

Mountain Lake City Council Meeting
Mountain Lake City Hall
Monday, July 18, 2016
6:30 p.m.

AGENDA

1. Meeting called to order by Mayor Mike Nelson
 - * Further information on agenda item is attached

2. Approval of Agenda and Consent Agenda
 - a. Bills: Check #'s 9918942 – 9919010 & 441E*(1-7)
 - b. Approval of Payroll Checks # 62556 - 62595
 - c. Approval of July 5 Council Minutes*(8-10)
 - d. Approval of May 11 Library Board Minutes, May Library Report and May Expenditures*(11-13)
 - e. Approval of June 13 Lake Commission Minutes*(14-15)
 - f. Approval of June 10 EDA Minutes*(16-17)
 - g. Approval of April 11 Tree Commission Minutes*(18)
 - h. Approval of June 9 Utilities Commission Minutes*(19)
 - i. Accept resignation of Jay Scheid from Lake Commission effective July 5, 2016

3. Public – A total of ten (10) minutes is allotted for individuals to briefly discuss a topic of concern with the Council.

4. Kuechle Underground v City of Mt. Lake, Meeting will be Closed, Attorney/Client Privilege

5. Cemetery – Placing of Tombstones Prior to a Burial

6. Adopt Capital Improvement Plan*(20-22)

7. Adopt Resolution #16-17R, 1406 3rd Ave.*(23-25)

8. Temporary Family Health Care Dwellings
 - a. First Reading Ordinance #6-16, Opt-Out of Requirements of MN Statutes*(26)
 - b. Consider Local Ordinance*(27-28)

9. Adopt Revised Police Department Policies*(29)
 - a. Avoiding Racial Profiling*(30-31)
 - b. Procession of Property Seized for Administrative Forfeiture*(32-35)

- c. Domestic Abuse Response and Arrest*(36-47)
 - d. Police Pursuit*(48-52)
10. Award Power Plant Engines Emission Control Project*(53)
11. Review of 2016 Budget To Date – separate packet
12. Administrator
- a. Part Time Trail/Parks Position Update
 - b. Salaries and Per Diems*(54)
 - c. FYI – Insurance Services Office (IS) Building Code Department Rating*(55-58)
 - d. FYI – MN Pollution Control Agency (MPCA) Approval of Wastewater Treatment Facility Plan*(59-61)
 - e. FYI MN Dept. of Health (MDH) Community Public Water System Inspection*(62-70)
13. Adjourn

DATES TO REMEMBER

TUESDAY OCTOBER 4 - CMPAS Annual Meeting, 3-7 PM, Mankato

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July 18, 2016
ck# 9918942
to
9919010

July 2016

Check Amt Invoice Comment

441E

10100 United Prairie

Paid Chk# 9918942 7/5/2016 AMAZON					
E 211-45500-592	A.V. Materials	\$134.13			LIBRARY AV
Total AMAZON		\$134.13			
Paid Chk# 9918943 7/5/2016 CITIZEN PUBLISHING					
E 101-41400-351	Legal Notices Publishing	\$61.60	6/1/16		CEMETERY FLOWERS AD
E 101-41400-351	Legal Notices Publishing	\$50.05	6/15/16		ORDINANCE-#2-16
E 101-41400-351	Legal Notices Publishing	\$65.45	6/15/16		ORDINANCE #6-16
E 101-41400-351	Legal Notices Publishing	\$34.65	6/15/16		HEARING-817 2ND AVE-DAYCARE
E 101-41400-351	Legal Notices Publishing	\$64.20	6/29/16		HELP WANTED AD
E 101-41400-351	Legal Notices Publishing	\$61.60	6/8/16		CEMETERY FLOWERS AD
Total CITIZEN PUBLISHING		\$337.55			
Paid Chk# 9918944 7/5/2016 DAVID SAVAGE					
E 101-41110-331	Travel Expenses	\$169.17	6/28/16		MILEAGE,LUNCH-KUEHLE MEDIATION
Total DAVID SAVAGE		\$169.17			
Paid Chk# 9918945 7/5/2016 FRONTIER					
E 211-45500-321	Telephone	\$64.75			LIBRARY PHONE 427-2506
Total FRONTIER		\$64.75			
Paid Chk# 9918946 7/5/2016 MELLISSA KLASSEN					
E 231-42154-404	Repairs/Maint Machinery/Equip	\$252.41			AMBULANCE SUPPLIES
Total MELLISSA KLASSEN		\$252.41			
Paid Chk# 9918947 7/5/2016 MINNESOTA ENERGY RESOURCE CORP					
E 211-45500-383	Gas Utilities	\$53.52			LIBRARY GAS
al MINNESOTA ENERGY RESOURCE CORP		\$53.52			
Paid Chk# 9918948 7/5/2016 NICKEL CONSTRUCTION					
E 101-41400-401	Repairs/Maint Buildings	\$1,397.19	16312		PRUNING & LANDSCAPING-CITY HALL
Total NICKEL CONSTRUCTION		\$1,397.19			
Paid Chk# 9918949 7/5/2016 PRAXAIR					
E 231-42154-210	Operating Supplies	\$81.47	73511472		OXYGEN FOR AMB
Total PRAXAIR		\$81.47			
Paid Chk# 9918950 7/5/2016 THIRD AVENUE AUTO PARTS					
E 101-43100-404	Repairs/Maint Machinery/Equip	(\$8.38)			EARLY PAY DISCOUNT
E 221-42200-404	Repairs/Maint Machinery/Equip	\$83.51	S154142		CLEANERS FOR FIRE DEPT
E 101-43100-215	Shop Supplies	\$249.95	S154396		1/2 INCH IMPACT WRENCH
E 101-43100-215	Shop Supplies	\$14.99	S154396		CHAIN LUBE
Total THIRD AVENUE AUTO PARTS		\$340.07			
Paid Chk# 9918951 7/5/2016 TOWNS EDGE AUTO					
E 221-42200-404	Repairs/Maint Machinery/Equip	\$216.32	76269		TEST BATTERY-2005 CHEV-FIRE DEPT
Total TOWNS EDGE AUTO		\$216.32			
Paid Chk# 9918952 7/5/2016 WENDY MEYER					
E 101-41400-331	Travel Expenses	\$161.72	6-28		MILEAGE-KUEHLE MEDIATION
Total WENDY MEYER		\$161.72			
Paid Chk# 9918953 7/5/2016 INTERNAL REVENUE SERVICE					
G 101-21703	FICA Tax Withholding	\$936.38			
Total INTERNAL REVENUE SERVICE		\$936.38			

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			Check Amt	Invoice	Comment
Paid Chk#	9918954	7/11/2016	COMMISSIONER OF REVENUE		
G 101-21702	State Withholding		\$47.86		
	Total	COMMISSIONER OF REVENUE	\$47.86		
Paid Chk#	9918955	7/11/2016	INTERNAL REVENUE SERVICE		
G 101-21703	FICA Tax Withholding		\$698.50		
G 101-21701	Federal Withholding		\$89.46		
	Total	INTERNAL REVENUE SERVICE	\$787.96		
Paid Chk#	9918956	7/7/2016	AFLAC		
G 101-21713	AFLAC		\$192.74		
	Total	AFLAC	\$192.74		
Paid Chk#	9918957	7/7/2016	BCBS/HSA		
G 101-21714	HSA		\$393.85		
	Total	BCBS/HSA	\$393.85		
Paid Chk#	9918958	7/7/2016	COMMISSIONER OF REVENUE		
G 101-21702	State Withholding		\$838.19		
	Total	COMMISSIONER OF REVENUE	\$838.19		
Paid Chk#	9918959	7/7/2016	GISLASON & HUNTER		
G 101-21712	Garnishments		\$362.72		
	Total	GISLASON & HUNTER	\$362.72		
Paid Chk#	9918960	7/7/2016	INTERNAL REVENUE SERVICE		
G 101-21701	Federal Withholding		\$1,934.35		
G 101-21703	FICA Tax Withholding		\$2,661.32		
	Total	INTERNAL REVENUE SERVICE	\$4,595.67		
Paid Chk#	9918961	7/7/2016	LAW ENFORCEMENT LABOR SERV		
G 101-21711	PD UNION DUES		\$147.00		
	Total	LAW ENFORCEMENT LABOR SERV	\$147.00		
Paid Chk#	9918962	7/7/2016	PERA		
G 101-21704	PERA		\$4,158.23		
	Total	PERA	\$4,158.23		
Paid Chk#	9918963	7/7/2016	VALIC		
G 101-21705	VALIC		\$388.00		
	Total	VALIC	\$388.00		
Paid Chk#	9918964	7/8/2016	BRUNTON ARCHITECHTS LTD		
E 450-46300-434	Project Expense		\$7,570.71	08-1698	ROSS CORNER-DESIGN CONCEPT
	Total	BRUNTON ARCHITECHTS LTD	\$7,570.71		
Paid Chk#	9918965	7/8/2016	CARCHIOUS RODNEY		
E 608-46330-401	Repairs/Maint Buildings		\$46.20		JUNE MAINT-HERITAGE ESTATES
E 607-46330-401	Repairs/Maint Buildings		\$23.80		JUNE MAINT-HERITAGE ESTATES
	Total	CARCHIOUS RODNEY	\$70.00		
Paid Chk#	9918966	7/8/2016	CITIZEN PUBLISHING		
E 205-46500-343	Busnes Recrut/Comm Dev		\$49.00	6/29/16	VISITORS GUIDE
E 240-46500-430	Miscellaneous		\$30.00	6/29/16	AD SALE OF FITNESS CENTER
	Total	CITIZEN PUBLISHING	\$79.00		
Paid Chk#	9918967	7/8/2016	DARON J. FRIESEN		

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			Check Amt	invoice	Comment
E 607-46330-402	Repairs/Maint- Ground		\$88.00		MOWING HERITAGE ESTATES
E 609-46330-402	Repairs/Maint- Ground		\$340.00		MOWING MASON MANOR
E 608-46330-402	Repairs/Maint- Ground		\$132.00		MOWING HERITAGE ESTATES
Total DARON J. FRIESEN			\$560.00		
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Paid Chk# 9918968	7/8/2016	HANSON PLUMBING			
E 240-46500-401	Repairs/Maint Buildings		\$77.39	3910	PLUMBING ISSUE AT FITNESS CENTER
Total HANSON PLUMBING			\$77.39		
<hr/>					
Paid Chk# 9918969	7/8/2016	HERRIGS CONSTRUCTION INC.			
E 450-46300-434	Project Expense		\$1,300.00	1077	REPAIR SIDEWALK-CORNER 4TH & 10TH ROSS PROJECT
Total HERRIGS CONSTRUCTION INC.			\$1,300.00		
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Paid Chk# 9918970	7/8/2016	LUCAN COMMUNITY TV			
E 240-46500-401	Repairs/Maint Buildings		\$163.67		CHANGE LOCKS-CUSTOM MOTORS BLDG
Total LUCAN COMMUNITY TV			\$163.67		
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Paid Chk# 9918971	7/15/2016	COUNTRY PRIDE SERVICES			
E 231-42154-212	Motor Fuels		\$166.33		AMB DIESEL
E 101-42100-212	Motor Fuels		\$500.24		PD-EXPLORER GAS
E 507-45150-212	Motor Fuels		\$359.99		WEED HARVESTOR GAS
E 221-42200-212	Motor Fuels		\$118.53		FD-GAS
E 101-45200-212	Motor Fuels		\$91.73		PARKS GAS
E 101-43100-212	Motor Fuels		\$327.33		ST DEPT GAS
E 101-42100-212	Motor Fuels		\$219.38		PD-EXPEDITION GAS
E 101-45200-404	Repairs/Maint Machinery/Equip		\$125.04	092536	LAWNMOWER TIRE
E 221-42200-404	Repairs/Maint Machinery/Equip		\$36.00	092662	FD-BALANCE TIRE
E 608-46330-401	Repairs/Maint Buildings		\$12.71	161628,16322	SCREWS,TOLIET SEAT-HERITAGE ESTATES
E 101-43100-430	Miscellaneous		\$24.09	161696,16169	ST DEPT-MR.CLEAN,NOZZLE,BOWL BRUSH
E 101-45200-404	Repairs/Maint Machinery/Equip		\$72.96	161887,16201	PARKS-SIGN,PAINT,TRASHBAGS,BULBS
E 101-42100-430	Miscellaneous		\$44.33	161989	PD-WATER,STEPSTOOL
E 101-43121-224	Street Maint Materials		\$46.46	161996	THINNER-ST STRIPPING
E 101-43150-220	Repair/Maint Supply		\$12.80	162087	STORM SEWER-MARKING PAINT
E 507-45150-404	Repairs/Maint Machinery/Equip		\$46.27	162261,16205	GREASE,BOLTS,OIL-WEED HARVESTOR
E 101-45183-401	Repairs/Maint Buildings		\$29.16	162314	CAMPGROUND-FAN,SHOWERHEAD
E 231-42154-404	Repairs/Maint Machinery/Equip		\$11.51	162442,16325	AMB-PAINT MARKER,KEY
E 211-45500-220	Repair/Maint Supply		\$36.06	162702	LIBRARY CLEANERS
E 235-46340-401	Repairs/Maint Buildings		\$13.20	163333	AMB DOOR REPAIR
Total COUNTRY PRIDE SERVICES			\$2,294.12		
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Paid Chk# 9918972	7/15/2016	MUNICIPAL UTILITIES			
E 101-46200-308	Training & Instruction		\$231.66		CEMETERY-3RD QTR SAFETY TRAINING
E 101-45200-308	Training & Instruction		\$231.67		PARKS-3RD QTR SAFETY TRAINING
E 101-00000-430	Miscellaneous		\$1,158.35		GENERAL-3RD QTR SAFETY TRAINING
E 101-43100-308	Training & Instruction		\$695.00		ST-3RD QTR SAFETY TRAINING
Total MUNICIPAL UTILITIES			\$2,316.68		
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Paid Chk# 9918973	7/15/2016	LAKER GRILL			
E 205-46500-430	Miscellaneous		\$40.08	4-8-16	4-8-16 EDA LUNCH
Total LAKER GRILL			\$40.08		
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Paid Chk# 9918974	7/15/2016	NORTHLAND TRUST SERVICES			
E 308-47000-611	Bond Interest		\$7,223.44		INTEREST-2006 ST PROJ
E 308-47000-620	Fiscal Agent s Fees		\$495.00		FISCAL AGENT FEES
Total NORTHLAND TRUST SERVICES			\$7,718.44		

