



CITY OF GRAND RAPIDS

Meeting Agenda Full Detail City Council

Monday, February 26, 2018

5:00 PM

City Hall Council Chambers

5:00 PM CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council will be held on Monday, February 26, 2018 at 5:00 p.m. in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL

MEETING PROTOCOL POLICY

Please be aware that the Council has adopted a Meeting Protocol Policy which informs attendees of the Council's desire to conduct meetings in an orderly manner which welcomes all civil input from citizens and interested parties. If you are unaware of the policy, copies (orange color) are available in the wall file by the Council entrance.

5:01 PM PUBLIC FORUM

5:06 PM COUNCIL REPORTS

APPROVAL OF MINUTES

18-0142 Consider approving Council minutes for Monday, February 12, 2018 Worksession and Regular meetings.

Attachments: [February 12, 2018 Worksession.pdf](#)
[February 12, 2018 Regular Meeting.pdf](#)

VERIFIED CLAIMS

18-0128 Consider approving the verified claims for the period February 6, 2018 to February 16, 2018 in the total amount of \$890,674.66.

Attachments: [COUNCIIL BILL LIST 02-26-18.pdf](#)

5:10 PM CONSENT AGENDA

Any item on the consent agenda shall be removed for consideration by request of any one Councilmember, City staff, or the public and put on the regular agenda for discussion and consideration.

1. 18-0082 Consider adopting a resolution approving the plans and specifications and ordering the

- advertisement for bids for CP 2011-3, the 2018 Northeast Improvements Project.
Attachments: [2-26-18 Resolution CP 2011-3 Ordering Advertisement](#)
2. [18-0083](#) Consider adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2010-5, the Mississippi River Pedestrian Bridge project.
Attachments: [2-26-18 Resolution CP 2010-5 Ordering Advertisement](#)
3. [18-0118](#) Consider adopting a resolution accepting a donation of \$25.00 dollars from an anonymous person(s) to purchase equipment
Attachments: [donationletter.pdf](#)
[PD Anonymous Donation Res.pdf](#)
4. [18-0119](#) Consider approving a trail permanent easement and a memorandum of understanding with River Grand Investments LLC related to CP 2010-5, Mississippi River Pedestrian Bridge.
Attachments: [Signed Trail Easement 2-19-18.pdf](#)
5. [18-0126](#) Consider entering into a Lease-Purchase Agreement with TYMCO, Inc.
Attachments: [Grand Rapids Street Sweeper Lease RESOLUTION Lease Purchase Agreement](#)
6. [18-0127](#) Consider approving the Workers Compensation coverage endorsement through Berkley Administration.
Attachments: [Grand Rapids Endorsement](#)
7. [18-0129](#) Consider adopting a job description for Assistant Superintendent at the Pokegama Golf Course along with appointment and wage increase for Cody Alleman.
Attachments: [Golf - Assistant Superintendent Equipment Supervisor](#)
8. [18-0130](#) Consider the adoption of a resolution accepting the bid and authorizing a contract with George Bougalis & Sons for the Sammy's Pizza Expansion Demolition Project.
Attachments: [Sammy's Pizza Resolution.pdf](#)
[Bid Recommendation and Abstract - Sammy's Pizza Demolition.pdf](#)
[Bid Extension Letter Signed - Sammy's Expansion Demolition.pdf](#)
9. [18-0131](#) Consider the adoption of a resolution accepting a \$300,000 grant from the Minnesota Dept. of Iron Range Resources and Rehabilitation Development Infrastructure Program.
Attachments: [Resolution Accepting IRRRB grant Grand Itasca.pdf](#)
[IRRR Grant Agreement.pdf](#)
[IRRR Grant Agreement exhibits.pdf](#)
10. [18-0134](#) Consider authorizing the Public Works Department's request to purchase a John Deere 1585 Terrain Cut Mower with a snow blower and broom attachment from Pokegama Lawn

and Sport, through the John Deere Corporate Government Discount Rate.

11. [18-0135](#) Consider a resolution supporting Independent School District (ISD) 318 in their efforts to pass a bond referendum for two elementary schools and the remodel and expansion of Cohasset Elementary School.
Attachments: [ISD 318 Referendum Support.pdf](#)
12. [18-0136](#) Consider approving the hiring of part-time employees at the Grand Rapids Park and Recreation Department, IRA Civic Center and the Grand Rapids Sports Complex.
13. [18-0137](#) Consider accepting the letter of retirement from David Calliguri from the Grand Rapids Fire Department.
Attachments: [Calliguri letter of retirement](#)
14. [18-0138](#) Consider approving Operating Engineers Local #49 Health and Welfare Fund Bargaining Premium Account Participation Agreement for the CBA by and between the City of Grand Rapids and the Clerical Union.
Attachments: [Bargaining Premium Account Participation Agreement](#)

**5:12 SETTING OF REGULAR AGENDA
PM**

This is an opportunity to approve the regular agenda as presented or add/delete by a majority vote of the Council members present an agenda item.

ACKNOWLEDGE BOARDS & COMMISSIONS

15. [18-0141](#) Acknowledge attached minutes for Boards & Commissions.
Attachments: [August 16, 2017 Airport Advisory Board.pdf](#)
[December 7, 2017 Planning Commission minutes.pdf](#)
[January 11, 2018 GREDA Minutes.pdf](#)
[January 16, 2018 Golf Board minutes.pdf](#)
[January 16, 2018 PUC minutes.pdf](#)
[January 29, 2018 PUC minutes.pdf](#)

**5:13 DEPARTMENT HEAD REPORT
PM**

16. [18-0139](#) Housing & Redevelopment Authority - Jerry Culliton
Attachments: [February 26, 2018 Department Head Report.pdf](#)

**5:23 COMMUNITY DEVELOPMENT
PM**

17. [18-0121](#) Consider the adoption of a resolution, regarding the Planning Commission's

recommendation for approval, of a request from Hawkinson Construction Company for a Conditional Use Permit, allowing for the establishment of a long-term mining/mineral extraction operation.

Attachments: [Hawkinson C.C. CUP: Maps - Area and Zoning](#)
[HCC CUP: Staff Review Worksheet & Referenced Code Sections](#)
[Planning Commission Mtg. Minutes: 2-1-2018 \(draft\)](#)
[Hawkinson C.C. CUP: Application](#)
[CUP Application Submittal: SWPPP pg. 1-14](#)
[CUP Application Submittal: SWPPP pg. 15-28](#)
[Hawkinson C.C.: EAW](#)
[Hawkinson C.C. EAW: Traffic Analysis Report](#)
[EAW Findings of Fact w/City Resolution](#)
[Hawkinson C.C. CUP: Resolution \(draft - approval\)](#)

**5:28 ENGINEERING
PM**

18. [18-0125](#) On Monday, February 26, 2018, directly following the regular City Council meeting, a public meeting will be conducted, in the City Hall Council Chambers, regarding the City's Stormwater Pollution Prevention Plan (SWPPP). The meeting will present the progress to date and required activities for 2018. The City invites all residents and encourages public participation. A quorum of the Grand Rapids City Council may be present.

**5:35 ADJOURNMENT
PM**

NEXT REGULAR MEETING IS SCHEDULED FOR MARCH 12, 2018, AT 5:00 P.M.

NOTE: These times are approximate only and are subject to change. If you are interested in a topic of discussion you should appear at least 10 minutes before its scheduled time.

Hearing Assistance Available: This facility is equipped with a hearing assistance system.

Attest: Kimberly Gibeau, City Clerk



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0142 **Version:** 1 **Name:** Council minutes
Type: Agenda Item **Status:** Approval of Minutes
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider approving Council minutes for Monday, February 12, 2018 Worksession and Regular meetings.
Sponsors:
Indexes:
Code sections:
Attachments: [February 12, 2018 Worksession.pdf](#)
[February 12, 2018 Regular Meeting.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving Council minutes for Monday, February 12, 2018 Worksession and Regular meetings.

Background Information:

Draft minutes are attached for review.

Staff Recommendation:

Review, make recommended changes if needed and approve.

Requested City Council Action

Make a motion approving Council minutes for Monday, February 12, 2018 Worksession and Regular meetings.



CITY OF GRAND RAPIDS

Minutes - Final - Draft City Council Work Session

Monday, February 12, 2018

4:00 PM

Conference Room 2A

4:00 PM CALL TO ORDER: Pursuant to due notice and call thereof a Special Meeting/Worksession of the Grand Rapids City Council was held on Monday, February 12, 2018 at 4:05 p.m. in City Hall Conference Room 2A, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL: On a call of roll, the following members were present:

Present 5 - Mayor Dale Adams, Councilor Dale Christy, Councilor Bill Zeige, Councilor Rick Blake, and Councilor Tasha Connelly

Others present:

Scott Johnson, Jeff Davies, Barb Baird, Matt Wegwerth, Rob Mattei

Discussion Items

1. Discuss ADA Transition Plan

Engineer Wegwerth provided overview of requirements and City facility needs for becoming compliant. With several buildings having undergone recent updates, the City will continue to upgrade as time and finances allow. Updates for privately owned businesses are not included but will be encouraged to update as needed.

Received and Filed

2. Review 5:00 PM Regular Meeting

Upon review, the Council re-organized items to be placed on Consent.

ADJOURN

There being no further business, the meeting adjourned at 4:45 PM.

Respectfully submitted:

Kimberly Gibeau
Kimberly Gibeau, City Clerk



CITY OF GRAND RAPIDS

Minutes - Final - Draft City Council

Monday, February 12, 2018

5:00 PM

City Hall Council Chambers

5:00 PM CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council was held on Monday, February 12, 2018 at 5:00 p.m. in City Hall Council Chambers, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL

Present 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Rick Blake
Councilor Tasha Connelly

Staff present:

Tom Pagel, Chad Sterle, Mike Liebel, Scott Johnson, Barb Baird, Jeff Davies, Rob Mattei, Matt Wegwerth, Dale Anderson, Steve Schaar, Lauren Van Den Heuvel, Lynn DeGrio

5:02 PM PRESENTATIONS/PROCLAMATIONS

Declare the week of February 11th through February 17th, 2018 Jerry & Shirley Miner Week.

Mayor Adams presented official proclamation, delivered to Jerry & Shirley Miner at the community appreciation event on Sunday, February 11th at the Multi-Use Pavilion.

Received and Filed

MEETING PROTOCOL POLICY

5:03 PM PUBLIC FORUM

None.

5:08 PM COUNCIL REPORTS

Councilor Christy expressed appreciation for City staff and the work that went into making the community appreciation event a success.

APPROVAL OF MINUTES

Consider approving Council minutes for Monday, January 22, 2018 Worksession & Regular meetings and January 29, 2018 Special meeting.

A motion was made by Councilor Bill Zeige, seconded by Councilor Tasha Connelly, to approve Council minutes as presented. The motion PASSED by unanimous vote.

**5:50 VERIFIED CLAIMS
PM**

26. Consider approving the verified claims for the period January 16, 2018 to February 12, 2018 in the total amount of \$734,899.02.

A motion was made by Councilor Blake, seconded by Councilor Christy, to approve the verified claims as presented. The motion carried by the following vote.

Aye 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Rick Blake
Councilor Tasha Connelly

**5:10 CONSENT AGENDA
PM**

1. Consider adopting a resolution approving a loan to the Capital Equipment Replacement Fund in the amount of \$600,525 for a term of six years with an interest rate for 2018 of .50% and adjusting the annual interest rate by adding .25% to the City's previous year's average interest rate on investments.

Adopted Resolution 18-07 by consent roll call

2. Consider a resolution accepting the City's ADA Transition Plan and call for a Public Hearing on Monday, March 12, 2018 at 5:30 pm in the Grand Rapids City Council Chambers.

Adopted Resolution 18-08 by consent roll call

3. Consider adopting a resolution approving budgeted transfers from the General Fund to the Special Revenue Funds-Domestic Animal Control Facility and Central School.

Adopted Resolution 18-09 by consent roll call

4. Consider approving the General Liability insurance coverage through the League of Minnesota Cities Insurance Trust for the 2018 plan year and authorize payment of the insurance premium including the agent fee.

Approved by consent roll call

5. Consider entering into an Agreement with Active Network, Maximum Solutions to provide scheduling software for the Parks & Recreation Department.
- Approved by consent roll call**
6. Consider approving Amendment Number Three (3) to the Mutual Aid Agreement for both the City of Grand Rapids' and the City of Cohasset's Public Works Departments for cemetery sexton services for a two year period effective January 1, 2018 through December 31, 2019.
- Approved by consent roll call**
7. Consider adopting a resolution approving an operating transfer from the Capital Project Fund- 7th Ave Bridge Rehabilitation to the Capital Project Fund-General Capital Improvements in the amount of \$122,529.
- Adopted Resolution 18-10 by consent roll call**
8. Consider adopting a resolution approving an operating transfer from the Capital Project Fund-2017 Infrastructure Bonds to the Capital Project Fund-Grand Rapids Arts & Culture Projects.
- Adopted Resolution 18-11 by consent roll call**
9. Consider authorizing the Public Works Department to prepare specifications for a multi-use turf lawnmower/outdoor rink maintenance vehicle.
- Approved by consent roll call**
10. Consider the adoption of a resolution accepting a grant from the Blandin Foundation for CP 2010-5, Mississippi River Pedestrian Bridge
- Adopted Resolution 18-12 by consent roll call**
11. Considering adopting a resolution accepting a Hazardous Materials Emergency Planning Grant.
- Adopted Resolution 18-13 by consent roll call**
12. Consider entering into an agreement with an area business for advertising at the IRA Civic Center.
- Approved by consent roll call**
13. Consider adopting a resolution approving an operating transfer from the Capital Project Fund-2017 Infrastructure Bonds to the Capital Project Fund-2016 Infrastructure Bonds in the amount of \$91,301 and close the fund.
- Adopted Resolution 18-14 by consent roll call**
14. Consider approving temporary liquor permit for Itasca Curling Club for event scheduled for February 23 - 25, 2018.
- Approved by consent roll call**

15. Consider authorizing Building Maintenance Department to solicit quotes for commonly used paper and cleaning products.

Approved by consent roll call

15a. Consider authorizing Community Development's purchase of a 2018 Dodge Ram, ST Quad 4X4, 1/2 Ton pick-up, from Lake Woods Chrysler for a total price of \$28,267.01, including tax and licensing.

Approved by consent roll call

15b. Consider approving a resolution declaring parking restrictions on 7th Street NE

Adopted Resolution 18-15 by consent roll call

15c. Consider approving a resolution declaring parking restrictions on 11th Avenue NE

Adopted Resolution 18-16 by consent roll call

Approval of the Consent Agenda

A motion was made by Councilor Zeige, seconded by Councilor Connelly, to approve the Consent agenda as amended. The motion carried by the following vote

- Aye** 5 - Councilor Dale Christy
- Mayor Dale Adams
- Councilor Bill Zeige
- Councilor Rick Blake
- Councilor Tasha Connelly

SETTING OF REGULAR AGENDA

A motion was made by Councilor Dale Christy, seconded by Councilor Tasha Connelly, to approve the Regular agenda as amended. The motion PASSED by unanimous vote.

**5:12 DEPARTMENT HEAD REPORT
PM**

16. Fire Department - Mike Liebel

Chief Liebel provided an update on Fire Department staffing, activities, fire calls, fire hall issues, and truck and equipment needs. A complete report is on file in the Administration Department.

Received and Filed

**5:22 CIVIC CENTER, PARKS & RECREATION
PM**

17. Consider a motion approving a contract with the University of Minnesota to update and expand the IRA Civic Center Economic Impact Report.
- A motion was made by Councilor Rick Blake, seconded by Councilor Tasha Connelly, to approve contract with UofM as presented. The motion PASSED by unanimous vote.**
18. Considering authorizing staff to apply for a Community Arts Learning Grant through the Arrowhead Regional Arts Council.
- A motion was made by Councilor Christy, seconded by Councilor Zeige, authorizing application for Community Arts Learning Grant through Arrowhead Regional Arts Council. The motion carried by the following vote.**
- Aye** 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Rick Blake
Councilor Tasha Connelly
19. Consider adopting a resolution to accept a donation to help fund the installation of a wheelchair accessible swing at Crystal Lake Park.
- A motion was made by Councilor Tasha Connelly, seconded by Councilor Dale Christy, to adopt Resolution 18-17, accepting donation to assist funding installation of wheelchair accessible swing at Crystal Lake Park. The motion PASSED by unanimous vote.**

**5:30 COMMUNITY DEVELOPMENT
PM**

Moved to Consent as item #15a.

**5:35 ENGINEERING
PM**

21. Consider adopting a resolution accepting a bench donation from Rapids Riders ATV Club in honor of Barron Cottingham.
- A motion was made by Councilor Bill Zeige, seconded by Councilor Rick Blake, to adopt Resolution 18-18, bench donation from Rapids Riders ATV Club in memory of Barron Cottingham. The motion PASSED by unanimous vote.**
22. Consider the adoption of an ordinance, amending section 70-203 of Article V *Stormwater Utility* within Chapter 70 *Utilities*, of the Municipal Code.
- A motion was made by Councilor Christy, seconded by Councilor Connelly, to adopt City Ordinance 18-02-01, amending section 70-203 of Article V Stormwater Utility within Chapter 70 Utilities. The motion carried by the following vote.**

Aye 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Rick Blake
Councilor Tasha Connelly

**5:45 ADMINISTRATION DEPARTMENT
PM**

25. Consider approving the 2018-2019 Clerical Union Bargaining Agreement.

A motion was made by Councilor Blake, seconded by Councilor Zeige, to approve the 2018-2019 Clerical Union Bargaining Agreement. The motion carried by the following vote.

Aye 5 - Councilor Dale Christy
Mayor Dale Adams
Councilor Bill Zeige
Councilor Rick Blake
Councilor Tasha Connelly

ADJOURNMENT

A motion was made by Councilor Tasha Connelly, seconded by Councilor Bill Zeige to adjourn the meeting at 5:40 PM.

Respectfully submitted:

Kimberly Gibeau
Kimberly Gibeau, City Clerk



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0128 **Version:** 1 **Name:** VERIFIED CLAIMS
Type: Agenda Item **Status:** Verified Claims
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider approving the verified claims for the period February 6, 2018 to February 16, 2018 in the total amount of \$890,674.66.

Sponsors:

Indexes:

Code sections:

Attachments: [COUNCIIL BILL LIST 02-26-18.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving the verified claims for the period February 6, 2018 to February 16, 2018 in the total amount of \$890,674.66.

Requested City Council Action

Make a motion approving the verified claims for the period February 6, 2018 to February 16, 2018 in the total amount of \$890,674.66.

DATE: 02/21/2018
 TIME: 15:03:26
 ID: AP443000.CGR

CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

PAGE: 1

INVOICES DUE ON/BEFORE 02/26/2018

VENDOR #	NAME	AMOUNT DUE

GENERAL FUND		
2009730	TITAN TECHNOLOGY SOLUTIONS	938.33
2201650	VAR RESOURCES, INC.	1,614.12
	TOTAL	2,552.45
CITY WIDE		
1115550	KOOTASCA COMMUNITY ACTION INC	500.00
	TOTAL CITY WIDE	500.00
SPECIAL PROJECTS-BUDGETED		
0920050	ITASCA COUNTY HISTORICAL	10,869.00
	TOTAL SPECIAL PROJECTS-BUDGETED	10,869.00
ADMINISTRATION		
0118653	ARROWHEAD HUMAN RESOURCES ASSN	45.00
0718060	GRAND RAPIDS HERALD REVIEW	613.80
1605665	PERSONNEL DYNAMICS LLC	140.40
	TOTAL ADMINISTRATION	799.20
BUILDING MAINTENANCE-CITY HALL		
0113233	AMERIPRIDE SERVICES INC	45.88
0221650	BURGGRAF'S ACE HARDWARE	32.44
0315455	COLE HARDWARE INC	51.09
0920060	ITASCA COUNTY TREASURER	218.23
1909510	SIM SUPPLY INC	245.09
2018680	TRU NORTH ELECTRIC LLC	885.00
	TOTAL BUILDING MAINTENANCE-CITY HALL	1,477.73
COMMUNITY DEVELOPMENT		
0718060	GRAND RAPIDS HERALD REVIEW	69.00
0914690	INSIGHT PUBLIC SECTOR SLED	177.81
0914717	INT'L CODE COUNCIL	210.00
0920055	ITASCA COUNTY RECORDER	3.00
0920060	ITASCA COUNTY TREASURER	35.34
2018225	TREASURE BAY PRINTING INC	15.00
	TOTAL COMMUNITY DEVELOPMENT	510.15

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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 02/26/2018

VENDOR #	NAME	AMOUNT DUE

GENERAL FUND		
COUNCIL/COMMISSION/BOARDS		
0920063	ITASCA COUNTY WORK CREW PRGM	40.00
1309090	MINERS INC	16.65
TOTAL COUNCIL/COMMISSION/BOARDS		56.65
ENGINEERING		
1200800	LHB ENGINEERS & ARCHITECTS	1,301.28
TOTAL ENGINEERING		1,301.28
FINANCE		
0718060	GRAND RAPIDS HERALD REVIEW	315.40
1309178	MINNESOTA GFOA TREASURER	150.00
1309330	MINNESOTA SOCIETY OF CPA'S	300.00
1309495	MINUTEMAN PRESS	205.22
TOTAL FINANCE		970.62
FIRE		
0121721	AUTO VALUE - GRAND RAPIDS	21.66
0221650	BURGGRAF'S ACE HARDWARE	4.80
0321505	CUMMINS	584.80
0401804	DAVIS OIL	449.80
0513235	EMERGENCY RESPONSE SOLUTIONS	1,410.52
0718060	GRAND RAPIDS HERALD REVIEW	513.80
0920060	ITASCA COUNTY TREASURER	56.23
TOTAL FIRE		3,041.61
INFORMATION TECHNOLOGY		
2009730	TITAN TECHNOLOGY SOLUTIONS	467.67
TOTAL INFORMATION TECHNOLOGY		467.67
PUBLIC WORKS		
0103325	ACHESON TIRE INC	260.00
0121721	AUTO VALUE - GRAND RAPIDS	259.98
0206009	BFG SUPPLY CO LLC	2,111.14
0315455	COLE HARDWARE INC	51.11
0401804	DAVIS OIL	3,513.36
0514802	ENVIROTECH SERVICES INC	5,582.48

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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 02/26/2018

VENDOR #	NAME	AMOUNT DUE

GENERAL FUND		
PUBLIC WORKS		
0920060	ITASCA COUNTY TREASURER	723.63
1301213	MARTIN'S SNOWPLOW & EQUIP	366.62
1415484	NORTHERN LIGHTS TRUCK	132.26
1415640	NORTRAX EQUIPMENT COMPANY	590.79
1421155	NUCH'S IN THE CORNER	132.00
1503150	OCCUPATIONAL DEVELOPMENT CTR	1,687.50
1621125	PUBLIC UTILITIES COMMISSION	7,789.00
1801899	RAYS SPORT & CYCLE	815.68
2000400	T J TOWING	80.00
2015600	TOPIARY ART WORK	929.30
2209421	VIKING ELECTRIC SUPPLY INC	107.25
2305453	WESCO RECEIVABLES CORP	13,526.20
	TOTAL PUBLIC WORKS	38,658.30
FLEET MAINTENANCE		
0920060	ITASCA COUNTY TREASURER	82.80
1200500	L&M SUPPLY	279.99
	TOTAL FLEET MAINTENANCE	362.79
POLICE		
0103325	ACHESON TIRE INC	60.00
0809115	HIBBING COMMUNITY COLLEGE	4,500.00
0920060	ITASCA COUNTY TREASURER	3,576.43
1201434	LAKE WOODS CHRYSLER	174.13
1915248	SOFTWARE HARDWARE INTEGRATION	271.00
1920233	STREICHER'S INC	679.97
	TOTAL POLICE	9,261.53
CENTRAL SCHOOL		
0113233	AMERIPRIDE SERVICES INC	54.13
0401425	DAKOTA SUPPLY GROUP	267.75
1909510	SIM SUPPLY INC	52.62
	TOTAL	374.50
AIRPORT		
0315455	COLE HARDWARE INC	12.29

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CITY OF GRAND RAPIDS
 DEPARTMENT SUMMARY REPORT

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INVOICES DUE ON/BEFORE 02/26/2018

VENDOR #	NAME	AMOUNT DUE
AIRPORT		
0920060	ITASCA COUNTY TREASURER	168.57
	TOTAL	180.86
CIVIC CENTER		
GENERAL ADMINISTRATION		
0113233	AMERIPRIDE SERVICES INC	114.89
0114200	ANDERSON GLASS	1,241.37
0315455	COLE HARDWARE INC	368.34
0501656	EARTHGRAINS COMPANY INC, THE	99.20
0715435	GOLD MEDAL PRODUCTS CO	629.25
0718075	THUNDERHAWKS ARCHERY ASSOC	281.25
0805640	HERC-U-LIFT	138.36
1309090	MINERS INC	146.61
1415481	NORTHERN DOOR & HARDWARE INC	31.10
1421155	NUCH'S IN THE CORNER	6.32
1605611	PEPSI-COLA	2,046.70
1901535	SANDSTROM'S INC	2,652.60
1909510	SIM SUPPLY INC	674.14
2116600	UPPER LAKE FOODS INC	1,013.49
T000238	ICC WOMEN'S SOFTBALL	263.25
	TOTAL GENERAL ADMINISTRATION	9,706.87
STATE HAZ-MAT RESPONSE TEAM		
1415480	NORTHERN HEALTH & FITNESS PLUS	4,224.00
	TOTAL	4,224.00
CEMETERY		
0920060	ITASCA COUNTY TREASURER	43.16
1200500	L&M SUPPLY	14.95
1615427	POKEGAMA LAWN AND SPORT	4,006.74
	TOTAL	4,064.85
DOMESTIC ANIMAL CONTROL FAC		
0113233	AMERIPRIDE SERVICES INC	17.77
0920060	ITASCA COUNTY TREASURER	191.33

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CITY OF GRAND RAPIDS
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INVOICES DUE ON/BEFORE 02/26/2018

VENDOR #	NAME	AMOUNT DUE

DOMESTIC ANIMAL CONTROL FAC		
	TOTAL	209.10
GENERAL CAPITAL IMPRV PROJECTS		
	2010-5 MS RIVER PD BRIDGE	
1900225	SEH-RCM	10,900.00
	TOTAL 2010-5 MS RIVER PD BRIDGE	10,900.00
CAPITAL EQPT REPLACEMENT FUND		
CAPITAL OUTLAY-CIVIC CENTER		
1309495	MINUTEMAN PRESS	245.04
1920555	STOKES PRINTING & OFFICE	20.99
	TOTAL CAPITAL OUTLAY-CIVIC CENTER	266.03
IRA CVC CTR CAPITAL PJT		
MULTI-USE OUTDOOR PAVILION		
0308104	CHAMPION IRON, LLC	41,748.10
	TOTAL MULTI-USE OUTDOOR PAVILION	41,748.10
2018 INFRASTRUCTURE BONDS		
2018 NE IMPROVEMENTS		
0718060	GRAND RAPIDS HERALD REVIEW	276.00
1900225	SEH-RCM	81,382.97
	TOTAL 2018 NE IMPROVEMENTS	81,658.97
STORM WATER UTILITY		
0401804	DAVIS OIL	6,290.21
0920060	ITASCA COUNTY TREASURER	571.80
1621125	PUBLIC UTILITIES COMMISSION	8,750.47
	TOTAL	15,612.48
		TOTAL UNPAID TO BE APPROVED IN THE SUM OF: \$ 239,774.74
CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
0104095	DALE ADAMS	95.92

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CITY OF GRAND RAPIDS
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PAGE: 6

INVOICES DUE ON/BEFORE 02/26/2018

VENDOR #	NAME	AMOUNT DUE

CHECKS ISSUED-PRIOR APPROVAL		
PRIOR APPROVAL		
0113232	AMERIFLEX BUSINESS SOLUTIONS	516.75
0114210	D. ANDERSON - CHANGE FUND	7,600.00
0114211	D. ANDERSON-PETTY CASH FUND	10.47
0114213	STEVE ANDERSON	23.00
0116600	APPLE VALLEY, CITY OF	1,221.00
0205640	LEAGUE OF MN CITIES INS TRUST	211,496.00
0305530	CENTURYLINK COMMUNICATIONS LLC	259.00
0308659	DALE R. CHRISTY	65.40
0312104	TONY CLAFTON	328.83
0315451	CITY OF COLERAINE	1,290.72
0315454	TRAVIS COLE	125.00
0401800	JEFF DAVIES	23.00
0418360	DRIVER & VEHICLE SERVICE DEPT	42.00
0504610	RON EDMINSTER	70.85
0718015	GRAND RAPIDS CITY PAYROLL	243,333.85
0718070	GRAND RAPIDS STATE BANK	252.18
0809445	CITY OF HILL CITY	225.89
0920036	ITASCA COUNTY ATTORNEY OFFICE	606.00
0920055	ITASCA COUNTY RECORDER	53.00
0920059	ITASCA COUNTY SHERIFFS DEPT	3,019.72
1005730	SETH JETLAND	86.11
1305046	MEDIACOM LLC	10.50
1309098	MINNESOTA MN IT SERVICES	443.80
1309172	MINNESOTA DEPARTMENT OF HEALTH	150.00
1309199	MINNESOTA ENERGY RESOURCES	2,806.45
1309304	MN DEPT OF PUBLIC SAFETY	25.00
1309332	MN STATE RETIREMENT SYSTEM	1,957.55
1309335	MINNESOTA REVENUE	2,541.84
1401705	CITY OF NASHWAUK	1,868.76
1405550	NEOPOST USA INC	1,000.00
1405850	NEXTERA COMMUNICATIONS LLC	460.78
1516220	OPERATING ENGINEERS LOCAL #49	103,987.00
1605734	JON PETERSON	304.74
1606225	LAURA PFEIFER	495.56
1609561	PIONEER TELEPHONE	9.71
1621130	P.U.C.	40,441.86
2000490	TDS Metrocom	776.89
2114750	UNUM LIFE INSURANCE CO OF AMER	521.93
2205637	VERIZON WIRELESS	2,235.18
2209665	VISA	1,991.92
2209705	VISIT GRAND RAPIDS INC	18,048.36
2305300	MATTHEW WEGWERTH	77.40

TOTAL PRIOR APPROVAL ALLOWED IN THE SUM OF: \$650,899.92

TOTAL ALL DEPARTMENTS 890,674.66



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0082 **Version:** 1 **Name:** CP 2011-3 Approve plans and order ad
Type: Agenda Item **Status:** Consent Agenda
File created: 2/1/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2011-3, the 2018 Northeast Improvements Project.

