AGENDA

PINE COUNTY BOARD REGULAR MEETING

District 1  Commissioner Hallan
District 2  Commissioner Mohr
District 3  Commissioner Chaffee
District 4  Commissioner Mikrot
District 5  Commissioner Ludwig

Tuesday, January 21, 2020, 10:00 a.m.
North Pine Government Center
1602 Hwy. 23 No., Sandstone, Minnesota

A) Call meeting to order

B) Pledge of Allegiance

C) Public Forum. Members of the public are invited to speak. After being recognized by the Chair, each speaker should state his/her name and limit comments to three (3) minutes.

D) Adopt Agenda

E) Approve Minutes of January 7, 2020 Regular and Organizational County Board Meeting and Summary for publication

F) Minutes of Boards, Reports and Correspondence
   Pine County HRA Senior Housing Board of Directors regular meeting Minutes – November 20, 2019

G) Approve Consent Items

CONSENT AGENDA

The consent agenda is voted on without any discussion. Any commissioner may request an item be removed and added to the regular agenda.

1. **Review December, 2019 Cash Balance (attached)**

<table>
<thead>
<tr>
<th>Fund</th>
<th>December 31, 2018</th>
<th>December 31, 2019</th>
<th>Increase(Decrease)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>6,245,563</td>
<td>6,501,347</td>
<td>255,783</td>
</tr>
<tr>
<td>Health and Human Services Fund</td>
<td>1,726,532</td>
<td>1,689,735</td>
<td>(36,797)</td>
</tr>
<tr>
<td>Road and Bridge Fund</td>
<td>375,598</td>
<td>2,816,753</td>
<td>2,441,155</td>
</tr>
<tr>
<td>Land Management Fund</td>
<td>1,886,423</td>
<td>2,342,444</td>
<td>456,020</td>
</tr>
<tr>
<td>TOTAL (inc non-major funds)</td>
<td>15,613,070</td>
<td>16,790,258</td>
<td>1,177,188</td>
</tr>
</tbody>
</table>

2. **December 2019 Disbursements and Claims over $2,000**

Consider approval of Disbursements Journal Report, December 1, 2019 – December 31, 2019 and Claims
over $2,000.

3. **Donation**
   None

4. **2020 Waste Hauler Licenses**
   Consider approval of the following 2020 waste hauler licenses: Donna Tourville; Holdt’s Disposal, LLC; Jim’s Mille Lacs Disposal; Jones Construction; LePage & Sons; Matt’s Sanitation; Mike’s Sanitation; Mille Lacs Band of Ojibwe; Nordstrom Sanitation; PHASE; Quality Disposal Systems; Talon Sanitation, LLC; Tri-Township Disposal District; Vanderpoel Disposal; Veit; Waste Management; Curt’s Rolloffs. Authorize Board Chair to sign.

5. **Central MN Council on Aging Memorandum of Agreement**
   Consider approval of the 2020 Central MN Council on Aging Memorandum of Agreement for administration of the Older American’s Act. Pine County’s portion of the cash match for the administrative operation is $2,534. Funds are available in the HHS Budget. Authorize Board Chair to sign.

6. **Pine Habilitation and Supported Employment (PHASE) Agreement with HHS**
   Consider approval of the 2020 agreement between PHASE and Pine County HHS. The rates remain unchanged and payment is made only when services are provided. Authorize Boards Chair and Administrator to sign.

7. **Establish and Appoint Ballot Board**
   Consider Resolution 2020-06 establishing a Ballot Board for the purposes of accepting or rejecting returned absentee or mail ballots and appointing County Auditor-Treasurer Kelly Schroeder, Deputy Auditor Terry Lovgren, and Elections Assistant Sharon King, to act as members of said board.

8. **Personnel**

9. **New Hire**
   None

10. **Training**
    A. Consider County Administrator David Minke and any commissioner who desires, to attend the AMC Legislative Conference, February 25-27, 2020 at the InterContinental Hotel, St. Paul. Per attendee: Registration/$300; Lodging/$169+ tax per night. Parking fee/$24 per day. Funds are available in the 2020 Commissioner and Administrator budget.
    B. Consider Human Resources Manager Jackie Koivisto to attend the Minnesota Public Employer Labor Relations Association (MPELRA) conference and Union Negotiation Academy February 12-13, 2020 in Plymouth. Total cost including registration, lodging, and travel is $743. The costs are included in the 2020 budget.
REGULAR AGENDA

1. **Pine County Zoning Ordinance Public Hearing – at 10:00 a.m. or as soon thereafter as practicable**
   A. Presentation of ordinance
   B. County Board questions and discussion
   C. Open Public Hearing and take public testimony
   D. Close Public Hearing
   E. County Board additional discussion if necessary
   F. Consider adoption of the Pine County Zoning Ordinance 2020-03 and approve summary or publication.

2. **Subdivision and Platting Ordinance Amendment Public Hearing – at 10:00 a.m. or as soon thereafter as practicable**
   A. Presentation of ordinance
   B. County Board questions and discussion
   C. Open Public Hearing and take public testimony
   D. Close Public Hearing
   E. County Board additional discussion if necessary
   F. Consider adoption of Ordinance 2020-05 amending the Pine County Subdivision and Platting Ordinance and approve summary or publication.

3. **Facilities Committee Report**
   The Facilities Committee met January 8, 2020. (Minutes attached). Informational only. No board action necessary.

4. **Personnel Committee Report**
   The Personnel Committee met January 13, 2020. (Minutes attached). The Personnel Committee made the following recommendations:
   A. **Auditor-Treasurer**
      Authorize the addition of a Clerk III position in the County Assessor’s office. Position is represented by the AFSCME Courthouse unit and is grade 4 with a starting pay of $17.41/hr.
   B. **Administration**
      Consider approval of 2019 Pay Equity Report.

5. **Cultural Coach Update**
   Probation Supervisor Kevin Glass, together with Cultural Community Coach Bill Schaaf, will give an update on the Community Coach program.

6. **County Water Plan Extension**
   The county’s comprehensive water plan is set to expire June 23, 2020. It is anticipated that the county comprehensive water plan will be replaced by the watershed-based One Watershed One Plan (1W1P) water plans. The SWCD is requesting the county extend the current plan until December 31, 2025 to allow the 1W1P plans to be completed.

   Consider approving Resolution 2020-04 extending the county comprehensive water plan.

7. **Lower St. Croix One Watershed One Plan (1W1P) Update**
   Land and Resources Manager Caleb Anderson and Pine SWCD District Technician Katie Petzel will provide an overview of the plan’s implementation table for discussion.
8. **Snake River One Watershed One Plan (1W1P)**  
Consider approval of the Memorandum of Agreement for development of the Snake River Watershed Plan (1W1P). Authorize Board Chair and County Administrator to sign.

9. **Executive Order 13888 Refugee Resettlement**  
In September the President issued Executive Order 13888 requiring state and county consent before refugees could be resettled in the state and county. On January 15, a federal judge issued a preliminary injunction on the Executive Order. Karin Blythe, Refugee Services Program Manager, Lutheran Social Services will be present to discuss the resettlement process. No refugees have been resettled in Pine County in at least the last five years.

10. **Commissioner Updates**  
- Soil & Water Conservation District  
- East Central Solid Waste Commission  
- East Central Regional Library  
- Pine County Chemical Health Coalition  
- Mille Lacs Band State of the Band address  
- Arrowhead Counties Association  
- Pine County Coalition of Lakes and AIS stakeholder meeting  
- Other

11. **Other**

12. **Upcoming Meetings (Subject to Change)**
   a. Pine County Board Meeting, Tuesday, January 21, 2020, 10:00 a.m., North Pine Government Center, 1602 Hwy. 23 No., Sandstone, Minnesota.
   b. Mille Lands Band of Ojibwe Opportunity Zone meeting, Tuesday, January 21, 2020, 1:00 p.m., North Pine Government Center, 1602 Hwy. 23 No., Sandstone, Minnesota.
   c. NLX, Wednesday, January 22, 2020, 10:00 a.m., Board Room, Courthouse, Pine City, Minnesota.
   d. Northeast Emergency Communications Board, Thursday, January 23, 2020, 10:00 a.m., (face-to-face meeting only, no ITV), Public Safety Building, 2030 N Arlington Avenue, Duluth, Minnesota.
   e. Snake River Watershed Joint Powers Board, Monday, January 27, 2020, 9:00 a.m., Kanabec County Courthouse, 18 North Vine, Rooms 3 & 4, Mora, Minnesota.
   f. Lakes & Pines Community Action Council (Full Board), Monday, January 27, 2020, 10:00 a.m., 1700 Maple Avenue East, Mora, Minnesota.
   g. Lower St. Croix 1W1P, Monday, January 27, 2020, 4:00 p.m., Wyoming Area Library, 26855 Forest Blvd., Wyoming, Minnesota.
   h. Technology Committee, Tuesday, January 28, 2020, 9:00 a.m., Commissioner Conference Room, Courthouse, Pine City, Minnesota.
   i. Special Meeting-Committee of the Whole (Local Government Officials), Tuesday, January 28, 2020, 6:00 p.m., North Pine Government Center, 1602 Hwy. 23 No., Sandstone, Minnesota.
   j. Special Meeting-Committee of the Whole (Strategic Planning), Thursday, January 30, 2020, 9:00 a.m., Board Room, Courthouse, Pine City, Minnesota.
   k. Central Regional EMS, Friday, January 31, 2020, 10:00 a.m., Stearns County Public Works Building, 455 28th Avenue So., Waite Park, Minnesota.
   l. Pine County Board Meeting, Tuesday, February 4, 2020, 10:00 a.m., Board Room, Courthouse, Pine City, Minnesota.

13. **Adjourn**
PINE COUNTY BOARD MEETING
Minutes of Organizational and Regular Meeting
Tuesday, January 7, 2020, 10:00 a.m.
Board Room, Courthouse, Pine City, Minnesota

County Administrator David Minke called the meeting to order at 10:00 a.m. Commissioners Steve Hallan, Josh Mohr, Steve Chaffee, John Mikrot, Jr. and Matt Ludwig were present.

The Pledge of Allegiance was said.

County Administrator Minke called for nominations for County Board Chair.

Commissioner Chaffee nominated Commissioner Hallan for Chair, second by Commissioner Ludwig. With no further nominations, a unanimous white ballot was cast to elect Commissioner Hallan as Chair. Motion carried 5-0.

Chair Hallan called for nominations for Vice-Chair.

Commissioner Ludwig nominated Commissioner Mohr for Vice-Chair, second by Commissioner Chaffee. With no further nominations, a unanimous white ballot was cast to elect Commissioner Mohr as Vice-Chair. Motion carried 5-0.

Chair Hallan called for a moment of silence in tribute to Deputy Sheriff Ben Neel, who is seriously ill.

Chair Hallan called for public comment.

- Norman Township Zoning Administrator Richard Glattly addressed safety concerns at the intersection of County Road 42 and County Road 152 (Weeping Willow Road) and the necessity of additional signage.
- Newly appointed Pine County Court Administrator Amy Isaacson, and Pine County Court Operations Supervisor Sarah Spencer, introduced themselves to the board.
- Jack Friebe, field representative for Congressman Pete Stauber, introduced himself to the board and noted he worked out of the Cambridge office.

Chair Hallan requested the following revision to the Agenda:

1. Appointment Worksheet for Boards and Committees: Revised to include commissioner appointment to Minnesota Rural Counties and Greater Minnesota Parks and Trails.

Motion by Commissioner Mohr to adopt the amended Agenda. Second by Commissioner Ludwig. Motion carried 5-0.

Board and Committee Assignments for 2020:

Motion by Commissioner Mikrot, second by Commissioner Chaffee, to appoint commissioners to the following boards and committees for 2020 and to discontinue the GIS Committee:
<table>
<thead>
<tr>
<th>OUTSIDE BOARDS AND COMMITTEES</th>
<th>2020 Representative</th>
<th>2020 Alternate</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMC Committee – Environment &amp; Natural Resources</td>
<td>Mohr</td>
<td></td>
</tr>
<tr>
<td>AMC Committee – General Government</td>
<td>Mikrot</td>
<td></td>
</tr>
<tr>
<td>AMC Committee – Health &amp; Human Services</td>
<td>Chaffee</td>
<td></td>
</tr>
<tr>
<td>AMC Committee – Public Safety Policy Committee</td>
<td>Ludwig</td>
<td></td>
</tr>
<tr>
<td>AMC Committee – Transportation &amp; Infrastructure</td>
<td>Hallan</td>
<td></td>
</tr>
<tr>
<td>AMC Committee – Indian Affairs Advisory Council</td>
<td>Hallan</td>
<td>Chaffee</td>
</tr>
<tr>
<td>1W1P Policy Committee – Lower St. Croix</td>
<td>Hallan</td>
<td>Mohr</td>
</tr>
<tr>
<td>1W1P Policy Committee – Nemadji</td>
<td>Ludwig</td>
<td>Mikrot</td>
</tr>
<tr>
<td>1W1P Policy Committee - Snake River (new for 2020)</td>
<td>Mohr</td>
<td>Hallan</td>
</tr>
<tr>
<td>1W1P Technical Committee – Lower St. Croix</td>
<td></td>
<td></td>
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<tr>
<td>1W1P Technical Committee - Nemadji</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1W1P Technical Committee - Snake River (new for 2020)</td>
<td></td>
<td></td>
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<tr>
<td>Arrowhead Counties Association (ACA)</td>
<td>All</td>
<td></td>
</tr>
<tr>
<td>Association of Minnesota Counties (AMC)</td>
<td>All</td>
<td></td>
</tr>
<tr>
<td>Central MN Jobs and Training Service</td>
<td>Hallan</td>
<td>Ludwig</td>
</tr>
<tr>
<td>Central Regional EMS Committee</td>
<td>Ludwig</td>
<td>Mikrot</td>
</tr>
<tr>
<td>East Central Regional Development Commission (ECRDC)</td>
<td>Mikrot</td>
<td>Hallan</td>
</tr>
<tr>
<td>East Central Regional Juvenile Center (ECRJC) Advisory Committee</td>
<td>Ludwig</td>
<td>Mikrot</td>
</tr>
<tr>
<td>East Central Regional Library</td>
<td>Mohr</td>
<td>Chaffee</td>
</tr>
<tr>
<td>East Central Solid Waste Commission (ECSWC)</td>
<td>Hallan</td>
<td>Ludwig</td>
</tr>
<tr>
<td>Extension Committee</td>
<td>Chaffee/Mohr</td>
<td></td>
</tr>
<tr>
<td>Fiber-Optic Joint Power Board</td>
<td>Hallan</td>
<td>Mohr</td>
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<tr>
<td>GPS 45:93 Joint Powers Board</td>
<td>County Administrator</td>
<td>Hallan</td>
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<tr>
<td>Greater Minnesota Parks and Trails (GMPT)</td>
<td>Mikrot</td>
<td>All</td>
</tr>
<tr>
<td>Lakes and Pines Community Action Council (CAC)</td>
<td>Hallan</td>
<td>Mikrot</td>
</tr>
<tr>
<td>Law Library</td>
<td>Mohr</td>
<td>Chaffee</td>
</tr>
<tr>
<td>Minnesota Rural Counties (MRC)</td>
<td>Hallan</td>
<td>All</td>
</tr>
<tr>
<td>Northeast Minnesota Area Transportation Partnership</td>
<td>Hallan</td>
<td>Mikrot</td>
</tr>
<tr>
<td>Northeast Regional Emergency Communications Board</td>
<td>Hallan</td>
<td>Chief Deputy Paul Widenstrom</td>
</tr>
<tr>
<td>NLX</td>
<td>Ludwig</td>
<td>Chaffee</td>
</tr>
<tr>
<td>Rush Line Corridor Task Force</td>
<td>Mikrot</td>
<td>Mohr</td>
</tr>
<tr>
<td>Snake River Watershed Joint Powers Board</td>
<td>Mohr</td>
<td>Hallan</td>
</tr>
<tr>
<td>Soil &amp; Water Conservation District Liaison</td>
<td>Ludwig</td>
<td>Mohr</td>
</tr>
<tr>
<td>State Community Health Services Advisory Committee (SCHSAC)</td>
<td>Chaffee</td>
<td>Community Health Services Administrator Samantha Lo</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>COUNTY ESTABLISHED COMMITTEES</th>
<th>2020 Appointment</th>
<th>2020 Alternate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Committee</td>
<td>All</td>
<td></td>
</tr>
<tr>
<td>Economic Development</td>
<td>Mikrot/Mohr</td>
<td></td>
</tr>
<tr>
<td>Facilities Committee</td>
<td>Ludwig/Mohr</td>
<td></td>
</tr>
</tbody>
</table>
**GIS Committee** (Committee Discontinued in 2020)

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Operations</td>
<td>Ludwig/Mikrot</td>
</tr>
<tr>
<td>Health &amp; Human Services</td>
<td>Hallan/Chaffee</td>
</tr>
<tr>
<td>Insurance Committee</td>
<td>Hallan/Ludwig</td>
</tr>
<tr>
<td>Investment Committee</td>
<td>Ludwig/Hallan</td>
</tr>
<tr>
<td>Land/Zoning Advisory Committee</td>
<td>Chaffee/Ludwig*</td>
</tr>
<tr>
<td>*Liaison to Planning Commission</td>
<td></td>
</tr>
</tbody>
</table>

**Legislative Committee**

<table>
<thead>
<tr>
<th>Committee</th>
<th>Chair</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mille Lacs Band of Ojibwe Liaison</td>
<td>Hallan/Chaffee</td>
</tr>
<tr>
<td>Negotiations (Labor Relations) Committee</td>
<td>Chaffee/Mohr</td>
</tr>
<tr>
<td>Personnel Committee</td>
<td>Chaffee/Ludwig Mohr</td>
</tr>
<tr>
<td>Pine County Chemical Health Coalition</td>
<td>Ludwig/Mikrot</td>
</tr>
<tr>
<td>Public Safety Committee</td>
<td>Hallan/Ludwig</td>
</tr>
<tr>
<td>Technology Committee</td>
<td>Hallan/Mohr</td>
</tr>
<tr>
<td>Transportation Committee</td>
<td>Hallan/Mikrot</td>
</tr>
</tbody>
</table>

**Other Appointments**

<table>
<thead>
<tr>
<th>Appointment</th>
<th>2020 Appointment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equal Employment Opportunity Coordinator</td>
<td>Jackie Koivisto</td>
</tr>
<tr>
<td>AMC Delegate Appointments (county is authorized 1 delegate for each commissioner and three additional delegates)</td>
<td>Steve Hallan, Josh Mohr, Steve Chaffee, John Mikrot, Jr., Matt Ludwig, Mark LeBrun, Becky Foss, David Minke</td>
</tr>
<tr>
<td>Northeast Minnesota Regional Advisory Committee (RAC)</td>
<td>Sheriff Jeff Nelson</td>
</tr>
<tr>
<td>Minnesota Counties Intergovernmental Trust (MCIT)</td>
<td>David Minke</td>
</tr>
</tbody>
</table>

**Motion**

Motion by Commissioner Ludwig, second by Commissioner Chaffee, to set the 2020 County Board regular meetings and Board of Equalization as set forth below. Motion carried 5-0.

2020 County Board regular meeting dates and locations:

- The meetings on the first Tuesday of the month begin at 10:00 a.m. at the Board Room, Pine County Courthouse, Pine City, Minnesota.
- The meetings on the third Tuesday of the month begin at 10:00 a.m. at the North Pine Government Center, 1602 Hwy. 23 No., Sandstone, Minnesota.

**County Board Meeting Dates**

- January 7th and 21st
- February 4th and 18th
- March 3rd and 17th
- April 7th and 21st
- May 5th and 19th
- June 2nd and 16th
- July 7th and 21st
- August 4th and 18th
September 1st and 15th
October 6th and 20th
November 3rd and 17th
December 1st and 15th

Board of Equalization
June 15, 2020 at 6:00 p.m., Pine County Courthouse, Boardroom, Pine City

Motion by Commissioner Ludwig, Second by Commissioner Chaffee, to set the 2020 Committee meetings as set forth below. Motion carried 5-0.
- Facilities - 1st Wednesday of the month, 9:00 a.m.
- Personnel - 2nd Tuesday of the month, 9:00 a.m., (except for the January Personnel Meeting which will be Monday, January 13, 2020, at 9:00 a.m.)
- Technology - 4th Tuesday of odd numbered months (January, March, May, July, September, November)—9:00 a.m.
Meetings generally held in the Commissioner Conference Room, Courthouse, Pine City, Minnesota. All meetings subject to change. Contact the County Administrator’s Office for further information.

Truth in Taxation Meeting
Scheduling of the Truth-in-Taxation meeting for 2020 was discussed, no date was set. This matter will be placed on the agenda in September, 2020 for the Truth in Taxation date to be scheduled.

Motion by Commissioner Mohr to approve the Minutes of the December 17, 2019 county board meeting and Summary for publication. Second by Commissioner Mikrot. Motion carried 5-0.

Minutes of Boards, Reports and Correspondence
Pine County Zoning Board Minutes – November 21, 2019
Northern Natural Gas correspondence – Northern Lights 2021 Expansion Project – December 17, 2019
Pine County Land Surveyor Monthly Report – December 2019

Motion by Commissioner Ludwig to acknowledge the Minutes of Boards, Reports and Correspondence. Second by Commissioner Mohr. Motion carried 5-0.

Motion by Commissioner Mikrot to approve the Consent Agenda. Second by Commissioner Chaffee. Motion carried 5-0.

CONSENT AGENDA

1. Applications
   A. Local Option Disaster Abatement
      Approve 2019 local option disaster abatement for Juli Swanson, PID 43.0298.001, City of Rock Creek, pay 2019 due a fire on October 16, 2018.
   B. Exempt Permit
      Acknowledge the exempt permit application for the Ruffed Grouse Society – Rum River Chapter to conduct Minnesota lawful gambling on April 25, 2020 at Wing’s North, 19379 Homestead Rd., Pine City, MN (Pokégama Township)

2. 2020 Budget Adjustment
   Approve the 2019 budget adjustments and recognition of spending of reserves.
3. **Septic Fix-Up Special Assessment**
   Authorize the County Auditor to record a lien satisfaction on the Timothy D. & Vicki A. Cady property and authorize the county board chair and county administrator to sign Resolution 2020-02 extending a special assessment to the Timothy D. & Vicki A. Cady property/PID 03.0404.002, the Kenneth D. & Lisa J. Waletzko property/PID 13.0294.000, and the Kevin Blomker/Janice Johnston property/PID 28.0566.003.

4. **Health & Human Services Contract with Monarch Counseling Service**
   Approve a contract between Health & Human Services and Monarch Counseling Service for parent mentor services. The cost is $30/hour for direct contact time, and $5/15 minutes for travel. The total expenditures shall not exceed $40,000 for 2020. The agreement is from January 1 – December 31, 2020. Authorize Board Chair and County Administrator to sign.

5. **Health & Human Services Contract with Lighthouse Child and Family Services**
   Approve a contract between Pine County Health & Human Services and Lighthouse Child and Family Services for community support program services to enable individuals with serious mental health and co-occurring conditions to maintain stabilization and community living. The services will not exceed $78,000 annually, which is an annual increase of $9,000. The term of this contract is one year, January 1 – December 31, 2020. Authorize Board Chair and County Administrator to sign.

6. **Lead County Agreement between Health & Human Services and Therapeutic Services Agency, Inc. (TSA)**
   Approve the Lead County Agreement between Pine County Health and Human Services and Therapeutic Services Agency, Inc. for placement services offered by TSA to children in foster care and need services beyond a regularly licensed county foster home. There is a 2.5% increase in rates; payment is made only if services are utilized. This contract is effective for the period of January 1, 2020 through December 31, 2020. Authorize Board Chair and County Administrator to sign.

7. **Snowmobile Safety Enforcement Grant Program**
   Approve the 2020-2021 Snowmobile Safety Enforcement Grant in the amount of $4,766 for each fiscal year, totaling $9,532 for the full grant period. This grant does not require matching funds, and is used for enforcement, education, equipment and maintenance. Authorize Board Chair and County Administrator to sign.

8. **Personnel**
   A. Authorize the regular employment status for Eligibility Worker Jill Koch, effective January 9, 2020.
   B. Ratify the promotion of part-time Corrections Officers David Ackermann and Brandon Janssen to full time status effective December 22, 2019. Grade and wage are to remain the same.

9. **New Hire**
   Approve the hiring of Social Worker Samantha Maser, effective January 13, 2020, contingent upon successful background check. Grade 10, step 2, $25.76 per hour.

10. **Training**
    Authorize RNs Heidi Oehrlein and Toni Jensen to attend the 37th Annual MN Geriatric Care
Conference, March 11, 2020, in Rochester. Registration: $165/person; Lodging: $300/total; Parking: approx. $24; county card will be used if available. Total cost for both individuals: $654.

**REGULAR AGENDA**

1. **Certificates of Appreciation**
   Land and Resources Manager Caleb Anderson presented Richard Glattly a Certificate of Appreciation and thanked him for his 20 years of service on the Planning Commission. Anderson stated several others were unable to be present today, but expressed his appreciation to Gary Valvoda (County Board of Adjustments since 2015), Rick Williams (County Planning Commission since 2016), and Michael Kubesh (assisted county’s ag plastics recycling program by volunteering his time and skid steer to load plastic on the recycling trucks). Certificates will be mailed to these individuals.

2. **Zoning Board Appointments**
   Chair Hallan appointed the following to the Pine County Zoning Board, effective January 1, 2020 through December 31, 2023: District 2: Les Orvis; District 4: Ryan Clark; At-Large: Susan Grill.

3. **North Woods and Waters of the St. Croix Heritage Area**
   Marty Harding, Chair of North Woods and Waters of the St. Croix Heritage Area, was present to update the board on the status of designating the waters of the St. Croix as a national heritage area. Harding stated Wisconsin Congressman Ron Kind is sponsoring a bill that would designate this area as a national heritage area and asked for Pine County’s support for the congressional designation.
   **Motion** by Commissioner Chaffee to approve Resolution 2019-01 supporting North Woods and Waters of the St. Croix National Heritage Area. Second by Commission Mohr. Motion carried 5-0.

4. **Request for Bids for Official Publication for 2020**
   Sealed bids were opened December 30, 2019 for the publication of the county financial statements, proceedings of the county board and such other notices as required by law. The Pine County Courier presented a bid of $8.75 per column inch for the first publication. This is a 17% increase from 2019. The Hinckley News presented a bid of $8.75 per column inch for the second publication. No increase from 2019.
   **Motion** by Commissioner Mohr to award the first publication of the financial statement, proceedings of the County Board and such other notices to the Pine County Courier at $8.75 per column inch, as the official county newspaper, and the second publication of the financial statement and other such notices to the Hinckley News at $8.75 per column inch. Second by Commissioner Ludwig. Motion carried 5-0.

At 10:45 a.m. Chair Hallan recessed the County Board meeting and opened the Regional Railroad Authority annual meeting.

5. **Pine County Regional Railroad Authority Annual Meeting**
   Chair Hallan stated the chair and vice chair appointments have in the past mirrored the county board chair/vice-chair appointments.
   **Motion** by Commissioner Ludwig to approve the following Regional Railroad Authority officer
appointments:  Chair: Commissioner Steve Hallan; Vice-Chair: Commissioner Josh Mohr; Secretary: Administrator David Minke (non-voting); and Treasurer: Auditor/Treasurer Kelly Schroeder (non-voting). Second by Commissioner Mohr. Motion carried 5-0.

With there being no further business, the Regional Railroad Authority meeting was adjourned at 10:47 a.m. and the County Board meeting was reconvened.

6. Commissioner Updates
   Windemere Township Meeting (Sturgeon Lake flooding): Commissioner Mikrot stated Representatives Rarick and Sundin were in attendance together with various agencies and homeowners to discuss the high water level of Sturgeon Lake and subsequent flooding. After discussion, it was determined a feasibility study will be done. Windemere Township inquired if the county would be interested in funding the feasibility study. Commissioner Hallan stated the lake association would be welcome to present to the county board at a future Committee of the Whole meeting to provide further information and options for funding. It was the consensus that the board was not interested at this time in funding a feasibility study.
   HRA meeting: Commissioner Ludwig stated a septic line was severed by the power company and a building in Finlayson was flooded. The HRA hired contractors to fix the break and the bill will be submitted to the power company’s insurance.
   Arrowhead Counties Association – Annual Dinner and Reception: Commissioner Mikrot stated final levies of the counties were announced.
   Nemadji 1W1P Policy Committee meeting: Meeting cancelled.

7. Other
   Commissioner Hallan provided an overview of the phone conference held with Karen Blythe from Lutheran Social Services regarding Executive Order 13888 – Request for Consent Letter to Continue Refugee Resettlement in Pine County. Governor Walz indicated the state’s consent for refugees to be resettled in Minnesota. It is necessary that consent from local officials be given before any refugees would be resettled. January 21, 2020 is the deadline for resettlement agencies to submit their Reception and Placement Plan application.

8. Upcoming Meetings
   Upcoming meetings were reviewed.

9. Adjourn
   With no further business, Chair Hallan adjourned the meeting at 11:05 a.m. The next regular meeting of the county board is scheduled for January 21, 2020 at 10:00 a.m. at the North Pine Government Center, 1602 Hwy. 23 No., Sandstone, Minnesota.

_______________________________
Stephen Hallan, Chair  David J. Minke, Administrator
Board of Commissioners  Clerk to County Board of Commissioners
SUMMARY
OF
PINE COUNTY BOARD MEETING
Minutes of Organizational and Regular Meeting
Tuesday, January 7, 2020, 10:00 a.m.
Board Room, Courthouse, Pine City, Minnesota

County Administrator David Minke called the meeting to order at 10:00 a.m. Commissioners Steve Hallan, Josh Mohr, Steve Chaffee, John Mikrot, Jr. and Matt Ludwig were present.

The Pledge of Allegiance was said.

County Administrator Minke called for nominations for County Board Chair.

Commissioner Chaffee nominated Commissioner Hallan for Chair, second by Commissioner Ludwig. With no further nominations, a unanimous white ballot was cast to elect Commissioner Hallan as Chair. Motion carried 5-0.

Chair Hallan called for nominations for Vice-Chair.

Commissioner Ludwig nominated Commissioner Mohr for Vice-Chair, second by Commissioner Chaffee. With no further nominations, a unanimous white ballot was cast to elect Commissioner Mohr as Vice-Chair. Motion carried 5-0.

**Motion** by Commissioner Mohr to adopt the amended Agenda. Second by Commissioner Ludwig. Motion carried 5-0.

**Motion** by Commissioner Mikrot, second by Commissioner Chaffee, to appoint commissioners to the following boards and committees for 2020 and to discontinue the GIS Committee:

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<thead>
<tr>
<th>OUTSIDE BOARDS AND COMMITTEES</th>
<th>2020 Representative</th>
<th>2020 Alternate</th>
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</thead>
<tbody>
<tr>
<td>AMC Committee – Environment &amp; Natural Resources</td>
<td>Mohr</td>
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<tr>
<td>AMC Committee – General Government</td>
<td>Mikrot</td>
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<td>AMC Committee – Health &amp; Human Services</td>
<td>Chaffee</td>
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<td>AMC Committee – Public Safety Policy Committee</td>
<td>Ludwig</td>
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<tr>
<td>AMC Committee – Transportation &amp; Infrastructure</td>
<td>Hallan</td>
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<tr>
<td>AMC Committee – Indian Affairs Advisory Council</td>
<td>Hallan</td>
<td>Chaffee</td>
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<tr>
<td>1WIP Policy Committee – Lower St. Croix</td>
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<td>1WIP Policy Committee – Nemadji</td>
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<td>Mikrot</td>
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<td>1WIP Policy Committee - Snake River (new for 2020)</td>
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<td>1WIP Technical Committee – Lower St. Croix</td>
<td>Land and Resources Manager Caleb Anderson</td>
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<td>Association of Minnesota Counties (AMC)</td>
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<td>Ludwig</td>
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<td>Committee</td>
<td>2020 Appointment</td>
<td>2020 Alternate</td>
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<td>Central Regional EMS Committee</td>
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<td>Mikrot</td>
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<td>East Central Regional Development Commission (ECRDC)</td>
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<td>Hallan</td>
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<td>East Central Regional Juvenile Center (ECRJC) Advisory Committee</td>
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<td>East Central Regional Library</td>
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<td>East Central Solid Waste Commission (ECSWC)</td>
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<td>Extension Committee</td>
<td>Chaffee/Mohr</td>
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<td>Fiber-Optic Joint Power Board</td>
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<td>Mohr</td>
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<td>GPS 45:93 Joint Powers Board</td>
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<td>Northeast Regional Emergency Communications Board</td>
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<td>Mohr</td>
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<td>Snake River Watershed Joint Powers Board</td>
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<td>Hallan</td>
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<td>Soil &amp; Water Conservation District Liaison</td>
<td>Ludwig</td>
<td>Mohr</td>
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<td>State Community Health Services Advisory Committee (SCHSAC)</td>
<td>Chaffee</td>
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<td><strong>COUNTY ESTABLISHED COMMITTEES</strong></td>
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<td>Budget Committee</td>
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<td>Economic Development</td>
<td>Mikrot/Mohr</td>
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<td>Facilities Committee</td>
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<td>GIS Committee (Committee Discontinued in 2020)</td>
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<td>Government Operations</td>
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<td>Health &amp; Human Services</td>
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<td>Insurance Committee</td>
<td>Hallan/Ludwig</td>
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<td>Investment Committee</td>
<td>Ludwig/Hallan</td>
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<td>Land/Zoning Advisory Committee</td>
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<td>*Liaison to Planning Commission</td>
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<td>Legislative Committee</td>
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<td>Negotiations (Labor Relations) Committee</td>
<td>Chaffee/Mohr</td>
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<td>Personnel Committee</td>
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<td>Mohr</td>
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<td>Pine County Chemical Health Coalition</td>
<td>Ludwig/Mikrot</td>
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<td>Public Safety Committee</td>
<td>Hallan/Ludwig</td>
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<td>Technology Committee</td>
<td>Hallan/Mohr</td>
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<tr>
<td>Transportation Committee</td>
<td>Hallan/Mikrot</td>
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OTHER APPOINTMENTS

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<th>Appointment</th>
<th>2020 Appointment</th>
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<tbody>
<tr>
<td>Equal Employment Opportunity Coordinator required by section 3.2 of the County Policy and Procedure Manual</td>
<td>Jackie Koivisto</td>
</tr>
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</table>
| AMC Delegate Appointments (county is authorized 1 delegate for each commissioner and three additional delegates) | Steve Hallan  
Josh Mohr  
Steve Chaffee  
John Mikrot, Jr.  
Matt Ludwig  
Mark LeBrun  
Becky Foss  
David Minke |
| Northeast Minnesota Regional Advisory Committee (RAC)                       | Sheriff Jeff Nelson |
| Minnesota Counties Intergovernmental Trust (MCIT)                           | David Minke  
Steve Hallan |

Motion by Commissioner Ludwig, second by Commissioner Chaffee, to set the 2020 County Board regular meetings and Board of Equalization as set forth below. Motion carried 5-0.

