized that the lift station needed to be upgraded due to inquiries of future development in Section 24. The lift station is at capacity with today's flows. Because of this, there have been multiple backups to a nearby building when this lift station wasn't functioning properly. The City reviewed options to address the over-capacity lift station, but replacement costs for the lift station were significant enough that the City reviewed other alternatives. Through preliminary design it was found that there was grade to run sewer through Section 24 and connect to the existing trunk sewer that serves a much of the eastern half of Hermantown. The new trunk sewer spur is proposed to run from Haines Road and Maple Grove Road and tie into the trunk sewer along Okerstrom Road 980 feet south of Anderson Road. Gravity sewer is extremely valuable to the City of Hermantown, because of the reduced maintenance in comparison with lift stations. The proposed alignment would initially take one lift station off line and ultimately two more. The new line also adds the ability to serve approximately 230+ acres with access to gravity sewer.

The proposed alignment would be a gravity sewer line utilizing the natural fall by following Keene Creek and with that can be feasibly constructed with an average depth of 15 feet. The project will cross Keene Creek, a designated trout stream, at two locations. The two planned locations are actually sewer stubs off of the trunk sewer, not the main sewer spur. These stubs crossing the creek will provide the east side of the creek with gravity sewer connection points. While filling out the utility crossing permit application, it became apparent that the proposed open cut trench was not an observed low impact crossing. We evaluated the options available and the only other potential option would be jack and boring. Due to expected bedrock in the area and visual cobble and boulders in the bed of the creek, it is anticipated that jack and boring will not be feasible and that blasting of bedrock may be necessary to construct a trench across Keene Creek. In the attached drawings you will see it is our intent that the contractor would dam and drain the work section by damming and bypass pumping around the work zone. This would highly minimize the likely hood of sediment being carried downstream by the creeks flow during the crossing. It is estimated the contractor would be across the creek in 1-2 days.

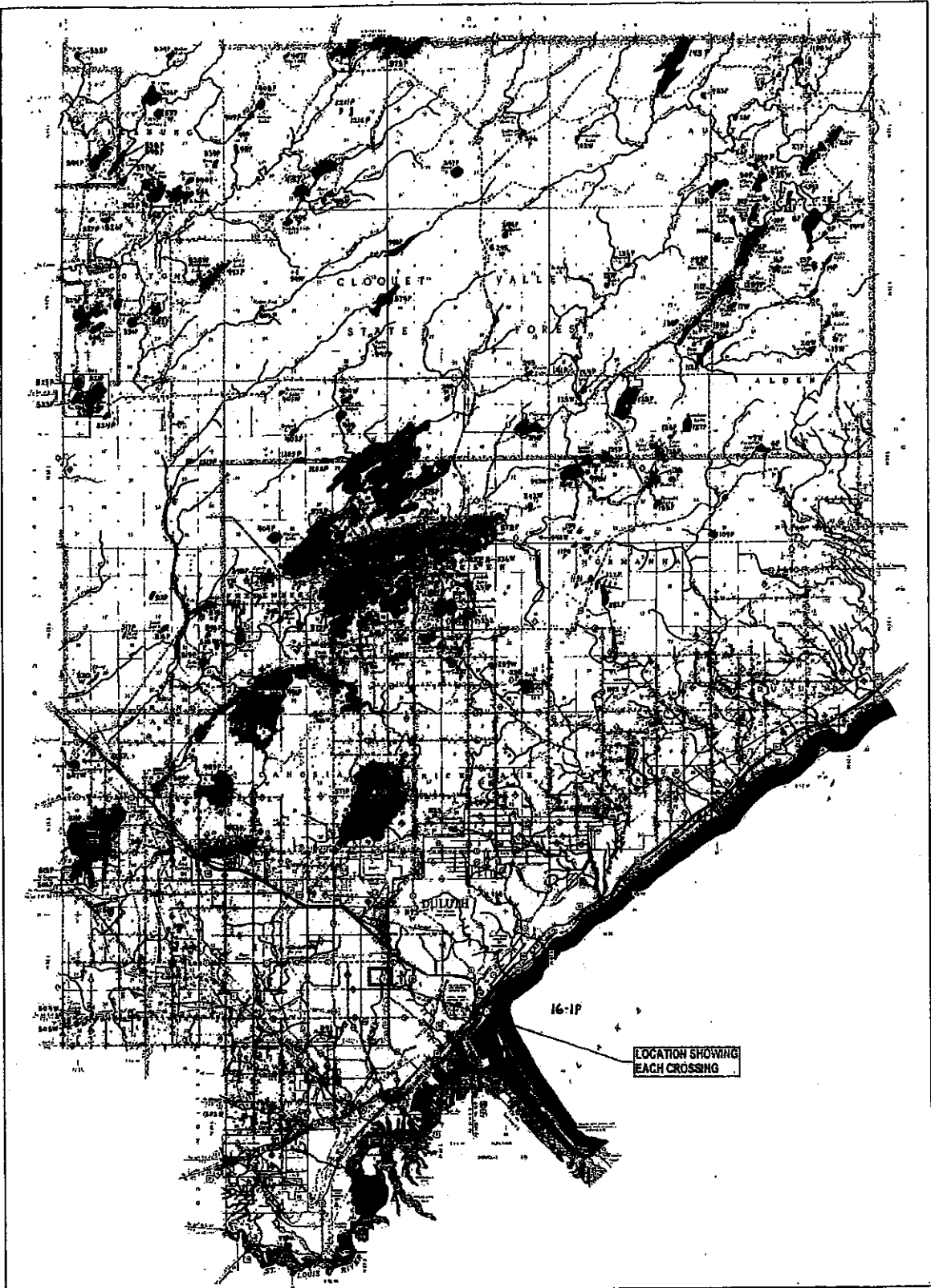
The attached exhibits and crossing profiles show the location and depth of the crossing pipe in relation to Keene Creeks centerline. The new sanitary stub will be an 8" diameter SDR35 PVC pipe and placed in a 50' of steel casing where it crosses the creek. In review of the DNR public water maps, NCE found the "end" of Keene Creek to be just south of two other crossing of a small creek. It is our assumption that these crossings will not be subject to DNR review because the water body is not a public water at that point. We are asking for clarification of the extents designated public water during the review.

Please contact me with any questions regarding the application.

Thank you,



David Bolf, P.E. – City Engineer



LOCATION SHOWING
EACH CROSSING

**PROTECTED
WATERS
AND
WETLANDS**

**ST. LOUIS
COUNTY
MINNESOTA**

SHEET 2 of 7



LEGEND

Protected Waters:

- Waters are identified with a number and the stream name.
- Wetlands are identified with a heavy, dark line.
- Project studies are identified with a dashed line.

Protected Wetlands:

- Identified with a wavy line and the letter "W".

The field is intended to use with a separate map sheet. The boundaries of the protected waters and wetlands are shown in black. The stream names, but not the stream courses, are shown in bold. The stream courses are defined by Minnesota Statutes, Section 103B27 and is determined through DNR field observations.

Protected waters and wetlands are subject to a variety of regulations. Section 103B27, which requires that a permit be obtained from the DNR before any activity is undertaken within the protected waters and wetlands, and the DNR will be responsible for further enforcement.

Notes:

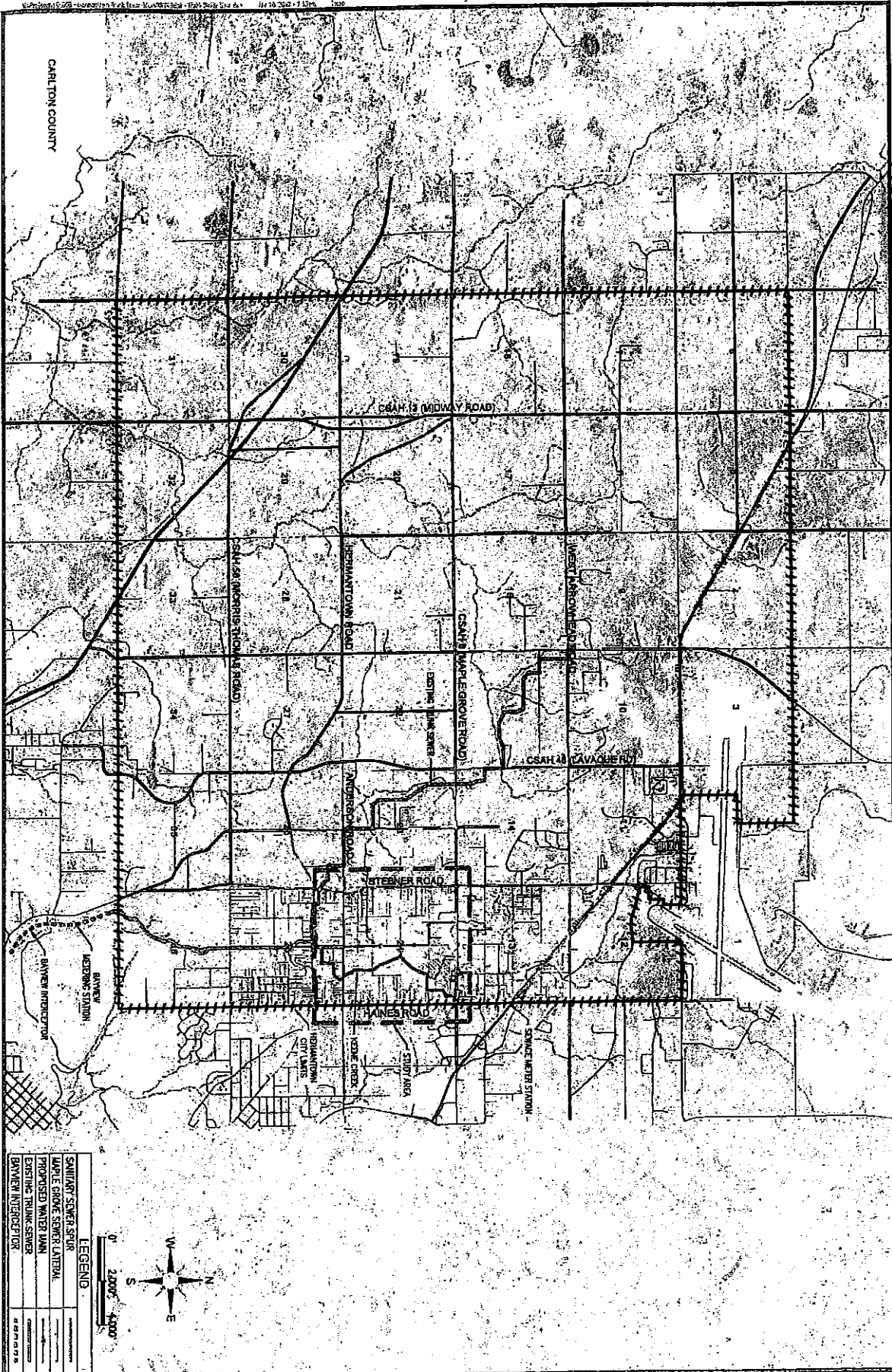
The designations and mapping of protected waters and wetlands are subject to change. The DNR will be responsible for the protection of these areas. The DNR will be responsible for the protection of these areas.

Without prejudice to the rights, responsibilities and obligations of private landowners, the DNR will be responsible for the protection of these areas for further information.

Water Bank

SCALE: 1/2" = 1 MILE

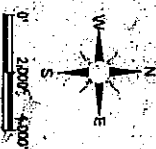
MINNESOTA
Department of Natural Resources
Division of Waters
Duluth 1996



CARLTON COUNTY

LEGEND

	SEWER SPUR
	WATER MAIN
	PROPOSED WATER MAIN
	EXISTING TRUNK SEWER
	SAWYER INTERCEPTOR



Sheet Number
EXHIBIT 1.0

Sheet Title
**HERMANTOWN SECTION 24 TRUNK SEWER SPUR
PROJECT MAP**





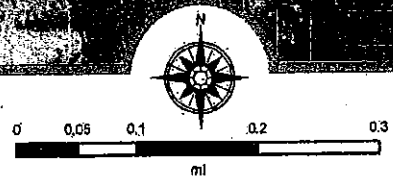
County Land Explorer

St. Louis County, Minnesota



Spur Crossing #1

NCE



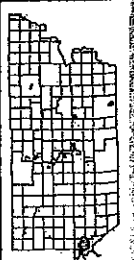
County Land Explorer
St. Louis County www.stlouiscountymn.gov/explorer Minnesota

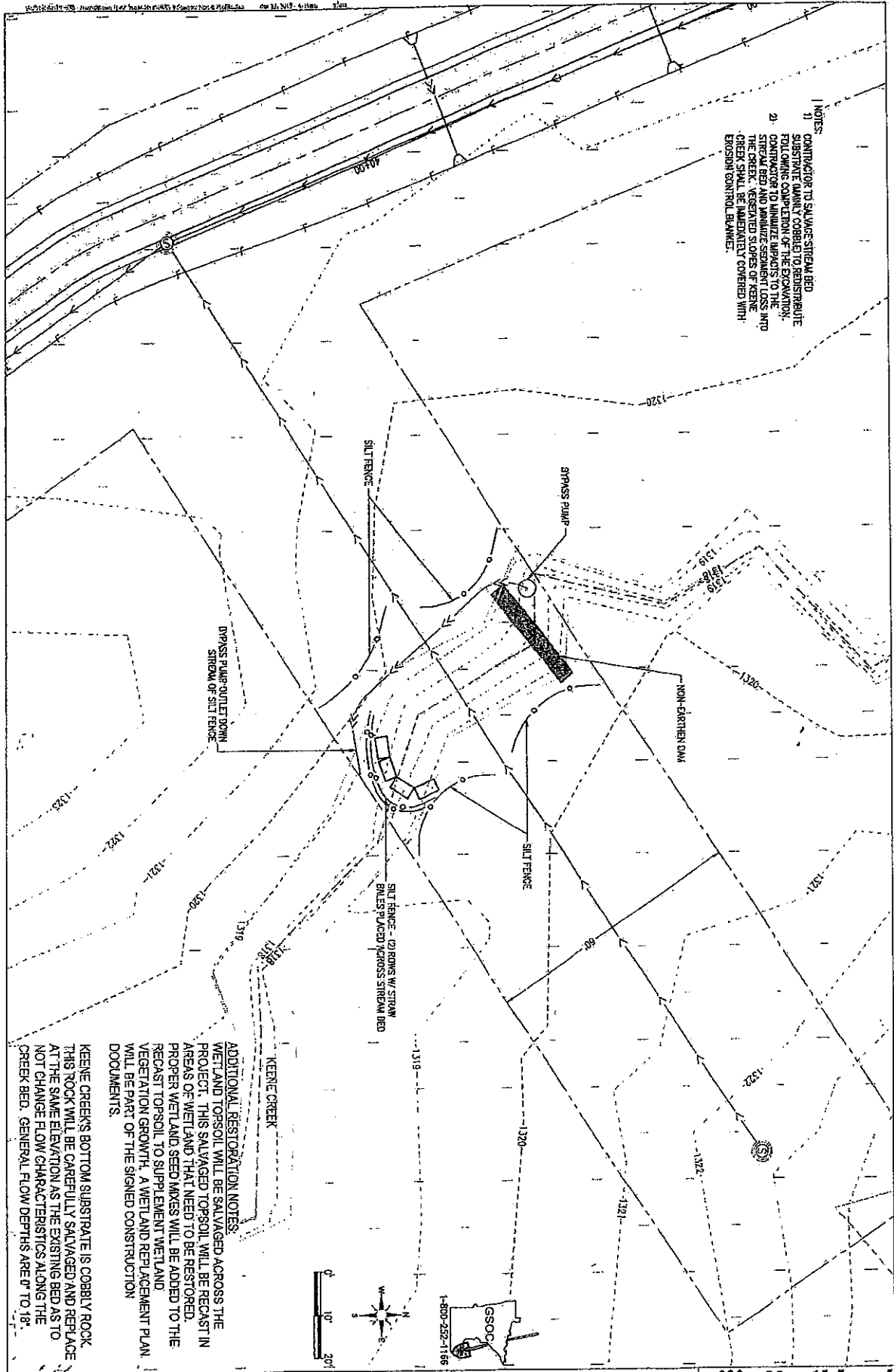
Disclaimer

This is a compilation of records as they appear in the Saint Louis 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.

Map created using County Land Explorer
www.stlouiscountymn.gov/explorer

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NOTES:
 1) CONTRACTOR TO SALVAGE STREAM BED SUBSTRATE QUANTY COBBLED TO REDISTRIBUTE FOLLOWING COMPLETION OF THE EXCAVATION.
 2) CONTRACTOR TO MINIMIZE IMPACTS TO THE STREAM BED AND MINIMIZE SEEDING LOSS INTO THE CREEK. VEGETATED SLOPES OF KEENE CREEK SHALL BE IMMEDIATELY COVERED WITH EROSION CONTROL BLANKET.

ADDITIONAL RESTORATION NOTES:
 WETLAND TOPSOIL WILL BE SALVAGED ACROSS THE PROJECT. THIS SALVAGED TOPSOIL WILL BE RECAST IN AREAS OF WETLAND THAT NEED TO BE RESTORED. PROPER WETLAND SEED MIXES WILL BE ADDED TO THE RECAST TOPSOIL TO SUPPLEMENT WETLAND VEGETATION GROWTH. A WETLAND REPAIR PLAN WILL BE PART OF THE SIGNED CONSTRUCTION DOCUMENTS.
 KEENE CREEK'S BOTTOM SUBSTRATE IS COBBLE ROCK. THIS ROCK WILL BE CAREFULLY SALVAGED AND REPLACED AT THE SAME ELEVATION AS THE EXISTING BEDS AS TO NOT CHANGE FLOW CHARACTERISTICS ALONG THE CREEK BED. GENERAL FLOW DEPTHS ARE 0' TO 18".