Sponsors:

Indexes:

Code sections:

Attachments: [2-26-18 Resolution CP 2011-3 Ordering Advertisement](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2011-3, the 2018 Northeast Improvements Project.

Background Information:

Plans and specifications are complete and ready for advertising for bids on CP 2011-3, the 2018 Northeast Improvements Project. The attached resolution moves the project forward.

Staff Recommendation:

City staff recommends adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2011-3, the 2018 Northeast Improvements Project.

Requested City Council Action

A motion adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2011-3, the 2018 Northeast Improvements Project.

Council member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-__

**A RESOLUTION TO APPROVE PLANS AND SPECIFICATIONS AND
ORDER ADVERTISEMENT FOR BIDS FOR
2018 Northeast Improvements Project
City Project 2011-3**

WHEREAS, Resolution 18-06, ordered in the project and directed the preparations of plans and specifications for CP 2011-3, the 2018 Northeast Improvements Project, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS,
MINNESOTA:

1. The plans and specifications for this project, copies of which were presented to the City Council and on file in the City Engineer's office, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the Clerk until 10:00 a.m., on Tuesday, April 3, 2018, at which time they will be publicly opened in the Council Chambers of the City Hall by the City Clerk and Engineer, will then be tabulated, and will be considered by the Council at the regular meeting of the Council at 5:00 p.m., Monday, April 9, 2018, in the Council Chambers. Any bidder whose responsibility is questioned during consideration of the bids will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for 5 percent (5%) of the amount of such bid.

Adopted by the Council this 26th day of February, 2018.

Dale Adams, Mayor

ATTEST:

Kim Johnson-Gibeau, City Clerk

Council member _____ seconded the foregoing resolution and the following voted in favor thereof: _____; and the following voted against same: _____; whereby the resolution was declared duly passed and adopted.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0083 **Version:** 1 **Name:** CP 2010-5 Approve plans and order ad
Type: Agenda Item **Status:** Consent Agenda
File created: 2/1/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2010-5, the Mississippi River Pedestrian Bridge project.
Sponsors:
Indexes:
Code sections:
Attachments: [2-26-18 Resolution CP 2010-5 Ordering Advertisement](#)

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2010-5, the Mississippi River Pedestrian Bridge project.

Background Information:

Plans and specifications are complete and ready for advertising for bids on CP 2010-5, the Mississippi River Pedestrian Bridge project. The attached resolution moves the project forward. The advertising of the project is contingent on the legislature amending the language in the 2017 bonding bill. If the change is not made, the project will not move ahead.

Staff Recommendation:

City staff recommends adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2010-5, the Mississippi River Pedestrian Bridge project.

Requested City Council Action

A motion adopting a resolution approving the plans and specifications and ordering the advertisement for bids for CP 2010-5, the Mississippi River Pedestrian Bridge project.

Council member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-__

**A RESOLUTION TO APPROVE PLANS AND SPECIFICATIONS AND
ORDER ADVERTISEMENT FOR BIDS FOR
Mississippi River Pedestrian Bridge
City Project 2010-5**

WHEREAS, plans and specifications have been prepared for CP 2010-5, the Mississippi River Pedestrian Bridge Project, and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS,
MINNESOTA:

1. The plans and specifications for this project, copies of which were presented to the City Council and on file in the City Engineer's office, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the Clerk until 10:00 a.m., on Thursday, April 5, 2018, at which time they will be publicly opened in the Council Chambers of the City Hall by the City Clerk and Engineer, will then be tabulated, and will be considered by the Council at the regular meeting of the Council at 5:00 p.m., Monday, April 23, 2018, in the Council Chambers. Any bidder whose responsibility is questioned during consideration of the bids will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the Clerk for 5 percent (5%) of the amount of such bid.

Adopted by the Council this 26th day of February, 2018.

Dale Adams, Mayor

ATTEST:

Kim Johnson-Gibeau, City Clerk

Council member _____ seconded the foregoing resolution and the following voted in favor thereof: _____; and the following voted against same: _____; whereby the resolution was declared duly passed and adopted.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0118	Version:	1	Name:	Consider adopting a resolution accepting a donation of \$25.00 dollars from an anonymous person(s) to purchase equipment
Type:	Agenda Item	Status:		Status:	Consent Agenda
File created:	2/14/2018	In control:		In control:	City Council
On agenda:	2/26/2018	Final action:			
Title:	Consider adopting a resolution accepting a donation of \$25.00 dollars from an anonymous person(s) to purchase equipment				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	donationletter.pdf PD Anonymous Donation Res.pdf				

Date	Ver.	Action By	Action	Result
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Consider adopting a resolution accepting a donation of \$25.00 dollars from an anonymous person(s) to purchase equipment

Background Information:

The Police Department received a letter in the mail from an anonymous person(s); along with the letter was \$25.00 in cash. The hand written letter thanked us for being there when they needed us and wished for us to use the money toward the purchase of a camera.

Staff Recommendation:

Please consider adopting a resolution accepting a donation of \$25.00 dollars to purchase equipment.

Requested City Council Action

Make a motion to adopt a resolution accepting a donation of \$25.00 dollars from an anonymous person(s) to purchase equipment.

MINNESOTA VIKING



Dear Heroes -
Thank you for
being there when
we need you.
♡

Please use this
\$ toward the ca

Council member introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-

A RESOLUTION ACCEPTING AN ANONYMOUS \$25 DONATION FOR THE GRAND RAPIDS' POLICE DEPARTMENT TO PURCHASE EQUIPMENT

WHEREAS, Minnesota State Statutes 465.03, states that cities may accept gifts of real or personal property, including money, and use them in accordance with the terms the donor prescribes; and

WHEREAS, every such acceptance shall be by resolution of the governing body adopted by two-thirds majority of its members,

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Grand Rapids, Itasca County, Minnesota, accepts the listed donation and terms of the donor as follows:

- The Grand Rapids Police Department received an anonymous cash gift of \$25 to be used to purchase equipment.

Adopted this 26th day of February, 2018

Dale C. Adams, Mayor

Attest:

Kimberly Johnson-Gibeau, City Clerk

Councilmember seconded the foregoing resolution and the following voted in favor thereof ; and the following voted against same: None, whereby the resolution was declared duly passed and adopted.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0119 **Version:** 1 **Name:** CP 2010-5 River Grand Easement
Type: Agenda Item **Status:** Consent Agenda
File created: 2/15/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider approving a trail permanent easement and a memorandum of understanding with River Grand Investments LLC related to CP 2010-5, Mississippi River Pedestrian Bridge.

Sponsors:

Indexes:

Code sections:

Attachments: [Signed Trail Easement 2-19-18.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider approving a trail permanent easement and a memorandum of understanding with River Grand Investments LLC related to CP 2010-5, Mississippi River Pedestrian Bridge.

Background Information:

CP 2010-5 includes the construction of a pedestrian bridge across the Mississippi River. In order to properly construct the bridge, an easement is required from the property owner. Additionally, the property owners lender (HUD) has requested a memorandum of understanding that covers several standard conditions of the easement. These conditions are typical with all easements but they have requested it in writing. The property owner has executed the necessary documents and the total cost for this easement is \$0.00. The documents are attached.

Staff Recommendation:

City staff is recommending approval of a trail permanent easement and a memorandum of understanding with River Grand Investments LLC related to CP 2010-5, Mississippi River Pedestrian Bridge.

Requested City Council Action

Make a motion approving a trail permanent easement and a memorandum of understanding with River Grand Investments LLC related to CP 2010-5, Mississippi River Pedestrian Bridge.

TRAIL EASEMENT

THIS TRAIL EASEMENT ("Agreement") is made and entered into this 19th day of February, 2018, between **RIVER GRAND INVESTMENTS LLC**, a limited liability company, of Grand Rapids, Minnesota, hereinafter referred to as "Grantor," and the **CITY OF GRAND RAPIDS**, Minnesota, Municipal Corporation, and road authority, hereinafter referred to as "Grantee."

WITNESSETH:

WHEREAS, said Grantor is the owner of real property situated in Itasca County, Minnesota, described as follows, to-wit:

Parcel 91-021-4202

Existing Legal Description (Quit Claim Deed, Doc. No. 620970)

That part of the West five hundred fifty feet (W.550.0') of Lot Seven (7), Section Twenty-One (21), Township Fifty-Five (55) North, Range Twenty-Five (25) West of the Fourth Principal Meridian, Itasca County, Minnesota, which lies North of River Road, which said road traverses said lot in a general Northwesterly and Southeasterly direction;

Except the following described tracts:

The West One Hundred Fifty Feet (W.150.0') less the South One Thousand Four Hundred Ten Feet (S. 1,410;) of said Government Lot Seven (7), Section Twenty-One (21), Township Fifty-Five (55) North, Range Twenty-Five (25) West of the Fourth Principal Meridian.

And Except

All that portion of Government Lot Seven (7), Section Twenty-One (21), Township Fifty-Five (55) North, Range Twenty-Five (25) West of the Fourth Principal Meridian, described as follows: Beginning at a point 390 Feet South of the East and West Quarter Section Line through said Section and 975 Feet East of the North and South Quarter Section line through said section; Thence North 48 Degrees 15 Minutes West 220 Feet to a point; Thence North 67 Degrees 50 Seconds West 265 Feet to a point; thence North 225 Feet to a point; Thence north 39 degrees 35 Minutes West 375 Feet, more or less, to the right margin of the Mississippi River; Thence Southeasterly along the right margin of said river 1080 Feet, more or less, to a point due east from the point of beginning; Thence West 110 feet, more or less, to the point of beginning. The West line of said Lot 7 is assumed as the Meridian in this description, Itasca County Minnesota.

WHEREAS, Grantor has agreed to grant Grantee a permanent 50.00-foot-wide perpetual easement for Trail purposes across said property;

NOW, THEREFORE, said Grantor, for other valuable considerations, the receipt and sufficiency of which are hereby acknowledged, does hereby grant and convey an easement unto the CITY OF GRAND RAPIDS, MN, as Grantee, for trail purposes, the below-described real estate in the County of Itasca, State of Minnesota, which easement rights shall include, without limitation, the location, grading, construction, maintenance, and use of a sidewalk over and upon and the removal of materials from the premises hereby conveyed and for uses incident thereto, and the City of Grand Rapids, State of Minnesota, shall have the right to use and remove all earth and materials contained within the permanent easement area as hereinafter described and the right to construct and maintain upon the lands contained within the permanent easement area as herein after described and the right to allow utilities within the easement more particularly described as follows, to-wit:

A permanent easement for trail purposes over, under, and across that part of the above described Parcel 91-021-4202 described as follows (“Easement Area”):

Commencing at the southwest corner of the West 150.00 feet less the South 1410.00 feet of said Government Lot 7; thence South 89 degrees 26 minutes 50 seconds East a distance of 150.21 feet on an assumed bearing along the north line of said South 1410.00 feet; thence North 00 degrees 35 minutes 03 seconds East, along the east line of said West 150.00 feet, a distance of 59.94 feet to the Point of Beginning of the centerline to be described; thence South 47 degrees 38 minutes 03 seconds East, along said centerline, a distance of 68.71 feet to a tangential curve; thence southeasterly 9.37 feet along said curve, concave to the northeast, having a radius of 100.00 feet and a central angle of 5 degrees 22 minutes 10 seconds; thence South 42 degrees 15 minutes 54 seconds East, tangent to last described curve, a distance of 31.96 feet to the westerly line of existing easement # 632165.

(Said Easement is illustrated on attached EXHIBIT A)

Grantee's right to use the Easement Area shall be subject to the following terms and conditions:

1. Ownership. Grantee shall be the legal owner of all improvements within the Easement Area.
2. Insurance. Grantee shall at all times maintain or cause to be maintained in force policies of insurance providing comprehensive general liability coverage. Each insurance policy shall have a loss payable clause in favor of Grantee with loss proceeds payable to Grantee. Further, each insurance policy shall have a provision giving Grantor at least thirty (30) days' prior written notice of change of coverage and at least ten (10) days' prior written notice of cancellation or non-renewal. Upon request, Grantor shall be entitled to receive a certificate or certificates from the

respective insurer(s) setting forth the nature and extent of all insurance maintained in accordance with this Agreement. Grantee shall deliver to Grantor certified copies of each renewal or substitute insurance policy (and corresponding certificate with premiums fully paid) at least ten (10) days before the termination of the policy it renews or replaces.

3. Maintenance. Grantee, at its cost, shall be responsible for routine maintenance and repairs of the improvements within the Easement Area and shall perform such routine maintenance so as to keep the same in good and safe condition and free from excessive wear and tear.

4. Replacement and Reconstruction. In the event the improvements within the Easement Area should be so damaged or destroyed by fire or other casualty so as require substantial reconstruction or replacement, the cost and expense shall be the sole responsibility of Grantee.

5. Restriction on Improvements Within Easement Area. Except as may be expressly agreed by Grantor and Grantee in writing, no person shall erect improvements or other structures on the Easement Area which would have the effect of blocking, obstructing or rendering hazardous any portion of the Easement Area for pedestrian ingress and egress on and through any and all entrance ways and/or gates.

6. Indemnity. Grantee agrees to indemnify and hold harmless Grantor, its employees, business invitees, licensees, tenants and subtenants from and against any and all liability, claims, demands, penalties, fines, settlements, damages, costs, or expenses (including, without limitation, attorneys' fees and court costs) of whatever kind or nature, known or unknown, contingent or otherwise, arise out of, or in any way related to Grantee's or its employees', business invitees', licensees' or general public's use of, or activities upon, the Easement Area. Upon obtaining knowledge thereof, Grantor shall promptly notify Grantee in writing of any liabilities which Grantor has determined have given or could give rise to a claim ("Notice of Claim"). A Notice of Claim shall specify, in reasonable detail, the nature and estimated amount of any such claim giving rise to a right to indemnification.

With respect to any claim or demand set forth in a Notice of Claim relating to a third party claim, Grantee shall defend, in good faith and at its expense, any such claim or demand, and Grantor, at its expense, shall have the right to participate in the defense of any such third-party claim. So long as Grantee is defending in good faith any such third-party claim, Grantor shall not settle or compromise such third party claim. Grantee shall not be deemed to be in default or material breach of this Agreement if Grantor incurs liabilities for which Grantee has an obligation to indemnify, unless Grantee shall not have fulfilled its obligations pursuant to this paragraph.

7. Subordination of Mortgage Liens. The parties agree that the easement created hereunder shall be in all respects be superior to any mortgage liens now existing or hereafter granted within or otherwise encumbering the Easement Area.

8. Term. Subject to the terms of this Agreement, the easement granted hereunder shall be exclusive and shall be perpetual in duration.

9. Default and Remedies Upon Default.

(a) No default under this Agreement by Grantee shall entitle Grantor to cancel, rescind or otherwise terminate this Agreement. If Grantee defaults in the performance of any of its obligations hereunder, and such default is not rectified within thirty (30) days (or such longer period as may be reasonably required to cure such default with the exercise of due diligence) after notice to Grantee, or immediately in the case of an emergency situation, Grantor shall have the right:

- (i) upon five (5) days' further notice to Grantee, to cure such default for the account of and at the expense of Grantee, and to recover from Grantee all costs and other sums expended in connection with such cure, together with interest thereon from the date such expense was incurred until reimbursed at an annual rate equal to the "Prime Rate" of interest published in *The Wall Street Journal* on the date of the default. To effectuate any such cure, Grantor shall have the right to enter upon the Easement Area to perform any necessary work or furnish any necessary materials or services; and
- (ii) to prosecute any proceeding at law and/or in equity against Grantee.

(b) Except as otherwise herein expressly provided: (i) no remedy is intended to be exclusive of any other remedy herein or by law or in equity provided or permitted, but each such remedy shall be cumulative and shall be in addition to every other remedy given herein or now or hereafter existing at law, in equity or by statute, and (ii) no waiver by a party of a breach of this Agreement shall be deemed to be a waiver of any other breach by the defaulting party and no acceptance of payment or performance by a party after any breach by a defaulting party shall be deemed a waiver of any other breach hereunder, whether or not the party accepting such payment or performance knows of such breach at the time it accepts the same. No failure or delay by a party in exercising any right it may have by reason of a default shall operate as a waiver of default or modification of this Agreement or prevent the exercise of any right or remedy while a party continues to be in default.

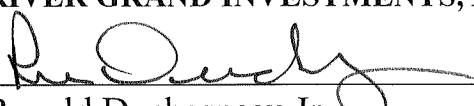
10. Counterparts. This Agreement may be executed in any number of counterparts each of which shall be deemed an original and collectively shall constitute one and the same agreement.

(SIGNATURES ATTACHED TO FOLLOWING PAGES)

IN WITNESS WHEREOF, said Grantor has caused this instrument to be executed on the day and year first above written.

GRANTOR:

RIVER GRAND INVESTMENTS, LLC



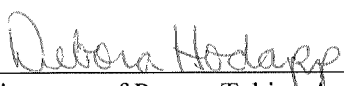
Ronald Duchesneau Jr.,

Its: Chief Manager

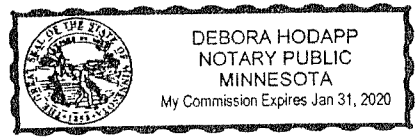
STATE OF _____)
COUNTY OF Cass) SS:

The foregoing instrument was acknowledged before me this 19th day of February, 2018, by Ronald Duchesneau Jr., its Chief Manager, on behalf of **River Grand Investments, LLC**, Grantor.

(Notary Stamp or Seal)



Signature of Person Taking Acknowledgement



CONSENT AND SUBORDINATION

Lancaster Pollard Mortgage Company, LLC, a Delaware limited liability company, as the Lender under that certain Healthcare Mortgage, Assignment of Leases and Rents, Security Agreement and Fixture Filing (Minnesota) dated as of December 1, 2016 ("Security Instrument") and recorded on 12/1/2016 as Instrument A000708707 in the Office of the County Recorder, Itasca County, Minnesota, hereby joins in the execution of this Agreement for the sole purpose of subordinating the lien of subject Security Instrument to the rights granted to Grantee to use, improve, repair and maintain the Easement Area as set forth in this Agreement.

LANCASTER POLLARD MORTGAGE COMPANY, LLC

By: [Signature]

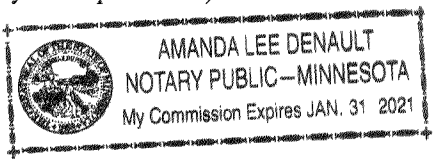
Name: Quintin Harris

Title: Senior Vice President

STATE OF Minnesota
COUNTY OF Hennepin) SS:

The foregoing instrument was acknowledged before me this 21st day of February, 2018, by Quintin Harris, its Senior Vice President, on behalf of LANCASTER POLLARD MORTGAGE COMPANY, LLC, Lender.

(Notary Stamp or Seal)



[Signature]
Signature of Person Taking Acknowledgement

This conveyance is entitled to recording without payment of fee pursuant to Minnesota Statutes Section 386.77, it being for the benefit of the City of Grand Rapids, MN.

This instrument was drafted by: Daniel W. Skinner for the City of Grand Rapids, MN. 55744

W:\TEXT\2005\136.006 River Grand\DOCS\trail easement 1.3.18.docx

EXHIBIT "A"

Description of Easement

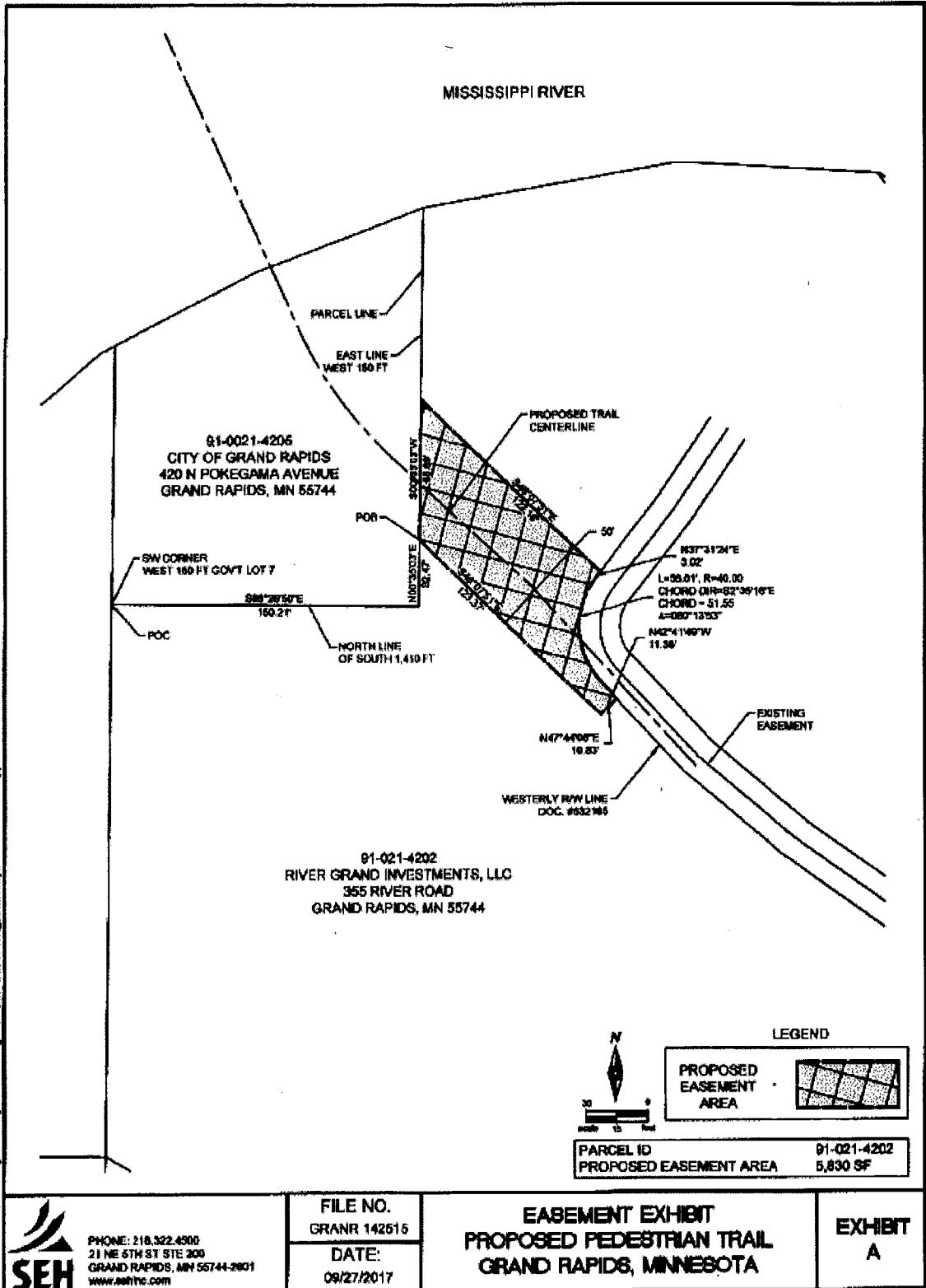
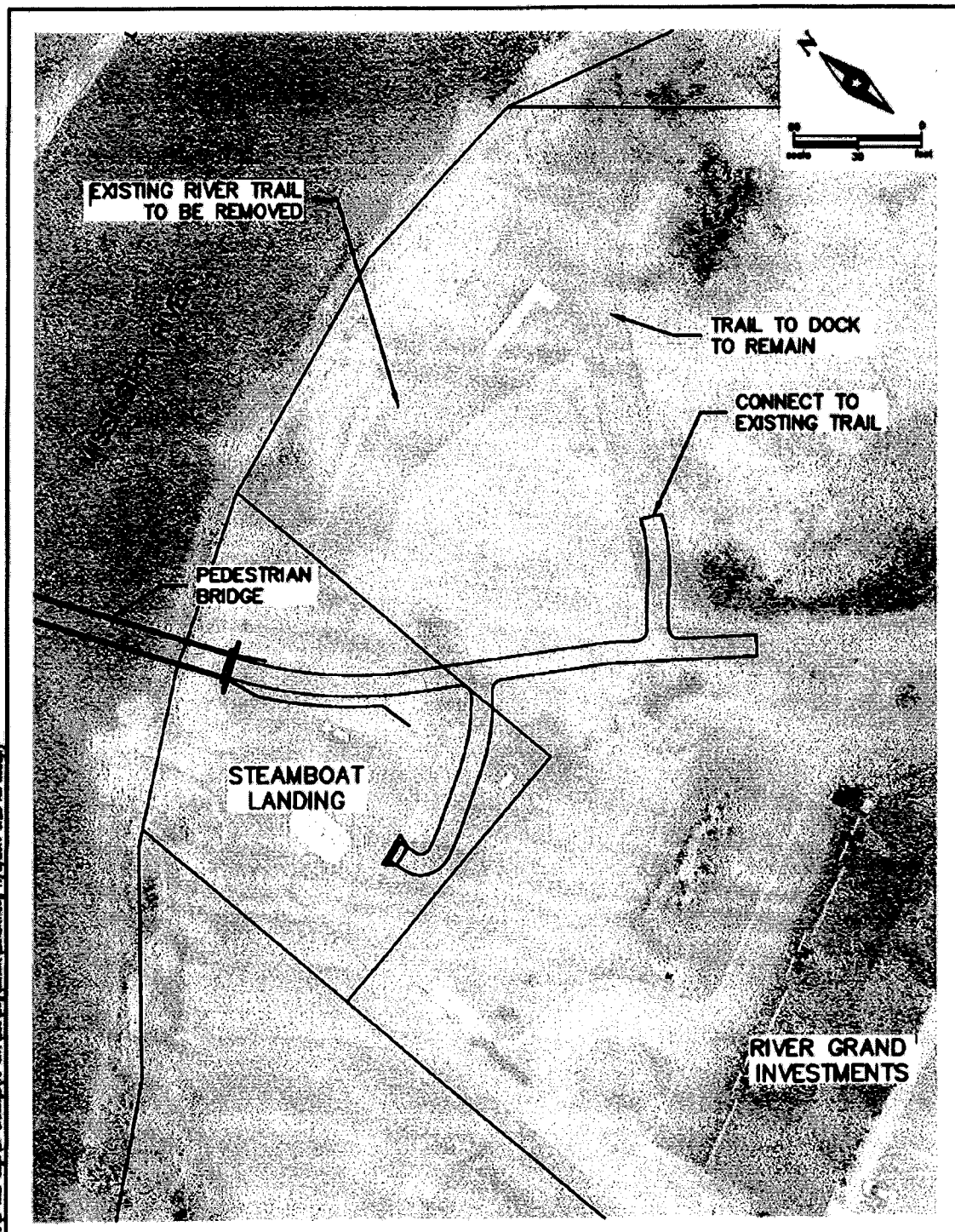


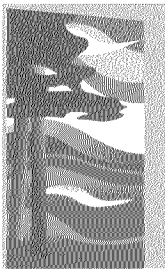
EXHIBIT "A"

Description of Easement



\\P:\Projects\142515\142515.dwg 11/3/2017 9:25 AM

 PHONE: 218.322.4500 21 NE 5TH ST STE 200 GRAND RAPIDS, MN 55744-2801 www.sehinc.com	FILE NO. GRANR 142515 DATE: 11/3/2017	PEDESTRIAN BRIDGE AND TRAIL SOUTH SIDE EXHIBIT GRAND RAPIDS, MINNESOTA	EXHIBIT NO. 1
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MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is entered into this 26th day of February, 2018, between the City of Grand Rapids, Minnesota and River Grand Investments LLC.

By way of compromise, both parties have agreed to enter into this Memorandum of Understanding

Now therefore, the parties agree as follows:

The City of Grand Rapids, Minnesota, formally requests a trail easement from River Grand Investments LLC.

The purpose of the easement is to construct and maintain a multiuse pedestrian trail.

The property being affected has the following legal description:

Parcel 91-021-4202

Existing Legal Description (Quit Claim Deed, Doc. No. 620970)

That part of the West five hundred fifty feet (W.550.0') of Lot Seven (7), Section Twenty-One (21), Township Fifty-Five (55) North, Range Twenty-Five (25) West of the Fourth Principal Meridian, Itasca County, Minnesota, which lies North of River Road, which said road traverses said lot in a general Northwesterly and Southeasterly direction;

Except the following described tracts:

The West One Hundred Fifty Feet (W.150.0') less the South One Thousand Four Hundred Ten Feet (S. 1,410;) of said Government Lot Seven (7), Section Twenty-One (21), Township Fifty-Five (55) North, Range Twenty-Five (25) West of the Fourth Principal Meridian.