2020 County Board regular meeting dates and locations:
- The meetings on the first Tuesday of the month begin at 10:00 a.m. at the Board Room, Pine County Courthouse, Pine City, Minnesota.
- The meetings on the third Tuesday of the month begin at 10:00 a.m. at the North Pine Government Center, 1602 Hwy. 23 No., Sandstone, Minnesota.

County Board Meeting Dates
- January 7th and 21st
- February 4th and 18th
- March 3rd and 17th
- April 7th and 21st
- May 5th and 19th
- June 2nd and 16th
- July 7th and 21st
- August 4th and 18th
- September 1st and 15th
- October 6th and 20th
- November 3rd and 17th
- December 1st and 15th

Board of Equalization
June 15, 2020 at 6:00 p.m., Pine County Courthouse, Boardroom, Pine City

Motion by Commissioner Ludwig, Second by Commissioner Chaffee, to set the 2020 Committee meetings as set forth below. Motion carried 5-0.
- Facilities - 1st Wednesday of the month, 9:00 a.m.
- Personnel - 2nd Tuesday of the month, 9:00 a.m., (except for the January Personnel Meeting which will be Monday, January 13, 2020, at 9:00 a.m.)
- Technology - 4th Tuesday of odd numbered months (January, March, May, July, September, November)-- 9:00 a.m.
Meetings generally held in the Commissioner Conference Room, Courthouse, Pine City, Minnesota. All meetings subject to change. Contact the County Administrator’s Office for further information.

Scheduling of the Truth-in-Taxation meeting for 2020 will be placed on the agenda in September, 2020.

**Motion** by Commissioner Mohr to approve the Minutes of the December 17, 2019 county board meeting and Summary for publication. Second by Commissioner Mikrot. Motion carried 5-0.

Minutes of Boards, Reports and Correspondence
- Pine County Zoning Board Minutes – November 21, 2019
- Northern Natural Gas correspondence – Northern Lights 2021 Expansion Project – December 17, 2019
- Pine County Land Surveyor Monthly Report – December 2019
**Motion** by Commissioner Ludwig to acknowledge the Minutes of Boards, Reports and Correspondence. Second by Commissioner Mohr. Motion carried 5-0.

**Motion** by Commissioner Mikrot to approve the Consent Agenda. Second by Commissioner Chaffee. Motion carried 5-0.

- Approve 2019 local option disaster abatement for Juli Swanson.
- Acknowledge the exempt permit application for the Ruffed Grouse Society – Rum River Chapter to conduct Minnesota lawful gambling on April 25, 2020 at Wing’s North, 19379 Homestead Rd., Pine City, MN
- Approve the 2019 budget adjustments and recognition of spending of reserves.
- Authorize the County Auditor to record a lien satisfaction on the Timothy D. & Vicki A. Cady property and authorize Resolution 2020-02 extending a special assessment to the Timothy D. & Vicki A. Cady property/PID 03.0404.002, the Kenneth D. & Lisa J. Waletzko property/PID 13.0294.000, and the Kevin Blomker/Janice Johnston property/PID 28.0566.003.
- Approve a contract between Health & Human Services and Monarch Counseling Service for parent mentor services. The cost is $30/hour for direct contact time, and $5/15 minutes for travel. The total expenditures shall net exceed $40,000 for 2020. The agreement is from January 1 – December 31, 2020.
- Approve a contract between Pine County Health & Human Services and Lighthouse Child and Family Services (January 1 – December 31, 2020) for community support program services.
- Approve the Lead County Agreement (January 1, 2020 through December 31, 2020) between Pine County Health and Human Services and Therapeutic Services Agency, Inc. for placement services to children in foster care.
- Approve the 2020-2021 Snowmobile Safety Enforcement Grant in the amount of $4,766 for each.
Authorize the regular employment status for Eligibility Worker Jill Koch, effective January 9, 2020.
Ratify the promotion of part-time Corrections Officers David Ackermann and Brandon Janssen to full time status effective December 22, 2019.

Approve the hiring of Social Worker Samantha Maser, effective January 13, 2020, contingent upon successful background check. Grade 10, step 2, $25.76 per hour.

Authorize RNs Heidi Oehrlein and Toni Jensen to attend the MN Geriatric Care Conference. Total cost for both individuals: $654.

Chair Hallan appointed the following to the Pine County Zoning Board, effective January 1, 2020 through December 31, 2023: District 2: Les Orvis; District 4: Ryan Clark; At-Large: Susan Grill.

Motion by Commissioner Chaffee to approve Resolution 2019-01 supporting North Woods and Waters of the St. Croix National Heritage Area. Second by Commissioner Mohr. Motion carried 5-0.

Motion by Commissioner Mohr to award the first publication of the financial statement, proceedings of the County Board and such other notices as required by law to the Pine County Courier at $8.75 per column inch, as the official county newspaper, and the second publication of the financial statement and other such notices to the Hinckley News at $8.75 per column inch. Second by Commissioner Ludwig. Motion carried 5-0.

At 10:45 a.m. Chair Hallan recessed the County Board meeting and opened the Regional Railroad Authority annual meeting.

Pine County Regional Railroad Authority Annual Meeting

Motion by Commissioner Ludwig to approve the following Regional Railroad Authority officer appointments: Chair: Commissioner Steve Hallan; Vice-Chair: Commissioner Josh Mohr; Secretary: Administrator David Minke (non-voting); and Treasurer: Auditor/Treasurer Kelly Schroeder (non-voting). Second by Commissioner Mohr. Motion carried 5-0.

With there being no further business, the Regional Railroad Authority meeting was adjourned at 10:47 a.m. and the County Board meeting was reconvened.

With no further business, Chair Hallan adjourned the meeting at 11:05 a.m. The next regular meeting of the county board is scheduled for January 21, 2020 at 10:00 a.m. at the North Pine Government Center, 1602 Hwy. 23 No., Sandstone, Minnesota.

_______________________________
Stephen Hallan, Chair
Board of Commissioners

_______________________________
David J. Minke, Administrator
Clerk to County Board of Commissioners

The full text of the board’s Minutes are available at the County Administrator’s Office and the county’s website (www.co.pine.mn.us). Copies may also be requested from the administrator’s office.
The regular meeting of the Pine County HRA Senior Housing Board of Directors was held on November 20, 2019 at 1:00 p.m. at the Sandstone Manor. Commissioners of the HRA present were Board Chair Dorothy Stockamp, Jan Oak, Greg Kvasnicka, Dennis. Korpi, Cheri Drilling Management Agent, Cammy Robbins, Tammy Gehrke and PCC Matt Ludwig.

1. The meeting was called to order at 1:00 p.m. by Board Chair D. Stockamp and the Pledge of Allegiance was said.

2. The HRA Board minutes from the Monthly Meeting conducted October 23, 2019 were reviewed by the Board members. A motion was made by G. Kvasnicka and seconded by C. Drilling to accept the minutes. Motion carried: Yeas 5, Nays 0

3. The Management Agent Report and the monthly financial statements and investment report were presented by T. Gehrke. A motion was made by D. Stockamp and seconded by J. Oak to approve the financial statements and the investment report. Motion carried Yeas 5, Nays 0

4. Discussed City Inspection process and exemption for the Pine County HRA.

5. Discussed Property Tax Reduction Process and T. Gehrke explained the automated procedure the PCHRA will take in order to continue with this reduction.

6. MHP Grant was discussed, At this time technical assistance is not available to move forward on the projects and all parties agreed it would be best to wait to advance in any areas until MHP is available to assist.

7. CD Renewal to be renewed for 24 months.

8. A motion was made by D. Korpi and was seconded by G. Kvasnicka to adjourn the meeting at 1:45 p.m. Motion carried: Yeas 5, Nays 0

Dorothy Stockamp
HRA Board Chair

Tammy Gehrke
Management Agent
AGENDA REQUEST FORM

Date of Meeting: January 21, 2020

☒ County Board
☒ Consent Agenda
☐ Regular Agenda  5 mins.___  10 mins.___  15 mins.___  Other___

☐ Personnel Committee
☐ Other _____________

Agenda Item: December 2019 Cash Balance

Department: Auditor-Treasurer

[Signature]
Department Head signature

Background information on Item:

December 2019 Cash Balance Report

Action Requested:

Financial Impact:
### Treasurer's Cash Trial Balance

**As of 12/2019**

<table>
<thead>
<tr>
<th>Fund</th>
<th>Beginning Balance</th>
<th>This Month</th>
<th>YTD</th>
<th>Current Balance</th>
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Copyright 2010-2019 Integrated Financial Systems
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**Balance**

**Beginning**

**Treasurer's Cash Trial Balance**

**Pinel County**

**As of 12/13/2019**

**Page 3**
### Pine County

**TREASURER'S CASH TRIAL BALANCE**

As of 12/2019

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Copyright 2010-2019 Integrated Financial Systems
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**As of 12/2/2019**

**Pine County**

---

**2011-12 Financial Systems**

---

**Kendrochet**
# Pine County Treasurer's Cash Trial Balance

As of 12/2019

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<th>YTD</th>
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## TREASURER'S CASH TRIAL BALANCE COMPARISON

### YEAR-TO-YEAR COMPARISON

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<tr>
<td><strong>TOTAL (incl non-major funds)</strong></td>
<td><strong>$15,613,070.16</strong></td>
<td><strong>$16,790,257.68</strong></td>
<td><strong>1,177,187.52</strong></td>
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### MONTH-TO-MONTH COMPARISON

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<td><strong>TOTAL (incl non-major funds)</strong></td>
<td><strong>$16,445,846.07</strong></td>
<td><strong>$16,790,257.68</strong></td>
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AGENDA REQUEST FORM

Date of Meeting: January 21, 2019

☑ County Board
☑ Consent Agenda
☐ Regular Agenda

5 mins. ___ 10 mins. ___ 15 mins. ___ Other ___

☐ Personnel Committee
☐ Other _____________

Agenda Item: December, 2019 Disbursements/Claims Over $2,000

Department: Auditor-Treasurer

Background information on Item:

December, 2019 Disbursements and Claims over $2,000

Action Requested:

Approve

Financial Impact:
## DISBURSEMENTS JOURNAL REPORT

Specific Dates: 12/01/2019 - 12/31/2019

### RECAP BY FUND

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Total Disbursements: 1,939,860.41

### RECAP BY TYPE

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Total Disbursements: 1,939,860.41
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December 2019 Claims Over $2,000
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Date of Meeting: January 21, 2020

County Board
Consent Agenda
Regular Agenda

Personnel Committee
Other

Agenda Item: 2020 Waste Hauler Licenses

Department: Solid Waste

Background information on Item:

Section V, Subd. 3 of the Pine County Solid Waste Ordinance states that “No person shall collect or transport solid waste for hire without first obtaining a license from the County Board.”

The following additional businesses have met the requirements of the ordinance and applied for a Waste Hauler License for 2020:


Action Requested:

Authorize the County Board Chair to sign the 2020 Solid Waste Collection and Transportation Licenses.

Financial Impact:

Any expenses relating to the regulation and licensing of the waste haulers are covered by the licensing fee of $200.
David Minke  
Pine County Administrator  
635 Northridge Dr Nw Suite 200  
Pine City MN 55063  

The Central MN Council on Aging (CMCOA) is a non-profit organization designated by the Minnesota Board on Aging as the Area Agency on Aging for Stearns, Benton, Sherburne, Wright, Morrison, Todd, Wadena, Cass, Crow Wing, Isanti, Chisago, Pine, Mille Lacs, and Kanabec counties. The CMCOA has a key development function whereby we collaborate with communities, counties, and health and social service providers to increase local capacity to meet the needs of an aging population. This is accomplished through coordinated development of long-term care home-and-community based services. As the regional Area Agency on Aging, CMCOA is responsible for administering at the local level funding of Older Americans Act (OAA) contracts/grants to area partners to provide supportive services.

CMCOA is requesting $2,534 in calendar year 2020 from Pine County to assist in meeting the administrative match requirement of the OAA funding to local agencies for in-home long-term care services. These services are critical to help people live at home, without falling into the public safety net. The following outlines the benefits and services provided to Pine County by the CMCOA.

Administration of Federal OAA Funds: One of the primary roles of our agency is to administer at the local level, the Federal OAA funding. Using a planning process to review needs and trends, CMCOA awards grants and contracts for services to help ensure that a continuum of options and choices are in place that match the needs of the community. CMCOA awarded $162,787 of Federal OAA funding for services in Pine County in 2018 and $168,460 in 2019.

<table>
<thead>
<tr>
<th>Service</th>
<th>Pine County Residents 60+ Served Through Federal OAA Services in 2018</th>
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<tbody>
<tr>
<td>Rides</td>
<td>1 individual with 2 rides</td>
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<tr>
<td>Homemaker</td>
<td>25 individuals with 376.25 hours of homemaking</td>
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<tr>
<td>Health Assessment Clinics</td>
<td>12 individuals received Health Assessment at the Kanabec County Health Clinic</td>
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<tr>
<td>Congregate</td>
<td>375 individuals with 10,893 congregate meals</td>
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<tr>
<td>Home Delivered Meals</td>
<td>105 individuals with 12,551 home delivered meals</td>
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<tr>
<td>Caregiver Consultant</td>
<td>65 individuals with 440.5 hours and 317 sessions of caregiver consultation</td>
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<td>Caregiver Education</td>
<td>8 Individuals attended 1 Caregiver Education Session</td>
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<tr>
<td>Respite</td>
<td>1 individual with 20 hours of respite</td>
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<tr>
<td>Senior LinkAge Line</td>
<td>2,205 Calls for Phone assistance and 360 In-Person Assistance</td>
</tr>
<tr>
<td>Legal Assistance</td>
<td>16 individuals with 73 hours</td>
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</table>
**Senior LinkAge Line:** The Senior LinkAge Line (SLL) program provided 2,565 sessions of long-term care options counseling to Pine County residents in 2018. SLL is a program that helps families, friends, and seniors find answers and support that will help older people stay in the community longer and remain independent. With a single call to the SLL a person can locate particular services near them or get help evaluating their situation to determine what kind of service might be helpful. A SLL Call Center Specialist will research options and automatically transfer the caller to the service provider in their area. Individuals will be connected with LaVonne Sorenson, our Pine County Senior LinkAge Advocate if more assistance is needed in-person. The Advocate will conduct an in-depth assessment with the individual in their home or community site and help them navigate appropriate community services. In addition, the Advocate can provide forms and enrollment assistance to public and private services. An example of enrollment assistance is the help SLL provides to callers when they are in need of assistance enrolling into Medicare Part D. Information and assistance provided helps clients gain the comprehensive knowledge needed to make choices about services, along with the advocacy needed to access those services. The outreach location is at the Pine County Public Library with an Advocate available on the last Tuesday of each month, from 1:00 pm – 4:00 pm.

**Program Development and Coordination:** CMCOA provides planning assistance on aging issues, trends and service development needs for the region using a variety of tools to collect and analyze data and to engage stakeholders. Currently projects focus on improving dementia care, supporting older persons with chronic illness and assisting municipalities to prepare for the aging of our community.

Please feel free to contact me with any questions. We greatly appreciate the support of Pine County, and I look forward to our agencies continued collaborations as we serve the seniors of Pine County.

Sincerely,

Lori Vrolson  
Executive Director  
Central MN Council on Aging

Cc: Becky Foss  
    Steve Hallan
Memorandum of Agreement  
January 1, 2020- December 31, 2020

A. The Central MN Council on Aging will:

1) **Information and Advocacy:** Provide information and assistance through Senior LinkAge to older adults, family and providers who need help connecting to services. In 2020 we project that we will provide at least 2,600 sessions of long term care options counseling to older people from Pine County.

2) **Planning and Systems Development:** Develop and annually update the Area Plan for Aging. Conduct regular assessments of the needs of the elderly. Collect, interpret, and disseminate data.

3) **Grant/Contract:** Develop, review, and fund grant/contract applications under Title III-B, C1, C2, D and E of the Federal Older Americans Act. All projects will be monitored on a quarterly basis and annually assessed.

4) **Technical Assistance:** Provide technical assistance to local units of government, non-profit agencies, and other organizations that wish to develop, upgrade, or expand projects that serve the elderly or that have concerns relating to the implementation and/or delivery of those programs.

5) **Coordination:** Hold meetings with area service providers to discuss program operations issues to facilitate coordination of service to the elderly.

6) **Education and Training:** Provide information on services and aging related issues to consumers, family caregivers, and/or service providers. Develop conferences as needed. Develop and/or fund other needed training for Aging professionals.

7) **Program Development:** Provide planning assistance on aging issues, trends and service development needs for the region.

8) **Research:** Support and participate in research projects, which will provide information to help to more effectively plan, target, and develop services for the elderly of our area.

9) **Financial Management, Reporting, and Budgeting:** Complete and submit financial reports. Provide requested financial or program reports to counties. Prepare and present an annual budget.

10) The Central MN Council on Aging will defend, indemnify, and hold harmless Pine County, its officers and employees against any and all liability, loss, costs, damages and expenses which the County, its officers or employees may hereafter sustain, incur or be required to pay arising out of the Central MN Council on Aging’s performance or failure to adequately perform its obligations pursuant to this agreement.
B. The Benton, Sherburne, Stearns, Wright, Cass, Crow Wing, Todd, Wadena, Morrison, Pine
Kanabec, Mille Lacs, Chisago and Isanti Counties, will:

1) **Appoint a County Commissioner**/representative to serve as their representative
on the Central MN Council on Aging **Board** of Directors as outlined in the By-
laws. Appointment authority/representation on the CMCOA Board is contingent
upon receipt of administrative cash match requested annually by CMCOA. The
formula for the request amount is prorated based on the percentage of 60+
population of the PSA.

The Central MN Council on Aging requested Benton, Sherburne, Stearns, Wright,
Todd, Morrison, Cass, Crow Wing, Wadena, Isanti, Mille Lacs, Chisago, Pine and
Kanabec Counties in the PSA to provide cash match for the administrative
operation of CMCOA based on the formula of population aged 60+ in each
county. The match request is prorated based on the 60+ population in each
county. The updated 2010 census of 60+ by county was used.

Benton County: $2,534
Stearns County: $9,627
Sherburne County: $4,054
Wright County: $6,587
Cass: $3,040
Crow Wing: $6,080
Todd: $2,534
Morrison: $2,534
Wadena: $1,520
**Pine** $2,534
Mille Lacs $2,027
Kanabec $1,520
Isanti $2,534
Chisago $3,547
**TOTAL:** $50,672

C. Amendments:
1) This memorandum may be amended at any time with the agreement of all parities
concerned.

2) The memorandum will be reviewed annually.

Central MN Council on Aging
BY: _________________
TITLE: ______________
DATE: _______________

Pine County
BY: _________________
TITLE: ______________
DATE: _______________
AGENDA REQUEST FORM
Date of Meeting: January 21, 2020

☒ County Board  
☒ Consent Agenda  
☐ Regular Agenda

☐ Personnel Committee
☐ Other ____________

Agenda Item: Approve contract with PHASE

Department: HHS

[Signature]

Department Head signature

Background information on Item:

HHS partners with Pine Habilitation and Supported Employment (PHASE) to provide day training and habilitation services and supported employment services to individuals who are eligible. The attached contract continues that partnership through 2020. The rates for the services remain the same as 2019.

The county attorney’s office has reviewed and approved the contract.

Action Requested:

Approve the contract between HHS and PHASE and authorize the county board chairperson and the county administrator to sign.

Financial Impact:

This contract is a fee-for-service contract. Payment is not authorized unless services are provided.
CONTRACT BETWEEN PINE COUNTY HEALTH AND HUMAN SERVICES AND
PINE HABILITATION AND SUPPORTED EMPLOYMENT

THIS AGREEMENT is made and entered into by and between the, County of Pine Board of Commissioners, through Pine County Health and Human Services, (hereinafter referred to "COUNTY"), 1602 Hwy 23 N Sandstone, MN 55072 and Pine Habilitation and Supported Employment (PHASE), (hereinafter referred to as CONTRACTOR), PO Box 126 Sandstone, MN 55072

WHEREAS, the Agency has identified a certain population within the County of Pine who are in need of Day Training and Habilitation and or Supported Employment Services.

WHEREAS, the Contractor represents that it is duly licensed, qualified, and willing to perform such services; and

WHEREAS, the agency wishes to purchases such services from the Contractor; and

NOW, THEREFORE, in consideration for the mutual undertakings and agreements hereinafter set forth, the COUNTY, through Health and Human Services, and the CONTRACTOR agree as follows:

I. Term of Agreement
   The CONTRACTOR agrees to furnish services to the benefit of the COUNTY during the period commencing January 1, 2020, and terminating December 31, 2020 irrespective of the date of signatures/execution below.

II. Services to be Provided and Reporting
   A. Day Training and Habilitation (DT&H): Licensed supports to provide persons with help to develop and maintain life skills, participate in community life and engage in proactive and satisfying activities of their own choosing. The following are covered DT&H services.
      1. Community integrated activities, including the use of leisure and recreation time.
      2. Supervision, training and assistance in the areas of self-care, communication, socialization and behavior management.
      3. Supported employment and work-related activities.
      4. Training in community survival skills, money management and therapeutic activities that increase adaptive living skills of a person.
   B. Supported Employment: Paid employment for participants for whom competitive employment at or above the minimum wage is unlikely without supports, and who, because of their disabilities, need intensive ongoing support to perform in a community work setting. The following are Supported Employment services.
      1. Individual and small group counseling.
      2. Individualized work related assessment.
      3. Individual job development and job placement activities that produce an appropriate job match for the person and the employer.
      4. Long-term support services to assure job retention.
      5. Mobility training.
      7. Supervision and ongoing monitoring of a person’s performance.
      8. Training in related skills essential to obtaining and retaining employment such as the effective use of community resources.
      9. Training in the use of break and lunch areas.
      10. Training to access various transportation resources.
   Other services also included:
      1. Advocacy, negotiation and liaison communications with employers
2. Benefit(s) review and analysis
3. Community business outreach and contact for available employment opportunities
4. Design and implementation of schedules for ongoing follow-up support, job coach fading and remote monitoring
5. Development and strengthening of natural work supports
6. Employment marketplace research
7. Employment-specific transportation coordination
8. Job application, resume and cover letter writing and development
9. Job specific data collection, documentation and progress reporting
10. Negotiating and finalizing terms of employment

C. Transportation: Transportation services for non-medical purposes to enable persons to participate in DT&H services.

III. In partnership, the COUNTY and CONTRACTOR will oversee the eligibility criteria, the referral process, and reporting process.

IV. Cost of the Agreement/Billing Instructions
   Attached with each monthly invoice, the CONTRACTOR will provide a list of client names and dates of service to the COUNTY. The rates below are subject to change when the Minnesota Legislature authorizes a rate change as applicable to that specific county pay long-term service. Services will be billed at the following rates.
   The following rates do not apply to DHS Waiver.

   A. DT&H - Phase North & Recycling
      • Daily: $62.83
      • Partial: $47.13
      • Round Trip Transportation: $22.00

   B. DT&H - Phase South
      • Daily $103.60
      • Partial: $77.71
      • Round Trip Transportation: $22.00

   C. Supported Employment: 1:1
      • 15 minute: as negotiated by parties at time of service.

V. Payment for Services
   Payment for services shall be made direct to the CONTRACTOR within 35 days of COUNTY's receipt of the said invoice, pursuant to Minnesota Statute 5471.425, subdivision 2.

VI. Indemnification and Insurance
   A. CONTRACTOR agrees that in order to protect itself as well as the COUNTY, it will at all time during the term of this contract keep in force an insurance policy. This liability insurance policy will meet the limits as shown below or be equal to the tort liability limits under Minnesota Statute section 3.736 and 466.04, subdivision 4, whichever is greater. However, should the coverage available to the CONTRACTOR exceed the liability limits, nothing by the way of that level of coverage shall be construed as a waiver of the limits available to the COUNTY. The COUNTY will be sent a current certificate of insurance on an annual basis.

      1. Commercial General Liability Insurance
         a. $500,000 per claimant / $1,500,000 per occurrence / $3,000,000 annual aggregate.

      2. Automobile Insurance (if vehicles are used to conduct this contract)
a. Coverage shall be provided for hired, non-owned and owned autos.
b. Minimum limits: $500,000 per claimant / $1,500,000 occurrence / $1,500,000 annual aggregate.

3. Worker's Compensation and Employer's Liability as required by Minnesota Law.

4. Professional Liability / Errors and omissions coverage.
a. Per claim limit: $1,500,000
b. Per person: $500,000

5. Bonding: The CONTRACTOR will be required to maintain at all times, during the terms of this contract, a fidelity bond or insurance coverage for employee dishonesty with a minimum amount of $50,000 covering the activity of each person authorized to receive or distribute monies under the term of this contract.

B. Any policy obtained and maintained under this clause shall provide that it shall not be cancelled, materially changed, or not renewed without thirty days prior notice thereof to the COUNTY.

C. Prior to the effective date of this contract, and as a condition precedent to this contract, the CONTRACTOR will furnish the COUNTY with Certificates of Insurance.

D. The CONTRACTOR agrees to defend, indemnify, and hold COUNTY, its employees and officials harmless from any claims, demands, actions or causes of action, including reasonable attorney's fees and expenses arising out of any act or omission on the part of the CONTRACTOR, or its subcontractors, partners or independent contractors or any of their agents or employees in the performance of or with relation to any of the work or services to be performed or furnished by the vendor or the subcontractors, partners, or independent contractors or any of the agents or employees under the agreement.

VII. Compliance with Laws / Standards

A. The CONTRACTOR shall maintain in good standing, all professional credentials necessary to provide the services contemplated and set forth herein.

B. The CONTRACTOR shall abide by all Federal, State, or local laws, statutes, ordinances, rules and regulations now in effect or hereinafter adopted pertaining to the contract or to the subject matter thereof for which the CONTRACTOR is responsible.

1. By signing this contract, the CONTRACTOR certifies that it and its principals and its employees: Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from transacting business by or with any federal, state or local government department or County; and have not within a three-year period preceding this contract:
   a. Been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction or contract;
   b. Violated any federal or state antitrust statutes; or
   c. Committed embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and

2. Are not presently indicted or otherwise criminally or civilly charged by a governmental entity for:
   a. Commission of fraud or a criminal offense in connection with obtaining, attempting to obtain or performing a public (federal, state or local) transaction;
b. Violating any federal or state antitrust statutes; or

c. Committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property; and

3. Are not aware of any information and possess no knowledge that any sub contractor(s) that will perform work pursuant to this contract are in violation of any of the certifications set forth above.

4. Shall immediately give written notice to the COUNTY should CONTRACTOR come under investigation for allegations of fraud or a criminal offense in connection with obtaining, or perforating; a public (federal, state or local government) transaction; violating any federal or state antitrust statutes; or committing embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements or receiving stolen property.

VIII. Conditions of Contractors' Obligation

A. The CONTRACTOR agrees to inform the COUNTY of changes in ownership, organizational structure, board of director membership, and/or chief operating officers with thirty (30) days after occurrence.

B. It is understood and agreed that in the event the funding to the COUNTY from State and Federal sources is not obtained and continued to an aggregate level sufficient to allow for the purchase of the indicated quantity of Purchased Services, the obligations of each party hereunder shall be terminated.

C. The CONTRACTOR must, within ten (10) days notify the COUNTY in writing whenever it is unable to, or going to be unable to, provide the required quality or quantity of Purchased Services. Upon such notification, the COUNTY must determine whether such inability will require modification or cancellation of said contract.

D. Either party may cancel this contract with or without cause upon sixty (60) days written notice. Written notice of cancellation by the CONTRACTOR shall be addressed to Director, Pine County Health and Human Services, 1602 Highway 23 North, Sandstone, MN 55072.

E. Before the termination date of the contract, the COUNTY may evaluate the contract performance of the CONTRACTOR and determine whether such performance merits renewal of this contract.

F. The COUNTY will reimburse for services specified in this contract that have been delivered. Any alterations, variations, modifications or waivers of provisions of this contract shall be valid only when they have been reduced to writing, duly signed, and attached to the original contract.

G. If the COUNTY determines that funds are not being administered in accordance with the approved service plan and budget or that services are not being properly provided according to the terms of this contract, the COUNTY may terminate this contract after notice has been provided to the CONTRACTOR's designated agent.

IX. Independent Contractor

A. The CONTRACTOR is an independent contractor and neither the position nor the work of the CONTRACTOR shall cause the CONTRACTOR to be construed as an employee in any way. The CONTRACTOR shall at all times be free to exercise initiative, judgment and discretion as to how to best perform or provide services.

B. The CONTRACTOR acknowledges and agrees that it is not entitled to receive any of the benefits received by COUNTY employees and is not eligible for workers or unemployment compensation benefits.
C. The CONTRACTOR also acknowledges and agrees that no withholding or deduction for State or Federal income taxes, FICA, FUTA, or otherwise, will be made from the payments due and that it is the CONTRACTOR’s sole obligation to comply with the applicable provision of all Federal and State laws.

X. Data Practices

All data collected, created, received, maintained, or disseminated for any purposes by the activities of CONTRACTOR because of this contract is governed by the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as amended, the Minnesota Rules implementing said act now in force or as adopted, as well as HIPAA or other Federal regulations on data privacy. XI. Records-Availability and retention

A. Pursuant to Minnesota Statute 5 16C.05 subd. 5, the CONTRACTOR agrees that the COUNTY, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the CONTRACTOR and involve transaction relating to the contract.

B. CONTRACTOR agrees to maintain these records for a period of six (6) years from the date of termination of the contract.

C. CONTRACTOR will maintain client and placement records according to business standard practices.

XII. Audit and Record Disclosures

The CONTRACTOR agrees to:

A. Within 180 days of the end of the calendar year, the CONTRACTOR will provide a financial review of program expenditures.

B. Maintain all records pertaining to the contract at address of CONTRACTOR for six (6) years for audit purposes.

XIII. Contractor Qualifications and Training

A. The CONTRACTOR agrees to use only qualified personnel to provide any purchased services. If licensing or certification is a necessary prerequisite for provision of services, the CONTRACTOR shall ensure that personnel are properly licensed or certified.

B. The CONTRACTOR agrees to provide or arrange for staff training as required.

C. A copy of the staff training plan shall be provided to the COUNTY upon request.

D. A background check satisfactory to the COUNTY will be performed on all employees prior to unsupervised client contact in accordance with Minnesota Department of Human Services.

E. The CONTRACTOR agrees to maintain at all times during the term of the contract, a process whereby its current and prospective employees and volunteers who will have direct contact with persons served by the program or program services, will consent to a background check for evidence of maltreatment of adults or minors substantiated under Minnesota Statutes 5 626.556.

XIV. Subcontracting

CONTRACTOR shall not enter in any subcontract for performance of any services contemplated under the contract without the knowledge of the COUNTY and subject to such conditions and provisions as the COUNTY may deem necessary. With regard to any subcontractors so retained the CONTRACTOR shall be responsible for the performance under this contract and agrees to comply with prompt payment of any and all subcontractors pursuant to Minnesota Statutes 547.1425, subd. 4a.

XV. Nondiscrimination

During the performance of this agreement, the CONTRACTOR agrees to the following:
No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, creed or national origin be excluded from full employment rights in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable Federal and State laws against discrimination.

XVI. Representatives
The following named persons are designated the authorized representatives of parties for purposes of this contract. These persons have authority to bind the party they represent and to consent to modifications and subcontracts, except that, as to the COUNTY, the authorized representative shall have only the authority specifically or generally granted to the County Board of Commissioners. Notification required to be provided pursuant to the contract shall be provided to the following named persons and addresses unless otherwise stated in the contract, or in a modification of this contract.

County Designee: Patrick Meacham, Social Services Supervisor
Pine County Health and Human Services
1602 Highway 23 North
Sandstone, MN 55072
320-216-4106

Contractor Designee: Tim Schmutzer, Executive Director
Pine Habilitation and Supported Employment
PO Box 126
Sandstone, MN 55072
320-245-2246

XVII. Modifications
Any alterations, variations modifications, or waivers of provisions of this agreement must be valid only when they have been reduced in writing, duly signed, and attached to the original of this agreement. No claim for services furnished by CONTRACTOR not specifically provided in the agreement will be allowed by the COUNTY nor must the CONTRACTOR do any work or furnish any material not covered by the agreement, unless this is approved in writing by the COUNTY. Such approval must be considered a modification of the agreement.

IN WITNESS THEREOF, the COUNTY and the CONTRACTOR, each intending to be bound by this agreement, effective January 1, 2020 irrespective of the dates of the signatures, certifies that the appropriate person have executed the contract, as required by applicable articles, by-laws resolutions and ordinances.
COUNTY OF PINE
STATE OF MINNESOTA

BY: __________________________
Chairperson of the County Board

DATED: ________________________

ATTESTED TO:

BY: __________________________
County Administrator

DATED: ________________________

APPROVED AS TO LEGALITY AND FORM:

BY: __________________________
County Attorney

DATED: ________________________

DIRECTOR
COUNTY SOCIAL SERVICE AGENCY

BY: __________________________
Director of Health and Human Services

DATED: ________________________

CONTRACTOR

BY: __________________________
PHASE Executive Director

DATED: 12/17/2019
AGENDA REQUEST FORM

Date of Meeting: January 21, 2019

☑ County Board
☑ Consent Agenda
☐ Regular Agenda

☐ Personnel Committee
☐ Other _____________

5 mins.___  10 mins.___  15 mins.___  Other___

Agenda Item: Establish & Appoint Ballot Board

Department: Auditor-Treasurer

Department Head signature

Background information on Item:

Minnesota Statute 203B.121 Subd. 1 requires county to establish a Ballot board. The Ballot Board reviews returned absentee and mail ballots and determines if the following requirements are met (§203B.121 Subd. 2(b):

(1) the voter's name and address on the return envelope are the same as the information provided on the absentee ballot application;
(2) the voter signed the certification on the envelope;
(3) the voter's Minnesota driver's license, state identification number, or the last four digits of the voter's Social Security number are the same as a number on the voter's absentee ballot application or voter record. If the number does not match, the election judges must compare the signature provided by the applicant to determine whether the ballots were returned by the same person to whom they were transmitted;
(4) the voter is registered and eligible to vote in the precinct or has included a properly completed voter registration application in the return envelope;
(5) the certificate has been completed as prescribed in the directions for casting an absentee ballot; and
(6) the voter has not already voted at that election, either in person or, if it is after the close of business on the seventh day before the election, by absentee ballot.

Action Requested:

Consider Resolution 2020-06 establishing Ballot Board for the purposes of accepting or rejecting returned absentee or mail ballots and appointing Kelly Schroeder, County Auditor-Treasurer, Terry Lovgren, Deputy Auditor, and Sharon King, Elections Assistant to act as members of said board.