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			Check Amt	Invoice	Comment
Paid Chk#	9918975	7/15/2016	NORTHLAND TRUST SERVICES		
E	307-47000-611	Bond Interest	\$1,645.00		LAKEVIEW ESTATES INTEREST
E	332-47000-617	2002 Improve Interest	\$106.05		JENNY'S SUB INTEREST
	Total	NORTHLAND TRUST SERVICES	\$1,751.05		
Paid Chk#	9918976	7/15/2016	NORTHLAND TRUST SERVICES		
E	608-46330-610	Interest	\$4,488.75		8-PLEX BOND INTEREST
E	607-46330-610	Interest	\$1,567.50		4-PLEX BOND INTEREST
	Total	NORTHLAND TRUST SERVICES	\$6,056.25		
Paid Chk#	9918977	7/15/2016	NORTHLAND TRUST SERVICES		
E	342-47000-620	Fiscal Agent s Fees	\$495.00		FISCAL AGENT FEES-THE LODGE
E	342-47000-610	Interest	\$16,948.75		INTEREST-THE LODGE
	Total	NORTHLAND TRUST SERVICES	\$17,443.75		
Paid Chk#	9918978	7/15/2016	NORTHLAND TRUST SERVICES		
E	341-47000-611	Bond Interest	\$35,121.25		MT POWER INTEREST
	Total	NORTHLAND TRUST SERVICES	\$35,121.25		
Paid Chk#	9918979	7/15/2016	ADVANCED SYSTEMS INC		
E	205-46500-200	Office Supplies	\$9.76	484427	COPIES ON SAVIN3352 4-12-16 TO 7-11-16
E	101-41400-200	Office Supplies	\$70.11	484427	COPIES ON SAVIN3352 4-12-16 TO 7-11-16
	Total	ADVANCED SYSTEMS INC	\$79.87		
Paid Chk#	9918980	7/15/2016	ALPHA WIRELESS COMMUNICATIONS		
E	221-42200-323	Radio-monthly service contract	\$36.00	684129	JULY FD RADIO MAINTENANCE
E	231-42154-323	Radio-monthly service contract	\$44.00	684129	JULY AMB RADIO MAINT
	otal	ALPHA WIRELESS COMMUNICATIONS	\$80.00		
Paid Chk#	9918981	7/15/2016	AMERIPRIDE		
E	101-41400-401	Repairs/Maint Buildings	\$41.78	2800637359	MATS FOR CITY HALL
E	101-43100-215	Shop Supplies	\$30.16	2800637359	TOWELS FOR ST DEPT
E	101-41400-401	Repairs/Maint Buildings	\$41.78	2800647514	MATS FOR CITY HALL
E	101-43100-215	Shop Supplies	\$30.16	2800647514	TOWELS FOR ST DEPT
	Total	AMERIPRIDE	\$143.88		
Paid Chk#	9918982	7/15/2016	ANDYS AUTO REPAIR & TOWING		
E	101-42100-430	Miscellaneous	\$150.00	5425	2 TOWS-POWWOW PARADE ROUTE
	Total	ANDYS AUTO REPAIR & TOWING	\$150.00		
Paid Chk#	9918983	7/15/2016	BOLTON & MENK INC.		
E	202-49400-434	Project Expense	\$1,944.14	0192020	ENGINEERING-WELL #7
	Total	BOLTON & MENK INC.	\$1,944.14		
Paid Chk#	9918984	7/15/2016	BORCHS SPORTING GOODS		
E	221-42200-430	Miscellaneous	\$956.00	AAV004583	8 JACKETS FOR FIRE DEPT
	Total	BORCHS SPORTING GOODS	\$956.00		
Paid Chk#	9918985	7/15/2016	BORDER STATES ELECTRIC		
E	221-42200-401	Repairs/Maint Buildings	\$268.30	911459606	LIGHTS FOR FIRE DEPT
	Total	BORDER STATES ELECTRIC	\$268.30		
Paid Chk#	9918986	7/15/2016	CASEYS-CREDIT CARD DEPARTMENT		
E	101-00000-430	Miscellaneous	\$63.04		UT GAS-BILLED THEM
E	101-45200-212	Motor Fuels	\$240.98		PARKS GAS
E	101-43100-212	Motor Fuels	\$162.80		ST DEPT GAS
E	205-46500-430	Miscellaneous	\$1.91	6/2	EDA-PLASTIC SILVERWARE

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			Check Amt	Invoice	Comment
E 507-45150-212	Motor Fuels		\$22.75	6/8	LAKE COMM-TRUCK DUMP WEEDS
Total CASEYS-CREDIT CARD DEPARTMENT			\$491.48		
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Paid Chk# 9918987	7/15/2016	COTTONWOOD SWCD			
E 101-45204-435	Tree Purchase		\$7,846.25		2016 TREES
Total COTTONWOOD SWCD			\$7,846.25		
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Paid Chk# 9918988	7/15/2016	COTTONWOOD COUNTY VET CLINIC			
E 101-42100-430	Miscellaneous		\$70.54		DOGS TO VET CLINIC
Total COTTONWOOD COUNTY VET CLINIC			\$70.54		
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Paid Chk# 9918989	7/15/2016	DEPT OF EMPLOYMENT & ECON DEVE			
E 507-46103-430	Miscellaneous		\$4.05		WEED HARVESTOR OPERATOR UNEMPLOYMENT-JL
Total DEPT OF EMPLOYMENT & ECON DEVE			\$4.05		
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Paid Chk# 9918990	7/15/2016	DIAMOND VOGEL PAINTS			
E 101-43121-224	Street Maint Materials		\$1,286.10	295168321	WHITE & YELLOW TRAFFIC PAINT
Total DIAMOND VOGEL PAINTS			\$1,286.10		
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Paid Chk# 9918991	7/15/2016	GM CONTRACTING			
E 202-49400-434	Project Expense		\$55,652.04		PAY #5 & FINAL FOR WELL#7
Total GM CONTRACTING			\$55,652.04		
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Paid Chk# 9918992	7/15/2016	HOMETOWN SANITATION SERVICE			
E 101-45183-384	Refuse/Garbage Disposal		\$120.00	192878	JULY CAMPGROUND GARBAGE
Total HOMETOWN SANITATION SERVICE			\$120.00		
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Paid Chk# 9918993	7/15/2016	KDOM RADIO			
E 101-00000-430	Miscellaneous		\$163.00	540160639507	MONTHLY ADV
Total KDOM RADIO			\$163.00		
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Paid Chk# 9918994	7/15/2016	KENNEDY & GRAVEN, CHARTERED			
E 101-45210-304	Legal Fees		\$378.00		TRAIL LEGAL FEES-YODER
Total KENNEDY & GRAVEN, CHARTERED			\$378.00		
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Paid Chk# 9918995	7/15/2016	L & S CONSTRUCTION			
E 101-43121-224	Street Maint Materials		\$150.50		ADD'L GRAVEL
Total L & S CONSTRUCTION			\$150.50		
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Paid Chk# 9918996	7/15/2016	LAKER GRILL			
E 205-46500-430	Miscellaneous		\$42.48	6125-35	7-8-16 EDA LUNCH-5 BEEF COMMERCIALS
Total LAKER GRILL			\$42.48		
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Paid Chk# 9918997	7/15/2016	MARSHALL CONVENTION & VISITORS			
E 101-42100-308	Training & Instruction		\$550.00	5-16 TO 5-20	FIREARMS CLASS-W.POHLMANN
Total MARSHALL CONVENTION & VISITORS			\$550.00		
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Paid Chk# 9918998	7/15/2016	MAYNARDS FOOD CENTER			
E 205-46500-430	Miscellaneous		\$24.13	6/10/16	EDA LUNCH 6-10-16
E 101-41400-200	Office Supplies		\$7.15	6/2/16	TRASH BAGS-CITY HALL
E 101-41400-200	Office Supplies		\$17.79	6/28/16	CLEANING SUPPLIES-OFFICE
E 101-43100-200	Office Supplies		\$48.81	6/8/16	TP& TOWELS-ST DEPT
Total MAYNARDS FOOD CENTER			\$97.88		
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Paid Chk# 9918999	7/15/2016	MIDSTATES			
E 101-45200-404	Repairs/Maint Machinery/Equip		\$35.18	216573	GRACO TRIGGER,PIVOT,NUT
Total MIDSTATES			\$35.18		

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Paid Chk#	9919000	7/15/2016	MIKE NELSON		
E 101-41110-331	Travel Expenses		\$178.50		MILEAGE & TRAVEL EXPENSE-KUECHLE MEDIATION
	Total MIKE NELSON		\$178.50		
Paid Chk#	9919001	7/15/2016	MILLENNIUM CREDIT CONSULTANTS		
E 231-42154-430	Miscellaneous		\$12.50		AMBULANCE ACCOUNT COLLECTION
	Total MILLENNIUM CREDIT CONSULTANTS		\$12.50		
Paid Chk#	9919002	7/15/2016	MINNESOTA RESORT & CAMPGROUND		
E 101-45183-433	Dues and Subscriptions		\$310.00	53460	DUES-7/1/16 TO 6/30/17
	tal MINNESOTA RESORT & CAMPGROUND		\$310.00		
Paid Chk#	9919003	7/15/2016	MUNICIPAL UTILITIES		
E 101-41400-200	Office Supplies		\$214.62		OFFICE-POSTAGE 4/1/16 TO 7/12/16
E 101-42100-200	Office Supplies		\$2.07		PD-POSTAGE 4/1/16 TO 7/12/16
E 507-46103-322	Postage		\$2.85		LAKE COMM-POSTAGE 4/1/16 TO 7/12/16
E 205-46500-200	Office Supplies		\$35.70		EDA-POSTAGE 4/1/16 TO 7/12/16
	Total MUNICIPAL UTILITIES		\$255.24		
Paid Chk#	9919004	7/15/2016	NORTHLAND TRUST SERVICES		
E 303-47000-611	Bond Interest		\$25,676.25		POPD KERNS INTEREST
	Total NORTHLAND TRUST SERVICES		\$25,676.25		
Paid Chk#	9919005	7/15/2016	PLUNKETT S		
E 211-45500-401	Repairs/Maint Buildings		\$54.30	5476737	QUARTERLY SERVICE AT LIBRARY
	Total PLUNKETT S		\$54.30		
Paid Chk#	9919006	7/15/2016	RADAR ROAD TEC		
E 101-42100-430	Miscellaneous		\$70.00	5106	PD-RADAR CERTIFICATION
	Total RADAR ROAD TEC		\$70.00		
Paid Chk#	9919007	7/15/2016	RITEWAY BUSINESS FORMS		
E 101-41400-200	Office Supplies		\$194.46	16-32396	PAYROLL CHECKS
	Total RITEWAY BUSINESS FORMS		\$194.46		
Paid Chk#	9919008	7/15/2016	SW/WC SERVICE COOPERATIVES		
E 101-42100-135	Employer Paid Other		\$420.50		AUGUST HEALTH INS-BRIAN LUNZ
E 205-46500-131	Employer Paid Health		\$1,229.42		AUGUST HEALTH INS-EDA
E 101-46200-131	Employer Paid Health		\$737.64		AUGUST HEALTH INS-CEMETERY
E 211-45500-131	Employer Paid Health		\$1,229.42		AUGUST HEALTH INS-LIBRARY
E 101-45200-131	Employer Paid Health		\$737.66		AUGUST HEALTH INS-PARKS DEPT
E 101-43100-131	Employer Paid Health		\$2,212.96		AUGUST HEALTH INS-ST DEPT
E 101-41400-131	Employer Paid Health		\$2,458.84		AUGUST HEALTH INS-OFFICE
E 101-42100-131	Employer Paid Health		\$3,224.16		AUGUST HEALTH INS-POLICE DEPT
	Total SW/WC SERVICE COOPERATIVES		\$12,250.60		
Paid Chk#	9919009	7/15/2016	SWEET FIELDS		
E 101-41110-430	Miscellaneous		\$34.50		23 CONES-MAYORS BIKE RIDE
	Total SWEET FIELDS		\$34.50		
Paid Chk#	9919010	7/15/2016	WESTERN COMMUNITY ACTION		
E 202-46300-434	Project Expense		\$40,243.00		GRANT-HOUSING
E 202-41400-434	Project Expense		\$4,444.00		GRANT-ADMIN
	Total WESTERN COMMUNITY ACTION		\$44,687.00		
	10100 United Prairie		\$252,852.33		

6

***Check Detail Register©**

July 2016

Check Amt Invoice Comment

Fund Summary

10100 United Prairie	
101 GENERAL FUND	\$41,281.03
202 2014 SMALL CITIES DEVELOP PROG	\$102,283.18
205 ECONOMIC DEVELOPMENT AUTHORITY	\$1,432.48
211 LIBRARY FUND	\$1,572.18
221 FIRE DEPT FUND	\$1,714.66
231 AMBULANCE FUND	\$568.22
235 SW HOUSING GRANT	\$13.20
240 PROTIENT-DTED LOAN	\$271.06
303 TIF #1-5 POPD KERNS	\$25,676.25
307 LAKEVIEW ESTATES-2007-2015A	\$1,645.00
308 2011 BOND REFUND-06 ST PROJ	\$7,718.44
332 2002 STREET IMPROV	\$106.05
341 T.I.F.# 1-6 MT POWER	\$35,121.25
342 T.I.F. #1-4 GOOD SAM	\$17,443.75
450 DOWNTOWN-ROSS PROJECT	\$8,870.71
507 LAKE COMMISSION FUND	\$435.91
607 EDA----4 PLEX FUND	\$1,679.30
608 EDA----8 PLEX FUND	\$4,679.66
609 EDA-- MASON MANOR	\$340.00
	<hr/>
	\$252,852.33

Paid Chk# 000441E 7/1/2016 BCBS/HSA

E 205-46500-130	Employer Paid HSA	\$1,650.00	JULY 2016 CITY HSA CONTRIBUTION
E 211-45500-130	Employer Paid HSA	\$1,650.00	JULY 2016 CITY HSA CONTRIBUTION
E 101-46200-130	Employer Paid HSA	\$990.00	JULY 2016 CITY HSA CONTRIBUTION
E 101-45200-130	Employer Paid HSA	\$990.00	JULY 2016 CITY HSA CONTRIBUTION
E 101-43100-130	Employer Paid HSA	\$2,970.00	JULY 2016 CITY HSA CONTRIBUTION
E 101-42100-130	Employer Paid HSA	\$4,300.00	JULY 2016 CITY HSA CONTRIBUTION
E 101-41400-130	Employer Paid HSA	\$3,300.00	JULY 2016 CITY HSA CONTRIBUTION
	Total BCBS/HSA	<hr/>	
		\$15,850.00	

DRAFT
Mountain Lake City Council Meeting
Mountain Lake City Hall
Tuesday, July 5, 2016
6:30 p.m.

Members Present: Mike Nelson, Dana Kass, Darla Kruser, Andrew Ysker

Members Absent: David Savage

Staff Present: Wendy Meyer Clerk/Administrator; Maryellen Suhrhoff, Muske, Muske and Suhrhoff, City Attorney, Rick Oeltjenbruns, Street Supt.

Others Present: Shelly Ryan, Hoff Barry, P. A.; Andy Kehren, Bolton & Menk, City Engineers; Doug Regehr

Call to Order

Mayor Nelson called the meeting to order at 6:30 p.m.

Kuechle Underground v. City of Mountain Lake

Motion by Kruser, seconded by Kass, to open the closed meeting to discuss litigation as per MN Statute 13D.05, Subd. 3b at 6:31 PM. Motion carried unanimously. Motion by Ysker, seconded by Kruser, to close the closed meeting and open the open meeting at 7:03 PM. No action taken.

Agenda and Consent Agenda

Motion by Kass, seconded by Kruser to amend the consent agenda with the addition of 2f. James Jackson, Fire Department Resignation as of June 9, 2016. Motion carried unanimously.

Motion by Kass, seconded by Ysker, to approve the consent agenda as amended and the agenda as presented. Motion carried unanimously.

Bills: Check #'s 9918907-9918941 439E & 440E

Payroll Checks # 62536 - 62555

June 22 Council Minutes

April 25 Planning and Zoning Commission Minutes

May and June Building Permits

James Jackson, Fire Department Resignation as of June 9, 2016.

Public

No one present addressed the council during this portion of the meeting.

Well #7 Project Fifth and Final Payment

Motion by Kass, seconded by Kruser, authorizing final payment of \$55,652.04 to GM Contracting, Lake Crystal, MN. Motion carried unanimously.

306 Golf Course Rd. Storm water Issues

Andy Kehren, City Engineer, and Rick Oeltjenbruns, Street Supt. explained the path of storm water run-off in the area between 4th and 6th Ave. on the west side of the city. To eliminate the problems an extensive project including more and larger lines both in the city and those out letting to the creek west of the city would be needed. Other areas in the city where storm water run-off has been a problem in 2016 were also discussed.

Capital Improvement Plan

Based on the administrator's research few cities rotate equipment based on hours. Generally hours, age, condition and maintenance costs are all considered. Changes to the plan were recommended by the administrator and street supt. All major pieces of equipment will be listed on the plan, evaluated yearly, and the plan adjusted accordingly. No purchase can be made without the council's authorization. The administrator will make the recommended changes and submit the plan for council approval at the July 18 council meeting.

Cemetery

Oeltjenbruns explained the reasons why Subdivision 10, Paragraph B of Section 7.04 Cemetery Regulations was adopted. It prevents a monument from being placed before a burial has occurred. The matter was tabled to the July 18 meeting.

1406 3rd Ave. Update

The council was updated on the city's attempts to abate the public nuisances on the property.

Establish Fines

Motion by Ysker, seconded by Kruser to establish a fine of \$100 for the first violation and \$200 for any subsequent violation related to garbage and public nuisances. Motion carried unanimously.

Resolution #18-16 Conditional Use, PIN 22.520.0640, 817 Second Avenue

The application, map of the property and surrounding area, and draft findings of fact were reviewed. The Planning and Zoning Commission is recommending the approval of the conditional use with two conditions: 1. that the number of children is limited to that of the current license (12 children); the conditional use permit must be amended if the business wishes to care for additional children; and 2. the hours of operation are limited to 5AM to 6PM; the conditional use permit must be amended if the business wishes to operate additional hours.