And Except

All that portion of Government Lot Seven (7), Section Twenty-One (21), Township Fifty-Five (55) North, Range Twenty-Five (25) West of the Fourth Principal Meridian, described as follows: Beginning at a point 390 Feet South of the East and West Quarter Section Line through said Section and 975 Feet East of the North and South Quarter Section line through said section; Thence North 48 Degrees 15 Minutes West 220 Feet to a point; Thence North 67 Degrees 50 Seconds West 265

Feet to a point; thence North 225 Feet to a point; Thence north 39 degrees 35 Minutes West 375 Feet, more or less, to the right margin of the Mississippi River; Thence Southeasterly along the right margin of said river 1080 Feet, more or less, to a point due east from the point of beginning; Thence West 110 feet, more or less, to the point of beginning. The West line of said Lot 7 is assumed as the Meridian in this description, Itasca County Minnesota.

The easement will not affect the real estate tax assessment.

The City of Grand Rapids will pay for damages to the insured property (River Grand) resulting from repairs or improvements to the easement.

The City of Grand Rapids certifies that the easement will not negatively affect the quiet enjoyment of the tenants at River Grand.

City of Grand Rapids, Minnesota

By: _____

Its: Mayor _____

Date: _____

River Grand Investments, LLC

By: 

Its: Chief Manager _____

Date: 2/19/18 _____



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0126 **Version:** 1 **Name:** TYMCO Lease-Prurchase Agreement
Type: Agenda Item **Status:** Consent Agenda
File created: 2/20/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider entering into a Lease-Purchase Agreement with TYMCO, Inc.
Sponsors:
Indexes:
Code sections:
Attachments: [Grand Rapids Street Sweeper Lease RESOLUTION Lease Purchase Agreement](#)

Date	Ver.	Action By	Action	Result
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Consider entering into a Lease-Purchase Agreement with TYMCO, Inc.

Background Information:

At the January 22, 2018 Council Meeting, the City Council approved Public Works to purchase the TYMCO 500X for the purchase price of \$241,468.35 (includes sales tax and licensing). The purchase will include a trade in of the old sweeper valued at \$50,000 and \$180,000 from the Storm Water Utility Fund. The balance of \$61,468.35 will be financed through their Municipal Lease-Purchase Program for one year.

The City is authorized by Minnesota Statutes, Section 465.71, as amended (the "Act"), to acquire personal property under lease-purchase agreements.

The Lease requires the City to make payments representing principal and interest, during the term of the Lease, subject to the right of the City, as required by the Act, at the end of any fiscal year to determine not to appropriate for future Lease Payments. The aggregate principal amount to be paid by the City pursuant to the Lease is \$61,468.35 and the interest component of the Lease Payments to be made by the City under the Lease is computed at a rate of 2.25% per annum. Upon payment of all Lease Payments, the Lease will terminate, and the Equipment will be the property of the City.

The Lease-Purchase Agreement and resolution have been reviewed and approved by our bond counsel, Kennedy & Graven Chartered.

Staff Recommendation:

Staff recommends adopting the resolution authorizing the execution and delivery of a Lease-Purchase Agreement and related documents with TYMCO, Inc. and authorize the necessary signatures for the Municipal Lease-Purchase Agreement.

Requested City Council Action

Make a motion adopting the resolution authorizing the execution and delivery of a Lease-Purchase Agreement and related documents with TYMCO, Inc. and authorize the necessary signatures for the Municipal Lease-Purchase Agreement.

RESOLUTION AUTHORIZING THE EXECUTION
AND DELIVERY OF A LEASE-PURCHASE
AGREEMENT AND RELATED DOCUMENTS

BE IT RESOLVED by the City Council of the City of Grand Rapids (the "City") as follows:

Section 1. Recitals.

1.01. The City is authorized by Minnesota Statutes, Section 465.71, as amended (the "Act"), to acquire personal property under lease-purchase agreements.

1.02. The City intends to purchase a Regenerative Air Street Sweeper (the "Equipment") to be used by the City's public works department.

1.03. The City intends to enter into a Lease/Purchase Agreement, as supplemented by all exhibits and scheduled attached thereto (collectively, the "Lease"), dated on or after the date hereof, with TYMCO, Inc. (the "Lender") to finance the acquisition of the Equipment.

1.04. The Lease requires the City to make payments (the "Lease Payments") representing principal and interest, during the term of the Lease, subject to the right of the City, as required by the Act, at the end of any fiscal year to determine not to appropriate for future Lease Payments. The aggregate principal amount to be paid by the City pursuant to the Lease is \$61,468.35 and the interest component of the Lease Payments to be made by the City under the Lease is computed at a rate of 2.25% per annum. Upon payment of all Lease Payments, the Lease will terminate, and the Equipment will be the property of the City.

1.05. The Lease has been prepared and submitted to this Council and are on file with the City Clerk.

Section 2. Findings. On the basis of information given the City to date, it is hereby found, determined, and declared that:

(a) It is desirable and in the best interest of the City to purchase the Equipment and to enter into the Lease.

(b) The terms of the Lease are found to be advantageous to the City and the form and terms thereof are approved.

(c) The Equipment constitutes essential government property, and the City presently intends to appropriate all Lease Payments under the Lease for the term of the Lease; however, the obligations of the City under the Lease are not to be payable from nor charged upon any funds of the City other than the funds appropriated annually to the payment thereof, and the Lease will not constitute a charge, lien or encumbrance, legal or

equitable, upon any property of the City except its interest in the Lease and in the Equipment.

Section 3. Authorized Officials. The Lease and all related documents (the “Financing Documents”) and the acquisition and financing of the Equipment under the terms and conditions as described in the Financing Documents are hereby approved. The Mayor of the City, the City Administrator, and any other officer of the City who is required to execute contracts on behalf of the City are, and each of them hereby is, authorized to execute, acknowledge and deliver the Financing Documents with any changes, insertions and omissions therein as may be approved by the officers who execute the Financing Documents, such approval to be conclusively evidenced by such execution and delivery of the Financing Documents. The Mayor of the City, the City Administrator, and any other required officer of the City are authorized to affix the official seal of the City to the Financing Documents and attest the same.

Section 4. Execution of Documents. The proper officers of the City are hereby authorized and directed to execute and deliver any and all papers, instruments, documents opinions, certificates, affidavits and other documents and to do or cause to be done any and all other acts and things necessary or proper for carrying out this resolution and the Financing Documents.

Section 5. Payment of Lease Payments. The City will pay to the Lender, promptly when due, all of the Lease Payments and other amounts required by the Lease. To provide moneys to make such payments, the City will include in its annual budget, for each Fiscal Year during the term of the Lease, commencing with the Fiscal Year ending on December 31, 2019, moneys sufficient to pay and for the purpose of paying all Lease Payments, a reasonable estimate of Lease Payments, and other amounts payable under the Lease, and will take all other actions necessary to provide moneys for the payment of the obligations of the City under the Lease from sources of the City lawfully available for the purpose. The agreement of the City in this section is subject to the City's right to terminate the Lease at the end of any Fiscal Year, as set forth in the Lease.

Section 6. Registration and Transfer. The City Finance Director of the City is hereby appointed the registrar with respect to the Lease. The City will cause to be kept a register in which the registrar shall provide for the registration of the Lease.

The Lease shall be registered in the name of the payee on the books of the registrar initially and when notice of any transfer or assignment is received. The City and registrar may treat the registered owner of the Lease as the person exclusively entitled to exercise all the rights and powers of the owner.

The registrar shall require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer of the Lease.

Section 7. Treatment of Registered Owner. The City and the registrar may treat the person in whose name the Lease is registered as the owner of the Lease for the purpose of receiving payments thereon and for all other purposes whatsoever, and neither the City nor the registrar shall be affected by notice to the contrary.

Section 8. Qualified Tax-Exempt Obligation. In order to qualify the Lease as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

- (a) the Lease is not a “private activity bond” as defined in Section 141 of the Code;
- (b) the City designates the Lease as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code;
- (c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds and 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2018 will not exceed \$10,000,000; and
- (d) not more than \$10,000,000 of obligations issued by the City during calendar year 2018 have been designated for purposes of Section 265(b)(3) of the Code.

Section 9. No Arbitrage. Until expended on the Equipment, the proceeds of the Lease will be deposited and utilized in conformance with the terms thereof. Payments on the Lease shall be made from annual appropriations made by the City Council in each fiscal year, and money to make such payment shall not be segregated in any special fund of the City. No portion of the proceeds of the Lease will be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments. In addition, the proceeds of the Lease and money used to make payments on the Lease shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Lease to be “federally guaranteed” within the meaning of Section 149(b) of the Code.

Section 10. Records and Certificates. The proper officers of the City are hereby authorized and directed to prepare and furnish to the Lender and Kennedy and Graven, Chartered, as bond counsel to the City, certified copies of all proceedings and records of the City relating to the Lease and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality of the Lease, and all such certified copies, certificates, and affidavits, including any heretofore furnished, shall be deemed representations of the City as to the facts recited therein.

Section 11. Negative Covenants as to Use of Proceeds and Equipment. The City hereby covenants not to use the proceeds of the Lease or to use the Equipment, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the Equipment, in such a manner as to cause the Lease to be a “private activity bond” within the meaning of Sections 103 and 141 through 150 of the Code. The City reasonably expects that no actions will be taken over the term of the Lease that would cause it to be a “private activity bond”, and the average term of the Lease is not longer than reasonably necessary for the governmental purpose. The City hereby covenants not to use the proceeds of the Lease in such a manner as to cause the Lease to be a “hedge bond” within the meaning of Section 149(g) of the Code.

Section 12. Tax-Exempt Status of Lease; Rebate; Elections. The City shall comply with the requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Lease. If any elections are available now, or hereafter with respect to arbitrage or rebate matters relating to the Lease, the Mayor, City Finance Director, or either of them, are hereby authorized and directed to make such elections as they deem necessary, appropriate or desirable in connection with the Lease in order to retain the tax-exempt status, and all such elections shall be, and shall be deemed and treated as, elections of the City.

Section 13. Bond Counsel. Kennedy and Graven, Chartered is hereby designated as bond counsel to the City with respect to the Lease and is hereby authorized to take all actions necessary to prepare necessary documents to permit the execution of the Lease and the financing of the Equipment.

Section 14. Severability. If any section, paragraph or provision on this resolution shall be held to be invalid, or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, or provision shall not affect any of the remaining provisions of this resolution.

Section 15. Headings. Headings in this resolution are included for convenience only and are not a part hereof. The Headings in this resolution are not intended to limit or define the meaning of any provision hereto.

Adopted by the City Council of the City of Grand Rapids, Minnesota on this ____ day of _____, 2018.

Dale C. Adams, Mayor

Attest:

Kimberly Johnson-Gibeau, City Clerk

Customer No. 500800
 Agreement No. 20180208
 Dealer No. 1140500

LEASE/PURCHASE AGREEMENT

TYMCO, INC.
 TAX-EXEMPT FINANCING

LESSEE

LESSOR

City of Grand Rapids
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 218-326-7600

TYMCO, Inc.
 225 E. Industrial Blvd.
 P. O. Box 2368
 Waco, TX 76703-2368
 254-799-5546
 Federal Tax ID# 74-1693738

Federal Tax ID #41-6005201

DESCRIPTION OF EQUIPMENT

Quantity	(Type, Model and Serial Number)	Unit Price	Amount
1	TYMCO Model 500X Regenerative Air Street Sweeper Sweeper Serial No. 201704SNG51404BAH Truck Serial No. 1HTMMAAN5HH040953 Sales Tax (if any) Finance Amount	Plus: Sales Tax, title & filing fees Total Sales Price: Less: Down Payment	\$226,590.00 <u>14,878.35</u> \$241,468.35 <u>-180,000.00</u> \$61,468.35

Type of Entity (County, City, School District, etc.): City

Full Lease Term	Rent Payable	Annual Percentage Rate	Rental Payment Schedule	
1 Year after commencement date.	<input type="checkbox"/> Advance <input checked="" type="checkbox"/> Arrears <input type="checkbox"/> Monthly <input type="checkbox"/> Quarterly <input type="checkbox"/> Semi-Annually <input checked="" type="checkbox"/> Annually	APR: 2.55%	Advance Payments	Remaining Payments
			0 @ \$	1 @ \$63,035.79

EQUIPMENT LEASE/PURCHASE AGREEMENT

In consideration of the mutual covenants hereinafter contained, the parties agree that Lessee shall lease from the Lessor the property described above (the "Equipment"), subject to the terms and conditions set forth herein. The agreement is made upon the following terms and conditions:

1. **RENTAL.** Lessor and Lessee understand and intend that the obligation of Lessee to pay rent hereunder shall constitute a current expense of Lessee and shall not in any way be construed to be a debt of Lessee in contravention of any applicable constitutional or statutory limitations or requirements concerning the creation of indebtedness by Lessee, nor shall anything contained herein constitute a pledge of the general tax revenues, funds or monies of Lessee. Lessee shall pay rent exclusively from legally available funds, in the amounts set forth both above and on the rent due dates set forth in the Schedule of Payments (Exhibit C) attached to the Certificate of Acceptance (Exhibit D), executed by Lessee, by mailing the same to Lessor at the address specified in Section 14(a). For purposes of making computations under applicable regulations and rulings under federal income tax law, and as set forth in the Schedule of Payments, a portion of each rent payment is paid as, and represents payment of, interest, and the balance of each rent payment is paid as, and represents payment of, principal. Each year's rental payment is for the consideration actually furnished that year and each

rental payment is supported by the use of the equipment in each year. The obligation of Lessee to make payment of rent, and to perform and observe the agreements contained in the Agreement, shall be absolute and unconditional in all events, except as expressly provided herein. Notwithstanding any dispute between Lessee, Lessor, and any other person, Lessee shall make all rent payments when due and shall not withhold any rent payments pending final resolution of such dispute, nor shall Lessee assert any right of set off or counterclaim against its obligation to make such payments required under this Agreement, Lessee's obligation to pay rent shall not be abated through accident or unforeseen circumstances.

2. **LEASE TERM.** (a) **Commencement of Lease Term.** The lease terms shall commence on the date on which the Equipment is accepted by Lessee as indicated on the Certificate of Acceptance (the Commencement Date), and shall terminate on the last business day of Lessee's then current fiscal budget period (such period being hereinafter referred to as the "Original Term"): provided, however, that this Agreement shall be effective from and after the date of execution hereof.

(b) **Renewal of Lease Term.** Upon expiration of the Original Term, this Lease shall automatically renew on a year-to-year basis for the number of budget periods necessary to comprise the Full Lease Term as set forth in Exhibit C attached hereto and made a part hereof, unless Lessee gives written notice to Lessor not less than 90 days prior to the end of the then current term pursuant to subpart (e) of this section or Section 10, as the case may be. Each renewal period is hereinafter referred to as a "Renewal Term", and all Renewal Terms, together with the Original Term, shall comprise the "Full Lease Term". The terms applicable to any Renewal Term shall be the same as the terms applicable to the Original Term, except that the rent shall be as provided in the Schedule of Payments in Exhibit C.

(c) **Termination of Lease Term.** The Lease Term will terminate upon the earliest to occur of any of the following events: (1) the expiration of the Original Term or any Renewal Term and the non renewal thereof in accordance with the terms hereof; (2) the purchase of the Equipment by Lessee pursuant to Section 8 or 10; (3) a default by Lessee or Lessor's election to terminate this Agreement under Section 12; or (4) the payment by Lessee of all rentals authorized or required to be paid by Lessee hereunder.

(d) **Continuation of Lease Term by Lessee.** Lessee intends, subject to the provisions of subpart (e) of this section, to continue the Lease Term through the Original Term and all Renewal Terms for the Full Lease Term and to pay the rent hereunder. Lessee reasonably believes that legally available funds in an amount sufficient to pay all rent for the Full Lease Term can be obtained. Lessee further intends and covenants to do all things lawfully within its power to obtain and maintain funds from which the rent may be paid, including making provision for such rent to the extent necessary in each budget submitted and adopted in accordance with law, to use its bona fide best efforts to have such portion of the budget approved, and to exhaust all available reviews and appeals in the event such portion of the budget is not approved.

(e) **Non-appropriation.** In the event sufficient funds are not appropriated for the payment of the rent required to be paid in the next succeeding Renewal Term, and Lessee has no funds legally available for rent from other sources, then Lessee may terminate this Agreement at the end of the Original Term or the then current Renewal Term, as the case may be, and Lessee shall not be obligated to make payment of the rent beyond the then current term except for any deferred interest that may have accrued for the then current period and is considered part of the next rental payment. Lessee agrees to deliver notice to Lessor of such termination at least 90 days prior to the end of the then current term. If this Agreement is terminated under this sub-part, Lessee agrees, at Lessee's cost and expense, peaceably to delivery the Equipment to Lessor. In addition, Lessee agrees, at Lessee's cost and expense, to incur the necessary costs and expenses to bring the returned sweeper and truck chassis up to factory remarketing standards. To the extent lawful, Lessee covenants that it will not, until the date on which the next succeeding Renewal Term would have ended, expend or commit any funds for the purchase or use of equipment to be used for the same purpose as, or a purpose functionally equivalent to, the Equipment. Notwithstanding anything in this Agreement to the contrary, the provisions of this sub-part shall survive termination of this Agreement.

3. **REPRESENTATIONS AND COVENANTS OF LESSEE.** Lessee represents, covenants and warrants to Lessor as follows: (a) Lessee is an entity described in Section 103(a) of the Internal Revenue Code of 1986, as amended; and will do or cause to be done all things necessary to preserve and keep in full force and effect its existence as such an entity. (b) Based upon the representations, covenants and warranties of Lessor, the execution and delivery of this Agreement by Lessee and performance of this obligations hereunder is not prohibited by the constitution and laws of the state specified

on the Certificate of Acceptance (the "State"), and has been duly authorized by resolution of the governing body of Lessee (a certified copy of which shall be attached to the opinion of Lessee's counsel); and Lessee has obtained such other approvals as are necessary to consummate this Agreement. All requirements have been met, and procedures have occurred, necessary to ensure the enforceability of this Agreement against Lessee, and Lessee has complied with such public bidding requirements as may be applicable to this Agreement and the acquisition by Lessee of the Equipment hereunder. (c) Lessee has determined that a present need exists for the Equipment which need is not temporary or expected to diminish in the foreseeable future. The Equipment is essential to and will be used by Lessee only for the purpose of performing one or more governmental functions of Lessee consistent with the permissible scope of Lessee's authority and will not be used in a trade or business of any person or entity. (d) Lessee will annually, upon request, provide Lessor with a letter from the City's accountant stating that funds have been appropriated in the City's annual budget to continue this lease for the next renewal term. (e) The Equipment is, and shall remain, personal property and when subject to use by Lessee under this Agreement will not be or become fixtures.

The Lessee further warrants that this lease will not constitute a "private activity bond" within the meaning of Section 141 of the Internal Revenue Code in that Lessee will not sublease the Equipment, nor will Lessee enter any management, output, or similar types of contracts where more than 10 percent of the proceeds of the lease purchase agreement will be used for one or more private business uses or where the payment of the principal of, or interest on, more than 10 percent of the proceeds of this Lease will be made, either directly or indirectly by payments, property, or monies borrowed by private business users. (The term "private business use" means any direct or indirect use in a trade or business carried on by an individual or entity other than a state or local governmental unit, including use by the Federal Government or any agency thereof. A special exemption is provided for "exempt facility bonds and 501(C) (3) "tax exempt organization bonds".

4. **TITLE TO EQUIPMENT; SECURITY INTEREST.** During the Full Lease Term, the Lessee shall be listed as the Owner on the Equipment Title with Lessor listed as 1st Lienholder. Upon exercise by Lessee of the purchase option granted in Section 10 of this Lease, Lessor shall deliver to Lessee by appropriate documents the title to the Equipment, free and clear of all liens and encumbrances. In the event of a default as set forth in Section 12 or non appropriation as set forth in Section 2(e), Lessee will surrender possession of the Equipment to Lessor as required by Section 2(e) and release all claim or right to said Equipment accordingly.

To secure the prompt payment and performance as and when due of all of Lessee's obligations hereunder, and all other obligations of Lessee to Lessor, both now in existence and hereafter created, Lessee hereby grants to Lessor a first security interest in the Equipment, and all replacements, substitutions and alternatives therefore and thereof and accessions thereto and all proceeds (cash and non-cash), including the proceeds of all insurance policies, thereof. Lessee agrees that with respect to the Equipment Lessor shall have all of the rights and remedies of a secured party under the Uniform Commercial Code as in effect in the State. Lessee may not dispose of any of the Equipment without the prior written consent of Lessor, notwithstanding the fact that proceeds constitute part of the Equipment.

5. **USE AND MAINTENANCE.** Lessee shall use the Equipment in a manner consistent with the requirements of all applicable insurance policies, and will not change the location of any Equipment as specified in the Acceptance Certificate without the prior written consent of Lessor, which consent shall not be unreasonably withheld. Lessee shall not attach the Equipment to any other item of equipment in such a manner that the Equipment may be deemed to have become an accession to or a part of such other item of equipment. Lessee, at its own expense, will maintain the Equipment in as good operating condition as when delivered to Lessee hereunder, ordinary wear and tear resulting from proper use thereof alone excepted, and will make all repairs reasonable necessary for such purpose. In addition, if any component of the equipment shall become damaged beyond repair, Lessee at its own expense, will within a reasonable time replace such component, with replacement components which are free and clear of all liens or right of other and have a value and utility at lease equal to the components replaced. All components which are attached to the Equipment which are essential to the operation of the Equipment or which cannot be detached from the Equipment without materially interfering with the operation of the Equipment or adversely affecting the value and utility which the Equipment would have had without the addition thereof, shall immediately be deemed incorporated in the Equipment and subject to the terms hereof as if originally leased hereunder, and subject to the security interest of Lessor in the Equipment. Lessee shall not make any material alterations to the Equipment without the prior written consent of Lessor, which consent shall not be unreasonably withheld. Upon reasonable advance notice, Lessor shall have the right to inspect

the Equipment and all maintenance records with respect thereto, if any, at any reasonable time during normal business hours.

6. **FEES; TAXES; OTHER GOVERNMENTAL AND UTILITY CHARGES.** Lessee agrees to indemnify Lessor against all titling, recordation, documentary stamp and other fees, arising at any time prior to or during the Lease Term, upon or relating to the Equipment or this Agreement. The parties contemplate that the Equipment will be used for a governmental purpose of Lessee and that the Equipment will be exempt from all taxes presently assessed and levied with respect to personal property. In the event that the use, possession or acquisition of the Equipment is found to be subject to taxation in any form (except for net income taxes of Lessor), Lessee will pay as they come due all taxes and governmental charges of any kind that may be assessed or levied against the Equipment, as well as all utility and other charges incurred in the operation, maintenance and use of the Equipment.

7. **INSURANCE.** At its own expense, Lessee shall keep the Equipment covered against loss due to fire and the risks normally included in extended coverage, malicious mischief and vandalism, for not less than the Full Insurable Value of the Equipment; and Lessee shall also carry automobile insurance, including bodily injury liability and property damage liability with a single limit of not less than \$1,000,000 per occurrence, or such greater or lesser amount as Lessor may from time to time require on notice to Lessee. As used herein, "Full Insurable Value" means the full replacement value of the Equipment or the then applicable Purchase Price designated as such on the Schedule of Payments, whichever is greater. All insurance shall be in form and amount and with companies reasonably satisfactory to Lessor. All insurance for loss or damage shall provide that losses shall be payable to Lessor and Lessee, as their interests may appear, and Lessee shall utilize its best efforts to have all checks to such losses delivered to Lessor. Lessor shall be named as an additional insured with respect to such liability insurance. Lessee shall pay the premiums and deliver to Lessor evidence satisfactory to Lessor of such insurance coverage. Each insurer shall agree, by endorsement furnished to Lessor, that (a) it will give Lessor 30 days prior written notice of the effective date of any material alteration or cancellation of such policy; and (b) insurance as to the interest of any named additional insured or loss payee other than Lessee shall not be invalidated by any actions, inactions, breach of warranty or conditions or negligence of Lessee with respect to such policy. If Lessee insures similar properties against casualty loss by self-insurance, Lessee may satisfy its obligations with respect to casualty insurance hereunder by providing self-insurance with respect to the Full Insurable Value of the Equipment by means of an adequate insurance fund. Lessee shall carry workmen's compensation insurance covering all employees working on, in, near or about the Equipment, or demonstrate to the satisfaction of Lessor that adequate self-insurance is provided, and shall require any other person or entity working on, in, or near or about the Equipment to carry such coverage, and will furnish to Lessor certificates evidencing such coverage throughout the Lease Term. The Net Proceeds of the insurance required hereby shall be applied as provided in Section 8. As used herein "Net Proceeds" means the amount remaining from the gross proceeds of any insurance claim or condemnation award after deduction of all expenses (including attorney's fees) incurred in the collection of such claim or award.

If Lessee is a governmental entity and does not maintain liability insurance as described above, Lessee agrees that it will maintain a program of self insurance, either alone, or in cooperation with other governmental entities, that provides coverage to Lessee in the form and amount stated above, but in any event, not less than the maximum exposure to Lessee under any applicable governmental immunity rule, regulation, statute or law. Lessee shall deliver to Lessor evidence satisfactory to Lessor of such self-insurance coverage.

8. **DAMAGE, DESTRUCTION AND CONDEMNATION: USE OF NET PROCEEDS.** If prior to the termination of the Lease Term (a) the Equipment is damaged in whole or in part by casualty; or (b) title to, or the temporary use of, the Equipment or the estate of Lessee or Lessor in the Equipment shall be taken under the exercise of the power of eminent domain by any governmental body or by any person acting under governmental authority; Lessee and Lessor will cause the Net Proceeds of any insurance claims or condemnation award to be applied to Lessee's obligations by this section. If the Equipment is not deemed to be a total loss, Lessee shall, at its expense (after the application of the Net Proceeds of any insurance claims or condemnation award), cause the repair or replacement of the Equipment. In the event of total destruction of the Equipment, Lessee shall pay to Lessor on the next rent due date (as set forth on the Schedule of Payments) which succeeds the date of such loss, an amount equal to the purchase price of the equipment less the total amount of all rents which represented equity in the equipment previously paid under this Agreement, plus rent due on such date, plus any other amounts then payable by Lessee hereunder. Upon such payment, the Lease Term shall terminate, any security interest of Lessor in the Equipment shall terminate, and Lessee will acquire unencumbered title to

the Equipment as provided in Section 10. If Lessee is not then in default hereunder, any portion of the Net Proceeds in excess of the amount required to pay in full Lessee's obligations as set forth in this Section shall be for the account of the Lessee. Lessee agrees that if the Net Proceeds are insufficient to pay in full Lessee's obligations as set forth in this Section, Lessee shall make such payments to the extent of any deficiency.

9. **WARRANTY.** Products and parts manufactured by TYMCO, INC. and all services performed by TYMCO, INC., are subject to the applicable Warranty currently published by TYMCO, INC., which Warranty is, by this reference, incorporated herein. Copies of said Warranty may be obtained from any office of TYMCO, INC., or from any authorized TYMCO, INC. dealer. LESSOR MAKES NO OTHER WARRANTY EXPRESS OR IMPLIED REGARDING THE CAPACITY OF THE REQUIREMENT OR THAT THE EQUIPMENT WILL SATISFY THE REQUIREMENTS OF ANY LAW, REGULATION OR SPECIFICATION OR THAT THE EQUIPMENT WILL BE FIT FOR ANY PARTICULAR PURPOSE.

10. **PURCHASE OF EQUIPMENT BY LESSEE.** The Lessee will have an option to purchase and can exercise that option to acquire title free and clear of all liens, and this Agreement will terminate provided Lessee is not then in default upon the occurrence of either of the following events: (a) the end of the Full Lease Term, upon payment in full of all rent and other amounts payable by Lessee hereunder for the Full Lease Term; or (b) at the end of the Original Term or any Renewal Term, or any month within such Original Term or any Renewal Term, as set forth in the column entitled "Principal Balance" within Exhibit C incorporated herein by this reference, upon payment by Lessee of the then applicable Purchase Price plus all other sums then due by Lessee hereunder.

11. **ASSIGNMENT; INDEMNIFICATION.** (a) **Assignment.** This Agreement and the interest of Lessee in the Equipment may not be sold, assigned, sublet or encumbered by Lessee without prior written consent of Lessor. This Agreement, and the obligations of Lessee to pay rent hereunder, may be assigned and reassigned in whole or in part to one or more assignees by Lessor subject to their terms of this Lease/Purchase Agreement at any time without the necessity of obtaining the consent of Lessee. Lessor agrees to give notice of assignment to Lessee and upon receipt of such notice, Lessee agrees to make all payments to the assignee designated in the assignment, notwithstanding any claim, defense or set off (whether arising from a breach of the Agreement or otherwise) that Lessee may have against Lessor's assignees. Lessee agrees to execute all documents, including notices of assignment and chattel mortgages or financing statements which may reasonably be requested by Lessor or its assignees to protect their interests in the Equipment and in this Agreement.

(b) Lessee agrees to indemnify and hold harmless Lessor for any damage or injury of any kind, arising out of the negligence or actionable conduct of Lessee, its employees, agents, representatives or contractors, or any person or entity alleged to be an employee, agent, representative or contractor of Lessee.

12. **EVENTS OF DEFAULT AND REMEDIES.** (a) **Events of Default.** The following shall be "events of default" under this agreement and the term "default" shall mean any one or more of the following events: (1) failure by Lessee to pay any rent or other payment required to be paid hereunder at the time specified herein; or (2) failure by Lessee to observe and perform any other agreement on its part to be observed in such time prior to its expiration; (3) any statement contained herein or furnished with respect hereto by or on behalf of Lessee proving to have been false in any material respect at the time that it was made; or (4) the filing by Lessee of any petition or answer seeking reorganization, arrangement composition, readjustment, liquidation, moratorium or similar relief under any existing or future bankruptcy, insolvency, or other similar insolvency or other similar laws shall be filed and not withdrawn or dismissed within 60 days thereafter.