DATE: 10-20-06
 DRAWN BY: [Signature]
 CHECKED BY: [Signature]
 SHEET TITLE: [Blank]
 SHEET NUMBER: [Blank]

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 PE: David G. Boff
 Lic. No: 40926

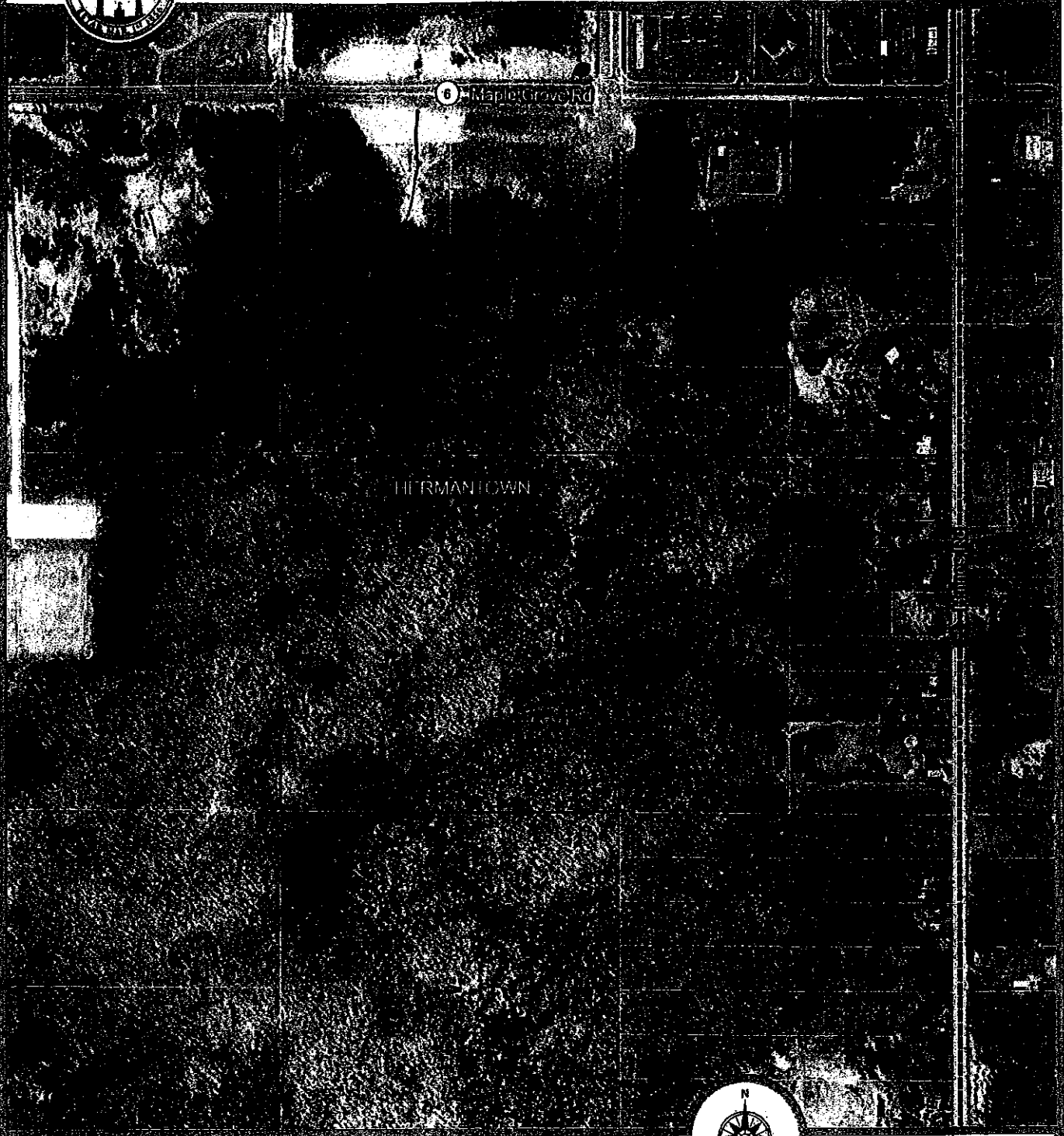
SECTION 24 TRUNK SEWER SPUR AND RECREATIONAL TRAIL
 SANITARY SEWER IMPROVEMENT DISTRICT #XXX

Northland
 Consulting Engineers L.L.P.
 1-800-252-1166
 1117 7th Avenue S.W. Minneapolis, MN 55415



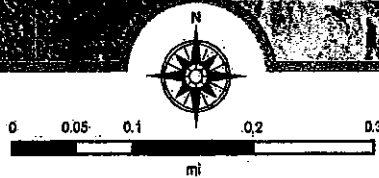
County Land Explorer

St. Louis County, Minnesota



Spur Crossing #2

NCE



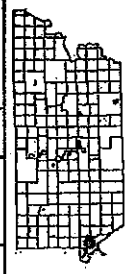
County Land Explorer
St. Louis County www.stlouiscountymn.gov/explorer Minnesota

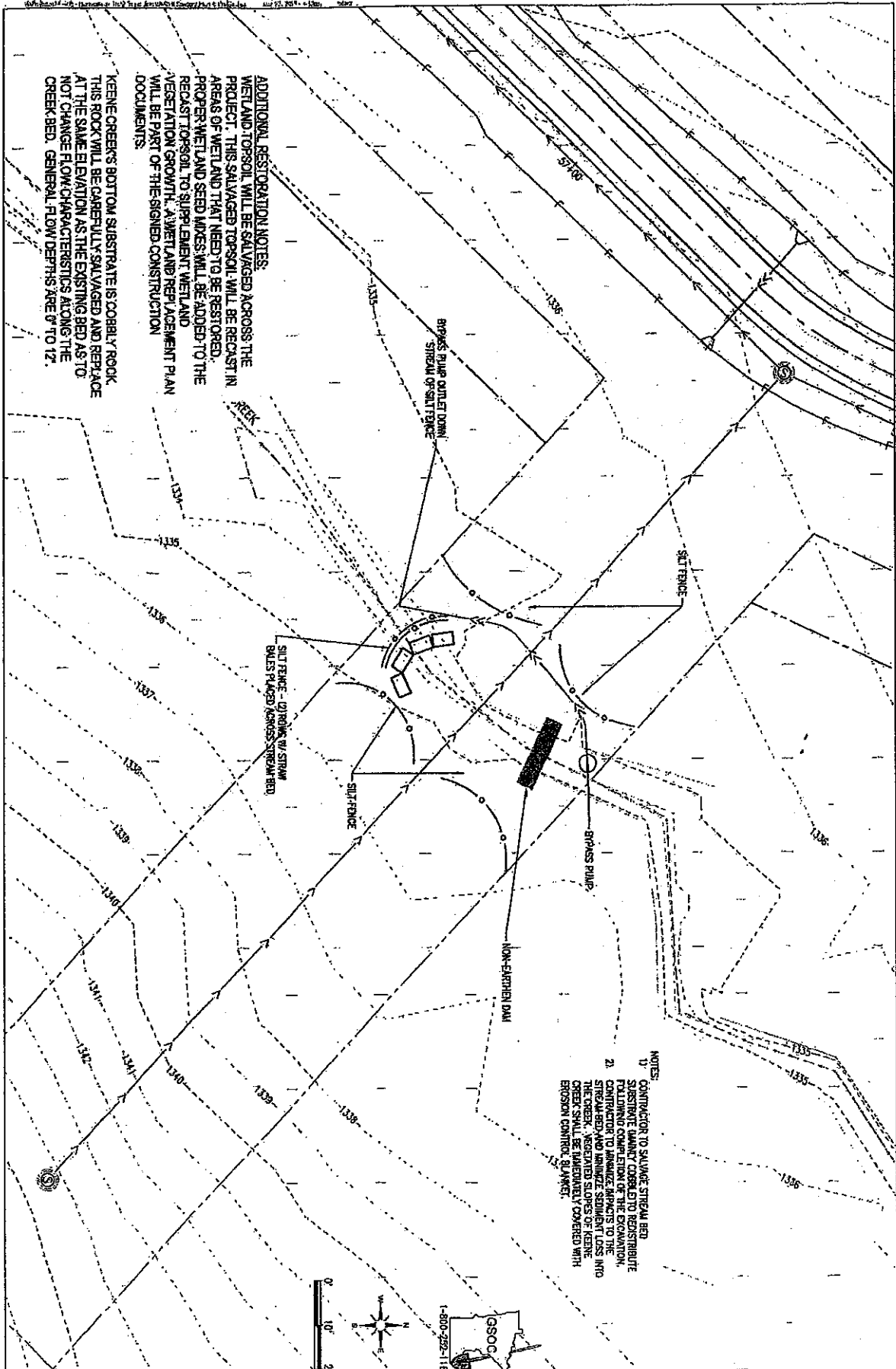
Disclaimer

This is a compilation of records as they appear in the Saint Louis 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.

Map created using County Land Explorer
www.stlouiscountymn.gov/explorer

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ADDITIONAL RESTORATION NOTES:
 WESTLAND TOPSOIL WILL BE SALVAGED ACROSS THE PROJECT. THIS SALVAGED TOPSOIL WILL BE RECAST IN AREAS OF WESTLAND THAT NEED TO BE RESTORED.
 - PROPER WESTLAND SEED MIXES WILL BE ADDED TO THE RECAST TOPSOIL TO SUPPLEMENT WESTLAND VEGETATION GROWTH.
 - WESTLAND REPLACEMENT PLAN WILL BE PART OF THE SIGNED CONSTRUCTION DOCUMENTS.
 KEENE CREEK'S BOTTOM SUBSTRATE IS CORALY ROCK. THIS ROCK WILL BE CAREFULLY SALVAGED AND REPLACED AT THE SAME ELEVATION AS THE EXISTING BED AS TO NOT CHANGE FLOW CHARACTERISTICS ALONG THE CREEK BED. GENERAL FLOW DEPTHS ARE 9" TO 12".

NOTES:
 1) CONTRACTOR TO SALVAGE STREAM BED EXISTING DAMT CONSIDER TO RESTORATE EXISTING DAMT TO ORIGINAL ELEVATION.
 2) CONTRACTOR TO REMOVE BRANCHES TO THE STREAM BED AND MINIMIZE SEDIMENT LOSS INTO THE CREEK. EXPOSED SLOPES OF KEENE CREEK SHALL BE IMMEDIATELY COVERED WITH EROSION CONTROL BLANKETS.

SILT FENCE - (D) BRINKS W/ STRAW BAILS PLACED ACROSS STREAM BED

BRASS PIPE OUTLET DOWN SLOPE OF SILT FENCE

SILT FENCE

BRASS PIPE

NON-PARTIEN DAM

SILT FENCE



I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 XXXXXXXXXX Lic. No. 40926
 Engineer: David G. Boff

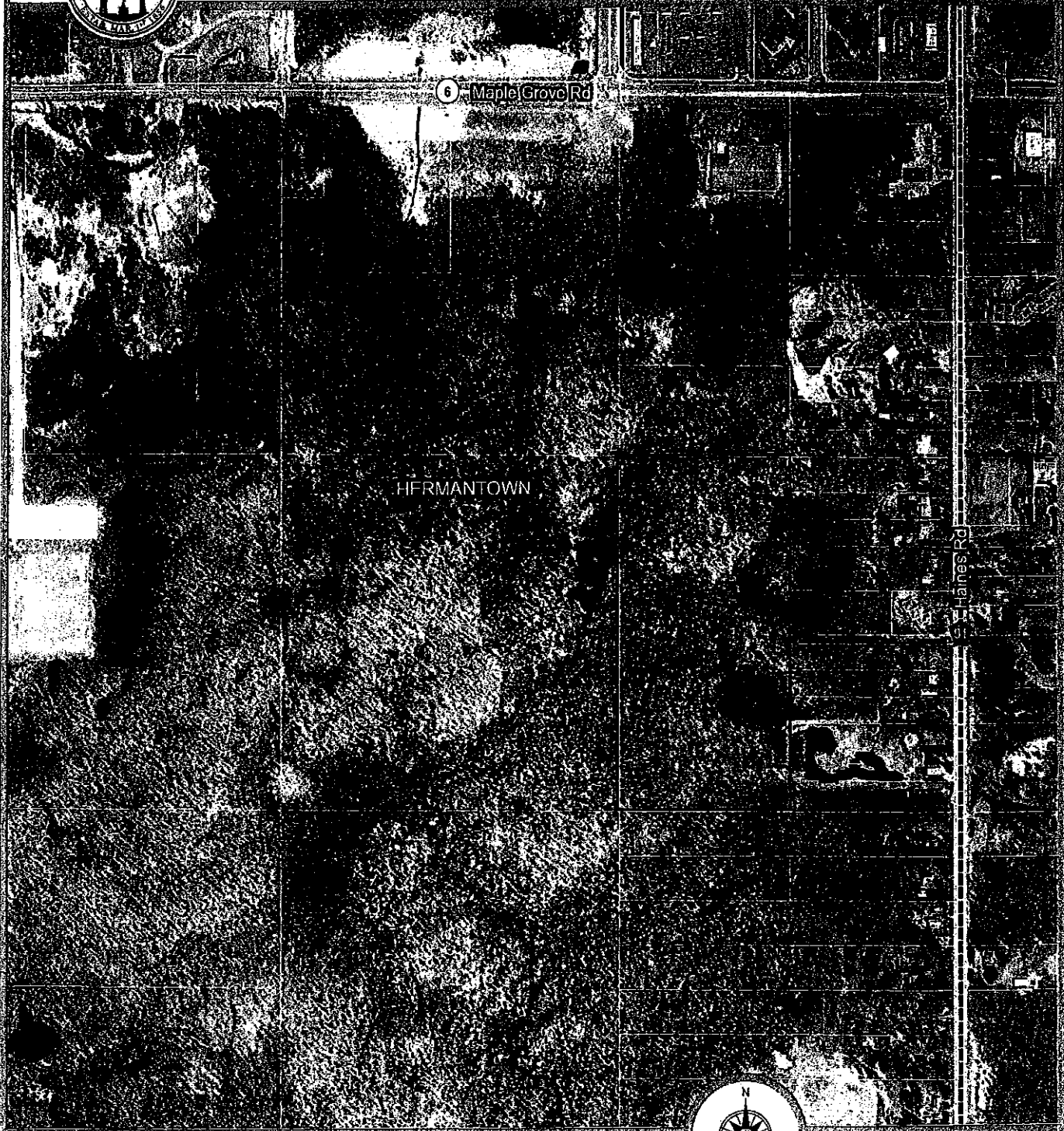
SECTION 24 TRUNK SEWER SPUR AND RECREATIONAL TRAIL
 SANITARY SEWER IMPROVEMENT DISTRICT #XXX

Northland
 Consulting Engineers L.L.P.
 Structural and Foundation Engineering Services
 10000 Grandview Avenue
 Minneapolis, MN 55426-1000
 Tel: 612-337-3400 Fax: 612-337-3779 www.nce-engineers.com



County Land Explorer

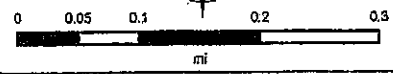
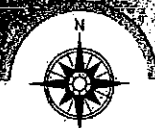
St. Louis County, Minnesota



6 - Maple Grove Rd

HERMANTOWN

Haines Rd



Spur Crossing #3

NCE

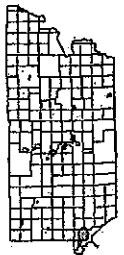
St. Louis County www.stlouiscountymn.gov/explorer Minnesota

Disclaimer

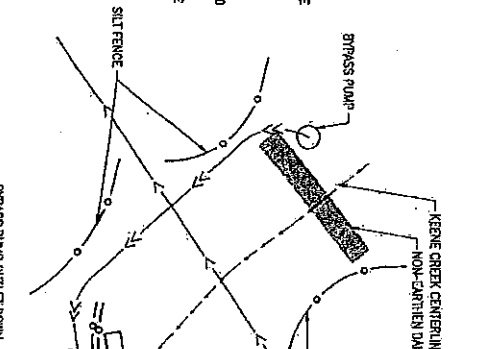
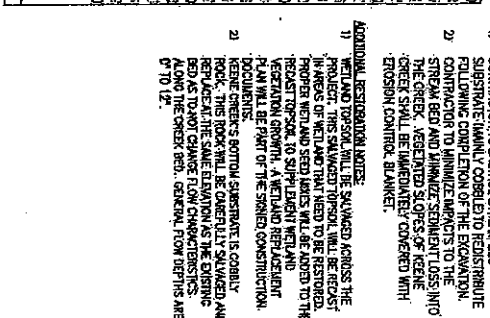
This is a compilation of records as they appear in the Saint Louis County Offices affecting the area shown. This drawing is to be used only for reference purposes and the County is not responsible for any inaccuracies herein.