Motion by Ysker, seconded by Kass, to approve the conditional use permit with the two conditions found above as recommended by the Planning and Zoning Commission. Motion carried unanimously.

First Reading Ordinance #7-16, Opt-Out of Requirements of MN Statutes Section 462.3593
The ordinance was reviewed.

Code Modification to Allow Temporary Family Health Care Dwellings (MN Statutes 462.3593)

Current city code was reviewed. At this time the dwellings are not allowed. Various modifications to the city code that would allow the dwellings but in a manner that would allow the city to maintain control over the dwellings were discussed. The administrator was directed to prepare draft language to add the dwellings as a conditional use.

Adopted Updated Drug and Alcohol Testing Policy for Commercial Drivers (DOT)

The revised and expanded policy was reviewed and discussed. Motion by Ysker, seconded by Kass to adopt the commercial drivers' policy to replace the policy adopted May 21, 2012.

Administrator

Questions raised about the minimum wage raised at the June 22 meeting were answered. Discussion of council per diems was tabled to the July 18 meeting.

Adjourn

The meeting was adjourned at 8:20 PM.

ATTEST:

Wendy Meyer, Clerk/Administrator

Mountain Lake Public Library Board Minutes
May 11, 2016

Members Present: Marci Hernandez, Dennis Cords, Vickie Krueger, Carol Lehman-Director

Members Absent: Diane Englin, Barrie Wright

Others Present: Darla Kruser, liaison

The meeting was called to order at 4:00 p.m. by acting chairman, Vickie Krueger.

M/S/P Hernandez/Cords to approve the minutes of the April 13, 2016 meeting.

Carol presented the April monthly report indicating 2,850 total circulation and expenditures in the amount of \$1,722.09. **M/S/P Cords/Hernandez** to accept the report as given and approve the April expenditures.

Old Business: Carol reported that department heads recently met with McKinstry's Project Staff to review the findings of the preliminary assessment of energy savings measures.

New Business: The Summer Reading Program is planned and handouts of the summer schedule of events will be sent home with all students at Mountain Lake Public and Christian Schools. Carol will be doing class visits to promote the reading program.

Library Activity Report for April was given.

Meeting adjourned at 4:40 p.m. by acting chairman, Vickie Krueger.

NEXT MEETING: Wednesday June 8, 2016 – 4:00pm.

Respectfully submitted,

Marci Hernandez, secretary

M Hernandez

CITY OF MOUNTAIN LAKE

PUBLIC LIBRARY REPORT

MONTH OF May, 2016

CIRCULATION AND USE

Adult fiction _____
 Adult nonfiction _____
 Non print (includes videos, cassettes, art prints, etc.) _____
 Juvenile _____
 Periodicals _____

TOTAL CIRCULATION 2,732

Interlibrary loan sent
Interlibrary loan received

329
~~229~~ 558

TOTAL ILL

ILL NON SYSTEM 110

RECEIPTS

Cash income _____
 Donations (monetary) _____
 County Revenue _____
 Misc. Revenue _____
 Fines _____
 Meeting room rental _____
 Sale of supplies _____

TOTAL RECEIPTS

-0-

EXPENDITURES

Books 485.95
 Periodicals 35.97
 Audio-visual 241.88
 Supplies 161.54
 Postage _____
 Miscellaneous _____
 Telephone _____
 Repairs & maintenance (janitor) 63.47
 Repairs & maint. of equipment 345.00
 Project expense 375.00
 Capital outlay _____
 Automation _____
 Gas Utilities 61.05
 TOTAL EXPENDITURES \$1,769.86

(12)

LIBRARY DIRECTOR

Carol Lehman

LIBRARY EXPENDITURES - MAY 2016

Frontier	Telephone Expense	\$63.47
Dennis Hulzebos	Repairs & Maint.-Janitorial	\$345.00
Indoff, Inc.	Supplies	\$105.54
In-Fisherman	Periodicals - 1 yr.	\$16.00
Ingram	Books 485.95 / AV 24.73	\$510.68
Midwest Living	Periodicals - 2 yr.	\$19.97
MN Energy Resources	Gas Utilities	\$61.05
Britton Pankratz	Project Expense	\$375.00
Peterson Drug	Supplies	\$56.00
Synchrony Bank/Amazon	AV	\$217.15
		<hr/>
		\$1,769.86

Regular Lake Commission Meeting
Monday, June 13, 2016

Members Present: Jim Peterson, Jason Kruser, Jay Schied, Dave Bucklin, Heather Funk

Guests Present: Mike James, Cheryl Hiebert, Mike Nelson

Chair Peterson called the meeting to order at 6:30 p.m. M/S/P Dave/Jason to approve the minutes of the May 9, 2016 meeting with no corrections.

Treasurer's Report:

Bills:

Country Pride – screws/bolts for fishing pier	\$270.47
Country Pride - gas for generator	\$ 10.59
Third Ave. Auto - air filter/fuel hose for weed harvester	\$ 23.72
Midway Farm - rod ends for harvester	\$124.00

M/S/P Jason/Jay to approve Treasurer's Report

Lake:

- Weed harvesting began on May 11th. A total of 90 loads have been cut and removed so far; 77 of the 90 were cut on the west end of the lake. Harvesting has been going smoothly with help from Bob Ewert, Jim Peterston, Jay Schied and Larry Brandt. Jay Schied was accompanied by one Conservation Corps Minnesota (CCM) intern and two SWCD employees who wanted to learn about the weed harvesting process. Cutting of the main lake will be completed by July 1st. However, the crew will continue cut by the dam and boat launch until September 1st with a permit from the DNR in order to maintain access for recreational activities.
- Dave Bucklin reported that an engineer will be coming out sometime in the next couple of weeks to discuss a plan for the construction of a sediment pond at the golf course and the repair of the plunge pool. Dave is going to contact local contractors for bids.

Trail:

- Jim ordered 100' of 4' deep weed barrier to install along the trail. Dave will mark a 150-200' length of trail that would benefit from the barrier. Once installed, the effectiveness of the barrier will be assessed before proceeding with the purchase of more material. Jay suggested that we check with adjacent landowners to make sure the barrier will not interfere with their field tile. A work day will be scheduled in the future for installation.
- It was discussed that the trail is in need of a regular maintenance schedule to include activities such as mowing, trimming, debris removal, weed management, etc. It would also be beneficial to specify who is responsible for completing each maintenance activity and the amount of time that can reasonably be invested in trail maintenance by the parties involved. It was agreed that improvement in this area would help greatly in preserving the quality of the trail itself and the experience of its users.

- Current maintenance needs and trail safety concerns were discussed. The trail needs to be mowed and trimmed, especially along the boardwalk, the island bridge, around the benches and around the point-of-interest posts. There is a rule stating the trail should be mowed 4' on either side of the trail for safety reasons. Is this being done? Wild Parsnip is also growing in increasingly large patches along the trail and needs to be managed. The Wild Parsnip plant is an invasive species in Minnesota that causes phytophotodermatitis; when the toxic sap of this plant comes in contact with skin in the presence of sunlight, it can cause a rash, blistering and discoloration of the skin. A "No Motorized Vehicle" sign is in place near the start of the trail. It was suggested that its placement is dangerous to trail patrons.
- Dave suggested putting a garbage can by the dam where many people fish. The commission members present agreed.

Beach:

- M/S/P Jay/Dave to approve the placement of the new grill near the picnic shelter at Lawcon Park. The location decided by the commission will be recommended to the city. The decision to have a second fire ring and/or grill by the swimming beach was tabled until the next meeting. Jason will bring ideas.

Old Business:

- A total of 290 man hours spread over 38 days were donated by many appreciated volunteers towards the construction of the new fishing pier. Work was completed between March 2015 and May 2016.

New Business:

- Jay presented the 2015 water clarity data received from the Minnesota Pollution Control Agency in result of the Citizen Lake Monitoring Program. The average secchi transparency reading in Mountain Lake was 2.46 feet in 2015. The maximum depth of Mountain Lake is 7.5 feet. The report explains that the existence of pollutants such as nutrients or sediment is "directly related to water transparency. When nutrients or sediment are high, water transparency is low." It further explains that "Nutrient richness ranges from oligotrophic which are lakes low in nutrients to hypereutrophic which are very nutrient-rich." Mountain Lake is determined to be hypereutrophic on the trophic state index (TSI). In the categories of transparency, chlorophyll-a and total phosphorous, Mountain Lake is hypereutrophic, coming in above the ecoregion expected ranges. The median transparency from 1981 to 2015 has increased by 0.00 feet, according to the report. Dave shared that the 50 foot buffer rule mandated by the state for all public waterways will help decrease nutrient concentrations in Minnesota waters.
- Dave is working on getting a CCM crew to prune around the lake as well as a buckthorn grant for the summer of 2017.
- The lake level gauge needs to be repaired. Heather will inform the DNR.
- Frisbee golf score cards need to be replenished at Lawcon Park.

Respectfully submitted,
Heather Funk, Acting Secretary

REGULAR MEETING
ECONOMIC DEVELOPMENT AUTHORITY
June 10, 2016
12:00 Noon

PRESENT: Vern Peterson, Brian Harder, Mike Nelson, Jerry Haberman, Darla Kruser, Steve Syverson,
and Clara Johnson and Brad Hanson, Advisors
ABSENT: Mark Hanson
STAFF PRESENT: Rob Anderson and Marva Ott
GUESTS: Jim Holmberg and Cheryl Hiebert

1. Call to Order: Vern called the meeting to order.
2. Consent Agenda. Motion made and seconded by Steve and Brian to approve the minutes, bills and financials as presented. Carried.
3. Mt.Lake Family Fitness Lease: Jim Holmberg in attendance stated that he would be open to a Contract for Deed on the building. He stated that he has some concerns about the water still coming into the building on the east wall along with plumbing issues in the single bathroom and the air conditioner unit being so old. He is proposing to buy the building on a contract for \$38,000.00 and he will deal with the concerns he has. If we want \$45,000.00, he would like the EDA to address these issues. Several questions were asked and answered. Jim was then asked to leave the room so the board could discuss this. After some discussion Brian made a motion to ask \$45,000.00 and pay Jim up to \$2,000.00 to go towards doing the needed work. After more discussion, Brian withdrew his motion. The board discussed whether rehab money could be used for the A/C. Rob stated that the board could decide that. After more discussion, a motion was made and seconded by Jerry and Vern to sell the building on a contract for \$45,000.00 for 15 years at 4% interest and also offer him the chance to do the small cities grant of 1/3, 1/3, and 1/3 equity, low interest loan and deferred amount for 10 years to fix the issues with the building and to allow the A/C unit to be part of that. Motion carried with Steve abstaining from the vote. The board asked Jim to return to the meeting and they gave him their proposal. Jim stated that he was agreeable to their proposal. Rob told the board and Jim that we need to have a public hearing at our next EDA meeting in order to sell the building as a formality. Motion was made and seconded by Jerry and Brian to extend the current lease for 1 more month in order to prepare for the sale. Motion carried. Jim was excused from the meeting.
4. TIF District 1-8-Downtown Rehab project: Rob stated that Sanford Clinic has started the process of doing a new clinic and will be meeting with the architect to develop plans for their needs. If all goes well, construction could begin in the spring of 2017. Sanford has not committed to anything yet but they want to move forward. There was discussion about using Wilcon for this project and some concerns about whether Sanford would be comfortable with that.
5. Karen's Daycare: A) Insurance letter from Brad Hanson regarding the League of Mn Cities. They would like to see changes on the lease. Rob handed out the proposed new lease agreement which incorporated the League's revisions suggested. There was discussion about daycare insurance requirements since the cost is double for them to go from \$1 million dollar policy to \$2 million. Karen can't afford the additional cost of over \$500.00 to do this if we require it. After some

discussion about the EDA not being involved in managing the daycare business, it was decided that we need to keep our involvement to only a landlord status. Karen is struggling to get full time kids but has some part time kids. Her rates were too high to begin with so she has made several rate adjustments. She thinks she can make it if she has 7-8 fulltime kids. She is asking the board for a 3 month extension before she has to start paying rent and her loan payments. She has accessed all approved funds for her loan. She is also asking for an additional \$3,000.00 to be added to her loan due to several expenses from her split with MaKayla. The board spent several minutes discussing the current problems with the daycare and her not being able to get full time kids. The board would like to talk to the Smith's about their opinions regarding the issues and also talk to the school about daycare and how hard it is to compete with them. Brian made a motion to extend payments for 1 month before payments need to be made in order to get answers from the school and the Smith's. Mike seconded the motion and motion carried. B) Exterior repairs on the building was tabled for now.

6. Custom Motors Status:

- a. Rob requested the attorney to proceed with collection on the money owed by Custom Motors but to date it hasn't been done. Attorney has not responded to Rob's request to contact him.
- b. Custom Motors has moved to a building in Comfrey and Travis continues to work with Bill.
- c. Several items need to be removed from the building yet that they left behind. The EDA will pay the \$2,000.00 electric bill balance and add it to the amount of their loan.

7. Fulda Credit Union lease proposal: The board discussed what they want the EDA to do on the building. Rob was directed to get bids on the items. The board was okay with the lease amounts but not with the option to purchase proposal. The construction committee was directed to work on this lease proposal and Rob can then email the board once terms have been agreed on.

8. General Discussion:

- a. The Medina lot sale is done and the net proceeds from this sale was \$8,488.35. The board discussed next time a lot is sold we need to sell the lots for the assessment amounts instead of saying they are free.
- b. Water leak at Pop'd Kerns: nothing has helped this issue. The contractor is wondering if the glass needs to be replaced in the windows to see if that helps since they have tried everything else.
- c. Shingling bids for Heritage Estates: 2 bids received from Garrett Wall and Dilly Rodney. Rob asked them to bid asphalt shingles and steel roofing. Rob was directed to see if we really need to bid this job so matter was tabled.
- d. Free lot Program rules/Letters sent to Dicks and Puente's. Nothing new to report.
- e. Housing Rehab program: Churches were contacted to help get the word out to minority families and it has helped to spark some interest.
- f. Next meeting will be July 8th.
- g. Other: Vern thinks we should be discussing new housing needs at our next meeting.

10. Meeting adjourned at 1:33 p.m.

Mountain Lake Tree Commission Minutes
April 11, 2016
City Hall, 7:45 p.m.

Present: Steve Harder, Dave Bucklin, Jerry Logue
Others: Judy Harder, Wendy Meyer

1. January 20, 2016 minutes M/S/P
2. Trees being delivered the week of May 9-12 and the Conservation Corps MN team is coming the week of May 16 – 20. Dave will be planning to work with the Corps while they are in the area.
3. Discussed need of additional commission members. Maybe we should have some information to include with the utility bill.
4. A lot of discussion of where trees should be planted around town.
5. The conservation corps worker in Dave's office will water the trees planted in Lawcon and to work in the food forest.
5. Next meeting July 11, 2016

**Special Meeting
Mt. Lake Utilities Commission
Thursday, June 9, 2016
7AM**

Members Present: Commissioners John Carrison, Mike Johnson, Todd Johnson, Mark Langland

Members Absent: Commissioner Brett Lohrenz; David Savage, Council Liaison

Staff Present: Wendy Meyer, Clerk/Administrator; Lynda Cowell, Utilities Office Manager; Ron Melson, Electric Supt.; Kevin Krahn, Water and Wastewater Supt.; David Watkins, Water and Wastewater Worker

Others Present: None

Call to Order

The meeting was called to order at 7 AM.

Approval of Minutes and Bills

There were no additions to the agenda. Motion by M. Johnson, seconded by T. Johnson, to approve the May 26 and June 2 Minutes and Check Numbers 16264 -16303. Motion carried.

Department Updates

Melson briefly updates the commission on the Milk Specialties project, the project to bring the two Cat engines into compliance with emission standards and the cleaning of the fuel oil tank. There were no updates from the Water/Wastewater Department.

Capital Improvement Plan

Department heads will be meeting with the council on Wednesday, June 15 to discuss their equipment and project list. The commission reviewed and discussed the utilities' current list and changes for 2017 that will be presented to the council. Water and electric meter purchase and installation were discussed.

Adjourn

The meeting was adjourned at 7:34 AM.

Approved July 14, 2016.