Financial Impact:

None.
Pine County Resolution Establishing and Appointing
Ballot Board
Resolution No. 2020-06

WHEREAS, pursuant to M.S. 203B.121 as amended in 2010, the governing body of any county
must, by ordinance or resolution, establish a ballot board to take possession of all return envelopes
delivered to them in accordance with section 203B.08, and

WHEREAS, the Absentee Ballot Board shall consist of a sufficient number of county staff from
different political parties trained as election judges for the purpose of an absentee ballot board as
established, and

WHEREAS, at least 46 days before a regularly scheduled election for federal, state, county, city
or school board office or a special election for federal office, and at least 30 days before any other
election, the Absentee Ballot Board shall examine the returned envelopes and mark them “accepted” or
rejected”, and

NOW, THEREFORE BE IT RESOLVED, the Pine County Board of Commissioners hereby
authorizes and establishes a Ballot Board for the purpose of accepting or rejecting returned absentee and
mail ballots and appoints Kelly Schroeder, County Auditor-Treasurer, Terry Lovgren, Deputy Auditor,
and Sharon King, Elections Assistant to act as members of said board.

PASSED AND APPROVED this 21st day of January, 2020 by the Pine County Board of
Commissioners.

________________________________________
Stephen M. Hallan, Chair
Pine County Board of Commissioners

ATTEST:

________________________________________
David J. Minke
Pine County Administrator
AGENDA REQUEST FORM
Date of Meeting: January 21, 2020

☐ County Board
☒ Consent Agenda
☐ Regular Agenda
☐ Personnel Committee
☐ Other

5 mins. ___ 10 mins. ___ 15 mins. ___ Other ___

Agenda Item: Approve regular employment status

Department: HHS

Department Head signature

Background information on Item:
Social Worker Amber Andrews has successfully passed her probationary employment with HHS, effective January 16, 2020. Amber is a children’s mental health social worker and has been an excellent addition to the team.

Action Requested:

Financial Impact:
N/A
AGENDA REQUEST FORM

Date of Meeting: January 21, 2020

☐ County Board
☐ Consent Agenda
☐ Regular Agenda 5 mins.  10 mins.  15 mins.  Other

☐ Personnel Committee

☐ Other _____________

Agenda Item: AMC Legislative Conference

Department: Administration

Department Head Signature

Background information on Item:

The Association of Minnesota Counties’ legislative conference is February 25-27. The conference includes meetings of the AMC policy committees and meetings with legislators.

Action Requested:

Consider County Administrator David Minke and any other commissioner who desires, to attend the AMC Legislative Conference, February 25-27, 2020 at the InterContinental Hotel, St. Paul.

Financial Impact:

Registration per attendee: $300; Lodging: $169+ tax per night. Parking fee: approx. $21 per day. Funds are available in the 2020 Commissioner and Administrator budget.
AGENDA REQUEST FORM

Date of Meeting: 1/21/2020

☑ County Board
☐ Consent Agenda
☐ Regular Agenda
☐ 5 mins.
☐ 10 mins.
☐ 15 mins.
☐ Other

☐ Personnel Committee
☐ Other

Agenda Item: Training for Jackie Koivisto, Human Resources Manager

Department: Administration

Background information on Item:

Jackie Koivisto will be attending the Minnesota Public Employer Labor Relations Association (MPELRA) conference and special Union Negotiation Process Academy February 12-13, 2020 in Plymouth, MN. Conference includes business meetings to discuss the new mandatory Clearinghouse for CDL Holders, Public Employee Insurance Program (PEIP) update, and legal updates on various topics. The Academy is a day-long session that focuses on labor contract negotiations.

Action Requested:

Approval for Jackie Koivisto to attend the two-day training February 12-13, 2020.

Financial Impact:

$40.00 for the conference, $299.00 for the academy, $314.00 for two night’s lodging and meals, $90.00 for mileage with a total cost of $743.00. The cost of this training is included in the 2020 budget.
AGENDA REQUEST FORM

Date of Meeting: January 21, 2020

☒ County Board
☐ Consent Agenda
☒ Regular Agenda 5 mins. __ 10 mins. ___ 15 mins. _x_ Other ___

☐ Personnel Committee
☐ Other ________________

Agenda Item: Pine County Zoning Ordinance (2020-03) Public Hearing

Department: Planning & Zoning

____________________________
Caleb Anderson
Department Head signature

Background information on Item:

The Pine County Zoning Board has recommended County Board adoption of the Pine County Zoning Ordinance. The Ordinance will only be in effect in those townships and cities that have passed resolutions requesting to be under jurisdiction of the Ordinance. Those jurisdictions include: Nickerson Township, the City of Kerrick, and the City of Denham. The County Zoning Map has only been created within these townships and cities.

The Ordinance was developed from July 2018 through December 2019. Various stakeholders participated in development of the Ordinance including: County Board, County Zoning Board, township officers, local farmers, local business owners, and interested citizens.

The Ordinance seeks to protect the public health, safety, and welfare of Pine County through regulation of land uses, such as: salvage yards, manufactured home parks, gravel pits, communication towers, feedlots, solar and wind farms, and junk and debris storage.

Action Requested:

1.) Presentation of the ordinance
2.) County Board questions and discussion
3.) Open Public Hearing and take public testimony
4.) Close Public Hearing
5.) County Board additional discussion if necessary
6.) Consider adoption of the Pine County Zoning Ordinance (Ordinance 2020-03) and approve summary for publication.

Financial Impact:

The Ordinance will be administered and enforced within existing Pine County resources.
PINE COUNTY ZONING ORDINANCE (ORDINANCE 2020-03) SUMMARY

An ordinance adopted to protect the public health, safety, and general welfare of Pine County through land use regulation.

- Only in effect in townships and cities of Pine County that opted-in, which includes Nickerson Township, City of Kerrick, and City of Denham.
- Describes administrative, permitting, and enforcement procedures.
- Describes zoning districts, their purposes and locations. It also describes lot dimensional requirements, setbacks, and allowed uses.
- Performance standards are provided for salvage yards, second residence, temporary family health care dwellings, manufactured or mobile home parks, extractive use, communication towers, solid waste disposal sites, feedlots, commercial solar energy production, and commercial and non-commercial
- General development standards are provided for junk storage, signs, fences, and mobile homes.

Passed and approved this 21st day of January 2020, by the Pine County Board of Commissioners.

Stephen M. Hallan, Chair, Board of Commissioners
David J. Minke, Administrator, Clerk to the County Board

A full text document of the ordinance is available at www.co.pine.mn.us

____________________________________________________
Published January 30, 2020

****Invoice and affidavit to: Pine County Planning and Zoning, 635 Northridge Dr NW, Suite 250, MN 55063
PINE COUNTY
ZONING ORDINANCE

Kelly Schroeder, County Auditor-Treasurer
September 17, 2019
STAKEHOLDER INPUT PROCESS

- TOWNSHIP/CITY MEETINGS
  - 4 INPUT SESSIONS
- FARMERS
  - 1 FOCUS GROUP MEETING
- BUSINESS OWNERS
  - 1 FOCUS GROUP MEETING
- PUBLIC MEETINGS
  - 1 IN ASKOV, 1 IN PINE CITY
- COUNTY ZONING BOARD
- COUNTY BOARD

“Wow, excellent turnout.”
I. Purpose and General Provisions
   I. Relationship to Other Ordinances, Opt-in procedure
   II. Jurisdictions, Nickerson, City of Kerrick, Denham
   III. Definitions

II. Administration and Enforcement
   I. Who does what?
   II. Permits, CUPs, IUPs, Variances, Appeals, Amendments
   III. Environmental review
   IV. Nonconformities (grandfathering)

III. Zoning Districts
   I. Districts and Purposes
   II. Setbacks and Lot Dimensions
   III. Density Zoning for Ag
   IV. Allowed Uses

IV. Performance Standards
   I. Salvage yards, Second Residence, Temporary Family Health Care Dwellings, Mobile Home Parks, Extractive Use, Communication Towers, Solid Waste Disposal sites, Feedlot, Solar and Wind Farms

V. General Development Standards
   I. Junk Storage, Signs, Fences, Mobile Homes

VI. Zoning Map, Separate Document
PURPOSE

County Board direction to create ordinance was under the following principles.

- Promote orderly growth and development.
- Stage development for efficient delivery of public services.
- Regulate land use in a manner appropriate to the locality.
- Protect community health, welfare, appeal, and property values.
- Preserve natural resources and environmental quality.
- Limit congestion and promote safety along rights-of-way.
- Support the goals and recommendations of the Pine County Comprehensive Plan.

*Note: Economic development*
The Floodplain, Shoreland, and Kettle River Ordinances will serve as overlay districts.

Townships and Cities may opt-in or opt-out at any time. Any such action requires Ordinance amendment.

**Zoning Administrator:** Enforces and administers Ordinance, issues permits, and maintains records, serves as public point-of-contact, inspects development for compliance.

**Zoning Board:** 7 member appointed board, conducts public hearings, reviews and decides on CUPs and IUPs, reviews and decides on variances, hears and decides on appeals, provides recommendations to County Board for Ordinance amendments.

**County Board:** Adopts and Amends Ordinance, holds public hearings for adoption and amendments.

**Appeals of Zoning Administrator Determinations:** Landowners are given 30 days to contest a determination to the Zoning Board.

**Appeals of Zoning Board Decisions:** Landowners have 30 days after ZB decisions to appeal to district court.

**Environmental Review:** MN 4410 describes which projects require Enviro. Assessment Worksheet or Enviro. Impact Statement. Delegates local government for certain projects.
ADMINISTRATION

Permits Required:
- All structures intended for human habitation, and other structures 121 sq ft or larger.
- Signs, except for those exempted
- Ground mounted non-commercial solar arrays and WECS, except those mounted to existing buildings

Current Schedule of Fees:
- $150 for dwelling or dwelling additions,
- $100 for decks or storage buildings
- $600 for CUP or IUP
- $600 for variance
- $600 for ordinance amendment
ZONING DISTRICTS

Agriculture (AG1, AG2, AG4)
- To promote and preserve a strong agricultural economy and allow for limited integrated residential and commercial development designed to support agriculture. Businesses of agricultural products and services are encouraged.

Rural Residential (RR5, RR10, RR20)
- To foster residential and recreational development that protects woodlands and natural space as well as preserves the rural quality that makes the setting appealing.

Rural Townsite (RT0.5, RT1, RT2.5)
- To allow for higher density development in small incorporated and unincorporated townsites as well as areas of higher density adjacent to shorelands and municipalities.

Commercial
- To direct and foster commercial uses in areas that have supporting infrastructure, particularly in areas close to towns, along trunk highways, and near I-35 interchanges.

Industrial
- To direct and foster industrial uses in areas that have supporting infrastructure.
<table>
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<tr>
<th>Use</th>
<th>Agriculture (AG1/ AG2/AG4)</th>
<th>Rural Residential (RR5/ RR10/RR20)</th>
<th>Rural Townsite (RT0.5/RT1/ RT2.5)</th>
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<th>Industrial</th>
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<td>CUP</td>
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<td>CUP</td>
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PERFORMANCE STANDARDS

- Salvage Yards – SECTION 4.1
- SECOND RESIDENCE – SECTION 4.2
- TEMPORARY FAMILY HEALTH CARE DWELLING – SECTION 4.3
- MANUFACTURED OR MOBILE HOME PARKS – SECTION 4.4
- EXTRACTIVE USE – SECTION 4.5
- COMMUNICATION TOWERS – SECTION 4.6
- SOLID WASTE DISPOSAL SITES – SECTION 4.7
- FEEDLOTS – SECTION 4.8
- COMMERCIAL SOLAR ENERGY PRODUCTION – SECTION 4.9
- WIND CONVERSION SYSTEMS – SECTION 4.10

- Stakeholders identified uses of highest concern.
- Stakeholders were provided a menu of topics (setbacks, screening, decommissioning, numeric limits on activity, etc.)
- Stakeholders directed the content.
**Definition:** Any parcel within the Rural Residential, Industrial, or Commercial districts where four (4) or more *junk vehicles* are stored for purposes other than immediate repair; any parcel within the Agricultural District where six (6) or more junk vehicles are stored for purposes other than immediate repair; or any parcel where the commercial salvaging and scavenging of goods, articles, or merchandise is conducted outdoors.

**Junk Vehicle:** A vehicle that (a) is extensively damaged with the damage including such things as broken or missing wheels, motor, drive train or transmission; (b) is apparently inoperable; (c) does not display current registration; or (d) has an approximate fair market value equal to only the value of the scrap in it. For the purposes of this Ordinance, a motor vehicle with a license plate which has been expired for less than six months shall be construed as having a current plate.

- One non-habitable, discarded manufactured home, trailer, or camper is equal to five (5) junk vehicles, excepting that trailers or campers under sixteen (16) feet in length, as measured from hitch to rear, shall be equal to one (1) junk vehicle.
- One unusable, discarded boat shall be equal to one (1) junk vehicle.

Note: salvage yards prohibited in rural townsite district.
Setbacks: All vehicles and materials must be stored outside of wetlands, rights-of-way, and must meet sideyard and rearyard setbacks.

Screening: Salvage yards shall be adequately screened by fences, walls, and land forms and/or natural planted materials on the property to effectively conceal the establishment from general view of motorists on public roads and from all surrounding occupied property within ¼ mile from such premises. All materials of the salvage yard must be contained within screening.

Nonconforming Salvage Yards: No salvage yard may continue as a nonconforming use for more than three (3) years after the effective date of this Ordinance, except that a junk yard may continue as a nonconforming use in Commercial, Industrial and Agricultural districts, if, within that period, it is completely enclosed within a building, fence, screen planting or other device of such height as to screen completely the operations of the junk yard.
GENERAL DEVELOPMENT STANDARDS

- **Junk Storage**
  - Garbage, Junk and Debris Storage, Inoperable Ag Machinery, Junk vehicles, waste tires, appliances, enforcement procedures

- **Signs**
  - Exempt signs (ie. Real estate signs), Prohibited Signs (ie. >50’ above ground), Off-premise Advertising (Permitted in Commercial District, CUP in other districts, except when used for direction)

- **Fences**
  - Not allowed in right-of-way. Fences in Ag district are exempt.

- **Mobile Homes**
  - Must be skirted and anchored, not older than 1976.
Questions?
Pine County
Zoning Ordinance
# Pine County Zoning Ordinance
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Section 1. Purpose and General Provisions

1. 1 Title and Statutory Authorization

1.1.1 This Ordinance shall be known and may be referred to as the Pine County Zoning Ordinance; when referred to herein, it shall be known as “this Ordinance.”

1.1.2 This Ordinance is enacted to establish land use regulations in Pine County pursuant to Minnesota Statutes sections 394.21 – 394.37, as may be amended from time to time, that authorizes certain counties to carry on planning and zoning activities.

1. 2 Purpose

The purpose of this ordinance is to protect the public health, safety, and general welfare of Pine County through the following objectives:

1.2.1 Promote orderly growth and development;
1.2.2 Stage development for efficient delivery of public services;
1.2.3 Regulate land use in a manner appropriate to the locality;
1.2.4 Protect community appeal and property values from incompatible land uses;
1.2.5 Preserve natural resources and environmental quality;
1.2.6 Limit congestion and promote safety along rights-of-way; and
1.2.7 Support the goals and recommendations of the Pine County Comprehensive Plan.

1. 3 Date of Effect

This Ordinance shall be in full force and effect after its approval and publication as provided by law.

1. 4 Scope, Jurisdiction, and Relationship to Other Ordinances

1.4.1 Scope

From and after the effective date of this Ordinance, the use of all land and every building, or portion of a building erected, altered in respect to height and area, added to or relocated, and every use within a building or use accessory thereto in Pine County’s jurisdiction, as listed in Section 1.4.4 of this Ordinance, shall be in conformity with the provisions of this Ordinance. Any existing
building or structure and any existing use of properties not in conformity with the regulations herein prescribed shall be regarded as non-conforming, and subject to the provisions of Section 2.12 of this Ordinance.

1.4.2 Jurisdiction Opt-in
The jurisdiction of this Ordinance shall apply to any township or incorporated city that has passed a resolution to "opt-in," to County administered zoning through the following procedure:

A.) Township or City submits letter of interest to Zoning Administrator.

B.) Zoning Administrator will provide the township or city a standardized Opt-in Resolution as well a map of the township or city for the township or city to draw their own zoning map using the districts described in Section 3.1 of this Ordinance. The Zoning Administrator will assist the township or city in populating their map.

C.) Township or city will submit the adopted Opt-in Resolution to the Zoning Administrator with accompanying zoning map of their jurisdiction.

D.) Zoning Board will review the submitted zoning map and follow the procedure for ordinance amendment as described in Section 2.8 of this Ordinance.

E.) The township or city will not be covered by this Ordinance until adopted as an ordinance amendment by the County Board. Following the provisions of Section 2.8 of this Ordinance, the County Board reserves the right to not adopt the new area of zoning based on recommendation of Zoning Board, Zoning Administrator, or public hearing.

1.4.3 Jurisdiction Opt-out
Any township or incorporated city that is covered by this Ordinance may opt out through the following procedure:

A.) Township or city is encouraged to contact Zoning Administrator, Zoning Board, or County Board with any concerns for the content of this Ordinance or its administration prior to opting out.

B.) Township or city will pass standardized Opt-Out Resolution, as provided by Zoning Administrator, and submit it to the Zoning Administrator.

C.) Removing the township or city will be considered an ordinance amendment and shall follow the procedure established in Section 2.8 of this Ordinance.

1.4.4 Townships and Cities that have Opted in

A.) Nickerson Township, adopted 01/21/2020

B.) City of Kerrick, adopted 01/21/2020

C.) City of Denham, adopted 01/21/2020
1.4.5  **Relationship to Other Ordinances**

A.) The Pine County Shoreland Management Ordinance, Pine County Floodplain Management Ordinance, and Kettle River Wild and Scenic River Ordinance shall serve as overlay districts. Properties within townships and cities that are under the jurisdiction of this Ordinance and are also in the Shoreland District, Floodplain District, or Kettle River Corridor, shall follow the requirements of all applicable ordinances.

B.) Except as provided in Section 1.4.5D, where the conditions imposed by any provisions of this Ordinance are either less restrictive than, or comparable to conditions imposed by another ordinance, rule or regulation of the townships, County, State, or Federal government, the ordinance, rule or regulation which imposes the more restrictive condition, standard, or requirements shall prevail. In the event of any conflict between this Ordinance with any private restrictions, protections, and covenants, the provisions of this Ordinance shall apply.

C.) Except as provided in Section 1.4.5D, properties undergoing subdivision of land shall follow all provisions of this Ordinance in addition to the Pine County Subdivision and Platting Ordinance, the Pine County Shoreland Management Ordinance, the Pine County Floodplain Management Ordinance, the Kettle River Wild and Scenic River Ordinance and any other County ordinance that addresses subdivision of land.

D.) Properties within the jurisdiction of the Pine County Shoreland Management Ordinance or Kettle River Wild and Scenic River Ordinance shall follow the minimum lot sizes and dimensional requirements of those ordinances in cases where the lot sizes and dimensional requirements of this Ordinance are more restrictive.

1.5  **Severability**

It is hereby declared that provisions of this Ordinance are severable in accordance with the following.

1.5.1 If any court of competent jurisdiction shall judge any provision of this Ordinance to be invalid, such judgment shall not affect any other provision of this Ordinance not specifically included in said judgment.

1.5.2 If any court of competent jurisdiction shall judge invalid the application of any provision of this Ordinance to a particular property, building, or structure, such judgment shall not affect the application of said provision to any other property, building or structure not specifically included in said judgment.
1. 6 Definitions

Airports and Heliports: Any land or structure which is used or intended for use, for the landing and take-off of aircraft, and any appurtenant land or structure used for or intended for use for port buildings or other port structures of rights-of-ways. Includes private airstrips.

Assisted Living: An establishment providing sleeping accommodations serving greater than six (6) but no more twelve (12) adult residents, at least 80 percent of which are 55 years of age or older, and offering or providing, for a fee one or more regularly scheduled health related services, whether offered or provided directly by the establishment or by another entity arranged for by the establishment; or an establishment that registers under Minnesota Statute Section 144D.025.

Automobile Service Station: A place where motor vehicle fuels, motor oil, and lubricants for operation of automobiles, are offered directly for retail sale to the public on premises; and including minor accessories and services for automobiles, but not including automobile major repairs and rebuilding.

Building: Any structure used or intended for supporting or sheltering any use or occupancy.

Building Line: A line running parallel with the lot line at the required setback beyond which a structure may not extend.

Campground: An area, whether public or privately owned, used on a daily, nightly, weekly, or longer basis for the accommodation of five (5) or more tents or recreational camping vehicles.

Commercial Outdoor Recreation: The use of the land or building(s) for which fees are charged for a recreational activity, or use of the land to gain access to a recreational activity or resource, public or private.

Commercial Solar Energy System: A Solar Energy System whose capacity is rated at less than 50 megawatts (MW) of power and is designed to supply energy for off-site users or export to the wholesale market.

Commercial Wind Energy System: A Wind Energy Conversion System or combination of Wind Energy Conversion Systems that are designated to have a capacity in excess of the amount needed for residential and agricultural uses and that has a combined nameplate capacity of 125 kilowatts (kW) or more.

Communication Tower: Licensed commercial wireless telecommunication services and similar support facilities, including antennae.

Contractor’s Yard/Construction Yard: A site used for the storage of vehicles, equipment, and materials by a person whose business is contracting work in any of the building trades, landscaping, road building, sewer installation, transport/hauling or a similar trade.
**Daycare Facility:** A licensed day care facility serving ten (10) or fewer persons, or a group family licensed day care facility serving fourteen (14) or fewer children.

**Duplex/Triplex:** Single residence providing two (2) or three (3) separate living units.

**Essential Services or Essential Service Systems:** Above ground or underground electrical, gas, communication, steam, liquid or sewer systems for collection, distributing or transmission purposes, used by governmental departments, or commissions or by public utilities (including cooperatives) each having the power of eminent domain, as are required for protection of the public health, safety, or general welfare. Such systems shall include, but not be limited to, towers, poles, pole mounted appurtenances, wires, cables, conduits, pipes, sewers, drains manholes, fire alarm boxes, police call boxes, public telephone booths and accessories thereto. Electrical substations, communication repeater stations, pipe line pumping or metering stations, sewer lift stations, water wells and accessories thereto, including buildings that are an integral and protective part thereof, shall be considered as structures which are parts of such Essential Service Systems.

**Extractive Use:** All commercial forms of, but not limited to, gravel, sand, topsoil, quarry rock, mineral, peat, humus, sub-surface insitu-leach extraction, petroleum and any other similar uses in which material is removed from the ground.

**Feedlot:** A lot or building or combination of lots and buildings intended for the confined feeding, breeding, raising, or holding of animals meeting the animal unit thresholds for feedlot registration in MN 7020. Areas specifically designed as a confinement areas in which manure may accumulate, or where the concentration of animals is such that a vegetative cover cannot be maintained within the enclosure. Open lots used for the feeding and rearing of poultry (poultry ranges) shall be animal feedlots. Pastures shall not be considered animal feedlots.

**Garbage:** Discarded, wasted, or spoiled food and other refuse, as from a kitchen or household.

**Government Building:** Operation of a property by a public entity for public purposes not included in another listed use.

**Group Home:** Single unit residential dwellings providing residential services for individuals who are handicapped, aged, disabled, or undergoing rehabilitation. This includes uses such as homes for people with physical disabilities, cognitive disabilities, and chemical dependency, as well as foster children, maternity shelters and half-way houses.

**Guest Cottage:** A structure not exceeding 700 square feet used as a short-term dwelling or rental unit that may contain sleeping spaces and kitchen and bathroom facilities in addition to those provided in the primary dwelling unit on a lot.

**Height of Building** The vertical distance between the mean natural grade at the building or ten feet above the lowest ground level, whichever is lower, and the highest point of a flat roof or mean height between the eaves and the ridge for gable, hip, mansard, gambrel, or other pitched or hipped roofs.
**Home-based Business:** Use of a residential property for commercial use by the inhabitants thereof which may be conducted inside as well as outside the primary residence, and which shows no activity other than activity normally present in a residential dwelling unit.

**Hotel/Motel:** A building or group of buildings used primarily for the temporary residence or lodging of motorists or travelers.

**Junk Vehicle:** A vehicle that (a) is extensively damaged with the damage including such things as broken or missing wheels, motor, drive train or transmission; (b) is apparently inoperable; (c) does not display current registration; or (d) has an approximate fair market value equal to only the value of the scrap in it. For the purposes of this Ordinance, a motor vehicle with a license plate which has been expired for less than six months shall be construed as having a current plate.

- One non-habitable, discarded manufactured home, trailer, or camper is equal to five (5) junk vehicles, excepting that trailers or campers under sixteen (16) feet in length, as measured from hitch to rear, shall be equal to one (1) junk vehicle.
- One unusable, discarded boat shall be equal to one (1) junk vehicle.

**Junk Storage:** The accumulation of scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, ferrous material, non-ferrous material; inoperable and/or unlicensed motor vehicles, recreational vehicles, agricultural, or construction machinery and parts thereof, furniture, appliances, electronics and similar debris. The accumulation of agricultural machinery, as part of commonly accepted farming activities, in the Agricultural District is exempt from this definition.
Kennel, Commercial: Any place where three or more dogs or three or more cats, over the age of four months of age are kept, bred, boarded or trained for compensation.

Kennel, Residential: Any place where three or more dogs or three or more cats, over the age of four months of age are kept for and by the resident.

Lot Depth: The mean horizontal distance between the mean front road right-of-way line and mean rear lot line. The greater frontage of a corner lot is its depth, and its lesser frontage is its width.

Lot Width: The shortest distance between lot lines measured at the midpoint of the building line. The greater frontage of a corner lot is its depth, and its lesser frontage is its width.

Major Appliance: Shall include but is not limited to: washers, dryers, electric and gas ranges or stoves, refrigerators, freezers, dehumidifiers, water heaters, residential furnaces, dishwashers, garbage disposals, trash compactors, microwave ovens, air conditioners and heat pumps.

Manufactured or Mobile Home Park: Any site, lot, field or tract of land upon which two or more occupied manufactured homes are located, either free of charge or for compensation, and includes any building, structure, tent, vehicle or enclosure used or intended for use as part of the equipment of the manufactured home park.

Mini Storage Facility: A building consisting of individual, self-contained units that are leased or owned for the primary use of storage of business and household goods or similar supplies.

Non-commercial Solar and Wind Energy Systems: Solar or wind energy systems, which are accessory to the principal use.

Nuisance: Any property condition that is injurious to health, or indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.

Off-premises Advertising Sign: A sign erected and used for the purpose of advertising a product, event, place, person or subject not related to the premises on which the sign is located.

On-premises Advertising Sign: A sign erected and used for the purpose of advertising a product, event, place, person or subject related to the premises on which the sign is located.

Place of Worship: A building or space that is principally used as a place where people regularly assemble for worship.

Public Park: A park, reservation, open space, playground, beach or recreation and/or community center, which is owned, leased, or used wholly or in part by the County or a city, township, state, school district, or federal government for public recreational purposes.
Race Track: An area devoted to the racing of motor and non-motorized vehicles or animals for non-personal use, and all improvements normally associated with racing such as off-street parking, patron seating, concessions, and a fixed race track, but excluding gambling facilities or activities. This definition shall include mud bogs.

Resort: A commercial development that provides facilities for relaxation and recreation typically consisting of lodges or rooms for rent, restaurants and facilities for entertainment and recreation, and associated limited retail facilities providing services for guests.

Rural Tourism: Things such as farms or other historical heritage attractions, tractor/threshing shows, single family residential rental properties for retreats, retreat centers, crafting, weddings, receptions, bed & breakfasts, wineries, craft breweries and distilleries, special events or music festivals, rodeos, corn mazes, holiday celebrations and harvest festivals, country-craft/antique shops, local venues providing for the sale and serving of locally produced raw and/or value-added agricultural products, goods and services, and other reasonably related merchandise and other uses determined by the Zoning Department to be similar in nature and scope. Includes restaurants or food sales associated with these uses. Roadside farm stands are exempt from this definition and are a permitted use within all districts except the Industrial district.

Saddle Club Facility: A permanent site used by a not for profit organization comprised of members and volunteers for the enjoyment and teaching of equestrian skills and activities. Facilities on the property may include a clubhouse, arena and stables and other structures used for boarding and care of horses and club activities. The saddle club may conduct horse shows and equestrian events for the display of riding abilities. Excluding rodeos.

Salvage Yard: Any parcel within the Rural Residential, Industrial, or Commercial districts where four (4) or more junk vehicles are stored for purposes other than immediate repair; any parcel within the Agricultural District where six (6) or more junk vehicles are stored for purposes other than immediate repair; or any parcel where the commercial salvaging and scavenging of goods, articles, or merchandise is conducted outdoors.

Second Residence: A second dwelling on a single lot exceeding 800 square feet in size. Typically intended for long term residence, particularly for farms operated by multiple households.

Shooting Range: An outdoor area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery, or any other shooting activity, but does not include firing ranges principally used by police or military operated by any level of government.

Sign: Any device, structure, fixture, or placard using graphic, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, product, goods, or services. Shall include but not limited to: temporary signs, off-premises advertising signs, and on-premises advertising signs.
**Single Residential:** A structure maintained and used as a single dwelling unit.

**Solid Waste Disposal Site:** A solid waste land disposal facility, a construction and demolition debris land disposal facility, an industrial solid waste land disposal facility, a compost facility, a transfer station, a solid waste processing facility, a waste tire facility, a waste tire collection site, a waste tire facility, a waste tire processing facility, or a recycling facility.

**Structure:** Any building, mobile home or appurtenance, including decks and steel shipping containers, except aprons, sidewalks, slabs, fences, and underground utility lines.

**Temporary Sign:** A sign affixed, erected or maintained on a premise or lot for a limited amount of time, including, but not limited to, banners, sidewalk signs, sandwich board signs, yard signs, large portable signs, inflatables, or similar displays.

**Temporary Family Health Care Dwelling:** A temporary mobile residential dwelling providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that meets the requirements of this Ordinance.

**Vacation Rental Home:** Any home, cabin, condominium, or similar building represented to the public as a place where sleeping accommodations are furnished to the public on a nightly or weekly basis and for less than thirty days for compensation and is not a bed and breakfast, resort, hotel, or motel.

**Value Added Agriculture:** Manufacturing or storage processes that increase the value of agricultural commodities or processes that transform raw agricultural product into something new through packaging, processing, cooling, drying, extracting, and other processes that change the agricultural product from its original form.

**Waste Tire:** Rubber or other resilient material product, which is used on a vehicle or other equipment wheel to provide tread, which is discarded or which cannot be used as originally intended because it is used, damaged or defective. A tire that is used for recreational purposes on residential property, or for use in securing a cover for agricultural materials on agricultural property, is not considered to be a “waste tire”.

**Section 2. Administration and Enforcement**

**2.1 Zoning Administrator**

The office of the Zoning Administrator is hereby established and may be appointed by the County Board. The term of office of the Zoning Administrator shall be indefinite and shall terminate at the pleasure of the County Board.

**2.1.1** The duties of the Zoning Administrator shall include the following:

A.) Enforce and administer this Ordinance.
B.) Issue permits as required by this Ordinance and maintain accurate records of all permits and zoning administration.

C.) Receive and forward to the Pine County Board of Commissioners and the County Zoning Board all applications for conditional or interim use permits, applications for variance, appeals, and amendments to this Ordinance.

D.) Inspect all construction and development to ensure compliance with the standards of this Ordinance.

E.) Maintain the County Zoning Map.

2.2 Zoning Board

2.2.1 Creation and Membership

A.) The Zoning Board, as established in Pine County Ordinance 2017-07, amending the Pine County Subdivision and Platting Ordinance, shall perform the duties of the Board of Adjustment and the Planning Commission as provided in Minnesota Statutes section 394.27 and 394.30.

2.2.2 Powers and Duties

A.) Prepare and recommend to the County Board a comprehensive plan for the development and use of land within the County.

B.) To conduct public hearings as required by this Ordinance and Minnesota Statute.

C.) To review and approve or deny applications for conditional or interim use permits, following criteria of this Ordinance and Minnesota Statutes Chapter 394.

D.) To review and approve or deny applications for variance, following criteria of this Ordinance and Minnesota Statutes Chapter 394.

E.) To hear and decide appeals from and review any order, requirement, decision, or determination made by any administrative official charged with enforcing the provisions of this Ordinance.

F.) Provide recommendation to the County Board for amendment of this Ordinance or its Zoning Map.

2.3 Compliance Required

The provisions of this Ordinance shall be met before:
2.3.1 Any structure is sited, erected, constructed, reconstructed, moved, altered, converted, or enlarged; or any land use is altered;

2.3.2 The subdivision or development of any lot, tract, or parcel of land occurs;

2.3.3 Any lot, parcel, or tract in a subdivision is sold, transferred, leased, or otherwise conveyed;

2.3.4 Any grading, excavation, or fill is enlarged, altered, or repaired; or

2.3.5 Any sign, regulated under this Ordinance, is erected or structurally altered.

2.4 Permits and Certificates

2.4.1 Zoning Permits
No person shall erect, move any building or any part of a building, or change the exterior shape of a structure without first obtaining a zoning permit from Pine County.

A.) Structures 120 square feet or smaller, not intended for human habitation, shall be exempted from the permit requirements of this section, however, must meet all applicable setbacks detailed in Section 3.2.1 of this Ordinance.

B.) For nonconforming structures, no permit shall be required for maintenance, repair, or remodeling where the building area coverage and/or volume is not increased.

C.) Signs shall require permits as provided in Section 5.2.

D.) Fences shall require permits as provided in Section 5.3.

E.) Non-commercial, ground mound solar energy systems, used to provide on-site electricity, shall be permitted as accessory structures and subject to applicable setbacks. Non-commercial roof-mounted systems are allowed in all districts without permit.

F.) All wind energy conversion systems, except those mounted on existing buildings, shall require a permit.

2.4.2 Permit Application
An application for permit shall be made to the Zoning Administrator on a form or forms furnished by the County. Each application for a permit to construct, move or alter a portion or all of a building shall be accompanied by:

A.) A plan drawn to scale showing the dimensions of the lot to be built upon and the size and location of the building and accessory buildings to be erected, and
B.) Other information that is deemed necessary for the proper enforcement of this or any other ordinance.

2.4.3 Permit Issuance
Permits shall be issued only when the plans, together with the application, comply with the terms of this Ordinance.

2.4.4 Permit Expiration
Permits shall expire one year from the date of issuance. At the time of expiration, if the Zoning Administrator determines there has been no change in applicable regulations, a permit may be extended for one additional year at no cost to the applicant. At the time a permit expires if the Zoning Administrator determines the project’s construction has commenced but is not complete, a permit may be extended even if the applicable rules have changed since the original permit issuance date.

2.4.5 Certificate of Compliance
The Zoning Administrator, or their designee, shall issue a certificate of zoning compliance for each permitted activity completed, which is compliant with the provisions of this Ordinance.

2.5 Conditional and Interim Use Permits
Conditional and interim use permits shall be granted by the Zoning Board, only in accordance with Minnesota Statutes Chapter 394, including the public hearing provisions thereof and the provisions of that statute shall apply to all conditional or interim use permits issued under this Ordinance. The Zoning Board may impose conditions in the granting of conditional and interim use permits to ensure compliance and to protect adjacent properties and the public interest from any potential adverse effects.