Map created using County Land Explorer
www.stlouiscountymn.gov/explorer

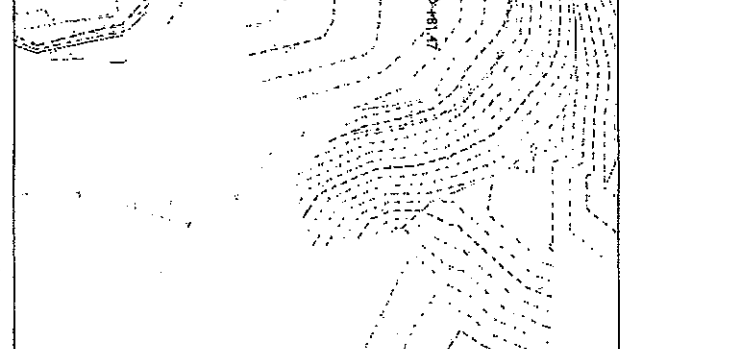
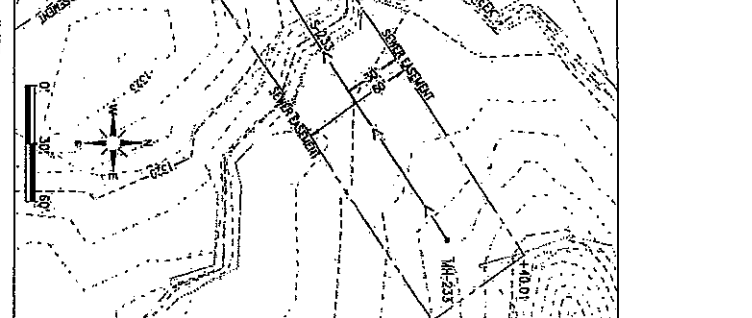
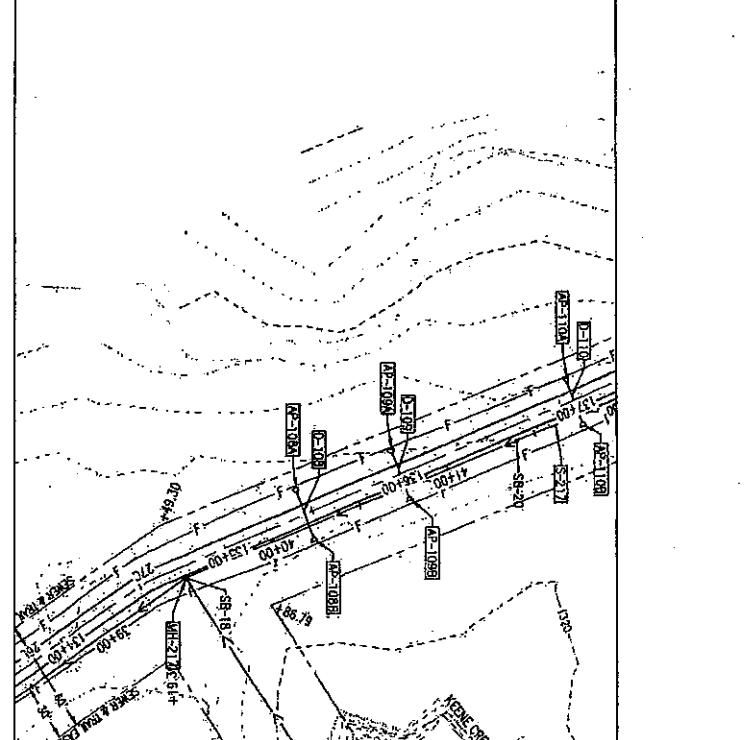
© Copyright, St. Louis County Minnesota | All Rights Reserved Printed: 3/8/2019



STATION	INVERT	PIPE	LENGTH	MANHOLE	INVERT	PIPE	LENGTH	MANHOLE
0+00	1321.78	18"	100'	1+00	1319.84	18"	100'	2+00
1+00	1321.70	18"	100'	2+00	1319.84	18"	100'	3+00
2+00	1323.67	18"	100'	3+00	1320.77	18"	100'	4+00
3+00	1321.14	18"	100'	4+00	1322.71	18"	100'	5+00
4+00	1321.14	18"	100'	5+00	1322.71	18"	100'	6+00
5+00	1319.84	18"	100'	6+00	1324.57	18"	100'	7+00
6+00	1319.84	18"	100'	7+00	1324.57	18"	100'	8+00
7+00	1319.84	18"	100'	8+00	1324.57	18"	100'	9+00
8+00	1319.84	18"	100'	9+00	1324.57	18"	100'	10+00



STATION	INVERT	PIPE	LENGTH	MANHOLE	INVERT	PIPE	LENGTH	MANHOLE
0+00	1321.78	18"	100'	1+00	1319.84	18"	100'	2+00
1+00	1321.70	18"	100'	2+00	1319.84	18"	100'	3+00
2+00	1323.67	18"	100'	3+00	1320.77	18"	100'	4+00
3+00	1321.14	18"	100'	4+00	1322.71	18"	100'	5+00
4+00	1321.14	18"	100'	5+00	1322.71	18"	100'	6+00
5+00	1319.84	18"	100'	6+00	1324.57	18"	100'	7+00
6+00	1319.84	18"	100'	7+00	1324.57	18"	100'	8+00
7+00	1319.84	18"	100'	8+00	1324.57	18"	100'	9+00
8+00	1319.84	18"	100'	9+00	1324.57	18"	100'	10+00



STATION	INVERT	PIPE	LENGTH	MANHOLE	INVERT	PIPE	LENGTH	MANHOLE
0+00	1321.78	18"	100'	1+00	1319.84	18"	100'	2+00
1+00	1321.70	18"	100'	2+00	1319.84	18"	100'	3+00
2+00	1323.67	18"	100'	3+00	1320.77	18"	100'	4+00
3+00	1321.14	18"	100'	4+00	1322.71	18"	100'	5+00
4+00	1321.14	18"	100'	5+00	1322.71	18"	100'	6+00
5+00	1319.84	18"	100'	6+00	1324.57	18"	100'	7+00
6+00	1319.84	18"	100'	7+00	1324.57	18"	100'	8+00
7+00	1319.84	18"	100'	8+00	1324.57	18"	100'	9+00
8+00	1319.84	18"	100'	9+00	1324.57	18"	100'	10+00

NOTES:
 1) CONTRACTOR TO SALVAGE STREAM BED SUBSTRATE MAINLY CORBELLED REDISTRI-BUTE FOLLOWING COMPLETION OF THE EXCAVATION.
 2) CONTRACTOR TO MINIMIZE SCOUR TO THE STREAM BED AND MINIMIZE SCOUR LOSS INTO THE CENTER. REVEALED SCOUR LOSS INTO STREAM SHALL BE REINSTATED CONFORMING WITH EROSION CONTROL PLAN.
 ADDITIONAL RESTORATION NOTES:
 1) WETLAND TOPSOIL WILL BE SALVAGED ACROSS THE PROJECT. THIS SALVAGED TOPSOIL WILL BE RECAST IN AREAS OF WETLAND THAT NEED TO BE RESTORED. PROPER WETLAND SEED MIXES WILL BE APPLIED TO THE PROJECT TO RESTORE TO SUPPLEMENT WETLAND PLANT COMMUNITY. A REVEALED SCOUR RESTORATION PLAN WILL BE PART OF THE EXCAVATION CONSTRUCTION DOCUMENTS.
 2) KENNEBEC RIVER BOTTOM SUBSTRATE IS COMBLY ROCK. THIS ROCK WILL BE QUERRELY SALVAGED AND REPLACED AT THE SAME ELEVATION AS THE EXISTING BEDS TO PREVENT CHANGE FLOW CHARACTERISTICS ALONG THE CENTER BED. GENERAL TYPICAL DEPTHS ARE 0' TO 12'.

1-800-252-1186
 GSOC
 TRUNK SEWER SPUR AND MUNGER TRAIL SPUR
 SANITARY SEWER IMPROVEMENT DISTRICT #448
Northland
 Consulting Engineers L.L.P.
 10000 University Ave. S. Suite 100
 Minneapolis, MN 55425
 Phone: 612-751-5119
 Fax: 612-751-5119
 www.northlandeng.com

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 XXXXX/XXXX
 U.C. No. 40926
 Engineer: David G. Bell
 Project: SANITARY SEWER IMPROVEMENT DISTRICT #448
 Sheet Title: SANITARY SEWER IMPROVEMENT DISTRICT #448
 Sheet Number: 36 of 100



m DEPARTMENT OF
NATURAL RESOURCES

Minnesota Department of Natural Resources
Division of Lands and Minerals
1201 East Highway 2
Grand Rapids, MN 55744

January 2, 2020

City of Hermantown
5105 Maple Grove Rd
Hermantown, MN 55811

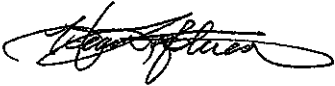
RE: License # UWAT011742
Legal Description: Covering certain public water in St. Louis County

Dear City of Hermantown:

Attached is the fully executed original of the above referenced license document which includes your application documents. Payment has been made for the term of the license.

If you have any questions about this license, please contact me at 218-328-8921.

Sincerely,



Heather Lofstuen
Division of Lands and Minerals

Enclosure(s)
cc: Army Corps of Engineers

Office of City Clerk

Hermantown, MN

BONNIE ENGSETH, City Clerk

RESOLUTION NO. 2019-202

**RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR UGSTAD ROAD LIFT
STATION SANITARY SEWER IMPROVEMENT DISTRICT NO. 449**

Motion made by Councilor Geissler, seconded by Councilor Schmidt to adopt Resolution 2019-202, Resolution Approving Change Order No. 1 For Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

I, Bonnie Engseth, City Clerk of the City of Hermantown, Minnesota, do hereby certify that I have compared the annexed copy of Resolution passed by the City Council of the City of Hermantown on the 2nd day of December 2019, with the original in my custody as City Clerk of said City, and that the same is a true and correct transcript therefrom.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City of Hermantown, the 3rd day of December 2019.

BONNIE ENGSETH, CITY CLERK

By Bonnie Engseth

City of Hermantown, MN

Resolution No. 2019-202

**RESOLUTION APPROVING CHANGE ORDER NO. 1 FOR UGSTAD ROAD LIFT STATION
SANITARY SEWER IMPROVEMENT DISTRICT NO. 449**

WHEREAS, the City of Hermantown has contracted with George Bougalis & Sons, Co. for construction of Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449 ("Project:"); and

WHEREAS, George Bougalis & Sons, Co. has submitted Change Order No. 1 for:

1. Adjustment of the completion date from November 30, 2019 to June 15, 2020.

WHEREAS, George Bougalis & Sons, Co. has recommended such Change Order No. 1, and

WHEREAS, Northland Consulting Engineers LLP has approved such Change Order No. 1.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hermantown, Minnesota as follows:

1. Change Order No. 1 is hereby approved.

Councilor Geissler introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor Schmidt and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye.

and the following voted in opposition thereto:

None

WHEREUPON, such resolution has been duly passed and adopted December 2, 2019.



11 East Superior Street, Suite 420
Duluth, MN 55802
218.724.8578
tkda.com

November 26, 2019

Mr. John Mulder
City Administrator
City of Hermantown
5105 Maple Grove Road
Hermantown, MN 55811

RE: Ugstad Road Lift Station 3—Request for Extension and Change Order 1
TKDA Project No. 17467.000

Dear Mr. Mulder,

As you are aware, the Contractor for the above-reference project has requested a time extension for completion of the project from the original November 30, 2019. The revised schedule being proposed has a start date in early December, a substantial completion date of April 15, 2020 and final completion date of June 15, 2020.

In addition to the time extension, we recently learned that the power supply nearest the lift station was not the voltage type which was anticipated during design. The Contractor has provided revised shop drawings (which we have reviewed and approved) for the lift station control panel which incorporate components allowing the panel to properly supply electricity to the lift station pumps. The additional cost for this change is \$8,435.70. I have attached a draft Change Order 1 for City approval which incorporates both the time extension and control panel changes into the project contract.

I recommend that the City approve both the contract time extension and changes to the control panel components so that the Contractor can move forward and complete the project.

Please contact me with any questions you may have. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Goetzman'.

Jeff Goetzman, PE
Project Manager

Change Order

No. 1

Date of Issuance: November 26, 2019 Effective Date: November 26, 2019

Project: <u>Ugstad Rd Lift Station 3</u>	<u>City of Hermantown</u>	Owner's Contract No.:
Contract:		Date of Contract: <u>August 19, 2019</u>
Contractor: <u>Bougalis and Sons</u>		Engineer's Project No.: <u>17467.000</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Changes in the control panel variable frequency drives (VFDs) and in contract time. Power source onsite was found to be single phase vs 3-phase power. Larger VFDs will be used to convert the power to 3-phase within the panel to supply pumps correct power voltage.

Attachments (list documents supporting change):

Primex equipment quotation and letter requesting time extension from Contractor.

CHANGE IN CONTRACT PRICE:

Original Contract Price:

\$ 241,690.00

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:

\$ N/A

Contract Price prior to this Change Order:

\$ 241,690.00

[Increase] [Decrease] of this Change Order:

\$ 8,435.70

Contract Price incorporating this Change Order:

\$ 250,125.70

CHANGE IN CONTRACT TIMES:

Original Contract Times: Working days Calendar days

Substantial completion (days or date): _____

Ready for final payment (days or date): November 30, 2019

[Increase] [Decrease] from previously approved Change Orders No. _____ to No. _____:

Substantial completion (days): _____

Ready for final payment (days): N/A

Contract Times prior to this Change Order:

Substantial completion (days or date): _____

Ready for final payment (days or date): November 30, 2019

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): April 15, 2020

Ready for final payment (days or date): June 15, 2020

Contract Times with all approved Change Orders:

Substantial completion (days or date): April 15, 2020

Ready for final payment (days or date): June 15, 2020

RECOMMENDED:

By: 
Engineer (Authorized Signature)

Date: _____

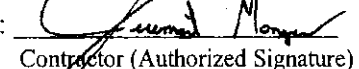
Approved by Funding Agency (if applicable):

ACCEPTED:

By: _____
Owner (Authorized Signature)

Date: _____

ACCEPTED:

By: 
Contractor (Authorized Signature)

Date: 11/26/2019

Date: _____

Change Order

Instructions

A. GENERAL INFORMATION

This document was developed to provide a uniform format for handling contract changes that affect Contract Price or Contract Times. Changes that have been initiated by a Work Change Directive must be incorporated into a subsequent Change Order if they affect Price or Times.

Changes that affect Contract Price or Contract Times should be promptly covered by a Change Order. The practice of accumulating Change Orders to reduce the administrative burden may lead to unnecessary disputes.

If Milestones have been listed in the Agreement, any effect of a Change Order thereon should be addressed.

For supplemental instructions and minor changes not involving a change in the Contract Price or Contract Times, a Field Order should be used.

B. COMPLETING THE CHANGE ORDER FORM

Engineer normally initiates the form, including a description of the changes involved and attachments based upon documents and proposals submitted by Contractor, or requests from Owner, or both.

Once Engineer has completed and signed the form, all copies should be sent to Owner or Contractor for approval, depending on whether the Change Order is a true order to the Contractor or the formalization of a negotiated agreement for a previously performed change. After approval by one contracting party, all copies should be sent to the other party for approval. Engineer should make distribution of executed copies after approval by both parties.

If a change only applies to price or to times, cross out the part of the tabulation that does not apply.



3402 15TH AVENUE EAST
HIBBING, MN 55746
218.263.7476
WWW.BOUGALISANDSONS.COM

November 25, 2019

Mr. John Mulder

City Administrator

City of Hermantown

5105 Maple Grove Road

Hermantown, MN 55811

Re: Time Extension/Schedule Request for Ugstad Road Lift Station #3 Construction

Dear Mr. Mulder:

I am writing to respectfully request that the City of Hermantown grant an extension to the construction schedule for the Ugstad Road Lift Station #3 project. Originally, our contract for construction showed a completion date of November 30, 2019. Bougalis & Sons is requesting an extension of the contract to reflect a substantial completion date of April 15, 2020 and final completion of the project (seeding, Class 5, clean up) by June 15, 2020.

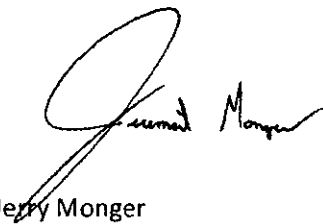
The project schedule has been affected by many things beyond our control and include:

1. Hatches & vent pipes for the wet well and valve vault had a submittal and production schedule that delayed the final production of the structure top slabs.
2. The wet well structure itself had an abnormally long lead time for submittal and production and was further delayed by the required 28-day cure prior to placing the specified exterior tar coating that needed an additional 7-day cure before being transportable.
3. Not having an "approved equal" supplier option for the control panel has put us at the mercy of the specified vendor Primex who is still to this date, working on the submittal review process. This submittal review process has stretched beyond our initial schedule because of a recent utility voltage change and upsizing of VFD's. Once submittals are complete, we anticipate and lengthy production schedule before being available for us to install.

The updated schedule is attached to this letter for your review and it illustrates the long lead times in our submittal & production process.

Thank you for your attention and consideration of this matter. Please contact me with any questions or concerns you might have.

Sincerely,

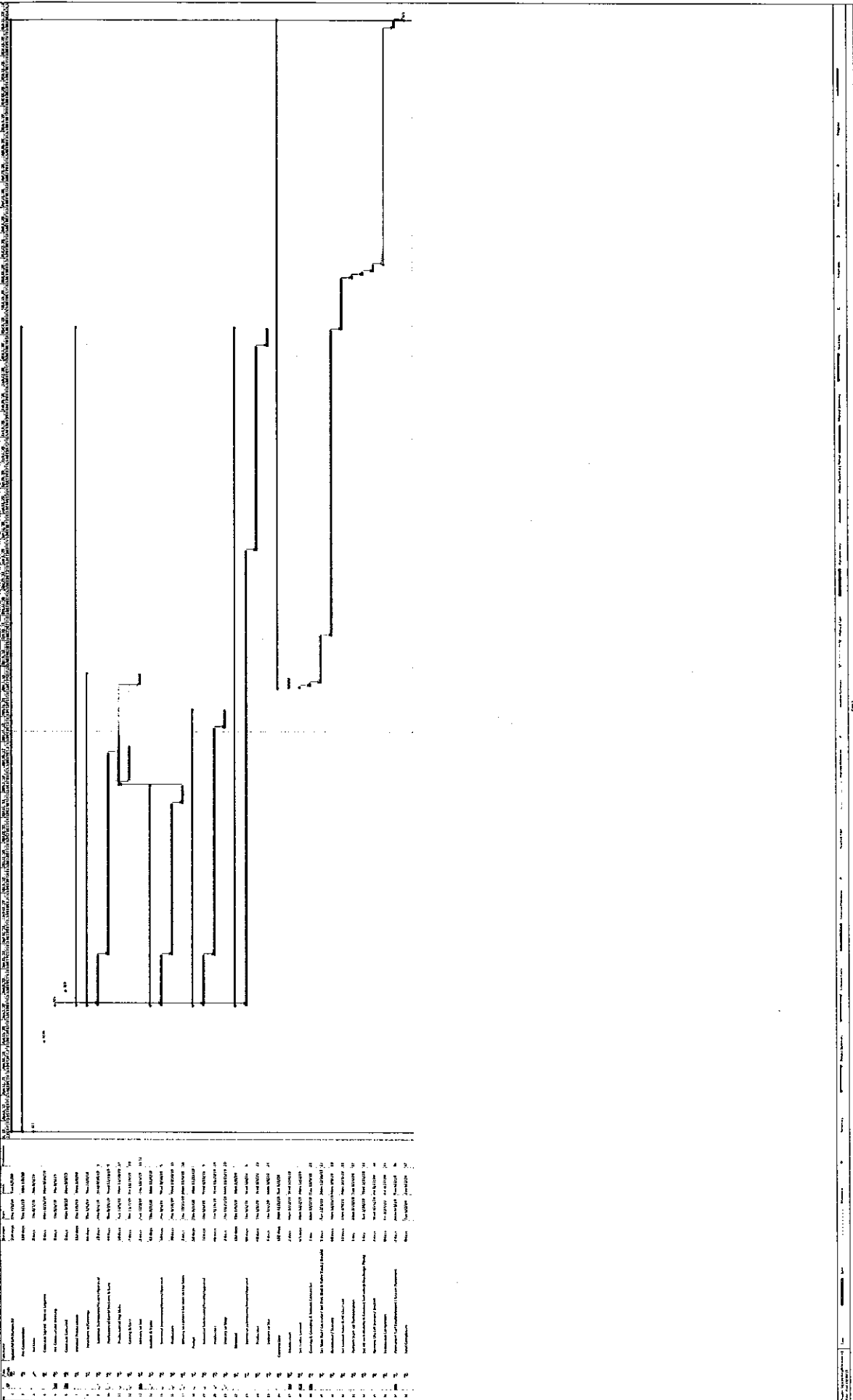
A handwritten signature in black ink, appearing to read "Jerry Monger". The signature is fluid and cursive, with a large initial "J" and "M".