ATTEST:

Wendy Meyer, Clerk/Administrator

City of Mountain Lake
2017 Capital Improvement Plan
7-18-16

2016	2017	2018	2019	2020	2021 and Beyond
Digger Derek \$50,000 - \$180,000		Lawnmower \$5000 (split with WWW) (EL)			
Electric	Transformer Fence \$10,000 (EL)				
	<----- Engine Room Ceiling (EL) \$10,000 - \$20,000 ----->				
Meg. Generator Set, Engine 1 & 3 \$5,000 (EL)		Pick-up with utility body to replace	2004 Chevy \$30,000 - \$60,000 ----->		
Upgrades Driven by Business - MSC \$150,000	Upgrades Driven by Business (EL) \$20,000	Upgrades Driven by Business (EL) \$20,000	Upgrades Driven by Business (EL) \$20,000	Upgrades Driven by Business (EL) \$20,000	Upgrades Driven by Business (EL) \$20,000
LED Street Lights (EL and ST)	LED Street Lights (EL and ST)	LED Street Lights (EL and ST)	LED Street Lights (EL and ST)	LED Street Lights (EL and ST)	
Pole Line Replacement & Tree Trimming \$20,000 (EL)	Pole Line Replacement & Tree Trimming \$25,000 (EL)	Pole Line Replacement & Tree Trimming \$25,000 (EL)	Pole Line Replacement & Tree Trimming \$25,000 (EL)	Pole Line Replacement & Tree Trimming \$25,000 (EL)	Pole Line Replacement & Tree Trimming \$25,000 (EL)
Electric Meters (EL) \$10,000	Electric Meters (EL) \$10,000	Electric Meters (EL) \$10,000	Electric Meters (EL) \$10,000	Electric Meters (EL) \$5,000	
Relay Cleaning (EL) \$7,000 Clean 20,000 gal Fuel Tank (EL) \$10,000	Breaker and Relay Cleaning in Switch Gear Room (EL) \$12,000 Meg Engines 2, 4 & 5 (EL) \$7,000			Relay Testing in Switch Gear Room (EL) \$7,000	
Power Plant Tuckpointing \$15,000	Power Plant Tuckpointing \$15,000	Power Plant Tuckpointing \$15,000	Power Plant Tuckpointing \$15,000	Power Plant Tuckpointing \$15,000	Power Plant Tuckpointing \$15,000
Sixth and Fourth Avenue Underground Project (EL) \$15,000	Underground Project (EL) \$15,000	Underground Project (EL) \$15,000	Underground Project (EL) \$15,000	Underground Project (EL) \$15,000	Underground Project (EL) \$15,000
<----->	Sub-Station (EL) \$2,000,000----->				
< -Upgrade 5 engines to meet RICE	Standards \$70,000 x 5 = \$350,000 (EL)----->				

City of Mountain Lake
2017 Capital Improvement Plan
7-18-16

2016	2017	2018	2019	2020	2021 and Beyond
	Insulate Meeting & Main Room (L) ----->				
	<-----Bathroom----->				
	Library				
	Renovate Children's Area (L) after insulation project is completed. <-----Replace Public Computers as Needed (L)----->				
	<---Purchase additional shelving for east room (L)----->				
	AMBULANCE				
	New Ambulance (A) \$140,000				
	<----- purchase of one 12 lead defibrillator (A) \$25,000 ----->				
	<----- at some time will need to move to electronic reporting \$6,000 (A) ----->				
	Fire				
	Brakes on Rescue Truck (F) \$6,000 - \$7,000				
	Fire/Ambulance Hall Roof (F & A) \$20,000				
	3 sets of turn-out gear, \$2,500 per set (F)	3 sets of turn-out gear, \$2,500 per set (F)	3 sets of turn-out gear, \$2,500 per set (F)	3 sets of turn-out gear, \$2,500 per set (F)	3 sets of turn-out gear, \$2,500 per set (F)
				Replace 2000 Pumper (F)	
	<----- Self-Contained Breathing Apparatus (SCBA) \$75,000 (F) ----->				
	<----- Replace 1986 pumper with grant is possible; If not purchase \$350,000 ----->				
	<----- Implement plan and maintain funding for 5-7 yr. rotation of equipment: '05 grass rig; '08 tanker; '94 rescue; new pumper ----->				
	POLICE				
	Replace Charger with Ford Explorer (P) \$32,000				Replace Mobile Radios in Squads (P) \$6,000 x 2
	Vehicle Storage Area with Electric Replace Squad Video system (P) \$2,800				7
	Water Meters (WWW) \$10,000				Replace portable radios (P) \$2,500 x 7
	Reverse Osmosis Membranes \$40,000				
	<--- Wastewater Treatment Upgrades (WWW) \$8,000,000----->				
	New Well Meters at Water Tower and Old Plant Wells (WWW) \$?				Reverse Osmosis Membranes \$40,000
	Alley Btwn 10th & 11th St. Block 7 (WWW) \$150,000 - \$200,000				
	<--- Upgrade Lawn Mower with Electric \$5,000 (WWW) ----->				Jet-Rodder (WWW)
					West end of Prince St. (WWW, ST, S) \$860,000 est.

(2)

RESOLUTION #16-17

**RESOLUTION ORDERING THE REPAIR OR REMOVAL OF A
HAZARDOUS BUILDING AND REMOVAL OR CORRECTION OF
HAZARDOUS CONDITIONS
UNDER MINNESOTA STATUTE 463.15 TO 463.61
IN THE MATTER OF HAZARDOUS BUILDING/PROPERTY
LOCATED AT 1406 3rd AVE
MOUNTAIN LAKE, MINNESOTA
PARCEL NUMBER 22.610.0550
LEGALLY DESCRIBED AS E104', LOT 16, PRINCE'S OUTLOTS**

**TO: MR. BRYAN DODGE
OWNER OF RECORD
1406 THIRD AVENUE
MOUNTAIN LAKE, MN 56159**

1. Pursuant to Minnesota Statutes, Section 463.15 to 463. 61 the Council of the City of Mountain Lake, duly considered the matter, finds the above property and buildings to be hazardous for the following reasons:
 - a. A structure located near the rear property line has not been maintained and does not meet minimum standards therefore the Building Official has deemed it a substandard structure. The sub-standard structure as it sits today is enforceable under Minnesota Statute 463.15 It does not meet the requirements of City of Mountain Lake City Code Section 4.07 Uniform Building Code.
 - b. The sub-standard structure appears to be a partial addition or entry way and was moved in by the owner without a moving permit from the city. The Building Official inspected the sub-standard structure from the roadway and has determined the structure is an accessory building as building is being used as such.
 - c. The sub-standard structure has no anchors to keep it from tipping or falling over.
 - d. There is one side of the sub-standard structure that has a garage door nailed to it.
 - e. The sub-standard structure has openings at the bottom which allows rodents and animals to inhabit.
 - f. The Building Official inspected the property from the roadway on June

18, 2016 and it is substandard the way it sits today.

- g. The property does not meet the City's Uniform Housing Code for the following reasons:
 - I. The house has volunteer trees, shrubbery and other plants growing wedged between the foundation and surrounding soil in violation of Subdivision 17 of Section 4.07.
 - II. The yard has an accumulation of household items, building materials, vehicles and machinery, many inoperable, long grass, weeds, and rank vegetation in violation of Subdivision 16 of Section 4.07.

2. Pursuant to the forgoing findings and in accordance with Minnesota Statutes, Sections 463.15 to 463.261, the council hereby orders the record owners of the above hazardous building to repair or raze such building in order to a safe environment and not detrimental to the public health, welfare and safety.

- a. The City of Mountain Lake Building Official has made recommendation that the substandard structure be repaired or razed to protect the health and safety of the public.
- b. The City of Mountain Lake acknowledges that they have been unable to make the owner(s) of record obtain a building permit/zoning and make the repairs or remove the building in a timely frame of time. A letter dated May 9 requiring the sub-standard structure to meet standards or removed within 30 days was sent to the property owner.
- c. The City of Mountain Lake acknowledges the sub-standard structure is not occupied nor is it habitable.
- d. The City of Mountain Lake acknowledges that they have been unable to make the owner(s) of record mow the grass regularly so it consistently meets the requirements found in Chapter 8 of Mountain Lake City Code. A letter dated May 5 required the lawn be mowed in compliance with Chapter 8.
- e. The Building Official and the City Administrator have made attempts to contact the owner. Owner was asked to call the Building Official but has not done so.

3. The council further orders that unless such corrective action is taken or an answer is served upon the City of Mountain Lake and filed in the Office of the Clerk of District Court of Cottonwood County, Minnesota within 20 days from the date of the service and order, a motion for summary

enforcement of this order will be made to the District Court of Cottonwood County.

4. **The council further orders that if the city is compelled to take any corrective action herein**, all necessary cost expended by the city will be assessed against the real estate concerned and collected in accordance with Minnesota Statutes 463.22.
5. **The mayor, clerk, city attorney, and other officer and employees of the city are authorized** and directed to take such action, prepare, sign, and serve such papers as are necessary to comply with this order and to assess the costs thereof against the real estate described above for collection along with taxes.

Adopted this 18th day of July, 2016.

Mayor

ATTEST:

City Clerk

DRAFT
ORDINANCE NO. 7-16
CITY OF MOUNTAIN LAKE
AN ORDINANCE OPTING-OUT OF
THE REQUIREMENTS OF
MINNESOTA STATUTES, SECTION 462.3593

WHEREAS, on May 12, 2016, Governor Dayton signed into law the creation and regulation of temporary family health care dwellings, codified at Minn. Stat. § 462.3593, which permit and regulate temporary family health care dwellings;

WHEREAS, subdivision 9 of Minn. Stat. §462.3593 allows cities to “opt out” of those regulations;

THE CITY COUNCIL OF THE CITY OF MOUNTAIN LAKE ORDAINS as follows:

Section 9.15 of Chapter 9 of the Mountain Lake Code is added as follows:

- I.** **SECTION 9.15.** Pursuant to authority granted by Minnesota Statutes, Section 462.3593, subdivision 9, the City of MountainLake opts-out of the requirements of Minn. Stat. §462.3593, which defines and regulates Temporary Family Health Care Dwellings.

- II.** This Ordinance shall be effective immediately upon its passage and publication.

ADOPTED this _____ day of _____, 2016, by the City Council of the City of Mountain Lake.

CITY OF MOUNTAIN LAKE

By: _____
Mike Nelson, Mayor

ATTEST:

Wendy Meyer, City Administrator

Section 9.15 Temporary Health Care Dwelling (see also 9.14 Regulation of Trailers)

Subd. 1 Definitions

- a. For the purposes of this section the following terms have the meanings given.
- b. "Caregiver" means an individual 18 years of age or older who:
 1. Provides care for a mentally or physically impaired person; and
 2. Is a relative, legal guardian, or health care agent of the mentally or physically impaired person for whom the individual is caring.
- c. "instrumental activities of daily living" has the meaning given in MN Statutes 256B.0659, Subd. 1, paragraph (i).
- d. "Mentally or physically impaired person" means a person who is a resident of this state and who requires assistance with two or more instrumental activities of daily living as certified in writing by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.
- e. "Relative" means a spouse, parent, grandparent, child, grandchild, sibling, uncle, aunt, nephew, or niece of a mentally or physically impaired person. Relative includes half, step, and in-law relationships.
- f. "temporary family health care dwelling" means a mobile residential dwelling providing an environment.

Subd. 2 Temporary Family Health care Dwelling

A temporary family health care dwelling must meet the following requirements:

1. Be limited to one (1) occupant
2. Be occupied no more than six months
3. Provide a site map that shows size and location of health care dwelling and all other construction on the lot
4. in compliance with residential setback requirements
5. Be primarily assembled at the location other than its site of installation:
6. Be no more than 300 gross square feet:
7. Not be attached to a permanent foundation;
8. Be universally designed and meet state-recognized accessibility standards;
9. Provide access to water and electric utilities by connecting in some manner approved by the Electric Superintendent and Water/Wastewater Superintendent to Mountain Lake Municipal Utilities.
10. Have exterior materials that are compatible in composition, appearance, and durability to the exterior materials used in standard residential construction;
11. Have a minimum insulation rating of R-15
12. Be able to be installed, removed, and transported by a one-ton pickup truck as defined in MN Statutes section 168.002, subdivision 21b, a truck as defined in MN Statutes section 168.002, subdivision 37 or a truck tractor as defined in MN Statutes section 168.002, subdivision 38

13. Be built to either MN Rules, chapter 1360 or 1361, and contain an Industrialized Buildings Commission seal and data plate or to American National Standards Institute Code 119.2; and
14. Be equipped with a backflow check valve.
15. Be Located on property owned or rented by the care giver
16. Provide proof of adequate method of sewage disposal
- g. Provide written certification that the mentally or physically impaired person requires assistance with two or more instrumental activities of daily living as certified in writing by a physician, a physician assistant, or an advanced practice registered nurse licensed to practice in this state.

Public Hearing?

No hearing but notification by mail of neighboring properties?

Issued by zoning administrator if requirements are met, not any other body ?

Approved by Planning Commission or Council?

RE: Police Policies

The Mountain Lake Police Department is being reviewed by the MN Board of Peace Officer Training Standards (POST).

As part of that review the Department's policies were reviewed. A few changes were found to be necessary. Changes from the old policies are highlighted.

AVOIDING RACIAL PROFILING

Minn. Stat. 626.8471, subd.4

I. POLICY

It is the policy of the Mountain Lake Police Department to reaffirm our commitment to impartial policing and to reinforce procedures that serve to assure the public we are providing service and enforcing laws in a fair and equitable manner to all.

II. DEFINITION

Racial profiling has the meaning given to it in Minn. Stat. 626.8471, Subd. 2. which states: "Racial profiling" means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

- (1) the behavior of that individual; or
- (2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

III. PROCEDURES

A. Policing impartially, not racial profiling, is standard procedure for this agency meaning:

1. investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches and property seizures;
2. except as provided in paragraph 3., peace officers shall not consider race, ethnicity, national origin, gender, sexual orientation and religion in establishing either reasonable suspicion or probable cause; and
3. peace officers may take into account the descriptors in paragraph 2. based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals and this information may be used in the same manner officers use specific information regarding age, height, weight, etc. about specific suspects.

B. In an effort to prevent the perception of biased law enforcement peace officers shall:

1. be respectful and professional;
2. introduce or identify themselves to the citizen and state the reason for the contact as soon as practical unless providing this information will compromise officer or public safety;
3. ensure the detention is no longer than necessary to take appropriate action for the known or suspected offense;

4. attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact including relevant referrals to other agencies when appropriate;
 5. provide their name and badge number when requested, preferably in writing or on a business card; and
 6. explain and/or apologize if it is determined the reasonable suspicion was unfounded (e.g. after an investigatory stop).
- C. Supervisors shall ensure all personnel in their command are familiar with the content of this policy and are in compliance.

PB Rev 10/2015

PROCESSION OF PROPERTY SEIZED FOR ADMINISTRATIVE FORFEITURE

MN STAT 609.531

POLICY

It shall be the policy of the Mountain Lake Police Department that all employees of the agency, all employees assigned to another law enforcement agency's task force and all employees assigned from an outside law enforcement agency to a task force in which this agency serves as the fiscal agent, shall follow all state and federal laws pertaining to the processing of property seized for forfeiture. Training will be provided by the employing law enforcement agency in consultation with the prosecuting authority to officers who may exercise the use of administrative forfeiture in the performance of their assigned duties. Such training to be conducted whenever the agency policy is changed or modified based upon administrative directives, legislative statutes changes and/or relative court decisions. Training may include but not limited to agency policy, directives, electronic or traditional classroom education.

DEFINITIONS

Cash: money in the form of bills or coins, traveler's checks, money orders, checks or other forms of electronic money or stored value cards, including but not limited to gift cards, debit cards, gift cards/certificates or other negotiable financial instruments.

Conveyance Device: a device used for transportation and includes but is not limited to a motor vehicle, trailer, snowmobile, airplane or vessel and any equipment attached to it. The term "conveyance device" does not include property, which is, in fact, itself stolen or taken in violation of the law.

Firearms/ammunition/firearm accessories: a device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, fire arm optics, suppression devices, cleaning supplies, etc.

Forfeiture: the process by which legal ownership of an asset is transferred to a government or other authority.

Jewelry/Precious Metals/Precious Stones: The term "precious metals/precious stones" includes items of jewelry such as rings, necklaces and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds and rubies.

Forfeiture/Seized Property Reviewer: an Agency employee responsible for reviewing all forfeiture cases and is the liaison between the Agency and prosecutor's office.