2.5.1 Interim Use Permits
Any use listed in this Ordinance as a conditional use may, at the discretion of the County, be processed and allowed as an interim use in accordance with Minnesota Statutes section 394.303 if:

A.) The applicant is agreeable to the permit being issued with an expiration date or event.

B.) Such use will conform to the zoning regulations;

C.) If the date or event that will terminate the use can be identified with certainty;

D.) Permission of the use will not impose additional costs on the public if it is necessary for the public to take the property in the future; and
E.) The user agrees to any conditions that the County deems appropriate for permission of the use.

2.5.2 Unlisted Uses
The Zoning Board may consider conditional or interim uses that are not specifically listed within each zoning district provided the following findings are made:

A.) The use is similar in nature to other conditional uses listed in the same zoning district;

B.) The proposed use does not create a greater potential for impacts than other conditional uses listed that cannot be mitigated with appropriate conditions;

C.) The proposed use is not incompatible with adjacent land uses; and

D.) The proposed use is consistent with the Pine County Comprehensive Plan and the intent of this Ordinance.

2.5.3 Application
An application for a conditional or interim use permit shall be on forms provided by the Zoning Administrator, shall be signed by the owner of the property involved, and shall be submitted with such plans, maps, and other required information as deemed necessary by the Zoning Administrator for evaluation of the application.

2.5.4 Criteria
The Zoning Board shall determine that the proposed project will meet the following prior to approval of any conditional or interim use permit:

A.) That adequate utilities, access roads, drainage, parking, and other necessary facilities have been or are being provided.

B.) The use shall not cause traffic hazard or congestion.

C.) Adequate measures have been or will be taken to prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighting in such manner that no disturbance to neighboring properties will result.

D.) The proposed use shall be consistent with, and not harmful to, the environment of the neighborhood, taking into consideration the probable hours of operation, the activities to be conducted, and the number of people to be assembled or to use the premises at any one time.

E.) The location and character of the proposed use are consistent with a desirable pattern or development for the general locality.

F.) The use is consistent with the Pine County Comprehensive Plan, purpose of this ordinance, and purpose of the zoning district in which the property lies.
2.5.5 Permit Validity

A.) A conditional use permit shall remain in effect for so long as the conditions agreed upon are observed, and such use has not been expanded, intensified or changed.

B.) A conditional use permit must be re-established if discontinued for a continuous twelve (12) month period or more.

C.) An interim use permit shall remain in effect until the termination event established through the approval process, so long as the conditions agreed upon are observed.

D.) A conditional use permit may be extinguished at any time upon written notice by the landowner provided to the Zoning Administrator.

2.6 Variance

The Zoning Board shall have the authority to allow variances from the requirements of this Ordinance, including restrictions placed on nonconformities, only in accordance with Minnesota Statutes Chapter 394, including the public hearing provisions thereof. The provisions of that statute shall apply to all variances issued under this Ordinance. The Zoning Board may impose conditions in the granting of variances to ensure compliance and to protect adjacent properties and the public interest from any potential adverse effects.

2.6.1 Application

An application for a variance shall be filed with the Zoning Administrator on forms prescribed by the Zoning Administrator. The application shall be accompanied by such plans, elevations, and site plans as prescribed by the Zoning Administrator and/or the Zoning Board.

2.6.2 Criteria

The Zoning Board must make all the following findings to grant a variance:

A.) The applicant’s proposed use is allowed in the subject zoning district.

B.) The variance is in harmony with the Pine County Comprehensive Plan and the general purpose and intent of this Ordinance.

C.) The variance will not alter the essential character of the locality.

D.) A practical difficulty exists on the property preventing the applicant from complying with the ordinance. Practical difficulty is established when the applicant proposes to use the property in a reasonable manner not permitted by the ordinance and when the variance request is due to
circumstances unique to the property not created by the landowner. Economic considerations alone do not constitute a practical difficulty.

E.) The property owner is proposing to use the property in a reasonable manner not permitted by this Ordinance.

2.7 Appeals

2.7.1 An appeal from any order, requirement, decision or determination of any County Zoning Official shall be made within thirty (30) days of the contested administrative action by filing with the Zoning Board a Notice of Appeal specifying the grounds thereof.

2.7.2 Upon receipt of the Notice of Appeal, the Zoning Board shall set a time and place for a public hearing before the Zoning Board on the appeal. At least ten (10) days before the date of the hearing, a notice of the hearing shall be published once in the official newspaper. Written notice of the hearing shall be sent to the appellant and the officer from whom the appeal is taken at the same time.

2.7.3 Within sixty (60) days from the date of the Notice of Appeal, the Zoning Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and, to that extent, shall have all the powers of the officer from whom the appeal was taken and may direct the issuance of a permit. The reasons for the Zoning Board’s decisions shall be stated in writing.

2.7.4 As provided in Minnesota Statutes section 394.27, all decisions by the Zoning Board in granting variances, conditional and interim use permits, or in hearing appeals from any administrative order, requirement, decision, or determination shall be final except that any aggrieved person or persons, or any department, board of commission of the jurisdiction or of the state shall have the right to appeal within 30 days, after receipt of notice of the decision, to the district court in the County.

2.8 Zoning Ordinance Text and Map Amendments

2.8.1 Application

An application for an amendment to this Ordinance or the Zoning Map of this Ordinance, and the required fee as established by the County Board, shall be filed with the Zoning Administrator.

Proceedings for an amendment of this Ordinance may be initiated by:

A.) An application of the owner or owners of the affected property;
B.) A recommendation of the Zoning Board; or
C.) By action of the County Board.

2.8.2 Public Hearings
Upon receipt of a complete application and other requested material, the Zoning Board shall hold at least one (1) public hearing in a location to be determined by the Zoning Board. At least ten (10) days in advance of each hearing, a notice of the time and place of such hearing shall be published in the official newspaper of the County.

2.8.3 Authorization
A.) Following the public hearing, the Zoning Board shall make a report of its findings and recommendations on the proposed amendment and shall file a written copy with the County Board and the Zoning Administrator within the time limits prescribed by law.

B.) Upon filing of such report or recommendation, the County Board may hold such public hearings upon the amendment as it deems advisable. After the conclusion of the hearings, if any, the County Board may adopt the amendment or any part of it in such form as it deems advisable.

2.9 Schedule of Fees
2.9.1 The County Board, by resolution, shall establish a schedule of fees for zoning permits, variances, conditional or interim use permits, appeals, amendments, and other matters pertaining to this Ordinance. This schedule of fees shall be available in the office of the Zoning Administrator and may be altered or amended only by resolution of the County Board.

2.9.2 No permit, certificate of compliance, conditional or interim use permit, variance or amendment application shall be issued or recognized unless or until such application fees have been paid in full to the Zoning Administrator, nor shall any action be taken on any proceedings unless or until the application fees have been paid in full. Should a permit, certificate, variance, conditional or interim use or amendment be denied, the fees shall not be refunded.
2. 10 Violations and Penalties

The Zoning Administrator, the County Sheriff, the County Attorney, and their representatives are responsible for enforcing the provisions of this Ordinance. Authorized county representatives may issue notices to remedy ordinance conflicts, issue cease and desist orders to halt work deemed to be inconsistent with this Ordinance, and issue citations for alleged violations of this Ordinance. Any violation of this Ordinance shall be a misdemeanor and shall be punishable to the maximum extent of the law. Each day a violation exists shall constitute a separate offense.

2. 11 Environmental Review

2.11.1 Purpose

The purpose of this Section is to provide for the preparation and review of Environmental Assessment Worksheets (EAW), Environmental Impact Statements (EIS), and other environmental documents required under Minnesota Statutes Chapter 116D to implement the Environmental Review Program in accordance with Minnesota Rules Chapter 4410.

2.11.2 Environmental Assessment Worksheets (EAW)

The purpose of an Environmental Assessment Worksheet (EAW) is to assess rapidly in a worksheet format, whether a proposed action is a major action with the potential for significant environmental effects. Minnesota Rules 4410.4600 details which projects are exempt from environmental review.

A.) An EAW shall be prepared for projects that meet or exceed threshold limits specified in Minnesota Rules 4410.4300, as may be amended from time to time.

B.) The project proposer may voluntarily initiate environmental review.

C.) The County Board may, upon recommendation of the Zoning Administrator, require that a discretionary EAW be prepared on any proposed action if because of the nature or location of a proposed project, the project has the potential for significant environmental effects. In accordance with Minnesota Rules 4410.1700, the following guidelines shall be considered in determining whether a discretionary EAW shall be required:
i. The type, extent, and reversibility of environmental effect;
ii. Whether cumulative significant environmental effects may result;
iii. The degree to which the project complies with approved mitigation measures specifically designed to address the cumulative potential effect and the efforts of the proposer to minimize the contributions from the project;
iv. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority; and
v. The extent to which environmental effects can be anticipated and controlled as a result of other available environmental studies by public agencies or the project proposer, including other EISs.

2.11.3 Environmental Impact Statements (EIS)
An Environmental Impact Statement (EIS) shall be required whenever it is determined that an action is major and has the potential for significant environmental effect. In making this determination, projects that meet or exceed the threshold limits specified in Minnesota Rules 4410.4400, as may be amended from time to time, indicate that an EIS should be prepared. Additionally, an EIS shall be prepared when the County Board determines that, based on the EAW and any comments or additional information received during the EAW comment period, the proposed project has the potential for significant environmental effects, or when the County Board and the proposer of the project agree that an EIS should be prepared, according to Minnesota Rules 4410.2000, Subp. 3.

2.11.4 Review Procedures and Administration
A.) When environmental review documents are required on a project, the proposer of the project and any other person shall supply any data reasonably requested by the County Board, Zoning Board, or Zoning Administrator which the proposer has in his or her possession or to which the proposer has reasonable access.

B.) The applicant for a permit for any action for which an EAW or EIS is required either by the state or the County Board shall pay all costs for the preparation of all components of the EAW or EIS.

C.) The Zoning Administrator shall have the authority to request outside professional review of the draft EAW or EIS at the applicant’s expense, or require that the applicant pay for the preparation of an EAW or EIS by a professional consulting company.
D.) No permit for an action for which an EAW or an EIS is required shall be issued until all costs of preparation and review which are to be paid by the applicant are paid, all information required is supplied, and until the environmental review process has been completed as provided by law.

E.) The applicant for a permit for any action for which an EAW or EIS is required and the County Board may, in writing, agree as to a different division of the costs of preparation and review of any EAW or EIS as provided in Minnesota Rules 4410.5600 prior to preparation of an EAW or EIS.

F.) All EAWs and EISs shall be prepared under the supervision of the Zoning Administrator, reviewed by the Zoning Board and reviewed and approved by the County Board.

i. The Zoning Board shall recommend approval or denial by the County Board.

ii. After an EAW is prepared, the Zoning Board shall review the EAW and recommend to the County Board whether it should require the preparation of an EIS as provided by law.

iii. The County Board shall require an EIS where it finds under Minnesota Rules 4410.2000 that an action has potential for significant effects.

G.) No permit shall be issued, no work shall commence, and any work in progress on any project for which environmental documents are required shall cease until the environmental review procedures established by this Ordinance are fully complied with.

H.) Decisions by the County Board on the need for an EAW, the need for an EIS, the adequacy of an EIS, and the adequacy of an Alternative Urban Areawide Review document are final decisions and may be reviewed by a declaratory judgment action initiated within thirty (30) days of the County Board decision in the district court of the County in accordance with Minnesota Rules 4410.0400 Subp. 4.

### 2.12 Nonconformities

Any non-conforming structure or use lawfully existing upon the effective date of this Ordinance shall not be enlarged, intensified, made more permanent, or expanded. Any nonconforming structure or use may be continued at the size and in the manner of operation existing upon such date except as hereinafter specified or subsequently amended.

#### 2.12.1

No non-conforming structure or use shall be moved to another parcel or to any other part of the parcel, unless such movement shall bring the nonconformity into compliance with the requirements of this Ordinance.
2.12.2 When any lawful non-conforming use of any structure or land is changed to a conforming use, it shall not thereafter be changed to any non-conforming use.

2.12.3 A lawful non-conforming use of a structure or parcel of land may be changed to lessen the non-conformity of use. Once a non-conforming structure use has been changed, it shall not thereafter be so altered to increase the non-conformity.

2.12.4 Whenever a lawful non-conforming use or occupancy of any structure or land is discontinued for a period of one (1) year, any future use of said structure or land shall be made to conform with the provisions of this Ordinance.

2.12.5 Normal maintenance of a lawful non-conforming structure or use is permitted, including necessary non-structural repairs and incidental alterations which do not physically extend or intensify the non-conforming use, provided the necessary repairs shall not constitute fifty (50) percent or more of fair market value of such structure. Said value shall be determined by the County Assessor.

2.12.6 Pursuant to Minnesota State Statutes, in the case of homestead and non-homestead residential real estate and seasonal residential real estate occupied for recreational purposes:

A.) A non-conformity, including the lawful use or occupation of land or premises existing at the time of the adoption of this Ordinance, may be continued, including through repair, replacement, restoration, maintenance, or improvement, but not including expansion.

B.) If the non-conformity or occupancy is discontinued for a period of more than one (1) year, or any non-conforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its market value, and no building permit has been applied for within 180 days of when the property is damaged, any subsequent use or occupancy of the land or premises must be a conforming use or occupancy.

C.) If a non-conforming building or structure is destroyed by fire or other peril to the extent of 50 percent of its market value, the County may impose reasonable conditions upon a building permit in order to mitigate any newly created impact on adjacent property.

2.12.7 Lawful non-conforming lots shall be allowed as building sites provided the structure setbacks provided in this Ordinance can be met and adequate space is available on the premise for a subsurface sewage treatment system complying with the provisions of Minnesota Rules Chapter 7080.

Section 3. **Zoning District Provisions**
3.1 Districts and Purposes

For the purpose of this Ordinance, Pine County is hereby divided into classes of districts which shall be designated as follows:

3.1.1 Agriculture

This district shall be further divided into Ag1, Ag2, and Ag4 only for the purpose of Section 3.2.1.

A.) Purpose

To promote and preserve a strong agricultural economy and allow for limited integrated residential and commercial development designed to support agriculture. Businesses of agricultural products and services are encouraged. Noise, odor, and other activity commonly acceptable on farms will be expressly allowed in the Agriculture district, despite any neighboring commercial or residential uses within the district.

3.1.2 Rural Residential

This district shall further be divided into RR5, RR10, RR20, and RR40 only for the purpose of Section 3.2.1.

A.) Purpose

To foster residential and recreational development that protects woodlands and natural space as well as preserves the rural quality that makes the setting appealing.

3.1.3 Rural Townsite

This district shall further be divided into RT0.5, RT1, and RT2.5 only for the purpose of Section 3.2.1.

A.) Purpose

To allow for higher density development in small incorporated and unincorporated townsites as well as areas of higher density adjacent to shorelands and municipalities.

3.1.4 Commercial

A.) Purpose

To direct and foster commercial uses in areas that have supporting infrastructure, particularly in areas close to towns, along trunk highways, and near I-35 interchanges.

3.1.5 Industrial

A.) Purpose

To direct and foster industrial uses in areas that have supporting infrastructure.
3.2 Zoning Map

The location and boundaries of the zoning districts established by this Ordinance shall be known and may be referred to as the “Pine County Zoning Map.” The Pine County Zoning Map is hereby adopted as a part of the Pine County Zoning Ordinance. The Map shall be kept on file for examination in the Pine County Planning and Zoning office.

3.3 District Lot Dimensions and Setbacks

3.3.1 Table 1

<table>
<thead>
<tr>
<th>District</th>
<th>Agriculture (AG1/AG2/AG4)</th>
<th>Rural Residential (RR5/RR10/RR20/RR40)</th>
<th>Rural Townsite (RT0.5/RT1/RT2.5)</th>
<th>Commercial</th>
<th>Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum Lot Area</td>
<td>2.5 acres</td>
<td>5 acres/ 10 acres/ 20 acres/ 40 acres</td>
<td>0.5 acres/ 1 acre/ 2.5 acres</td>
<td>1 acre</td>
<td>1 acre</td>
</tr>
<tr>
<td>Density</td>
<td>Lots Per 40 acres: AG1=1, AG2=2, AG4=4</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Minimum Public Road Frontage</td>
<td>66'</td>
<td>300'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
</tr>
<tr>
<td>Minimum Lot Width</td>
<td>300'</td>
<td>300'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
</tr>
<tr>
<td>Minimum Lot Depth</td>
<td>300'</td>
<td>300'</td>
<td>100'</td>
<td>100'</td>
<td>100'</td>
</tr>
<tr>
<td>Maximum Height of Building</td>
<td>-</td>
<td>35'</td>
<td>30'</td>
<td>40'</td>
<td>40'</td>
</tr>
<tr>
<td>Structure Setback; Road</td>
<td>100' from road centerline</td>
<td>100' from road centerline</td>
<td>20' from Road Right-of-Way</td>
<td>20' from Road Right-of-Way</td>
<td>20' from Road Right-of-Way</td>
</tr>
<tr>
<td>Structure Setback; Side Yard</td>
<td>50'</td>
<td>50'</td>
<td>10'</td>
<td>20'</td>
<td>20'</td>
</tr>
<tr>
<td>Structure Setback; Rear Yard</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
<td>10'</td>
</tr>
</tbody>
</table>
3.4 Density Zoning of the Agriculture District

This section shall describe administration of density zoning, as referenced in Section 3.2.1, Table 1.

3.4.1 Density Zoning: Four Parcels per Quarter, Quarter Section

This section shall apply to the Ag4 district.

A.) Each Quarter, Quarter Section may be split into up to four (4) parcels with a minimum parcel size of 2.5 acres and 66 feet on public roads. Quarter, Quarter Sections without public roads adjacent to them shall not be split and do not have any splitting rights.

B.) The splitting rights of Quarter, Quarter sections which are already split into multiple parcels but less than four (4) parcels shall have the splitting rights divided as follows:

i. If two (2) parcels and are identical in size, splitting rights shall be equally divided.

ii. If three (3) parcels and are identical in size, the additional splitting right shall reside with the lot which has been owned the longest by the current owner.

iii. If two (2) or three (3) parcels and are unidentical in size, splitting rights shall reside with the parcel with the most road frontage which yields new and remaining parcels of at least 2.5 acres.

C.) Quarter, Quarter Sections which already contain four (4) or more parcels may not be split further.

3.4.2 Density Zoning: Two Parcels per Quarter, Quarter Section

This section shall apply to the Ag2 district

A.) Each Quarter, Quarter Section may be split into up to two (2) parcels with a minimum lot size of 2.5 acres and 66 feet on public roads. Quarter, Quarter Sections without public roads adjacent to them shall not be split and do not have any splitting rights.

B.) The splitting rights of Quarter, Quarter sections which are already split into more than two (2) parcels shall not be split further.

3.5 Allowed Uses

Allowed uses for each district are shown in Section 3.4.1 Table 2. Uses not specifically listed as allowed uses in a district shall be prohibited in that district, unless granted under the provisions of Section 2.5.2. All uses shall comply with all applicable state and federal regulations, and shall meet the front, side, and rear setbacks for the district in which the use is located.
### Table 2

<table>
<thead>
<tr>
<th>Use</th>
<th>Agriculture (AG1/AG2/AG4)</th>
<th>Rural Residential (RR5/RR10/RR20)</th>
<th>Rural Townsite (RT0.5/RT1/RT2.5)</th>
<th>Commercial</th>
<th>Industrial</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Residential</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Storage buildings and accessory structures</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Single Residential as Accessory Use</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Duplex/ Triplex Residential</td>
<td>CUP</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Duplex/Triplex as Accessory Use</td>
<td>CUP</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
<td>N</td>
</tr>
<tr>
<td>Second Residence</td>
<td>CUP</td>
<td>N</td>
<td>N</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Guest Cottage</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
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<tr>
<td>Temporary Family Health Care Dwelling</td>
<td>IUP</td>
<td>IUP</td>
<td>IUP</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Manufactured or Mobile Home Park</td>
<td>N</td>
<td>N</td>
<td>CUP</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Cropland, Pasture, Animal Agriculture</td>
<td>P</td>
<td>P</td>
<td>N</td>
<td>N</td>
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</tr>
<tr>
<td>Agricultural: Feedlots</td>
<td>CUP</td>
<td>N</td>
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<tr>
<td>Value Added Agriculture</td>
<td>P</td>
<td>CUP</td>
<td>N</td>
<td>CUP</td>
<td>P</td>
</tr>
<tr>
<td>Rural Tourism</td>
<td>CUP</td>
<td>CUP</td>
<td>CUP</td>
<td>CUP</td>
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</tr>
<tr>
<td>Vacation Rental Home</td>
<td>IUP</td>
<td>IUP</td>
<td>IUP</td>
<td>IUP</td>
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<tr>
<td>Forest Management</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
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<tr>
<td>Saddle Club Facility or Commercial Stable</td>
<td>CUP</td>
<td>CUP</td>
<td>N</td>
<td>CUP</td>
<td>N</td>
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<tr>
<td>Cemetery</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
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<tr>
<td>Salvage Yard</td>
<td>CUP</td>
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<td>CUP</td>
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<tr>
<td>Place of Worship</td>
<td>CUP</td>
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<td>P</td>
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<tr>
<td>Group Home</td>
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<tr>
<td>Government Building</td>
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<td>School</td>
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<td>Funeral Home</td>
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<td>Assisted Living</td>
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<tr>
<td>Daycare Facility</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
<td>CUP</td>
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</tbody>
</table>
## Zoning District Provisions

<table>
<thead>
<tr>
<th>Use</th>
<th>Agriculture (AG1/AG2/AG4)</th>
<th>Rural Residential (RR5/RR10/RR20)</th>
<th>Rural Townsite (RT0.5/RT1/RT2.5)</th>
<th>Commercial</th>
<th>Industrial</th>
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<tbody>
<tr>
<td>Golf Course</td>
<td>CUP</td>
<td>CUP</td>
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<td>CUP</td>
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<tr>
<td>Resort</td>
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<td>Public Park</td>
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<td>Shooting Range</td>
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<td>Campground</td>
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<td>Commercial Outdoor Recreation</td>
<td>CUP</td>
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<td>Race Track</td>
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<tr>
<td>Communication Tower</td>
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<tr>
<td>Extractive Use</td>
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<td>IUP</td>
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<tr>
<td>Non-commercial Solar and Wind Energy Systems</td>
<td>P</td>
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<td>Commercial Solar Energy System</td>
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<td>Commercial Wind Energy System</td>
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<td>Solid Waste Disposal Site</td>
<td>CUP</td>
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<td>CUP</td>
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<tr>
<td>Essential Services</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td>Home-based businesses</td>
<td>P</td>
<td>P</td>
<td>P</td>
<td>N</td>
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<tr>
<td>Kennel, Commercial</td>
<td>CUP</td>
<td>CUP/IUP</td>
<td>N</td>
<td>P</td>
<td>N</td>
</tr>
<tr>
<td>Kennel, Residential</td>
<td>P</td>
<td>P</td>
<td>CUP</td>
<td>N</td>
<td>N</td>
</tr>
<tr>
<td>Airports and Heliports</td>
<td>CUP</td>
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<td>N</td>
<td>CUP</td>
<td>CUP</td>
</tr>
<tr>
<td>Bar/Restaurant</td>
<td>CUP</td>
<td>CUP</td>
<td>CUP</td>
<td>P</td>
<td>CUP</td>
</tr>
<tr>
<td>Contractors' Yard/Construction Yard</td>
<td>CUP</td>
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<td>CUP</td>
<td>CUP</td>
<td>P</td>
</tr>
<tr>
<td>Hotel/Motel</td>
<td>N</td>
<td>N</td>
<td>CUP</td>
<td>CUP</td>
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<tr>
<td>Automobile Repair</td>
<td>CUP</td>
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<td>P</td>
<td>CUP</td>
</tr>
<tr>
<td>Automobile Service Station</td>
<td>CUP</td>
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<td>CUP</td>
<td>P</td>
<td>CUP</td>
</tr>
<tr>
<td>Shopping or Retail Center</td>
<td>N</td>
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<td>CUP</td>
<td>P</td>
<td>CUP</td>
</tr>
<tr>
<td>Mini Storage Facility</td>
<td>CUP</td>
<td>CUP</td>
<td>CUP</td>
<td>P</td>
<td>N</td>
</tr>
</tbody>
</table>

P=Permitted use. Permits are required in accordance with Section 2.4 of this Ordinance.
CUP= Allowed as conditional use. Permits are required in accordance with Section 2.5 of this Ordinance
IUP= Allowed as interim use. Permits are required in accordance with Section 2.5 of this Ordinance.
N=Not permitted
Section 4. **Performance Standards**

All uses addressed in this section shall comply with the provisions thereof.

4.1 **Salvage Yards**

4.1.1 **Setbacks**
All vehicles and materials must be stored outside of the wetlands, rights-of-way and must meet the sideyard and rearyard structure setbacks for the applicable zoning district.

4.1.2 **Management Plan**
The applicant must submit a plan, drawn to scale, showing: property lines, existing and proposed structures, salvage area, storage areas, screening and other proposed development. The plan must also address number of vehicles, tires, batteries, tanks and other parts not recyclable, and how applicant will handle motor oil, transmission fluid, antifreeze, gas, sludge, and other fluids.

4.1.3 **Screening**
Salvage yards shall be adequately screened by fences, walls, and land forms and/or natural planted materials on the property to effectively conceal the establishment from general view of motorists on public roads and from all surrounding occupied property within ¼ mile from such premises. All materials of the salvage yard must be contained within screening.

4.1.4 **State Compliance**
The applicant must provide documentation demonstrating compliance with State Department of Motor Vehicles and State Pollution Control Agency, which may include: dealership license, industrial stormwater permit, and registered hazardous waste identification number.

4.1.5 **Nonconforming Salvage Yards**
No salvage yard may continue as a nonconforming use for more than three (3) years after the effective date of this Ordinance, except that a junk yard may continue as a nonconforming use in Commercial, Industrial and Agricultural districts, if, within that period, it is completely enclosed within a building, fence, screen planting or other device of such height as to screen completely the operations of the junk yard. Plans of such a building or device shall be approved by the County Zoning Board before it is erected or put into place.

4.2 **Second Residence**

4.2.1 A second residence must be constructed or installed in a location that can be split from the primary residence through subdivision that complies with the provisions of all applicable ordinances.
4.2.2 The second residence may be connected to the septic system of the primary residence if the septic system is sized for both dwellings in accordance with Minnesota Rules Chapter 7080.

4.3 Temporary Family Health Care Dwellings

4.3.1 Temporary Family Health Care Dwellings shall follow the provisions of Minnesota Statutes section 394.07 as may be amended from time to time.

4.4 Manufactured or Mobile Home Parks

4.4.1 Manufactured and Mobile Home Parks must adhere to the rules of Minnesota Rules Chapter 4630 as may be amended from time to time.

4.4.2 Lot Markings
Each lot shall be clearly defined by a permanent marker in the ground.

4.4.3 Access
Each park shall abut a public road and each manufactured or mobile home lot shall have direct access to a hard surface road (gravel, asphalt, etc.), not less than twenty (20) feet in width.

4.4.4 Maintenance
It shall be the responsibility of the manufactured or mobile home park owner to see that good housekeeping and living conditions are maintained in the park at all times. Each mobile home lot shall be landscaped or maintained in grass. No unused building materials, debris, or rubbish shall be allowed to accumulate.

4.4.5 Skirting
Every unit within the park shall be skirted.

4.4.6 Stormwater
Natural drainage ways, streams, ponding and other holding areas shall be preserved for recharge of ground water resources.

4.4.7 Parking
Each manufactured or mobile home site shall have a hard-surfaced off-street parking space for at least two (2) automobiles. Each space shall be 10 feet by 20 feet minimum. One (1) additional hard surfaced, off street, guest parking space must be provided for each three (3) homes.

4.4.8 Landscaping
All lot area not utilized for structures or designated parking facilities shall be
adequately landscaped, with sodding or seeding programs completed before occupancy of the manufactured or mobile home unit.

4.4.9 **Screening and buffering:** Manufactured or mobile home parks shall be adequately screened by fences, walls, and land forms and/or natural planted materials on the property to effectively conceal the park from general view of motorists on public roadways or abutting developed property. The screening and buffering shall be approved prior to occupancy.

4.4.10 **Home Construction**
Each home in the park must have been built after June 15, 1976, to the Manufactured Home Construction and Safety Standards of the U.S. Department of Housing and Urban Development.

4.4.11 **Nonconformities**
It shall be unlawful for any person to construct, alter, or extend any mobile home park, structures, or uses within the park unless he/she holds a valid permit issued by the Zoning Administrator upon compliance with all provisions of this Ordinance.

### 4.5 Extractive Use

4.5.1 **Safety**
All operations shall comply with the Mining Safety and Health Administration (MSHA) standards in regards to slopes, working faces, safety fencing, and the like.

4.5.2 **Portable Plants**
All operations may excavate, screen, crush, wash, and produce asphalt or concrete with portable plants.

4.5.3 **Screening**
To minimize adverse effects on neighboring properties, operations shall be screened from the view of adjacent residential uses by topography, stockpiles, or vegetation, or a combination thereof.

4.5.4 **Setbacks**
All clearing, excavating, stockpiling, filling, or processing of mined materials shall not be conducted closer than:

A.) 50 feet from the right-of-way of any public road.

B.) 100 feet to the property line or 500 feet to any residential dwelling located on an adjacent parcel.

4.5.5 **Reclamation**
Concurrent reclamation shall occur during the operation as well as at the
completion of the project. All trees, brush, stumps and debris resulting from clearing, stripping and normal operation shall be burned, buried, or removed at the cessation of the operation.

4.5.6 Sloping
At the non-working face of the project, banks shall be maintained at a slope not to exceed 2:1 (fifty percent) except at the cessation of the extraction activities, which shall be no steeper than 3:1 (33 percent). The tops of all banks shall be rounded to conform to surrounding topography.

4.5.7 Re-vegetation
Upon depletion of any pit/extraction activity, or any face or portion thereof, the depleted portion shall be stabilized by re-vegetation, shaping or other soil erosion control methods, sufficient to prevent erosion of the walls and floor.

4.5.8 Nonconformities
Gravel and mineral extraction mining operations (topsoil, sand, gravel, and other materials) in existence prior to the adoption of this Ordinance shall be considered legal nonconforming operations subject to the following:

A.) Land contiguous to nonconforming gravel and mineral extraction operations and acquired after the adoption of this Ordinance, shall not be considered part of the nonconforming or “grandfathered” operations and shall be subject to all the provisions of this Ordinance.

B.) No gravel and mineral extraction mining operation which has been inactive for a period of five (5) years shall continue to operate without obtaining a conditional or interim use permit and complying with the provisions of this Ordinance.

C.) The provisions of Sections 4.5.3 through 4.5.5 shall apply to all legal nonconformities.

4.6 Communication Towers

4.6.1 Personal Communication Towers
Personal communication towers not exceeding 30 feet in height must meet structure setbacks but are allowed without permit.

4.6.2 Siting
In making siting decisions for new towers, applicants should:

A.) Be sensitive to the location of the tower near a densely settled residential area.

B.) Consider locations for towers on parcels that have current conditional or interim use permits in zoning districts that are primarily devoted to
commercial or industrial uses or on public lands where permissible and practical.

4.6.3 The parcel or leased area size shall be large enough to accommodate the tower in its collapsed state.

4.6.4 Location
The tower, support structures, and guide wires shall be completely located outside of existing easements and the road right-of-way.

4.6.5 Co-location: The tower must be designed for co-location purposes. Colocation shall be the first option pursued by companies desiring to locate facilities in the County.

A.) If a new tower or antenna support structure over 99 feet in height is to be constructed, it shall be designed to accommodate a minimum of two (2) other users of similar antenna configurations including but not limited to other cellular communication companies, police, fire and ambulance companies;

B.) if the proposed tower or antenna support structure is between 35 and 99 feet in height it shall be designed to accommodate at least one (1) additional user.

4.6.6 Construction: Construction of towers shall meet federal and state regulations, including those of the Federal Aviation Administration.

4.6.7 Security Fencing
Security fencing or similar barrier must be constructed to prevent access to, and climbing of, the tower by unauthorized persons.

4.6.8 No Advertising
No advertising or identification of any kind intended to be visible from the ground or other structures is permitted, except applicable warning and equipment information signage required by the manufacturer or by federal, state, or local authorities.

4.6.9 Decommissioning
All towers and antennae not used for a period of twelve (12) consecutive months shall be considered abandoned and shall be removed within six (6) months of written notice by the County. At the time of application, the owner of the tower shall provide the County with an acceptable financial guarantee in an amount equal to 125 percent the cost to remove the tower and related infrastructure, and to restore the site. Failure to remove the structure shall be cause for the County to remove the tower and equipment and assess the cost to the property.
4.7 Solid Waste Disposal Sites

4.7.1 Screening
To minimize adverse effects on neighboring properties, operations shall be screened from the view of adjacent residential uses by fencing, topography, vegetation, or a combination thereof.

4.7.2 Setbacks
A.) All activities of transfer stations, waste tire collection sites and recycling facilities shall not occur within:
   i. 50 feet from the right-of-way of any public road.
   ii. 100 feet to the property line or 500 feet to any residential dwelling located on an adjacent parcel.

B.) All activities of land disposal facilities, solid waste processing facilities, waste tire processing facilities and composting facilities shall not occur within:
   i. 50 feet from the right-of-way of any public road.
   ii. 100 feet to the property line or 1,000 feet to any residential dwelling located on an adjacent parcel.

4.8 Feedlots

4.8.1 Setbacks
A.) The feedlot area, confinement building, or manure storage area shall be setback a minimum of 500 feet from any existing non-farm dwelling unless written permission is provided by the owner of that non-farm dwelling, signed by notary, in a format acceptable to the County.

B.) Animal pens, feedlots, and animal structures shall meet the structure setbacks established in the Agriculture district.

4.8.2 State Compliance
All feedlot operations shall comply with State of Minnesota rules and regulations, including Minnesota Rules Chapter 7020, as amended.

4.9 Commercial Solar Energy Production

4.9.1 Setbacks
The required setback from neighboring property lines for all project elements including structures, panels, racking systems, but excluding security enclosure, is 50 feet from all non-right-of-way property lines or 275 feet from any dwelling whichever is greater. The minimum setback from public roads shall be 100 feet from centerline.
4.9.2 Decommissioning Plan
At the time of application, the developer shall submit a decommissioning plan for ground-mounted commercial solar energy systems to ensure that the permittee properly removes the equipment and facilities upon the end of project life or after their useful life.

A.) The permittee shall decommission the solar panels in the event that 25% or more of the panels are not in use for twelve (12) consecutive months.

B.) The plan shall include provisions for the removal of all structures and foundations, the removal of all electrical transmission components, the re-establishment of vegetation in all disturbed areas, and a soundly-based plan ensuring financial resources will be available to fully decommission the site.

C.) The disposal of structures and/or foundations shall meet the requirements of the Pine County Solid Waste Ordinance and applicable Minnesota Pollution Control Agency regulations.