(b) **Remedies on Default.** Whenever any event of default shall have occurred and be continuing, Lessor shall have the right, at its sole option without any further demand or notice, to exercise any one or more of the following remedies: (1) with or without terminating this Agreement, retake possession of the Equipment and dispose of the Equipment for the account of Lessee, with the net amount of all proceeds received by Lessor to be applied to Lessee's obligations hereunder, holding Lessee liable for the excess (if any) of (i) the rent payable to Lessee hereunder to the end of the Original Term or then current Renewal Term, whichever is applicable, and any other amounts then payable by Lessee hereunder, including but not limited to attorney's fees, expenses and costs of repossession, over (ii) the net proceeds received in connection with the disposition of the Equipment; provided that the excess of the amounts referred to in clause (i) over the then

applicable Purchase Price and amounts referred to in clause (i) shall be paid to Lessor; (2) require Lessee at Lessee's risk and expense promptly to return the Equipment in the manner and in the condition set forth in Sections 2(e) and 5; (3) if Lessor is unable to repossess the Equipment for any reason, the Equipment shall be deemed a total loss and Lessee shall pay to Lessor the amount due pursuant to Section 8; and (4) exercise any other right or remedy which may be available to it under applicable law or proceed by appropriate court action to enforce the terms of this Agreement or to recover damages for the breach of this Agreement as to any or all of the Equipment. Nothing contained herein shall be construed to provide any remedy of acceleration of the rental payments. In addition, Lessee will remain liable for all legal fees and other costs and expenses, including court costs, incurred by Lessor with respect to the enforcement of any of the remedies listed above or any other remedy available to Lessor.

(c) No Remedy Exclusive. No remedy available to Lessor is intended to be exclusive and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity. No delay or omission to exercise any right accruing upon any default shall impair any such right or shall be construed to be a waiver thereof, but any such right might be exercised from time to time and as often as may be deemed expedient.

13. TAX ASSUMPTION; COVENANTS. The parties assume that Lessor can exclude from Federal gross income the interest portion of each Lease Payment set forth in the amortization schedule under the column captioned "Interest Paid".

Lessee covenants that it will (i) register this Lease and transfers thereof in accordance with Section 149 (a) of the Code and the regulations thereunder, (ii) timely file a statement with respect to this Lease in the required form in accordance with Section 149(e) of the Code, (iii) not permit the property financed by this Lease to be directly or indirectly used for a private business use within the meaning of Section 141 of the Code, (iv) not take any action which results, directly or indirectly, in the interest portion of any Lease Payment not being excludable from Federal gross income pursuant to Section 103 of the Code and will take any reasonable action necessary to prevent such result, and (v) not take any action which results in this Lease becoming, and will take any reasonable action to prevent this Lease from becoming (a) an arbitrage obligation within the meaning of Section 148 of the Code or (b) federally guaranteed within the meaning of Section 149 of the Code.

Lessee represents that in accordance with the above, it will report this Lease to the Internal Revenue Service by filing form 8038-G or 8038-GC, whichever is appropriate. Lessee understands that failure to do so will cause the Lease to lose its tax exempt status. Therefore, Lessee agrees that if it fails to file the appropriate form, the interest rate set forth in the payment schedule will be adjusted to an equivalent taxable interest rate. Notwithstanding the earlier termination or expiration of this Lease, the obligations provided for in this Section 13 shall survive such earlier termination or expiration.

14. MISCELLANEOUS. (a) Notices. All notices (excluding billings and communications in the ordinary course of business) hereunder shall be in writing, sent by certified mail, return receipts requested, addressed to the other party at its respective address stated on the first page of this Agreement or at such other address as such party shall from time to time designate in writing to the other party; shall be effective from the date of mailing.

(b) Binding Effect. This Agreement shall inure to the benefit of and shall be binding upon Lessor and Lessee and their respective successors and assigns.

(c) Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the County of McLennan, State of Texas.

(d) Entire Agreement Severability. This Agreement constitutes the entire Agreement between Lessor and Lessee. No waiver, consent, modification or change of terms of this Agreement shall bind either party unless in writing signed by both parties, and then such waiver, consent, modification or change shall be effective only in the specific instance and for the specific purpose given. There are no understandings not specified herein regarding this Agreement or the Equipment leased hereunder. Any provision of this Agreement which is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof, and any such prohibition or unenforceability in any jurisdiction shall not invalidate or render

unenforceable such provision in any other jurisdiction. To the extent permitted by applicable law, Lessee hereby waives any provision of law which renders any provision hereof prohibited or unenforceable in any respect.

(e) Lessor's Right to Perform for Lessee. If Lessee fails to perform or comply with any of its agreements contained herein, Lessor shall have the right, but shall not be obligated, to effect such performance or compliance, and the amount of any out of pocket expenses and other reasonable expenses of Lessor incurred in connection with the performance of or compliance with such Agreement, together with interest thereon at the rate of twelve percent (12%) per annum (or such lesser amount as may be permitted by law), shall be payable by Lessee upon demand.

IN WITNESS WHEREOF, Lessee has caused this Lease to be duly executed under seal.

LESSEE: City of Grand Rapids, MN

By: _____ (SEAL)

Complete all blank lines to this point before submitting to Lessor

Accepted this _____ day of _____, 2018.

LESSOR: TYMCO, Inc.

By: _____ (SEAL)

225 E. Industrial Blvd.
Waco, Texas 76705

LESSOR: TYMCO, Inc. • P.O. Box 2368 • Waco, TX 76703

Agreement No.20180208

LESSEE: City of Grand Rapids • 420 North Pokegama Ave. • Grand Rapids, MN 55744

**EXHIBIT A
MUNICIPAL CERTIFICATE**

I, the undersigned, the duly appointed, qualified and acting _____
(Clerk or Secretary) of the above captioned Lessee do hereby certify this _____ day of _____,
_____ that Lessee is a public body corporate and politic duly organized and existing under the Constitution and
laws of the State of Minnesota with full power and authority to enter into, be bound by and perform its obligations under
the above captioned equipment lease/purchase agreement (the "Agreement").

I further certify that the Lessee did, at a _____ (regular or special) meeting of the governing
body of the Lessee held _____, _____, by motion duly made, seconded and carried, in
accordance with all requirements of law, approve and authorize the execution of the Agreement by the following named
representative of the Lessee, to wit:

Name	Title	Signature
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I further certify that the above named representative of the Lessee had at the time of such authorization and has at
the present full and complete authority to execute the Agreement and that I have full and complete authority to attest the
execution of the Agreement by such representative of the Lessee.

I further certify that the meeting of the governing body of the Lessee at which the Agreement was approved and
authorized to be executed was duly called, regularly convened and attended throughout by a majority of the members
thereof and that the action approving the Agreement and authorizing the execution thereof has not been altered or
rescinded.

I further certify that the Lessor has fully and satisfactorily performed all of its covenants and obligations under the
Agreement.

I further certify that the Equipment will perform an essential use and public function which the Lessee, its agencies
and departments are authorized by law to perform.

I further certify that all insurance required in accordance with the Agreement has been secured by the Lessee and
the required coverage will be maintained throughout the term of the Agreement and the renewal, if any, thereof.

I further certify that any notice or demand to be given the Lessee may be given to the Lessee at the above
referenced address of the Lessee.

I further certify that the date of this Municipal Certificate shall constitute the Commencement Date of the
Agreement in accordance with Section 2 of the Agreement.

I further certify that pursuant to Section 265(b)(3)(B)(ii) of the Internal Revenue Code of 1986(the Code), the
Issuer hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3)

of the Code. In compliance with Section 265(b)(3)(D) of the Code, Issuer hereby represents that the Issuer will not designate more than \$10,000,000 of obligations issued by the Issuer in the calendar year during which the Lease is executed and delivered as such "qualified tax-exempt obligations".

I further certify that in compliance with the requirements of Section 265(b)(3)(C) of the Code, the Issuer hereby represents that the Issuer (including all "subordinate entities" of the Issuer within the meaning of Section 265(b)(3)(E) of the Code) reasonably anticipated not to issue in the calendar year during which the Lease is executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code other than "private activity bonds" as defined in Section 141 of the Code) in an amount greater than \$10,000,000.

IN WITNESS WHEREOF, I hereunto set my hand and the seal of the governing body of the Lessee the day and year first above written.

By: _____

(Printed or typewritten name)

(SEAL)

(If no seal, initial here: _____)

Subscribed to and sworn before me this _____ day of _____, _____.

Notary Public

My commission expires _____.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0127	Version:	1	Name:	Consider approving the Workers Compensation coverage endorsement through Berkley Administration.
Type:	Agenda Item	Status:		Status:	Consent Agenda
File created:	2/22/2018	In control:		In control:	City Council
On agenda:	2/26/2018	Final action:		Final action:	
Title:	Consider approving the Workers Compensation coverage endorsement through Berkley Administration.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Grand Rapids Endorsement				

Date	Ver.	Action By	Action	Result
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Consider approving the Workers Compensation coverage endorsement through Berkley Administration.

Background Information:

At the December 20, 2017 City Council meeting, the Council approved payment for the 2018 Workers Compensation coverage through Berkley Administrators for the 2018 plan year at a proposed rate of \$129,747.00 and authorized payment of the premium. When the Finance Department was working on the allocation worksheet, it was discovered that the Fire Department had been inadvertently omitted from the invoice. We received an endorsement adding the class code in the amount of \$17,058.00; with the readjusted discounts and modifications rates, our additional cost is \$26,554.00.

Staff Recommendation:

Requested City Council Action

Make a motion approving the Workers Compensation coverage through Berkley Administrators for the Fire Department at a rate of \$26,554.00 and authorize payment of the premium.

League of Minnesota Cities Insurance Trust
Group Self-Insured Workers' Compensation Plan
145 University Avenue West
St. Paul, MN 55103-2044
(651) 215-4173

WORKERS' COMPENSATION ENDORSEMENT

The "City"
Grand Rapids & Grand Rapids-Itasca County Airport
Attn: Human Resources
420 N Pokegama Ave
Grand Rapids, MN 55744-2658

Agreement No.: WC 1000945-2
Agreement Period From: 01/01/2018
To: 01/01/2019
Endorsement Effective: 01/01/2018

Adding class code and payroll as follows:

7708 - \$17,058



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0129	Version:	1	Name:	Consider adopting a job description for Assistant Superintendent at the Pokegama Golf Course along with appointment and wage increase for Cody Alleman.
Type:	Agenda Item	Status:			Consent Agenda
File created:	2/22/2018	In control:			City Council
On agenda:	2/26/2018	Final action:			
Title:	Consider adopting a job description for Assistant Superintendent at the Pokegama Golf Course along with appointment and wage increase for Cody Alleman.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Golf - Assistant Superintendent Equipment Supervisor				

Date	Ver.	Action By	Action	Result
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Consider adopting a job description for Assistant Superintendent at the Pokegama Golf Course along with appointment and wage increase for Cody Alleman.

Background Information:

At the December 11, 2017 City Council meeting, the Council eliminated the Assistant Superintendent/Equipment Supervisor position at the Pokegama Golf Course. There remains a need for maintenance during the golf season, and Cody Alleman has been fulfilling that need. Because this isn't a full-time position, there hasn't been a detailed job description, so we would like the City Council to adopt the attached job description and adjust Cody Alleman's hourly wage to reflect the duties and responsibilities of the position. This is a seasonal position; health insurance is not offered, but Flexible Time Off will accrue based on hours worked.

Staff Recommendation:

Director of Golf Bob Cahill and Human Resources Director Lynn DeGrio are recommending the adoption of the attached job description for Assistant Superintendent and appoint Cody Alleman to the position. We are also recommending a wage increase from \$15.00 per hour to \$18.00 effective April 1, 2018 through October 31, 2018 to reflect on the added responsibilities of the position.

Requested City Council Action

Make a motion to adopt the job description for Assistant Superintendent at the Pokegama Golf Course along with the appointment and hourly wage of \$18.00 for Cody Alleman effective April 1, 2018 through October 31, 2018.

City of Grand Rapids Job Description

Job Title: Assistant Superintendent
Department: Pokegama Golf Course
FLSA Status: Non-exempt
Approved By: City Council
Approved Date: February 26, 2018

Summary: Performs difficult semiskilled work in the maintenance and operation of golf course buildings, grounds, vehicles and mechanical equipment, and related work as apparent or assigned. Work is performed under the limited supervision of the Director of Golf and Superintendent. Continuous supervision is exercised over all personnel within the team.

Essential Duties and Responsibilities include the following. The duties listed are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to that position. Other duties may be assigned.

- Operates a variety of diagnostic instruments and a variety of hand, electric and air-driven tools.
- Tests, services and repairs vehicle and mechanical equipment.
- Inspects, adjusts and replaces necessary units and related parts in the performance of repair and maintenance work.
- Repairs brake, engine, electrical, fuel, hydraulic, transmission, ignition, air, exhaust, axle assemblies and related systems.
- Cuts and weld metal and performs body repair, touch up and related work.
- Changes and repairs tires and tubes.
- Provides emergency field assistance to disabled equipment as needed and appropriate.
- Maintains records, prepares reports and other specialized maintenance records of equipment and mechanical equipment.
- Assists in the training and/or supervision of lower level employees.
- Mows and maintains fairways, greens, tee areas, rough, and open space areas; moves weeds; cleans and maintains said traps and other course elements; maintains sprinkler systems and assists in the repair and installation of sprinkler lines and heads.
- Inspects, washes, and performs routine maintenance of drinking areas and restrooms.
- Performs routine maintenance on turf and power equipment.
- Plants turf, trees, shrubs and flowers.
- Carries out the seeding, fertilizing, top dressing, soil conditioning, watering, and the pest and weed control of golf course.
- Maintains and adjusts specialized turf care equipment and tools, including electric motors, pumps, sprinklers, tractors, mowers, and irrigation systems.
- Performs custodial work such as required and assigned; including: change light bulbs and fluorescent tubes; dump garbage and reline cans with liners; clean and sanitize outdoor restrooms and replenish supplies; clean rain gutters; sweep roofs.
- Collects and disposes of solid waste from buildings and grounds; picks up litter from premises.

- Opens and closes, locks and unlocks facilities as needed.
- Assists in setting up and taking down equipment for various programs and tournaments, prepares facilities for program use.
- Keeps records of work completed.
- Oversees and assists in the maintenance of irrigation systems and the repair and installation of irrigation lines and heads.

Knowledge, Skills, Abilities and Competencies Required: The requirements listed below are representative of the knowledge, skill, ability and/or competency sets required to complete the essential functions at a satisfactory level.

Education and/or Experience

High school diploma or GED and considerable experience working in golf course or irrigation maintenance, or equivalent combination of education and experience.

- Skill in operation of listed tools and equipment.
- Ability to communicate effectively, verbally and in writing; ability to establish and maintain effective working relationships with employees, supervisors, vendors and the public.
- Working knowledge of equipment, materials and supplies used in building and grounds maintenance; working knowledge of equipment and supplies used to do minor repairs.
- Ability to work independently and to complete daily activities according to work schedule; ability to lift heavy objects, walk and stand for long periods of time, and to perform strenuous physical labor under adverse field conditions; ability to understand, follow and transmit written and oral instructions. Ability to accomplish physical demands of the job (see physical demands below.)
- Ability to assist in the maintenance and operation an automated irrigation system.

TOOLS AND EQUIPMENT USED:

Motorized vehicles for mechanical testing purposes, power and hand tools and equipment for vehicle and mechanical system work; mechanic's tools including jacks, hydraulic lifts air tools, and other tools required for minor repairs and routine maintenance of motorized vehicles; electronic vehicle diagnostic equipment; personal computer, calculator, phone; mobile or portable radio.

Pickup truck; turn care and landscaping equipment, including tractors, mowers, aerifier, chain saw, edgers, weed trimmers, electric motors, pumps, sprinklers, irrigation system; miscellaneous hand and power tools for turf maintenance, carpentry, painting, plumbing, electrical, and cement finishing work; janitorial equipment including floor buffers, steam cleaner, carpet cleaners, washers, vacuums, mops, brooms, and dusting equipment.

Physical Demands

This work requires the regular exertion of up to 10 pounds of force and occasional exertion of up to 100 pounds of force; work regularly requires standing, walking, speaking or hearing, using hands to finger, handle or feel, reaching with hands and arms and lifting, frequently requires sitting, stooping, kneeling, crouching or crawling, pushing or pulling and repetitive motions and occasionally requires climbing or balancing; work requires ability to adjust focus, depth perception, color perception and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word; hearing is required to perceive information at normal spoken word

levels; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires working near moving mechanical parts, exposure to fumes or airborne particles, exposure to outdoor weather conditions and exposure to vibration and occasionally requires working in high, precarious places, exposure to toxic or caustic chemicals and exposure to the risk of electrical shock; work is generally in a moderately noisy location (e.g. business office, light traffic).

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and the employee and is subject to change by the employer as the needs of the employer and requirements of the job change.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0130 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Consent Agenda
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider the adoption of a resolution accepting the bid and authorizing a contract with George Bougalis & Sons for the Sammy's Pizza Expansion Demolition Project.

Sponsors:

Indexes:

Code sections:

Attachments: [Sammy's Pizza Resolution.pdf](#)
[Bid Recommendation and Abstract - Sammy's Pizza Demolition.pdf](#)
[Bid Extension Letter Signed - Sammy's Expansion Demolition.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider the adoption of a resolution accepting the bid and authorizing a contract with George Bougalis & Sons for the Sammy's Pizza Expansion Demolition Project.

Background Information:

On September 25, 2017, the City of Grand Rapids accepted a Commercial Rehabilitation grant of \$82,800.00 from the MN Dept. of Iron Range Resources and Rehabilitation (IRRR) for the demolition of two vacant buildings, a former Pizza Hut and a residential home, to allow for the remodeling and expansion of the Sammy's Pizza restaurant.

On or about that same time the City entered into a Development Agreement with Tony and Kelly Jerrule, Sammy's Pizza owners, through which the City agreed to contract for the demolition and apply the grant proceeds toward the project and the Jerrule's agreed to reimburse the City for any contract and engineering expense that exceed the grant amount.

The project was advertised and six competitive bids were submitted and opened on November 21, 2017. The bid amounts ranged from a high of \$88,400.00 to the lowest responsible bid of \$33,000.00, submitted by George Bougalis & Sons.

Bids for this project have been held until the Jerulle's had all of their bids for building construction and equipment and could review the entire budget for the project. With those now in hand, the Jerulle's have made the decision to advance the project.

The attached resolution accepts the bid submitted by George Bougalis & Sons in the amount of \$33,000 and authorized the Mayor and City Administrator's execution of a contract for the project.

Requested City Council Action

Adopt a resolution accepting the bid and authorizing a contract with George Bougalis & Sons for the Sammy's Pizza Expansion Demolition Project.

Council member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-__

**A RESOLUTION ACCEPTING BID FOR
Sammy's Expansion Demolition Project**

WHEREAS, pursuant to an advertisement for the Sammy's Expansion Demolition Project, which includes the furnishing of all labor and material for the construction of Sammy's Expansion Demolition Project major components of the work include Building 1 former Pizza Hut, hazardous material abatement and demolition, Building 2 Residential House, hazardous material abatement and demolition. Bids were received, opened, and tabulated according to law, and the following bids were received complying with the advertisement:

Bidder	Base Bid
George Bougalis & Sons	\$33,000.00
A Plus Landscaping	\$38,710.00
Deer River Trucking	\$45,000.00
DeChantal Excavation	\$50,216.00
Casper Construction	\$62,444.00
Low Impact Excavators	\$88,400.00

WHEREAS, the Community Development Director is recommending the Base Bid be awarded to George Bougalis & Sons;

WHEREAS, it appears that Contractor is a responsible bidder, and;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS,
MINNESOTA:

The Mayor and Administrator are hereby authorized and directed to enter into a contract with George Bougalis & Sons in the name of the City of Grand Rapids for Sammy's Expansion Demolition Project for a total contract amount of \$33,000.00 and in accordance to the plans and specifications therefore approved by the City Council and on file in the Office of the City Clerk.

Adopted by the Council this 26th day of February, 2018.

Dale Adams, Mayor

ATTEST:

Kim Johnson-Gibeau, City Clerk

Councilmember _____ seconded the foregoing resolution and the following voted in favor thereof: _____ ; and the following voted against same: _____ ; whereby the resolution was declared duly passed and adopted.



Building a Better World
for All of Us®

February 19, 2018

RE: City of Grand Rapids
Sammy's Expansion Demolition
SEH No. GRANR 143823

Rob Mattei
City of Grand Rapids
420 North Pokegama Avenue
Grand Rapids, MN 55744

Dear Rob:

Bids on the referenced project were received and opened on Tuesday, November 21, 2017. The bids received are summarized as follows:

<u>Contractor</u>	<u>Total Bid</u>
George Bougalis & Sons	\$33,000.00
A Plus Landscaping	\$38,710.00
Deer River Trucking	\$45,000.00
DeChantal Exc	\$50,216.00
Casper Construction	\$62,444.00
Low Impact Excavators	\$88,400.00

In the Bid Form, Article 2 – Bidder's Acknowledgement, Paragraph 2.01, it states that the Bid will remain subject to acceptance for 60 days after the bid opening, or for such longer period of time that Bidder may agree to in writing upon request of Owner. George Bougalis & Sons has provided a letter extending their Bid acceptance to March 31, 2018. This letter is attached for reference.

SEH has reviewed the bids and recommends that the City award the contract to George Bougalis & Sons in their low bid amount of \$33,000.00. George Bougalis & Sons has successfully completed similar demolition projects within the region.

If you require further information or have any questions, please do not hesitate to call me at 322.4502.

Sincerely,

Bob Beaver, PE
Project Engineer

Enc. Bid Abstract

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Sammy's Expansion Demolition Project
 Grand Rapids, MN
 SEH No. GRANR 143823

BID ABSTRACT

Item No.	Item	Unit	Quantity	Bougalis & Sons		A Plus Landscaping		TNT Aggregates	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Building / Site Removal - Pizza Hut	LS	1	\$18,000.00	\$18,000.00	\$21,050.00	\$21,050.00	\$22,000.00	\$22,000.00
2	Building / Site Removal - House	LS	1	\$15,000.00	\$15,000.00	\$17,660.00	\$17,660.00	\$22,500.00	\$22,500.00
Total Bid					\$33,000.00		\$38,710.00		\$44,500.00

Item No.	Item	Unit	Quantity	Deer River Trucking		DeChantal Exc		Casper Construction	
				Unit Price	Total	Unit Price	Total	Unit Price	Total
1	Building / Site Removal - Pizza Hut	LS	1	\$22,500.00	\$22,500.00	\$26,163.00	\$26,163.00	\$30,569.00	\$30,569.00
2	Building / Site Removal - House	LS	1	\$22,500.00	\$22,500.00	\$24,053.00	\$24,053.00	\$31,875.00	\$31,875.00
Total Bid					\$45,000.00		\$50,216.00		\$62,444.00

Item No.	Item	Unit	Quantity	Low Impact Excavators	
				Unit Price	Total
1	Building / Site Removal - Pizza Hut	LS	1	\$54,503.00	\$54,503.00
2	Building / Site Removal - House	LS	1	\$33,897.00	\$33,897.00
Total Bid					\$88,400.00



George Bougalis and Sons, Co.

James Bougalis
President

3402 15th Avenue East
Hibbing, MN 55746
218.263.7476
218.263.3542 fax
Jim@Bougalisandsons.com

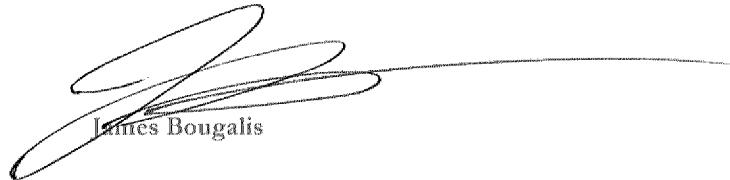
City of Grand Rapids
420 N Pokegama Avenue
218-326-7625

February 19, 2018

In regards to Project No. GRANR 143823 – Sammy's Expansion Demoliton,

George Bougalis and Sons, Co. extends it's bid acceptance until March 31st, 2018

Sincerely,



James Bougalis



www.bougalisandsons.com



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0131 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Consent Agenda
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider the adoption of a resolution accepting a \$300,000 grant from the Minnesota Dept. of Iron Range Resources and Rehabilitation Development Infrastructure Program.
Sponsors:
Indexes:
Code sections:
Attachments: [Resolution Accepting IRRRB grant Grand Itasca.pdf](#)
[IRRR Grant Agreement.pdf](#)
[IRRR Grant Agreement exhibits.pdf](#)

Date	Ver.	Action By	Action	Result
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Consider the adoption of a resolution accepting a \$300,000 grant from the Minnesota Dept. of Iron Range Resources and Rehabilitation Development Infrastructure Program.

Background Information:

The MN IRRR had previously approved a request from the Grand Itasca Foundation for a \$300,000 grant to support a 13,000 sf renovation and expansion of the Grand Itasca Clinic and Hospital to convert hospital space to clinical space for specialty services including dedicated space for cancer care and a 12 bay infusion center. The expected investment in this project was \$4.1M. The MN IRRR subsequently decided that they would prefer to provide this funding support through a \$300,000 grant to the Grand Rapids EDA revolving loan fund, which is called the Commercial Building Improvement Loan Program.

On October 26, 2017 MN IRRR approved the grant request from the City. Since that time, the EDA has been working with Grand Itasca and their parent company on a loan agreement through which forgivable terms may be applied if job and wage goals are achieved. With the loan agreement very close to being approved and executed by both parties, the City is now in a position to accept the funds from MN IRR and direct the deposit of those funds into the GREDA Commercial Building Improvement Loan program..

Requested City Council Action

Adopt a resolution accepting a \$300,000 grant from the Minnesota Dept. of Iron Range Resources and Rehabilitation Development Infrastructure Program.

Councilmember _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-

A RESOLUTION ACCEPTING A \$300,000.00 GRANT FROM THE MINNESOTA DEPARTMENT OF IRON RANGE RESOURCES AND REHABILITATION DEVELOPMENT INFRASTRUCTURE PROGRAM TO PROVIDE BUSINESS ASSISTANCE TO THE GRAND ITASCA CLINIC AND HOSPITAL EXPANSION PROJECT THROUGH A GRANT TO THE GRAND RAPIDS EDA REVOLVING LOAN PROGRAM

WHEREAS, Minnesota State Statutes 465.03, states that cities may accept gifts of real or personal property, including money, and use them in accordance with the terms the donor prescribes; and

WHEREAS, every such acceptance shall be by resolution of the governing body adopted by two-thirds majority of its members,

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Grand Rapids, Itasca County, Minnesota, accepts the \$300,000.00 Development Infrastructure grant award from the Minnesota Department of Iron Range Resources and Rehabilitation to provide business assistance to the Grand Itasca Clinic and Hospital Expansion through a grant to the Grand Rapids EDA revolving loan program; and

BE IT FURTHER RESOLVED, that the City Council authorizes the Mayor and City Administrator to execute the grant contract; and

BE IT FURTHER RESOLVED that the City Council hereby directs that the grant proceeds be deposited into the Grand Rapids EDA Capital Projects Fund for use in their Commercial Building Improvement Loan program to provide a loan to Grand Itasca Clinic and Hospital for their expansion.

Adopted this 26th day of February, 2018.

Dale Adams, Mayor

Attest:

Kimberly Gibeau, City Clerk

Councilmember _____ seconded the foregoing resolution and the following voted in favor thereof: _____; and the following voted against same: _____, whereby the resolution was declared duly passed and adopted.

**STATE OF MINNESOTA
GRANT CONTRACT**

PO ID 3000006188	PO Date October 31, 2017		Fiscal Year 2018	Grant Award \$300,000.00
Vendor ID 0000195352	Fund 2370	Fin Dept ID B4335340	Approp ID B43TCPJ	Account 441352

This grant contract is between the State of Minnesota, acting through the Department of Iron Range Resources and Rehabilitation ("hereinafter, Iron Range Resources and Rehabilitation or State") and Grand Rapids City of - 420 North Pokegama Avenue, Grand Rapids, Minnesota, 55744 ("GRANTEE").

Recitals

1. Under Minn. Stat. Sec. 298.22 and 298.223 and pursuant to Iron Range Resources and Rehabilitation Board Resolution No. 18-004 the State is empowered to enter into this grant.
2. As part of its mission, Iron Range Resources and Rehabilitation will grant funds for local economic development projects located within the Taconite Assistance Area defined in Minn. Stat. Sec. 273.1341. Iron Range Resources and Rehabilitation has determined that completion of this project will support those purposes.
3. The State is in need of the duties specified in Exhibit A, which is attached and incorporated into this grant contract.
4. The Grantee represents that it is duly qualified and agrees to perform all services described in this grant contract to the satisfaction of the State. Pursuant to Minn. Stat. Sec. 16B.98, Subd.1, the Grantee agrees to minimize administrative costs as a condition of this grant.

Grant Contract

1 Term of Grant Contract

1.1 Effective date:

November 30, 2017, or the date the State obtains all required signatures under Minn. Stat. Sec. 16B.98, Subd. 5, whichever is later. Per, Minn. Stat. Sec. 16B.98, Subd. 7, no payments will be made to the Grantee until this grant contract is fully executed. **The Grantee must not begin work under this grant contract until this contract is fully executed and the Grantee has been notified by the State's Authorized Representative to begin the work.**

1.2 Expiration date:

October 31, 2018, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

1.3 Survival of Terms.

The following clauses survive the expiration or cancellation of this grant contract: 8. Liability; 9. State Audits; 10. Government Data Practices and Intellectual Property; 12. Publicity and Endorsement; 13. Governing Law, Jurisdiction, and Venue; and 15 Data Disclosure.