Seizure: the act of law enforcement officials taking property, including cash, vehicles, etc. that has been used in connection with or acquired by illegal activities.

SEIZED PROPERTY SUBJECT TO ADMINISTRATIVE FORFEITURE

The following property may be seized and is presumed under MN STAT 609.5314 to be subject to administrative forfeiture if the item has a retail value of \$50,000.00 or less:

All money, precious metals and precious stones found in proximity to:

- controlled substances;
- forfeitable drug manufacturing or distributing equipment or devices;
or
- forfeitable records of manufacture or distribution of controlled substances.

All conveyance devices containing controlled substances with retail value of \$100 or more if possession or sale of the controlled substance would be a felony under MN STAT Chapter 152.

All firearms, ammunition and firearm accessories found:

- in a conveyance device used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance;
- on or in proximity to a person from whom a felony amount of controlled substance is seized; or
- on the premises where a controlled substance is seized and in proximity to the controlled substance, if possession or sale of the controlled substance would be a felony under MN STAT Chapter 152.

Situations in which forfeiture should not be pursued:

- Seizure of property not listed above must be processed, reviewed and approved by the unit supervisor.

PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When any property as described in the above section is seized, the peace officer making the seizure must prepare the following:

- The proper Notice of Seizure and Intent to Forfeit Property form. This form must be completed to include the following: a list describing each item seized, the name of the individual served with the Notice, location, and the date of seizure. Administrative forfeiture notices are NOT to be given for assets seized under MN STAT 609.5314 if the retail value of the asset exceeds \$50,000.00.
- A receipt for the item(s) seized.

The Notice form also contains information in English, Hmong, Somali and Spanish concerning the right to obtain judicial review and the procedure under MN STAT 609.5314 to follow to obtain it. The form must be dated and signed by the peace officer conducting the seizure. An agency case number must be included on the form. The individual from whom property is seized must be given an opportunity to sign the seizure notice form. If the person refuses, the peace officer conducting the seizure must check the appropriate

box indicating the refusal to sign. If property is seized from multiple individuals, a separate seizure form will be completed for each individual. A copy of the seizure form must be given to the individual served.

All property subject to and being processed for forfeiture through the agency must be held in the custody of the agency.

The peace officer conducting the seizure shall forward the original and pink copy of the seizure notices, seized property processing worksheets, property receipts and reports to the Forfeiture/Seized Property Reviewer within 10 days of seizure.

The peace officer conducting the seizure shall inform the Forfeiture/Seized Property Reviewer of the estimated retail value of drugs found in proximity to the asset seized.

Cash

Peace officers shall not seize cash having an aggregate value less than (Agency Discretion), unless pre-recorded buy funds are included in the cash seized. Cash shall be recounted and the amount verified by another employee of the Agency. The property bag and/or inventory receipt shall then be co-signed when cash is involved.

All forfeitable cash seized will be turned over to the Forfeiture/Seized Property Reviewer or property/evidence room as soon as practicably possible (Agency Discretion) of the seizure.

Prior to deposit with the Forfeiture/Seized Property Reviewer, peace officers shall examine all cash seized to determine whether it contains any buy funds. Peace officers shall document the recovery of all buy funds and deposit those funds with the Forfeiture/Seized Property Reviewer to be returned to the appropriate unit's buy fund account.

Peace officers seizing cash shall also prepare a property inventory. If cash is seized from multiple individuals, a property inventory receipt will be completed for each individual. The property inventory receipt shall specify the total amount of cash seized from each individual. The agency property inventory shall also contain a detailed description of all checks, money orders and/or travelers checks or other financial instruments.

The peace officer conducting the seizure shall provide a copy of the completed property inventory receipt to the Forfeiture/Seized Property Reviewer.

It is the seizing peace officer's responsibility to secure the cash consistent with the agency policy or procedure.

Jewelry/Precious Metals/Precious Stones

Peace officers seizing jewelry, precious metals and/or precious stones will write a detailed description of each item on the property inventory receipt prior to inventorying the items. A copy of the property inventory receipt and any photographs of the jewelry, precious metals and/or precious stones shall be delivered to the Forfeiture/Seized Property Reviewer.

Peace officers seizing jewelry, precious metals and/or precious stones shall deliver those items to the property/evidence room as soon as practicably possible.

Conveyance Device

Upon seizure for forfeiture, all conveyance devices shall immediately be either taken to a secure designated area or to an agency approved impound facility.

Peace officers shall inventory the conveyance device and its contents in accordance with agency policy. Peace officers shall also complete applicable report forms and distribute them appropriately.

Firearms/Ammunition/Firearm Accessories

When firearms, ammunition or firearms accessories are seized, they shall be inventoried and delivered to the property/evidence room as per agency policy/procedure.

CASE FILE STATUS

The Forfeiture/Seized Property Reviewer shall forward all changes to forfeiture status to the supervisor who initiated the case.

REPORT WRITING

Peace officers seizing property must complete a report. All reports must include a description of the items seized, where the property is turned-in/inventoried, the name of the individual served, the date the seizure form was served, the name of the serving peace officer and whether or not the individual signed the Notice of Seizure and Intent to Forfeit Property form.

All reports dealing with seized property will be completed within 24 hours of the seizure when practicably possible.

(02/11)

DOMESTIC ABUSE RESPONSE AND ARREST

Minn. Stat. 629.342

I. POLICY

It is the policy of the Mountain Lake Police Department to recognize domestic abuse as a serious problem in today's society. This agency's policy is to protect victims of domestic abuse by ensuring its peace officers understand the laws governing this area.

Peace officers will utilize this policy in response to calls when there may be domestic abuse. This policy prescribes courses of action peace officers should take in response to a domestic call. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

II. DEFINITIONS

For the purposes of this policy, the words and phrases in this section have the meanings given to them, unless another intention clearly appears.

- A. *Domestic Abuse*** has the meaning given it in Minn. Stat. 518B.01, subd. 2(a), which states:
"Domestic abuse" means the following, if committed against a family or household member by a family or household member:
(1) physical harm, bodily injury, or assault;
(2) the infliction of fear of imminent physical harm, bodily injury, or assault; or
(3) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.
- B. *Domestic Abuse Program*** means a public or private intervention project or advocacy program which provides support and assistance to the victims of domestic abuse.
- C. *Child*** means a person under the age of 18.
- D. *Family or Household Member*** has the meaning given it in Minn. Stat. 518B.01, subd. 2(b)(1)-(7): spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they have been married or have lived together at any time, and persons involved in a significant romantic or sexual relationship. It also includes a man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.
- E. *Domestic Call*** means a request for assistance to a law enforcement agency regarding domestic abuse or any other crime against a family of household member.
- F. *Qualified domestic violence-related offense (QDVRO)*** has the meaning given it in Minn. Stat. 609.02, subd. 16 and includes a violation of or an attempt to violate a

domestic abuse order for protection; first or second degree murder; first through fifth degree assault; domestic assault; female genital mutilation; domestic assault by strangulation; first through fourth degree criminal sexual conduct; malicious punishment of a child; terroristic threats; violation of harassment restraining order; stalking; interference with an emergency call; and violation of domestic abuse no contact order; and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories.

If a person arrested for a domestic crime has a prior QDVRO, the new offense may be chargeable as a higher-level crime. (See Enhancement Table appended hereto.)

- G. Order for Protection (OFP)** is an order issued under Minn. Stat. 518B.01 by a judge in civil court upon the request of the petitioner. Any family or household member of the abuser (called a respondent) may ask the court for an OFP. The relief granted to the petitioner may include an order for the respondent to stop domestic abuse, no direct or indirect contact with petitioner, temporary custody of minor children, temporary financial support, and/or counseling for the respondent. Other forms or relief are also available. Violating an OFP is a crime.
- H. Domestic Abuse No Contact Order (DANCO)** is an order issued under Minn. Stat. 629.75 by a judge in criminal court limiting contact between a defendant and a victim of domestic abuse. DANCOs may be issued as pretrial condition of release and/or as a probationary condition of sentence.
- I. Harassment Restraining Order (HRO)** is an order issued under Minn. Stat. 609.748 by a judge in civil court when a petitioner requests a court order preventing another person from having contact with him/her. These orders generally prohibit all contact of any kind (including, but not limited to, phone calls, letters, e-mail, social media and contact through a third party) and may limit the respondent's ability to come within a certain distance of the petitioner's home, work or school. This type of order can be issued no matter what the relationship between the individuals involved. Violating an HRO is a crime.
- J. Harassment** has the meaning given to it in Minn. Stat. 609.748, subd. 1(a): a single incident of physical or sexual assault or repeated incidents of intrusive or unwanted acts, words or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless of the relationship between the actor and the intended target.
- K. Stalking** has the meaning given to it in Minn. Stat. 609.749, subd. 1: engaging in conduct which the actor knows or has reason to know would cause the victim under the circumstances to feel frightened, threatened, oppressed, persecuted, or intimidated, and causes this reaction on the part of the victim regardless of the relationship between the actor and victim.

III. PROCEDURE

A. DISPATCHING THE CALLS

1. **Receiving the Domestic Call:** Upon receiving a domestic call, the dispatcher will assign domestic calls a high priority and should assign at least two officers to the call. If only one officer is available, all reasonable attempts should be made to obtain another officer to assist the officer who was initially dispatched.
2. **Information to be Obtained:** The dispatcher receiving a domestic call should attempt to elicit from the caller and should communicate to the responding peace officers as much of the following information as possible:
 - the nature of the incident,
 - the address of the incident, including apartment number, if applicable,
 - the telephone numbers where the caller can be reached,
 - whether weapons are involved or present in the dwelling,
 - whether someone is injured and the nature of the injury,
 - information about the suspect including whether the suspect is present, description, direction of flight, mode of travel, etc.,
 - the relationship between the caller and the suspect,
 - whether there has been prior calls involving these individuals,
 - whether there is an order for protection (OFP), harassment restraining order (HRO) or criminal pre-trial or probationary domestic abuse no contact order (DANCO),
 - whether children are present at the scene, and
 - whether there are non-English speaking people, or people with mobility impairments or hearing impairments at the scene.

If the caller is the victim, the dispatcher should attempt to keep the caller on the telephone as long as possible and should tell the caller that help is on the way, and when the caller can expect the peace officers to arrive.

If the caller is a witness to an incident in progress, the dispatcher should attempt to keep the caller on the phone and should relay ongoing information provided by the caller to the responding peace officers.

If the responding peace officers are some distance away, and the dispatcher cannot remain on the telephone with the call/victim, the dispatcher should attempt to call back periodically to check on the progress of events, and call again when the officers arrive at the scene. If the dispatcher finds that a victim/caller who was recently available suddenly cannot be reached by phone or there is a persistent busy signal, the dispatcher should relay that information to the officers.

B. RESPONDING TO THE CALLS

1. **Driving to the Scene:** The peace officers should respond directly and without unreasonable delay to the scene.
2. **Initial Contact with Occupants:** Upon arriving at the scene of a domestic call, the responding officers should identify themselves as peace officers; explain their presence, and request entry into the home. The officers should ask to see the person who is the alleged victim. The officers should separate parties prior to taking statements. If the person who called the law enforcement agency is

someone other than the subject of the call, the officer should not reveal the caller's name. The officer should ensure all of the occupants are safe.

3. Entry

- Refused Entry – If refused entry, the officers should be persistent about seeing and speaking alone with the subject of the call. If access to the subject is refused the officers should request the dispatcher to contact the caller.
- Forced Entry – If access is still refused and the officers have reason to believe that someone is in imminent danger the officers are permitted to force entry.
- Search Warrant Entry – If the officers are refused entry and have no legal grounds for forced entry and have reasonable grounds to believe a crime has been committed, the officers should contact the appropriate authority to obtain a search warrant.

4. **First Aid:** After securing the scene, the responding peace officers shall provide the necessary first aid.

C. ARREST DECISIONS

1. **Making Arrests:** After securing the scene and providing any first aid, the peace officers will conduct an assessment of the lethality of the situation based on the totality of the circumstances and begin a criminal investigation to determine if there is probable cause to believe a crime has been committed based on the evidence and not solely upon the victim's desire to make an arrest. The officers should collect relevant physical evidence including weapons which may have been used, take photographs of the scene or any injuries and take statements from the involved parties and witnesses. Some of the evidence and statements include:

- photos of the scene,
- condition of clothing,
- property damage,
- evidence of physical injury including strangulation,
- excited utterances of the victim and the suspect,
- demeanor of the victim and the suspect,
- medical records including the victim's statements to paramedics, nurses and doctors,
- recorded interviews of witnesses including children who may have been present,
- evidence of any prior domestic abuse – related convictions including dates, and
- any existing OFPs, HROs or DANCOs.

NOTE: When determining probable cause, the peace officers should consider their observations and any statements made by the parties involved and any witnesses. Prior convictions may provide the basis for enhancement to a gross misdemeanor or felony charges (see D below).

2. **Factors Not to be Considered in Making the Arrest:**

- ownership, tenancy rights of either party, or the fact the incident occurred in a private place,
- belief that the victim will not cooperate with criminal prosecution or that the arrest may not lead to a conviction,
- verbal assurances that the abuse will stop,
- disposition of previous police calls involving the same victim or suspect,
- denial by either party that the abuse occurred when there is evidence of domestic abuse,
- lack of a court order restraining or restricting the suspect,
- concern about reprisals against the victim,
- adverse financial consequences that might result from the arrest, or
- chemical dependency or intoxication of the parties.

3. Predominant Aggressor and Dual Arrests: The agency shall discourage dual arrest¹. Where there are allegations that each party assaulted the other, the peace officer shall determine whether there is sufficient evidence to conclude that one of the parties is the predominant aggressor based on the following criteria and the officer's judgment:

- comparative extent of any injuries inflicted,
- fear of physical injury because of past or present threats,
- actions taken in self-defense or to protect oneself,
- the history of domestic abuse perpetrated by one party against the other, or
- the existence or previous existence of an order for protection.

4. Victim Request Not to Prosecute: If the officer finds probable cause to believe a domestic abuse offense has been committed and intends to arrest but the victim requests no arrest or prosecution, the officer should inform the victim that the decision to arrest is the officer's and the decision to prosecute lies with the prosecutor.

D. AUTHORITY AND TYPES OF ARREST

1. Warrantless Probable Cause Arrest for Fifth Degree Assault or Domestic Assault: Although the general rule is that officers may not make probable cause arrests for misdemeanors unless the offense occurs in their presence (or a citizen who saw the crime requests an arrest) domestic assault is an exception. A peace officer may arrest a person anywhere without a warrant, including at the person's residence, if the peace officer has probable cause to believe that the person has, within the preceding 72 hours, assaulted, threatened with a dangerous weapon, or placed in fear of immediate bodily harm any person covered by the "family or household member" definition, even if the assault did not take place in the presence of the peace officer (Minn. Stat. 629.341). A peace officer acting in good faith and exercising due care in making an arrest pursuant to this statute is immune from civil liability that might result from the officer's action.

was
12 hours

¹ MN STAT 629.342 which mandates the development of a written domestic abuse arrest policy for every law enforcement agency in the state specifies that the policy "shall discourage dual arrests, include consideration of whether one of the parties acted in self defense, and provide guidance to officers concerning instances in which officers should remain at the scene of a domestic abuse incident until the likelihood of further imminent violence has been eliminated."

NOTE: An arresting officer may not issue a citation in lieu of arrest and detention to an individual charged with assaulting the individual's spouse or other individual with whom the charged person resides (Minn. Stat. 629.72).

2. Level of Arrest for Fifth Degree Assault and Domestic Assault: Misdemeanor, Gross Misdemeanor and Felony: Assault in the Fifth Degree and Domestic Assault are deemed misdemeanor offenses. However, changes in the statutes have greatly increased the potential for arrests for these crimes at the gross misdemeanor and felony level.

- a) *Gross Misdemeanors:* Minn. Stat. 609.224, subd. 2(a), Assault in the Fifth Degree, provides for an enhancement to a gross misdemeanor violation when the offense is against the same victim within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency in Minnesota, or any similar law of another state.

If the charge is Domestic Assault (Minn. Stat. 609.2242) and the current victim is a family or household member and the crime occurs within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency of any of the above offenses against any family or household member, the same gross misdemeanor enhancement applies. The prior conviction need not be against a member of the same family or household.

- b) *Felonies:* If a person commits Assault in the Fifth Degree against the same victim within ten years of the first of any combination of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency, Assault in the Fifth Degree becomes a felony. The same enhancement applies to Assault in the Fifth Degree against any victim occurring within three years of the first of two or more of these convictions.