D.) At the time of application, the permittee shall provide an industry engineer’s estimate of the eventual decommissioning cost. Prior to project commencement, the permittee shall post financial surety in an amount equal to or greater than 125 percent of the engineer’s estimated cost, to ensure proper decommissioning. Failure to maintain financial surety and current decommissioning plan shall be grounds for revocation and/or nullification of permit.

4.9.3 Power and Communication Lines
All on-site power and communication lines running between the elements of the project and the connection point shall be buried underground on premise. The Zoning Administrator may grant exemptions to this requirement in the instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.

4.9.4 Large Energy Power Generating Plant
Commercial solar energy systems which have a generating capacity of 50 megawatts or more of power shall fall under the jurisdiction of the Minnesota Public Utilities Commission.

4.9.5 Ground Cover
All ground areas of the site shall be re-vegetated with low-growing pollinator-friendly seed mix, as certified by the Minnesota Board of Water and Soil Resources, and shall be maintained throughout the life of the project except where safety requires hardscaping.

4.9.6 Security Fence Design
No barbed wire fencing is permitted. The security fence surrounding the facility shall consist of woven wire agricultural or chain link fencing.
4. 10 Commercial and Non-Commercial Wind Energy Conversion System

4.10.1 Scope
The requirements and standards in this section govern Wind Energy Conversion Systems (WECS) that are capable of generating less than five (5) MW of electrical power. The State of Minnesota has jurisdiction over the siting and regulation of WECS generating five (5) MW or more of electrical power.

4.10.2 Application
Non-commercial WECS are a permitted use in all districts. Commercial WECS are permitted through interim use permits in the Agricultural, Rural Residential, Rural Townsite, Commercial, and Industrial districts.

4.10.3 General Standards
All WECS shall comply with the following standards:

A.) All WECS connecting in any way to the distribution or transmission system must obtain an interconnection agreement from the appropriate electric utility. Off-grid systems are exempt from this requirement.

B.) A non-commercial WECS shall not exceed 150 feet in height as measured from the ground to the hub. A commercial WECS shall not exceed 380 feet in height as measured from the ground to the highest point of the tower, rotor, or blade.

C.) WECS shall be set back at least 750 feet from any existing residence other than a residence occupied by the applicant. WECS shall be set back a minimum distance equal to the highest point of the WECS from all property lines, roadways, and existing structures.

D.) No WECS shall extend closer than 30 feet to the ground.

E.) WECS towers, blades, and turbines shall be non-reflective and be designed to blend in with the skyline and natural setting to the extent possible.

F.) WECS facilities shall not be lighted except for security purposes and in accordance with Federal Aviation Administration requirements.

G.) Signage setting forth the identification of the owner/operator and public safety information, including emergency contact information, shall be placed on the site and shall comply with the sign provisions of this Ordinance.

H.) WECS shall be fenced in unless towers are designed without ladders or other accessible climbing devices. All equipment or appurtenances that pose a potential danger to animals or humans shall be fenced in.
I.) WECS shall be designed, constructed, operated, and maintained in a manner consistent with all applicable federal, state, and local laws, rules, standards, codes, and ordinances.

J.) A WECS that has not operated for a period of twelve (12) months shall be considered abandoned and shall be removed by the owner or operator. If a WECS has not been removed according to an order by the County, the County may contract the removal and renovation of the site. The County may use any funds established for site rehabilitation for such action or may assess such costs against the property.

4.10.4 **Non-Commercial WECS**

In addition to the requirements set forth in Section 4.12.2 and 4.12.3, applications for non-commercial WECS shall include the following information:

A.) A site plan showing the location of all property lines, existing structures, roadways, and proposed WECS equipment and appurtenances.

B.) A description of the proposed WECS equipment and appurtenances, including but not limited to tower height, blade dimensions, color, and generating capacity.

4.10.5 **Commercial WECS**

A.) The County prohibits Commercial WECS in the following areas:

   i. In the Shoreland and Kettle River Wild and Scenic River districts.

   ii. Within 750 feet of areas protected from development by federal, state, or county agencies such as Wildlife Management Areas, Scientific and Natural Areas, and State Parks.

B.) All projects shall have a vegetation management plan that establishes and maintains vegetative cover at the completion of construction.

C.) At the time of application, the owner/operator shall submit a decommissioning plan for commercial WECS to ensure that the owner or operator properly removes the equipment and facilities upon the end of project life or after their useful life. The owner or operator shall decommission the WECS in the event they are not in use for twelve (12) consecutive months. The plan shall include provisions for the removal of all structures and foundations, the removal of all electrical transmission components, the restoration of soil and vegetation, and a soundly-based plan ensuring financial resources will be available to fully decommission the site. As an alternative to the full restoration of soil and vegetation, the decommissioning plan may provide for the installation, establishment, and continuation of beneficial habitat standards. The owner/operator shall provide a current-day decommissioning cost estimate, and shall post a bond,
letter of credit, or establish an escrow account, equivalent to 125 percent the decommissioning cost estimate.

D.) All applications for commercial WECS shall include the following:

i. A certificate of survey showing the location of all property lines, pipelines, power lines, easements, roadways, existing structures, and proposed WECS equipment and appurtenances, topographic contours, wetlands, water bodies, and other natural features on properties within one-half (1/2) mile of the proposed WECS.

ii. A description of the proposed WECS equipment and appurtenances, including but not limited to tower height, blade dimensions, color, and generating capacity.

iii. Engineering design certification and descriptions of individual and combined electrical power generation and evidence of permitting compatibility with all applicable laws, rules, standards, codes, and ordinances.

iv. A description of proposed electrical distribution facilities required to service the proposed WECS, including but not limited to power lines and substations.

v. Evidence of site ownership or wind easements secured from property owners, necessary to the operation of the WECS.

vi. The interconnection application and/or agreement.

vii. A notification to local road authorities who may be impacted by the weight of turbine equipment during transportation. Local road authorities may require mitigation for damage.

viii. Identification of any agricultural tile drains or other drainage or conveyance systems that may be impacted by construction or maintenance of the site.

Section 5. General Development Standards

5.1 Junk Storage

5.1.1 Garbage
Garbage as defined in this Ordinance, must be stored inside a container designed for garbage storage.

5.1.2 Junk and Debris Storage
Junk and debris storage is prohibited:

A.) In wetlands, floodplains, inside highway and/or utility rights-of-way in the Agricultural, Rural Residential, Rural Townsite, Shoreland, and Kettle River Wild and Scenic River districts;
B.) Where it creates a nuisance or hazard to public health and safety in the Rural Residential, Rural Townsite, Shoreland, and Kettle River Wild and Scenic River districts;

C.) In the Commercial and Industrial districts.

5.1.3 **Inoperable Agricultural Machinery**

Inoperable agricultural machinery:

A.) May be stored outdoors in the Agricultural and Rural Residential districts provided it does not create a hazard to public health and safety and all fluids and fuels are removed.

B.) Is prohibited in the Industrial and Commercial districts unless part of a salvage yard, repair shop, or related business.

C.) Is prohibited in the Rural Townsite district.

5.1.4 **Outside Storage of Junk Vehicles**

A.) Junk vehicles are prohibited in wetlands, floodplains, and inside highway and/or utility rights-of-way

B.) Properties within the Agricultural district, but not including the Shoreland and Kettle River Wild and Scenic River districts, may be used to store no more than five (5) junk vehicles outdoors. Vehicles shall be stored right side up and in a manner which will not create a hazard to public health and safety. A landowner may store more than five (5) unlicensed inoperable vehicles so long as they are stored in an enclosed building.

C.) Properties within the Rural Residential District, but not including the Shoreland and the Kettle River Wild and Scenic River district, may be used to store no more than three (3) junk vehicles outdoors. Vehicles shall be stored right side up and in a manner which will not create a hazard to public health and safety. A landowner may store more than three (3) unlicensed inoperable vehicles so long as they are stored in an enclosed building.

D.) Within the Shoreland, Kettle River Wild and Scenic River, and the Rural Townsite districts, no outdoor storage in excess of one (1) junk vehicles will be allowed. A landowner may store junk vehicles inside an enclosed building.

E.) Within the Commercial and Industrial districts junk vehicles may not be stored outdoors unless part of a business compliant with the provisions of this Ordinance, such as a salvage yard, auto repair shop, or related business.

5.1.5 **Waste Tires**

The following regulations shall apply to the storage of waste tires:
A.) Waste tires shall be confined to as small an area as practicable.
B.) Waste tires shall be stored in a way so as to not constitute a fire hazard.
C.) Waste tires shall be piled so as to minimize the accumulation of stagnant water.
D.) Waste tires shall be stored a minimum of twenty (20) feet from all adjacent property lines and shall not be stored within the road right-of-way.
E.) The owner of the land or premises upon which waste tires are located in violation of this Ordinance shall be obligated to bring the property into compliance with this Section or remove them to a licensed solid waste facility or licensed tire processing facility.
F.) Within the Shoreland, Kettle River Wild and Scenic River, and Rural Townsite districts, a maximum of four (4) waste tires may be stored outdoors. Within the Rural Residential district a maximum of ten (10) waste tires may be stored outdoors. The outdoor storage of waste tires shall be prohibited in the Commercial and Industrial districts unless they are part of an auto repair shop, solid waste/recycling facility, salvage yard, or related business. Salvage yards conforming to the provisions of this Ordinance, and lands within the Agricultural district, shall have no limitation on the number of tires allowed to be stored on the premises, unless restricted through a conditional use permit or other federal, state, or local control.

5.1.6 Major Appliances

A.) Major appliances shall be stored in a manner which will not create a nuisance, blight or hazard to public health and safety and shall have all non-magnetic latches disabled, capacitors removed and refrigerant gas evacuated before storage and or processing.
B.) Major appliances may not be stored outdoors for more than thirty (30) days before they must be properly disposed of at a licensed recycling facility or salvage yard.

5.1.7 Enforcement

A.) Any property owner upon whom a Notice of Violation of this Ordinance has been delivered shall have thirty (30) days from the date of the Notice of Violation to forward to the County a plan to bring the property into compliance with the provisions of this Ordinance, or to ask for an appeal hearing before the Pine County Zoning Board. Said property owner shall have up to one hundred twenty (120) days from the date of the Notice of Violation to bring the property into compliance with the provisions of this Ordinance.
B.) In the event the property owner referenced above fails to bring the property into compliance with the provisions of this Ordinance, and fails to request a
hearing before the Pine County Zoning Board, the Zoning Administrator shall prepare and present the cost estimate to the County Board, who shall have the authority to declare the property a nuisance and order the abatement of the nuisance.

C.) The owner of the property on which an abatement action is performed shall be personally liable for the costs of such action. Immediately after the abatement is completed, and the costs determined, the Zoning Administrator shall prepare a statement of the costs of the abatement and mail it to the property owner, and the amount thereof shall be immediately due and payable at the Pine County Treasurer’s Office.

D.) On or before September 1 of each year, the County Auditor shall list the total unpaid charges for each abatement action against the separate lot or parcel which are attributable under this Ordinance. The County Board may then spread the charges on any portion thereof against the subject property as a special assessment pursuant to the authority and procedure set forth in Minnesota Statutes for certification to the County Auditor and collection the following year along with current taxes. Such assessment shall be payable in installments as provided in Minnesota Statutes

5.1.8 Nonconformities
No property that is not in compliance with the provisions of Section 5.1 at the time of adoption of this Ordinance may continue as a nonconformity.

5.2 Signs

5.2.1 Statement of Purpose

A.) Exterior signs have a substantial impact on the character and quality of the environment.

B.) Signs provide an important medium through which individuals may convey a variety of messages.

C.) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.

5.2.2 Permits
All signs hereafter erected or maintained must be permitted by the County, unless otherwise specified.

5.2.3 Exempt Signs
The following signs are exempt from the provisions of this Ordinance and are expressly allowed in all zoning districts:

A.) Signs on the rolling stock of common carriers that are Department of Transportation compliant, including signs on semi-trailers and vans.
B.) Official traffic control signs.

C.) Signs of a governmental unit or development.

D.) Temporary signs advertising auction sales, carnivals, fairs, garage sales benefits, community events, and similar uses, provided these signs are removed within ten (10) days after the event.

E.) A temporary sign indicating real estate for rent or for sale, relating to the premises only on which it is located and not exceeding 32 square feet.

F.) Signs bearing only property numbers, post box numbers, names of occupants or other identification of premises, not having commercial connotations.

G.) Identification signs naming contractors of development projects, or seeds used by farmers.

H.) On-premises directional/informational signs having a sign area of sixteen (16) square feet or less.

I.) Holiday decorations.

J.) No trespassing signs and signs of similar purposes.

K.) Political signs including political signs regulated under Minnesota Statutes section 211B.045 as it may be amended from time to time.

L.) Temporary signs for roadside farm stands

5.2.4 Prohibited Signs

No sign shall be erected or maintained:

A.) Which imitates or resembles official government signs or signals.

B.) Which are placed within 300 feet of any intersection that may obstruct motorist or pedestrian visibility.

C.) Which prominently displays the words “stop,” or “danger.”

D.) Which hides from view or interferes to any degree with the effectiveness of any traffic control device, sign, or signal.

E.) Which contains statements, words, or pictures of an obscene, indecent, or immoral character, or such as would offend public morals or decency.

F.) Which are structurally unsafe, in disrepair, abandoned, discontinued, or which no longer identify or advertise a bona fide business, service, product, or activity.

G.) For which no legal owner can be found.
H.) Which are within the right-of-way of any public roadway, except if erected by a government entity.

I.) Which extends more than 50 feet above the ground.

5.2.5 Off-Premise Advertising Signs

Off-premise advertising signs, where not regulated under Minnesota Statutes Chapter 173 or successor statutes, shall comply with the following provisions:

A.) Off-premise advertising signs shall be a permitted use in the Commercial and Industrial districts.

B.) Off-premise advertising signs shall be allowed as conditional or interim use in the Agricultural, Rural Residential, and Rural Townsite districts except when used to direct traffic to a local commercial or industrial use. In such cases, off-premise advertising signs shall be a permitted use.

C.) Off-premises advertising signs used to direct traffic to a local commercial or industrial use shall be limited to six (6), each no more than thirty-two (32) square feet in size.

D.) No off-premises advertising sign shall be erected within 300 feet of any other off-premise advertising sign on the same side of the same roadway facing traffic proceeding in the same direction.

E.) Each sign structure shall not contain more than two (2) signs per face, and not more than four (4) signs per structure.

F.) No off-premises advertising sign may exceed 600 square feet in size.

G.) All external light sources shall be diffused and must be directed toward the sign.

H.) LED off-premises advertising signs are permitted only in the Commercial and Industrial districts.

5.2.6 Home-based Business Signs

Properties with a home-based business, meeting the definition provided in Section 1.6, shall be allowed one (1) on-premises advertising sign, not to exceed 32 square feet in size. The sign may be double-faced.

5.2.7 Non-conforming Signs

Existing signs which do not conform to the specific provisions of this subdivision may be eligible for the designation "legal non-conforming" provided that:

A.) The sign was compliant with all applicable laws prior to the date of adoption of the Zoning Ordinance from which this subdivision is derived.
B.) A legal non-conforming sign shall lose this designation if the sign is relocated, replaced, altered, or damaged by more than 50 percent other than for change of copy or normal maintenance, provided the change of copy or normal maintenance does not affect the structural integrity of the sign.

C.) Except as otherwise specified in this section, no sign shall be located, erected, moved, reconstructed, extended, enlarged, or structurally altered, with the exception of face maintenance and modifications, until a certificate has been issued by the Zoning Administrator. No certificate shall be issued for a sign that does not conform in size, type, number, location, and use as regulated for each zoning district.

D.) Legal nonconforming off-premise advertising signs shall be required to follow the provisions of Sections 5.2.4F and 5.2.4G.

5.3 Fences

5.3.1 Fences are allowed in all districts, provided the following requirements are met:

A.) Fences shall not be allowed in the road right-of-way.

B.) Fences in the Rural Residential and Rural Townsite districts shall not exceed six (6) feet in height without obtaining a permit. Fences taller than six (6) feet shall require a permit, and the fence shall be designed to handle snow loads.

C.) In the Commercial and Industrial districts, fences may be seven (7) feet in height without obtaining a permit. Fences taller than seven (7) feet shall require a permit, and the fence shall be designed to handle snow loads.

D.) Fences in the Commercial and Industrial districts shall be maintained so as not to become unsightly or hazardous.

E.) Fences in the Agricultural district shall be exempt from the provisions of this Ordinance.

5.4 Mobile Homes Outside of Mobile Home Parks

5.4.1 Individual mobile homes shall be considered as single-family dwellings and shall be allowed to locate outside of mobile home parks, provided that the following requirements are met:

A.) The mobile home site complies with the respective land use regulations for the district, and contains suitable water supply and approved septic system for the private use of one single-family dwelling.
B.) The mobile home shall comply with all the structure setbacks of the district in which it is located.

C.) Skirting shall be installed on all mobile homes within ninety (90) days of placement; otherwise the certificate shall expire.

D.) No mobile home constructed prior to June 15, 1976 shall be permitted.

E.) The mobile home shall be anchored to the ground.

Section 6. **Effective Date**

The Pine County Zoning Ordinance is hereby adopted by the Pine County Board of Commissioners on the 17th day of January, 2020.

_______________________________________
Stephen M. Hallan, Chair
Pine County Board of Commissioners

ATTEST:

________________________________________
David J. Minke
Pine County Administrator

Notice of Public Hearing Published: 01/09/2020
Public Hearing: 01/21/2020
Adopted by County Board: 01/21/2020
Publication of Ordinance: 01/30/2020
Filed with County Recorder: 02/01/2020
Effective Date: 02/15/2020

Drafted By:
Pine County Planning and Zoning Department
635 Northridge Dr. NW
Pine City, MN 55063
Pine County Zoning Map - Nickerson Township

Legend
- Shorelands
- RoadCenterlines
- Parcels

Zoning Districts
Dist_Name
- Agriculture 4
- Commercial
- Rural Residential 5
- Rural Townsite 0.5
- Rural Townsite 1
Pine County Zoning Map - City of Denham

Legend
- RoadCenterlines
- Parcels
- Zoning Districts
- Dist_Name
  - Agriculture 4
  - Commercial
  - Rural Residential 5
  - Rural Townsite 0.5
  - Rural Townsite 1
AGENDA REQUEST FORM

Date of Meeting: January 20, 2020

☐ County Board
☐ Consent Agenda
☒ Regular Agenda 5 mins. x 10 mins. 15 mins. Other

☐ Personnel Committee
☐ Other________________

Agenda Item: __Subdivision and Platting Ordinance Amendment (2020-05)___

Public Hearing

Department: __Planning & Zoning______________________________

______________________________
Caleb Anderson
Department Head signature

Background information on Item:

The Pine County Zoning Board has recommended the following amendments to the Subdivision and Platting Ordinance

- Amend Section 1.04 for the Ordinance to be in effect within municipalities under the jurisdiction of the Pine County Zoning Ordinance.
- Amend Section 4.01 of the Ordinance so that newly created lots comply with the lot size and dimensional requirements of the Pine County Zoning Ordinance, within townships and cities under the jurisdiction of the Pine County Zoning Ordinance.

The current amendment, as well as the Subdivision and Platting Ordinance amendments from 2015, 2017, and 2018, have been incorporated into the June 2015 Subdivision and Platting Ordinance for a fully updated ordinance to be recorded.

Action Requested:

1.) Presentation of the ordinance
2.) County Board questions and discussion
3.) Open Public Hearing and take public testimony
4.) Close Public Hearing
5.) County Board additional discussion if necessary
6.) Consider adoption of the ordinance 2020-05 amending the Pine County Subdivision and Platting Ordinance and approve summary for publication.

Financial Impact:

None.
PINE COUNTY ORDINANCE 2020-05 SUMMARY

An ordinance adopted to amend Sections 1.04 and 4.01 of the Pine County Subdivision and Platting Ordinance as follows:

- Amends the Ordinance to be in effect within municipalities under the jurisdiction of the Pine County Zoning Ordinance.
- Amends the Ordinance so that newly created lots comply with the lot size and dimensional requirements of the Pine County Zoning Ordinance, within townships and cities under the jurisdiction of the Pine County Zoning Ordinance.

Passed and approved this 21st day of January, by the Pine County Board of Commissioners.

Stephen M. Hallan, Chair, Board of Commissioners
David J. Minke, Administrator, Clerk to the County Board

A full text document of the ordinance is available at www.co.pine.mn.us

Published January 30, 2020

****Invoice and affidavit to: Pine County Planning and Zoning, 635 Northridge Dr NW, Suite 250, MN 55063****
ORDINANCE 2020-05
AMENDING THE
PINE COUNTY SUBDIVISION AND PLATTING ORDINANCE

The County Board of Pine County, Minnesota ordains that the Pine County Subdivision and Platting Ordinance shall be amended as follows:

Section 1.04 A shall read:

1.04 Jurisdiction
The regulations in this Ordinance governing plats and the subdivision of land shall apply to all areas of Pine County with the following exceptions:

A. It shall not apply to areas within a municipality, except for municipalities that are regulated under the jurisdiction of the Pine County Zoning Ordinance.

Section 4.01 A shall read:

4.01 Minor Subdivisions Allowed
The following subdivisions qualify as a Minor Subdivision:

A. Any subdivision, not under the jurisdiction of the Pine County Zoning Ordinance, not requiring the construction of a new road (Public or private) to service the newly-created parcels, provided that each parcel created must have a minimum lot size of 2.5 acres, and a minimum depth of three hundred (300) feet, and a minimum road frontage of:

1. 300’ on parcels completely outside of shoreland areas; or
2. Equal to the minimum lot standards in the applicable ordinance (Shoreland or Kettle River Natural and Scenic Corridor) for a parcel partially or totally within a shoreland areas; or

3. Thirty-three (33’) on a parcel that abuts a road that does not extend the width of the parcel due to a bend in the road or the end of the road.

B. A subdivision of land resulting in a parcel with sixty-six (66) feet of frontage on a public road, created to provide access to an isolated parcel of land, provided:

4. The isolated parcel shall have the same minimum lot size requirements described in Section A of this Article.

5. Such sixty-six (66) foot strip may be split from any parcel of record which meets the same minimum lot size requirements as described in Section A of this Article.

6. No other sixty-six (66) foot access strip is located within three hundred (300) feet in either direction on the public road.

7. No structure, sewage treatment system, or water supply system may be located on the sixty-six (66) foot access strip.

8. Such sixty-six (66) foot access strip must be combined with the isolated parcel.

9. No further subdivision of the isolated parcel will be permitted without the approval of a plat which shall include the construction of a road on the access strip.

C. A subdivision of land based on the division line being a body of water over twenty (20) feet in width, a railroad, or a public road. Each parcel must be provided with access to an existing public road either by fee ownership or easement.

D. A subdivision of land necessary for public or private utilities and road right-of-ways. Smaller lot sizes will be considered by the Planning Commission for public or private utility purposes and road right-of-ways.

E. A subdivision of land under the jurisdiction of the Pine County Zoning Ordinance that meets the minimum lot sizes, minimum lot dimensional standards, and all other provisions of said Ordinance.
Passed and approved this 21st Day of January, 2020 by the Pine County Board of Commissioners.

__________________________________________
Stephen M. Hallan, Chair
Pine County Board of Commissioners

ATTEST:

__________________________________________
David J. Minke
Pine County Administrator

Notice of Public Hearing Published: 01/09/2020
Public Hearing: 01/21/2020
Adopted by County Board: 01/21/2020
Publication of Ordinance: 01/30/2020
Filed with County Recorder: 02/01/2020
Effective Date: 02/15/2020

Drafted By:
Pine County Land Services
635 Northridge Dr NW, Suite 250
Pine City, MN 55063
Pine County
Subdivision and Platting Ordinance

Adopted May 5, 2015
Amended January 7, 2017
Amended November 7, 2017
Amended December 19, 2017
Amended March 6, 2018
Amended January 21, 2020

Drafted By:
Pine County Land Services
635 Northridge Dr NW, Suite 250, Pine City, MN 55063
# PINE COUNTY

## SUBDIVISION AND PLATTING ORDINANCE

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THE BOARD OF COMMISSIONERS OF PINE COUNTY, MINNESOTA DOES ORDAIN:

AN ORDINANCE ESTABLISHING REGULATIONS FOR THE SUBDIVISION AND PLATTING OF LAND WITHIN PINE COUNTY AND OUTSIDE THE BOUNDARIES OF MUNICIPALITIES; DEFINING CERTAIN TERMS USED HEREIN; PROVIDING FOR THE PREPARATION OF PLATS; PROVIDING FOR THE CONSTRUCTION OF STREETS, ROADS AND OTHER IMPROVEMENTS; ESTABLISHING PROCEDURES FOR THE APPROVAL AND RECORDING OF PLATS; AND PROVIDING PENALTIES FOR THE VIOLATION OF THIS ORDINANCE.

ARTICLE 1.0 GENERAL PROVISIONS

1.01 Short Title
This Ordinance shall be known as the “Pine County Subdivision and Platting Ordinance” and will be referred to herein as “this Ordinance.”

1.02 Purpose and Intent
This Ordinance is enacted for the following purposes: to safeguard the best interests of the people of Pine County; to assist the subdivider in harmonizing their interests with those of the County at large, as well as with those of the municipalities of the County; to prevent piecemeal planning of subdivisions; to prevent undesirable, disconnected patchwork of pattern and poor circulation of traffic; to correlate land subdivisions with the Pine County Comprehensive Plan; to secure the rights of the public with respect to public lands and waters; to improve land records by establishing standards for surveys and plats; and to discourage inferior development which might adversely affect property values.

1.03 Authority
It is the purpose and intent of this Ordinance to provide regulations for the subdivision and platting of land in Pine County, as authorized by Minnesota Statutes 394.

1.04 Jurisdiction
The regulations in this Ordinance governing plats and the subdivision of land shall apply to all areas of Pine County with the following exceptions:

A. It shall not apply to areas within a municipality, except for municipalities that are regulated under the jurisdiction of the Pine County Zoning Ordinance.

B. It shall not apply within two (2) miles of a municipality which has extended subdivision and platting regulations, as authorized by Minnesota Statute 462.358, Subd. 1a.
C. It shall not apply to areas within the jurisdiction of a township that has adopted a shoreland management ordinance which has been approved by the Commissioner of Natural Resources, as authorized by Minnesota Statute 394.33, Subd. 1.

D. It shall not apply to areas within the jurisdiction of a township which has adopted subdivision and platting regulations, as authorized by Minnesota Statute 394.33, Subd. 1. subject to the following:

1. The township shall request that the Planning Commission review its ordinance to determine if it contains, at a minimum, regulations and requirements at least as restrictive as those contained in this Ordinance.

2. The Planning Commission shall issue findings and a recommendation to the County Board on any such request by a township.

3. The County Board has acknowledged, by formal resolution, that the township ordinance contains, at a minimum, regulations and requirements at least as restrictive as those contained in this Ordinance and that County control of subdivision and platting is not necessary in that township.

E. The County Auditor shall not accept a subdivision of land in the jurisdiction of this Ordinance unless a Final Plat has been approved under Article 8.0 or a Minor Subdivision has been approved under Article 4.0 of this Ordinance.

1.05 Scope

A. This Ordinance shall apply to any subdivision which has not been given final approval by the Planning Commission or County Board, as applicable, prior to the effective date of this Ordinance.

B. This Ordinance shall not apply to any lot or lots forming a part of a subdivision recorded in the Office of the Pine County Recorder prior to the effective date of this Ordinance, unless the existing lot or lots are to be further resubdivided.

C. It is not the intent of this Ordinance to repeal, abrogate or impair any existing covenants, deed restrictions or ordinances; however, where this Ordinance imposes greater restrictions, the provisions of this Ordinance shall prevail.
D. All subdivisions of land, as regulated by this Ordinance, shall comply with zoning, subdivision and platting regulations adopted by a township as authorized by Minnesota Statute 394.33, Subd. 1, as long as the regulations are more restrictive that those contained in this Ordinance.

1.06 Repealer
The Pine County Subdivision and Platting Ordinance as adopted June 20, 1995, amended June 19, 2007, July 17, 2007, August 21, 2007, together with any subsequent amendments to these Ordinances, if any, are hereby repealed and replaced by this Ordinance.

1.07 Interpretation
In their interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements, and shall not be deemed a limitation or repeal of any other powers or rights granted by Minnesota Statutes.

1.08 Separability
If any article, section, subsection, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

ARTICLE 2.0 DEFINITIONS

Unless otherwise specifically defined herein, all words and phrases defined in Minnesota Statutes 394 and 505 shall have the same meanings when used in this Ordinance. Terms and abbreviations used herein, which are not specifically defined by law, shall be construed in accordance with the context and professional usage.

2.01 BLOCK
A single lot or series of contiguous lots enclosed within the perimeter of roads, property lines, or boundaries of the subdivision.

2.02 BOARD OF ADJUSTMENT
The Board of Adjustment of Pine County, Minnesota.

2.03 BUILDABLE LOT AREA
The contiguous area of a lot which is sufficient in area to accommodate the construction of water supply systems, sewage treatment systems, buildings and driveways, and to provide adequate setbacks. Areas which are floodway, wetlands and stormwater detention/retention ponds, right-of-ways, septic system setbacks as defined in he
Shoreland Management Ordinance, and slopes in excess of 33% outside the Shoreland Management District and in excess of 25% inside the Shoreland Management District cannot be included in calculating the buildable area of a lot. (9-10-07 Rec. Doc. 467348)

2.04 CERTIFICATE OF SURVEY Certification on a plat that the plat is a correct representation of the survey, that all distances are correctly shown on the plat, that all monuments have been or will be correctly placed in the ground as shown or stated, and that the outside boundary lines are correctly designated on the plat.

2.05 COMMISSIONER The Commissioner of the Department of Natural Resources, State of Minnesota, or the authorized representative.

2.06 COUNTY ATTORNEY The County Attorney for Pine County, Minnesota, or the authorized representative.

2.07 COUNTY AUDITOR The County Auditor for Pine County, Minnesota, or the authorized representative.

2.08 COUNTY BOARD The Pine County Board of Commissioners.

2.09 COUNTY SURVEYOR The County Surveyor for Pine County, Minnesota, or the authorized representative.

2.10 COUNTY ENGINEER The County Engineer for Pine County, Minnesota, or the authorized representative.

2.11 FINAL PLAT The map of a subdivision, prepared by a land surveyor licensed in Minnesota, to be filed in the Office of the Pine County Recorder, according to Minnesota Statutes 505 and the provisions of this Ordinance.

2.12 LOT Any continuous parcel within a subdivision, excluding outlots, marked by the subdivider as a numbered parcel.

2.13 LOT FRONTAGE That part of a lot lying along and abutting a road or that part of a lot abutting public water.
2.14 METES AND BOUNDS  A description of a tract or parcel of land containing directions and distances.

2.15 MINOR SUBDIVISION  The division of a parcel of land which does not require a formal plat.

2.16 OUTLOT  A lot remnant or any parcel of land included in a plat, which may be used as open space. Such outlot may be too small to comply with the minimum size requirements of any township ordinance, the Pine County Shoreland Management Ordinance, the Kettle River Wild and Scenic River Ordinance, this Ordinance, or is otherwise unsuitable for development and therefore not usable as a building site. Outlots can be utilized as public or private “road reserve strips”, provided they are maintained in a single ownership. Outlots can also be designated on the plat as an access area to water to be shared by property owners as specified in the plat or for use by the public. Outlots shall not be utilized to circumvent the intent of this Ordinance.

2.17 PARCEL  An area of land which may be designated by platting, by metes and bounds description, by a registered land survey, by auditors subdivision, or other accepted means, which distinguishes it from other parcels.

2.18 PARCEL OF RECORD  Any parcel, tract, or area of land which is individually recorded in the Office of the Pine County Recorder.

2.19 PLANNED UNIT DEVELOPMENT  This is a pattern of land subdivision which places housing units into a compact grouping (clusters) while providing a network of commonly-owned or dedicated open space. It is an integrated method of land use which maximizes both resource protection and potential use and shall only be allowed in the shoreland area.

2.20 PLANNING COMMISSION  The Planning Commission of Pine County, Minnesota.
2.21 PRELIMINARY PLAT  A drawing or a proposed subdivision plat, registered land survey, planned unit development or cluster development, prepared in the manner and containing the data, documents, and information required in Section 7.01 of this Ordinance.

2.22 PRIVATE ROAD  A roadway or strip of land which is passable by a highway licensed four-wheeled motor vehicle which is reserved for the use of a limited number of persons or purposes, as distinguished from a publicly dedicated road.

2.23 PUBLIC HEARING  A public hearing is the forum at which all interested parties are heard, for the record, concerning a proposed action.

2.24 PUBLIC WALKWAY  A public way designated for the use of pedestrian traffic.

2.25 ROAD  A public right-of-way which affords the primary means of access by pedestrians and vehicles to abutting properties, whether designated as a street, avenue, highway, road, boulevard, land, or however otherwise named or designated. Service roads are roads or streets of relatively short length that provide direct access to a limited number of abutting properties.

Marginal access roads are service roads, parallel with and adjacent to a thoroughfare, which provide access from the thoroughfare to abutting properties.

2.26 SETBACK  The minimum horizontal distance between a structure, sewage treatment system, or other facility and the road right-of-way and other property lines.

2.27 STRUCTURE, ACCESSORY.  Any structures on a lot other than the main residential dwelling. Examples of accessory structures include garages, pole barns, and septic systems. Structures under 120 square feet in size,
not on a permanent foundation or footings, are not considered accessory structures for purposes of any setback requirements.

2.28 STRUCTURE, PRIMARY. The main residential dwelling on the lot.

2.29 SUBDIVIDER Any individual, firm, association, syndicate, partnership, corporation, trust or any other legal entity initiating a subdivision or plat.

2.30 SUBDIVISION The division of a parcel of land into two or more lots or parcels for the purpose of transfer of ownership.

2.31 SUBDIVISION SKETCH PLAN A drawing prepared in accordance with the information required in Section 5.01 of this Ordinance.

2.32 SKETCH A drawing prepared in accordance with the scale and information required in Section 4.03 of this Ordinance.

2.33 WETLAND All types and sizes of wetlands which meet the wetland definition as outlined in the January 1989 “Federal Manual for Identifying and Delineating Jurisdictional Wetlands”, or as required by state law.

2.34 WETLANDS ADMINISTRATOR The Wetlands Administrator for Pine County, Minnesota, or the authorized representative.

2.35 ZONING ADMINISTRATOR The County Zoning Administrator for Pine County, Minnesota, or the authorized representative.

ARTICLE 3.0 SUBDIVISIONS EXEMPT FROM THIS ORDINANCE

3.01 Exempt Subdivisions of Land

The following subdivisions of land shall be exempt from the application of this Ordinance and may be recorded without Zoning Board review or approval:

A. A subdivision of land that does not result in a remaining parcel of less than forty (40) acres in size or a subdivision which results in a parcel less than forty (40) acres when such parcel is part of the government survey and equals a quarter-quarter section.
B. A subdivision of land by will, court order or decree.