Jerry Monger

Project Manager

Mobile: 218.969.7323 **Email:** JMonger@BougalisAndSons.com

Office: 218.263.7476 **Fax:** 218.263.3542



No.	Descripción	Material	Cantidad	Unidad
1	CONCRETO ARMADO	CONCRETO ARMADO	1.00	m ³
2	ACERO	ACERO	1.00	kg
3	LADRILLOS	LADRILLOS	1.00	m ²
4	MORTARO	MORTARO	1.00	m ³
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PROYECTO DE CONSTRUCCION DE UN PAVIMENTO DE CONCRETO ARMADO

SECCION TRANSVERSAL

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Hermantown, MN - Ugstad Road Lift Station Utility voltage change and upsize per TKDA email 5429-C001
#3 Replacement VFD's dated 11/15/19

Per TKDA email dated 11/15/19 "We'll need to know the costs you see to upgrade the VFDs in the panel (we sent the shops back with comments about changing size), I assume your electrical people will be marking up and/or resubmitting shop drawings for those." Also per Primex submittal review comments addressing cost impacts.

<u>Line Item Description</u>	<u>Qty</u>	<u>Total Sell Price</u>
New VFD (1052689)	2	\$2,921.00
Original VFD	-2	-\$1,209.80
New Generator Receptacle (1027626)	1	\$1,523.75
Original Receptacle (1027623, 1027664)	-1	-\$274.85
New Main/Gen Breaker (1033104)	2	\$294.40
Original Main/Gen Breaker (1024625)	-2	-\$177.10
Cooling Fans (1048838)	1	\$934.95
New Meter Socket (New#)	1	\$460.00
Original Meter Socket (1045097)	-1	-\$230.00
3-Phase Monitor (1048367)	-1	-\$76.83
New Line Reactor (1025888)	2	\$450.80
Original Line Reactor (1037079)	-2	-\$241.50
New Pump Breaker (1028763)	2	\$547.91
Original Pump Breaker (1057760)	-2	-\$188.60
Engineering	12	\$2,700.00
Drafting	4	\$600.00

Respectfully submitted by,

Mike Voelker
Business Development Manager
michael.voelker@sjeinc.com
(763) 231-3937

Proposal Amount

\$8,034.00

Office of City Clerk

Hermantown, MN

BONNIE ENGSETH, City Clerk

RESOLUTION NO. 2019-210

**RESOLUTION APPROVING CHANGE ORDER NO. 1 PART 2 FOR UGSTAD ROAD
LIFT STATION SANITARY SEWER IMPROVEMENT DISTRICT NO. 449**

Motion made by Councilor Schmidt, seconded by Councilor Geissler to adopt Resolution 2019-210, Resolution Approving Change Order No. 1 Part 2 For Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

I, Bonnie Engseth, City Clerk of the City of Hermantown, Minnesota, do hereby certify that I have compared the annexed copy of Resolution passed by the City Council of the City of Hermantown on the 16th day of December 2019, with the original in my custody as City Clerk of said City, and that the same is a true and correct transcript therefrom.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City of Hermantown, the 17th day of December 2019.

BONNIE ENGSETH, CITY CLERK

By Bonnie Engseth

City of Hermantown, MN

Resolution No. 2019-210

RESOLUTION APPROVING CHANGE ORDER NO. 1 PART 2 FOR UGSTAD ROAD LIFT STATION SANITARY SEWER IMPROVEMENT DISTRICT NO. 449

WHEREAS, the City of Hermantown has contracted with George Bougalis & Sons, Co. for construction of Ugstad Road Lift Station Sanitary Sewer Improvement District No. 449 ("Project."); and

WHEREAS, George Bougalis & Sons, Co. has submitted Change Order No. 1 Part 2 for:

1. Increase contract amount by \$6,123.00 for change in the electrical control panel.

WHEREAS, George Bougalis & Sons, Co. has recommended such Change Order No. 1 Part 2, and;

WHEREAS, Northland Consulting Engineers LLP has approved such Change Order No. 1 Part 2.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hermantown, Minnesota as follows:

1. Change Order No. 1 Part 2 is hereby approved.

Councilor Schmidt introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor Geissler and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye.

and the following voted in opposition thereto:

None

WHEREUPON, such resolution has been duly passed and adopted December 16, 2019.



11 East Superior Street, Suite 420
Duluth, MN 55802
218.724.8578
tkda.com

December 11, 2019

Mr. John Mulder
City Administrator
City of Hermantown
5105 Maple Grove Road
Hermantown, MN 55811

RE: Ugstad Road Lift Station 3—Request for Extension and Change Order 1
TKDA Project No. 17467.000

Dear Mr. Mulder,

As discussed at the December 2, 2019 City Council meeting, the Contractor for the above-reference project requested a contract time extension for completion of the project which was approved by Council. The Contractor has started work at the site and now has a substantial completion date of April 15, 2020 and final completion date of June 15, 2020.

As discussed, the power supply nearest the lift station was not the voltage type which was indicated by our review of the existing lift station during the design process. The Contractor has provided revised shop drawings for the lift station control panel which incorporate components allowing the panel to properly supply electricity to the lift station pumps. We have worked with the Contractor to reduce costs on the control panel since the last Council meeting. The revised cost for this change is estimated to be \$6,803.68. We also discussed the ambiguity in the information available regarding the available power supply at the site and the City's concern about costs for reworking the design of the panel. To that end, TKDA will also be issuing a credit to the City on our contract to further reduce the project costs related to this change.

I recommend that the City approve the changes to the control panel components as shown in Change Order 1 so that the Contractor can move ahead with ordering the panel so as to complete the project on the new timeline.

Please contact me with any questions you may have. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Goetzman'.

Jeff Goetzman, PE
Project Manager

Change Order

No. 1

Date of Issuance: November 26, 2019 Effective Date: December 16, 2019

Project: <u>Ugstad Rd Lift Station 3</u>	<u>City of Hermantown</u>	Owner's Contract No.:
Contract:		Date of Contract: <u>August 19, 2019</u>
Contractor: <u>Bougalis and Sons</u>		Engineer's Project No.: <u>17467.000</u>

The Contract Documents are modified as follows upon execution of this Change Order:

Description: Change order modifies contract completion date/time as well as control panel equipment. Estimated costs for control panel modifications are \$6,123.00.00. Contract time extension was approved by Council December 2, 2019. Contractor has reduced price from original.

Attachments (list documents supporting change):

Primex equipment quotation and letter requesting time extension from Contractor.

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

\$ 241,690.00

[Increase] [Decrease] from previously approved
Change Orders No. _____ to No. _____:

\$ N/A

Contract Price prior to this Change Order:

\$ 241,690.00

[Increase] [Decrease] of this Change Order:

\$ \$6,123.00

Contract Price incorporating this Change Order:

\$ \$247,813.00

Original Contract Times: Working days Calendar days

Substantial completion (days or date): _____
Ready for final payment (days or date): November 30, 2019

[Increase] [Decrease] from previously approved Change Orders
No. _____ to No. _____:

Substantial completion (days): _____
Ready for final payment (days): N/A

Contract Times prior to this Change Order:

Substantial completion (days or date): _____
Ready for final payment (days or date): November 30, 2019

[Increase] [Decrease] of this Change Order:

Substantial completion (days or date): April 15, 2020
Ready for final payment (days or date): June 15, 2020

Contract Times with all approved Change Orders:

Substantial completion (days or date): April 15, 2020
Ready for final payment (days or date): June 15, 2020

RECOMMENDED:

By: [Signature]
Engineer (Authorized Signature)

Date: _____

Approved by Funding Agency (if applicable):

ACCEPTED:

By: [Signature]
Owner (Authorized Signature)

Date: 12/17/19

ACCEPTED:

By: [Signature]
Contractor (Authorized Signature)

Date: 11/26/2019

Date: _____

CH-Bonnie Engseth

From: CH-John Mulder
Sent: Wednesday, December 11, 2019 1:23 PM
To: CH-Bonnie Engseth
Subject: Fwd: LS 3
Attachments: Revised Lift Station 3 CO 1 - Signed.pdf; ATT00001.htm; Change Order 1 Recommendation 121119.pdf; ATT00002.htm

FYI

John Mulder
Sent from my iPhone

Begin forwarded message:

From: "Jeff S. Goetzman" <jeff.goetzman@tkda.com>
Date: December 11, 2019 at 1:21:37 PM CST
To: CH-John Mulder <jmulder@hermantownmn.com>
Cc: "Jeff S. Goetzman" <jeff.goetzman@tkda.com>
Subject: RE: LS 3

Caution: This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

John,

Please see attached.

I'll call to explain the numbers. TKDA will be issuing a credit to City to reduce project costs from \$6,803.68 to the \$4,970 we discussed last week.

Jeff

Jeff Goetzman, PE | Group Manager/Northland Municipal Engineering
Professional Engineer: MN, WI

11 East Superior Street, Suite 420, Duluth, MN 55802
P 218.491.7385 | C.218.390.9295
jeff.goetzman@tkda.com
tkda.com

-----Original Message-----

From: CH-John Mulder <jmulder@hermantownmn.com>
Sent: Wednesday, December 11, 2019 12:19 PM
To: Jeff S. Goetzman <jeff.goetzman@tkda.com>
Subject: RE: LS 3

Office of City Clerk

Hermantown, MN
BONNIE ENGSETH, City Clerk

RESOLUTION NO. 2019-211

**RESOLUTION APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$8,385.00
AND THE FINAL PAY REQUEST TO MAGUIRE IRON, INC. IN THE AMOUNT OF
\$132,101.70**

Motion made by Councilor Peterson, seconded by Councilor Nelson to adopt Resolution 2019-211, Resolution Approving Change Order No. 1 In The Amount Of \$8,385.00 And The Final Pay Request To Maguire Iron, Inc. In The Amount Of \$132,101.70. Roll Call: Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye. Motion carried.

I, Bonnie Engseth, City Clerk of the City of Hermantown, Minnesota, do hereby certify that I have compared the annexed copy of Resolution passed by the City Council of the City of Hermantown on the 16th day of December 2019, with the original in my custody as City Clerk of said City, and that the same is a true and correct transcript therefrom.

In Witness Whereof, I have hereunto set my hand and affixed the corporate seal of said City of Hermantown, the 17th day of December 2019.

BONNIE ENGSETH, CITY CLERK

By Bonnie Engseth

City of Hermantown, MN

Resolution No. 2019-211

RESOLUTION APPROVING CHANGE ORDER NO. 1 IN THE AMOUNT OF \$8,385.00 AND THE FINAL PAY REQUEST TO MAGUIRE IRON, INC. IN THE AMOUNT OF \$132,101.70

WHEREAS, the City of Hermantown has contracted with Maguire Iron, Inc. for Hawk Circle Drive Water Tower Reconditioning ("Project"); and

and WHEREAS, Maguire Iron, Inc. has performed a portion of the agreed upon work in said Project;

and WHEREAS, Maguire Iron Inc has submitted Change Order No. 1 in the amount of \$8,385.00,

WHEREAS, SEH, the Project Engineer, has recommended the Change Order, and

and WHEREAS, Maguire Iron, Inc. has submitted Final Pay Request in the amount of \$132,101.70;

WHEREAS, Short Elliot Hendrickson, Inc. (S E H) has approved such Final Pay Request provided that all IC 134's and paper work for the Project is submitted to the City of Hermantown.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Hermantown, Minnesota as follows:

1. Change Order No. 1 in the amount of \$8385.00 is hereby approved,
2. Final Pay Request is hereby approved.
3. The City is hereby authorized and directed to pay to Maguire Iron, Inc. the sum of \$132,101.70 charged to Sales Tax 240-494300-530.

Councilor Peterson introduced the foregoing resolution and moved its adoption.

The motion for the adoption of such resolution was seconded by Councilor Nelson and, upon a vote being taken thereon, the following voted in favor thereof:

Councilors Geissler, Nelson, Peterson, Schmidt, Mayor Boucher, aye.

and the following voted in opposition thereto:

None

WHEREUPON, such resolution has been duly passed and adopted December 16, 2019.



Building a Better World
for All of Us®

CHANGE ORDER

City of Hermantown

OWNER

12/9/19

DATE

Hermantown Water Improvement District 318

OWNERS PROJECT NO.

1

CHANGE ORDER NO.

Hawk Circle Water Tower

PROJECT DESCRIPTION

HERMT 149704 71.50

SEH FILE NO.

The following changes shall be made to the contract documents:

Description:

During the project the presence of lead was found within the exterior coating system. This was unforeseen and caused the contractor to use additional Blastox additive to the abrasives for the exterior surfaces.

Purpose of Change Order:

The City and Contractor agree to the addition of Blastox additive to the abrasives for the removal of the exterior surface. The additional Blastox used totaled \$8,385 per the attached invoices. The total includes 15% markup for overhead and profit.

Basis of Cost: Actual Estimated

Attachments (list supporting documents)

Invoice from Maguire Iron dated 8/29/19 and 1 ton of material from invoice dated 8/2/19.

Contract Status

Original Contract

Time

Cost

Net Change Prior C.O.'s 0 to 0

Change this C.O.

Revised Contract

\$428,450.00

\$0.00

\$8,385.00

\$436,835.00

Recommended for Approval: Short Elliott Hendrickson Inc. by

Matt Bolf

Matt Bolf

Agreed to by Contractor:

Mike Farnsworth

BY Maguire

Approved for Owner:

John Mubler

BY City of Hermantown

Director of Operations

TITLE

City Administrator

TITLE

Distribution

Contractor 2

Owner 1

Project Representative 1

SEH Office 1

document1

abrasives

Abrasives Inc
4090 Hwy 49
Glen Ullin ND 58631
United States
701-348-3610

Invoice



Invoice #
INV094934
Date
8/20/2019

Bill To
Maguire Iron, Inc. P.O. Box 1446 1610 N. Minnesota Ave (57104) Sioux Falls SD 57101-1446 United States

Ship To
Maguire Iron, Inc. 4289 Ugstad Rd Hermantown MN 55811 United States

PO #	Ship Date	Invoice Date	Due Date	Terms
0714	8/15/2019	8/20/2019	9/19/2019	Net 30
Salesperson	Shipping Via	Sales Order#	Memo	
Jason Haack	Cust Pick Up	Sales Order #SO078628		

Item	Description	Quantity	U/M	Item Wgt	Price	Amount	Tax
2040-BTX-J...	2040 Black Magic 15% Blastox per ton Pallet & JC Cover included	22				6,490.00	
						Subtotal	6,490.00
						Shipping Cost (Cust Pick Up)	0.00
						Tax Total	543.54
						Total	7,033.54

AUG 29 2019

7,033.54
258.40

7,291.94
15%

8,385.73



INV094934



U.S. MINERALS

18635 West Creek Drive
Tinley Park IL 60477-6224
United States
www.us-minerals.com
(800)-803-2803

MAIL PAYMENT TO
U.S. MINERALS, INC.
8373 Solutions Center
Chicago, IL 60677-8003

Sold To:
MAGUIRE IRON, INC.
ATTN: ACCOUNTS PAYABLE
Po Box 1446
Sioux Falls SD 57101-1446
United States

Ship To:
ERIK 605-251-4798
HERMANTOWN MN
WATER TOWER
4289 UGSTAD ROAD
HERMANTOWN MN 55811
United States

INVOICE #

12682

DATE

7/31/2019

CUSTOMER #	CUSTOMER PO #	DATE SHIPPED	SHIP VIA	BOL #	TERMS	FOB
700648	0708	7/31/2019	Collect	159681	Net 30	ROBERTS, WI

PRODUCT CODE	DESCRIPTION	UOM	QUANTITY	UNIT PRICE	NET AMOUNT
2040J3X15	20/40 - 3000# bag 15% Blastox NO DUSTNET 15 PALLETS	Ton	22.5	\$258.40	\$5,814.00
PC3	Pallet Cover #3	Ea	15	\$0.00	\$0.00

Comment:

Net Invoice	\$5,814.00
Freight	\$0.00
Discount	
Sales Tax	\$486.92
Total	\$6,300.92

AUG 02 2019

1 ton

Harvey, LA (800) 783-1777	Galveston, TX (800) 783-7778	Coffeen, IL (800) 744-8233	LaCygne, KS (800) 335-3653	Roberts, WI (800) 343-0117	Anaconda, MT (800) 803-2803
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WARNING: "When Product is used for abrasive blasting, ensure that all workers in vicinity of blasting operations take full safety precautions including but not limited to using continuous flow air-line respirators covering head, neck and shoulders, canvas or leather gloves and apron, safety shoes and ear protectors against noise. Operators should point nozzle only at area being cleaned."