2 Grantee's Duties

The Grantee, who is not a state employee, will: perform the duties specified in Exhibit A which is attached hereto and incorporated into this grant contract. The grantee will comply with required

grants management policies and procedures set forth through Minn. Stat. Sec. 16B.97, Subd. 4 (a) (1).

3 Time

The Grantee must comply with all the time requirements described in this grant contract. In the performance of this grant contract, time is of the essence.

4 Consideration and Payment

4.1 Consideration.

The State will pay for all services performed by the Grantee under this grant contract as follows:

(a) Compensation

The Grantee will be paid according to the breakdown of costs contained in Exhibit B, which is attached hereto and incorporated into this grant contract.

(b) Travel Expenses

Reimbursement for travel and subsistence expenses actually and necessarily incurred by the Grantee as a result of this grant contract will be according to the breakdown of costs contained in Exhibit B; provided that the Grantee will be reimbursed for travel and subsistence expenses in the same manner and in no greater amount than provided in the current "Commissioner's Plan" promulgated by the Commissioner of Minnesota Management and Budget (MMB). The Grantee will not be reimbursed for travel and subsistence expenses incurred outside Minnesota unless it has received the State's prior written approval for out of state travel. Minnesota will be considered the home state for determining whether travel is out of state.

(c) Total Obligation.

The total obligation of the State for all compensation and reimbursements to the Grantee under this grant contract will not exceed \$300,000.00 and be in accordance with the breakdown of costs contained in Exhibit B.

4.2 Payment

(a) Invoices

The State will promptly pay the Grantee after the Grantee presents an itemized invoice for the services actually performed and the State's Authorized Representative accepts the invoiced services. Invoices must be submitted timely and according to the breakdown of costs contained in Exhibit B.

(b) Unexpended Funds

The Grantee must promptly return to the State any unexpended funds that have not been accounted for annually in a financial report to the State due at grant closeout.

4.3 Contracting and Bidding Requirements

Per Minn. Stat. Sec. 471.345, grantees that are municipalities as defined in Subd. 1 must do the following if contracting funds from this grant contract agreement for any supplies, materials, equipment or the rental thereof, or the construction, alteration, repair or maintenance of real or

personal property

(a) If the amount of the contract is estimated to exceed \$100,000, a formal notice and bidding process must be conducted in which sealed bids shall be solicited by public notice. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. Sec. 16C.28, Subd. 1, paragraph (a), clause (2)

(b) If the amount of the contract is estimated to exceed \$25,000 but not \$100,000, the contract may be made either upon sealed bids or by direct negotiation, by obtaining two or more quotations for the purchase or sale when possible, and without advertising for bids or otherwise complying with the requirements of competitive bidding. All quotations obtained shall be kept on file for a period of at least one year after receipt thereof. Municipalities may, as a best value alternative, award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Minn. Stat. Sec.16C.28, Subd. 1, paragraph (a), clause (2) and paragraph (c)

(c) If the amount of the contract is estimated to be \$25,000 or less, the contract may be made either upon quotation or in the open market, in the discretion of the governing body. If the contract is made upon quotation it shall be based, so far as practicable, on at least two quotations which shall be kept on file for a period of at least one year after their receipt. Alternatively, municipalities may award a contract for construction, alteration, repair, or maintenance work to the vendor or contractor offering the best value under a request for proposals as described in Stat. Sec. 16C.28, Subd. 1, paragraph (a), clause (2)

(d) Support documentation of the bidding process utilized to contract services must be included in the grantee's financial records, including support documentation justifying a single/sole source bid, if applicable.

(e) For projects that include construction work, prevailing wage rates must be paid pursuant to Minn. Stat. Sec.177.41-177.44 and per the Iron Range Resources and Rehabilitation Board Resolution No. 96-005, which is attached hereto and incorporated by reference into this grant contract as Exhibit C. Consequently, the bid request must state the project is subject to the payment of *prevailing wages*.

5 Conditions of Payment

All services provided by the Grantee under this grant contract must be performed to the State's satisfaction, as determined at the sole discretion of the State's Authorized Representative and in accordance with all applicable federal, state, and local laws, ordinances, rules, and regulations. The Grantee will not receive payment for work found by the State to be unsatisfactory or performed in violation of federal, state, or local law.

6 Authorized Representative

The State's Authorized Representative is Chris Ismil, 4261 Hwy 53 S, Eveleth, Minnesota, 55734, (218) 735-3010, chris.ismil@state.mn.us or his/her successor, and has the responsibility to monitor the Grantee's performance and the authority to accept the services provided under this grant contract. If the services are satisfactory, the State's Authorized Representative will certify acceptance on each invoice submitted for payment.

The Grantee's Authorized Representative is Rob Mattei, 420 North Pokegama Avenue, Grand Rapids, Minnesota, 55744, 218-326-7600, rmattei@ci.grand-rapids.mn.us. If the Grantee's Authorized Representative changes at any time during this grant contract, the Grantee must immediately notify the State.

7 Assignment Amendments, Waiver, and Grant Contract Complete

7.1 Assignment

The Grantee shall neither assign nor transfer any rights or obligations under this grant contract without the prior written consent of the State, approved by the same parties who executed and approved this grant contract, or their successors in office.

7.2 Amendments

Any amendments to this grant contract must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original grant contract, or their successors in office.

7.3 Waiver

If the State fails to enforce any provision of this grant contract, that failure does not waive the provision or the State's right to enforce it.

7.4 Grant Contract Complete

This grant contract contains all negotiations and agreements between the State and the Grantee. No other understanding regarding this grant contract, whether written or oral, may be used to bind either party.

8 Liability

The Grantee must indemnify, save, and hold the State, its agents, and employees harmless from any claims or causes of action, including attorney's fees incurred by the State, arising from the performance of this grant contract by the Grantee or the Grantee's agents or employees. This clause will not be construed to bar any legal remedies the Grantee may have for the State's failure to fulfill its obligations under this grant contract.

9 State Audits

Under Minn. Stat. Sec. 16B.98, Subd.8, the Grantee's books, records, documents, and accounting procedures and practices of the Grantee or other party relevant to this grant agreement or transaction are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this grant agreement, receipt and approval of all final reports, or the required period of time to satisfy all state and program retention requirements, whichever is later.

10 Government Data Practices and Intellectual Property Rights

10.1 Government Data Practices

The Grantee and State must comply with the Minnesota Government Data Practices Act, [Minn. Stat. Ch. 13](#), as it applies to all data provided by the State under this grant contract, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Grantee under this grant contract. The civil remedies of Minn. Stat. Ch.13.08 apply to the release of the data referred to in this clause by either the Grantee or the State. If the Grantee receives a request to release the data referred to in this Clause, the Grantee must immediately notify the State. The State will give the Grantee instructions concerning the release of the data to the requesting party before the data is released. The Grantee's response to the request shall comply with applicable law

10.2 Intellectual Property Rights

The State shall own all rights, title and interest in any intellectual property that is derived or developed pursuant to this grant contract, including but not limited to copyrights, patents, trade secrets, trademarks and service marks in any works or documents created and paid for pursuant to this contract.

11 Workers Compensation

The Grantee certifies that it is in compliance with Minn. Stat. Sec.176.181, Subd. 2, pertaining to workers' compensation insurance coverage. The Grantee's employees and agents will not be considered State employees. Any claims that may arise under the Minnesota Workers' Compensation Act on behalf of these employees and any claims made by any third party as a consequence of any act or omission on the part of these employees are in no way the State's obligation or responsibility.

12 Publicity and Endorsement

12.1 Publicity

Any publicity regarding the subject matter of this grant contract must identify the Department of Iron Range Resources and Rehabilitation as the sponsoring agency and must not be released without prior written approval from the Iron Range Resources and Rehabilitation's Authorized Representative. For purposes of this provision, publicity includes notices, informational pamphlets, press releases, research, reports, signs, and similar public notices prepared by or for the Grantee individually or jointly with others, or any subcontractors, with respect to the program, publications, or services provided resulting from this grant contract.

12.2 Endorsement

The Grantee must not claim that the State endorses its products or services.

13 Governing Law, Jurisdiction, and Venue

Minnesota law, without regard to its choice-of-law provisions, governs this grant contract. Venue for all legal proceedings out of this grant contract, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

14 Termination

14.1 Termination by the State

The State may immediately terminate this grant contract with or without cause, upon 30 days' written notice to the Grantee. Upon termination, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

14.2 Termination for Cause

The State may immediately terminate this grant contract if the State finds that there has been a failure to comply with the provisions of this grant contract, that reasonable progress has not been made or that the purposes for which the funds were granted have not been or will not be fulfilled. The State may take action to protect the interests of the State of Minnesota, including the refusal to disburse additional funds and requiring the return of all or part of the funds already disbursed.

14.3 Termination for Insufficient Funding

The State may immediately terminate this grant contract if:

- (a) It does not obtain funding from the Minnesota Legislature (*State grant funds only*).
- (b) Or, if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Grantee. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Grantee will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be

assessed any penalty if the contract is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Grantee notice of the lack of funding within a reasonable time of the State's receiving that notice.

15 Data Disclosure

Under Minn. Stat. Sec.270C.65, Subd. 3, and other applicable law, the Grantee consents to disclosure of its social security number, federal employer tax identification number, and/or Minnesota tax identification number, already provided to the State, to federal and state tax agencies and state personnel involved in the payment of state obligations. These identification numbers may be used in the enforcement of federal and state tax laws which could result in action requiring the Grantee to file state tax returns and pay delinquent state tax liabilities, if any.

16 Provisions

Specifically, but without limitation, GRANTEE shall comply with and, to the extent required by law shall require its contractors and subcontractors performing work on the Project to comply with: Minn. Stat. Sec. 181.59 (Non-discrimination); Minn. Stat. Sec.116J.871 and 177.43 (Prevailing Wages); Minn. Stat. Sec. 574.26 (Payment and Performance Bonds); Minn. Stat. Sec. 363A.36 (Certificate of Compliance for private entities); and Minn. Stat. Sec.116L.66 (Job Listings for grants of \$200,000 or more to any private entity), and the American's with Disabilities Act 42 U.S.C.A. Sect. 12101.

The grant is subject to the provisions in Minn. Stat. Sec. 16B.97 and .98.

This document may be executed in counterparts. The parties may provide electronic signatures pursuant to the authority of Minn. Stat. Ch. 325L.

1. STATE ENCUMBRANCE VERIFICATION

3. STATE AGENCY

Individual certifies that funds have been encumbered as required by Minn. Stat." 16A.15 and 16C.05

Electronically Approved and Signed
Signed: Bob Scuffy
Title: Accounting Director
Date: October 31, 2017

Electronically Approved and Signed
By: Mark R Phillips
Title: Commissioner
Date: November 30, 2017

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant contract on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

Distribution:

Agency

Grantee

State's Authorized Representative

EXHIBIT A: DUTIES

The Grantee, who is not a Department of Iron Range Resources and Rehabilitation employee, will use the Department of Iron Range Resources and Rehabilitation monies provided to assist a non-profit hospital with a large-scale expansion project within Grantee's geographic boundaries.

Expenses eligible for reimbursement under the terms of this Agreement will be those incurred since 10/26/2017.

EXHIBIT B: PAYMENTS

The Department of Iron Range Resources and Rehabilitation will promptly pay the Grantee after the Grantee presents itemized invoice(s) for the services actually performed and the Department of Iron Range Resources and Rehabilitation's Authorized Representatives accept the invoiced services. The Grantee must provide documentation to verify full financing for the project is secure.

Invoices must be submitted timely and according to the following schedule: reimbursement upon submission of invoices upon completion of stages of work on the project and/or completion of the entire project done in accordance with this Agreement.

Architectural and engineering fees in excess of 10% of the total infrastructure and site development costs are ineligible for reimbursement.

EXHIBIT C

IRON RANGE RESOURCES AND REHABILITATION BOARD OF THE STATE OF MINNESOTA

Resolution No.: FY96-005

WHEREAS, the Board is authorized and required under the provisions of Minnesota Statutes: Section 298.22, subdivision 2; Section 298.223, Subdivision 2; and Section 298.296, subdivision 2, to approve projects before any funds made available to the Commissioner under any such section (hereafter referred to as "IRRRB Funds") may be expended; and

WHEREAS, the Board met in open session on Friday, March 22, 1996, at Room 229, in the State Capitol Building, St. Paul, Minnesota, to consider the approval of various projects to be financed with IRRRB Funds, and at such meeting considered and discussed whether or under what circumstances wages should be paid to workers on IRRRB funded projects at rates which are consistent with the prevailing wage requirements for projects subject to Minnesota Statutes Sections 177.41 to 177.44;

WHEREAS, the Board on Monday, April 29, 1996, met in open session at the IRRRB Building at Eveleth, Minnesota, and further considered the matter of its policy on prevailing wages; and

WHEREAS, on the basis of such discussions and considerations the Board has determined that a policy statement regarding the payment of prevailing wages on IRRRB funded projects should be adopted so that it can be referred to and incorporated by reference as a condition of the Board's approval of specific projects which from time to time hereafter are submitted to it by the Commissioner for approval;

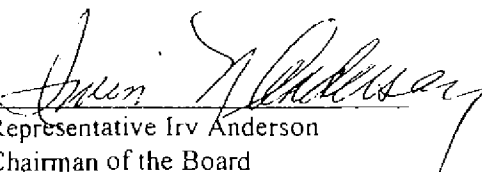
NOW, THEREFORE, BE IT RESOLVED that when the Board determines to invoke or apply a prevailing wage condition on a project, it intends that substantially the following language be inserted in the contract:

This Board's approval of funding for this project is subject to the further condition that the Grantee/Borrower must, before any IRRRB funds are paid or released, first certify to the commissioners of labor and industry and of Iron Range Resources and Rehabilitation that it will pay or require to be paid to all laborers, workers and mechanics performing work at the Project Site being financed in whole or in part with such IRRRB funds, wages at a rate not less than the prevailing wage rates as defined in Minnesota Statutes § 177.42, subdivision 6, as amended. The term "Project Site" shall include not only the immediate physical location at which the improvements funded in whole or in part by these approved IRRRB funds are to be made, but also any other areas of substantially concurrent construction work within the same building or on the same or a connected parcel of land which is being done by the grantee/borrower or by a private business entity in association with the Grantee's/Borrower's project or in contractual reliance upon its being done.

BE IT FURTHER RESOLVED that this resolution may hereafter be referenced and referred to as "Resolution 96-005"

PASSED AND ADOPTED BY VOTE OF THE IRON RANGE RESOURCES AND REHABILITATION BOARD THIS
29th DAY OF APRIL, 1996

AYES: 11
NAYS: 0
ABSTENTIONS: 0
ABSENT: 0

Signed: 
Representative Irv Anderson
Chairman of the Board



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0134 **Version:** 1 **Name:** PW Purchase of JD 1585 Cut Mower
Type: Agenda Item **Status:** Consent Agenda
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider authorizing the Public Works Department's request to purchase a John Deere 1585 Terrain Cut Mower with a snow blower and broom attachment from Pokegama Lawn and Sport, through the John Deere Corporate Government Discount Rate.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Consider authorizing the Public Works Department's request to purchase a John Deere 1585 Terrain Cut Mower with a snow blower and broom attachment from Pokegama Lawn and Sport, through the John Deere Corporate Government Discount Rate.

Background Information:

City Council approved preparing specifications and pricing for a multi-use lawnmower/outdoor rink maintenance vehicle at the February 12, 2018, City Council Meeting. This mower will be used in the summer for mowing and outdoor rink maintenance in the winter. It is replacing a 1996 mower that has been used for the same purposes. The State of Minnesota Cooperative Purchasing agreement price for the John Deere 1585 Terrain Cut Mower with attachments is \$44,517.97. John Deere Corporate also offers a government discount to qualifying government agencies. The corporate discount price for the same purchase is \$43,400.00. List price is \$57,277.06. This purchase was approved in the 2018 C.I.P. for \$50,000.00. The condition of the current 1996 is not dependable and will be sold at the next auction.

Staff Recommendation:

The Public Works Director recommends accepting the quote from Pokegama Lawn and Sport for the purchase of a 1585 Terrain Cut Mower with broom and snow blower attachment and to auction the 1996 Toro 455-D mower with attachments at the next City Council approved auction.

Requested City Council Action

Make a motion to authorize the Public Works Department's purchase of a John Deere 1585 Terrain Cut Mower from Pokegama Lawn and Sport for the purchase price of \$43,400.00 and to sell the 1996 Toro 455-D mower with broom attachment at the next City Council approved Auction.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0135	Version:	1	Name:	Resolution supporting the elementary school referendum
Type:	Agenda Item	Status:		Status:	Consent Agenda
File created:	2/22/2018	In control:		In control:	City Council
On agenda:	2/26/2018	Final action:		Final action:	
Title:	Consider a resolution supporting Independent School District (ISD) 318 in their efforts to pass a bond referendum for two elementary schools and the remodel and expansion of Cohasset Elementary School.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	ISD 318 Referendum Support.pdf				

Date	Ver.	Action By	Action	Result
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Consider a resolution supporting Independent School District (ISD) 318 in their efforts to pass a bond referendum for two elementary schools and the remodel and expansion of Cohasset Elementary School.

Background Information:

ISD 318 and the Elementary Facility Taskforce, a Grand Rapids Area Chamber Sub-Committee has been developing the plans for elementary schools in Grand Rapids and Cohasset. The attached resolution supports their efforts in advance of the bond referendum to be held on April 10, 2018.

Staff Recommendation:

City staff is recommending the attached resolution.

Requested City Council Action

A motion approving a resolution supporting Independent School District (ISD) 318 in their efforts to pass a bond referendum for two elementary schools and the remodel and expansion of Cohasset Elementary School.

Councilor introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-__

A RESOLUTION SUPPORTING INDEPENDENT SCHOOL DISTRICT (ISD) 318 IN THEIR EFFORTS TO PASS A BOND REFERENDUM FOR TWO ELEMENTARY SCHOOLS AND THE REMODEL AND EXPANSION OF COHASSET ELEMENTARY SCHOOL

WHEREAS, ISD 318, in conjunction with the Elementary Facilities Taskforce, a sub-committee of the Grand Rapids Area Chamber of Commerce, have thoroughly studied and concluded that the district needs two new elementary schools in Grand Rapids and an extensive remodeled expansion of the elementary school in Cohasset, and

WHEREAS, the City's Comprehensive Plan under Community Service Goals, Goal 3: Educational Excellence for All, states: *The goals of ensuring economic opportunity and offering a high quality of life are directly linked to educational opportunity. The City supports providing educational opportunities for all residents.* In particular Objective (a) states: *Ensure the provision and maintenance of adequate educational infrastructure.* Objective (b) states: *Continue and enhance working relationships between city staff and the school district;* and

WHEREAS, the most effective economic development tool for a community to invest in is public infrastructure like two new elementary schools, a remodeled school and good housing; and

WHEREAS, the new northeast elementary school will maximize the use of existing public infrastructure at the Sports Field Complex by utilizing the existing parking lot and athletic fields; and

WHEREAS, the new southwest elementary school will create a new elementary school in a new residential neighborhood; and

WHEREAS, repeatedly, studies and articles list high performing schools as a top quality of life factor when businesses are looking to locate or expand in a community; and

WHEREAS, repeatedly, studies and articles also list affordable housing as a top quality of life factor when businesses are looking to locate or expand in a community; and

WHEREAS, the City is committed to collaborating with ISD 318 on both the development of new elementary schools and just as important the redevelopment of the existing elementary school sites into affordable housing.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Grand Rapids, Itasca County, Minnesota, whole-heartedly supports ISD 318 in their efforts to pass a bond referendum for two elementary schools and the remodel of Cohasset Elementary and encourages our residents to vote YES on November 6, 2018.

Adopted by the Council this 26th day of February, 2018.

Dale Adams, Mayor

ATTEST:

Kimberly Gibeau, City Clerk

Councilor seconded the foregoing resolution and the following voted in favor thereof: ; and the following voted against same: ; whereby the resolution was declared duly passed and adopted.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0136 **Version:** 1 **Name:** Swim Instructors 2018
Type: Agenda Item **Status:** Consent Agenda
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Consider approving the hiring of part-time employees at the Grand Rapids Park and Recreation Department, IRA Civic Center and the Grand Rapids Sports Complex.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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Consider approving the hiring of part-time employees at the Grand Rapids Park and Recreation Department, IRA Civic Center and the Grand Rapids Sports Complex.

Background Information:

The following individuals will be hired with the Grand Rapids Park and Recreation Department, IRA Civic Center and the Grand Rapids Sports Complex. These seasonal employees will be part of the annual operating budget, begin employment on March 1, 2018 and complete employment by December 31, 2018.

Name	Position	Wage
Annalie Marinucci	Swim Instructor/Lifeguard	9.65
Annie Flardeau	Swim Instructor/Lifeguard	9.65
Annika Viren	Swim Instructor/Lifeguard	9.65
Ashley Hamm	Swim Instructor/Lifeguard	9.65
Elsa Viren	Swim Instructor/Lifeguard	9.65
Emma Hernseman	Swim Instructor/Lifeguard	9.65
Hannah Roth	Swim Instructor/Lifeguard	9.65
Jordyn Colter	Swim Instructor/Lifeguard	9.65
Keri Storlie	Swim Instructor/Lifeguard	9.65
Kira Johnson	Swim Instructor/Lifeguard	9.65
Kylie Marinucci	Swim Instructor/Lifeguard	9.65
Mackenzie McKay	Swim Instructor/Lifeguard	9.65
Maylee Raymond	Swim Instructor/Lifeguard	9.65
Morgan Goebel	Swim Instructor/Lifeguard	9.65
Noelle Gunderson	Swim Instructor/Lifeguard	9.65
Rose Hansen	Swim Instructor/Lifeguard	9.65
Ruby Hyduke	Swim Instructor/Lifeguard	9.65
Samara Schlauderaff	Swim Instructor/Lifeguard	9.65
Victoria Busching	Swim Instructor/Lifeguard	9.65
Delaney Potter	Swim Instructor/Lifeguard	9.65

Staff Recommendation:

City staff is recommending the approving of hiring of seasonal and regular part-time employees with the Grand Rapids Park and Recreation Department, IRA Civic Center and the Grand Rapids Sports Complex.

Requested City Council Action

Make a motion approving the hiring of seasonal and regular part-time employees with the Grand Rapids Park and Recreation Department, IRA Civic Center and the Grand Rapids Sports



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #:	18-0137	Version:	1	Name:	Consider accepting the letter of retirement from David Calliguri from the Grand Rapids Fire Department.
Type:	Agenda Item	Status:		Status:	Consent Agenda
File created:	2/22/2018	In control:		In control:	City Council
On agenda:	2/26/2018	Final action:		Final action:	
Title:	Consider accepting the letter of retirement from David Calliguri from the Grand Rapids Fire Department.				
Sponsors:					
Indexes:					
Code sections:					
Attachments:	Calliguri letter of retirement				

Date	Ver.	Action By	Action	Result
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Consider accepting the letter of retirement from David Calliguri from the Grand Rapids Fire Department.

Background Information:

David Calliguri, Firefighter, has submitted a formal letter of retirement from the Grand Rapids Fire Department effective immediately. David was hired on February 11, 1997 and elected as Fire Marshall on January 1, 2003, a position he held until January 1, 2005. In May 2006, David accepted the position of Janitorial Maintenance and held that position until January 1, 2010.

Staff Recommendation:

Fire Chief Mike Liebel and Human Resources Director Lynn DeGrio are recommending accepting the letter of retirement from David Calliguri, Firefighter, with the expression of gratitude towards the services rendered to the City during the past 21 years and on behalf of City staff would like to wish Dave continued success.

Requested City Council Action

Consider accepting the letter of retirement from David Calliguri from the position of Firefighter with Grand Rapids Fire Department effective February 21, 2018.

Michael Liebel

From: David Calliguri <dcalliguri@gmail.com>
Sent: Wednesday, February 21, 2018 10:05 PM
To: Michael Liebel
Subject: Retirement

Dear Mike,

Please consider this my formal letter of retirement from the Grand Rapids Fire Department. To be effective immediately.

Respectfully,
David

--
David Calliguri
218-259-4065
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CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0138 **Version:** 1 **Name:** Consider approving Operating Engineers Local #49 Health and Welfare Fund Bargaining Premium Account Participation Agreement for the CBA by and between the City of Grand Rapids and the Clerical Union.

Type: Agenda Item **Status:** Consent Agenda

File created: 2/22/2018 **In control:** City Council

On agenda: 2/26/2018 **Final action:**

Title: Consider approving Operating Engineers Local #49 Health and Welfare Fund Bargaining Premium Account Participation Agreement for the CBA by and between the City of Grand Rapids and the Clerical Union.

Sponsors:

Indexes:

Code sections:

Attachments: [Bargaining Premium Account Participation Agreement](#)

Date	Ver.	Action By	Action	Result
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Consider approving Operating Engineers Local #49 Health and Welfare Fund Bargaining Premium Account Participation Agreement for the CBA by and between the City of Grand Rapids and the Clerical Union.

Background Information:

The Operating Engineers Local #49 Health and Welfare Fund (Fund) Board of Trustees recently restated the Fund's Participation Agreement for Bargaining Premium Employees (Agreement). The restated Agreement provides additional detail and clarity with regard to coverage for Bargaining Premium Employees of Contributing Employers. Therefore, the Local 49 Health Fund requires a newly signed participation agreement.

Staff Recommendation:

Human Resources Director Lynn DeGrio is recommending authorizing City staff to return the completed Agreement to Wilson-McShane Corporation.

Requested City Council Action

Make a motion to authorize City staff to sign the Operating Engineers Local #49 Health and Welfare Fund Bargaining Premium Account Participation Agreement.

OPERATING ENGINEERS LOCAL #49 HEALTH AND WELFARE FUND BARGAINING PREMIUM ACCOUNT PARTICIPATION AGREEMENT

The undersigned Employer is cognizant of that Agreement entitled "Agreement and Declaration of Trust" dated December 18, 1967, and it was restated and dated April 28, 1976, (hereinafter referred to as the "Trust Agreement") establishing the Operating Engineers Local #49 Health and Welfare Fund (hereinafter referred to as the "Fund") between Associated General Contractors of Minnesota, Inc., Minneapolis and Saint Paul Builders Division and Highway and Heavy Division (hereinafter referred to as "A.G.C.") and International Union of Operating Engineers Local #49 (hereinafter referred to as "Union").

The undersigned Employer is bound by a collective bargaining agreement between itself and the Union, and hereby applies to the Trustees of the Trust Fund for the purpose of having said Trust Agreement extend to cover and apply to its employees that come within the jurisdiction of the Union, which is recognized as the exclusive bargaining representative of such employees.

The undersigned Employer agrees to make payments to the Fund in the amount as established by the Board of Trustees from time to time pursuant to the following requirements:

- Payments by the undersigned Employer to this Fund shall be paid in advance by the 15th of the month, prior to the month of coverage (e.g. by February 15th for Fund coverage March 1st. Failure to make such timely payments will automatically and without any further notice terminate, cancel and void this Participation Agreement.
- New employees will be covered the first of the month following (1) the month in which they meet the requirements for Fund eligibility as outlined under the applicable Collective Bargaining Agreement for the employee and (2) receipt of the appropriate monthly contribution payment for coverage.
 - Employees who meet the requirements for Fund eligibility on or before the 15th of the month must be included in the monthly payment for the following month of coverage;
 - For employees who meet the requirements for Fund eligibility after the 15th of the month, the Employer must make a supplemental payment for coverage before the first of the following month for coverage for that employee.
- Coverage will end on the last day of the month in which an employee is terminated from employment or otherwise experiences a COBRA qualifying event applicable to the employee. The employer must notify the Fund's Administrator, Wilson-McShane Corporation, in writing prior to the end of the month of the employee's termination and/or COBRA qualifying event (e.g. the employee is terminated on April 20th, the

employer must notify Wilson-McShane by April 30th). Once the employer has timely notified the Fund Administrator in writing of the termination of employment or COBRA event, the employer will receive a credit if the employer already made a payment for the next month's coverage for the terminating employee.

All benefits provided by the Fund, except as stated below, shall be available to the undersigned Employer's employees working within the jurisdiction of the Union, upon the Trustees' approval of this Participation Agreement. The undersigned Employer hereby acknowledges that it has been furnished a copy of said Trust Agreement.

Any employee covered under the provisions of this Participation Agreement shall not be eligible to accumulate any Reserve Accumulation Account hours. In addition, the Accident and Sickness Weekly Benefit will be paid out only after Employer provided sick pay is exhausted.

In all other respects the undersigned Employer hereby ratifies and confirms said Agreement and does hereby agree to be bound by each and every provision contained therein and to each and ever act and thing as required and provided for herein. The undersigned Employer also hereby consents to the appointment of the Trustees heretofore designated and ratifies, approves and consents to all matters heretofore done in connection with the creation and administration of such Agreement.

This Participation Agreement shall become effective as of the date it is accepted by the Trustees of this Fund. If this Participation Agreement has not been terminated by reason of the failure of the undersigned Employer to make timely payments to the Fund then it may be terminated by either the undersigned Employer or the Trustees of the Trust Fund by sixty (60) days written notice of termination to the other party. In the event the undersigned Employer is no longer bound by a collective bargaining agreement between itself and the Union, this Participation Agreement shall automatically and without any further notice terminate.