Domestic assault against a family or household member is also enhanceable under the same circumstances except that the prior convictions may be against any family or household member. According to Minn. Stat. 609.2247, subd. 2., whoever assaults a family or household member by strangulation is guilty of a felony.

3. Stalking The acts which constitute stalking according to Minn. Stat. 609.749 include several which are frequently applicable to domestic abuse situations even when no actual assault occurred.

Harassing
conduct

changed
to stalking

MN Stat.
609.749

- a) *Gross Misdemeanors:* A person who stalks another by committing any of the following acts is guilty of a gross misdemeanor:
1. directly or indirectly, or through third parties, manifests a purpose or intent to injure the person, property, or rights of another by the commission of an unlawful act;
 2. follows, monitors, or pursues another, whether in person or through any available technological or other means;
 3. returns to the property of another if the actor is without claim of right to the property or consent of one with authority to consent;
 4. repeatedly makes telephone calls, or induces a victim to make telephone calls to the actor, whether or not conversation ensues;

5. makes or causes the telephone of another to repeatedly or continuously ring;
6. repeatedly mails or delivers or causes the delivery by any means, including electronically, of letters, telegrams, messages, packages, through assistance devices for the visually or hearing impaired, or any communication made through any available technologies or other objects; or
7. knowingly makes false allegations against a peace officer concerning the officer's performance of official duties with intent to influence or tamper with the officer's performance of official duties.

Also, according to Minn. Stat. 609.749., subd.1a., the State does not have to prove the actor intended to cause the victim to feel frightened, threatened, oppressed, persecuted or intimidated. The intent of the defendant is immaterial. Obtaining a complete domestic abuse history is usually the key to making the determination that the current act, under the circumstances, constitutes the crime of stalking.

- b) *Felony/Felony Enhancements*: A person who commits any offense described in 3.a) (see above) against a victim under the age of 18, if the actor is more than 36 months older than the victim, and the act is committed with sexual or aggressive intent, is guilty of a felony.

Any of the above gross misdemeanors is enhanceable to a felony if committed within ten years of a previous QDRVO conviction or adjudication of delinquency OR if committed against a juvenile OR if committed while possessing a dangerous weapon.

In addition, it is a felony to engage in a pattern of stalking conduct with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause a reasonable person under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim. According to Minn. Stat. 609.749, subd. 5, a "pattern of stalking conduct" means two or more acts (convictions are not necessary) within a five-year period that constitute any of the following offenses: murder, manslaughter, terroristic threats, fifth-degree assault, domestic assault, violation of domestic abuse orders for protection, violation of harassment restraining orders, certain trespass offenses, interference with an emergency call, obscene or harassing telephone calls, letter, telegram, or package opening or harassment, burglary, damage to property, criminal defamation, first- to fifth-degree criminal sexual conduct, and violations of domestic abuse no contact orders.

The stalking statute makes it more important than ever to document not just the facts of the current police call but also the history of abuse or stalking.

- c) *Venue* (Minn. Stat. 609.749, subp. 1b.): If a suspect commits acts of stalking in different counties, the acts may be consolidated and prosecuted in any county in which one of the acts was committed. If the conduct that constitutes stalking is done through use of a wireless or electronic communication device, the

conduct can be prosecuted in the county where either the suspect or victim resides.

4. Probable Cause Warrantless Arrest: The domestic abuse arrest statute (Minn. Stat. 629.72) provides an officer may not issue a citation in lieu of arrest in harassment/stalking, domestic abuse, violation of an order for protection, or violation of a domestic abuse no contact order cases. According to Minn. Stat. 629.34, subd.1(c)(5) an officer may also make a warrantless probable cause arrest even if the offense did not occur in the officer's presence if the officer has reasonable cause to believe the offense was a gross misdemeanor or felony (no 72 hour restriction).

5. Probable Cause Felony Arrests for Other Crimes: At a domestic call peace officers shall consider whether other felonies have been committed including but not limited to, burglary, felony assault, terroristic threats, kidnapping, false imprisonment, and witness tampering.

NOTE: An Assault 5 may be chargeable as burglary in the first degree even if the home is also the offender's if the entry is made without consent of the victim and in violation of an OFP barring the offender from the premises.

6. Violation of Court Orders: The peace officer shall verify whether any of the following orders exist before or during an arrest. The peace officer or someone acting at the officer's direction may make this verification. Methods of verification include personally seeing a copy of the order or obtaining verification from the court or law enforcement agency that has the actual order. The police report shall include identifying information of the specific court order violated, including county of origin, the file number, and the provision allegedly violated.

a) *Order for Protection (OFP):* A peace officer shall arrest and take into custody without a warrant a person who the peace officer has probable cause to believe has violated any condition of an OFP granted pursuant to Minn. Stat. 518B.01, subds. 6, 7, and 9. Such an arrest shall be made even if the violation of the order did not take place in the presence of the peace officer, if the officer can verify the existence of the order.

NOTE: Minn.Stat. 518B.01, subd. 18(a)(2), states that an OFP is not voided even if the respondent was invited back to the residence by the petitioner, and there is no hour limitation for a warrantless arrest for a violation of an OFP.

A violation of an OFP is a misdemeanor but is enhanceable to a gross misdemeanor if the offense occurs within ten years of discharge from sentence for conviction of violation of an OFP or for any conviction of assault, terroristic threats, violation of a harassment order or harassment/stalking. It is enhanceable as a felony if it occurs within ten years of discharge of the first of two or more such convictions.

OFPs and DANCOs can be verified on the State MNJIS system, also known as the Hot Files. HROs are not in the Hot Files system at this time but are still enforceable.

- b) *Harassment Restraining Order (HRO)*: A peace officer shall arrest and take into custody a person who the peace officer has probable cause to believe has violated a harassment restraining order pursuant to Minn. Stat. 609.748, subds. 4 and 5, if the officer can verify the existence of the order.

NOTE: A person who violates an HRO is guilty of a misdemeanor if the violator knows of the order. This offense is enhanceable to a gross misdemeanor if it occurs within ten years of a previous qualified domestic violence-related offense conviction or adjudication of delinquency. Per Minn. Stat. 609.748, subd. 6, (d), it is enhanceable to a felony if the person knowingly violates the order:

- (1) within 10 years of the first of two or more previous qualified domestic violence-related offense convictions or adjudications of delinquency;
- (2) because of the victim's or another's actual or perceived race, color, religion, sex, sexual orientation, disability (as defined in section 363A.03), age, or national origin;
- (3) by falsely impersonating another;
- (4) while possessing a dangerous weapon;
- (5) with intent to influence or otherwise tamper with a juror or a judicial proceeding or with intent to retaliate against a judicial officer, as defined in section 609.414, or a prosecutor, defense attorney, or officer of the court, because of that person's performance of official duties in connection with a judicial proceeding; or
- (6) against a victim under the age of 18, if the respondent is more than 36 months older than the victim.

- c) *Domestic Abuse No Contact Order (DANCO)* (Minn. Stat. 629.75): A peace officer shall arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated a DANCO, even if the violation of the order did not take place in the presence of the peace officer, if the existence of the order can be verified by the officer.

The pretrial DANCO is sometimes continued at the time of sentencing with a new, probationary DANCO issued as a condition of probation. This DANCO may be valid for the full probationary period indicated in the order.

The court may rescind a DANCO at any time. However, a victim's production of a copy of an apparently valid court order, absent contrary evidence, provides prima facie basis for arrest whenever there is probable cause to believe a violation of the order has occurred.

7. **Other Misdemeanors:** At a domestic call, the peace officer shall consider whether other crimes have been committed including but not limited to trespassing, criminal damage to property, disorderly conduct, witness tampering, or assault.

E. ASSISTANCE, STAYING AT THE SCENE, CRIME VICTIM RIGHTS, AND SERVICES

1. **Staying at the Scene:** If no arrest is made peace officers should remain at the scene of the disturbance until they believe that the likelihood of further imminent abuse has been eliminated. If a domestic abuse intervention program is available the peace officer should make contact for immediate intervention.

NOTE: Minn. Stat. 629.342 provides that when a peace officer does not make an arrest, the peace officer must provide immediate assistance to the victim including obtaining necessary medical treatment and providing the victim with the notice of rights pursuant to Minn. State. 629.341, subd. 3.

2. **Assistance to Non-English Speaking Victims or Victims with Communication Disabilities:** The peace officer shall use the resource list established by the law enforcement agency to contact a person to assist in those cases where the participants in the domestic call, including the witnesses, are non-English speaking, are hearing-impaired, or have other communication disabilities. The officer should avoid the use of friends, family or neighbors serving as the primary interpreter for the investigation.

3. **Notice of Crime Victims Rights:** The peace officer shall give the victim of a domestic call a copy of the agency's crime victim notification form.

NOTE: It is important to routinely review these forms to ensure that they are current, in compliance with the law, and contain the name of the local domestic abuse program. The Department of Public Safety, Office of Justice Programs, produces the crime victim's rights notice and serves as the contact for the victim's rights information.

4. **Services:** The peace officer should contact the local domestic abuse program by phone as soon as possible on all arrest situations and provide the name and address of the victim and a brief factual account of events associated with the action. This section shall not apply if prohibited by the Minnesota Government Data Practices Act (Minn. Stat. 13.82, subd. 10,).

F. CHILDREN

1. **Child Victims:** If a child is present at the scene of a domestic call or is the victim of domestic abuse, the peace officer should determine whether the child has been subjected to physical abuse, sexual abuse, or neglect, and comply with the requirements of Minn. Stat. 626.556, Reporting of Maltreatment of a Minor. The officers shall also attempt to verify whether there has been an Order for Protection (Minn. Stat. 260C.201). If the child has been injured, the officer should escort the child to the nearest hospital for treatment.

G. REPORTS AND FORMS

1. **Written Report:** Peace officers shall make a report after responding to a domestic call. If the officer did not arrest or seek an arrest warrant even though arrest was authorized, a detailed explanation of the reasons for the officer's decision not to arrest must be documented. The report should include the following:
 - detailed statements from the victim, suspect and witnesses;
 - description of injuries;

- information about past abuse;
- description of the scene;
- predominant aggressor;
- existence of language barriers;
- presence of elderly victims or those with disabilities; and
- documentation of evidence.

H. FURTHER INVESTIGATION

1. A domestic call shall be turned over to the appropriate investigator for further follow-up if appropriate. If there is an arrest, the investigator shall determine the defendant's criminal record, and if there is evidence of a previous conviction, the peace officer should advise the prosecutors of any enhanced criminal sanctions which may be available.
2. Notwithstanding the fact that the officer has decided not to arrest one of the participants in the domestic call, the peace officer shall thoroughly document all relevant information in the report and shall refer the report to the appropriate prosecutor for review and consideration of criminal charges.

Enhancements Table

Conviction means a plea of guilty or verdict of guilty accepted by the court (Minn. Stat. § 609.02, subd. 5).

Discharge from Offense means the time between conviction and the end of 5 years following discharge from sentence for that offense.

QDVRO means a "Qualified Domestic Violence Related Offense" which includes a violation of or an attempt to violate a domestic abuse order for protection; first or second-degree murder; first through fifth-degree assault; domestic assault; female genital mutilation; domestic assault by strangulation; first through fourth-degree criminal sexual conduct; malicious punishment of a child; terroristic threats; violation of harassment restraining order; stalking; interference with an emergency call; and violation of domestic abuse no contact order (DANCO); and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories. (Minn. Stat. 609.02, subd. 16)

Offense	Victim of Offense	Time Limit	Prior Conviction	Offense Level
Assault 5	Same Victim	w/in 10 years of conviction	QDVRO	Gross Misdemeanor
		w/in 10 years of discharge of 1 st of 2 or more convictions	QDVRO	Felony
	Any Victim	w/in 3 years of conviction	QDVRO	Gross Misdemeanor
		w/in 3 years of 1 st of 2 or more convictions	QDVRO	Felony
Domestic Assault	Family/Household Member (as defined in Minn. Stat. 518B.01, subd. 2.)	w/in 10 years of conviction	QDVRO	Gross Misdemeanor
		w/in 10 years of 1 st of 2 or more convictions for Domestic Assault or Assault 5	QDVRO	Felony
Malicious Punishment	Any Victim	w/in 5 years of discharge	Assault 1-5, Domestic Assault, Malicious Punishment, Criminal Sexual Conduct 1-4, or Terroristic Threats	Felony
Violation of Order for Protection or Harassment Restraining Order	Any Victim	w/in 10 years of conviction	QDVRO	Gross Misdemeanor
		w/in 10 years of discharge of 1st of 2 or more convictions	QDVRO	Felony
Stalking	Any Victim	w/in 10 years of conviction	QDVRO	Felony
Interference w/ Privacy	Any Victim	None	Interference w/ Privacy or Stalking	Gross Misdemeanor

5yrs.
raised
to
10yrs.

Example of Enhancement Reachback:	
Arrest for Assault 5 & Malicious Punishment	1/1/2013
Plea (Accepted) to Assault 5 & Malicious Punishment (Conviction)	6/1/2013
Sentence of 2 years of probation	8/1/2013
Expiration of reachback for any victim for Assault 5	6/1/2016
Discharge from sentence	8/1/2015
Expiration of reachback for any victim for Malicious Punishment	8/1/2020
Expiration of reachback for same victim for Assault 5	6/1/2023

PB Rev 04/2013

POLICE PURSUIT
MN RULES 6700.2701

I. POLICY

It is the policy of the Mountain Lake Police Department to protect lives while enforcing the law and to guide its officers in the safe and reasonable performance of their duties. To accomplish these goals, the following policy is provided to control and regulate emergency vehicle operations. When engaged in emergency vehicle operations in the performance of official duties, drivers of authorized emergency vehicles are granted exemptions from certain traffic laws by State Statute. These exemptions are provided to help protect lives, not to place them at undue risk.

II. DEFINITIONS

- A. Pursuit:** A multi-stage process by which a peace officer initiates a vehicular stop and a driver resists the signal or order to stop, increases speed, takes evasive action and/or refuses to stop the vehicle. Once the driver refuses to obey the peace officer's signal or order, this pursuit policy and procedure will determine the officer's and agency's actions.
- B. Termination of a Pursuit:** A pursuit shall terminate when the pursuing officer(s) turn off the emergency equipment, resume routine vehicle operation and informs dispatch, or when the suspect vehicle stops.
- C. Divided Highway:** Any highway that is separated into two or more roadways by:
1. a physical barrier, or
 2. a clearly indicated dividing section constructed so as to impede vehicular traffic.
- D. Channeling:** To direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.
- E. Compelling Path:** The use of channeling technique with a modified roadblock located at its narrowed end. The compelling path differs from a termination roadblock in that the driver or any vehicle traveling the path has an exit option at the narrowed end.

III. PROCEDURE

A. Pursuit Considerations

1. Pursuit is justified when:
 - a) a vehicle operator fails to stop after being given a visual or audible signal to stop by a peace officer; and
 - b) there is reasonable expectation of a successful apprehension of the suspect.
2. Other factors to be considered:
 - the initial decision to engage in a pursuit shall rest primarily with the officer who has initiated the vehicular stop, after considering the elements of this policy.
 - these elements shall include, but are not limited to: the crime for which the suspect is wanted (the need to apprehend immediately), and the risk to the

community created by the pursuit (traffic, area of pursuit, environmental factors, and weather conditions).

- the officer must continually consider the risks created by the pursuit, as those risks may change during a pursuit.
 - terminating a pursuit shall be considered a decision made in the interest of public safety.
 - the officer's decision to continue a pursuit may be overridden by a supervisor at any time.
3. Standards applied to the evaluation of a pursuit, as well as the decision to continue a pursuit shall include the following considerations:
 - is the need to immediately apprehend the suspect more important than the risk created by the pursuit.
 - do the dangers created by the pursuit exceed the danger posed by allowing the perpetrator to escape.

B. Procedures & Tactics for an Officer Engaging in a Pursuit

1. Emergency vehicles shall be driven in a safe manner and with due regard for public safety.
2. Emergency vehicles operating in emergency mode are permitted to violate certain traffic regulations when necessary, as long as the operator continues to exercise due care in vehicle operation.
3. The pursuing vehicle shall be known as the primary unit, which will be the unit closest to the fleeing vehicle and the secondary unit, which shall remain at a safe distance behind the primary unit but close enough to provide support and communicate with dispatch. Backup units as needed shall operate at a safe distance to provide support.