DISCLAIMER: Subject to the description of the product set forth herein. Purchaser further acknowledges that the Seller has not made and does not make any representation, warranty or covenant with respect to the condition, quality or fitness for any particular purpose of the Product sold hereunder or any other warranty, express or implied, legal or conventional. Purchaser hereby expressly renounces and waives in favor of the Seller any and all claims and recourses of any kind or nature which it has or may have in the future against the Seller for losses, damages, costs (including legal fees) and penalties resulting, directly or indirectly, from association with, exposure to, handling, use, processing, manufacturing or possession of or other dealing in or with the Product by Purchaser or its employees, agents, representatives or customers. Purchaser agrees that it shall be liable for and shall indemnify and save the Seller harmless against and from any and all losses, damages, costs (including legal fees) and penalties arising out of any claim, action or other proceeding by any person (including Purchaser's employees, agents, representatives and customers) for actual or alleged bodily injury, illness, disease, physical infirmity (including death) resulting directly or indirectly from association with, exposure to handling, use, processing, manufacturing or possession of or other dealing in or with the Product and/or products containing the Product. Abrasive returns are subject to a 30% restocking fee. All Blastox Orders are non-returnable unless cancelled prior to production. LATE PAYMENT: Customer agrees to pay a finance charge of 1.5% on all amounts 30 days past due, and all fees associated with collection efforts by U.S. Minerals in the event we incur them collecting any part of the debt resulting from this transaction.



Application for Payment
(Unit Price Contract)
Final Pay Application

Eng. Project No.: HERMT 149704

Location: Hermantown, MN

Contractor Maguire Iron, Inc.

Contract Date _____

PO Box 1446

Sioux Falls, SD 57101

Contract Amount \$ 428,450.00

Contract for Hawk Circle Dr. Water Tower Rec

Application Date 12/13/19

For Period Ending 12/13/19

Item No.	Item	Unit	Est. Quantity	Quantity to Date	Unit Price	Total Price
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BASE BID

General

1	Mobilization	LS	1	1	10,000.00	\$10,000.00
2	Waste Disposal	LS	1	1	2,500.00	\$2,500.00
3	Disinfection	LS	1	-1	1,000.00	-\$1,000.00
4	Site Grading and Restoration	LS	1	1	5,500.00	\$5,500.00
5	2-Year Warranty	LS	1	1	2,500.00	\$2,500.00
6	Temporary Site Fencing	LS	1	1	10,000.00	\$10,000.00

Exterior Structural

7	Remove the Existing FAA Obstruction Lighting System	LS	1	1	2,000.00	\$2,000.00
8	Replace Roof Handrail System	LS	1	1	12,500.00	\$12,500.00
9	Replace Existing Roof Vent with AWWA Frost-Free	LS	1	1	9,500.00	\$9,500.00
10	Install New 24 Inch Roof Manway Hatch 180° from Existing Manway	LS	1	1	4,250.00	\$4,250.00
11	Clean Out Overflow Piping and Replace Screen	LS	1	1	1,500.00	\$1,500.00
12	Install a New Splash Box at the Overflow Discharge	LS	1	1	5,500.00	\$5,500.00
13	Remove Loose, Cracked, and Spalled Grout and Repair	LS	1	1	3,000.00	\$3,000.00
14	Repair by Welding - Open Penetrations at Tank Base Cone	EA	4	4	500.00	\$2,000.00
15	Install by Welding - 1 1/2" Penetration Coupling at Tank Base Cone	EA	1	1	500.00	\$500.00

Item No.	Item	Unit	Est. Quantity	Quantity to Date	Unit Price	Total Price
Interior Structural						
16	Caulking	LS	1	1	2,500.00	\$2,500.00
17	Grinding	HR	30	30	240.00	\$7,200.00
18	Replace Fill Pipe Insulation and Aluminum Jacketing	LS	1	1	15,000.00	\$15,000.00
19	Repair by Welding - Capped Bowl Drain Penetrations	EA	2	2	500.00	\$1,000.00
20	Replace Mud Valve and Connection to Overflow Piping	LS	1	1	9,000.00	\$9,000.00
21	Seal Upper Platform to Riser to Create Condensate Ceiling - Connect Drainage to Overflow Piping	LS	1	1	5,000.00	\$5,000.00
22	Install Telecommunications Cabling Penetration Curb at Lower Platform	LS	1	1	1,500.00	\$1,500.00
23	Install New Safety Climb Systems On Interior Dry Ladders - Include Attachments	LS	1	1	5,500.00	\$5,500.00
24	Install Submersible Mixing System	LS	1	1	22,000.00	\$22,000.00
25	Install Valve Vault Hatch Plate with Manway	LS	1	1	13,000.00	\$13,000.00
Coatings						
26	Interior Wet Surface Preparation	LS	1	1	25,000.00	\$25,000.00
27	Interior Wet Coating Application	LS	1	1	38,000.00	\$38,000.00
28	Interior Dry Surface Preparation	LS	1	1	14,000.00	\$14,000.00
29	Interior Dry Coatings	LS	1	1	20,500.00	\$20,500.00
30	Exterior Surface Preparation	LS	1	1	128,000.00	\$128,000.00
31	Exterior Coating Application	LS	1	1	41,000.00	\$41,000.00
TOTAL BASE BID PRICE						\$420,450.00
ALTERNATE						
1	Tank Logo Application	EA	2	2	4,000.00	\$8,000.00
TOTAL ALTERNATE BID PRICE						\$8,000.00
TOTAL AMOUNT						\$428,450.00

Application for Payment (continued)

Original Contract Amount	\$ 428,450.00	Final Amount Earned	\$ 428,450.00
		Material Suitably Stored on Site, Not Incorporated into Work	
Contract Change Order No. 1		Percent Complete 100	8,385.00
Contract Change Order No.		Percent Complete	
Contract Change Order No.		Percent Complete	
Final Contract Amount	\$ 428,451.00		
Less Previous Applications:		GROSS AMOUNT DUE	\$ 436,835.00
AFP No. 1: 96,333.80	AFP No. 5:	LESS 0 % RETAINAGE	\$ 0.00
AFP No. 2: 182,299.50	AFP No. 6:	AMOUNT DUE TO DATE	\$ 436,835.00
AFP No. 3:	AFP No. 7:	LESS PREVIOUS APPLICATIONS	\$ 278,633.30
AFP No. 4:	AFP No. 8:	FINAL AMOUNT DUE THIS APPLICATION	\$ 158,201.70
		AGREED UPON LIQUIDATED DAMAGES	\$ 26,100.00
		LESS PREVIOUS WITHHELD LDs	\$
		FINAL PAYMENT TO CONTRACTOR	\$ 132,101.70

CONTRACTOR'S AFFIDAVIT

The undersigned Contractor hereby swears under penalty of perjury that (1) all previous progress payments received from the Owner on account of work performed under the Contract referred to above have been applied by the undersigned to discharge in full all obligations of the undersigned incurred in connection with work covered by prior Applications for Payment under said contract, Hawk Circle Dr. Water Tower Rec, Hermantown, MN, and (2) all material and equipment incorporated in said Project or otherwise listed in or covered by this Application for Payment and free and clear of all liens, claims, security interests and encumbrances.

Date 12-15, 2019 Maguire Iron, Inc.
(Contractor)

COUNTY OF Minnehaha)
STATE OF South Dakota) SS [Signature] S.O.
(Name and Title)

Before me on this 15 day of December, 2019, personally appeared _____, known to be, who being duly sworn did depose and say

that he is the _____ (office) of the Contractor above mentioned that he executed the above Application for Payment and Affidavit on behalf of said Contractor; and that all of the statements contained therein are true, correct and complete.

My Commission expires _____

Rebecca J. Kaufmann
(Notary Public)

The undersigned has checked the Contractor's Application for Payment shown above. A part of this Application is the Contractor's Affidavit stating that all previous payments to him under this contract have been applied by him to discharge in full all of his obligations in connecting with the work by all prior Applications for Payment.

In accordance with the Contract, the undersigned recommends approval of payment to the Contractor for the Amount due.

[Signature]
 By _____ Short Elliott Hendrickson Inc.
Matt Bolf, PE

Date 12/13/2019

[Signature]
 By David Bolf
City of Hermantown

Date 12/16/19

**CITY OF HERMANTOWN
UTILITY COMMISSION REPORT – JANUARY 16, 2020**

6. **REPORTS** *(Require Signature)*

e. **Water and Sewer Applications**

Hermantown Community Learning Center	4333 Hawk Cir Dr	\$1408.88 Water H/U Pd 12-02-19 \$2000 Sewer H/U Pd 12-02-19 \$400 Sewer Permit Pd 12-02-19 \$1603.95 2” Meter Pd 12-02-19 \$7520 WLSSD CAF Pd 12-02-19 Batch: 15015 / Tran #: 11
Brandon Walburg	5664 Seville Rd	\$800 Sewer H/U Pd 12-04-19 \$85 Sewer Permit Pd 12-04-19 \$6300 PLAWCS SAC Pd 12-04-19 \$940 WLSSD CAF Pd 12-04-19 Batch: 15021 / Tran #: 47
Kuklis / Speilman	4285 Heartwood Ln	\$800 Water H/U Pd 12-06-19 \$800 Sewer H/U Pd 12-06-19 \$85 Sewer Permit Pd 12-06-19 \$940 WLSSD CAF Pd 12-06-19 Batch: 15026 / Tran #: 1

m DEPARTMENT OF
NATURAL RESOURCES

Minnesota Department of Natural Resources
Division of Lands and Minerals
1201 East Highway 2
Grand Rapids, MN 55744

November 8, 2019

City of Hermantown
5105 Maple Grove Rd
Hermantown, MN 55811

RE: License # UWAT011742
Legal Description: Covering certain public water in St. Louis County

Dear City of Hermantown:

Enclosed are two copies of the above license for execution by your company. The application documents are not included in this mailing but will be made a part of the final license when completed. The license is for a 50 year period commencing November 15, 2019. A fee of \$947.00 is payable upon return of this license. You are required to comply with the terms of the license document including certain construction procedures. Please refer to additional special provisions that may have been added to the license document as well as resource comments that may be noted below.


Issuance of this license to cross Public Waters does not imply authorization to cross Public Lands. A separate license must be obtained to cross Public Lands.

Installation of utility lines away from culverts is recommended if there are feasible alternatives. For installations beneath culverts, utility lines should be placed at least 5 feet below existing structures. There is the potential for replacement of culverts which are often installed 3 to 4 feet below existing structures, especially when existing culverts are perched. The depth of culverts is critical for ensuring fish passage, sediment transport and stream stability.

Please have the documents signed and dated in ink (i.e., not an electronic signature) by an officer of your company, with the officer's title listed beneath his or her signature. If the documents are signed by a person who is not an officer of the company, please send us a copy of the power of attorney or board resolution which authorized this person to sign the document on behalf of the company. Return all of the original license forms to this office for execution by the State. Enclose payment of \$947.00 made payable to the Department of Natural Resources. Payment is for the term of the license. Within two or three weeks, one executed license form complete with application and attachments will be sent to you for your files.

As per the terms of the license, please contact me 10 days prior to installation and within 10 days following completion of licensed work. Once construction is completed, please send me the "as-built survey", if one is available, for the crossings incorporated under this license. If you have any questions, please contact me at 218-328-8921.

Sincerely,



Heather Lofstuen
Realty Specialist

Enclosure(s)

cc: Army Corps of Engineers

Minnesota Department of Natural Resources • Division of Lands and Minerals
1201 East Highway 2, Grand Rapids, MN 55744

LICENSE FOR UTILITY TO CROSS PUBLIC WATERS

This license is issued by the State of Minnesota, acting by and through its commissioner of natural resources, and hereafter called the "State", under authority and subject to Minnesota Statutes, section 84.415, and Minnesota Rules Chapter 6135 and other applicable law, to the Licensee as named and for the fee and term as specified below.

Name and Address of Licensee: City of Hermantown
5105 Maple Grove Rd
Hermantown, MN 55811

License Fee: Nine Hundred and Forty Seven and NO/100 Dollars (\$947.00)

Term (years): 50 Years

Effective Date: November 15, 2019

Expiration Date: November 14, 2069

Purpose of License: Construction, maintenance and operation of a sewer pipeline line under water under the covenants and agreements of the Licensee to use the following described waters:

That part of the following descriptions as shown on the attached application and map, all of which are made a part hereof by reference.

NW ¼ SE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County
SW ¼ NE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County
SE ¼ NE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County

This license is granted subject to the following provisions:

1. **Use of premises.**
 - A. This license is subject to the provisions of Minnesota Statutes, section 84.415 and Minnesota Rules Chapter 6135. All standards of Chapter 6135 are incorporated as terms and conditions of this license, except such variations as are identified and approved by the State in the license applications, plans and specifications which are attached and made part of the terms and conditions of this license. The Licensee is bound by the crossing location and installation method as detailed in the application and approved by the State. The Licensee shall not deviate from the terms and conditions of this license or the application as approved by the State unless it has first obtained written permission from the State.
 - B. When the installation occurs more than six months after the issuance of the license, the Licensee shall contact the State 20 days prior to installation.
 - C. No merchantable timber shall be cut, used, removed or destroyed without first paying the State the timber value in the sum stated above as determined by the State. Slash material on state water crossings must be disposed of within 30 days of clearing activities.
 - D. For overhead crossings of state waters, lines shall have a minimum clearance of 25 feet above the water, unless otherwise approved by the State.
 - E. When directed by the State as a condition of the license, flight diverters shall be placed on overhead utility lines.

License Number UWAT011742

- F. Any cable or conduit located at a shoreline shall be sufficiently buried so that it does not become exposed.
 - G. When directed by the State as a condition of the license, underwater crossings shall be marked by permanent signs on the banks at the points where the line enters and leaves the public waters.
 - H. To protect fish spawning activities, the State may prohibit work in the public water or within a specified distance of the public water during the spawning season.
2. **State's rights and reservations.** The use of these waters by the Licensee in constructing or maintaining the lines for which this license is granted shall be subject to the use, sale, or leasing for mineral or other legal purposes. The Licensee will not cause any unnecessary hindrance to the activities of the State and shall allow access across the license area by the State when needed.
3. **Erosion and Revegetation.**
- A. Erosion control measures shall be adequately designed for site characteristics. They shall be installed prior to commencement of construction and maintained for as long as needed. All erosion control measures installed next to a water body shall run parallel to the contours.
 - B. All disturbed areas shall be restored to original contours and elevations and stabilized as soon as possible following construction. Areas of subsidence and crowning shall be repaired. Topsoil shall be reserved on site and used to re-dress disturbed areas.
 - C. All disturbed areas shall be revegetated using state approved seed mixes. All seed and plant materials shall be certified weed-free. Weed-free straw or hay shall be used for mulching and erosion control. Native species plants should be used, whenever possible, to revegetate disturbed areas. This revegetation should occur as early in the season as possible to permit adequate regrowth.
 - D. The Licensee shall monitor revegetation at state water crossings until the site is stabilized and the vegetation is self-sustaining. Where severe or repeated damage is occurring or where measures have not been successful, preventative and corrective actions shall be taken by the Licensee, including construction of appropriate barriers, installation of warning signs, and other methods in consultation with the State.
 - E. The Licensee shall routinely inspect for erosion that may develop during the term of the license. Areas of erosion shall be stabilized by the Licensee.
 - F. If a disturbed area cannot be stabilized with vegetation before September 15 in the year that the utility was installed, the Licensee shall submit a written site stabilization plan to the State for approval. This plan shall describe erosion control, mulching, dormant seeding and monitoring. Seeding shall occur as soon as soil conditions are suitable.
 - G. Excavated materials shall not be deposited or stored alongside public water in a manner where the materials can be redeposited into the public water by reasonably expected high water or storm run-off.
4. **Herbicides and Pesticides.**
- A. The Licensee must request and obtain written permission to apply herbicides or pesticides to state waters from the State prior to treatment. This request shall consist of (1) a map identifying proposed treatment areas and (2) a description of the proposed treatment plan, including target species, herbicide or pesticide name, rate of application, a description of application method, and beginning and end dates. All applications must be according to label regulations and as otherwise specified by the State. The Licensee shall not apply pesticides that are restricted for use on certified state forest land administered by the State.
 - B. The Licensee must submit annual reports detailing herbicide or pesticide application on areas covered under the license. The report must include the dates, acres, location expressed as quarter-quarter section, township and range, herbicide or pesticide used, target species, and such other information as may be reasonably required by the State for the purpose of verifying herbicide or pesticide use.
 - C. The Licensee shall post all places commonly used by the public for access along the utility corridors treated with herbicides or pesticides.
5. **Invasive Species.**

License Number UWAT011742

- A. The Licensee shall inspect all state water crossings for the presence of invasive species and noxious weeds prior to commencing clearing activities and take action to prevent their spread. For installation of the utility line, the State will identify on a map the known infested sites to be avoided. For maintenance and operation, the Licensee is responsible for obtaining updated information on known infested sites.
 - B. If the State or the Licensee discover additional invasive species infestation areas on state water crossings during construction, the Licensee shall immediately take action to prevent spread from the newly discovered infested area and then consult with the State on a resolution.
 - C. The Licensee shall prevent invasive species from entering into or spreading within state water crossing by cleaning equipment and clothing prior to arriving at the license area. The Licensee shall legally dispose of material cleaned from equipment and clothing at a location offsite and the materials must be secured prior to transport to avoid dispersal.
 - D. Whenever possible, parking, staging areas and travel routes shall not be within known infested sites. Where there are multiple state water crossings and at least one contains invasive species, the Licensee shall to the extent practicable start work at the site with the fewest number of invasive plants, leaving the most heavily infested sites to last. The Licensee shall make every effort to schedule operations and site visits to avoid the spread of weed seed.
 - E. The Licensee shall continue to control invasive species on state water crossings for the terms of the license using methods approved by the State.
6. **Crossing of State Trail.**
- A. The location of any crossing of a state trail must be approved in advance by the State. The State may provide written instructions as to specific construction standards to be followed for the crossing of the state trail.
 - B. Utility installation and maintenance activities shall be conducted in a manner so as to minimize disturbance of state trail use and to separate the public from work areas. The Licensee must provide signs to warn state trail users of construction hazards.
 - C. The Licensee is responsible for repairing any damage to the state trail in a manner satisfactory to the State.
 - D. For maintenance and operations, prior approval must be obtained from the State for the cutting or trimming of trees within the state trail right-of-way.
 - E. The Licensee may not close the state trail right-of-way without the prior written approval of the State.
7. **Maintenance, operations and repairs.**
- A. The Licensee must keep the premises in a neat and orderly condition, and shall remove all refuse and debris that may accumulate thereon.
 - B. After initial installation, no merchantable timber shall be cut, used, removed or destroyed by the Licensee without first contacting the State at least 60 days in advance to determine if a timber payment is needed. Slash material on state water crossings must be disposed of within 30 days of maintenance activities.
 - C. Emergency repairs and replacements may be made without prior notification to the State by the Licensee according to conditions and standards prescribed by Minnesota Rules, Chapter 6135 and the method of installation identified in this license. The Licensee shall notify the State of this activity as soon as practicable.
 - D. The Licensee shall employ appropriate erosion and sedimentation measures at the site during any emergency repairs. The State must approve plans for restoration of the site after the emergency repairs are conducted.
 - E. Other than the herbicide or pesticide application reporting as provided in paragraph 4, the Licensee shall notify the State of the extent and method of any routine maintenance and the proposed schedule. The notification must be in writing and must be provided either annually or at least 20 days prior to commencing any routine maintenance work on state water crossings subject to this license, The Licensee shall include a specific description of the proposed maintenance activities including location, clearing methods, erosion and sedimentation control measures, removal of merchantable timber, revegetation plans, and plans for preventing the spread of invasive species. The Licensee may commence any routine maintenance work unless notified to the contrary by the State within 20 days after the State's receipt of the maintenance plan. The State may require the Licensee to adjust its maintenance plans due to natural resource management concerns.