In order to be eligible for the Bargaining Premium contribution rate the employer must:

_____ Perform work in a fixed location or

_____ Perform work in multi-fixed locations and

_____ Perform Non Commercial or Non Highway, Railroad and Heavy Construction

_____ Special agreement (provide information for review): _____

EMPLOYER

Company Name _____

Company Address _____

Signature of Employer _____

Printed Name of Employer _____

Title of Signature Person _____

Date _____

We, the Board of Trustees in compliance with Article I of the Agreement, hereby grant the right of the above-named to participate in this welfare plan.

TRUSTEES OF OPEARTING ENGINEERS LOCAL #49 HEALTH FUND

By: _____

By: _____

Special Agreement approved by the Health & Welfare Board of Trustees

Chairman of the Board

Date



CITY OF GRAND RAPIDS

14a.

Text File

File Number: 18-0147

Agenda Date: 2/26/2018

Version: 1

Status: Consent Agenda

In Control: City Council

File Type: Agenda Item

Consider entering into a contract with Personnel Dynamics for a Minute Taker.

Background Information:

For many years the City of Grand Rapids has utilized Personnel Dynamics when we need a temporary employee. At the January 22, 2018 City Council meeting, the Council authorized the hiring of Vivian Olson on a temporary basis to take minutes for the Arts and Culture Commission and Human Rights Commission until a permanent replacement has been determined. In that request, the billing rate was inadvertently omitted. The position will pay \$13.00 per hour; however, Personnel Dynamics has a billing rate of \$17.55 per hour which assumes all payroll responsibilities, including Worker's Compensation Insurance and all Federal and State payroll reports.

Staff Recommendation:

Human Resources Director Lynn DeGrio is recommending entering into a contract with Personnel Dynamics for a Minute Taker on an as-needed basis at an hourly rate of \$13.00 and a billing rate of \$17.55 per hour.

Requested City Council Action

Make a motion to enter into a contract with Personnel Dynamics for a Minute Taker and authorize the Mayor to sign it.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0141 **Version:** 1 **Name:** Board & Commission Minutes
Type: Minutes **Status:** Approved
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Acknowledge attached minutes for Boards & Commissions.
Sponsors:
Indexes:
Code sections:
Attachments: [August 16, 2017 Airport Advisory Board.pdf](#)
[December 7, 2017 Planning Commission minutes.pdf](#)
[January 11, 2018 GREDA Minutes.pdf](#)
[January 16, 2018 Golf Board minutes.pdf](#)
[January 16, 2018 PUC minutes.pdf](#)
[January 29, 2018 PUC minutes.pdf](#)

Date	Ver.	Action By	Action	Result
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Acknowledge attached minutes for Boards & Commissions.

GRAND RAPIDS/ITASCA COUNTY AIRPORT ADVISORY BOARD (AAB)

**August 16, 2017, Meeting Minutes
Eichorn Hangar (Northbound 1)**

Board members present were Dan Erkkila, Jim Johnson, Bill Ziege, Scott Johnson, and Rusty Eichorn. Absent was Burl Ives. Others present were Mary Jo Wimmer, Human Rights Board, Jeff Davies, Public Works, Everett Baumgartner, Airport/City Maintenance, Benita Crowe and Kaci Norwicki from SEH, and June Johnson, Recording Secretary.

Chairman Dan Erkkila called the meeting to order at 5:00 PM.

Agenda Item III: Minutes – Rusty Eichorn moved to approve the minutes from the May 17, 2017, meeting. Motion seconded by Bill Ziege and carried.

Agenda Item IV: Public Comment – None

Agenda Item V: Approval of Agenda – Jim Johnson moved to approve the agenda as printed. Motion seconded by Rusty Eichorn and carried.

Agenda Item VI: Human Rights Commission Presentation – Mary Jo Wimmer. Mary Jo shared information on the history of the human rights commission for the City of Grand Rapids Board and Commission Members. It was a good review of the rights that everyone is entitled.

Agenda Item VII: Operations and Maintenance – Jeff Davies – Jeff reviewed his written report to the board and answered questions. He advised that the FBO lease is being reviewed. Rusty took the young people who worked on the airport this summer up in his plane.

Agenda item VIII: Engineering – Benita and Kaci –

- A. Obstruction removal/PAPI project update – Benita advised that obstructions are gone. The area around the Beacon has been cleared.
- B. Taxi lane construction project update – The taxi lane grant for utilities is with the IRRRB. The pavement should be done after labor day and all done by the end of September. The flight check with MN/DOT passed on 5/23 so that project can be closed out.
- C. Master Plan
 1. Runway reconstruction – Kaci reviewed information and advised that the paperwork is in the works. Discussion was held on shortening the runway or keeping it the same. Discussion on apartments in the clear zone was mentioned and Jeff will check to make sure it doesn't encroach on the clear zone.
 2. Lily Lake/Seaplane Base update – Kaci said that the FAA is reviewing information and trying to save the sea plane base.

Agenda Item IX: Finance – Jeff reviewed the Operating and Capital fund reports. There were no items that warranted Board concern. There are three open hangars now.

Agenda Item X – Other – Scott Johnson advised that there are four DNR planes at GPZ.

Agenda item XI: Next meeting – The next meeting will be at 5:00 PM, November 15, 2017, at the terminal building meeting room.

Meeting adjourned at 5:55 PM.

June Johnson
Recording Secretary



CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Minutes - Final - Final Planning Commission

*COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744*

Thursday, December 7, 2017

4:00 PM

Council Chambers

Call To Order

Call of Roll

Present 5 - Commissioner Charles Burress, Chairperson Lester Kachinske, Commissioner Susan Lynch, Commissioner Michelle Toven, and Commissioner Sue Zeige

Absent 1 - Commissioner Mark Gothard

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Approved As Presented

Approval of Minutes

Approve the minutes of the November 2, 2017, 4:00 pm regular meeting.

Motion by Commissioner Toven, second by Commissioner Zeige to approve the minutes of the November 2, 2017 regular meeting. The following voted in favor thereof: Zeige, Lynch, Kachinske, Toven, Burress. Opposed: None, motion passed unanimously.

General Business

Consider a recommendation to the City Council regarding the final plat of Pokegama Pines.

Motion by Commissioner Lynch, second by Burress that the Planning Commission does hereby forward to the City Council a recommendation to approve the final plat of Pokegama Pines, contingent upon:

- The execution of the associated Subdivision Agreement.

The following voted in favor thereof: Burress, Toven, Kachinske, Zeige, Lynch. Opposed: None, motion passed unanimously.

Public Input

Miscellaneous\Updates

Commissioner Paula Johnson submitted her resignation, she has moved outside of city limits and is no longer eligible to serve on the Planning Commission.

Adjourn

Motion by Commissioner Toven, second by Commissioner Burress to adjourn the meeting at 4:08 p.m. The following voted in favor thereof: Lynch, Zeige, Kachinske, Toven, Burress. Opposed: None, motion passed unanimously.

**GRAND RAPIDS ECONOMIC DEVELOPMENT AUTHORITY
REGULAR MEETING
THURSDAY, JANUARY 11, 2018
4:00 P.M.
GRAND RAPIDS CITY HALL – CONFERENCE ROOM 2A
420 NORTH POKEGAMA AVE., GRAND RAPIDS, MINNESOTA**

CALL TO ORDER: Pursuant to due notice and call thereof, a Regular Meeting of the Grand Rapids Economic Development Authority (GREDA) was called to order on Thursday, January 11, 2018 at 4:00 p.m. in Conference Room 2A of City Hall, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL: On a Call of Roll the following members were present: Commissioners: Sholom Blake, Michael Stefan, Dale Christy, Cory Jackson. Absent: Mike Przytarski, Chris Lynch, Rick Blake.

SETTING OF REGULAR AGENDA: **Approved without addition.**

APPROVAL OF MINUTES:

MOTION BY COMMISSIONER CHRISTY, SECOND BY COMMISSIONER STEFAN TO APPROVE THE MINUTES OF THE DECEMBER 14, 2017 REGULAR MEETING. The following voted in favor thereof: S. Blake, Christy, Jackson, Stefan. Opposed: None, passed unanimously.

APPROVAL OF CLAIMS:

MOTION BY COMMISSIONER STEFAN, SECOND BY COMMISSIONER JACKSON TO APPROVE CLAIMS IN THE AMOUNT OF \$2,591.16.

Cole Hardware Inc	\$7.24	Grand Rapids Herald Review	\$51.75
Minnesota Energy Resources	\$48.09	P.U.C	\$984.08
The Northspan Group Inc	\$1,500.00		

The following voted in favor thereof: S. Blake, Christy, Jackson, Stefan. Opposed: None, passed unanimously.

Consider approval of Central School leases with: True North Salon, Math Inc., Salmela Photography and Yarn Works.

MOTION BY COMMISSIONER JACKSON, SECOND BY COMMISSIONER CHRISTY TO APPROVE THE LEASES WITH TRUE NORTH SALON, MATH INC., SALMELA PHOTOGRAPHY AND YARN WORKS. The following voted in favor thereof: Christy, S. Blake, Jackson, Stefan. Opposed: None, passed unanimously.

Consider approval of a proposal from SEH for a survey and preliminary grading plan for Block 2 of Airport S Industrial Park- Phase 2.

SEH will provide a field survey and electronic drawing for design as well as a grading plan.

MOTION BY COMMISSIONER CHRISTY, SECOND BY COMMISSIONER STEFAN TO APPROVE A PROPOSAL FOR A SURVEY AND PRELIMINARY GRADING PLAN FOR BLOCK 2 OF AIRPORT S INDUSTRIAL PARK PHASE 2 IN THE AMOUNT OF \$3,195.00. The following voted in favor thereof: Stefan, Christy, R. Blake, Jackson. Opposed: None, passed unanimously.

2018 GREDA Work Plan.

Commissioners discussed how relevant number seven is and whether or not it should be on the work plan. The Commissioners decided to change the wording to provide as needed support to the medical cluster development on the Golf Course Road and elsewhere. Mr. Mattei will prepare the 2018 Work Plan for approval at the next meeting.

Updates:

Swan Machine-They have been denied a job creation fund grant due to the fact the contract had been signed prior to the award. Mr. Mattei is working on trying to replace some of the funding that was lost.

There being no further business the meeting adjourned at 4:36 p.m.

Respectfully submitted:

Aurimy Groom, Recorder

GRAND RAPIDS GOLF COURSE BOARD
REGULAR MONTHLY MEETING
January 16, 2018
7:00 AM

Present: Larry O'Brien, Pat Pollard, Brad Gallop

Absent: Todd Roth, Kelly Kirwin

Staff: Bob Cahill Director of Golf

- I. Pat Pollard called the meeting to order.
- II. Brad Gallop made a motion to accept the minutes of the December 19, 2017 Board meeting. Larry O'Brien seconded the motion. The motion passed.
- III. Consideration of monthly bills: Brad Gallop made a motion to approve the bill list. Larry O'Brien seconded the motion. The motion passed. Brad Gallop made a motion to approve an additional bill for \$250.00 to Minnesota Toro. Larry O'Brien seconded the motion. The motion passed

BURGGRAF'S ACE HARDWARE INC	17.08
ROBERT CAHILL	582.70
CHAMBER OF COMMERCE	350.00
CITY OF COHASSET	333.11
GARTNER REFRIGERATION CO	578.50
CITY OF GRAND RAPIDS	572.22
GRAND RAPIDS CITY PAYROLL	12,200.50
GRAND RAPIDS STATE BANK	12.59
MINNESOTA DEPT OF AGRICULTURE	10.00
MINNESOTA REVENUE	24.85
MINUTEMAN PRESS	584.80
NEXTERA COMMUNICATIONS LLC	3.93
OPERATING ENGINEERS LOCAL #49	1,325.00
PHOTO EXPRESS	122.91
P.U.C.	1,208.74
STEVE ROSS DBA ROSS GOLF	4,166.67
TDS Metrocom	219.00
TWINCITIESGOLF.COM	300.00
UNUM LIFE INSURANCE CO OF AMER	4.10
VANTIV INTEGRATED PAYMENTS	31.66
VERIZON WIRELESS	147.24
TOTAL ALL VENDORS:	22,795.60

- IV. Visitors: None
- V. Grounds Superintendent: Bob reported that Plackner Tree Removal would be able to remove some diseased trees around hole #17 in the near future.
- VI. Concessions: The Concessionaire will be invited to the February meeting when the full Board should be in attendance.
- VII. Director of Golf: Bob Cahill reported. The City finance department will be able to handle monthly payments for membership fees. Color brochures have been completed and are being distributed at various sites around town. A new marketing plan is being developed with Eagle Ridge and Ruttger's.

VIII. Old Business: None

IX. New Business: None

X. Correspondence and Open Discussion: None.

XI. Adjourn: Brad Gallop made a motion to adjourn the meeting. Larry O'Brien seconded the motion. The motion passed.

Respectfully Submitted,

Larry O'Brien
Recording Secretary



CITY OF GRAND RAPIDS

Minutes - Final - Final Public Utilities Commission

Tuesday, January 16, 2018

12:00 PM Conference Room of Public Utilities Service Center

1 CALL TO ORDER

A Regular Meeting of the Grand Rapids Public Utilities Commission was held on Tuesday, January 16, 2018 at 12:00 Noon in the Conference Room 112 of the Public Works/Public Utilities Service Center at 500 SE 4th Street.

2 CALL OF ROLL

Present 4 - President Stephen Welliver, Secretary Greg Chandler, Commissioner Glen Hodgson, and Commissioner Tom Stanley

Absent 1 - Rick Blake

Others Present: General Manager Kennedy, Finance Manager Betts, Electric Department Manager Goodell, Water/Wastewater Collection/Safety Manager Doyle, Wastewater Treatment Department Manager Mattson, Attorney Bengtson.

3 18-0024

Acknowledge posting of the change in the regular meeting date and time.

President Stephen Welliver acknowledged the posting of the change in the regular meeting date and time.

Received and Filed

4 APPROVAL OF MINUTES

4.a. 18-0028

Consider approving the minutes of the December 1, 2017 special meeting, the December 7, 2017 special meeting, the December 13, 2017 regular meeting, and the December 22, 2017 special meeting.

A motion was made by Commissioner Tom Stanley, seconded by Commissioner Glen Hodgson, to approve the minutes of the December 1, 2017 special meeting, the December 7, 2017 special meeting, the December 13, 2017 regular meeting, and the December 22, 2017 special meeting . The motion PASSED by unanimous vote.

5 CITY TREASURER'S REPORT AND INVESTMENT ACTIVITY REPORT

- 5.a. 18-0017 Consider approving the City Treasurer's Report and Investment Activity Report for December 2017.

Finance Manager Betts reviewed the City Treasurer's Report and Investment Activity Report for December 2017 with the Commission.

A motion was made by Secretary Greg Chandler, seconded by Commissioner Tom Stanley, to approve the City Treasurer's Report and Investment Activity Report for December 2017. The motion PASSED by unanimous vote.

6 PUBLIC FORUM

None present.

7 COMMISSION REPORTS

No items.

8 ADMINISTRATION

- 8.a. 18-0025 Consider approving the 2018 Minnesota Pay Equity Compliance Report and authorize filing the report with the Minnesota Office of Budget and Management.

A motion was made by Commissioner Tom Stanley, seconded by Commissioner Glen Hodgson, to approve the 2018 Minnesota Pay Equity Compliance Report and authorize filing the report with the Minnesota Office of Budget and Management. The motion PASSED by unanimous vote.

- 8.b. 18-0026 Consider approval of merit pay for General Manager Julie Kennedy in accordance with her existing employment agreement.

A motion was made by Commissioner Glen Hodgson, seconded by Commissioner Tom Stanley, to approve merit pay for General Manager, Julie Kennedy, in accordance with her existing employment agreement. The motion PASSED by unanimous vote.

- 8.c. 18-0034 Review the December 2017 Administrative Report.

General Manager Kennedy reviewed the December 2017 Administrative updates with the Commission, including the December Wholesale Electric Service Cost.

Received and Filed

9 ACCOUNTING AND FINANCE

- 9.a. 18-0016 Review the Accounting and Finance Operations Report for December 2017.

Finance Manager Betts reviewed the Accounting and Finance Operations Report for December 2017 with the Commission.

Received and Filed

- 9.b. 18-0012 Consider approving the writeoff of January uncollectible accounts in the amount of \$294.07.

A motion was made by Secretary Greg Chandler, seconded by Commissioner Glen Hodgson, to approve the write-off of January uncollectible accounts in the amount of \$294.07. The motion PASSED by unanimous vote.

10 ELECTRIC DEPARTMENT

- 10.a. 18-0031 Review the Electric Department Operations Report for December 2017.

Electric Department Manager Goodell reviewed the Electric Department Operations Report for December 2017 with the Commission.

Received and Filed

11 WASTEWATER TREATMENT FACILITY OPERATIONS

- 11.a. 18-0022 Review the Wastewater Treatment Facility Operations Report for December 2017.

Wastewater Treatment Department Manager Mattson reviewed the Wastewater Treatment Facility Operations Report for December 2017 with the Commission.

Received and Filed
- 11.b. 18-0023 Consider approving the capital expenditure of the 60 hp Flygt pump for the domestic lift station.

A motion was made by Commissioner Glen Hodgson, seconded by Commissioner Tom Stanley, to approve the capital expenditure of the 60 hp Flygt pump for the domestic lift station. The motion PASSED by unanimous vote.

12 WATER AND WASTEWATER COLLECTION

- 12.a. 18-0032 Water and Wastewater Collection Operations Report December 2017.

Water/Wastewater Collection/Safety Manager Doyle reviewed the Water/Wastewater Collection Operations Report for December 2017 with the Commission.

Received and Filed

13 SAFETY

- 13.a. 18-0033 Safety Report December 2017.

Water/Wastewater Collection/Safety Manager Doyle reviewed the Safety Report for December 2017 with the Commission.

Received and Filed

14 DISCUSSION AND CORRESPONDENCE

No items.

15 CLAIMS FOR PAYMENT

15.a. 18-0036 Short Elliott Hendrickson, Inc. (SEH) in the amount of \$4,245.00

A motion was made by Commissioner Tom Stanley, seconded by Secretary Greg Chandler, to approve payment to Short Elliott Hendrickson, Inc. (SEH) in the amount of \$ 4,245.00 for Invoices #342480, #342495 and #342494. The motion carried by the following vote.

Aye: 3 - President Stephen Welliver, Secretary Greg Chandler, and Commissioner Tom Stanley

Abstain: 1 - Commissioner Glen Hodgson

16 VERIFIED CLAIMS

16.a. 18-0015 Consider approving the revised November Accounts Payable list of \$1,755,980.46.

A motion was made by Commissioner Glen Hodgson, seconded by Commissioner Tom Stanley, to approve the revised November Accounts Payable list of \$1,755,980.46. The motion PASSED by unanimous vote.

16.b. 18-0035 Consider approving verified claims for December 2017
Computer Check Register \$ 1,268,591.05
Manual Check Register \$ 896,881.99

A motion was made by Secretary Greg Chandler, seconded by Commissioner Glen Hodgson, to approve the December Accounts Payable Computer Check Register in the amount of \$ 1,268,591.05 and the Manual Check Register in the amount of \$ 896,881.99. The motion PASSED by unanimous vote.

17 ADJOURNMENT

By call of the chair, the regular meeting was declared adjourned at 12:45 PM.

Respectfully submitted: Christine Flannigan, Administrative/HR Assistant.

The next regular Commission meeting is Wednesday, February 14, 2018 at 4:00 PM in the conference room of the Public Works/Public Utilities Service Center at 500 SE 4th Street.



CITY OF GRAND RAPIDS

Minutes - Final - Final Public Utilities Commission

Monday, January 29, 2018

12:00 PM Conference Room of Public Utilities Service Center

1 CALL TO ORDER

A Special Meeting/Work Session of the Grand Rapids Public Utilities Commission was held on Monday, January 29, 2018 at 12:00 Noon in the Conference Room 112 of the Public Works/Public Utilities Service Center at 500 SE 4th Street.

2 CALL OF ROLL

Present 4 - President Stephen Welliver, Secretary Greg Chandler, Commissioner Glen Hodgson, and Commissioner Tom Stanley

Absent 1 - Commissioner Rick Blake

Others Present: General Manager Kennedy, Finance Manager Betts, Electric Department Manager Goodell, Water/Wastewater Collection/Safety Manager Doyle, Administrative/ HR Assistant Flannigan, and Mark Zimmerman, President/CEO-Itasca Economic Development Corporation (IEDC).

3 18-0062

Acknowledge posting of the special meeting date, time and purpose.

President Stephen Welliver acknowledged the posting of the special meeting/work session date, time and purpose.

Received and Filed

4 ADMINISTRATION

4.a. 18-0060

Consider approval of the Electric Service Agreement Amendment with Minnesota Power to include language regarding the Tioga Substation Project.

A motion was made by Commissioner Glen Hodgson, seconded by Commissioner Tom Stanley, to approve for signature the Electric Service Agreement Amendment with Minnesota Power, effective February 1, 2018 through December 31, 2029, which includes language regarding the Tioga Substation Project. The motion PASSED by unanimous vote.

- 4.b. 18-0063 Discussion on staff's recommended plan for AMI equipment installation completion.
Discussion followed on the recommendations for installation of the remaining electric and water meters. No action was taken at this time. A request for authorization to prepare bid documents and advertise for bid the installation of water meters and contract with Cogsdale to write the required configuration files for the AMI Water Meter Project will be on the February 14, 2018 Regular Meeting agenda.
- 4.c. 18-0064 Discussion on MMUA's recommendation for Distributed Generation (DG) regulatory rules, specifically Cogeneration and Small Power Production.
Discussion followed. No action was taken at the time. A request for consideration of a resolution adopting Grand Rapids Public Utilities Policy Regarding Distributed Generation and Net Metering, and Rules Governing the Interconnection of Cogeneration and Small Power Production Facilities will be on the February 14, 2018 Regular Meeting agenda.
- 4.d. 18-0061 Consider approving mid-month verified claims for December 2017.
No items were presented. No action was taken.

5 ADJOURNMENT

A special meeting/work session was scheduled for Tuesday, February 27, 2018 at 12:00 Noon in the conference room of the Public Works/Public Utilities Service Center at 500 SE 4th Street.

By call of the chair, the special meeting/work session was declared adjourned at 12:57 PM.

Respectfully submitted: Christine Flannigan, Administrative/HR Assistant.



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0139 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Department Head Report
File created: 2/22/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: Housing & Redevelopment Authority - Jerry Culliton
Sponsors:
Indexes:
Code sections:
Attachments: [February 26, 2018 Department Head Report.pdf](#)

Date	Ver.	Action By	Action	Result
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Housing & Redevelopment Authority - Jerry Culliton

Housing and Redevelopment Authority of Grand Rapids, Minnesota

411 Seventh Street NW
Grand Rapids, MN 55744
Telephone: (218) 326-9515
Fax: (218) 326-5019



February 23, 2018

To: Grand Rapids City Council

From: Jerry Culliton, Grand Rapids HRA

RE: HRA Updates and Developments

The GRHRA has three components. They are the “public” housing located at 411 NW 7th Street and 401 River Road, which are rent subsidized one bedroom apartments, with rents based on 30% of your adjusted gross income, which contain 92 units, in two separate buildings. We also own and operate Crystal Lake Town Homes which contain 6 buildings, with 48 total units which are 24 two bedroom, and 24 three bedroom units. This complex is a project based section 8 complex, again with 30 % of your adjusted gross income used for determining your rent for that facility. Forest Park West and Lakeshore Place contain 96 units in four separate buildings, and are one, two and three bedroom units with garages, as well as balconies.

Forest Park West and Lakeshore Place are affordable/ moderate rate rental housing complexes. We have 5 years remaining on the outstanding principal that financed the four buildings, two facilities, with a yearly debt service of approximately \$326,875. This amount includes the principal and interest yearly. The outstanding principal balance remaining is \$1,450,026 for Forest Park West and Lakeshore combined. Crystal Lake Town homes have a first and second mortgage on the property for 30 years. The second mortgage is for 30 years at 0% with an unpaid principal balance of \$2,724,428 owed after 30 years, and the first mortgage is for 30 years at 5.5%, with a remaining principal balance of 1,470,515 and monthly payments of approximately \$9,345.00. The two “public” buildings, 411 NW 7th Street and 401 River Road do not carry a mortgage, and the GRHRA own them in their entirety.

We were notified that we are eligible in applying for and obtaining Capital Fund Improvement money for fiscal year “2018 “. We are completing the steps for fiscal year “2018” capital funds, but will not know this amount for a several more months. These funds will be placed towards “public housing” building improvements only. These funds are used strictly for modernization and building improvements. They are only used for the “public” subsidized housing portion of the GRHRA, and are not part of our routine

monthly operations. The capital funds **are not** part of any funding for Crystal Lake Town Homes, Forest Park West or Lakeshore Place. This money is used to maintain our two “public housing” buildings in proper condition. We will not be doing a Capital Improvement project this fiscal year as we do not have the necessary funds to complete the next project, but will be using this year’s funds, previous year capital funds, as well as future year funds to complete a project. The amount of the Capital funds applied for and received yearly is approximately \$90,000.

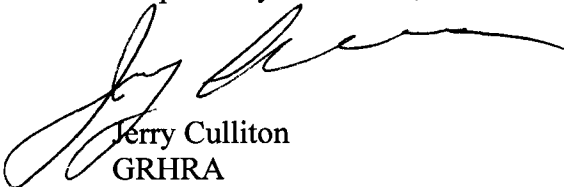
In order to be eligible for these funds the GRHRA must write yearly, and have approved, a five year agency plan. The buildings are also inspected by an independent third party and must pass that inspection. Thirdly, we must pass financially, and we are starting that process by submitting our un-audited financial information by February 28th. Once our CPA audits are completed, around June, we will then submit our official audited information, which the Federal Government then reviews and grades, which finishes the audit process. We also must submit, and are in the process of submitting, our Management Assessment Information. After passing these criteria, we are then eligible for funding of Capital Funds on the monies appropriated, and approved by the Federal Government for that particular fiscal year.

Our un-audited findings for fiscal year “2017” just ended, show that the GRHRA which handles four separate funds operated in positive numbers for all funds. The “General Fund” showed a year-end balance of \$11,945, the “Public Housing Fund” showed a year end net income of \$19,755 excluding depreciation expense, Crystal Lake Townhomes showed a year end net of \$47,107 including principal and interest payments on its 1st Mortgage and escrow payment deposits, Forest Park West and Lake Shore Place showed a year end net income of \$301,810, excluding depreciation expense. Therefore, the GRHRA continues to operate in positive numbers for all four funds, **without levying a tax** to the business community, and residential taxpayers in the City of Grand Rapids.

We would also like to note that the GRHRA contributes to the property tax base of Grand Rapids, and in “2017” we paid our property tax PILOT payment, “payment in lieu of taxes” in the amount of \$95,228 for all of our properties. This payment is forwarded to the Itasca County Auditor in October for all of our properties, and they then distribute proportionately to the representative districts.

I shall be attending the February 26, 2018 meeting to answer any questions that the Grand Rapids City Council may have relating to the Grand Rapids HRA.

Respectfully Submitted,



Jerry Culliton
GRHRA

Enclosures: PHAS Score (High Performer)



U.S. Department of Housing and Urban
OFFICE OF PUBLIC AND INDIAN HOUSING
REAL ESTATE ASSESSMENT CENTER

Public Housing Assessment System (PHAS) Score Report for Interim Rule

Report Date: 03/14/2017

PHA Code:	MN057
PHA Name:	HRA of GRAND RAPIDS, MINNESOTA
Fiscal Year End:	12/31/2016

PHAS Indicators	Score	Maximum Score
Physical	38	40
Financial	25	25
Management	24	25
Capital Fund	10	10
Late Penalty Points	0	
PHAS Total Score	97	100
Designation Status:	Small PHA Deregulation	
Published 03/14/2017	Initial published	03/14/2017

Financial Score Details	Score	Maximum Score
Unaudited/Non Single Audit		
1. FASS Score before deductions	25.00	25
2. Audit Penalties	0.00	
Total Financial Score Unrounded (FASS Score - Audit Penalties)	25.00	25

Capital Fund Score Details	Score	Maximum Score
Timeliness of Fund Obligation:		
1. Timeliness of Fund Obligation %	90.00	
2. Timeliness of Fund Obligation Points	5	5
Occupancy Rate:		
3. Occupancy Rate %	96.74	
4. Occupancy Rate Points	5	5
Total Capital Fund Score (Fund Obligation + Occupancy Rate):	10	10

Notes:

1. The scores in this Report are the official PHAS scores of record for your PHA. PHAS scores in other systems are not to be relied upon and are not being used by the Department.
2. Due to rounding, the sum of the PHAS indicator scores may not equal the overall PHAS score.
3. "0" FASS Score indicates a late presumptive failure. See 902.60 and 902.92 of the Interim PHAS rule.
4. "0" Total Capital Fund Score is due to score of "0" for Timeliness of Fund Obligation. See the Capital Fund
5. PHAS Interim Rule website - <http://www.hud.gov/offices/reac/products/prodphasinrule.cfm>



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0121 **Version:** 1 **Name:** Consider the adoption of a resolution, regarding the Planning Commission's recommendation for approval, of a request from Hawkinson Construction Company for a Conditional Use Permit, allowing for the establishment of a long-term mining/mineral extraction

Type: Agenda Item **Status:** Community Development

File created: 2/16/2018 **In control:** City Council

On agenda: 2/26/2018 **Final action:**

Title: Consider the adoption of a resolution, regarding the Planning Commission's recommendation for approval, of a request from Hawkinson Construction Company for a Conditional Use Permit, allowing for the establishment of a long-term mining/mineral extraction operation.