C. Government lots as designated by the original government survey.

D. The transfer of an easement interest in real estate is not a subdivision of land under this Ordinance.

E. A lot line adjustment as described in Section 4.05 of this Ordinance.

**ARTICLE 4.0 MINOR SUBDIVISIONS**

4.01 Minor Subdivisions Allowed

The following subdivisions qualify as a Minor Subdivision:

A. Any subdivision, not under jurisdiction of the Pine County Zoning Ordinance, not requiring the construction of a new road (public or private) to service the newly-created parcels, provided that each parcel created must have a minimum lot size of 2 ½ acres, and a minimum depth of three hundred (300) feet and a minimum road frontage of:

1. Three hundred (300) feet on parcels completely outside of shoreland areas; or

2. Equal to the minimum lot standards in the applicable ordinances (Shoreland or Kettle River Natural and Scenic Corridor) for a parcel partially or totally with a shoreland area; or

3. Thirty-three (33) feet on a parcel that abuts a road that does not extend the width of the parcel due to a bend in the road or the end of the road.

B. A subdivision of land resulting in a parcel with sixty-six (66) feet of frontage on a public road, created to provide access to an isolated parcel of land, provided:

1. The isolated parcel shall have the same minimum lot size requirements described in Section A of this Article.

2. Such sixty-six (66) foot strip may be split from any parcel of record which meets the same minimum lot size requirements as described in Section A of this Article.
3. No other sixty-six (66) foot access strip is located within three hundred (300) feet in either direction on the public road.

4. No structure, sewage treatment system, or water supply system may be located on the sixty-six (66) foot access strip.

5. Such sixty-six (66) foot access strip must be combined with the isolated parcel.

6. No further subdivision of the isolated parcel will be permitted without the approval of a plat which shall include the construction of a road on the access strip.

C. A subdivision of land based on the division line being a body of water over twenty (20) feet in width, a railroad, or a public road. Each parcel must be provided with access to an existing public road either by fee ownership or easement.

D. A subdivision of land necessary for public or private utilities and road right-of-ways. Smaller lot sizes will be considered by the Planning Commission for public or private utility purposes and road right-of-ways.

E. A subdivision of land under the jurisdiction of the Pine County Zoning Ordinance that meets the minimum lot sizes, minimum lot dimensional standards, and all other provisions of said Ordinance.

4.02 Application for Certificate of Minor Subdivision

A. An Application for a Certificate of Minor Subdivision shall be submitted to the Zoning Administrator, who shall review the application for completeness and compliance with the requirements of this Ordinance.

B. In townships that have adopted zoning ordinances, the application shall include correspondence from the affected township stating that the proposed subdivision is in compliance with the zoning regulations of the affected township.

4.03 Application Requirements

A. The application must include a map or sketch drawn to a standard engineer’s scale on a sheet a minimum size of eight and one-half by eleven (8 ½ x 11) inches, which includes:
1. The original parcel description, as contained in the deed of record or Abstract of Title, and the proposed legal descriptions of both the new and remaining parcels.

2. Proposed new property line for the new and remainder parcels, with dimensions noted.

3. All contiguous property and all roads and their proper name(s), if available.

4. Citation and location of any existing legal right-of-ways or easements affecting the property.

5. Proposed use of both the new and remaining parcels.

B. The Zoning Administrator shall notify the applicant of the status of the application and return incomplete applications to the applicant.

4.04 Review and Approval of Minor Subdivisions

A. The Zoning Administrator shall review the application and:

1. Determine if the objectives of this Ordinance are met.

2. May require a surveyor’s description or Certificate of Survey.

3. May notify or consult with the affected township, other County officials, or any other person having pertinent information to contribute to the review of the Minor Subdivision, and may seek professional advice.

4. After consultation with the Planning Commission, may require a public hearing.

B. The Zoning Administrator shall grant a Certificate of Minor Subdivision if the requirements of this Ordinance are met. If denied, the applicant shall be notified of the reason(s) for denial. Appeal of a denial by the Zoning Administrator shall be before the Planning Commission. Said appeal shall be made in writing to the Zoning Administrator and received no later than 30 days after the
date of the notification of denial of the Certificate of Minor Subdivision.

C. The Zoning Administrator shall issue a report of all completed reviews of Minor Subdivisions to the Planning Commission.

4.05 Lot Line Adjustments
Lot line adjustments between adjacent properties shall not require a certificate of minor subdivision issued by the Department, nor shall be required to submit application to the County, provided one of the following conditions are met:

A. After enactment of the transfer, each affected parcel meets Township, City, and County minimum lot standards and road frontage.

B. Property transfer involving one or more nonconforming parcels results in reduced nonconformity.

C. Transfer is necessary to correct improper placement of site improvements. Transfers that will result in increased nonconformity must be minimum necessary for transfer of site improvement(s).

ARTICLE 5.0 SUBDIVISION SKETCH PLAN

5.01 Required Information

A. Prior to the submission of an application for a Preliminary Plat, the subdivider shall submit, for review with the Zoning Administrator, five (5) copies of a Subdivision Sketch Plan which shall contain the following information:

1. Proposed plat name, parcel boundaries, and North point.

2. Description, nature and purpose of the proposed subdivision.

3. Streets on and adjacent to the parcel.

4. Significant topographical and physical features.

5. Proposed general street layout.

6. Proposed general lot layout.
B. Submission of a Subdivision Sketch Plan shall not constitute an application for a Preliminary Plat with the County.

5.02 Sketch Plan Review and Distribution

A. As far as may be practical on the basis of the Subdivision Sketch Plan, the Zoning Administrator shall advise the subdivider as promptly as possible of the extent to which the proposed subdivision conforms to the design standards of this Ordinance.

B. Following the Subdivision Sketch Plan review, the Zoning Administrator shall distribute copies of the Subdivision Sketch Plan to the following:

1. The County Engineer
2. The County Surveyor, or the authorized representative.
3. The Wetlands Administrator.
4. The Clerk of the affected Township.

C. The subdivided is encouraged to contact the above listed officials prior to the submission of an application for a Preliminary Plat to ensure the proposed subdivision meets the requirements of this Ordinance. Any comments provided by these officials should be included with the application.

4.05 Lot Line Adjustments

Lot line adjustments between adjacent properties shall not require a certificate of minor subdivision issued by the Department, nor shall be required to submit application to the County, provided one of the following conditions are met:

A. After enactment of the transfer, each affected parcel meets Township, City, and County minimum lot standards and road frontage.

B. Property transfer involving one or more nonconforming parcels results in reduced nonconformity.

C. Transfer is necessary to correct improper placement of site improvements. Transfers that will result in increased nonconformity must be minimum necessary for transfer of site improvement(s).
ARTICLE 6.0 SUBDIVISION PLAT DESIGN STANDARDS

6.01 Land Suitability Requirements
Land shall be suited to the purpose for which it is to be subdivided.

A. The hazards of flooding, wetlands, inadequate drainage, soil and rock formations with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage treatment system capabilities or any other feature likely to be harmful to the health, safety and welfare of the future residents of the proposed subdivision shall be considered.

B. Land subject to these hazards shall not be subdivided until all such hazards have been eliminated, unless adequate safeguards against such hazards are provided.

C. Proposed lot sizes and land uses shall conform to the Pine County Shoreland Management Ordinance, the Pine County Floodplain Management Ordinance, the Kettle River Wild and Scenic River Ordinance or as specified in Sections 1.05(D) and 6.02(F), as applicable.

6.02 Blocks and Lots
The lengths, widths and shapes of blocks, and lots within blocks, shall be determined with due regard to:

A. Provision of adequate building sites suitable to the special needs of the principal and all required accessory uses.

B. Zoning requirements as to lot sizes and dimensions, and provisions regulating off-street parking and loading spaces.

C. Needs for convenient access, circulation, control and safety of street traffic.

D. Limitations and opportunities of topography.

E. Blocks intended for business or industrial use shall be of such width as to be considered most suitable for their respective use, including adequate space for off-street parking and deliveries.

F. The minimum lot area, lot width, and lot depth shall conform to the requirements of the zoning district in which the plat is
located, as required by the Pine County Shoreland Management Ordinance and the Kettle River Wild and Scenic River Ordinance. In those areas not covered by these ordinances, the minimum lot size and width shall be:

1. For all platted subdivisions the minimum lot area shall be one and one-half (1 ½) acres of buildable area, as defined in Section 2.03 of this Ordinance, and the lot frontage on a public road shall be a minimum of one hundred fifty (150) feet.

2. Smaller lot sizes will be considered by the Planning Commission for public or private utility purposes.

3. The minimum front yard primary and accessory structure setback shall be thirty (30) feet from the right-of-way line of the road. Corner lots are considered to have two front yards.

4. The minimum rear yard primary structure setback shall be thirty (30) feet from the rear property line. On corner lots, the area directly opposite from the yard where the access drive is located is considered the rear yard.

5. The minimum side yard primary structure setback shall be ten (10) feet from the side property line. On corner lots, any yard not considered a front yard or rear yard is considered a side yard.

6. The minimum rear and side yard setback for accessory structures shall be ten (10) feet from the nearest property line.

G. Lots abutting the turning end of a public or private road cul-de-sac, Y-turnaround, or T-turnaround shall have a minimum lot frontage of sixty-six (66) feet.

H. Block Length. In general, intersecting streets and roads determining block lengths shall be provided at such intervals as to serve cross-traffic adequately and to meet existing streets and roads.

I. Block Width. The width of the block shall normally be sufficient to allow two (2) tiers of lots of appropriate depth. Blocks intended
for business or industrial use shall be of such width as to be considered most suitable for their respective use, including adequate space for off-street parking and deliveries.

6.03 Roads, Highways, Streets and Alleys

A. The arrangement of highways shall conform as nearly as possible to the Pine County Comprehensive Plan. Except for cul-de-sacs, Y-turnarounds and T-turnarounds, roads and streets shall normally connect with roads and streets already dedicated in adjoining or adjacent subdivisions, or provide for future connection to adjoining unsubdivided tracts if feasible, as determined by the appropriate review party, or shall be a reasonable projection of roads in the nearest subdivided tracts. The arrangement of roads and streets shall be considered in their relation to the reasonable circulation of traffic, to topographic conditions, to storm water runoff, to public convenience and safety, and in their appropriate relation to the proposed uses of the area to be served.

B. Where the plat to be submitted includes only part of the parcel owned or intended for development by the subdivider, a tentative plan of a proposed future street and road system for the unsubdivided portion shall be prepared and submitted by the developer.

C. When a parcel is subdivided into larger than normal building lots or parcels, such lots or parcels shall be so arranged as to permit the logical location and openings of future roads and appropriate resubdivision, with provision for adequate utility connections for such resubdivision. This provision is intended to provide for future extension of municipal services.

D. Under normal conditions, roads shall be designed so as to intersect as nearly as possible at right angles, except where topography or other conditions justify variations. Under normal conditions, the minimum angle of intersection of roads shall be eighty (80) degrees. Road intersection jogs with an offset of less than one hundred twenty-five (125) feet shall be avoided.

E. Wherever the proposed subdivision contains or is adjacent to the right-of-way of a County, State, or Federal highway, provision may require a frontage road approximately parallel and adjacent to the boundary of such right-of-way, or a road at a distance suitable for the appropriate use of land between such road and right-of-way.
Such distance shall be determined with due consideration for the minimum distance required for approach connections to future grade separations or for lot depths.

F. For all public roads hereafter dedicated and accepted, the minimum right-of-way widths for streets, roads and highways shall be sixty-six (66) feet. Where existing or anticipated traffic on roads warrant greater widths of right-of-ways, they shall be required. All plats adjoining a County Road shall provide a minimum right-of-way of fifty (50) feet from the centerline of the County road to the right-of-way line of the property being subdivided, so as to allow a minimum total right-of-way of one hundred (100) feet for the County road.

G. When a proposed road does not connect directly with an existing public right-of-way, a public road easement of equal or greater width as the platted road shall be filed in the Office of the Pine County Recorder, prior to approval of the Final Plat. When a subdivision plat does not abut a public road, the road connecting said plat to the public road shall be brought up to the minimum County road standards as set forth in this Ordinance or those of the affected township, prior to approval of the Final Plat by the County Board. The subdivider shall be responsible for all costs associated with these requirements. Subdivisions will not be allowed if access is provided by an easement of a statutorily created cartway. Subdivisions are allowed on statutorily created and maintained County or township roads, or on a private road placed on a 66-foot access strip to a public road. (9-20-07 Rec. Doc. 467640)

H. Minor street access to State and County highways and township roads shall not be permitted at intervals of less than five hundred (500) feet.

I. Dead-end roads are permissible, where practical, however, adequate provision for turn-arounds shall be provided in the form of a cul-de-sac, Y-turnaround, T-turnaround or other suitable means. The minimum turning radius on a cul-de-sac shall be forty-five (45) feet. The maximum length of either leg of a Y-turnaround shall be seventy-five (75) feet, and the maximum length of a T-turnaround shall be one hundred twenty-four (124) feet. These are illustrated in APPENDIX A attached hereto.
J. Street grades. The grades in all streets, thoroughfares, collector streets, local streets and alleys in any subdivision shall not be greater than eight percent (8%), unless said grade is deemed acceptable by the County Engineer and the affected township.

K. Street Alignment. The vertical and horizontal alignment standards on all streets shall be a twenty (20) miles per hour (MPH) minimum design speed for vertical curves and a fifteen (15) miles per hour (MPH) minimum design speed for horizontal curves, unless otherwise deemed acceptable by the County Engineer and the affected township.

L. The County Engineer shall consult with the affected township officials to determine the required road construction standards, and set the criteria for approval by the County Engineer and acceptance as a township road by the township. The County Engineer’s determination of road design requirements shall be based on the following standards, except if a township has more restrictive standards, the township standards shall apply:

1. Road driving surface shall be twenty-two (22) feet wide with a one (1) foot transition edge, where the aggregate surface reduces from full depth to zero, on each side.

2. Shoulder slopes shall be three to one (3:1) with a four (4) foot wide ditch bottom.

3. Backslopes may be variable but not to exceed three to one (3:1).

4. There shall be a two (2) foot separation from the bottom of the aggregate at the road shoulder to the ditch bottom.

5. The road driving surface shall be covered with four (4) inches of stabilized gravel that meets with Minnesota Department of Transportation Specification 3138, Class 5.

6. Additional right-of-way and roadway widths may be provided or required to promote public safety and convenience when special conditions warrant, or to provide parking space in areas of intensive use.

7. All exposed slopes, ditches and areas where vegetation has been removed shall be seeded with an appropriate
seed mixture and covered with mulch material. All exposed slopes shall also be stabilized to reduce erosion.

These standards are illustrated in APPENDIX A attached hereto.

M. All roads in a subdivision shall be open to public travel and shall be labeled as such on the plat, except for private roads.

1. A subdivider who wishes is have the road system in a plat private and not open to public travel must include, in the documents submitted with the Preliminary Plat, the following information:

(a) A duly executed and recordable contract applicable to all property owners in the plat which specifies the method of assessment of maintenance costs, and a mechanism to enforce payment by each benefiting property owner.

(b) Supporting evidence as to why it is in the best interest of the subdivider and future property owners that the road system is private and not accessible to the public and is not to be accepted and maintained as a public road.

(c) Each deed of conveyance must contain reference to the contract for maintenance cost-sharing stated above.

(d) The plat shall also make reference to the contract for maintenance cost-sharing.

2. If the Planning Commission finds that the supporting evidence is sufficient and there are enforcement mechanisms in place, it shall make a recommendation of approval to the County Board as part of the Final Plat submission.

3. Any private road approved by the County Board shall be constructed in accordance with the standards set forth for public roads in this Ordinance.

4. The private road shall be memorialized on the plat.
N. Subdivisions containing public roads may not be filed as a Final Plat until the township has approved the design and construction of the road system. The township shall forward a resolution accepting the road system as township roads to the Zoning Administrator prior to submission of the Final Plat. The Chairman of the Township Board shall certify, on the Final Plat, that the roads are township roads and that the township approves the Final Plat. If the township refuses to accept the road system as township roads, the Planning Commission shall notify the County Board and subdivider of the reason(s) given by the township. Final Plat approval cannot occur on a plat with public roads that the affected township refuses to accept as township roads.

O. No structure, sewage treatment system or water supply system shall be allowed on any public or private roadway, road easement or cartway. Utility lines may be placed within the road right-of-way, or under the road, to connect a structure to a utility system, provided permission from the appropriate governing agency is obtained in the form of an easement for such purposes.

6.04 Drainage, Utility and Wetland Easements

A. An easement for drainage and utilities at least ten (10) feet wide shall be provided along the front line and/or rear line of lots where necessary. If necessary for the extension of water main or sewer lines or similar utilities, easements of greater width may be required along lot lines or across lots.

B. Drainage and utility easements shall connect with easements established on adjoining properties. These easements, when approved, shall not hereafter be changed without the approval of the County Board, upon recommendation of the Planning Commission.

C. Drainage and wetland easements may be required, where necessary, to ensure proper drainage and to protect both the interests of the public and the environment. Where storm water from adjacent areas naturally passes through a subdivision, adequate provision shall be included in the subdivision for facilities to route the storm water through the subdivision to its natural outlet by maintaining or replacing the natural watercourse.

D. When facilities such as ponds, swales, and ditches are constructed
for stormwater management purposes, documentation must be provided at the applicant’s expense by a qualified civil engineer registered by the State of Minnesota that they are designed and constructed to ensure that the rate of stormwater runoff post-development does not exceed the rate of stormwater runoff pre-development.

E. Maintenance of all stormwater facilities placed inside road rights-of-way is the responsibility of the agency controlling the affected right-of-way. Maintenance of all stormwater facilities placed outside road rights-of-way are the responsibility of the affected township to maintain. No application for Preliminary Plat Approval will be processed unless the affected township agrees in writing to the method and responsible party for maintenance of any stormwater facilities located outside road rights-of-way.

6.05 Road and Highway Improvements

A. The right-of-way shall be cleared and the road constructed in accordance with standards and specifications for road construction as approved by the County Engineer and the township.

B. All roads shall be of an overall width in accordance with the standards and specifications for road construction as approved by the County Engineer and the township.

C. Storm sewers, culverts, storm water inlets, and other drainage facilities will be required where they are necessary to insure adequate storm water drainage for the subdivision. Where required, such drainage facilities shall be constructed in accordance with the standards and specifications for road construction as approved by the County Engineer and the township.

6.06 Public Utilities

A. All public utility lines shall be placed within easements or dedicated public ways.

B. Where public utilities are to be placed underground entirely, it shall be done in such a manner so as not to conflict with other underground utility installations which traverse privately owned property.

6.07 Survey Monuments
All subdivision boundary corners, witness corners, lot and block corners, and points of tangency and curvature shall be marked with durable iron or steel survey monuments and shall be identified as required by Minnesota Statutes 505. At all section, quarter section, meander, or witness corners of the Government Survey (Public Land Survey System, or P. L. S. S.) within the subdivision, or on its perimeter, or otherwise as shown on the face of the plat, a Pine County Monument shall be placed and a “Certificate of Location of a Government Corner” shall be filed in the Office of the Pine County Recorder, if one is not already of record for said corner, or if the one of record should be updated. The notation, “Pine County Land Survey Monument” shall be placed on the face of the plat by each monument so shown. In addition, a Pine County Monument shall be placed, and a Certificate of Location of a Government Corner prepared and filed for each Government Corner necessary to survey the boundaries of the plat if such monument has not already been set and a Certificate filed. All U. S., State, County, and other official bench marks, or triangulations, or other monuments in or adjacent to the property shall be preserved in position unless a relocation is approved by the governing agency.

ARTICLE 7.0 PRELIMINARY PLAT

7.01 Application for Preliminary Plat

Application for a Preliminary Plat shall be submitted to the Zoning Administrator. The following information shall be on a map(s) drawn to a standard engineer’s scale:

A. Proposed name of the subdivision which shall not duplicate or be similar in pronunciation or spelling to the name of any plat heretofore recorded in Pine County.

B. Legal description of the parcel, name(s) and address(es) of the land owner(s), subdivider(s) and surveyor.

C. Individual approximate lot dimensions and acreage.

D. Approximate location, right-of-way, curve radii, radius and length of cul-de-sacs, Y-turnarounds, T-turnarounds, street grades and angle of intersections of all existing and proposed streets.

E. Graphic scale and North point.

F. Vicinity map drawn to suitable scale showing the location of the proposed subdivision in relation to adjoining roadways, highways, cities, and recognizable features, in a manner that properly determines the location of the subdivision.
G. Date of preparation.

H. Street profiles of all roads (may be on a separate map) as may be required by the County Engineer and the affected township.

I. Topographic data showing contours based in specific topographical features of a site with contour intervals between two (2) and ten (10) feet. The specific interval spacing will determined by the County Engineer or County Surveyor, or the authorized representative, after review of the Subdivision Sketch Plan.

J. Lot layout, lot and block numbers, and areas set aside for public and community purposes.

K. All drainage ways.

L. Delineation and the extent of rock outcrops, watercourses, marshes, wetlands, floodplains, shorelands, and wooded areas. Wetlands shall be as outlined in the January, 1989 “Federal Manual for Identifying and Delineating Jurisdictional Wetlands,” or as required by state law.

M. Location of existing or proposed drainage and utility easements.

N. All proposed deed restrictions or covenants to be recorded with the plat.

O. Location of a primary and a secondary area for an on-site sewage treatment system on each lot, which includes the following:

   1. A minimum of two (2) soil borings at least twenty-five (25) feet apart on the primary and secondary sewage treatment system sites.

   2. Soil borings must be taken to a minimum depth of seven (7) feet below the ground surface unless soil mottling (seasonally saturated soil) or ground water is encountered prior to the seven (7) foot depth.

   3. The soil boring information for the primary and secondary sewage treatment system sites shall detail the soil characteristics (color, texture, structure) of the sites. The locations of each soil boring shall be noted.
P. The primary location of the water supply system shall be shown on each lot.

Q. Stage Development. Whenever a proposed subdivision constitutes only a portion of a size sufficient for future enlargements of such subdivided portion, or where the intention is for future enlargements of such subdivided portion, a tentative plan for the future subdivision of the entire parcel shall be submitted.

R. Other information as required by the Zoning Administrator or Planning Commission.

7.02 Procedures for Preliminary Plat

A. The subdivider shall submit the following to the Zoning Administrator:

1. Twenty-five (25) copies of the Preliminary Plat of the proposed subdivision.

2. Twelve (12) copies of soils information, as specified in Section 7.01(O) of this Ordinance.

B. The Zoning Administrator shall distribute copies of the Preliminary Plat to the following:

1. Planning Commission, along with a copy of the topographic and soils information (7).
2. The County Engineer, along with a copy of the topographic and soils information (1).
3. The County Surveyor, or the authorized representative (1).
4. The Wetlands Administrator (1).
5. County Board (6).
6. The Soil and Water Conservation District Office (1).
7. The Clerk of the affected Township (2).
8. The City Clerk/Administrator of any municipality within two (2) miles of the affected property (1).
9. Minnesota Department of Natural Resources, Area Hydrologist (1).
10. Minnesota Department of Transportation, if on a State or Federal highway (1).

C. If any party referenced in Subsection B of this Section recommends disapproval, the reason(s) for disapproval shall be
fully stated in writing, including recommendations for modifications or revisions.

D. The Zoning Administrator shall set the time and place for a public hearing according to the provisions of Minnesota Statutes Chapter 394 and 505, as may be amended from time to time.

E. The Planning Commission shall take into consideration the following items in regard to the Preliminary Plat:

1. The plat shall be briefly reviewed before the hearing and studied thoroughly after the hearing.

2. Additional information necessary to properly consider the plat may be requested of the subdivider before or after the meeting.

3. Any County or township official or other person having pertinent information to contribute to the study of the proposed plat should submit the same in writing or in person at the public hearing.

4. The Planning Commission may seek professional advice concerning the plat.

5. The Planning Commission may approve, approve with modifications, or deny the Preliminary Plat. If approved or approved with modifications, the Planning Commission shall forward a report including the Preliminary Plat modifications and any issues relating to plat approval to the County Board and the affected township, informing them of their action on the plat. If not approved, the subdivider shall be notified of the reason(s) for denial.

7.03 Preliminary Plat Approval Time Limit

The approval of the Preliminary Plat shall be effective for a period of two (2) years. A single two (2) year extension may be granted by the Planning Commission. The subdivider may file a Final Plat limited to such portion of the Preliminary Plat which he/she proposes to develop and record at the time, provided that such portion must conform to all requirements of this Ordinance. If some portion of the Preliminary Plat has not been submitted as a Final Plat for approval within this period, a Preliminary Plat must again be submitted to the Planning Commission for approval.
ARTICLE 8.0 FINAL PLAT

8.01 Application for Final Plat
The subdivider shall submit the following to the Zoning Administrator:

A. Twelve (12) paper prints of the Final Plat.
B. A current Abstract of Title or a Certificate of Title.
C. A title opinion prepared by the subdivider’s attorney.

8.02 Final Plat Distribution
The Zoning Administrator shall distribute copies of the Final Plat as follows:

A. Planning Commission.
B. The County Surveyor, or the authorized representative.
C. The County Engineer.
D. The County Attorney, together with documents submitted in accordance with 801 B. and C.
E. The Clerk of the affected Township.

8.03 Reports
Written reports shall be submitted to the Planning Commission within thirty (30) calendar days:

A. The County Surveyor, or the authorized representative, shall state whether the Final Plat conforms to Minnesota Statutes 5050 and the Minnesota Society of Professional Surveyors Plat Manual.
B. The County Engineer shall state whether the road system conforms to the road standards of this Ordinance.
C. The County Attorney shall, upon the basis of the title opinion provided by the subdivider’s attorney, state whether the fee simple title to the platted property is in the sole ownership of the subdivider.
D. The affected township shall state whether the Final Plat is acceptable and all required improvements, including roads, will be accepted by the Township.
E. The Zoning Administrator shall state whether the Final Plat conforms to the Preliminary Plat approved by the Planning Commission and incorporates any changes that were requested by the Planning Commission.
F. The Planning Commission shall, after formal motion, inform the County Board that the Final Plat conforms to the requirements set forth in this Ordinance.

8.04 Final Plat Improvements

A. Final Plat approval by the County Board shall be given only after construction of all roads is completed by the subdivider and approved by the County Engineer and the affected township.

B. No Final Plat shall be approved by the County Board without first reviewing a report from the County Engineer which states that the improvements meet the requirements of this Ordinance and the affected township. In cases where water, sewer and/or other utilities are installed, drawings showing all improvements as-built, shall be filed with the County Engineer and the affected township.

C. All of the required road, utility and drainage improvements to be constructed under the provisions of this Ordinance shall be designed by a licensed Civil Engineer or a licensed Land Surveyor, when so directed by the Planning Commission, as part of the Preliminary Plat approval. When not so directed, the subdivider can select the appropriate design services. All improvements shall be inspected by the County Engineer during the course of construction. All of the inspection costs pursuant thereto shall be paid by the subdivider.

8.05 Final Plat Approval Time Limit
Within one year after Final Plat approval, the subdivider shall submit recordable copies of the Final Plat to the County Auditor. The township shall approve and sign the plat as required in Section 6.03(N) of this Ordinance. The County Board shall approve and sign the plat if all requirements have been met. The County Auditor shall file the Final Plat in the Office of the Pine County Recorder.

8.06 Sale of Lots
No lots shall be sold until the Final Plat is approved and recorded.

SECTION 9.0 VARIANCE

9.01 Application for Variance
An application for a variance from the requirements of this Ordinance shall be submitted by the subdivider to the Zoning Administrator at the time an application is submitted for a Certificate of Minor Subdivision or a Preliminary Plat. The application for variance shall include the details of the variance requested, together with supporting evidence for granting a variance. The
Zoning Administrator shall forward the application to the Board of Adjustment for its consideration. The applicant shall be given written notice of the meeting at which the variance will be considered.

9.02 Board of Adjustment Proceedings, Findings and Orders

A. The Board of Adjustment shall proceed according to Minnesota Statute 394.27 and County ordinances.

B. The Board of Adjustment shall issue its order within a reasonable time, not to exceed one hundred thirty (130) calendar days after the filing of an application for variance.

C. A variance may be granted by the Board of Adjustment where it can be determined that, by reason of exceptional circumstances, the strict enforcement of this Ordinance would cause undue hardship.

D. In granting a variance, the Board of Adjustment may impose any conditions that it deems necessary to insure compliance and to protect adjacent properties and the public interest. In making its decision, the Board of Adjustment shall proceed according to Minnesota Statute 394.27, Subd. 7.

E. The Zoning Administrator shall file all orders according to Minnesota Statute 394.27, Subd. 8.

ARTICLE 10.0 ENVIRONMENTAL REVIEW

Any proposal subject to the rules established by the Minnesota Environmental Quality Board for the Minnesota Environmental Review Program, must comply with the procedures established by the Minnesota Environmental Quality Board.

ARTICLE 11.0 ADMINISTRATION

11.01 Pine County Zoning Administrator

The Zoning Administrator shall administer the provisions of this Ordinance.

11.02 Pine County Zoning Board

The Pine County Zoning Board is hereby recognized and vested in such authority as provided by Minnesota Statute 394.27 and 394.30 and County Ordinances to perform the duties of the Board of Adjustment and the Planning Commission.

A. The Zoning Board shall be composed of seven (7) voting members appointed by the Chairman of the County Board in a manner described herein. One County Commissioner shall also be appointed by the
Chairman of the County Board as a non-voting liaison member of the Zoning Board. Members may be suspended or removed for non-performance of duty or misconduct in office. Any vacancies shall likewise be filled. At least two (2) members must reside in the unincorporated area of the County.

B. Each County Commissioner shall nominate one or more persons to serve as a member. These nominees do not have to reside in that Commissioner’s district. The Chairman shall appoint one member from each Commissioner’s list of nominees and two additional at-large members.

C. The terms of appointment for those members representing Districts 2, 4, and one at-large member will expire December 31, 2019 and each four (4) years thereafter. The terms of appointment for those members representing Districts 1, 3, 5, and one at-large member will expire on December 31, 2021 and each four (4) years thereafter.

ARTICLE 12.0 ENFORCEMENT

12.01 Pine County Zoning Administrator
This Ordinance shall be enforced by the Zoning Administrator, who is hereby designated the enforcing officer.

12.02 Penalties
Anyone violating any of the provisions of this Ordinance shall be guilty of a misdemeanor. Refusal to comply with the Ordinance after notification by the County that a violation exists shall constitute a separate offense.

ARTICLE 13.0 AMENDMENT

A. An amendment to this Ordinance may be initiated according to Minnesota Statute 394.25, Subd. 10.

B. The application for an amendment shall be submitted to the Zoning Administrator for referral to the Planning Commission for its review and recommendation. The Planning Commission shall conduct a public hearing according to Minnesota Statute 394.26. The Planning Commission shall make its recommendation to the County Board within a reasonable period of time.

C. The County Board may amend this Ordinance after receipt of a recommendation from the Planning Commission. Prior to amending this
Ordinance, the County Board shall conduct a public hearing according to Minnesota Statute 375.51.

**ARTICLE 14.0 FEES**

Fees, as established by County Board resolution, must accompany all applications submitted for consideration under this Ordinance. In the event that any Environmental Assessment Worksheets, Environmental Impact Statements or other additional studies are required, the subdivider shall be responsible for all costs associated with these studies. These costs shall include the hourly rate of County staff (including benefits), charges for copies, supplies and postage, and any additional charges for outside services which may be incurred by the County. The County shall be reimbursed for all costs associated with these studies and may require a cash deposit or equivalent bond to guarantee the reimbursement of these costs to the County.

**ARTICLE 15.0 EFFECTIVE DATE**

The Pine County Board of Commissioners ordains that this Ordinance shall be in full force and effect on the 1\textsuperscript{st} day of June, 2015.

Passed and approved this 21\textsuperscript{st} day of January, 2020, by the Pine County Board of Commissioners.

________________________________________
Stephan M. Hallan, Chair
Pine County Board of Commissioners

ATTEST:

________________________________________
David J. Minke
County Administrator

Notice of Public Hearing Published: 01/09/2020
Public Hearing: 01/21/2020
Adopted by County Board: 01/21/2020
Publication of Ordinance: 01/30/2020
Filed with County Recorder: 02/01/2020
Effective Date: 02/15/2020
APPENDIX A

Road Standards
Sketches
and
Specifications
Vertical Curve Design Standards

\[ A = |\text{Grade 1}| - |\text{Grade 2}| \]
(Crest curve shown.)

<table>
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<tr>
<th>Algebraic Grade Difference A ((%))</th>
<th>Min. Crest Curve Length (ft)</th>
<th>Min. Sag Curve Length (ft)</th>
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<tr>
<td>K</td>
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</table>

For vertical curves with an algebraic difference greater than 7\%, use the formula

\[ \text{Length} = K \times A \]

The above figures are based upon a design speed of 20 MPH on gravel surfaced roads.
Horizontal Curve Design Standards

The minimum radius for the road centerline shall be 150 feet. This is based on a design speed of 15 MPH on gravel surfaced roads.
1. Commissioner Mohr called the meeting to order at 9:00 a.m.

Members present: Commissioner Ludwig, Commissioner Mohr
Others Present: Jodi Blesener, Child Support Supervisor; Mark LeBrun, County Engineer; Pete Umbreit, Building Maintenance Supervisor; Caleb Anderson, Land and Resources Manager; David Minke, County Administrator.

2. **Motion** by Commissioner Ludwig to approve the agenda. Second by Commissioner Mohr. Motion carried 2-0.

3. **Motion** by Commissioner Ludwig to approve the Minutes of the December 4, 2019 Facility Committee meeting. Second by Commissioner Mohr. Motion carried 2-0.

4. **Solar Feasibility for County Facilities**
   Caleb Anderson explained that in September 2019 Pine County earned the Bronze destination from the National Sol Smart for actions taken to make the community more accommodating to the installation of solar energy systems.

   The Great Plains Institute offers a free solar feasibility assessment for county facilities. The consensus of the committee was to have Caleb work the Great Plains Institute to complete the assessment on those county facilities that the Institute thinks are the best candidates. The county is to provide the utility usage data for those facilities.

5. **Sound Issues Wright/Carlson Room**
   The County is working with St. Cloud Acoustics. The material will arrive the week of January 20th and then installation will be scheduled. The total cost is just under $10,000 and the project consists of the installation of acoustical panels on the ceiling in the clerestory.

6. **Courthouse Space Planning**
   The committee reviewed the work to date. The county has evaluated various options and determined that moving all staff from the SPGC into the courthouse is not feasible. The option of moving some staff back and leaving some at the SPGC is not viewed as a long-term solution as the county will have costs of renovation of the SPGC and operational costs at both sites. The consensus of the committee was to further explore the option of building an annex on the courthouse campus. For discussion purposes, the committee considered an approximately 7,000 square foot building on the south side of the existing courthouse.
Estimated project cost is $2-$2.5 million. Funding could be provided by refunding (refinancing) the existing courthouse bond to increase the term without increasing the bond payment.

The consensus of the committee is for the administrator to initiate conversations with the City of Pine City as to long-term space planning in the event the county no longer needed space in the SPGC and to continue to develop and refine details of the annex proposal.