License Number UWAT011742

8. **State inspection.** The project hereunder shall at all times during and after construction be subject to inspection by the State and for that purpose the Licensee shall grant access to the premises at all reasonable times.
9. **Compliance with laws.** The Licensee shall comply with all federal, state and local laws and regulations, including municipal ordinances, affecting said lands or the area in which they are situated.
10. **Taxes and assessments.** The Licensee will pay when due all taxes and assessments levied against said waters or any improvements owned, used, or controlled by the Licensee, provided that the taxes or assessments are imposed due to this license.
11. **Enforcement.** No delay by the State in enforcing any of the conditions of this license shall operate as a waiver of any of its rights.
12. **Liability.** This license is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its officers, agents, or employees, officially or personally, on account of the granting of the license or on account of any damage to any person or property resulting from any act or omission of the Licensee or any of its agents, employees, or contractors relating to any license matter. This license shall not be construed as estopping or limiting any legal claims or right of action of any person against the Licensee, its agents, employees, or contractors for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the State against the Licensee, its agents, employees, or contractors, for violation of or failure to comply with the provisions of the license or applicable provisions of law. The Licensee shall indemnify and hold harmless the State from all claims arising out of the Licensee's use of the above described lands whether such claims are asserted by civil action or otherwise.
13. **Termination and cancellation.**
 - A. At the end of the license period and if both parties wish to renew, the renewal fee will be determined by the State.
 - B. This license shall be cancelable upon reasonable notice by the State for violation of any of its terms, or if at any time its continuance will conflict with a public use of the land over or upon which it is granted, or for any other reason. Licensee shall ensure that Licensee's employees, agents and contractors have received and thoroughly understand all conditions of this license.
 - C. Unless otherwise authorized by the State, upon the surrender, expiration or cancellation of this license, the Licensee shall remove from the above described lands all the utility lines and related structures owned by it. If Licensee does not remove such lines or related structures, all such lines or structures remaining shall become the property of the State, to be used or disposed of as the State elects. If the State requires the Licensee to remove utility lines and related structures and Licensee fails to do so, the Licensee agrees to pay the State for the costs of removing and disposing of such lines or structures.
14. **Assignment or transfer.** The Licensee shall not without the State's prior written consent: a) assign, convey or otherwise transfer this license or any interest under it; b) sublet the license corridor or any part thereof; or c) permit the use or occupancy of the license corridor or any part thereof by anyone other than the Licensee. This license shall extend to, and bind the successors, heirs, legal representatives and assigns of the Licensee, if any. The State may require a party who has requested to sublet, use or occupy the license corridor to obtain a separate license from the State prior to occupying or using the license corridor.
15. **Reports.** The Licensee must submit reports on herbicide and pesticide use as provided in paragraph 4 and maintenance and repair work as provided in paragraph 7.
16. **Contacts.** The contact for the State is the Regional Lands and Minerals Operations Supervisor, who currently is Joe Rokala at 218-328-8923. Any questions about this license shall be directed to the Regional Lands and Minerals Operations Supervisor. The Regional Lands and Minerals Operations Supervisor may direct the Licensee to contact additional State staff for reviews and approvals.

License Number UWAT011742

17. **Special provisions.** This license is subject to the SPECIAL PROVISIONS attached hereto as EXHIBIT A.

ACCEPTED AND ACKNOWLEDGED

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

HERMANTOWN, CITY OF

Licensee(s)

By _____

By _____
Regional Operations Supervisor

Title _____

Date _____

By _____

Title _____

Date _____

Form approved by Lands and Minerals Division, DNR, March 5, 2015.

License Number UWAT011742

EXHIBIT A
SPECIAL PROVISIONS (UWAT011742)

This license is granted subject to special provisions, per license provision 17. Special provisions apply to all public water crossings, and may clarify, add to, or substitute for standard license provisions contained within the license and application materials. Changes or exceptions to these special provisions are subject to written approval by the State.

When license and special provisions are in conflict with application materials, the license and special provisions shall prevail and supersede application materials.

1. In accordance with license provision 1.H., work is prohibited in public waters from September 15 to April 30.

LICENSE FOR UTILITY TO CROSS PUBLIC WATERS

This license is issued by the State of Minnesota, acting by and through its commissioner of natural resources, and hereafter called the "State", under authority and subject to Minnesota Statutes, section 84.415, and Minnesota Rules Chapter 6135 and other applicable law, to the Licensee as named and for the fee and term as specified below.

Name and Address of Licensee: City of Hermantown
5105 Maple Grove Rd
Hermantown, MN 55811

License Fee: Nine Hundred and Forty Seven and NO/100 Dollars (\$947.00)

Term (years): 50 Years

Effective Date: November 15, 2019

Expiration Date: November 14, 2069

Purpose of License: Construction, maintenance and operation of a sewer pipeline line under water under the covenants and agreements of the Licensee to use the following described waters:

That part of the following descriptions as shown on the attached application and map, all of which are made a part hereof by reference.

NW ¼ SE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County
SW ¼ NE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County
SE ¼ NE ¼ in Section 24, Township 50 North, Range 15 West, in St. Louis County

This license is granted subject to the following provisions:

1. **Use of premises.**
 - A. This license is subject to the provisions of Minnesota Statutes, section 84.415 and Minnesota Rules Chapter 6135. All standards of Chapter 6135 are incorporated as terms and conditions of this license, except such variations as are identified and approved by the State in the license applications, plans and specifications which are attached and made part of the terms and conditions of this license. The Licensee is bound by the crossing location and installation method as detailed in the application and approved by the State. The Licensee shall not deviate from the terms and conditions of this license or the application as approved by the State unless it has first obtained written permission from the State.
 - B. When the installation occurs more than six months after the issuance of the license, the Licensee shall contact the State 20 days prior to installation.
 - C. No merchantable timber shall be cut, used, removed or destroyed without first paying the State the timber value in the sum stated above as determined by the State. Slash material on state water crossings must be disposed of within 30 days of clearing activities.
 - D. For overhead crossings of state waters, lines shall have a minimum clearance of 25 feet above the water, unless otherwise approved by the State.
 - E. When directed by the State as a condition of the license, flight diverters shall be placed on overhead utility lines.

License Number UWAT011742

- F. Any cable or conduit located at a shoreline shall be sufficiently buried so that it does not become exposed.
 - G. When directed by the State as a condition of the license, underwater crossings shall be marked by permanent signs on the banks at the points where the line enters and leaves the public waters.
 - H. To protect fish spawning activities, the State may prohibit work in the public water or within a specified distance of the public water during the spawning season.
2. **State's rights and reservations.** The use of these waters by the Licensee in constructing or maintaining the lines for which this license is granted shall be subject to the use, sale, or leasing for mineral or other legal purposes. The Licensee will not cause any unnecessary hindrance to the activities of the State and shall allow access across the license area by the State when needed.
3. **Erosion and Revegetation.**
- A. Erosion control measures shall be adequately designed for site characteristics. They shall be installed prior to commencement of construction and maintained for as long as needed. All erosion control measures installed next to a water body shall run parallel to the contours.
 - B. All disturbed areas shall be restored to original contours and elevations and stabilized as soon as possible following construction. Areas of subsidence and crowning shall be repaired. Topsoil shall be reserved on site and used to re-dress disturbed areas.
 - C. All disturbed areas shall be revegetated using state approved seed mixes. All seed and plant materials shall be certified weed-free. Weed-free straw or hay shall be used for mulching and erosion control. Native species plants should be used, whenever possible, to revegetate disturbed areas. This revegetation should occur as early in the season as possible to permit adequate regrowth.
 - D. The Licensee shall monitor revegetation at state water crossings until the site is stabilized and the vegetation is self-sustaining. Where severe or repeated damage is occurring or where measures have not been successful, preventative and corrective actions shall be taken by the Licensee, including construction of appropriate barriers, installation of warning signs, and other methods in consultation with the State.
 - E. The Licensee shall routinely inspect for erosion that may develop during the term of the license. Areas of erosion shall be stabilized by the Licensee.
 - F. If a disturbed area cannot be stabilized with vegetation before September 15 in the year that the utility was installed, the Licensee shall submit a written site stabilization plan to the State for approval. This plan shall describe erosion control, mulching, dormant seeding and monitoring. Seeding shall occur as soon as soil conditions are suitable.
 - G. Excavated materials shall not be deposited or stored alongside public water in a manner where the materials can be redeposited into the public water by reasonably expected high water or storm run-off.
4. **Herbicides and Pesticides.**
- A. The Licensee must request and obtain written permission to apply herbicides or pesticides to state waters from the State prior to treatment. This request shall consist of (1) a map identifying proposed treatment areas and (2) a description of the proposed treatment plan, including target species, herbicide or pesticide name, rate of application, a description of application method, and beginning and end dates. All applications must be according to label regulations and as otherwise specified by the State. The Licensee shall not apply pesticides that are restricted for use on certified state forest land administered by the State.
 - B. The Licensee must submit annual reports detailing herbicide or pesticide application on areas covered under the license. The report must include the dates, acres, location expressed as quarter-quarter section, township and range, herbicide or pesticide used, target species, and such other information as may be reasonably required by the State for the purpose of verifying herbicide or pesticide use.
 - C. The Licensee shall post all places commonly used by the public for access along the utility corridors treated with herbicides or pesticides.
5. **Invasive Species.**

- A. The Licensee shall inspect all state water crossings for the presence of invasive species and noxious weeds prior to commencing clearing activities and take action to prevent their spread. For installation of the utility line, the State will identify on a map the known infested sites to be avoided. For maintenance and operation, the Licensee is responsible for obtaining updated information on known infested sites.
- B. If the State or the Licensee discover additional invasive species infestation areas on state water crossings during construction, the Licensee shall immediately take action to prevent spread from the newly discovered infested area and then consult with the State on a resolution.
- C. The Licensee shall prevent invasive species from entering into or spreading within state water crossing by cleaning equipment and clothing prior to arriving at the license area. The Licensee shall legally dispose of material cleaned from equipment and clothing at a location offsite and the materials must be secured prior to transport to avoid dispersal.
- D. Whenever possible, parking, staging areas and travel routes shall not be within known infested sites. Where there are multiple state water crossings and at least one contains invasive species, the Licensee shall to the extent practicable start work at the site with the fewest number of invasive plants, leaving the most heavily infested sites to last. The Licensee shall make every effort to schedule operations and site visits to avoid the spread of weed seed.
- E. The Licensee shall continue to control invasive species on state water crossings for the terms of the license using methods approved by the State.

6. Crossing of State Trail.

- A. The location of any crossing of a state trail must be approved in advance by the State. The State may provide written instructions as to specific construction standards to be followed for the crossing of the state trail.
- B. Utility installation and maintenance activities shall be conducted in a manner so as to minimize disturbance of state trail use and to separate the public from work areas. The Licensee must provide signs to warn state trail users of construction hazards.
- C. The Licensee is responsible for repairing any damage to the state trail in a manner satisfactory to the State.
- D. For maintenance and operations, prior approval must be obtained from the State for the cutting or trimming of trees within the state trail right-of-way.
- E. The Licensee may not close the state trail right-of-way without the prior written approval of the State.

7. Maintenance, operations and repairs.

- A. The Licensee must keep the premises in a neat and orderly condition, and shall remove all refuse and debris that may accumulate thereon.
- B. After initial installation, no merchantable timber shall be cut, used, removed or destroyed by the Licensee without first contacting the State at least 60 days in advance to determine if a timber payment is needed. Slash material on state water crossings must be disposed of within 30 days of maintenance activities.
- C. Emergency repairs and replacements may be made without prior notification to the State by the Licensee according to conditions and standards prescribed by Minnesota Rules, Chapter 6135 and the method of installation identified in this license. The Licensee shall notify the State of this activity as soon as practicable.
- D. The Licensee shall employ appropriate erosion and sedimentation measures at the site during any emergency repairs. The State must approve plans for restoration of the site after the emergency repairs are conducted.
- E. Other than the herbicide or pesticide application reporting as provided in paragraph 4, the Licensee shall notify the State of the extent and method of any routine maintenance and the proposed schedule. The notification must be in writing and must be provided either annually or at least 20 days prior to commencing any routine maintenance work on state water crossings subject to this license, The Licensee shall include a specific description of the proposed maintenance activities including location, clearing methods, erosion and sedimentation control measures, removal of merchantable timber, revegetation plans, and plans for preventing the spread of invasive species. The Licensee may commence any routine maintenance work unless notified to the contrary by the State within 20 days after the State's receipt of the maintenance plan. The State may require the Licensee to adjust its maintenance plans due to natural resource management concerns.

License Number UWAT011742

8. **State inspection.** The project hereunder shall at all times during and after construction be subject to inspection by the State and for that purpose the Licensee shall grant access to the premises at all reasonable times.
9. **Compliance with laws.** The Licensee shall comply with all federal, state and local laws and regulations, including municipal ordinances, affecting said lands or the area in which they are situated.
10. **Taxes and assessments.** The Licensee will pay when due all taxes and assessments levied against said waters or any improvements owned, used, or controlled by the Licensee, provided that the taxes or assessments are imposed due to this license.
11. **Enforcement.** No delay by the State in enforcing any of the conditions of this license shall operate as a waiver of any of its rights.
12. **Liability.** This license is permissive only. No liability shall be imposed upon or incurred by the State of Minnesota or any of its officers, agents, or employees, officially or personally, on account of the granting of the license or on account of any damage to any person or property resulting from any act or omission of the Licensee or any of its agents, employees, or contractors relating to any license matter. This license shall not be construed as estopping or limiting any legal claims or right of action of any person against the Licensee, its agents, employees, or contractors for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the State against the Licensee, its agents, employees, or contractors, for violation of or failure to comply with the provisions of the license or applicable provisions of law. The Licensee shall indemnify and hold harmless the State from all claims arising out of the Licensee's use of the above described lands whether such claims are asserted by civil action or otherwise.
13. **Termination and cancellation.**
 - A. At the end of the license period and if both parties wish to renew, the renewal fee will be determined by the State.
 - B. This license shall be cancelable upon reasonable notice by the State for violation of any of its terms, or if at any time its continuance will conflict with a public use of the land over or upon which it is granted, or for any other reason. Licensee shall ensure that Licensee's employees, agents and contractors have received and thoroughly understand all conditions of this license.
 - C. Unless otherwise authorized by the State, upon the surrender, expiration or cancellation of this license, the Licensee shall remove from the above described lands all the utility lines and related structures owned by it. If Licensee does not remove such lines or related structures, all such lines or structures remaining shall become the property of the State, to be used or disposed of as the State elects. If the State requires the Licensee to remove utility lines and related structures and Licensee fails to do so, the Licensee agrees to pay the State for the costs of removing and disposing of such lines or structures.
14. **Assignment or transfer.** The Licensee shall not without the State's prior written consent: a) assign, convey or otherwise transfer this license or any interest under it; b) sublet the license corridor or any part thereof; or c) permit the use or occupancy of the license corridor or any part thereof by anyone other than the Licensee. This license shall extend to, and bind the successors, heirs, legal representatives and assigns of the Licensee, if any. The State may require a party who has requested to sublet, use or occupy the license corridor to obtain a separate license from the State prior to occupying or using the license corridor.
15. **Reports.** The Licensee must submit reports on herbicide and pesticide use as provided in paragraph 4 and maintenance and repair work as provided in paragraph 7.
16. **Contacts.** The contact for the State is the Regional Lands and Minerals Operations Supervisor, who currently is Joe Rokala at 218-328-8923. Any questions about this license shall be directed to the Regional Lands and Minerals Operations Supervisor. The Regional Lands and Minerals Operations Supervisor may direct the Licensee to contact additional State staff for reviews and approvals.