Sponsors:

Indexes:

Code sections:

- Attachments:** [Hawkinson C.C. CUP: Maps - Area and Zoning](#)
[HCC CUP: Staff Review Worksheet & Referenced Code Sections](#)
[Planning Commission Mtg. Minutes: 2-1-2018 \(draft\)](#)
[Hawkinson C.C. CUP: Application](#)
[CUP Application Submittal: SWPPP pg. 1-14](#)
[CUP Application Submittal: SWPPP pg. 15-28](#)
[Hawkinson C.C.: EAW](#)
[Hawkinson C.C. EAW: Traffic Analysis Report](#)
[EAW Findings of Fact w/City Resolution](#)
[Hawkinson C.C. CUP: Resolution \(draft - approval\)](#)

Date	Ver.	Action By	Action	Result
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Consider the adoption of a resolution, regarding the Planning Commission's recommendation for approval, of a request from Hawkinson Construction Company for a Conditional Use Permit, allowing for the establishment of a long-term mining/mineral extraction operation.

Background Information:

Hawkinson Construction Company (HCC) has applied for a Conditional Use Permit (CUP), which would allow for the establishment of a long-term mining/mineral extraction operation, as provided for under Section 30-704 Mining Overlay District of Division 11 of the City Code. The property which would be subject to the CUP, owned by Hawkinson Construction, is generally located in the SE quadrant/intersection of MN T.H. #38 and Itasca County Road #61.

The subject property, consisting of six contiguous parcels, is 230 acres in area and is located within I-1 (Industrial Park) zoning district, combined with the MOD (Mining Overlay District), which was established through a petitioned rezoning in 2008 (see attached maps). Also, the subject property is located within a greater area designated as "Resource Management", within the 2011 Comprehensive Plan Future Land Use Map (see attached map).

In October of 2014, HCC declared their intent to the City of Grand Rapids to mine an aggregate source (granite and quartzite from the underlying bedrock) on the subject property. Following state environmental review procedures, Rule 4410.4300 subpart 12.b. Nonmetallic Mineral Mining, the City acting as the designated responsible governmental unit

(RGU), was responsible for the preparation, review and consideration of an Environmental Assessment Worksheet (EAW).

Generally, an EAW is a document providing basic information about a project and whether that project may have the potential for significant environmental effects. The EAW is prepared by the Responsible Governmental Unit to determine whether a more thorough study, Environmental Impact Statement (EIS), should be prepared. In December of 2016, based upon their review of the EAW content, the comments received and the criteria established under Rule 4410.1700, subpart 7, Braun Intertec, the contracted consultant, prepared the draft record of decision document in a form that arrives at a negative declaration regarding the potential for significant environmental impacts and need for an EIS. With this decision, the City Council adopted Resolution #16-115 approving a negative declaration for the Environmental Assessment Worksheet.

As you recall, the CUP process allows the City the ability to review certain proposed uses and consider their approval on a case by case basis. This review and approval allows the City the ability to consider the unique characteristics or potential impacts of a project, and provides a means of addressing areas of concern by placing specific conditions on the approval.

Additionally, approval of a Conditional Use Permit by the City of Grand Rapids, for HCC, is one of several permits and approvals required for this type of project. Others include, but are not limited to: Highway Construction Permits - MnDOT & Itasca County, Driveway Approach Permit - Itasca County, Wetland Permit - Itasca County SWCD, Construction Stormwater permit, Air Permit, & Industrial Stormwater NPDES/SDS - MN PCA, and Groundwater Appropriation Permit - MN DNR.

Staff has reviewed the application and submittal documents, and has provided comments on the attached review worksheet, which summarize the relevant portions of Section 30-704 Mining Overlay District, of Division 11, of the City Code, and provided the following potential conditions:

- All performance standards listed within Section 30-704(e) and acknowledged in the submitted Stormwater Pollution Prevention Plan/Extractive Use and Reclamation Plan are adhered to.
- Mitigation Measures listed within Findings of Fact and Conclusions for the proposed aggregate mine EAW (dated December 6, 2016) are adhered to.

On February 1, 2018, the Planning Commission reviewed the requested CUP application and staff review worksheet, conducted a public hearing, and recommended to the City Council approval of the Conditional Use Permit, based on certain findings of fact, as well as two conditions for approval, which are incorporated into the draft resolution.

Requested City Council Action

Consider the adoption of a resolution, regarding the Planning Commission's recommendation for approval, of a request from Hawkinson Construction Company for a Conditional Use Permit, allowing for the establishment of a long-term mining/mineral extraction operation.

Hawkinson Construction Company CUP Requ



Hawkinson Construction Company CUP Request



Hawkinson Construction Company CUP Request (Current Zoning)



Hawkinson Construction Company CUP Request

(Comprehensive Plan Future Land Use)



**Conditional Use Permit – Hawkinson Construction (Mining Overlay District)
Staff Review Worksheet**

<i>Code Section</i>	<i>Topic of Code Section & Generalized Intent</i>	<i>Measures Proposed by Applicant to Address Code Requirement</i>	<i>Staff</i>
30-704d(1)	A statement that the applicant has the right by ownership or lease to extract and to reclaim the land described in the application..	Addressed within <i>Stormwater Pollution Prevention Plan/Extractive Use and Reclamation Plan: Page #2</i>	Hawkinson C subject prope
30-704d(2)	A statement estimating the expected duration of the extractive use operation, including starting and completion dates.	Page #4, 50-100 year life of quarry	Long-term m
30-704d(3)	A detailed map or maps at a 1"= 100' scale or larger showing proposed location of any buildings, equipment storage areas, operation areas, and any other uses incorporated in the excavation process.	Page #'s – 5,6,7, & 8	Maps Provid
30-704d(4)	A site development plan detailing the following: a. Dust, noise, other emission of potential concern and mitigation plans. b. Hours and duration of operation. c. Proposed vegetation and topographic alterations. d. Erosion control plan.	a. Addressed within EAW- Findings of Fact (pg. 3 & 4) b. 6 am – 7 pm Monday – Saturday c. Page #8 map SWPP Plan d. Applied for/provided	a. Dus oper b. Seas
30-704d(5)	A written plan for reclamation of the affected area detailing: a. The nature and extent of the reclamation. b. A detailed map at a 1" = 100' scale or larger showing which parts of the land shall be reclaimed for forest, pasture, crop, dwellings, structures or other uses.	a. Page #4 SWPP Plan b. Page #4 & 25 SWPP Plan	

**Conditional Use Permit – Hawkinson Construction (Mining Overlay District)
Staff Review Worksheet**

<i>Code Section</i>	<i>Topic of Code Section & Generalized Intent</i>	<i>Measures Proposed by Applicant to Address Code Requirement</i>	<i>Staff</i>
	<p>c. Proposed topographic contours after any filling.</p> <p>d. Depth of proposed restored topsoil.</p> <p>e. Type of fill proposed to be used.</p> <p>f. Estimated progress and completions dates.</p>	<p>c. Page #25/map SWPP Plan</p> <p>d. Page #4 SWPP Plan (4" top soil)</p> <p>e. 4" top soil</p> <p>f. 50-100 life of quarry</p>	
30-704e	The following performance standards must be met for the issuance and continuation of a conditional use permit. Additional requirements may be imposed by the city:		
30-704e(1)	The minimum lot area shall be 40,000 square feet.	Subject property/lot area is 230 acres	
30-704e(2)	The minimum lot width shall be 300 feet at the building setback line.	Subject property/lot is 2,535 ft. X 3,976 ft.	
30-704e(3)	<p>Setbacks:</p> <p>a. The minimum side yard setback for primary buildings and accessory structures shall be 30 feet.</p> <p>b. The minimum rear yard setback for primary buildings and accessory structures shall be 50 feet.</p> <p>c. The minimum side and rear yard setback for structures housing livestock shall be 100 feet.</p>	<p>Page #7 SWPP Plan</p> <p>a. 50 ft. + proposed</p> <p>b. 50 ft. + proposed</p> <p>c. N/A</p>	No plans for
30-704e(3) cont.	<p>d. Extraction operations, including excavating or stockpiling and machinery, shall not be conducted or placed closer than:</p> <p>1. 100 feet to the boundary of any adjoining</p>	Pages #4 & 6-10 SWPP Plan	

**Conditional Use Permit – Hawkinson Construction (Mining Overlay District)
Staff Review Worksheet**

<i>Code Section</i>	<i>Topic of Code Section & Generalized Intent</i>	<i>Measures Proposed by Applicant to Address Code Requirement</i>	<i>Staff</i>
	<p>property.</p> <p>2. 50 feet to the right-of-way of any existing or platted roadway.</p> <p>3. 250 feet to an established residence other than the owner/operator of said extractive use.</p> <p>4. 200 feet to the boundary of an incorporated municipality and ordinary high water mark.</p>	<ol style="list-style-type: none"> 1. 600 ft. + (to east) 2. 50 ft. + (to north CO. Rd. 61) 3. 1,300 ft. + (to west) 4. Site is not adjacent to an incorporated municipality, and 2,000 ft. + to nearest OHWL (to NE – Prairie Lake) 	
30-704e(4)	Vegetation clearing plan. Clearing of the site shall conform to the approved development and reclamation plan, and existing trees, shrubs and vegetation shall not be prematurely stripped.	<p>Page #3 and #7 SWPP Plan</p> <p>Project will be phased, and a 50 ft. + undisturbed buffer will remain around project perimeter.</p>	
30-704e(5)	Screening. Adequate planting, screening, buffering and/or berming shall be provided sufficient to screen the operation from public view from roadways and adjacent properties.	<p>Page #3 and #7 SWPP Plan</p> <p>Project will be phased, and a 50 ft. + undisturbed buffer will remain around project perimeter, in addition to a berm being constructed with salvaged topsoil.</p>	
30-704e(6)	Entrance and exit standards.		
30-704e(6a)	Ingress and egress access points from or onto any roadway shall be identified and only those access points shall be used. All access points shall be approved by the appropriate state, county and/or local government having jurisdiction. Access points shall be located to avoid the routing of vehicles	Haul road access points are proposed on to Itasca County Rd. #61 approximately 2,700 ft. east of MN Hwy #38, and through existing entrance onto MN Hwy #38 at southwestern portion of site.	<p>Per EAW tra improvement</p> <p>Permits need County for r</p>

**Conditional Use Permit – Hawkinson Construction (Mining Overlay District)
Staff Review Worksheet**

<i>Code Section</i>	<i>Topic of Code Section & Generalized Intent</i>	<i>Measures Proposed by Applicant to Address Code Requirement</i>	<i>Staff</i>
	from the mining operation over roadways that primarily serve residential areas.		
30-704e(6)b	Access points shall be constructed to avoid traffic safety hazard and to minimize the view into the extractive use site.	Page #3 SWPP Plan	Access points located with directions.
30-704e(6)c	During the hours of operation, "Trucks Hauling" signs shall be placed along the public roadways leading to the extractive use site entrances at a distance of not less than 500 feet from the entrances. Size and type of sign shall be approved by the applicable road authority. Signs shall be removed or covered during non-operating hours.	Page #3 and #4 SWPP Plan	Signs propos
30-704e(6)d	Accesses shall be controlled by the owner/operator of the extractive use operation.	Page #3 SWPP Plan	Gates propos access points
30-704e(6)e	Dust control shall be implemented as necessary, from the processing site to the nearest paved road, on operations that have over ten one-way hauling trips or five round-trips per day.	Page #3 SWPP Plan	Dust control needed (calci
30-704e(6)f	Hours of operation. 1. Overall extractive use operation shall be from 6:00 a.m.—7:00 p.m. Monday through Saturday. 2. Emergency situations, concerning public safety, shall be approved by the city. 3. There shall be no mechanical equipment operation started before 6:00 a.m.	Page #4 SWPP Plan	Requirement
30-704e(6)g	Spillage onto roadways. Precautions shall be taken to minimize the deposit of dirt and extracted material from trucks onto the public roadways. Trucks used in hauling materials	Page #2 SWPP Plan	Requirement

**Conditional Use Permit – Hawkinson Construction (Mining Overlay District)
Staff Review Worksheet**

<i>Code Section</i>	<i>Topic of Code Section & Generalized Intent</i>	<i>Measures Proposed by Applicant to Address Code Requirement</i>	<i>Staff</i>
	from the operation shall be loaded in such a manner as to minimize spillage onto public roadways. Any spillage shall be removed promptly by the operator at the operator's own expense.		
30-704e(6)h	Amount of cover removed. The amount of soil, groundcover, and/or overburden to be removed shall be the minimum amount necessary.	Page #2 SWPP Plan	Phased const minimize exp
30-704e(6)i	Use of explosives. When explosives are used, the operator shall use the utmost care and take all necessary precautions not to endanger life or damage or destroy property. The method of storing and handling explosives shall conform with all state and federal laws and regulations.	Page #3 SWPP Plan	Requirement Anticipated u annually for
30-704e(6)j	Dust and noise control. Operating procedures will be implemented to control dust and noise to minimize impacts on adjoining properties and roadways.	Addressed within EAW- Findings of Fact (pg. 3 & 4)	
30-704e(6)k.1-3	Reclamation plan required. All extractive uses requiring a permit shall have a reclamation plan with the following minimum terms: <ol style="list-style-type: none"> 1. Slopes after reclamation. 2. Topsoil storage and reapplication. 3. Seeding/revegetation/stabilization. 	Page #4 SWPP Plan – <i>Final Reclamation and End Use Plan</i>	50-100 life o be on going.

Secs. 30-513—30-530. Reserved.

DIVISION 5. CONDITIONAL USES

Sec. 30-531. Conditional use permits (CUP).

(a) *Purpose and intent.* The development and execution of this division is based upon the division of the city into districts within which the regulations are specified. It is recognized, however, that there are special or conditional uses which, because of their unique characteristics, must be considered individually as to their impact upon neighboring land, and the public welfare and their compatibility at the particular location. To provide for these needs the city council may by resolution approve a conditional use permit for those uses and purposes listed and may impose conditions and safeguards in such permits to ensure that the purpose and intent of this division is carried out.

(b) *Application requirements.* An application signed by the landowner for a CUP shall be filed with the zoning administrator together with a filing fee as established by the city council. Such application shall be accompanied by the following information:

- (1) A site plan drawn to scale which shows all dimensions; the location of existing and proposed streets, buildings and parking; the existing and proposed building height and floor area; curb cuts and driveway locations; utilities; loading areas and lighting.
- (2) A drainage plan showing existing and proposed topography and slopes and how surface drainage will be handled.
- (3) A landscape plan as specified in section 30-456.
- (4) Building plans showing elevation drawings and floor plans.
- (5) A written description of the use to be made of the property and buildings including the number of employees, students, etc.
- (6) Any other information, which in the opinion of the zoning administrator, is required to evaluate the application and its consistency with the city comprehensive plan.

(c) *Waiver authority.* The zoning administrator shall have the authority to waive any of the information in subsection (b) of this section not deemed to be necessary and appropriate to evaluate the application.

(d) *Hearing and mailed notices.* The zoning administrator shall cause to be published a notice of the public hearing before the planning commission in the official newspaper at least ten days prior to the hearing date. Notices shall also be mailed to all owners of property within 350 feet of the parcel included in the request not less than ten days prior to the hearing. Failure to give such notice or defects or errors in the notice shall not invalidate the proceedings, provided a good faith attempt to comply with notice requirements was made.

(e) *Planning commission review and recommendation.* The planning commission shall conduct a public hearing on the application and make its recommendation with findings and conditions to the city council within 60 days of receipt of the planning commission's recommendation, to approve or deny the CUP. The council shall not approve a CUP unless it shall find that the establishment, maintenance and operation of the use:

- (1) Will not be detrimental to the public health, safety, morals or general welfare;
- (2) Will not cause undue traffic congestion or hazards and will not result in a parking shortage;
- (3) Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
- (4) Will not impede the orderly development of other property in the area;
- (5) Will not impose an excessive burden on parks and other public facilities and utilities;
- (6) Is consistent with the comprehensive plan.

Approval shall require a majority vote of the city council.

(f) *Conditions and restrictions.* The city council may impose such conditions and restrictions as it deems necessary on the establishment, location, construction, maintenance, operation and duration of the use to ensure compliance with the requirements of this division.

(g) *Resubmission.* No application which has been denied by the city council shall be resubmitted by the applicant for a period of one year following the date of denial by the city council.

(h) *Lapse and extension.* If within one year after the date of issuance the use for which the CUP was issued has not commenced, the CUP shall become null and void. If the applicant requests an extension in writing within one year after issuance, the city council shall conduct a public hearing and consider an extension utilizing the same notice procedures as required for the original application. The city council may extend the CUP for up to one year upon finding that:

- (1) A good faith effort has been made to use the permit;
- (2) There is reasonable expectation that there will be uses; and
- (3) The facts upon which the original permit was issued are essentially unchanged.

(i) *Periodic review.* If periodic review is imposed as a condition of a CUP, the CUP shall be reviewed at a public hearing prior to the expiration of the review period. It shall be the responsibility of the zoning administrator to schedule the public hearing and inform the owner of the review. A fee shall not be required to be paid.

(j) *Revocation.* If any person is found in violation of any condition or restriction imposed by the city council, the city may revoke such CUP utilizing the procedures established in this division.

(k) *Special considerations for shoreland areas.* The following additional evaluation criteria and conditions apply within shoreland areas:

- (1) *Evaluation criteria.* A thorough evaluation of the waterbody and the topographic, vegetation, and soils conditions on the site must be made to ensure:
 - a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.
- (2) *Conditions attached to conditional use permits.* The city council, upon consideration of the criteria listed in subsection (k)(1) of this section and the purposes of this division, shall attach such conditions to the issuance of the conditional use permits as it deems necessary to fulfill the purposes of this division. Such conditions may include, but are not limited to, the following:
 - a. Increased setbacks from the ordinary high water level;
 - b. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted; and
 - c. Special provisions for the location, design, and use of structures, sewage treatment systems, watercraft launching and docking areas, and vehicle parking areas.

(Code 1978, § 23.5(I); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

State law reference—Conditional use permits, Minn. Stat. § 462.3595.

Sec. 30-532. Uses permitted by conditional use permit (CUP).

The following uses or any expansion of an existing use requiring a CUP shall require the issuance by the city of a CUP. Each such use shall comply with these stated conditions.

- (1) *Manufactured home parks.* Manufactured home parks have special characteristics which require the full consideration of their location needs, layout and design, and their relationship to and effect upon surrounding land uses. Because of these characteristics, manufactured home parks are permitted within the R-2, SR-2, R-3, SR-3, R-4, SR-4, LB, SLB, MU and SMU districts subject to all of the following conditions:
 - a. *Site development requirements.*
 1. Location. The site shall have at least one property line abutting an arterial or collector street as defined by the city comprehensive plan.
 2. Minimum site area: Ten acres.

shall be given in the same manner as the original petition. The city council may rescind or extend the zoning previously granted and the preliminary and final development plans for up to one year upon finding that:

- a. A good faith effort has been made to use the PUD;
- b. There is reasonable expectation that the PUD will be used; and
- c. The facts upon which the original PUD was issued are essentially unchanged.

(12) *Building permits.* At the time of building permit approval, the building plans shall be reviewed by the zoning administrator and building official to establish their compliance with the approved preliminary and final development plans. If they do not comply, the plans shall be reviewed by the planning commission and city council and a public hearing shall be conducted by the city council all in accordance with the procedures established in subsection (b) of this section.

(Code 1978, § 23.10(B); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-704. Mining overlay district.

(a) *Purpose and Intent.* The purpose of the mining overlay district is to provide for current or future heavy mining activities that may be governed by Minn. Stat. §§ 93.44—93.51, and separate these uses from incompatible uses.

(b) *Lands subject to overlay district.* The mining overlay district is defined by the official zoning map and may overlay other zoning districts.

(c) *Conditional Uses.* Following the date of adoption of the ordinance from which this section derives no entity shall engage in new or expand existing operations, or renew operations that have not been active within five years of the effective date of this section without first obtaining a conditional permit. Any operation begun prior to the adoption of the ordinance from which this section derives and which is active on the effective date of this section may continue operations for five years at which time the operation shall have obtained a permit or ceased operation. The following are conditional uses in the mining overlay district:

- (1) Mineral extraction, mineral processing, metals production, mineral or metal storage, storage and stockpiling of mining and mineral processing waste materials and byproducts, storage of mining and processing equipment and includes those facilities and activities regulated by Minn. Stat. §§ 93.44—93.51.
- (2) Structures necessary for mining, mineral processing, and metals production operations and ancillary facilities and activities.
- (3) Transmission and distribution lines, and pipelines of public and private utility companies within existing public rights-of-way.
- (4) Towers.
- (5) Extractive use operations.

(6) Other industrial determined to be compatible with the purpose of the mining overlay district.

(d) In addition to the information required in section 30-531(b), the following shall be provided in the application for a conditional use permit:

(1) A statement that the applicant has the right by ownership or lease to extract and to reclaim the land described in the application.

(2) A statement estimating the expected duration of the extractive use operation, including starting and completion dates.

(3) A detailed map or maps at a 1" = 100' scale or larger showing proposed location of any buildings, equipment storage areas, operation areas, and any other uses incorporated in the excavation process.

(4) A site development plan detailing the following:

a. Dust, noise, other emission of potential concern and mitigation plans.

b. Hours and duration of operation.

c. Proposed vegetation and topographic alterations.

d. Erosion control plan.

(5) A written plan for reclamation of the affected area detailing:

a. The nature and extent of the reclamation.

b. A detailed map at a 1" = 100' scale or larger showing which parts of the land shall be reclaimed for forest, pasture, crop, dwellings, structures or other uses.

c. Proposed topographic contours after any filling.

d. Depth of proposed restored topsoil.

e. Type of fill proposed to be used.

f. Estimated progress and completions dates.

(e) The following performance standards must be met for the issuance and continuation of a conditional use permit. Additional requirements may be imposed by the city:

(1) The minimum lot area shall be 40,000 square feet.

(2) The minimum lot width shall be 300 feet at the building setback line.

(3) Setbacks.

a. The minimum side yard setback for primary buildings and accessory structures shall be 30 feet.

b. The minimum rear yard setback for primary buildings and accessory structures shall be 50 feet.

c. The minimum side and rear yard setback for structures housing livestock shall be 100 feet.

- d. Extraction operations, including excavating or stockpiling and machinery, shall not be conducted or placed closer than:
 - 1. 100 feet to the boundary of any adjoining property.
 - 2. 50 feet to the right-of-way of any existing or platted roadway
 - 3. 250 feet to an established residence other than the owner/operator of said extractive use.
 - 4. 200 feet to the boundary of an incorporated municipality and ordinary high water mark.
- (4) Vegetation clearing plan. Clearing of the site shall conform to the approved development and reclamation plan, and existing trees, shrubs and vegetation shall not be prematurely stripped.
- (5) Screening. Adequate planting, screening, buffering and/or berming shall be provided sufficient to screen the operation from public view from roadways and adjacent properties.
- (6) Entrance and exit standards.
 - a. Ingress and egress access points from or onto any roadway shall be identified and only those access points shall be used. All access points shall be approved by the appropriate state, county and/or local government having jurisdiction. Access points shall be located to avoid the routing of vehicles from the mining operation over roadways that primarily serve residential areas.
 - b. Access points shall be constructed to avoid traffic safety hazard and to minimize the view into the extractive use site.
 - c. During the hours of operation, "Trucks Hauling" signs shall be placed along the public roadways leading to the extractive use site entrances at a distance of not less than 500 feet from the entrances. Size and type of sign shall be approved by the applicable road authority. Signs shall be removed or covered during non-operating hours.
 - d. Accesses shall be controlled by the owner/operator of the extractive use operation.
 - e. Dust control shall be implemented as necessary, from the processing site to the nearest paved road, on operations that have over ten one-way hauling trips or five round-trips per day.
 - f. Hours of operation.
 - 1. Overall extractive use operation shall be from 6:00 a.m.—7:00 p.m. Monday through Saturday.
 - 2. Emergency situations, concerning public safety, shall be approved by the city.
 - 3. There shall be no mechanical equipment operation started before 6:00 a.m.

- g. Spillage onto roadways. Precautions shall be taken to minimize the deposit of dirt and extracted material from trucks onto the public roadways. Trucks used in hauling materials from the operation shall be loaded in such a manner as to minimize spillage onto public roadways. Any spillage shall be removed promptly by the operator at the operator's own expense.
- h. Amount of cover removed. The amount of soil, groundcover, and/or overburden to be removed shall be the minimum amount necessary.
- i. Use of explosives. When explosives are used, the operator shall use the utmost care and take all necessary precautions not to endanger life or damage or destroy property. The method of storing and handling explosives shall conform with all state and federal laws and regulations.
- j. Dust and noise control. Operating procedures will be implemented to control dust and noise to minimize impacts on adjoining properties and roadways.
- k. Reclamation plan required. All extractive uses requiring a permit shall have a reclamation plan with the following minimum terms:
 - 1. Slopes after reclamation. No portion of the reclaimed slope of the site shall exceed three feet horizontal to one foot vertical incline after reclamation unless the naturally occurring slope is steeper than 3:1 in which case final slopes shall not be steeper than the original natural slope.
 - 2. Topsoil storage and reapplication. All feasibly recoverable topsoil on an extractive use site shall be saved for future application, unless it can be demonstrated that it is not all needed for reclamation. Topsoil shall be reapplied to the finished slopes as uniformly as possible. Sites which lack adequate topsoil shall have the topsoil applied preferentially to the finished sloped areas.
 - 3. Seeding/revegetation/stabilization.
 - i. Seeding mixture shall be in accordance with the recommendations of the Itasca County Soil and Water Conservation District, and shall use native seeds to the fullest extent possible.
 - ii. Planting of woody vegetation may be accepted in combination with other stabilization techniques.
 - iii. Sodding may be required for drainageways, ditch checks, highly erodible areas of a site as shown on the reclamation plan or as required by the city.
 - iv. Riprap may be required for drainageways, ditch outlet, culvert ends or bridge openings as shown on the reclamation plan or as required by the city.
 - v. All seeding/revegetation and stabilization on inactive portions of the pit shall be implemented upon completion of extractive activities. The final revegetation / restoration being completed within one year of cessation of the operation and verified by the zoning administrator.

- vi. The areas which are reclaimed for purposes of a Minnesota Department of Natural Resources Wildlife Management area and/or wetland mitigation shall be allowed exceptions to enhance wildlife habitat.

(Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Sec. 30-705. Interim urban services overlay district.

(a) *Purpose and intent:* The purpose of the interim urban services overlay district is to preserve the ability for areas planned for future urban services to subdivide in an efficient manner while allowing for reasonable use (including subdivision) of the land in the interim period.

(b) *Applicability:* The interim urban services overlay district is intended for areas of the community that are currently agriculture or undeveloped but are expected to be developed with urban services (municipal sewer and water) at some point in the future.

(c) *Permitted/conditional/restricted uses:* Permitted, conditional or restricted uses within the interim urban services overlay district shall be as stipulated by the underlying zoning district.

(d) *Supplemental regulations:* No parcel that is five acres or less shall be further subdivided until such time as urban services are extended and connected to the property. Subdivision of parcels greater than five acres shall be required to demonstrate the ability to be served by sanitary sewer and public water of the parcel. Applications for subdivision shall be required to follow one of the following procedures:

- (1) As part of the subdivision application process, submit a "ghost plat" that places housing pads or commercial sites on a lot designed to meet the existing zoning standards such that the lot may be efficiently subdivided at a future date to facilitate a denser, urban development pattern. The ghost plat shall demonstrate how municipal sewer and water services may be engineered to serve the site as if it were part of the approved project; or,
- (2) The applicant shall utilize the PUD approach outlined in section 30-703 to apply flexible design standards and use of innovative engineering approaches that allow for interim rural development patterns while preserving long term conversion to urban development patterns. Use of the PUD approach shall preserve the requirements of the underlying zoning district as it pertains to density and land use.

(Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

Secs. 30-706. Minnesota Trunk Highway 38 overlay district.

(a) *Purpose and intent:* The purpose of the Minnesota Trunk Highway 38 overlay district is to implement the policy directions from the Grand Rapids Comprehensive Plan by incorporating in its entirety and as amended from time to time Itasca County's Minnesota Trunk Highway 38 (Edge of the Wilderness National Scenic Byway) Sign Ordinance.



CITY OF GRAND RAPIDS

NOTICE OF MEETING
PLANNING COMMISSION

Minutes - Final Planning Commission

DRAFT

*COUNCIL CHAMBERS
CITY HALL - 420 N. Pokegama Ave.
Grand Rapids, MN 55744*

Thursday, February 1, 2018

4:00 PM

Council Chambers

Call To Order

Call of Roll

- Present** 4 - Chairperson Lester Kachinske, Commissioner Susan Lynch, Commissioner Michelle Toven, and Commissioner Sue Zeige
- Absent** 2 - Commissioner Mark Gothard, and Commissioner Charles Burress

Setting of Agenda - This is an opportunity to approve the regular agenda as presented or add/delete an agenda item by a majority vote of the Commissioners present.

Motion by Commissioner Zeige, second by Commissioner Lynch to approve the agenda as presented. The following voted in favor thereof: Lynch, Zeige, Kachinske, Toven. Opposed: None, passed unanimously.

Approval of Minutes

Approve the minutes of the December 7, 2017, 4:00 pm regular meeting.

Motion by Commissioner Toven, second by Commissioner Lynch to approve the minutes of the December 7th, 2017 regular meeting. The following voted in favor thereof: Toven, Kachinske, Zeige, Lynch. Opposed: None, passed unanimously.