7. Other project updates. None.

8. Next meeting February 5, 2020, 9:00 a.m. at the North Pine Government Center.

9. With no further business, the meeting adjourned at 9:48 a.m.
PINE COUNTY PERSONNEL COMMITTEE
Minutes
January 13, 2020 (Rescheduled from January 14, 2020) - 9:00 a.m.
Commissioners’ Conference Room, Pine County Courthouse
Pine City, Minnesota

Members present: Commissioner Matt Ludwig, Commissioner Steve Chaffee

Others Present: County Administrator David Minke, County Attorney Reese Frederickson, County Auditor-Treasurer Kelly Schroeder, County Assessor-Recorder Lorri Houtsma, and Human Resources Manager Jackie Koivisto.

1. Commissioner Ludwig called the meeting to order at 9:00 a.m.

2. **Motion** by Commissioner Chaffee to approve the Minutes of the December 12, 2019 Personnel Committee meeting. Second by Commissioner Ludwig. Motion carried 2-0.

3. **Motion by** Commissioner Chaffee to approve the January 13, 2020 agenda. Second by Commissioner Ludwig. Motion carried 2-0.

4. **Auditor-Treasurer**
   a. County Auditor-Treasurer Kelly Schroeder and County Assessor-Recorder Lorri Houtsma discussed staffing in the Assessor’s office. The direction of the county board is to continue with a local assessor system. Equity and fairness are goals that have been identified by county commissioners and staff as integral parts in the assessment system.

   To better implement those goals, the county needs to be more deliberate in its quality control and invest more staff time; however, with the current staff of seven, there is little to no ability to invest the staff time needed.

   Areas identified as needing a dedicated employee are: random review of the local assessor’s data entry and field work, act as “go-to” person for the local assessors, complete the sales verifications for the properties in the local assessor’s areas, assist with processing certificates of real estate value and other projects such as working with neighboring counties on cross-county agricultural homesteads.

   Options to fill staffing needs are to hire an assessor technician or hire a second Clerk III that could take over many of the administrative duties currently performed by the Assessor-Recorder and the Deputy Assessor allowing them more time to work on the quality control aspects listed above. After discussion hiring a Clerk III seems like the best choice.

   Commissioner Chaffee asked how the new position would be funded and Auditor-Treasurer Schroeder responded that a specific funding source had yet to be identified, but is confident the funding can be found through other areas and through good vacancy management.

   Auditor-Treasurer Schroeder requested approval to hire a Clerk III in the Assessor’s office and to backfill any subsequent vacancies due to internal promotion or lateral transfer. The position is a Grade 4 with a minimum starting wage of $17.41/hour.
Motion by Commissioner Ludwig to approve the hiring of a Clerk III in the Assessor’s Office and to authorize backfill of any subsequent vacancies due to internal promotion or lateral transfer. Position is grade 4 with a minimum starting wage of $17.41/hour. Second by Commissioner Chaffee. Motion carried 2-0.

5. Administration
   a. Human Resources Manager Jackie Koivisto gave a recap of the 2020 employee benefits open enrollment. The medical plan breakdown is as follows:

   222 total medical plan enrollments in the county-sponsored plans broken down as:
   30% CMM 1500 Plan (considered the base plan)
   28% H.S.A. High Value restricted network plan
   21% H.S.A. Open Network Plan
   13% H.S.A. Access restricted network plan
   8% VEBA plan

   Jackie pointed out that membership in the H.S.A. High Value restricted network plan has increased to almost the same level as the CMM 1500 base plan. The H.S.A. High Value plan has the lowest employee premium for family coverage and the highest employer contribution to the H.S.A. account for single contracts. Because Blue Cross has negotiated the lowest costs in the restricted network plans, higher enrollment should help control health care costs and in turn help to maintain reasonable insurance premiums for the county.

   b. Safety Committee Update
   Jackie reported that the safety committee has been reorganized and will hold its first meeting with the new committee members on January 22nd. Department representation is prescribed by State statutes. We feel that we have assembled a well-rounded committee that will become a resource for the county and work to protect the health and safety of employees. The personnel committee will provide oversight to the safety committee.

   c. Pay Equity Report
   Jackie presented the 2019 Pay Equity Report that is due to be filed with the State by January 31, 2020. State law requires public jurisdictions to eliminate any gender-based wage inequities in compensation and submit reports to the Minnesota Budget and Management agency (MMB) every three years.

   Pay Equity is a method of eliminating discrimination against women who are paid less than men for jobs requiring comparable levels of expertise. A policy to establish pay equity means 1) that all jobs will be evaluated and given points according to the level of knowledge and responsibility required to do the job (we used the SAFE System) and 2) that salary adjustments will be made if it is discovered that women are consistently paid less than men for jobs with similar points.

   To be compliant, we must pass four tests. The preliminary tests have been performed and the county is compliant. The four tests include:

   1) Completeness and Accuracy Test – requires report to be submitted on time, data must be correct and all required information provided.
2) Statistical or Alternative Test – Compares salary data to determine if female classes are paid consistently below male classes of comparable work value (job points). The underpayment ratio must be 80 and above – we passed with 85.

3) Salary Range Test – Compares the average number of years required for female classes to move through a salary range consisting of time-phased step progression to the average number of years required for male classes. Results of 0 or 80 and above are considered passing scores. The county passed this test at 93.14.

4) Exceptional Service Pay Test – this involves longevity pay which does not apply to us.

Jackie asked that the committee recommend approval of the Pay Equity Report so that it can be submitted to the State as required by January 31, 2020.

Motion by Commissioner Ludwig to recommend approval and submission of the 2019 Pay Equity Report. Second by Commissioner Chaffee. Motion carried 2-0.

With no further business, the meeting was adjourned at 10:20 a.m.
AGENDA REQUEST FORM

Date of Meeting: January 21, 2020

☑ County Board
☐ Consent Agenda
☐ Regular Agenda

☐ Personnel Committee
☐ Other

Agenda Item: Pay Equity Report

Department: Administration

Background information on Item:
Minnesota law requires all public jurisdictions such as cities, counties, and school districts to eliminate any gender-based wage inequities in compensation and to submit reports to Minnesota Management and Budget every three years. Information is submitted regarding job titles, job evaluation rating, and salary and jurisdictions must pass four tests to be in compliance: Completeness and Accuracy Test, Statistical or Alternative Test, Salary Range Test, and Exceptional Service Pay Test.

The results of the 2019 reporting for Pine County show Pine County is in compliance with all four tests.

Action Requested:

Financial Impact:
None.
The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

I. GENERAL JOB CLASS INFORMATION

<table>
<thead>
<tr>
<th></th>
<th>Male Classes</th>
<th>Female Classes</th>
<th>Balanced Classes</th>
<th>All Job Classes</th>
</tr>
</thead>
<tbody>
<tr>
<td># Job Classes</td>
<td>35</td>
<td>49</td>
<td>5</td>
<td>89</td>
</tr>
<tr>
<td># Employees</td>
<td>88</td>
<td>151</td>
<td>48</td>
<td>287</td>
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<tr>
<td>Avg. Max Monthly</td>
<td>5,467.98</td>
<td>4,962.96</td>
<td>5,089.96</td>
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<tr>
<td>Pay per employee</td>
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II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = \(\frac{85.00}{*}\)

<table>
<thead>
<tr>
<th></th>
<th>Male Classes</th>
<th>Female Classes</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. # At or above Predicted Pay</td>
<td>18</td>
<td>21</td>
</tr>
<tr>
<td>b. # Below Predicted Pay</td>
<td>17</td>
<td>28</td>
</tr>
<tr>
<td>c. TOTAL</td>
<td>35</td>
<td>49</td>
</tr>
<tr>
<td>d. % Below Predicted Pay</td>
<td>48.57</td>
<td>57.14</td>
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</table>

\(\frac{b}{c} = d\)

*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

B. T-test Results

<table>
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<tr>
<th>Degrees of Freedom (DF)</th>
<th>Value of T = 4.997</th>
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<td>237</td>
<td>$1</td>
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<tr>
<td>($70)</td>
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III. SALARY RANGE TEST = \(93.14\) (Result is \(A\) divided by \(B\))

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<th></th>
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<th>Female Classes</th>
</tr>
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<tbody>
<tr>
<td>A. Avg. # of years to max salary for male jobs</td>
<td>9.09</td>
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<tr>
<td>B. Avg. # of years to max salary for female jobs</td>
<td>9.76</td>
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IV. EXCEPTIONAL SERVICE PAY TEST = \(0.00\) (Result is \(B\) divided by \(A\))

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<tr>
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<th>Male Classes</th>
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</thead>
<tbody>
<tr>
<td>A. % of male classes receiving ESP</td>
<td>0.00 *</td>
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<tr>
<td>B. % of female classes receiving ESP</td>
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*(If 20% or less, test result will be 0.00)
<table>
<thead>
<tr>
<th>Job Nbr</th>
<th>Job Title</th>
<th>Nbr Males</th>
<th>Nbr Females</th>
<th>Class Type</th>
<th>Nbr Class</th>
<th>Jobs Points</th>
<th>Min Mo Salary</th>
<th>Max Mo Salary</th>
<th>Yrs to Max Salary</th>
<th>Yrs of Service</th>
<th>Exceptional Service Pay</th>
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</tr>
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</table>
### Job Class Data Entry Verification List

**Case:** 2019 Data

#### Pine County

**LGID 1623**

<table>
<thead>
<tr>
<th>Job Nbr</th>
<th>Title</th>
<th>Males</th>
<th>Females</th>
<th>Class Type</th>
<th>Jobs Points</th>
<th>Min Mo Salary</th>
<th>Max Mo Salary</th>
<th>Yrs to Max Salary</th>
<th>Yrs of Service</th>
<th>Exceptional Service Pay</th>
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Interpreting Results of Compliance Tests

Your jurisdiction is required to pass four tests to be in compliance.

1. **Completeness and Accuracy Test**
   - Report is submitted on time
   - Data is correct
   - Required information has been provided
   - For more information, refer to the Guide to Understanding Pay Equity Compliance

2. **Statistical or Alternative Test**
   - Compares salary data to determine if female classes are paid consistently below male classes of comparable work value (job points). The Minnesota Pay Equity Management System will generate results applying the Statistical Analysis Test. Underpayment ratio results of 80 and above are passing. In some cases, the Alternative Analysis is required and consists of a manual review of the data. Refer to the following page to determine which test applies to your report. For more information, refer to the Guide to Understanding Pay Equity Compliance.

3. **Salary Range Test**
   - Compares the average number of years required for female classes to move through a salary range consisting of a time-phased step progression to the average number of years required for male classes. Results of 0 or 80 and above are passing scores. (Test does not apply if years to achieve maximum salary are not defined or if salary ranges are not defined). For more information, refer to the Guide to Understanding Pay Equity Compliance.

4. **Exceptional Service Pay Test**
   - Compares the percentage of female classes receiving longevity or performance pay to the percentage of male classes receiving longevity or performance pay. In noting exceptional service pay, recipients must exceed the maximum salary reported. Results of 0 or 80 and above are passing scores. (Test does not apply if exceptional service pay is not available in your jurisdiction). For more information, refer to the Guide to Understanding Pay Equity Compliance.
AGENDA REQUEST FORM

Date of Meeting: January 24th, 2020

☑️ County Board

☐ Consent Agenda

☐ Regular Agenda 5 mins ☐ 10 mins ☐ 15 mins ☑ Other ☐

☐ Personnel Committee

☐ Other

Agenda Item: Cultural Community Coach Update

Department: Probation

[Signature]

Department Head signature

Background information on Item:

Supervisor Kevin Glass, along with Cultural Community coach Bill Schaaf will provide an update to the County Board on what type of activities he has been doing since he started.

Action Requested:

Informational Only

Financial Impact:
2019 Cultural Community Coach Activities/Youth Programming

Boxing Program

- Free evening boxing training program.
- Free membership at Meshakwad Community Center.
- Gear provided.
- August 9, 2019 five youth attended the public boxing event at Grand Casino Events Center, meet and greet with the contenders, limousine ride to/from event.

Basketball Program

- Start date 1/8/2020.
- Grades 7-9 (League #1).
- Grades 10 and above, including adults (League #2).
- Referees, scorekeepers, game clock (official planned games).
- Uniforms included.
- Possible 3X3 tournament to start, depending on attendance.
- Meal planned after event with contracted food preparation.
- Transportation available through the WiiDo Program (limited).
- Future training with the Minnesota Timberwolves organization and possible play at Target Center.

Golfing Program

- Three golf events last season at Grand National Golf Course.
- MLBO Elders/Golf Members providing instruction.
- Reduced greens fees with possible waiver of greens fees in 2020.
- Community Coach participated in the MLBO sponsored family outing golf tournament.

“Mii O’ow Ezhi – Odaminoyawg Anishinabeg” - “How We Play as People” - Northern Indigenous Games Movement (NIGM)

- Northern Indigenous Games Movement (NGIM) is a Native owned Minnesota company that trains instructors to promote indigenous sports as part of an effort to keep the games alive.
- Indigenous games are part of Native American culture and contribute to healthy environment.
- NIGM is available to all Native American communities and public schools.

Birch Bark Crafts/Harvesting

- Community Coach harvested birch bark for use in classes/activities.
- 2020 involving youth in harvesting birch products.

Fishing with the Youth Outing

- Fishing outing on Sturgeon Lake.
- Fishing outing on Mille Lacs Lake on a launch out of Eddy’s Resort.
The MLBO Annual Women’s Gathering

- Took several young tribal members to attend the annual three-day event held at District I in October.
- Topics of discussion included domestic violence and murdered/missing Native women, round table discussion with tribal leaders about how they achieved their success, how education plays a role in their success, what are the barriers to reaching their goals the help their tribe.
- Meals, hotel stay, registration cost were covered by the MLBO Community Health Coordinator’s Office.

Ojibwe Culture, History, Story-Telling Event

- December 2019 presented by an Ojibwe Cultural Leader and assisted by the Cultural Community Coach. Topics presented included traditional legends, phases of life, overview of cultural importance of tobacco, wild rice, traditional medicines, cedar, and story-telling.

Ojibwe BINGO

- Designed to teach youth about basic Ojibwe words such as names of animals, names, places, etc.
- Event held at Meshakwad Community Center in coordination with Hinckley-Finlayson Public School.
- The MLBO provided a Cultural Coordinator to conduct the class.

Vaping Seminar

- Seminar held at Meshakwad Center in conjunction with Ojibwe BINGO event.
- Presentation by Mille Lacs Area Partners for Prevention. (MAPP)
- Information presented regarding the risks of vape use and damage that use can cause.

Equal Justice Committee

- Meeting with the 10th Judicial District Judges to discuss the Cultural Community Coach role and activities being done in Pine County.
- The committee is interested in cultural diversity training.
- The Committee shared information about internship opportunities for youth and asked how the information could get out to the youth. The Cultural Community Coach shared several ways the information could get out to youth.
EVENT PLANNING FOR 2020

1. Ojibwe Bingo Event and a presentation on the Dangers In Vaping.

2. Ojibwe Culture and History Training.

3. Traditional Ojibwe Birchbark Crafting.


7. Native Boxing Program Planning and Event Planning.

8. Native Basketball Training and Organization of Youth 3x3 and Regular Tournaments.

9. Cultural Awareness Training for Staff, Counselors, Probation Officers and Teachers.


11. Plan Indigenous Game Events with Games Coordinator Mr. Dan Ninham for local high schools.


13. Coordinate with local schools to identify various career and scholarship opportunities strictly available for Tribal youth.

14. Fishing with youth outing in July/August.
Pine Soil & Water Conservation District is requesting to be on the County Board agenda for the January 21<sup>st</sup> board meeting to present a resolution to extend the current Pine County Local Water Management Plan.

Per the Natural Resources Block Grant (NRBG), the County must have a water management plan in place. The resolution would extend the current water plan during the 1W1P planning process for the Lower St. Croix, Nemadji, Snake River, and Kettle River watersheds. The resolution would extend the current plan to 2025, which would give us ample time to complete all 4 1W1P’s.

**Action Requested:**
The Soil & Water District is asking for approval of the resolution (attached).
Resolution 2020-04

to Extend the Pine County
Comprehensive Local Water Management Plan

WHEREAS, Minnesota Statutes, §103B.301, Comprehensive Local Water Management Act, authorizes Minnesota Counties to develop and implement a Comprehensive Local Water Management Plan, and

WHEREAS, Pine County currently has a state approved Comprehensive Local Water Management Plan that covers the period of June 23, 2010 through June 23, 2020, and is currently involved a One Watershed One Plan (1W1P) planning process for the Lower St. Croix, Nemadji, and Snake River Watersheds, and

WHEREAS, the Lower St. Croix 1W1P, Snake River 1W1P, Nemadji 1W1P, and Kettle River/Upper St Croix 1W1P would substitute for the current Comprehensive Local Water Management Plan in accordance with M.S. 1.3B.801, and

WHEREAS, Minnesota Pollution Control Agency (MPCA) plans are a valuable resource in Pine County Watershed Planning, and

WHEREAS, WRAPS Monitoring and Assessment Report is in process for the remaining Pine County Watersheds (Kettle River/Upper St. Croix Watershed) which is projected to be completed by September 2020, and

WHEREAS, extending the current water plan through December 31, 2025 will allow for inclusions of the WRAPS recommendations into the remaining watersheds 1W1P, and

WHEREAS, the Minnesota Board of Water and Soil Resources has authorization to grant extensions pursuant to Minnesota Statutes §103B.3367;

NOW, THEREFORE, BE IT RESOLVED, the Pine County Board of Commissioners requests from the Minnesota Board of Water and Soil Resources an extension of the effective date of the current County Comprehensive Local Water Management Plan until December 2025, in order to transition the remainder of Pine County to comprehensive watershed management informed by the WRAPS.

BE IT FURTHER RESOLVED, that the Pine County Board of Commissioners delegates the Pine County SWCD the responsibility of coordinating, assembling, writing and implementing the amended local water management plan pursuant to M.S. 103B.301-103B.33.

Dated this 21st day of January, 2020

______________________________  ____________________________
Stephen Hallan, Chair    David J Minke, County Administrator
Pine County Board of Commissioners  Clerk to the County Board
Agenda Item: Lower St. Croix One Watershed One Plan Update

Department: Planning & Zoning

Background information on Item:

Development of the Lower St. Croix Comprehensive Watershed Plan began in October of 2017. To date the project has produced prioritized basin-level issues, aggregation of technical watershed data, an analysis of the local water plans within the watershed, and specific measurable goals for the watershed plan. As of January 2020, the Policy Committee has been in discussion of an organizational structure for plan implementation after adoption of this 10-year plan. Also, the Advisory Committee recently completed its final draft of the implementation table, which describes strategies for meeting goals identified in the plan and provides an estimated 10-year cost. The Policy Committee is scheduled to consider approval of the implementation table at their January 27th meeting.

Approval of the implementation table and determination of an organizational structure are the last major decisions the Policy Committee will need to make before the plan is assembled and forwarded for state approval and local adoption.

Action Requested:

Land & Resources Manager Caleb Anderson and Katie Petzel, Pine SWCD District Technician, will provide an overview of the plan’s implementation table and solicit County Board feedback. Pine County’s Policy Committee member, Steve Hallan, may bring those concerns forward at the January 27, 2020 Lower St. Croix Policy Committee meeting.

Financial Impact:

None.
**Planning Team Recommendations for Prioritizing the Use of Watershed Based Funds**

At the December 16th Planning Team Meeting, members discussed how to identify and prioritize the implementation actions that should receive Watershed Based Funds (WBFs). First, they acknowledged that in order to be eligible for WBFs, the implementation actions must have a clear water quality connection. They also noted that the funds should primarily support actions that need stable and consistent funding, and that they should be divided across types of actions so as to ensure progress in several parts of the plan.

Based on that discussion, they divided the implementation actions into three different categories:

**Highest Priorities for Watershed Based Funds**: These actions have basin-wide benefit, promote multiple benefits, maximize implementation efficiency, and would need consistent and reliable funding in order to be effective. Shared services are at the top of the list, and are expected to receive up to 25% of the WBF allocation in each biennium. Projects or programs for other actions would receive the remaining funding on the following breakdown:
- (25% for shared services)
- 45% for implementation
- 25% for prioritization and analysis actions
- 5% for plan administration

**Secondary Priorities for Watershed Based Funds, as available**: These actions have the potential to produce regional and basin-wide benefits but do not depend on stable and consistent funding for success. They will be considered for funding through WBFs depending on the amount remaining after highest priority actions have been considered, but may rely entirely on local funds or funding sources other than WBFs.

**Local priorities funded without Watershed Based Funds**: These actions were identified as ones that should be funded through sources outside of WBFs due to being low or no additional cost, locally specific, without an immediate connection to water quality outcomes, or without need for stable and consistent funding year over year.

The tables on the following pages show the results of the Planning Team’s recommendations for the priority level of each activity in the current Implementation Table (*200103_Draft Implementation Table_12 AC & PT Recs*). You can also view the Planning Teams’ recommended “A, B, C” priority level for each activity in the Implementation Table. Please note that no activities from the Prioritization and Analyses Table (formerly Research and Monitoring, Table D) are included below except for targeting projects by conducting 40 analyses to identify and prioritize water quality improvement projects within priority subwatersheds.
# Highest Priority Activities for Watershed Based Funds (Level “A”)

<table>
<thead>
<tr>
<th>High Priority Activities</th>
<th>Estimated 10-year cost¹</th>
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<tbody>
<tr>
<td><strong>Shared Services</strong></td>
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<tr>
<td>AGRICULTURE: Hire or contract with agricultural conservationist and agronomist for basin wide assistance with agronomy, outreach, and technical assistance to agricultural producers including conservation planning and nutrient management plans.</td>
<td>$1,250,000</td>
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<tr>
<td>DEVELOPED LANDS: Provide outreach, education and ordinance development on Minimal Impact Design Standards with local governments, developers, and others</td>
<td>$600,000</td>
</tr>
<tr>
<td>EVERYWHERE: Facilitate shared education and outreach program across basin to provide education; engage residents, businesses, and local officials; and promote and market programs and practices</td>
<td>$1,000,000</td>
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<tr>
<td><strong>Implementation</strong></td>
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<tr>
<td>AGRICULTURE: Provide cost share for installing or implementing agricultural best management practices, both structural and non-structural (e.g. soil health BMPs, feedlot improvements, buffers, swales, etc.).</td>
<td>$4,525,000</td>
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<tr>
<td>o Install BMPs on 2,200 acres that improve soil health and/or pollution in groundwater sensitive areas</td>
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<tr>
<td>o Install 220 BMPs to reduce total phosphorus by 3,300 lbs/year (15 lbs/BMP) and to reduce TSS, bacteria, and nitrogen as secondary benefit in Sunrise Watershed and tribs draining directly to St. Croix River</td>
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<tr>
<td>o Install 85 BMPs (or on 2,200 ac) in direct lake catchments to reduce TP by 1,275 lbs (15 lbs/BMP) and to reduce TSS, bacteria, and nitrogen as secondary benefit in regionally significant lakes²</td>
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<tr>
<td>DEVELOPED LANDS: Provide cost share for and actively promote installing, implementing, or retrofitting best management practices and green infrastructure on developed or developing lands. Projects to be chosen through multiple benefit scoring system based on subwatershed project targeting analyses</td>
<td>$3,300,000</td>
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<td>o Retrofit 20 existing developments with infiltration, recharge and reuse projects in critical groundwater recharge areas</td>
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<td>o Install 100 BMPs to reduce TP by 100 lbs. and to reduce TSS, bacteria, and nitrogen as secondary benefit (1 lb/BMP) in Sunrise Watershed and tribs draining directly to St. Croix River</td>
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</tr>
<tr>
<td>o Install 100 BMPs to reduce TP by 100 lbs; and to reduce TSS, bacteria, and nitrogen as secondary benefit in regionally significant lakes²</td>
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</tr>
<tr>
<td>SHORELINES: Provide outreach, education and cost share to lake associations and lake groups or shoreline owners to promote and install 100 shoreline restoration projects along regionally significant lakes²</td>
<td>$400,000</td>
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<tr>
<td>SHORELINES: Work with LGUs to set shoreline &quot;view corridors&quot; to 25% of lot width or maximum 35' width and maximum vegetation clearing standards or adopt innovative shoreland standards to protect buffers, native ecosystems, and habitat corridors in 2 LGUs</td>
<td>$120,000</td>
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<tr>
<td>WETLANDS: Create or restore 1,000 wetland acres in highest priority catchments within BWSR’s Compensation Planning Framework; and create and maintain 2 new BWSR approved wetland banks within the basin</td>
<td>$2,700,000</td>
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### High Priority Activities

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<th>Activity</th>
<th>Estimated 10-year cost&lt;sup&gt;1&lt;/sup&gt;</th>
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<tr>
<td>LAKE INTERNAL LOADING: Perform alum treatment, carp management, or other methods identified in feasibility studies to reduce internal loading in 3 internal loading lakes&lt;sup&gt;1&lt;/sup&gt;</td>
<td>$600,000</td>
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<tr>
<td>LAND PROTECTION: Provide cost share to landowners for land restoration or easement establishment or local matching funds for acquisition grant programs; 1,000 acres protected in high priority, critical habitat areas</td>
<td>$1,000,000</td>
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#### Prioritization and Analysis

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<tr>
<td>TARGETING PROJECTS: Conduct 40 analyses to identify and prioritize water quality improvement projects within priority subwatersheds. Methods and analyses can include site or field scale subwatershed analyses, diagnostic monitoring, spatial analysis and mapping, modeling, cost benefit analyses, or other data-driven targeting activities.</td>
<td>$1,200,000</td>
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</tbody>
</table>

<sup>1</sup> Although these are highest priority activities for Watershed Based Funds, other funding sources will be leveraged for some of these activities

<sup>2</sup> See Table of Regionally Significant Lakes for pollutant reductions and protections

<sup>3</sup> See Table of Regionally Significant Lakes in need of internal loading analyses

### Secondary Priority Activities for Watershed Based Funds (Level “B”)

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<th>Activity</th>
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</thead>
<tbody>
<tr>
<td><strong>Implementation</strong></td>
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<tr>
<td>ADDRESSING SSTS: Provide education to landowners and cost share to upgrade 200 non-conforming and non-compliant SSTS and to seal abandoned wells where groundwater pollution sensitivity is high, along shores of nutrient impaired lakes, and throughout Chisago County</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>STREAM RESTORATION: Implement 5 large stream restoration projects in St. Croix River direct drainage tributaries</td>
<td>$1,750,000</td>
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<tr>
<td>TROUT STREAM PROTECTION: In watersheds of trout streams (Brown’s Creek, Valley Creek, Lawrence Creek, Trout Brook, Willow Brooke, Mill Stream, Falls Creek, Gilbertsons’s Creek) perform stream restorations, enforce development standards, install BMPs such that young-of-year recruitment and survival of previous year class is documented every 3 years</td>
<td>$??</td>
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</tbody>
</table>

| **Regulation and Policy**                                                |                                     |
| LAND PROTECTION: Work with landowners and local governments to update ordinances, and promote and coordinate land acquisition, conservation easements, land protection, and wetland buffer zoning in order to increase by 5 the number of LGUs with adopted wetland protections, realize goal of 10% of land in new developments dedicated to wildlife habitat in critical habitats, and implement 10 easements or acquisitions in lakesheds of priority lakes<sup>2</sup> | $??                                  |

| **Prioritization and Analysis**                                          |                                     |
| DITCH MANAGEMENT: Develop and implement plan for management and maintenance of ditch system including a system and protocol for establishing BMPs within easement right of ways of existing public ditches. | $50,000                             |
### Secondary Priority Activities

<table>
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<tr>
<th>Secondary Priority Activities</th>
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<tbody>
<tr>
<td>CULVERT INVENTORY: Perform culvert inventory with intent to redesign and restore as road projects are completed to help manage to natural hydrologic conditions</td>
<td>$100,000</td>
</tr>
<tr>
<td>LAND PROTECTION: Promote and provide technical assistance to develop and implement Landscape Stewardship Plans and Private Forest Management Plans in critical habitats, bluffs, fractured and degraded lands</td>
<td>$800,000</td>
</tr>
</tbody>
</table>

¹ Although these are highest priority activities for Watershed Based Funds, other funding sources will be leveraged for some of these activities

² See Table of Regionally Significant Lakes for Protection and Sustainable Development Needed

### Local Priority Activities for Watershed Based Funds (Level “C”)

<table>
<thead>
<tr>
<th>Local Priority Activities</th>
<th>Estimated 10-year cost¹</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Implementation</strong></td>
<td></td>
</tr>
<tr>
<td>LOCAL AGRICULTURAL ASSISTANCE: Provide conservation planning, technical assistance and education on agricultural best management practices through existing local staff and initiatives</td>
<td>$2,333,000</td>
</tr>
<tr>
<td>GROUNDWATER CONSUMPTION: Contact highest agricultural groundwater consumers; provide cost share to install smart irrigation technologies for 40 systems</td>
<td>$580,000</td>
</tr>
<tr>
<td>GROUNDWATER CONSUMPTION: Contact highest urban/suburban groundwater consumers; provide cost share to install smart irrigation technologies for 40 systems</td>
<td>$580,000</td>
</tr>
<tr>
<td>AIS: Partner with St. Croix River Association and MN AIS Research Center (MAISRC) to reduce the size and number of invasive phragmites locations by 50% or 45 infestation areas</td>
<td>$500,000</td>
</tr>
<tr>
<td><strong>Regulation and Policy</strong></td>
<td></td>
</tr>
<tr>
<td>DITCH MANAGEMENT: Incorporate policy to identify and map private ditches when developing conservation plans, providing cost share funding, or during other regulatory interactions with landowners</td>
<td>$??</td>
</tr>
<tr>
<td>DITCH MANAGEMENT: Incorporate policy to and review 100% of drainage projects for possible impacts to wetland quality; promote Conservation Drainage Management techniques on ditch maintenance activities.</td>
<td>$170,000</td>
</tr>
<tr>
<td>MIDS WORK: Work with State agencies and organizations to update Minimal Impact Design Standards to account for a changing climate and precipitation patterns by providing data and participating on committees or work groups</td>
<td>$??</td>
</tr>
<tr>
<td>PROJECT REVIEWS: Provide project reviews and technical assistance on stormwater management and urban BMPs through existing staff and initiatives</td>
<td>$??</td>
</tr>
<tr>
<td>WATER LEVELS: In the Chisago Chain of Lakes develop resiliency plans or responses, such as a Slow-No-Wake Ordinance or Channel and Weir Operations and Maintenance Plans, to address vulnerable properties</td>
<td>$100,000</td>
</tr>
<tr>
<td><strong>Prioritization and Analysis</strong></td>
<td></td>
</tr>
<tr>
<td>HAZARDOUS WASTE: Coordinate with State agencies and officials to identify and report hazardous waste generators</td>
<td>$??</td>
</tr>
<tr>
<td>Local Priority Activities</td>
<td>Estimated 10-year cost¹</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------------</td>
<td>--------------------------</td>
</tr>
<tr>
<td>DITCHING IMPACTS: Incorporate policy to develop ditch maintenance evaluation panel and</td>
<td>$??</td>
</tr>
<tr>
<td>implement conservation drainage management practices</td>
<td></td>
</tr>
<tr>
<td>UPLAND HABITAT: Develop and implement 20 new diverse landscape designs by working with</td>
<td>$500,000</td>
</tr>
<tr>
<td>developers/contractors and landowners in critical habitats and priority corridors</td>
<td></td>
</tr>
<tr>
<td>Staff Capacity</td>
<td></td>
</tr>
<tr>
<td>STAFF TRAINING: Provide training for local staff on topics related to drainage management,</td>
<td>$5,000</td>
</tr>
<tr>
<td>wetland management, and related areas</td>
<td></td>
</tr>
<tr>
<td>Social Capacity</td>
<td></td>
</tr>
<tr>
<td>AIS: Increase AIS inspections by 25%; provide education/outreach; and enforcement;</td>
<td>$3,550,000</td>
</tr>
<tr>
<td>install 20 new AIS signs at landings; install 4 new decontamination stations; and develop</td>
<td></td>
</tr>
<tr>
<td>one rapid response plan and early detection programs</td>
<td></td>
</tr>
<tr>
<td>AIS: Work with lake groups and associations on AIS prevention outreach and education</td>
<td>$385,000</td>
</tr>
<tr>
<td>¹Although these are highest priority activities for Watershed Based Funds, other funding</td>
<td></td>
</tr>
<tr>
<td>sources will be leveraged for some of these activities</td>
<td></td>
</tr>
</tbody>
</table>

Despite these being the highest priority activities for Watershed Based Funds, other funding sources will be leveraged for some of these activities.
Regionally Significant Lakes for Pollutant Reductions and Protections

<table>
<thead>
<tr>
<th>Lake ID</th>
<th>Name</th>
<th>Ag BMPs Needed</th>
<th>Urban BMPs Needed</th>
<th>Protection &amp; Sustainable Development Needed</th>
<th>Overall TP Reduction Goal lbs/yr</th>
<th>10-year TP Reduction Goal (5%/lake)</th>
<th>County</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003400</td>
<td>Martin</td>
<td>X</td>
<td>X</td>
<td></td>
<td>2,973</td>
<td>149</td>
<td>Anoka</td>
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<tr>
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<td>Linwood</td>
<td>X</td>
<td>X</td>
<td></td>
<td>341</td>
<td>17</td>
<td>Anoka</td>
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<tr>
<td>13004200</td>
<td>Birch</td>
<td>X</td>
<td>X</td>
<td>Not available</td>
<td></td>
<td></td>
<td>Chisago</td>
</tr>
<tr>
<td>13000100</td>
<td>Blooms*</td>
<td>X</td>
<td>X</td>
<td>Not available</td>
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<td></td>
<td>Chisago</td>
</tr>
<tr>
<td>13001200</td>
<td>Chisago</td>
<td>X</td>
<td>X</td>
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<td>143</td>
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<tr>
<td>13006800</td>
<td>Fish*</td>
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<td>X</td>
<td></td>
<td>8</td>
<td>0</td>
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<tr>
<td>13008301</td>
<td>Goose (North &amp; South)</td>
<td>X</td>
<td>X</td>
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<td>4,935</td>
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<tr>
<td>13004102 /13004101</td>
<td>Green/Little Green</td>
<td>X</td>
<td>X</td>
<td></td>
<td>33</td>
<td>2</td>
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<tr>
<td>13003300</td>
<td>Little</td>
<td>X</td>
<td>X</td>
<td></td>
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<tr>
<td>13003201</td>
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<td>X</td>
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<td>1,108</td>
<td>55</td>
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<tr>
<td>13003500</td>
<td>North Lindstrom</td>
<td>X</td>
<td>X</td>
<td></td>
<td>59</td>
<td>3</td>
<td>Chisago</td>
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<tr>
<td>13006901/13006902</td>
<td>Rush (East* &amp; West)</td>
<td>X</td>
<td>X</td>
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<td>6,663</td>
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<td>13002700</td>
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<td>1,260</td>
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<td>South Lindstrom</td>
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<td>X</td>
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<td>107</td>
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<tr>
<td>30000800</td>
<td>Hoffman*</td>
<td>X</td>
<td></td>
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<td></td>
<td>Isanti</td>
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<tr>
<td>30000300</td>
<td>Horseshoe*</td>
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<tr>
<td>30001200</td>
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<tr>
<td>30000700</td>
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<td>Strategies</td>
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<td></td>
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<tr>
<td>58011700</td>
<td>Rock</td>
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<td></td>
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<td>332</td>
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<tr>
<td>82004900</td>
<td>Big Carnelian</td>
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<td>X</td>
<td></td>
<td>53</td>
<td>3</td>
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<tr>
<td>82005204</td>
<td>Big Marine*</td>
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<td>X</td>
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<tr>
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<td>Clear*</td>
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</tr>
<tr>
<td>82003400</td>
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<td>82002500</td>
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<tr>
<td>82003100</td>
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<td>Protection Strategies Only</td>
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<td>Washington</td>
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</tbody>
</table>