License Number UWAT011742

17. **Special provisions.** This license is subject to the SPECIAL PROVISIONS attached hereto as EXHIBIT A.

ACCEPTED AND ACKNOWLEDGED

STATE OF MINNESOTA
DEPARTMENT OF NATURAL RESOURCES

HERMANTOWN, CITY OF

Licensee(s)

By _____

By _____

Regional Operations Supervisor

Title _____

Date _____

By _____

Title _____

Date _____

Form approved by Lands and Minerals Division, DNR, March 5, 2015.

License Number UWAT011742

EXHIBIT A
SPECIAL PROVISIONS (UWAT011742)

This license is granted subject to special provisions, per license provision 17. Special provisions apply to all public water crossings, and may clarify, add to, or substitute for standard license provisions contained within the license and application materials. Changes or exceptions to these special provisions are subject to written approval by the State.

When license and special provisions are in conflict with application materials, the license and special provisions shall prevail and supersede application materials.

1. In accordance with license provision 1.H., work is prohibited in public waters from September 15 to April 30.

License Number UWAT011742

*Sec 24
Sewer*



2626 Courtland Street
Duluth, MN 55806-1894
phone 218.722.3336
fax 218.727.7471
www.wlssd.com



Western Lake Superior Sanitary District

November 19, 2019

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
ATTN: Discharge Monitoring Report

Dear Regulatory Authority:

This cover letter is a summary of Western Lake Superior Sanitary District's Wastewater Treatment Plant Report for October 2019 (as per NPDES/SDS permit MN0049786). An electronic copy of this month's report will be submitted to MPCA. If anyone would like a paper or electronic version of the attachments please contact WLSSD at (218) 722-3336.

The average daily flow to the plant in October was 45 MGD.

The average influent cBOD5 concentration was 148 mg/L and the average effluent concentration was 11 mg/L. The cBOD5 removal efficiency for the month of October was 93 percent. The average influent and effluent suspended solids concentrations were 205 mg/L and 18 mg/L, respectively, providing a monthly suspended solids removal rate of 91 percent.

For the month of October, the effluent phosphorus calendar month average concentration was 0.3 mg/L and the average mass was 56 kg/d, compared to the respective calendar month average limits of 1.0 mg/L and 115 kg/d.

For the month of October, the effluent's daily maximum mercury concentration was 2.8 ng/L and the monthly average was 2.3 ng/L. WLSSD's reissued NPDES permit stipulates Mercury discharge limitations of 5.8 ng/L for the calendar month average, and 7.4 ng/L for a daily maximum. In milligrams per day, the calendar month average limit is 1062 and the daily maximum limit is 1355. For the month of October, the calendar month average Mercury was 374 mg/d, and the daily maximum was 446 mg/d.

During the month of October, no sewage release occurred related to wet weather.



Protecting, Maintaining and Improving the Health of All Minnesotans

To: Community Water Supply Owner/Operator

From: Community Water Supply Unit
Section of Drinking Water Protection

Subject: Sample Analysis Results for your Public Water Supply (PWS)

Enclosed are the results of analyses performed on water samples collected from your PWS. These results show that your system is in compliance with maximum contaminant levels set by the state and federal Safe Drinking Water Rules for the contaminants analyzed. These results must be kept in your files for a minimum of ten (10) years.

Analyses are attached for the contaminant groups checked below:

- | | |
|--|--|
| <input type="checkbox"/> Ammonia | <input type="checkbox"/> Radon (proposed rule-MCL 4000) |
| <input type="checkbox"/> Coliform Bacteria | <input type="checkbox"/> Synthetic Organics |
| <input type="checkbox"/> Inorganics | <input checked="" type="checkbox"/> Trihalomethanes/Haloacetic Acids |
| <input type="checkbox"/> Nitrate | <input type="checkbox"/> Volatile Organics |
| <input type="checkbox"/> Nitrite | <input type="checkbox"/> Other |
| <input type="checkbox"/> Radiochemical(s) | |

If you have any questions concerning these results, please contact your Department of Health district engineer.

Bemidji

Todd Johnson 218/308-2110

Eric Weller 218/308-2107

Duluth

Mike Luhrsen 218/302-6178

Fergus Falls

Lucas Hoffman 218/332-5146

Mankato

Amy Lynch 507/344-2713

Marshall

John Blomme 507/476-4238

Rochester

Paul Halvorson 507/206-2724

St. Cloud

Jon Groethe 320/223-7339

Kim Larsen 320/223-7330

Jennifer Soltys 320/223-7340

St. Paul

Lucas Martin 651/201-4144

Brian Noma 651/201-3971



Final Report

Minnesota Department of Health
Public Health Laboratory
Environmental Laboratory Section
601 Robert St. N., P.O. Box 64899
St. Paul, MN 55164-0899
651-201-5300

PWSID: 1690043
System Name: Hermantown
City: Hermantown

Program Code: HC

Type: B

Date Received: 10/09/19 10:23
Rep. Temp. (°C): 2.5

Collector Name: Glen Leibel
Collector ID: None

MDH Sample Number: 19J0545-01

Location ID: 00033
Sampling Point: 4900 Morris Thomas Road-Firehall 2

Collect Date: 10/08/19
Collect Time: 10:45
Matrix: Drinking Water

Field Residual Chlorine Result: None
Field Fluoride Result: None
Field pH Result: None
Field PO₄ Result: None

Results were produced by the Minnesota Department of Health, except where noted.

Haloacetic Acids, ICR

Analyte	Result	Reporting Limit	Units	Batch	Prepared	Analyzed	Init.	Method	Qualifiers
Dibromoacetic Acid	<	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:00	CJT	EPA 552.3	
Dichloroacetic Acid	10.8	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:00	CJT	EPA 552.3	
Monobromoacetic Acid	<	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:00	CJT	EPA 552.3	
Monochloroacetic Acid	<	2.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:00	CJT	EPA 552.3	
Trichloroacetic Acid	4.1	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:00	CJT	EPA 552.3	
Surrogate: 2-Bromobutanoic Acid	97	70-130	%	B9J0277	10/15/19 08:11	10/16/19 09:00	CJT	EPA 552.3	

THMs by GCMS

Analyte	Result	Reporting Limit	Units	Batch	Prepared	Analyzed	Init.	Method	Qualifiers
Bromodichloromethane	3.4	0.5	ug/L	B9J0337	10/16/19 19:13	10/16/19 19:13	KCB	EPA 524.3	
Bromoform	<	0.5	ug/L	B9J0337	10/16/19 19:13	10/16/19 19:13	KCB	EPA 524.3	
Chlorodibromomethane	110.9	0.5	ug/L	B9J0337	10/16/19 19:13	10/16/19 19:13	KCB	EPA 524.3	
Chloroform	13	0.5	ug/L	B9J0337	10/16/19 19:13	10/16/19 19:13	KCB	EPA 524.3	
Surrogate: 1,2-Dichlorobenzene-d4	106	70-130	%	B9J0337	10/16/19 19:13	10/16/19 19:13	KCB	EPA 524.3	
Surrogate: 4-Bromofluorobenzene	102	70-130	%	B9J0337	10/16/19 19:13	10/16/19 19:13	KCB	EPA 524.3	
Surrogate: Methyl tertiary butyl ether-d3	101	70-130	%	B9J0337	10/16/19 19:13	10/16/19 19:13	KCB	EPA 524.3	

Date Sent

NOV 22 2019

Drinking Water Protection

FINAL REPORT

Report ID: 10282019102528

Generated: 10/28/2019 10:25:24AM

Authorized by:

Paul Moyer, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

The results in this report apply only to the samples analyzed.
This report must not be reproduced, except in full, without the written approval of the laboratory.



Final Report

Minnesota Department of Health
Public Health Laboratory
Environmental Laboratory Section
601 Robert St. N., P.O. Box 64899
St. Paul, MN 55164-0899
651-201-5300

PWSID: 1690043

MDH Sample Number: 19J0545-02

Location ID: 00034
Sampling Point: 4307 County Rd 381 - School Dist

Collect Date: 10/08/19
Collect Time: 11:15
Matrix: Drinking Water

Field Residual Chlorine Result: None
Field Fluoride Result: None
Field pH Result: None
Field PO₄ Result: None

Results were produced by the Minnesota Department of Health, except where noted.

Haloacetic Acids, ICR

Analyte	Result	Reporting Limit	Units	Batch	Prepared	Analyzed	Init.	Method	Qualifiers
Dibromoacetic Acid	<	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:40	CJT	EPA 552.3	
Dichloroacetic Acid	4.3	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:40	CJT	EPA 552.3	
Monobromoacetic Acid	<	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:40	CJT	EPA 552.3	
Monochloroacetic Acid	<	2.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:40	CJT	EPA 552.3	
Trichloroacetic Acid	4.2	1.0	ug/L	B9J0277	10/15/19 08:11	10/16/19 09:40	CJT	EPA 552.3	
Surrogate: 2-Bromobutanoic Acid	105	70-130	%	B9J0277	10/15/19 08:11	10/16/19 09:40	CJT	EPA 552.3	

8.5

FINAL REPORT

Report ID: 10282019102528

Generated: 10/28/2019 10:25:24AM

Authorized by:

Paul Moyer, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

*The results in this report apply only to the samples analyzed.
This report must not be reproduced, except in full, without the written approval of the laboratory.*



Final Report

Minnesota Department of Health
 Public Health Laboratory
 Environmental Laboratory Section
 601 Robert St. N., P.O. Box 64899
 St. Paul, MN 55164-0899
 651-201-5300

PWSID: 1690043

Results were produced by Minnesota Department of Health, except where noted.

Batch B9J0277 - HAA Extraction

Blank (B9J0277-BLK1) Prepared: 10/15/19 08:11 Analyzed: 10/16/19 03:43

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Dibromoacetic Acid	<	1.0	ug/L							CJT	
Dichloroacetic Acid	<	1.0	ug/L							CJT	
Monobromoacetic Acid	<	1.0	ug/L							CJT	
Monochloroacetic Acid	<	2.0	ug/L							CJT	
Trichloroacetic Acid	<	1.0	ug/L							CJT	
Surrogate: 2-Bromobutanoic Acid	90	70-130	%	10						CJT	

LCS (B9J0277-BS1) Prepared: 10/15/19 08:11 Analyzed: 10/16/19 10:59

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Dibromoacetic Acid	10	1.0	ug/L	10		100	70-130			CJT	
Dichloroacetic Acid	9.9	1.0	ug/L	10		99	70-130			CJT	
Monobromoacetic Acid	10	1.0	ug/L	10		104	70-130			CJT	
Monochloroacetic Acid	20	2.0	ug/L	20		102	70-130			CJT	
Trichloroacetic Acid	9.8	1.0	ug/L	10		98	70-130			CJT	
Surrogate: 2-Bromobutanoic Acid	97	70-130	%	10						CJT	

LCS (B9J0277-BS2) Prepared: 10/15/19 08:11 Analyzed: 10/16/19 17:35

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Dibromoacetic Acid	20	1.0	ug/L	20		100	70-130			CJT	
Dichloroacetic Acid	19	1.0	ug/L	20		97	70-130			CJT	
Monobromoacetic Acid	20	1.0	ug/L	20		100	70-130			CJT	
Monochloroacetic Acid	38	2.0	ug/L	40		96	70-130			CJT	
Trichloroacetic Acid	20	1.0	ug/L	20		98	70-130			CJT	
Surrogate: 2-Bromobutanoic Acid	94	70-130	%	10						CJT	

Matrix Spike (B9J0277-MS1) Source: 19J0443-01 Prepared: 10/15/19 08:11 Analyzed: 10/16/19 05:02

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Dibromoacetic Acid	19	1.0	ug/L	20	<	93	70-130			CJT	
Dichloroacetic Acid	25	1.0	ug/L	20	6.1	95	70-130			CJT	
Monobromoacetic Acid	20	1.0	ug/L	20	<	98	70-130			CJT	
Monochloroacetic Acid	39	2.0	ug/L	40	<	97	70-130			CJT	

FINAL REPORT

Report ID: 10282019102528

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Authorized by:

Paul Moyer, Environmental Laboratory Manager
 Public Health Laboratory, Minnesota Department of Health

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Final Report

Minnesota Department of Health
 Public Health Laboratory
 Environmental Laboratory Section
 601 Robert St. N., P.O. Box 64899
 St. Paul, MN 55164-0899
 651-201-5300

PWSID: 1690043

Results were produced by Minnesota Department of Health, except where noted.

Batch B9J0277 - HAA Extraction

Matrix Spike (B9J0277-MS1)		Source: 19J0443-01			Prepared: 10/15/19 08:11 Analyzed: 10/16/19 05:02						
Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Trichloroacetic Acid	25	1.0	ug/L	20	5.1	97	70-130			CJT	
Surrogate: 2-Bromobutanoic Acid	91	70-130	%	10						CJT	

Matrix Spike Dup (B9J0277-MSD1)		Source: 19J0443-01			Prepared: 10/15/19 08:11 Analyzed: 10/16/19 05:42						
Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Dibromoacetic Acid	17	1.0	ug/L	20	<	86	70-130	8	30	CJT	
Dichloroacetic Acid	23	1.0	ug/L	20	6.1	86	70-130	7	30	CJT	
Monobromoacetic Acid	18	1.0	ug/L	20	<	92	70-130	7	30	CJT	
Monochloroacetic Acid	36	2.0	ug/L	40	<	91	70-130	6	30	CJT	
Trichloroacetic Acid	23	1.0	ug/L	20	5.1	89	70-130	7	30	CJT	
Surrogate: 2-Bromobutanoic Acid	84	70-130	%	10						CJT	

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 651-201-5300

PWSID: 1690043

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Batch B9J0337 - EPA 524 Prep

Blank (B9J0337-BLK1) Prepared: 10/16/19 12:02 Analyzed: 10/16/19 12:02

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	<	0.5	ug/L								KCB
Bromoform	<	0.5	ug/L								KCB
Chlorodibromomethane	<	0.5	ug/L								KCB
Chloroform	<	0.5	ug/L								KCB
Surrogate: 1,2-Dichlorobenzene-d4	102	70-130	%	10							KCB
Surrogate: 4-Bromofluorobenzene	101	70-130	%	10							KCB
Surrogate: Methyl tertiary butyl ether-d3	102	70-130	%	10							KCB

LCS (B9J0337-BS1) Prepared: 10/16/19 18:11 Analyzed: 10/16/19 18:11

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	4.5	0.5	ug/L	4		113	70-130				KCB
Bromoform	4.0	0.5	ug/L	4		101	70-130				KCB
Chlorodibromomethane	4.2	0.5	ug/L	4		106	70-130				KCB
Chloroform	4.6	0.5	ug/L	4		116	70-130				KCB
Surrogate: 1,2-Dichlorobenzene-d4	98	70-130	%	10							KCB
Surrogate: 4-Bromofluorobenzene	97	70-130	%	10							KCB
Surrogate: Methyl tertiary butyl ether-d3	99	70-130	%	10							KCB

Duplicate (B9J0337-DUP1) Source: 19J0440-02 Prepared: 10/16/19 14:36 Analyzed: 10/16/19 14:36

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	3.6	0.5	ug/L		3.6			0.6	30		KCB
Bromoform	<	0.5	ug/L		<				30		KCB
Chlorodibromomethane	0.6	0.5	ug/L		0.7			3	30		KCB
Chloroform	13	0.5	ug/L		13			0.5	30		KCB
Surrogate: 1,2-Dichlorobenzene-d4	102	70-130	%	10							KCB
Surrogate: 4-Bromofluorobenzene	101	70-130	%	10							KCB
Surrogate: Methyl tertiary butyl ether-d3	100	70-130	%	10							KCB

Matrix Spike (B9J0337-MS1) Source: 19J0440-01 Prepared: 10/16/19 11:01 Analyzed: 10/16/19 11:01

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	11	0.5	ug/L	6	3.6	121	70-130				KCB
Bromoform	6.6	0.5	ug/L	6	<	111	70-130				KCB

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St. Paul, MN 55164-0899
651-201-5300

PWSID: 1690043

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Batch B9J0337 - EPA 524 Prep

Table with columns: Analyte, Result, Reporting Limit, Units, Spike Level, Source Result, %REC, %REC Limits, RPD, RPD Limit, Init., Qualifiers. Rows include Chlorodibromomethane, Chloroform, and various surrogate compounds.

Work Order Comments

SP-02 received with too much headspace, VOC analysis cancelled, client notified, -CCS 10/9/2019

FINAL REPORT

Report ID: 10282019102528

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Handwritten signature of Paul Moyer

Paul Moyer, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

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Final Report

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601 Robert St. N., P.O. Box 64899
St. Paul, MN 55164-0899
651-201-5300

PWSID: 1690043
System Name: Hermantown
City: Hermantown

Program Code: HC

Type: B

Date Received: 10/29/19 10:32
Rep. Temp. (°C): 3.9

Collector Name: Glen Leibel
Collector ID: None

MDH Sample Number: 19J1568-01

Location ID: 00034
Sampling Point: 4307 County Rd 381 - School Dist

Collect Date: 10/28/19
Collect Time: 09:00
Matrix: Drinking Water

Field Residual Chlorine Result: None
Field Fluoride Result: None
Field pH Result: None
Field PO4 Result: None

Results were produced by the Minnesota Department of Health, except where noted.