C. Responsibilities of the Primary Unit

1. The driver of the primary unit shall notify dispatch of the pursuit and shall provide at least the following critical information to dispatch:
 - unit identification.
 - offense for which the suspect is being pursued.
 - suspect vehicle description including license number if reasonably possible.
 - location, direction and speed of both vehicles.
 - description of occupant(s) and if suspect is known to the officer.
 - any other important information about the suspect vehicle or environment (for example, the suspect is traveling without lights, or the officer has lost sight of the vehicle).
2. Based on the known information the supervisor shall make the decision to either take further appropriate action or terminate the pursuit.
3. No officer will intentionally make vehicle-to-vehicle contact unless this action is in conformance with agency policy on use of force (see agency policy on use of force).

4. Roadblocks must conform to the agency's policy on use of force.
5. Only law enforcement vehicles with emergency lights and siren will be used as pursuit vehicles.

D. Supervision of Pursuit Activities

1. Each agency shall outline their procedures regarding who has control over pursuit activities.
2. Procedures regarding control over pursuit activities should:
 - reference who should be notified a unit has become involved in a pursuit.
 - reference who critical information necessary to evaluate the continuation of the pursuit should be directed to.
 - indicate who has the authority to terminate any pursuit.
3. Options to keep in mind during a pursuit include, but are not limited to:
 - parallel pursuits.
 - channeling techniques.
 - creating a compelling path.
4. Post-pursuit chain of command notifications are required and should be identified in each agency's policy.

E. Dispatch Responsibilities

Dispatch shall coordinate critical information as timely and accurately as is reasonably possible.

F. Factors Influencing the Termination of a Pursuit:

The driver of the primary unit and the supervisor shall continually evaluate the risks and likelihood of a successful apprehension of the suspect, and shall consider terminating the pursuit under the following conditions.

1. The conditions of the pursuit become too risky for the safe continuation of the pursuit.
2. A supervisor orders it terminated.
3. Information is communicated that indicates the pursuit is out of compliance with policy.
4. Communication is broken.
5. Visual contact is lost for a reasonable period of time or the direction of travel cannot be determined.
6. The suspect is known and could be apprehended later, and delaying apprehension does not create a substantial known risk of injury or death to another.

G. Interjurisdictional Pursuit

1. The primary unit shall update critical information to the dispatcher before leaving its jurisdiction.
2. The primary law enforcement vehicle shall remain the primary vehicle in other jurisdictions unless the controlling pursuit authority transfers its authority to another jurisdiction.
3. Upon receiving notification the pursuit is entering another agency's jurisdiction, the dispatcher shall forward all critical information possessed by the dispatcher to that agency.
4. When a pursuit enters this law enforcement agency's jurisdiction:
 - the dispatcher shall update the critical information to the shift supervisor or other authorized individual identified by the law enforcement agency.
 - the controlling pursuit authority shall determine if the pursuit is in conformance with policy and shall provide appropriate direction to their units.

H. Air Support

Once contact is made with air support and air support has the suspect vehicle in sight, the primary pursuit unit shall reduce the level of pursuit to that of support or backup unit.

I. Care and Consideration of Victims

1. If during a pursuit an officer observes or is made aware of an injury to an individual, the officer shall immediately notify the dispatcher to have the appropriate emergency units respond.
2. The primary pursuit unit will be responsible for ensuring assistance is provided to people who may have been injured during the course of a pursuit. The primary pursuit unit may delegate the responsibility to render the assistance to a backup unit.

J. Pursuit Summary Report

1. The primary officer and the supervisor shall file a pursuit summary report.
2. To ensure compliance with ^{was 625.5531} MN STAT 626.5532, the chief law enforcement officer shall ensure the completion of the State pursuit report form and forward it to the Commissioner of Public Safety within 30 days following the incident.
3. As required in MN STAT 626.5532, the report must contain the following elements:
 - a) the reason(s) for, and the circumstances surrounding the incident;
 - b) the alleged offense;
 - c) the length of the pursuit including time and distance;
 - d) the outcome of the pursuit;
 - e) any injuries or property damage resulting from the incident; and
 - f) any pending criminal charges against the driver.

K. Evaluation and Critique

After each pursuit the supervisor and law enforcement agency units involved with the pursuit will evaluate the pursuit and make recommendations to the chief law enforcement officer on ways to improve the agency's pursuit policy and tactics.

PB Rev 01/2011

Wendy Meyer

From: Bob Palmquist <repalmquist@comcast.net>
Sent: Tuesday, July 12, 2016 9:37 PM
To: wmeyer@mountainlakemn.com
Cc: Thielen, Mike; Vogen, Noel; Kennedy, Kip; util
Subject: Bids for Emissions Controls for 3 FM Engines at Mountain Lake

Wendy,

As you know, bids were received, today, from two contractors, for emissions controls for the three Fairbanks-Morse engines in the Mountain Lake Municipal Power Plant. These bids are as follows:

Bidder	Base Bid	Alt. 1	Completion Time
Fairbanks Morse Engine	\$275,329	\$25,099	148 days
Farabee Mechanical	\$203,255	\$48,454	98 days

Utilities Plus has engineered emissions control jobs that Farabee Mechanical completed at Blue Earth, MN, Windom, MN, Lakefield, MN, Glencoe, MN, Graettinger, Iowa and Oberlin, Ohio. Farabee Mechanical did very fine work at each job, and all engines met EPA emissions reductions requirements.

Utilities Plus recommends that Mountain Lake award a contract to Farabee Mechanical in the amount of \$203,255, for the emissions controls, plus \$48,454 for aluminum heat shields on the three new emissions control silencers, for a total of $\$203,255 + \$48,454 = \$251,709$.

It is noted that in December, 2015, when prices were received for the emissions controls for the Caterpillar engines, Fairbanks Morse Engine provided an unsolicited price of \$313,286 to put emissions controls on the three FM engines, and Midstates Erectors offered an unsolicited price of \$343,790 for this same work. None of this work included the silencer heat shields. Based upon these prices, the undersigned felt the prices for today's bid opening would be in the range of \$300,000, which the Fairbanks-Morse total price was, but the Farabee Mechanical price, from a quality contractor, was some \$50,000 under that estimate.

The monitors for the Caterpillar engines are Johnson Matthey units. Farabee Mechanical based their price upon using Miratech monitors, which they have used on most of their jobs. I talked to Terry Valentine of Farabee Mechanical today and he said the Johnson Matthey units were quite a bit more expensive than the Miratech. He said that after award of contract, he would provide a price for the more expensive unit. He will also provide a price for putting heat shields on the silencers for units 1 and 3. If the Commission decides to go with one or both of these extras, we can get them into the contract by a Change Order.

After Mountain Lake has awarded the Contract to Farabee Mechanical, Utilities Plus will complete the Contract, and send it to Farabee Mechanical for signature. After Mountain Lake has signed the Contract Utilities Plus will arrange a pre-construction meeting at the job site, to get the job moving forward.

Springfield - Mayor- \$3,960 and Council-\$3,180. Special meetings of the council are \$30 each. No extra compensation for outside meetings representing the City.

Tracy – Mayor - \$2,500 and Council \$2000. No additional pay for special meetings of the council or outside meetings representing the City.

St. James – Mayor - \$4,000 and Council \$3000. No additional pay for special meetings of the council or outside meetings representing the City.

Slayton – Mayor \$3,000 and Council \$2,000. No additional pay for special meeting of the council or outside meetings representing the City.

Windom Mayor - \$4,600 and Council \$4,000. \$50 for special council meetings and \$75 if the council attends an out of-town meeting (LMC, CGMC). *A note from Steve Nasby – Please note no Windom Council member has claimed a \$75 reimbursement (except one time) in my 10+ years with the City and we use special council meetings sparingly.*

Lakefield – Mayor\$ 4000 and Council \$65/meeting. Nothing for a council committee meeting. If they serve on another board that gets paid they get the same as the other board members. They get \$50 per out of town meeting less than four hours in length per day, or \$75 per day if it is longer than four hours.

Jackson - Mayor \$5,300 and Council \$4,200. No additional for special meetings of the council. Attendance at meetings representing the city - \$50 half day and \$100 full day. Adopted effective 1-1-14. Only used once because council members rarely attend these types of meetings.

Lake Crystal - \$3,900 Mayor and \$2,700 council. No additional pay for special meeting of the council or outside meetings representing the City.

Madelia – Mayor \$2,500 and \$2,000 council. Special meetings of the council - \$35 council/\$40 mayor.

Wendy Meyer

From: Lebrecht, Nola B. <NLebrecht@iso.com>
Sent: Friday, July 08, 2016 10:48 AM
To:
Cc:
Subject: Building Code Department Insurance Rating
Attachments: MN 2016 Information checklist.docx; Permit. Plan Review. Inspections Worksheet.xls

Good Morning!

I understand that you are the city officials of Butterfield, Mountain Lake and St. James, Minnesota and are serviced for building code enforcement by Steve Carson. My name is Nola Lebrecht and I am with Insurance Services Office (ISO) and cover portions of Minnesota and Wisconsin. ISO administers the rating of the fire, flood and building code departments throughout the entire United States for insurance rating purposes. According to our records, communities served by Steve Carson were last rated in 2011 and are due for an update to their building code department rating, as ratings are valid for only 5 years.

The benefit to your community to participate in ISO's building code department rating program called BCEGS, is that it makes your community eligible for potential benefits from the property insurance industry. There is also a relationship between the BCEGS rating and the flood insurance rating for your community for FEMA, if applicable. Achieving certain levels within the BCEGS rating program will allow communities to be eligible for certain levels within the flood insurance rating program. In 2015, FEMA approved the use of the BCEGS ratings, as one of the criteria to determine allocation of pre and post disaster FEMA funds. Please note that ISO does not charge communities for our rating services and participation is not mandatory.

If you would like to know more about Insurance Services Office and the BCEGS program, please use this link to our website. There you will find more helpful information about the program.

<http://www.isomitigation.com/bcegs.html>

The process to update the rating involves gathering documentation together and I would meet with Mr. Carson to go over those documents and completing a questionnaire. Attached is a list of items that is helpful to have ready during any such meeting. A worksheet is also attached to help organize the information. The questionnaire would be sent out from our processing center to Mr. Carson. In order to make the process a little easier for building officials, we do NOT request that the questionnaire be completed prior to our meeting, but only the documentation on the list be available. I will assist in completing the questionnaire with Mr. Carson during our meeting. This method saves considerable time for communities and building officials.

I would be available to meet with Mr. Carson on Tuesday, August 16th at 1:00 pm, should you decide to participate in BCEGS. Mr. Carson, please advise if this time is convenient for you or feel free to suggest an alternative date.

Please contact me if you have any questions regarding this list or the building code rating program. Thank you for your cooperation with Insurance Services Office.

Best regards,

Nola B. Lebrecht
Senior BCEGS Field Representative
Building Code Effectiveness Grading Schedule (BCEGS)

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BUILDING CODE EFFECTIVENESS GRADING SCHEDULE MINNESOTA SUMMARY CHECKLIST OF DOCUMENTATION REQUIRED

The following documentation may be required for our survey. A recent 12 months of records maybe used for the following information. A calendar year often works best, (example: Year 2015) but a fiscal year may also be used.

- **What was the first year of continuous building code enforcement in your community?** Please provide if known.
- **If building codes were enforced in the jurisdiction before the current department's establishment, what was the name of the enforcing agency?** Please provide, if known
- **A digital GIS map of the community.** This file maybe emailed or made available to be transferred to a flash drive.
- **Copy of the ordinance where the jurisdiction adopted the building codes.** Please provide, if available
- **Current assessed value of community-** Please also provide assessed ratio, if applicable. Or fair market value may be used instead.
- **Permit Information-** Number of permits, sorted by community, sorted by residential or commercial, and sorted by category, for the 1 year time frame used throughout the questionnaire. Categories are new, additions, remodels, manufactured, other building related like sheds, decks, windows, garages, porches, and other non-building related like pools, and fences.
- **Title of jurisdiction's Emergency Management Plan,** if known.
- **Title of jurisdiction's Comprehensive Plan,** if known.
- **Copies of all certifications** for each building code enforcement employee, contract inspector or plan reviewer. Please have available copies of all continuing education credits taken during the 1 year time frame used for the questionnaire for each inspector.
- **Building Department Operating Expenditures** – Total dollars spent for building code enforcement during the 1 year time frame used throughout the questionnaire.
- **Building Department Gross Receipts-**Total gross receipts for the building code enforcement during the 1 year time frame used throughout the questionnaire.
- **Training-** Total dollars spent for training during the 1 year time frame used throughout the questionnaire.
- **Board of Appeals-**If your jurisdiction has a Board of Appeals for Building Codes, please provide a list of the individuals and their professions.
- **Job Description-**Copy of the Building Officials job description.
- **Public Awareness-**Total dollars and hours spent on public awareness activities per jurisdiction, if known. Public awareness activity is advertising about code enforcement. Websites, newsletters, and handouts are examples of public awareness activities.
- **Checklists-**Copies of plan review and/or inspection checklists, if used.
- **Inspections-**Provide the number of inspections performed during the one year time frame selected. Please break down the total into each area (ex. Building, electrical, fuel gas, mechanical and plumbing) and separated between commercial and residential.
- **Floodplain questions, if known:**
 - Does your community contain a floodplain?
 - What department is responsible for the floodplain management?
 - Were any permits issued within the floodplain in the last 12 months or in 2014?

Were any floodplain variances granted?

Are manufactured homes prohibited in the floodplain?

What standard is used for floodplain construction? Building code, ordinance consistent with NFIP regulations, zoning ordinance?

Does your jurisdiction require FEMA elevation certificates for construction in the floodplain? If not, what is required? Flood zone, base flood information, lowest floor elevation? Etc?

Are engineered flood opening required when warranted?

Is freeboard space required?



Minnesota Pollution Control Agency

Mankato Office | 12 Civic Center Plaza | Suite 2165 | Mankato, MN 56001-8704 | 507-389-5977
800-657-3864 | Use your preferred relay service | info.pca@state.mn.us | Equal Opportunity Employer

June 30, 2016

The Honorable Mike Nelson
Mayor, City of Mountain Lake
930 Third Avenue
P.O. Box C
Mountain Lake, MN 56159-0320

RE: Facilities Plan Addendum - City of Mountain Lake
NPDES/SDS Permit Number MNG580035
Project Number 279868-2

Dear Mayor Nelson:

We are pleased to inform you that we are hereby granting approval of the facilities plan addendum proposal dated January 26, 2016, amending the August 26, 2010, Facility Plan Approval. The approved plan proposes the construction and operation of a Class C wastewater treatment facility that is designed to treat 474,000 gallons per day average wet weather flow and 1,054 pounds BOD₅ average per day. The level of treatment will be governed by the provisions of National Pollutant Discharge Elimination System (NPDES)/State Disposal System (SDS) Permit number MNG580035 dated January 13, 2011, until a permit authorizing construction is issued. The approval is pursuant to Minn. Stat. chs. 115 and 116, as amended. The legal description of the location of the proposed facility is Section 28, Township 106 North, Range 34 West, Midway Township, Mountain Lake, Cottonwood County.

The facilities plan addendum and related information indicate that the project will consist of the addition of a new 24-acre aerated primary pond to be added to existing stabilization pond system.

This constitutes a formal decision in accordance with Minn. R. 7077.2000. Any request for review or reconsideration of this decision must be submitted within 45 days of the date of this letter. For clarification concerning disputes procedures, please contact your review engineer.

The Minnesota Pollution Control Agency (MPCA), its officers, employees, and agents review, comment upon, and approve facilities plans for the limited administrative purpose of determining whether there is reasonable assurance that the treatment system, when constructed, will comply with the regulations and criteria of the MPCA.

The MPCA approval of these documents shall not in any way relieve the loan recipient or the engineer of responsibility, nor shall it make the MPCA responsible for the technical adequacy of the engineer's work.

Please notify the MPCA prior to preparation of the plans and specifications in order to schedule a design verification meeting. A design verification meeting will be held in order to (a) evaluate appropriateness of population projections, (b) review design loadings, including "Design Flow Determination," and (c) discuss any changes from the previously approved Facilities Plan. A mid-course meeting scheduled by

the municipality should also be conducted at approximately the 50 to 60 percent level of completion of plans and specifications. The loan recipient may commence the preparation of the plans and specifications after the design verification meeting has been held.