*Groundwater Dependent Lakes

<p>| TOTAL LBS/YR | 27,180 | 1,359 |</p>
<table>
<thead>
<tr>
<th>Lake ID</th>
<th>Name</th>
<th>Internal Loading Analysis Needed</th>
<th>County</th>
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<tr>
<td>2002600</td>
<td>Linwood</td>
<td>A</td>
<td>Anoka</td>
</tr>
<tr>
<td>2003400</td>
<td>Martin</td>
<td>A</td>
<td>Anoka</td>
</tr>
<tr>
<td>30000900</td>
<td>Typo</td>
<td>A</td>
<td>Anoka, Isanti</td>
</tr>
<tr>
<td>13006901</td>
<td>East Rush</td>
<td>A</td>
<td>Chisago</td>
</tr>
<tr>
<td>13008301</td>
<td>Goose (North &amp; South)</td>
<td>A</td>
<td>Chisago</td>
</tr>
<tr>
<td>13001400</td>
<td>Linn</td>
<td>A</td>
<td>Chisago</td>
</tr>
<tr>
<td>13003300</td>
<td>Little</td>
<td>A</td>
<td>Chisago</td>
</tr>
<tr>
<td>13003400</td>
<td>Pioneer</td>
<td>A</td>
<td>Chisago</td>
</tr>
<tr>
<td>13004400</td>
<td>School</td>
<td>B</td>
<td>Chisago</td>
</tr>
<tr>
<td>13002900</td>
<td>Wallmark</td>
<td>A</td>
<td>Chisago</td>
</tr>
<tr>
<td>13006902</td>
<td>West Rush</td>
<td>A</td>
<td>Chisago</td>
</tr>
<tr>
<td>58011700</td>
<td>Rock</td>
<td>A</td>
<td>Pine</td>
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<td>82007600</td>
<td>Barker</td>
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<tr>
<td>82012000</td>
<td>Benz</td>
<td>A</td>
<td>Washington</td>
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<tr>
<td>82004900</td>
<td>Big Carnelian</td>
<td>B</td>
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<tr>
<td>82005400</td>
<td>Bone</td>
<td>B</td>
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</tr>
<tr>
<td>82011000</td>
<td>Downs</td>
<td>A</td>
<td>Washington</td>
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<tr>
<td>82003400</td>
<td>East Boot</td>
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<tr>
<td>82015900</td>
<td>Forest</td>
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<td>Washington</td>
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<td>82005900</td>
<td>Goose</td>
<td>B</td>
<td>Washington</td>
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<tr>
<td>82002100</td>
<td>Long</td>
<td>A</td>
<td>Washington</td>
</tr>
<tr>
<td>82004200</td>
<td>Lynch</td>
<td>A</td>
<td>Washington</td>
</tr>
<tr>
<td>82014800</td>
<td>Plaisted</td>
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<td>Washington</td>
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<tr>
<td>82015100</td>
<td>South School Section</td>
<td>A</td>
<td>Washington</td>
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<tr>
<td>82013500</td>
<td>Unnamed (Echo)</td>
<td>A</td>
<td>Washington</td>
</tr>
<tr>
<td>82007700</td>
<td>Unnamed (Goggins)</td>
<td>A</td>
<td>Washington</td>
</tr>
</tbody>
</table>
Lower St. Croix 1W1P
Update
Caleb Anderson, Land & Resources Manager
Katie Petzel, SWCD District Technician
Pine County
One Watershed One Plan

THE GOALS OF 1W1P

• Fewer and higher quality plans throughout the state

• Opportunities for regional solutions

• Non-competitive state funds provided for implementation
Lower St. Croix Plan Development Stages

- 1 year behind schedule
- 15 diverse entities participating

<table>
<thead>
<tr>
<th>Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1 Analyze and Prioritize Basin-Level Issues and Programs</td>
</tr>
<tr>
<td>3.2 Continue to Aggregate Watershed Information</td>
</tr>
<tr>
<td>3.3 Identify Priorities and Goals in Local Water Plans</td>
</tr>
<tr>
<td>3.4 Identify Stakeholder Goals and Priorities</td>
</tr>
<tr>
<td>3.5 Establish Measurable Goals</td>
</tr>
<tr>
<td>3.6 Develop a Targeted &amp; Measurable Implementation Schedule and Programs</td>
</tr>
<tr>
<td>3.7 Determine Organizational Arrangement for Plan Implementation</td>
</tr>
<tr>
<td>3.8 Counties develop additional 1W1P content to replace current water plans</td>
</tr>
<tr>
<td>3.9 Write Plan Final Review Draft</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Plan review &amp; approval</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.1 Formal Review (60-day review)</td>
</tr>
<tr>
<td>4.2 Public Hearing</td>
</tr>
<tr>
<td>4.3 Produce Final Plan</td>
</tr>
<tr>
<td>4.4 Plan Approval by BWSR</td>
</tr>
<tr>
<td>4.5 Local Adoption</td>
</tr>
</tbody>
</table>
Issues, Goals, Implementation Actions, Priority Locations, and Measurable Outputs provided for:

• Groundwater
• Rivers & Streams
• Lakes
• Wetlands
• Upland Habitat
• St. Croix River & Lake St. Croix
TYPES OF IMPLEMENTATION ACTIONS

Projects and programs
Actions such as technical assistance, cost share programs, funded best management practices, and other efforts which directly result in the implementation of physical projects.

Staff capacity
Actions that add to existing staff capacity, whether through shared services, training, or partnerships.

Social capacity
Actions that increase public awareness and understanding of LSC 1W1P goals and issues, as well as their voluntary participation in efforts to reach those goals.

Regulation and policy
Actions referencing existing or new regulations or policies.

Data collection, analysis and planning
Actions which include evaluation of sites, collection of data, development of plans, and monitoring.
EXAMPLE: ISSUE: Groundwater quality is impacted by land use and contamination
GOAL: Increase agricultural BMPs that improve soil health and reduce groundwater pollution

<table>
<thead>
<tr>
<th>Implementation Actions</th>
<th>Years 1-2</th>
<th>Years 3-4</th>
<th>Years 5-6</th>
<th>Years 7-8</th>
<th>Years 9-10</th>
<th>10-year Est Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>(A) Shared Services: Hire or contract with agricultural conservationist and agronomist for basin wide assistance with agronomy, outreach, and technical assistance to agricultural producers including conservation planning and nutrient management plans. [Agronomy includes the application of science and technology from the fields of biology, chemistry, economics, ecology, soil science, water science, pest management and genetics to improve and manage crops and cropping methods.]</td>
<td>$250,000</td>
<td>$250,000</td>
<td>$250,000</td>
<td>$250,000</td>
<td>$250,000</td>
<td>$1,250,000</td>
</tr>
<tr>
<td>(A) Provide cost share for installing or implementing agricultural best management practices, both structural and non-structural (e.g., soil health BMPs, feedlot improvements, buffers, swales, etc.). Projects to be chosen through multiple benefit scoring system based on subwatershed project targeting analyses.</td>
<td>$690,000</td>
<td>$940,000</td>
<td>$1,190,000</td>
<td>$1,190,000</td>
<td>$1,190,000</td>
<td>$5,200,000</td>
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<tr>
<td>(C) Provide conservation planning, technical assistance and education on agricultural best management practices through existing local staff and local initiatives</td>
<td>$312,000</td>
<td>$422,000</td>
<td>$533,000</td>
<td>$533,000</td>
<td>$533,000</td>
<td>$2,333,000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Priority Location</th>
<th>Measurable Output</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. GW Quality (GW1A)</td>
<td>Install BMPs on 2,200 acres that improve soil health and/or reduce nitrogen and pesticide pollution to groundwater -</td>
</tr>
<tr>
<td>Basin Wide Priority: Ag lands basin wide where: 1) DWSMA vulnerability is moderate, high, or very high; or 2) Pollution sensitivity to wells is high or very high; or 3) Pollution sensitivity to near surface materials is karst or high; or 3) Well testing show ≥ 5 mg/L nitrate (Approximately 6,300 acres) HI/HE</td>
<td>500 ac</td>
</tr>
</tbody>
</table>
Estimated Funding for 2020/2021 Biennium

The plan is designed to list, though not necessarily fund, local priorities, as 1W1P may replace local (County) water plans.
Watershed Based Funding (WBF)

$1.2 million provided by state, per biennium, for plan implementation

Plan allocates:
• 25% for shared services
• 45% for implementation
• 25% for prioritization and analysis actions
• 5% for plan administration

Prioritization for WBF

Highest Priorities
• Basin-wide benefits, multiple benefits
• Needs consistent reliable funding to be effective
• Shared services highest priority

Secondary Priorities
• Potential to produce basin-wide and regional benefits
• Doesn’t necessarily need consistent reliable funding
• Considered for WBF, but may need outside funding

Local Priorities
• Low or no cost activities, locally specific, without immediate connection to water quality outcomes
• Should be funded with non-WBF
## Highest Priority Shared Services

<table>
<thead>
<tr>
<th>Activity</th>
<th>Estimated 10-year cost from all funding sources</th>
</tr>
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<tbody>
<tr>
<td>AGRICULTURE: Hire or contract with agricultural conservationist and agronomist for basin wide assistance with agronomy, outreach, and technical assistance to agricultural producers including conservation planning and nutrient management plans.</td>
<td>$1,250,000</td>
</tr>
<tr>
<td>DEVELOPED LANDS: Provide outreach, education and ordinance development on Minimal Impact Design Standards with local governments, developers, and others</td>
<td>$600,000</td>
</tr>
<tr>
<td>EVERYWHERE: Facilitate shared education and outreach program across basin to provide education; engage residents, businesses, and local officials; and promote and market programs and practices</td>
<td>$500,000</td>
</tr>
</tbody>
</table>
Rock Lake

From Total Maximum Daily Load Report

From 1W1P Priority Lakes Table of Implementation Table Summary

THE PLAN IS TIED TO THE DATA
Closing

The Lower St. Croix Watershed Plan Policy Committee meeting will consider approval of the Implementation Table on January 27, 2020. Please forward any feedback to Commissioner Steve Hallan or Caleb Anderson.
AGENDA REQUEST FORM

Date of Meeting: January 21, 2020

- County Board
  Consent Agenda
- Regular Agenda 5 minutes

- Personnel Committee
- Other

Agenda Item: Snake River One Watershed One Plan

Department: Planning & Zoning

Background information on Item:

In August 2019, the Kanabec County SWCD was awarded a One Watershed One Plan planning grant for the Snake River Watershed. Since that time, county and SWCD staff from within the watershed have worked to develop a memorandum of agreement, work plan, budget, and timeline for the planning grant. The memorandum of agreement was reviewed and revised by the Pine County Attorney as well as attorneys from the partnering counties.

The Snake River Watershed represents 14.4% of Pine County’s total land area.

The Plan will be created under the following structure:

Policy Committee: Each organization that signs the MOA will appoint one elected official to serve on the Policy Committee, which will make all decisions on the plan content. The Policy Committee is forecasted to meet approximately monthly for the duration of the plan.

Advisory Committee: Composed of state agency staff, technical staff from Counties and SWCDs, and key stakeholders.

Steering Committee: Composed of staff from Counties and SWCDs. This group will help manage consultants and technical aspects of the planning process.

Action Requested:

Authorize Board Chair to sign Memorandum of Agreement for development of the Snake River Comprehensive Watershed Plan (One Watershed One Plan).

Financial Impact:

None.
MEMORANDUM OF AGREEMENT – SNAKE RIVER WATERSHED

This agreement (Agreement) is made and entered into by and between:

The Counties of Aitkin, Kanabec, Mille Lacs and Pine by and through their respective County Board of Commissioners, and

The Aitkin, Kanabec, Mille Lacs and Pine Soil and Water Conservation Districts, by and through their respective Soil and Water Conservation District (SWCD) Board of Supervisors, and

The Snake River Watershed Management Board & Citizen Advisory Committee (SRWMB), by and through their respective Board Members,

Collectively referred to as the “Parties.”

WHEREAS, the Counties of this Agreement are political subdivisions of the State of Minnesota, with authority to carry out environmental programs and land use controls, pursuant to Minnesota Statutes Chapter 375 and as otherwise provided by law; and

WHEREAS, the SWCDs of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out erosion control and other soil and water conservation programs, pursuant to Minnesota Statutes Chapter 103C and as otherwise provided by law; and

WHEREAS, the Watershed Management Organizations of this Agreement are political subdivisions of the State of Minnesota, with statutory authority to carry out conservation of the natural resources of the state by land use controls, flood control, and other conservation projects for the protection of the public health and welfare and the provident use of the natural resources, pursuant to Minnesota Statutes Chapters 103B, 103D and as otherwise provided by law; and

WHEREAS, the parties to this Agreement have a common interest and statutory authority to prepare, adopt, and assure implementation of a comprehensive watershed management plan in the Snake River Watershed to conserve soil and water resources through the implementation of practices, programs, and regulatory controls that effectively control or prevent erosion, sedimentation, siltation and related pollution in order to preserve natural resources, ensure continued soil productivity, protect water quality, reduce damages caused by floods, preserve wildlife, protect the tax base, and protect public lands and waters; and

WHEREAS, with matters that relate to coordination of water management authorities pursuant to Minnesota Statutes Chapters 103B, 103C, and 103D with public drainage systems pursuant to Minnesota Statutes Chapter 103E, this Agreement does not change the rights or obligations of the public drainage system authorities.

WHEREAS, the Parties have formed this Agreement for the specific goal of developing a plan pursuant to Minnesota Statutes § 103B.801, Comprehensive Watershed Management Planning, also known as One Watershed, One Plan.
NOW, THEREFORE, the Parties hereto agree as follows:

1. **Purpose:** The Parties to this Agreement recognize the importance of partnerships to plan and implement protection and restoration efforts for the Snake River Watershed (Attachment A). The purpose of this Agreement is to collectively develop and adopt, as local government units, a coordinated watershed management plan for implementation per the provisions of the Plan. Parties signing this agreement will be collectively referred to as the Snake River Watershed Partnership.

2. **Term:** This Agreement is effective upon signature of all Parties according to the Board of Water and Soil Resources (BWSR) Operating Procedures for One Watershed One Plan (version 2, March 28, 2018); and will remain in effect until 1-year after the term of the BWSR One Watershed, One Plan Planning Grant Agreement, unless cancelled according to the provisions of this Agreement or earlier terminated by law.

3. **Adding Additional Parties:** A qualifying party desiring to become a member of this Agreement shall indicate its intent by adoption of a board resolution prior to a date that is six months from the BWSR One Watershed, One Plan Planning Grant Agreement execution. The party agrees to abide by the terms and conditions of the Agreement; including but not limited to the bylaws, policies and procedures adopted by the Policy Committee.

4. **Withdrawal of Parties:** A party desiring to leave the membership of this Agreement shall indicate its intent in writing to the Policy Committee in the form of an official board resolution. Notice must be made at least 30 days in advance of leaving the Agreement. BWSR has identified the following parties as required parties for this agreement: Aitkin SWCD, Aitkin County, Kanabec SWCD, Kanabec County, Mille Lacs SWCD, Mille Lacs County and Pine SWCD, Pine County. If one of the required Parties according to the BWSR Operating Procedures for One Watershed One Plan withdraws from this agreement, it does not make this MOA null and void. Should this occur, the remaining Parties will hold discussions with BWSR representatives regarding the reallocation or reassignment of duties, grant funds, and future projection of the project as a whole.

5. **General Provisions:**
   
a. **Compliance with Laws/Standards:** The Parties agree to abide by all federal, state, and local laws; statutes, ordinances, rules and regulations now in effect or hereafter adopted pertaining to this Agreement or to the facilities, programs, and staff for which the Agreement is responsible.

b. **Indemnification:** Each party to this Agreement shall be liable for the acts of its officers, employees or agents and the results thereof to the extent authorized or limited by law and shall not be responsible for the acts of any other party, its officers, employees or agents. The provisions of the Municipal Tort Claims Act, Minnesota Statutes Chapter 466 and other applicable laws govern liability of the Parties. To the full extent permitted by law, actions by the Parties, their respective officers, employees, and agents pursuant to this Agreement are intended to be and shall be construed as a “cooperative activity.” It is the intent of the Parties that they shall be deemed a “single governmental unit” for the purpose of liability, as set forth in Minnesota Statutes § 471.59, subd. 1a(a). For purposes of Minnesota Statutes § 471.59, subd. 1a(a) it is the
intent of each party that this Agreement does not create any liability or exposure of one party for
the acts or omissions of any other party.

c. **Records Retention and Data Practices:** The Parties agree that records created pursuant to the
terms of this Agreement will be retained in a manner that meets their respective entity’s records
retention schedules that have been reviewed and approved by the State in accordance with
Minnesota Statutes § 138.17. The Parties further agree that records prepared or maintained in
furtherance of the agreement shall be subject to the Minnesota Government Data Practices Act.
At the time this agreement expires, all records will be turned over to Kanabec SWCD for
continued retention. After termination of this Agreement, the parties of this agreement shall
continue to have access to the records created pursuant to this Agreement.

d. **Timeliness:** The Parties agree to perform obligations under this Agreement in a timely manner as
agreed upon by all parties and keep each other informed about any delays that may occur.

e. **Extension:** The Parties may extend the termination date of this Agreement upon agreement by all
Parties.

f. This is a collaborative effort by the Parties and as such, no employees shall be hired as part of this
planning project.

6. **Administration:**

a. **Establishment of Committees for Development of the Plan.** The Parties agree to designate one
representative, who must be an elected or appointed member of the governing board, to a Policy
Committee for development of the watershed-based plan and may appoint one or more technical
representatives to an Advisory Committee for development of the plan in consideration of the
BWSR Operating Procedures for One Watershed, One Plan.

   i. The Policy Committee will meet as needed to decide on the content of the plan, serve as a
   liaison to their respective boards, and act on behalf of their Board. Each representative
   shall have one vote.

   ii. Each governing board may choose one alternate to serve on the Policy Committee as
   needed in the absence of the designated member.

   iii. The Policy Committee will establish bylaws within 6 months of execution of this document
to describe the functions and operations of the committee(s).

   iv. The Advisory Committee will meet monthly or as needed to assist and provide technical
   support and make recommendations to the Policy Committee on the development and
   content of the plan. Members of the Advisory Committee may not be a current board
   member of any of the Parties.

b. **Submittal of the Plan.** The Policy Committee will recommend the plan to the Parties of this
agreement. The Policy Committee will be responsible for initiating a formal review process for the
watershed-based plan conforming to Minnesota Statutes Chapters 103B and 103D, including public hearings. Upon completion of local review and comment, and approval of the plan for submittal by each party, the Policy Committee will submit the watershed-based plan jointly to BWSR for review and approval.

c. **Adoption of the Plan.** The Parties agree to adopt and begin implementation of the plan within 120 days of receiving notice of state approval and provide notice of plan adoption pursuant to Minnesota Statutes Chapters 103B and 103D.

7. **Fiscal Agent:** Mille Lacs SWCD will act as the fiscal agent for the purposes of this Agreement and agrees to:
   
a. Accept all responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan.

b. Perform financial transactions as part of grant agreement and contract implementation.

c. Annually provide a full and complete audit report.

d. Provide the Policy Committee with the records necessary to describe the financial condition of the BWSR grant agreement.

e. Retain fiscal records consistent with the agent’s records retention schedule until termination of the agreement (at that time, records will be turned over to Kanabec SWCD).

8. **Grant Administration:** Mille Lacs SWCD will act as the grant administrator for the purposes of this Agreement and agrees to provide the following services:

   a. Accept all day-to-day responsibilities associated with the implementation of the BWSR grant agreement for developing a watershed-based plan, including being the primary BWSR contact for the One Watershed, One Plan Grant Agreement and being responsible for BWSR reporting requirements associated with the grant agreement.

b. Provide the Policy Committee with the records necessary to describe the planning condition of the BWSR grant agreement.

9. The following parties agree to provide the following services to the Snake River Watershed Partnership:

   a. Kanabec SWCD: Project Coordinator

   b. Mille Lacs SWCD: Fiscal Agent, Administration

   c. Mille Lacs SWCD: Outreach Coordinator

   d. Pine SWCD: Notifications Coordinator

   e. Kanabec SWCD: Note Taker

10. **Authorized Representatives:** The following persons will be the primary contacts for all matters concerning this Agreement:
Kanabec SWCD
Deanna Pomije or successor
District Manager
2008 Mahogany St Ste 3
Mora MN 55051
Telephone: 320-679-3982
info@KanabecSWCD.org
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

KANABEC SWCD

By_______________________________ Date___________________
Chair, Kanabec SWCD Board

Attest
By_______________________________
Kanabec SWCD District Manager
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

KANABEC COUNTY BOARD OF COMMISSIONERS

By___________________________________     Date_________________
Chair, Kanabec County Board of Commissioners

Attest
By___________________________________
Kanabec County Administrator
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

PINE SWCD

By ____________________________      Date ______________
Chair, Pine SWCD Board

Attest
By ____________________________
Pine SWCD District Manager
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

PINE COUNTY BOARD OF COMMISSIONERS

By_____________________________ Date:_____________________
Chair, Pine County Board of Commissioners

Attest__________________________
Pine County Administrator
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

MILLE LACS SWCD

By ________________________________ Date ____________________________
Chair, Mille Lacs SWCD Board

Attest
By ________________________________
Mille Lacs SWCD District Administrator
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

MILLE LACS COUNTY BOARD OF COMMISSIONERS

By___________________________________     Date_________________
Chair, Mille Lacs County Board of Commissioners

Attest
By___________________________________
Mille Lacs County Administrator
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

AITKIN SWCD

By______________________________ Date____________________
Chair, Atkin SWCD Board

Attest
By______________________________
Aitkin SWCD District Manager
IN WITNESS WHEREOF, the parties have hereunto set their hands on the dates below.

AITKIN COUNTY BOARD OF COMMISSIONERS

By___________________________________     Date_________________
Chair, Aitkin County Board of Commissioners

Attest
By___________________________________
Aitkin County Administrator
TO: Pine County Commissioners  
FROM: David Minke, County Administrator  
DATE: January 21, 2020  
SUBJECT: Refugee Resettlement Under Executive Order 13888

On September 26, 2019 President Trump issued Executive Order 13888 (EO). The EO requires the consent of the state governor and the chief executive officer of the county prior to resettlement of refugees.

Since counties have not been involved in the refugee resettlement process, some background may be helpful.

The U.S. Refugee Admission Program (USRAP) was established by the Refugee Act of 1980 and is managed by the Department of State/Bureau of Population, Refugees, and Migration (PRM) in cooperation with the Department of Homeland Security (DHS) and the Department of Health and Human Services (HHS). Resettlement is a humanitarian protection tool developed by the U.S. and other countries as a last resort for refugees who cannot return to their home country and cannot rebuild their lives in the country to which they first fled. It is also a foreign policy tool used to support U.S. allies and stabilize countries hosting large numbers of refugees.

Under United States law, a refugee is someone who:

- Is located outside of the United States
- Is of special humanitarian concern to the United States
- Demonstrates that they were persecuted or fear persecution due to race, religion, nationality, political opinion, or membership in a particular social group
- Is not firmly resettled in another country
- Is admissible to the United States

The federal government determines how many refugees are admitted to the county and is responsible for screening refugees. The actual resettlement process is handled by private agencies. The agencies currently working in Minnesota are: (1) Catholic Charities (2) International Institute of Minnesota (3) Lutheran Social Services (4) Arrive Ministries and (5) Minnesota Council of Churches.

On December 18, 2019, Pine County received an email from Ben Walen, Division Director; Refugee Services; Minnesota Council of Churches. In the email, Mr. Walen stated:
I am writing today on behalf of the five refugee resettlement agencies in Minnesota. We are inviting you to please write a letter in support of ongoing refugee resettlement in Pine County, Minnesota.

Over the last five years (2015-2019), Pine County has received no primary refugee arrivals. Attached is a chart from the Minnesota Department of Human Services showing the total refugee primary resettlement in Minnesota. (Primary resettlement refers to the initial location a refugee is resettled. Once resettled, a refugee can move anywhere in the county.)

The total for the 5-year period was 8,128 and the total for 2019 was 848. The decline in refugees coming to Minnesota reflects the national trend. In 2010, the refugee cap was 80,000 with 73,311 actual resettlements. For 2020 the cap is 18,000.

The following 23 Minnesota counties have consented to the refugee resettlement under EO 13888:

Blue Earth  Brown  Clay
Cook  Dakota  Dodge
Fillmore  Goodhue  Hennepin
Kandiyohi  Mower  Murray
Nicollet  Nobles  Olmsted
Otter Tail  Pipestone  Pope
Ramsey  Redwood  Rice
Sherburne

One County, Beltrami, has voted to reject refugee resettlement. Under the EO, voting as Beltrami County did, has the same effect as taking no action.

The federal government provides $2,175 per refugee to the resettlement agency of which $1,175 must be used for direct support of the individual. Adults are expected to work and earn a living, and refugees are eligible to apply for social programs such as SNAP, WIC, cash assistance, etc.

In 2018, the Minnesota Office of the Legislative Auditor completed an assessment of the data available to calculate the fiscal impact of refugee resettlement. One conclusion of the study states, “We doubt that a comprehensive, accurate picture of refugee-related fiscal impacts—both revenues and costs—could be readily assembled using existing data.

The legislative auditor’s report does cite a national study: The Economic and Social Outcomes of Refugees in the United States: Evidence from the ACS. The study was written by William Evans and Daniel Fitzgerald and published in 2017. The study used data from the 2010-2014 American Community Survey (ACS). The analysis estimated the fiscal impact of refugees who came to the U.S. as adults. It concluded:

At the start of their U.S. residency, refugees do extract high costs because of the direct costs of relocation and high welfare use. However, over time these costs decrease quickly, and our estimates show that over a twenty-year period, refugees pay $21,000 more in taxes than they receive in benefits.
As noted above, comprehensive economic data on refugees is scarce. Refugees are a subset of immigrants, and in 2013 the Minnesota Chamber of Commerce issued a study titled “The Economic Contributions of Immigrants in Minnesota”. One of the conclusions of that study stated:

Despite the potential short-term costs to segments of the labor force, the bulk of the recent research finds that over the long-term immigrants bring a significant net benefit to Minnesota and to the United States Demographically, Minnesota needs immigrants.

We have invited Karin Blythe, Senior Program Manager, Refugee Services for Lutheran Social Services (LSS) of Minnesota to the January 21 county board meeting. She can answer questions related to the resettlement process and the work LSS has done with other counties.

There are several dates that are relevant for this issue. The EO was issued on September 26 with guidelines required by December 25. Refugee resettlement agencies must submit their resettlement plans to the Department of State by January 21. A refugee may not have a primary resettlement in a county which has not consented after June 1, 2020. The EO does not prohibit the resettlement of a refugee’s spouse or child following to join that refugee.

If commissioners are interested in granting consent, direction can be given to the county administrator to draft a letter of consent. The letter of consent needs to be renewed annually and can be withdrawn at any time.

On January 15, 2020, A federal court placed a preliminary injunction on the EO. An injunction simply stops enforcement while the judicial process continues.
# Primary Refugee Arrivals to Minnesota by County

**Federal Fiscal Years 2015-2019**

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>FFY2015</th>
<th>FFY2016</th>
<th>FFY2017</th>
<th>FFY2018</th>
<th>FFY2019</th>
<th>5 year Arrival Total</th>
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<td>ANOKA</td>
<td>116</td>
<td>138</td>
<td>94</td>
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<td>430</td>
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<td>5</td>
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<td>7</td>
<td>1</td>
<td>16</td>
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<tr>
<td>CLAY</td>
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<td>25</td>
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**Notes:**

- Counties not listed above have had zero primary refugee arrivals in the timeframe listed.
- Numbers listed are based on federal fiscal years (Oct-Sept).
Factsheet: U.S. Refugee Resettlement

Who is a refugee?

A person outside the U.S. seeking refuge. The U.S., based on international law, defines “refugee” as a person outside the country of his or her nationality, who is unable or unwilling to return to that country because of persecution or a well-founded fear of persecution based on his or her race, religion, nationality, membership in a particular social group, or political opinion.

The legal basis for humanitarian admissions of refugees and asylum seekers to the United States began with the Refugee Act of 1980, which defined a refugee, established the Reception and Placement (R&P) program for initial resettlement under the U.S. Department of State, and created the Office of Refugee Resettlement (ORR) under the Department of Health and Human Services (HHS).

Who determines the number of refugee admissions?

The President of the United States. The number of refugees accepted to the United States each year is set by the President in consultation with Congress.

What is the refugee limit for fiscal year 2019?

30,000. Although historically the U.S. has resettled more refugees than any other country, its resettlement program has not kept up with increase of the global refugee population that has increased by about 50 percent over the past five years.

While there were approximately 19.9 million refugees worldwide as of fiscal year (FY) 2017, the U.S. currently resettles just a small fraction of them. Less than 1 percent of the total number of displaced people on the world has been resettled to one of 37 current resettlement countries each year. In FY 2016, the U.S. admitted nearly 85,000 refugees, a number that declined to fewer than 54,000 refugees in FY 2017, the lowest number in a decade after President Trump reduced the cap on refugee admissions via executive order. In FY 2018, the president further reduced the refugee admission cap to 45,000, the lowest since the enactment of the Refugee Act of 1980. For 2019, the administration cut the number of admissions even more to 30,000. However, the cap represents the maximum number of refugees that may be resettled in a year and the Trump administration is unlikely to resettle anywhere close to 30,000 people in FY 2019. In FY2018, the administration failed to keep pace with the 3,750 refugees who would need to be resettled each month to reach the annual ceiling, resettling a total of less than a half of the annual admission number.
Where do refugees resettling in the U.S. come from?

All around the world. The United States admits refugees from more than 60 countries all around the globe. In FY 2018, U.S. refugees came mainly from Democratic Republic of Congo, Burma, Ukraine and Bhutan.

The number of U.S. refugees from Syria and Iran dropped considerably in FY18 due to implementation of the latest version of the Trump administration’s travel ban, which prevents individuals from Iran, Libya, North Korea, Somalia, Sudan, Syria, Yemen and certain government officials from Venezuela from entering the U.S. Because the travel ban has been in effect since June 2018 after being blocked by courts for nine months, the two countries are no longer among the top 10 countries of origin for U.S. refugees.
Where do refugees resettle?

All across the United States. Refugees have been resettled in 49 U.S. states, with Texas, Washington and Ohio resettling the most refugees in FY 2018.

![Table showing the top 10 U.S. states resettling refugees in FY2018]

Source: Refugee Processing Center

Who refers refugees to the U.S. for resettlement?

Primarily the United Nations High Commissioner for Refugees (UNHCR). UNHCR, the United Nations (UN) Refugee Agency, is an international agency dedicated to protecting forcibly displaced communities and stateless people. UNHCR screens applicants to determine whether they qualify as refugees and if they are in particular need of resettlement, and, if so, refers them to the U.S. and other countries. In some cases, for the U.S. refugee admissions program (USRAP), refugees are referred by a U.S. Embassy or a specially-trained nongovernmental organization; certain groups with family members in the U.S. or who served U.S. missions in Iraq also have application pathways.

How long does it take to screen and vet a refugee?

An average of nearly two years. While the total processing time varies depending on an applicant’s location as well as other circumstances and policy changes, the vetting time – from the refugee’s initial UNHCR referral to his or her arrival in the U.S. – has averaged approximately 18 to 24 months in recent years. Given recent developments, the length of the wait will likely increase.

To be admitted to the U.S., refugees go through several rounds of background checks, screenings and interviews under the United States Refugee Admissions Program (USRAP), including:
• After an initial screening by UNHCR, the nine Resettlement Support Centers (RSCs) located around the world collect applicants’ biographic and other information.

• After the State Department preliminarily approves an application to begin the resettlement process, they are reviewed by officers from U.S. Citizenship and Immigration Services (USCIS) in the Department of Homeland Security (DHS), as well as ongoing vetting by a variety of intelligence agencies (including the FBI, CIA, and others).

• USCIS also conducts an in-person interview with each refugee applicant before deciding whether to approve him or her for resettlement in the U.S.

• All USCIS-approved refugees then undergo health screening to prevent those with contagious diseases from entering the U.S.

• Most refugees undergo also a cultural orientation course prior their arrival.

• Before refugees arrive, it is established where in the United States they will initially live and which refugee resettlement agency will help orient them to life in the United States.

• After arrival to the U.S., all refugees are checked at the airport by a U.S. Customs and Border Protection (CBP) officer to ensure they are the same people that were screened and approved for admission.

What do refugee resettlement agencies do?

Assist refugees after their arrival in the U.S. After the final screenings by the U.S. government, the refugees are picked up at the airport by a representative of one of the nine domestic resettlement agencies, all of which have cooperative agreements with the U.S. Department of State.

Shortly before the arrival of the refugees, the resettlement agencies arrange for their housing, which include basic furnishings, appliances, climate-appropriate clothing, and some of the food typical of the refugees’ culture. When the refugees arrive, the resettlement agencies’ representatives then take refugees to their new homes.

After arrival, the resettlement agencies help refugees to start their lives in the U.S., assisting them with applying for a Social Security card, registering children in school, learning how to access shopping facilities, arranging medical appointments, and connecting them with needed social or language services.

How is the refugee resettlement funded?

Through the Department of State and the Department of Health and Human Services. The State Department’s Reception and Placement (R&P) program provides refugees with a loan to travel to the U.S., which they are required to start repaying after they arrive. The R&P program then supplies resettlement agencies a one-time sum per refugee to finance their first 30-90 days in the U.S. That money goes mostly towards rent, furnishings, food, and clothing, as well as costs of the agency staff case management and other integration services.

After three months, HHS’s Office of Refugee Resettlement (ORR) then works through the states and other nongovernmental organizations to provide refugees with limited cash and medical
assistance, as well as short-term language, employment, and social services, and longer term integration services.

**Can refugees legally work in the United States?**

**Yes.** Upon arrival in the U.S., refugees receive employment authorization and are encouraged to become employed as soon as possible so that they can support themselves.

**Can a refugee become a U.S. citizen?**

**Yes.** All refugees are required to apply for a green card to become a permanent resident after one year in the United States. After five years of residency, they become eligible to apply for U.S. citizenship.