THMs by GCMS

Analyte	Result	Reporting Limit	Units	Batch	Prepared	Analyzed	Init.	Method	Qualifiers
Bromodichloromethane	3.2	0.5	ug/L	B9J0664	10/31/19 22:42	10/31/19 22:42	KCB	EPA 524.3	
Bromoform	<	0.5	ug/L	B9J0664	10/31/19 22:42	10/31/19 22:42	KCB	EPA 524.3	
Chlorodibromomethane	<	0.5	ug/L	B9J0664	10/31/19 22:42	10/31/19 22:42	KCB	EPA 524.3	
Chloroform	18	0.5	ug/L	B9J0664	10/31/19 22:42	10/31/19 22:42	KCB	EPA 524.3	
Surrogate: 1,2-Dichlorobenzene-d4	106	70-130	%	B9J0664	10/31/19 22:42	10/31/19 22:42	KCB	EPA 524.3	
Surrogate: 4-Bromofluorobenzene	101	70-130	%	B9J0664	10/31/19 22:42	10/31/19 22:42	KCB	EPA 524.3	
Surrogate: Methyl tertiary butyl ether-d3	101	70-130	%	B9J0664	10/31/19 22:42	10/31/19 22:42	KCB	EPA 524.3	

Date Sent

NOV 22 2019

Drinking Water Protection

FINAL REPORT

Report ID: 11082019143146

Generated: 11/8/2019 2:31:42PM

Authorized by:

Paul Moyer, Environmental Laboratory Manager
Public Health Laboratory, Minnesota Department of Health

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Final Report

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 601 Robert St. N., P.O. Box 64899
 St. Paul, MN 55164-0899
 651-201-5300

PWSID: 1690043

Results were produced by Minnesota Department of Health, except where noted.

Batch B9J0664 - EPA 524 Prep

Blank (B9J0664-BLK1) Prepared: 10/31/19 12:57 Analyzed: 10/31/19 12:57

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	<	0.5	ug/L							KCB	
Bromoform	<	0.5	ug/L							KCB	
Chlorodibromomethane	<	0.5	ug/L							KCB	
Chloroform	<	0.5	ug/L							KCB	
Surrogate: 1,2-Dichlorobenzene-d4	103	70-130	%	10						KCB	
Surrogate: 4-Bromofluorobenzene	103	70-130	%	10						KCB	
Surrogate: Methyl tertiary butyl ether-d3	102	70-130	%	10						KCB	

LCS (B9J0664-BS1) Prepared: 10/31/19 18:35 Analyzed: 10/31/19 18:35

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	4.7	0.5	ug/L	4		116	70-130			KCB	
Bromoform	4.3	0.5	ug/L	4		107	70-130			KCB	
Chlorodibromomethane	4.5	0.5	ug/L	4		113	70-130			KCB	
Chloroform	4.8	0.5	ug/L	4		120	70-130			KCB	
Surrogate: 1,2-Dichlorobenzene-d4	103	70-130	%	10						KCB	
Surrogate: 4-Bromofluorobenzene	99	70-130	%	10						KCB	
Surrogate: Methyl tertiary butyl ether-d3	101	70-130	%	10						KCB	

Matrix Spike (B9J0664-MS1) Source: 19J1552-03 Prepared: 10/31/19 11:25 Analyzed: 10/31/19 11:25

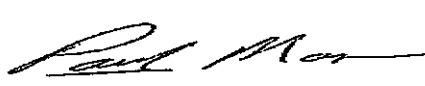
Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	6.6	0.5	ug/L	6	<	110	70-130			KCB	
Bromoform	6.1	0.5	ug/L	6	<	101	70-130			KCB	
Chlorodibromomethane	6.3	0.5	ug/L	6	<	105	70-130			KCB	
Chloroform	6.9	0.5	ug/L	6	<	116	70-130			KCB	
Surrogate: 1,2-Dichlorobenzene-d4	99	70-130	%	10						KCB	
Surrogate: 4-Bromofluorobenzene	98	70-130	%	10						KCB	
Surrogate: Methyl tertiary butyl ether-d3	102	70-130	%	10						KCB	

Matrix Spike Dup (B9J0664-MSD1) Source: 19J1552-03 Prepared: 10/31/19 11:55 Analyzed: 10/31/19 11:55

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromodichloromethane	6.7	0.5	ug/L	6	<	112	70-130	2	30	KCB	

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Page 2 of 3



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St. Paul, MN 55164-0899
651-201-5300

PWSID: 1690043

Results were produced by Minnesota Department of Health, except where noted.

Batch B9J0664 - EPA 524 Prep

Matrix Spike Dup (B9J0664-MSD1)

Source: 19J1552-03

Prepared: 10/31/19 11:55 Analyzed: 10/31/19 11:55

Analyte	Result	Reporting Limit	Units	Spike Level	Source Result	%REC	%REC Limits	RPD	RPD Limit	Init.	Qualifiers
Bromoform	6.2	0.5	ug/L	6	<	104	70-130	2	30	KCB	
Chlorodibromomethane	6.5	0.5	ug/L	6	<	108	70-130	3	30	KCB	
Chloroform	7.0	0.5	ug/L	6	<	117	70-130	1	30	KCB	
Surrogate: 1,2-Dichlorobenzene-d4	102	70-130	%	10						KCB	
Surrogate: 4-Bromofluorobenzene	100	70-130	%	10						KCB	
Surrogate: Methyl tertiary butyl ether-d3	100	70-130	%	10						KCB	

Work Order Comments

Samples were received in proper condition.

FINAL REPORT

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Public Health Laboratory, Minnesota Department of Health

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Janice



Western Lake Superior Sanitary District

December 12, 2019

Minnesota Pollution Control Agency
520 Lafayette Road North
St. Paul, Minnesota 55155
ATTN: Discharge Monitoring Report

Dear Regulatory Authority:

This cover letter is a summary of Western Lake Superior Sanitary District's Wastewater Treatment Plant Report for November 2019 (as per NPDES/SDS permit MN0049786). An electronic copy of this month's report will be submitted to MPCA. If anyone would like a paper or electronic version of the attachments please contact WLSSD at (218) 722-3336.

The average daily flow to the plant in November was 35 MGD.

The average influent cBOD5 concentration was 187 mg/L and the average effluent concentration was 8.8 mg/L. The cBOD5 removal efficiency for the month of November was 95 percent. The average influent and effluent suspended solids concentrations were 189 mg/L and 8.1 mg/L, respectively, providing a monthly suspended solids removal rate of 96 percent.

For the month of November, the effluent phosphorus calendar month average concentration was 0.2 mg/L and the average mass was 33 kg/d, compared to the respective calendar month average limits of 1.0 mg/L and 115 kg/d.

For the month of November, the effluent's daily maximum mercury concentration was 2.4 ng/L and the monthly average was 2.0 ng/L. WLSSD's reissued NPDES permit stipulates Mercury discharge limitations of 5.8 ng/L for the calendar month average, and 7.4 ng/L for a daily maximum. In milligrams per day, the calendar month average limit is 1062 and the daily maximum limit is 1355. For the month of November, the calendar month average Mercury was 273 mg/d, and the daily maximum was 343 mg/d.

During the month of November, no sewage release occurred related to wet weather.

Ordinance No. 2020-____

The City Council of the City of Hermantown does ordain:

**AN ORDINANCE AMENDING HERMANTOWN
CODE OF ORDINANCES BY AMENDING SECTION 920,
PUBLIC SEWERS AND PRIVATE DISPOSAL SYSTEMS, BY ADDING A NEW
SECTION 920.05.1A, CERTIFICATE OF BUILDING SEWER COMPLIANCE**

Section 1. Purpose and Intent. The purpose and intent of this Ordinance is to protect the health, welfare and safety of the public and the environment by requiring the reduction of unpolluted water in the sanitary sewer system owned and operated by the City of Hermantown.

Section 2. Addition to Section 920. Section 920, Public Sewers and Private Disposal Systems, of the City of Hermantown Code of Ordinances is hereby amended by adding a new Section 920.05.1A, Certificate of Building Sewer Compliance, to read as shown on Exhibit A attached hereto.

Section 3. Amendment to be Inserted in Code. After the amendment made by this ordinance becomes effective, it shall be inserted in the appropriate place in the Hermantown City Code.

Section 4. Effective Date. The provisions of this Ordinance shall be effective after adoption and immediately upon publication once in the official newspaper of the City of Hermantown.

Dated: _____

Mayor

Attest:

City Clerk

Adopted: _____

Published: _____

Effective Date: _____

EXHIBIT A

Section 920.05.1A, Certificate of Building Sewer Compliance

920.05.1A.1 Definitions. All definitions set forth in Section 920.01 are applicable to this Section 920.05.1A. In addition, the following words and phrases when used in this Section 920.05.1A and when otherwise used in this Chapter shall have the meanings ascribed to them in this Section 920.05.1A unless the context clearly requires otherwise.

920.05.1A.1.1 “Certificate of Building Sewer Compliance” means a certificate issued by the Superintendent to verify that a Building Sewer is not contributing any material amounts of unpolluted water to the Public Sewer through the Building Sewer.

920.05.1A.1.2 “Correction Notice” means the written notice issued by the Superintendent to the Owner after review of an Inspection Report advising that the Owner’s Property is not in compliance with the requirements of this Section, and notifying the Owner of corrections to the Property needed to bring it into compliance in a timely manner.

920.05.1A.1.3 “Inspection Report” means the report required to be provided to the Superintendent by the Owner pursuant to Sections 920.05.1A.4 of this Ordinance.

920.05.1A.1.4 “New Use” means the development or redevelopment of a property for a different residential, business or industrial use evidenced by the requirement of a building permit issued by the Hermantown Building Official or by other official governmental actions.

920.05.1A.1.5 “Owner” means the person(s) or entities that own or hold the title to the Property served by the Public Sewer.

920.05.1A.1.6 “Property” means the land served by a Building Sewer.

920.05.1A.1.7 “Notice to Inspect” means the written notice sent to the Owner by the Superintendent, which requires the Owner to obtain an Inspection Report and file it with the Superintendent.

920.05.1A.1.8 “Sump Pump” means the pump and discharging pipes designed to remove liquids from the Sump and discharge them away from the building foundation.

920.05.1A.2 Certificate of Building Sewer Compliance. If the Owner needs to obtain a Certificate of Building Sewer Compliance pursuant to Section 920.05.1A.3, the Owner shall complete an application for a Certificate of Building Sewer Compliance in a form prescribed by the Superintendent. At the time of application, the Owner shall pay the fees in the amount set from time to time by the City of Hermantown.

920.05.1A.3 Building Sewer – Mandatory Inspections and Testing.

920.05.1A.3.1 Events Requiring a Building Sewer Inspection. Except as provided by Section 920.05.1A.3.2, an Owner, or if applicable, all multiple Owners of a common Building Sewer, shall have the Building Sewer cleaned and inspected at the Property Owner's expense when any of the following events occur:

920.05.1A.3.1.1 If the Superintendent sends the Owner a written Notice to Inspect for health and safety reasons, the Building Sewer must be cleaned and inspected not later than the 180th day after the date the Notice to Inspect is provided to the Owner.

920.05.1A.3.1.2 Upon a determination by the Superintendent that the Owner of a structure with a new or existing connection to the Public Sewer must pay a Capacity Availability Fee as a result of a new use or anticipated wastewater flow increase calculated in accordance with the *WLSSD Capacity Availability Fee Procedures Manual* in effect at the time of the calculation.

920.05.1A.3.1.3 Upon the proposed sale or the proposed transfer of title in Owner's Property, or substantial change in use in the Property, the Owner shall obtain a Building Sewer inspection.

920.05.1A.3.1.4 Upon repair or replacement of any portion of a Building Sewer.

920.05.1A.3.1.5 If a street or avenue located within the City of Hermantown is rebuilt, including an upgrade or replacement to the Public Sewer, the Owners of all residences or businesses along such street or avenue shall obtain a Building Sewer inspection.

920.05.1A.3.2 Exceptions. The following are exceptions to the Building Sewer inspection requirements provided in Sections 920.05.1A.3.1.2 through 920.05.1A.3.1.5:

920.05.1A.3.2.1 Structures that were constructed ten (10) years or less prior to any event listed in Sections 920.05.1A.3.1.2 through 920.05.1A.3.1.5;

920.05.1A.3.2.2 Structures that have a Building Sewer that was replaced, relined or installed within ten (10) years prior to the event listed in Sections 920.05.1A.2 through 920.05.1A.5;

920.05.1A.3.2.3 Structures not connected to the Public Sewer; or

920.05.1A.3.2.4 The Owner replaces or relines the Building Sewer upon the occurrence of one of the events in Sections 920.05.1A.3.1.2 through 920.05.1A.3.1.5 and provides evidence of such replacement or repair satisfactory to the Superintendent.

920.05.1A.4 Building Sewer – Inspection Report – Requirements.

920.05.1A.4.1 Report Required. If an Owner is required to have an inspection performed for the Building Sewer under Sections 920.05.1A.3.1.2 through 920.05.1A.3.1.5, or

voluntarily has an inspection conducted for the Building Sewer, an Inspection Report must be provided to the Superintendent in the form set forth herein. The Inspection Report shall be prepared in a format acceptable to the Superintendent. An Inspection Report is not required if the Owner relines or replaces the entire Building Sewer after the inspection, and provides written evidence to the Superintendent proving that the relining or replacement was properly completed.

920.05.1A.4.2 Inspection Report Standards. The Building Sewer Inspection Report required by Section 920.05.1A shall be prepared in accordance with the following requirements and specifications.

920.05.1A.4.2.1 The Inspection Report shall be prepared by a licensed plumber;

920.05.1A.4.2.2 The Inspection Report shall identify all of the following:

920.05.1A.4.2.2.1 Any and all defects that could allow unpolluted water into the Building Sewer or otherwise create a maintenance issue in the Public Sewer, including all of the inspection criteria listed in Section 920.05.1A.4.3.

920.05.1A.4.2.2.2 Whether any connection, by pipes or otherwise, allows unpolluted water to enter the Building Sewer or Public Sewer.

920.05.1A.4.2.2.3 Date of the inspection.

920.05.1A.4.2.2.4 Name of the person conducting the inspection, the license number of such person and the business employing the person.

920.05.1A.4.2.2.5 A certification that the inspection of the Building Sewer was conducted using televised video, or an alternate inspection method approved by the Superintendent.

920.05.1A.4.2.2.61 A certification that no floor, roof, foundation and/or surface drains are physically connected to the Building Sewer.

920.05.1A.4.2.2.7 A certification that the Building Sewer was thoroughly cleaned prior to the inspection.

920.05.1A.4.2.2.8 If necessary, a recommended method for repair of the Building Sewer to eliminate any unpolluted water from entering into the Public Sewer.

920.05.1A.4.3 Building Sewer Inspection Criteria. A Property complies with the provisions of this Section 920.05.1A if the inspection verifies all of the following conditions:

920.05.1A.4.3.1 The Building Sewer is free of roots, grease deposits, and other solids, which may impede or obstruct the transmission of sewage.

920.05.1A.4.3.2 There are no improper or illegal connections to the Building Sewer such as sump pumps, down spouts or area drainage facilities.

920.05.1A.4.3.3 All joints in the Building Sewer are tight and sound to prevent the exfiltration of sewage and the infiltration of groundwater, storm water and rain water.

920.05.1A.4.3.4 The Building Sewer is free of structural defects, cracks, breaks, or missing portions and the grade is reasonably uniform without major sags or offsets.

920.05.1A.5 Compliance and Expiration.

920.05.1A.5.1 Once a Certificate of Building Sewer Compliance is issued, that Building Sewer shall not require inspection for a period of ten (10) years from the date of issuance unless the Superintendent has reason to believe the Building Sewer is in a defective condition.

920.05.1A.5.2 For houses constructed in the fifteen (15) years prior to an application, the Superintendent may in his or her discretion approve a Certificate of Building Sewer Compliance without requiring inspection of the Building Sewer.

920.05.1A.5.3 A Certificate of Building Sewer Compliance is valid to be used for the transfer of the Property.

920.05.1A.6 Correction Notice.

920.05.1A.6.1 If an Inspection Report discloses that the use of the Property is not in accordance with the provisions of Section 920, a Correction Notice may be issued by the Superintendent requiring corrections to the Property to bring it in to compliance. The corrections must be completed within the time specified in the Correction Notice no later than 180 days from the date of the Correction Notice. Upon proof of satisfactory completion of the corrections, a Certificate of Building Sewer Compliance shall be issued.

920.05.1A.6.2 A Correction Notice may be issued by the Superintendent permitting transfer of title of the Property if the following conditions are met:

920.05.1A.6.2.1 An agreement by the Owner and transferee has been executed and, whereby the Owner and transferee agree to complete corrections to the Property necessary to bring it within compliance of the provisions of Section 920 within one hundred eighty (180) days of the transfer of Property, and

920.05.1A.6.2.2 Security to ensure completion of any corrections to the Property must be deposited with the closing agent in the form of an escrow, or with the City of Hermantown when a closing agent is not involved, at the time of property transfer or closing. Security must be in an amount at least equal to 150% of the retail value of the work necessary for

compliance as determined by the City Engineer. The escrow must be fully maintained until a Certificate of Building Sewer Compliance is issued. If the City of Hermantown is escrowing the funds, upon completion of the repairs, the unused portion of the escrowed money shall be refunded to the Property buyer and seller in the proportions upon which they mutually agree. If a closing agent used, the closing agent shall certify the escrow to the City of Hermantown along with a copy of the written agreement between the Property seller and the transferee regarding their mutual agreement as to responsibility for completion of the necessary repairs.

920.05.1A.6.2.3 The Owner and any real estate agents involved in the transaction are responsible for disclosing the Correction Notice to the transferee and all other persons or entities involved in the transaction. Responsibility for repairing any non-conformance with the sanitary sewer service regulations runs with the land and is not only an obligation of the owner or transferor but is also an obligation of the transferee of the Property.

920.05.1A.6.2.4 The Correction Notice is recorded with the County Recorder or Registrar of Titles Office, as the case may be.

920.05.1A.7 Failure to Comply; Penalty.

920.05.1A.7.1 Owners not in compliance with this Section 920.05.1A will be charged a monthly surcharge.

920.05.1A.7.2 A surcharge in an amount set by separate resolution of the City Council is hereby imposed and added to every sewer billing to Owners who are not in compliance with the provisions of this Section 920.05.1A. The surcharge shall be levied monthly on properties not complying with the provisions of this Section 920.05.1A. This charge shall cease when the Property has been inspected and a Certificate of Building Sewer Compliance is issued by the Superintendent.