Final plans and specifications shall be prepared to comply with the requirements of the NPDES/SDS Permit, and must be consistent with the scope of the approved facility plan according to Minn. R. 7077.0274. The plans and specifications must be signed by a professional engineer registered in Minnesota. The loan recipient should schedule a meeting at the time of submittal of the plans and specifications where a brief overview of the submittal will be presented. Additional information that must be submitted with the final plans and specifications shall include:

1. A summary of design parameters for the treatment units;
2. A summary of flow conditions for average dry weather, average wet weather, peak hourly wet weather, and peak instantaneous wet weather on a form provided by the MPCA and, for individual sewage treatment systems, reported as average design flow or maximum design flow;
3. A hydraulic profile of the flow through the treatment system;
4. A plan for interim treatment to meet permit requirements during construction;
5. The latest detailed cost estimate based on the plans and specifications submitted;
6. Administrative, bidding, and contract documents according to the applicable requirements under Minnesota statutes, including a 100% performance bond from the contractors;
7. A project schedule on a form provided by the MPCA;
8. A certification from the municipality that states that full-time resident inspection shall be provided during construction, and that written inspection reports describing the construction inspected, construction problems, and the amount of inspection time required shall be submitted to the Commissioner on a monthly basis; and
9. Finalized and executed intermunicipal agreements necessary for the successful implementation and administration of the project.

No construction shall begin until the Permittee has submitted final plans and specifications for the construction to the MPCA and has received written approval of the final plans and specifications in accordance with the NPDES/SDS Permit.

This approval shall not relieve the Permittee from complying with all conditions and requirements of the NPDES/SDS Permit, and shall be retained by the Permittee with the permit.

The Honorable Mike Nelson
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June 30, 2016

Any questions regarding this approval should be directed to me at 507-344-5241.

Sincerely,

Pamela B. Meyer, P.E.

This document has been electronically signed.

Pamela B. Meyer, P.E.
Engineer
Municipal Wastewater Section
Municipal Division

PM:cz

cc: Andy Kehren, P.E., Bolton & Menk, Sleepy Eye
Becky Sabie, Public Facilities Authority, St. Paul
Planning and Zoning Commission, Cottonwood County
Chairman, Mountain Lake Township

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Protecting, maintaining and improving the health of all Minnesotans

June 21, 2016

Mountain Lake Public Utilities
c/o Ms. Wendy Meyer, Administrator
930 Third Avenue, Box C
Mountain Lake, Minnesota 56159-0320

Gentlemen/Ladies:

SUBJECT: Sanitary Survey Report for Mountain Lake Public Water System (PWS),
Cottonwood County, PWSID 1170003

Enclosed is a copy of the sanitary survey report summarizing an on-site inspection of your Community Public Water System. This report includes a review of the system's water source, facilities, equipment, operation, maintenance, and monitoring compliance for the purpose of evaluating the adequacy of the facilities for producing and distributing safe drinking water. Technical and management information regarding the operation of the system may also be provided. Conducting sanitary surveys on a regular basis is an important element in preventing contamination of drinking water supplies and in maintaining compliance with the National Primary Drinking Water Standards. Kevin Krahn was present during this inspection.

Please take appropriate action to address any deficiencies or recommendations identified within this report. A deficiency may lead to a contamination of the water supply or failure of the system to be in compliance with the Safe Drinking Water Act. The enclosed report must be kept on file and made available for public review for not less than ten (10) years.

The Minnesota Department of Health (MDH) continues to monitor your PWS for contaminants identified by state and federal drinking water regulations. The results of such monitoring are not part of this report. They are sent to you under separate cover as they become available.

If you have questions concerning the information contained in the report, please contact me at 507/344-2736.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark D. Sweers", is written over the typed name.

Mark D. Sweers, P.E.
MDH - Drinking Water Protection
Environmental Health Division
12 Civic Center Plaza, Suite 2105
Mankato, Minnesota 56001

MDS

Enclosures

cc: Water Superintendent

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**MINNESOTA DEPARTMENT OF HEALTH
SECTION OF DRINKING WATER PROTECTION
Public Water Supply Inventory Report**



System Name: Mountain Lake PWSID: 1170003 System Contact: Kevin Krahn	Survey Date: 05/26/2016 Surveyor: Mark D. Sweers, P.E. PWS Type: Community
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Contact Information

<u>Name</u>	<u>Address</u>	<u>Phone/Email</u>
Contact		
Kevin Krahn		Business Phone 1 507/427-2616 Cell Phone 507/822-2819 Email dripsrus@frontiernet.net
Dave Watkins		Cell Phone 507/822-3687
Public Utilities Office		Business Fax 507/427-3327 Business Phone 1 507/427-2633, Ext. 6

Owner/Responsible Party

Mountain Lake Public Utilities	c/o Ms. Wendy Meyer, Administrator 930 Third Avenue, Box C Mountain Lake, MN 56159-0320	Business Fax 507/427-3327 Business Phone 1 507/427-2999 Email city@mountainlake.govoffice.com
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Financial

Mountain Lake Municipal Utilities	930 Third Avenue P.O. Box C Mountain Lake, MN 56159-0320	
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Sample Bottles/General Correspondence

Mountain Lake Water Superintendent	Mountain Lake Public Utilities 930 Third Avenue P.O. Box C Mountain Lake, MN 56159-0320	Email dripsrus@frontiernet.net
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Emergency Workday

City Hall		Business Fax 507/427-3327 Business Phone 1 507/427-2999
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Emergency After-Hours

Cottonwood Co. Sheriff		Business Phone 1 507/831-1375
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Consumer Confidence Report

Kevin Krahn		Business Phone 1 507/822-2819 Email dripsrus@frontiernet.net
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Classification Information

Owner Type: Municipal		Population: 2100	
System Class: B		Service Connections: 814	
Service Area Characteristics: Municipal		Class Points: 0	

Certified Operators

<u>Name</u>	<u>Class</u>	<u>Expiration Date</u>	<u>Name</u>	<u>Class</u>	<u>Expiration Date</u>
Krahn, Kevin L.	B	04/30/2018	Watkins, Dave H.	B	04/30/2018

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**MINNESOTA DEPARTMENT OF HEALTH
SECTION OF DRINKING WATER PROTECTION
Public Water Supply Inventory Report**



System Name: Mountain Lake PWSID: 1170003 System Contact: Kevin Krahn	Survey Date: 05/26/2016 Surveyor: Mark D. Sweers, P.E. PWS Type: Community
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Production Totals

Design Capacity:	575 Gallons per Minute	Emergency Capacity:	390,000 Gallons
Average Daily:	213,700 Gallons	Storage Capacity:	390,000 Gallons
Highest Daily:	412,000 Gallons		

Source Information

Well #1

Unique Well No.: 00240069
 Type: Well
 Status: Active
 Availability: Primary
 Year Constructed: 1951
 Well Depth (ft): 325
 Casing Depth (ft): 280
 Casing Diameter (in):
 Screen Length (ft):
 Aquifer: Sioux Quartzite

Source Type: Groundwater
 Pump Capacity (gpm):
 Pumping Rate (gpm): 90
 Emergency Capacity:
 Static Depth (ft):
 Drawdown (ft):
 Pump Type: Submersible VFD
 Vulnerable: No

Well #3

Unique Well No.: 00222629
 Type: Well
 Status: Active
 Availability: Primary
 Year Constructed: 1969
 Well Depth (ft): 500
 Casing Depth (ft): 94
 Casing Diameter (in):
 Screen Length (ft):
 Aquifer: Sioux Quartzite

Source Type: Groundwater
 Pump Capacity (gpm):
 Pumping Rate (gpm): 75
 Emergency Capacity:
 Static Depth (ft):
 Drawdown (ft):
 Pump Type: Submersible VFD
 Vulnerable: No

Well #5

Unique Well No.: 00699040
 Type: Well
 Status: Active
 Availability: Primary
 Year Constructed: 2004
 Well Depth (ft): 76
 Casing Depth (ft): 51
 Casing Diameter (in):
 Screen Length (ft):
 Aquifer: Quaternary Buried Artesian Aquifer

Source Type: Groundwater
 Pump Capacity (gpm):
 Pumping Rate (gpm): 100
 Emergency Capacity:
 Static Depth (ft):
 Drawdown (ft):
 Pump Type: Submersible VFD
 Vulnerable: Yes



**MINNESOTA DEPARTMENT OF HEALTH
SECTION OF DRINKING WATER PROTECTION
Public Water Supply Inventory Report**



System Name: Mountain Lake	Survey Date: 05/26/2016
PWSID: 1170003	Surveyor: Mark D. Sweers, P.E.
System Contact: Kevin Krahn	PWS Type: Community

Well #6

Unique Well No.: 00786996
 Type: Well
 Status: Active
 Availability: Primary
 Year Constructed: 2012
 Well Depth (ft): 68
 Casing Depth (ft): 58
 Casing Diameter (in):
 Screen Length (ft):
 Aquifer: Quaternary Buried Artesian Aquifer

Source Type: Groundwater
 Pump Capacity (gpm):
 Pumping Rate (gpm): 60
 Emergency Capacity:
 Static Depth (ft):
 Drawdown (ft):
 Pump Type: Submersible VFD
 Vulnerable: Yes

Well #7

Unique Well No.: 00806855
 Type: Well
 Status: Active
 Availability: Primary
 Year Constructed: 2015
 Well Depth (ft): 202
 Casing Depth (ft): 148
 Casing Diameter (in): 12
 Screen Length (ft):
 Aquifer: Quaternary Buried Artesian Aquifer

Source Type: Groundwater
 Pump Capacity (gpm): 527
 Pumping Rate (gpm): 405
 Emergency Capacity:
 Static Depth (ft):
 Drawdown (ft):
 Pump Type: Submersible VFD
 Vulnerable: No

Treatment Information

TREATMENT PLANT

Type: Treatment Plant
 Status: Active
 Availability: Primary

Treatment Objective

Corrosion control - Lead/Copper
 Dechlorination
 Disinfection
 Fluoride (Z)
 Inorganics removal
 Iron/Manganese Removal

Other
 Softening

Source Water: Groundwater
 Design Capacity: 575 Gallons per Minute
 Emergency Capacity: 140,000 Gallons

Treatment Process Mechanism

Stabilization/Inhibitors/Blended phosphates
 Dechlorination/Sodium bisulfate
 Chlorine/Gas
 Fluoridation/Hydrofluosilicic acid
 Fixed barrier technologies/Reverse Osmosis
 Aeration/Induced Draft
 Detention (chemical reaction time)
 Filtration (Gravity)/Anthracite/Greensand
 Oxidation - chemical/Potassium permanganate
 Backwash recycle
 Fixed barrier technologies/Reverse Osmosis

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MINNESOTA DEPARTMENT OF HEALTH
SECTION OF DRINKING WATER PROTECTION
Public Water Supply Inventory Report



System Name: Mountain Lake	Survey Date: 05/26/2016
PWSID: 1170003	Surveyor: Mark D. Sweers, P.E.
System Contact: Kevin Krahn	PWS Type: Community

Storage Information

Clearwell

Type: Storage-Ground
Status: Active

Capacity: 140,000 Gallons
Availability: Primary
Chlorination:

Elevated 250000

Type: Storage-Elevated
Status: Active

Capacity: 250,000 Gallons
Availability: Primary
Chlorination:

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MINNESOTA DEPARTMENT OF HEALTH SECTION OF DRINKING WATER PROTECTION Public Water Supply Inventory Report



System Name: **Mountain Lake**
PWSID: **1170003**
System Contact: **Kevin Krahn**

Survey Date: **05/26/2016**
Surveyor: **Mark D. Sweers, P.E.**
PWS Type: **Community**

Bacteriological Sample Site Plan

Distribution

<u>Sample Site ID</u>	<u>Sample Location</u>	<u>Status</u>	<u>Notes</u>
	Midway Farm Equipment	Active	
	Balzer Inc.	Active	
	Casey's General Store	Active	
	Campground	Active	
	Power Plant	Active	

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MINNESOTA DEPARTMENT OF HEALTH
Section of Drinking Water Protection
Sanitary Survey Report



System Name: Mountain Lake PWSID: 1170003 System Contact: Kevin Krahn	Survey Date: 05/26/2016 Surveyor: Mark D. Sweers, P.E. PWS Type: Community
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Requirements and Recommendations

Water Source

As a reminder, it is required that a well for a community public water supply be located according to distances specified in Minn. Rules 4725.4450, including not less than 50 feet from a source of contamination including buried sewers (except as specified in Minn. Rules 4725.5850).

Pumps/Pump Facilities and Controls

No deficiencies observed.

Treatment

It is recommended that when replacing the liquid storage tanks a secondary containment be provided to prevent the accidental discharge of chemical in the event of an equipment failure or spill. [Recommended Standards for Water Works 5.1.9]

Water Storage

It is recommended that all water storage structures be inspected externally on a seasonal basis to assess and repair environmental damage and verify integrity of vents and screens. A written maintenance program should include periodic internal inspection and cleaning. Operating procedures addressing minimum and maximum water levels and target turnover rates should be in place. [AWWA Standards Distribution Systems Operation and Management, Sec. 4.3]

Distribution

It is required that no physical connection exist between any public water supply intended for potable use and any system, equipment, or device that may serve as a source of contamination, unless protected by a properly maintained backflow preventer. [Minnesota Rules 4720.0025]

It is recommended that undersized mains, less than 6 inches in diameter, be replaced as the opportunities present themselves.

It is recommended that dead ends in the distribution system be minimized by looping. If looping is not feasible, a fire hydrant, approved flushing hydrant or blow off for flushing purposes must be used at the dead ends to maintain water quality and/or chlorine residual. [Recommended Standards for Water Works 8.0]

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MINNESOTA DEPARTMENT OF HEALTH
Section of Drinking Water Protection
Sanitary Survey Report



System Name: Mountain Lake PWSID: 1170003 System Contact: Kevin Krahn	Survey Date: 05/26/2016 Surveyor: Mark D. Sweers, P.E. PWS Type: Community
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Requirements and Recommendations

Monitoring/Reporting Data Verification

The following applicable records are required to be maintained by the water supply system:

- a. Coliform bacteria results - 5 years
 - b. Chlorine residual results - 5 years
 - c. Chemical results - 10 years
 - d. Sanitary survey reports - 10 years
 - e. All lead and copper materials - 12 years
 - f. Consumer confidence reports - 3 years
 - g. Public Notices - 3 years
 - h. Fluoride quarterly results and monthly reports - 1 year
- [Minn. Rules 4720.0350]

Water System Management/Operation

As a reminder, engineering plans for new, modifications to, or additions to the water supply system, including watermains, are required to be properly submitted to the Minnesota Department of Health for review. All plans must be approved prior to the start of construction. [Minn. Rules 4720.0010]

It is recommended that a list of all testable backflow prevention devices, their locations and maintenance records be maintained by the public water supply. [Minn. Rules, 4720.0025].

To ensure security, it is recommended that a daily check of critical system components be conducted, including confirmation that all doors and access hatches are locked.

Operator Compliance with State Requirements

The certified operators are required to qualify themselves by attending waterworks operators training seminars offered throughout the state. Continuing education is valuable experience for anyone engaged in this field. The required contact hours in the previous 3 years for certification renewal are:

- Class A 32 contact hours
 - Class B 24 contact hours
 - Class C 16 contact hours
 - Class D 8 contact hours
 - Class E 4 contact hours
- [Minn. Rules 9400.1200]

Other

The average and highest daily production numbers in the Production Totals section are the totals of the wells prior to treatment. The average daily after treatment was 143,000 and the highest was 269,000 gallons.

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MINNESOTA DEPARTMENT OF HEALTH
Section of Drinking Water Protection
Sanitary Survey Report



System Name: Mountain Lake	Survey Date: 05/26/2016
PWSID: 1170003	Surveyor: Mark D. Sweers, P.E.
System Contact: Kevin Krahn	PWS Type: Community

Bacteriological Results and Chlorine Residuals

<u>Date</u>	<u>Sampling Location</u>	<u>Chlorine Residual Free / Total (mg/L)</u>	<u>Coliform Bacteria</u>	<u>E.Coli</u>
05/26/2016	Treatment Plant Influent	/	Absent	
05/26/2016	Treatment Plant	0.12 / 0.39	Absent	
05/26/2016	Power Plant	0.12 /	Absent	

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