Public Hearings

Conduct a public hearing to consider a recommendation to the City Council regarding a request from Hawkinson Construction Company for a CUP (Conditional Use Permit), allowing for the establishment of a long-term mining/mineral extraction operation.

Community Development Specialist Trast provided a power point with the background information.

Hawkinson Construction Company (HCC) has applied for a Conditional Use Permit, which would allow for the establishment of a long-term mining/mineral extraction operation, as provided for under Section 30-704 Mining Overlay District of Division 11 of the City Code. The property subject to the CUP, owned by Hawkinson Construction, is generally located in the SE quadrant/intersection of MN T.H. #38 and Itasca County

Road #61, and legally described as:

Government Lots 2, 3, and 4, and SW NW Less Hwy 38 ROW, SE NW, and SW NE, Section 4, Township 55 North, Range 25 West, Itasca County, Minnesota

The subject property, consisting of six contiguous parcels, is 230 acres in area and is located within I-1 (Industrial Park) zoning district, combined with the MOD (Mining Overlay District), which was established through a petitioned rezoning in 2008 (see attached maps), and located within a greater area designated as "Resource Management", within the 2011 Comprehensive Plan Future Land Use Map.

In October of 2014, Hawkinson Construction Company (HCC), in letter form, declared their intent to the City of Grand Rapids to mine an aggregate source (granite and quartzite from the underlying bedrock) on the subject property.

Under State environmental review procedures, Rule 4410.4300 subpart 12.b. Nonmetallic Mineral Mining, a project of this scope requires a mandatory EAW. The City of Grand Rapids is the designated responsible governmental unit (RGU) for this type of project, and, as such, is responsible for the preparation, review and consideration of the EAW.

The City, acting as the Responsible Governmental Unit, contracted with Braun Intertec Corporation (Braun Intertec) to prepare the EAW which examines the potential for significant environmental impacts associated with the proposed mining operation. The EAW process included: preparation of a Traffic Analysis Study, 30-day draft EAW public review and comment period, public meeting for draft EAW comments at City Council meeting, published notice in the Environmental Quality Board (EQB) Monitor, distribution of draft EAW for review to required offices on the EQB's official distribution list, and the addressing of comments received regarding the draft EAW.

In December of 2016, based upon their review of the EAW content, the comments received and the criteria established under Rule 4410.1700, subpart 7, Braun Intertec prepared the draft record of decision document in a form that arrives at a negative declaration regarding the potential for significant environmental impacts and need for an EIS. With this decision, the City Council adopted a resolution (#16-115) approving a negative declaration for the Environmental Assessment Worksheet (EAW).

When reviewing Conditional use application and considering a recommendation to the City Council, the Planning Commission should make specific findings based upon their standard list of considerations, which are found in Section 30-531e of the City Code. The Planning Condition must also consider the degree to which the proposed project meets the criteria and objectives established within the Mining Overlay District, Division 11, of the City Code, and if certain conditions or restrictions should be recommended to the City Council to ensure that the project meets those objectives and criteria.

Motion by Commissioner Lynch, second by Commissioner Toven to open the public hearing. The following voted in favor thereof: Toven, Kachinske, Zeige, Lynch. Opposed: None, passed unanimously.

Paul Hawkinson, Hawkinson Construction 501 County Rd 63, Grand Rapids, MN explained why they would like to move forward with this project. First the quality of aggregate at the proposed location is a very high quality and there are not many locations that have provide that type of quality. Secondly it would provide additional jobs in the area which would be a big benefit for the community. The activity would be intermittent during start up and blasting

would only happen once. They plan on mining the aggregate 40 feet deep. They are also working with the local snowmobile club to re-route the snowmobile trail that runs through the property and they will also have the area where the work is being done fenced off as a safety precaution.

Dorothy Nihart, 4101 State Hwy 38, Grand Rapids, MN is concerned about the logging of the property and the effects that the blasting may have on her and her neighbors properties.

Paul Hawkinson, Hawkinson Construction 501 County Rd 63, Grand Rapids, MN addressed some of the concerns the neighboring property owners may have and was also open to having a meeting with the property owners to address any additional concerns.

Dorothy Nihart, 4101 State Hwy 38, Grand Rapids, MN would like the Commissioners visit the site before voting on the CUP.

Mark Hawkinson, Hawkinson Construction, 501 County Rd 63, Grand Rapids, MN explained in the past Hawkinson Construction has taken care of any issues that have come up due to the hauling or use of their pits. Hawkinson Construction is more than willing to meet with the homeowners and video their foundations prior to blasting to ensure that if any damage did occur they would take care of it.

Motion by Commissioner Zeige, second by Commissioner Toven to close the public hearing. The following voted in favor thereof: Lynch, Zeige, Kachinske, Toven. Opposed: None, passed unanimously.

The Commissioners reviewed the considerations for the record.

1. Will not be detrimental to the public health, safety, morals, or general welfare?

Why/Why not? No, Hawkinson Construction is an ethical company and there are a fair number of safeguards in place.

2. Will not cause undue traffic congestion or hazards and will not result in a parking shortage?

Why/Why not? No, there will not be any undue traffic congestion and if issues should arise MNDOT will handle them.

3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area?

Why/Why not? No, it should not.

4. Will not impede the orderly development of other property in the area?

Why/Why not? No, that area is not zoned for residential development by allowing the CUP the Hawkinson property would be allowing a use that it is zoned for.

5. Will not impose an excessive burden on parks and other public facilities and utilities?

Why/Why not? No it will not, and Hawkinson is working on re-routing the snowmobile trail.

6. Is consistent with the Comprehensive Plan?

Why/Why not? Yes, there is documentation that supports this.

Motion by Commissioner Lynch, second by Commissioner Toven that, based on the findings of fact presented here today, and in the public's best interest, the Planning Commission does hereby recommend that the City Council grant the following Conditional Use Permit to Hawkinson Construction Company, for the property legally described as: Government Lots 2, 3, and 4, and SW NW Less Hwy 38 ROW, SE NW, and SW NE, Section 4, Township 55 North, Range 25 West, Itasca County, Minnesota:

- **For the establishment of a long-term mining/mineral extraction operation, as described within the CUP application.**

and that the following conditions shall apply:

- **All performance standards listed within Section 30-704(e) and acknowledged in the submitted Stormwater Pollution Prevention Plan/Extractive Use and Reclamation Plan are adhered to.**
- **Mitigation Measures listed within Findings of Fact and Conclusions for the proposed aggregate mine EAW (dated December 6, 2016) are adhered to.**

With the considerations reviewed for the record by the Commissioners. The following voted in favor thereof: Toven, Kachinske, Zeige, Lynch. Opposed: None, passed unanimously.

Public Input**Miscellaneous\Updates**

The City Council has appointed a new Planning Commissioner, Molly Macgregor, she will be in attendance at the next meeting.

Adjourn

Motion by Commissioner Lynch, second by Commissioner Zeige to adjourn the meeting at 5:26 p.m. The following voted in favor thereof: Lynch, Zeige, Kachinske, Toven. Opposed: None, passed unanimously.



Conditional Use Permit Application

Community Development Department
 420 North Pokegama Ave.
 Grand Rapids, MN 55744
 Tel. (218) 326-7601 Fax (218) 326-7621
 Web Site: www.cityofgrandrapidsmn.com

Community Development Office Use Only	
Date Received	_____
Certified Com	JAN 09 2018
Fee Paid	\$352

The undersigned do hereby respectfully request the following be granted by support of the following facts herein shown:

Paul Hankinson
 Name of Applicant

Hankinson Construction
 Name of Owner

PO Box 278
 Address

PO Box 278
 Address

Grand Rapids, MN 55744
 City State Zip

Grand Rapids, MN 55744
 City State Zip

(218) 326-0309 / paul@hankinsonconstruction.com
 Business Telephone/e-mail address

(218) 326-0309
 Business Telephone/e-mail address

info@hankinsonconstruction.com

Parcel Information: 1200 2200
91-004 / 1300 2300
2100 2400

Existing Zoning: I-1 w/ mining Overlay

Existing Use: Extractive Use

Proposed Use: Extractive Use

Property Size: 230 acres (140 mining plan)

Property Address / Legal Description: _____
 (attach additional sheet if necessary)

Permit Type:

The following type of Conditional Use Permit is, hereby, requested:

- Mobile Home Parks
- Mining of Sand and Gravel (> 2year)
- Heavy Mining
- Interim Use of Buildings
- Group and Foster Homes (7-8 residents in R-1 and R-2)
- Bed and Breakfast Accommodations (up to 5 guest rooms/10 persons in R2)
- Essential Service Structure (within any residential zone or CBD)
- General Sales and Service (greater than 70,000 sq. ft. building footprint)
- Telecommunication Towers and Facilities
- Primary, Secondary, and Post High schools in R districts
- Junk and Salvage Operations
- Land Reclamation
- CUP Amendment

I (we) certify that, to the best of my (our) knowledge, information, and belief, all of the information presented in this application is accurate and complete and includes all required information and submittals, and that I consent to entry upon the subject property by public officers, employees, and agents of the City of Grand Rapids wishing to view the site for purposes of processing, evaluating, and deciding upon this application.

Paul Hankinson
 Signature(s) of Applicant(s)

1/8/18
 Date

 Signature(s) of Owner(s)-(If other than applicant)

 Date

Required Submittals: 1 Set (electronic copies required):

- Application Fee - \$505.00 Site Plan (as per 30-531b1) Drainage Plan (as per 30-531b2)
 Landscape Plan (as per 30-531b3) Building Plans (as per 30-531b4)
 Written description of proposed use (as per 30-531b5)

Additional Required Submittals, if applicable:

If the proposed use is classified as General Sales and Service (greater than 70,000 sq. ft. building footprint), and is, thus, regulated by Division 14, Article IV, Chapter 30 of the Grand Rapids City Code, the following additional submittals are required:

- Application Fee – Total Actual Cost Incurred by the City (\$3,500.00 deposit required via escrow agreement)
 Traffic Study (as per 30-902c4)
 Written explanation of how the proposed development adheres to the individual elements of the Site Design Standards in 30-902, and the Building Design Standards in 30-903.
 The Landscaping Plan required under 30-531b3 shall include sufficient detail to demonstrate the proposed developments compliance with 30-902e.
 The Site Plan required under 30-531b4 shall include sufficient detail to demonstrate the proposed developments compliance with sections: 30-902a, 30-902b, 30-902c, 30-902d, 30-902f, 30-902g, 30-902h, and 30-902i.
 The Building Plans required under 30-531b4 shall include sufficient detail to demonstrate the proposed developments compliance with sections 30-903a through 30-903h.
 Adaptability for Reuse Plan (as per 30-904a1)
 Environmental Assessment Worksheet, if applicable, (as per 30-904b) and RGU Notice of Decision – Negative Declaration, or, if the RGU Notice of Decision on the EAW is a Positive Declaration, a copy of the Environmental Impact Statement and RGU Notice of Adequacy.

Findings for Approval:

In accordance with Section 30-531e of the Grand Rapids City Code, the City Council shall not approve a Conditional Use Permit unless it shall find that the establishment, maintenance and operation of the use:

- Will not be detrimental to the public health, safety, morals and general welfare;
- Will not cause undue traffic congestion, or hazards and will not result in a parking shortage;
- Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
- Will not impede the orderly development of other property in the area;
- Will not impose an excessive burden on parks and other public facilities and utilities;
- Is consistent with the Comprehensive Plan.

In addition to the general requirements for all Conditional Use Permit listed above, the City Council will also consider the requirements specific to each designated conditional use as contained within the Grand Rapids City Code.

The attached Section 30-531 of the Grand Rapids City Code provides additional detail with respect to Conditional Use Permit process.

Additional Instructions:

Prior to submitting your Conditional Use Permit Application, you will need to arrange for one or more preliminary meetings with the Director of Community Development. This meeting is intended to ensure that the proposed application is complete, to answer any questions the applicant may have, discuss meeting schedules and, if applicable, the scope of the required submittals.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

Complete applications shall be submitted to the Community Development Department one month prior to the Planning Commission's review of the CUP. More information may be requested by the City of Grand Rapids Planning Commission or City Council, if deemed necessary to properly evaluate your request. The lack of information requested may be in itself sufficient cause to deny an application.

Sec. 30-704. - Mining overlay district.

- (a) *Purpose and Intent.* The purpose of the mining overlay district is to provide for current or future heavy mining activities that may be governed by Minn. Stat. §§ 93.44—93.51, and separate these uses from incompatible uses.
- (b) *Lands subject to overlay district.* The mining overlay district is defined by the official zoning map and may overlay other zoning districts.
- (c) *Conditional Uses.* Following the date of adoption of the ordinance from which this section derives no entity shall engage in new or expand existing operations, or renew operations that have not been active within five years of the effective date of this section without first obtaining a conditional permit. Any operation begun prior to the adoption of the ordinance from which this section derives and which is active on the effective date of this section may continue operations for five years at which time the operation shall have obtained a permit or ceased operation. The following are conditional uses in the mining overlay district:
 - (1) Mineral extraction, mineral processing, metals production, mineral or metal storage, storage and stockpiling of mining and mineral processing waste materials and byproducts, storage of mining and processing equipment and includes those facilities and activities regulated by Minn. Stat. §§ 93.44—93.51.
 - (2) Structures necessary for mining, mineral processing, and metals production operations and ancillary facilities and activities.
 - (3) Transmission and distribution lines, and pipelines of public and private utility companies within existing public rights-of-way.
 - (4) Towers.
 - (5) Extractive use operations.
 - (6) Other industrial determined to be compatible with the purpose of the mining overlay district.
- (d) In addition to the information required in section 30-531(b), the following shall be provided in the application for a conditional use permit:
 - (1) A statement that the applicant has the right by ownership or lease to extract and to reclaim the land described in the application.
 - (2) A statement estimating the expected duration of the extractive use operation, including starting and completion dates.
 - (3) A detailed map or maps at a 1" = 100' scale or larger showing proposed location of any buildings, equipment storage areas, operation areas, and any other uses incorporated in the excavation process.
 - (4) A site development plan detailing the following:
 - a. Dust, noise, other emission of potential concern and mitigation plans:
 - b. Hours and duration of operation.
 - c. Proposed vegetation and topographic alterations.
 - d. Erosion control plan.
 - (5) A written plan for reclamation of the affected area detailing:
 - a. The nature and extent of the reclamation.
 - b. A detailed map at a 1" = 100' scale or larger showing which parts of the land shall be reclaimed for forest, pasture, crop, dwellings, structures or other uses.
 - c. Proposed topographic contours after any filling.
 - d. Depth of proposed restored topsoil.
 - e. Type of fill proposed to be used.
 - f. Estimated progress and completions dates.
- (e) The following performance standards must be met for the issuance and continuation of a conditional use permit. Additional requirements may be imposed by the city:
 - (1) The minimum lot area shall be 40,000 square feet.
 - (2) The minimum lot width shall be 300 feet at the building setback line.
 - (3) Setbacks.
 - a. The minimum side yard setback for primary buildings and accessory structures shall be 30 feet.
 - b. The minimum rear yard setback for primary buildings and accessory structures shall be 50 feet.
 - c. The minimum side and rear yard setback for structures housing livestock shall be 100 feet.
 - d. Extraction operations, including excavating or stockpiling and machinery, shall not be conducted or placed closer than:
 - 1. 100 feet to the boundary of any adjoining property.
 - 2. 50 feet to the right-of-way of any existing or platted roadway
 - 3. 250 feet to an established residence other than the owner/operator of said extractive use.
 - 4. 200 feet to the boundary of an incorporated municipality and ordinary high water mark.
 - (4) Vegetation clearing plan. Clearing of the site shall conform to the approved development and reclamation plan, and existing trees, shrubs and vegetation shall not be prematurely stripped.
 - (5) Screening. Adequate planting, screening, buffering and/or berming shall be provided sufficient to screen the operation from public view from roadways and adjacent properties.
 - (6) Entrance and exit standards.
 - a.

Refer To
SWPP/Ex Use
and Reclamation
Plan ↓
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Findings of Fact
3, 4
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Submitted

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Ingress and egress access points from or onto any roadway shall be identified and only those access points shall be used. All access points shall be approved by the appropriate state, county and/or local government having jurisdiction. Access points shall be located to avoid the routing of vehicles from the mining operation over roadways that primarily serve residential areas.

- b. Access points shall be constructed to avoid traffic safety hazard and to minimize the view into the extractive use site.
- c. During the hours of operation, "Trucks Hauling" signs shall be placed along the public roadways leading to the extractive use site entrances at a distance of not less than 500 feet from the entrances. Size and type of sign shall be approved by the applicable road authority. Signs shall be removed or covered during non-operating hours.
- d. Accesses shall be controlled by the owner/operator of the extractive use operation.
- e. Dust control shall be implemented as necessary, from the processing site to the nearest paved road, on operations that have over ten one-way hauling trips or five round-trips per day.
- f. Hours of operation.
 - 1. Overall extractive use operation shall be from 6:00 a.m.—7:00 p.m. Monday through Saturday.
 - 2. Emergency situations, concerning public safety, shall be approved by the city.
 - 3. There shall be no mechanical equipment operation started before 6:00 a.m.
- g. Spillage onto roadways. Precautions shall be taken to minimize the deposit of dirt and extracted material from trucks onto the public roadways. Trucks used in hauling materials from the operation shall be loaded in such a manner as to minimize spillage onto public roadways. Any spillage shall be removed promptly by the operator at the operator's own expense.
- h. Amount of cover removed. The amount of soil, groundcover, and/or overburden to be removed shall be the minimum amount necessary.
- i. Use of explosives. When explosives are used, the operator shall use the utmost care and take all necessary precautions not to endanger life or damage or destroy property. The method of storing and handling explosives shall conform with all state and federal laws and regulations.
- j. Dust and noise control. Operating procedures will be implemented to control dust and noise to minimize impacts on adjoining properties and roadways.
- k. Reclamation plan required. All extractive uses requiring a permit shall have a reclamation plan with the following minimum terms:
 - 1. Slopes after reclamation. No portion of the reclaimed slope of the site shall exceed three feet horizontal to one foot vertical incline after reclamation unless the naturally occurring slope is steeper than 3:1 in which case final slopes shall not be steeper than the original natural slope.
 - 2. Topsoil storage and reapplication. All feasibly recoverable topsoil on an extractive use site shall be saved for future application, unless it can be demonstrated that it is not all needed for reclamation. Topsoil shall be reapplied to the finished slopes as uniformly as possible. Sites which lack adequate topsoil shall have the topsoil applied preferentially to the finished sloped areas.
 - 3. Seeding/revegetation/stabilization.
 - i. Seeding mixture shall be in accordance with the recommendations of the Itasca County Soil and Water Conservation District, and shall use native seeds to the fullest extent possible.
 - ii. Planting of woody vegetation may be accepted in combination with other stabilization techniques.
 - iii. Sodding may be required for drainageways, ditch checks, highly erodible areas of a site as shown on the reclamation plan or as required by the city.
 - iv. Riprap may be required for drainageways, ditch outlet, culvert ends or bridge openings as shown on the reclamation plan or as required by the city.
 - v. All seeding/revegetation and stabilization on inactive portions of the pit shall be implemented upon completion of extractive activities. The final revegetation / restoration being completed within one year of cessation of the operation and verified by the zoning administrator.
 - vi. The areas which are reclaimed for purposes of a Minnesota Department of Natural Resources Wildlife Management area and/or wetland mitigation shall be allowed exceptions to enhance wildlife habitat.

(Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

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Findings of Fact
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Sec. 30-531. - Conditional use permits (CUP).

- (a) *Purpose and intent.* The development and execution of this division is based upon the division of the city into districts within which the regulations are specified. It is recognized, however, that there are special or conditional uses which, because of their unique characteristics, must be considered individually as to their impact upon neighboring land, and the public welfare and their compatibility at the particular location. To provide for these needs the city council may by resolution approve a conditional use permit for those uses and purposes listed and may impose conditions and safeguards in such permits to ensure that the purpose and intent of this division is carried out.
 - (b) *Application requirements.* An application signed by the landowner for a CUP shall be filed with the zoning administrator together with a filing fee as established by the city council. Such application shall be accompanied by the following information:
 - (1) A site plan drawn to scale which shows all dimensions; the location of existing and proposed streets, buildings and parking; the existing and proposed building height and floor area; curb cuts and driveway locations; utilities; loading areas and lighting.
 - (2) A drainage plan showing existing and proposed topography and slopes and how surface drainage will be handled.
 - (3) A landscape plan as specified in section 30-456.
 - (4) Building plans showing elevation drawings and floor plans.
 - (5) A written description of the use to be made of the property and buildings including the number of employees, students, etc.
 - (6) Any other information, which in the opinion of the zoning administrator, is required to evaluate the application and its consistency with the city comprehensive plan.
 - (c) *Waiver authority.* The zoning administrator shall have the authority to waive any of the information in subsection (b) of this section not deemed to be necessary and appropriate to evaluate the application.
 - (d) *Hearing and mailed notices.* The zoning administrator shall cause to be published a notice of the public hearing before the planning commission in the official newspaper at least ten days prior to the hearing date. Notices shall also be mailed to all owners of property within 350 feet of the parcel included in the request not less than ten days prior to the hearing. Failure to give such notice or defects or errors in the notice shall not invalidate the proceedings, provided a good faith attempt to comply with notice requirements was made.
 - (e) *Planning commission review and recommendation.* The planning commission shall conduct a public hearing on the application and make its recommendation with findings and conditions to the city council within 60 days of receipt of the planning commission's recommendation, to approve or deny the CUP. The council shall not approve a CUP unless it shall find that the establishment, maintenance and operation of the use:
 - (1) Will not be detrimental to the public health, safety, morals or general welfare;
 - (2) Will not cause undue traffic congestion or hazards and will not result in a parking shortage;
 - (3) Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
 - (4) Will not impede the orderly development of other property in the area;
 - (5) Will not impose an excessive burden on parks and other public facilities and utilities;
 - (6) Is consistent with the comprehensive plan.
- Approval shall require a majority vote of the city council.
- (f) *Conditions and restrictions.* The city council may impose such conditions and restrictions as it deems necessary on the establishment, location, construction, maintenance, operation and duration of the use to ensure compliance with the requirements of this division.
 - (g) *Resubmission.* No application which has been denied by the city council shall be resubmitted by the applicant for a period of one year following the date of denial by the city council.
 - (h) *Lapse and extension.* If within one year after the date of issuance the use for which the CUP was issued has not commenced, the CUP shall become null and void. If the applicant requests an extension in writing within one year after issuance, the city council shall conduct a public hearing and consider an extension utilizing the same notice procedures as required for the original application. The city council may extend the CUP for up to one year upon finding that:
 - (1) A good faith effort has been made to use the permit;
 - (2) There is reasonable expectation that there will be uses; and
 - (3) The facts upon which the original permit was issued are essentially unchanged.
 - (i) *Periodic review.* If periodic review is imposed as a condition of a CUP, the CUP shall be reviewed at a public hearing prior to the expiration of the review period. It shall be the responsibility of the zoning administrator to schedule the public hearing and inform the owner of the review. A fee shall not be required to be paid.
 - (j) *Revocation.* If any person is found in violation of any condition or restriction imposed by the city council, the city may revoke such CUP utilizing the procedures established in this division.
 - (k) *Special considerations for shoreland areas.* The following additional evaluation criteria and conditions apply within shoreland areas:
 - (1) *Evaluation criteria.* A thorough evaluation of the waterbody and the topographic, vegetation, and soils conditions on the site must be made to ensure:
 - a. The prevention of soil erosion or other possible pollution of public waters, both during and after construction;
 - b. The visibility of structures and other facilities as viewed from public waters is limited;
 - c. The site is adequate for water supply and on-site sewage treatment; and
 - d. The types, uses, and numbers of watercraft that the project will generate are compatible in relation to the suitability of public waters to safely accommodate these watercraft.

Page #
5, 6, 7, 8
8
Reclamation
NA
NA

Others

NA

- (2) *Conditions attached to conditional use permits.* The city council, upon consideration of the criteria listed in subsection (k)(1) of this section and the purposes of this division, shall attach such conditions to the issuance of the conditional use permits as it deems necessary to fulfill the purposes of this division. Such conditions may include, but are not limited to, the following:
- a. Increased setbacks from the ordinary high water level;
 - b. Limitations on the natural vegetation to be removed or the requirement that additional vegetation be planted; and
 - c. Special provisions for the location, design, and use of structures, sewage treatment systems, watercraft launching and docking areas, and vehicle parking areas.

(Code 1978, § 23.5(1); Ord. No. 07-03-06, § 2(Exh. A), 3-27-2007)

State Law reference— Conditional use permits, Minn. Stat. § 462.3595.

**STORMWATER POLLUTION
EXTRACTIVE USE AND REC**

61 QUAR



CONSTRUCTION ACTIVITY INFORMATION

Project Location: South side of Itasca County Road #61 from a distance of 100' to 4000' East of TH #38 North of Grand Rapids MN in Itasca County, NW ¼ Sec 4 T55N R25W, W ½ of NE ¼ Sec 4 T55N R25W

Project Type: Permanent Storm Water Wet Basin construction for nonmetallic quarry mining, activities include blasting, crushing, stockpiling and hauling of processed rock materials. The wet basin design was chosen rather than infiltration due to the entire project area having an underlying bedrock formation.

Project Area: Phase I 433,000 syft= 9.9 acres
 Phase II 780,000 syft=17.9 acres
 Phase III 5,374,868 syft=123.39 acres

Total Acres 151.19

Impervious Area: Existing= 0 acres
 Proposed= .5 acres maintenance access road
 .7 acres entrance road
 1.2 acres processing and stockpile area
 Total New impervious 2.4 acres (all in phase I)

Receiving Waters: Wooded Swamp

Contact Information: Property Owner Hawkinson Construction Company
 PO Box 278
 Grand Rapids, MN 55744
 218-326-0309

Primary SWPP Contact: Dan Petermeier 218-244-1054
 Alternate SWPP Contact: Derek Hawkinson 218-244-4415

Training: Dan Petermeier SWPP Designer University of Minnesota 5/19
 Derek Hawkinson SWPP Designer University of Minnesota 1/19
 Brian Anderson Inspector/Installer University of Minnesota 1/17

Contractor: Hawkinson Construction Company

Erosion control Installer: Brian Anderson 218-259-8265

Erosion Control Supervisor: Derek Hawkinson 218-244-4415

CONSTRUCTION NOTES FOR WET BASIN;

1. All operations shall conform with NPDES General Permit from the state of Minnesota MN R 100001
2. Prior to any grading activities the owner will install perimeter controls to include silt fence around the entire area of phase I as shown in plans.
3. The owner will be responsible for providing all erosion and sediment control measures as required in the NPDES permit for construction. This

includes any additional controls already in the plans.

4. Phased construction will be used
5. Temporary or permanent turf erosion control measures for 30 days of construction operations. Areas that require erosion control measures areas require per NPDES permit.
6. All pipe outlets in plan for Wet Basin design will have erosion control dissipation installed.
7. After installation of perimeter silt fence a 5' high silt fence berm (approximate 8' high) will be installed around the perimeter fence. This berm will become part of the final site design measures. This project consists of removing the overburden from above the bedrock. As the project progresses less area of erodible material will be exposed.
8. Construction of a vehicle entrance/exit will be installed according to permit. As necessary, erosion control measures from adjacent public roads. Note that during phase I of project, all material will be stockpiled.
9. All storm water is flowing West north West. A wet basin will be constructed and discharging into a wooded swamp. A minimum undisturbed buffer will be maintained around the wooded swamp.
10. Wet Basin design Calculations, PERMANENT POOL : Total Wet Basin 27.8 acres X Actual Permanent Pool LIVE POOL (WQV): New Impervious area=218'X1/12X105,000= 875'X150'X280'X3' deep=126 FOREBAY: .1% of total c .001 X 433,000 syft pha Actual forebay design 2 note; Over design done dewatering if necessary. Perman minimum at 3600 cuft per acre.

DISPERSION POOL:

A 5' topsoil berm will connect the wet basin in a semicircle on the west side. The dispersion pool will include Rip Rap at the points of each pipe location. Design will be built 1' below top of topsoil berm

STORM WATER POLLUTION PREVENTION

INSPECTIONS:

The owner Hawkinson Construction will be responsible for complying with all inspection and maintenance requirements in the NPDES permit Part IV.F Inspections of the entire project site will occur a minimum of once every 7 days during construction and within 24 hrs after a rain event of over .5 in 24hrs. Inspection reports will contain.

- 1) Date and Time of inspection
- 2) Name of person conducting inspection
- 3) Findings of inspections, including recommendations for corrective actions
- 4) Corrective actions taken including dates, times, and party completing maintenance
- 5) Date and time of rainfall events over .5 inches in 24 hours
- 6) Documents and changes made to SWPP

POLLUTION PREVENTION:

- 1) All solid or hazardous waste collected or generated from the project site shall be disposed of according to applicable regulations.
- 2) All hazardous waste materials onsite shall be stored to prevent leaks and/or spills according to state and federal standards.
- 3) Any runoff containing a hazardous material shall be collected properly disposed of.
- 4) If a spill occurs, we will observe the safety precautions associated with the spilled material. Stop the source of the spill if possible. Call local fire and/or police department if fire or public safety hazards are created. Contain the spilled material Dirt, sand, or any semi impermeable material will be used to create a containment structure to prevent material from flowing
- 5) Report the spill to the Minnesota Pollution Control Agency (MPCA) through the state duty officer. 24 Hour telephone numbers are; 651-649-5451 or 800-422-0798. Cleanup the spilled material and dispose of the wastes properly, with exception of used oil, wastes generated from petroleum spills that have been reported and cleaned up immediately are exempt from Minnesota's hazardous waste rules. Waste generated from used oil spills must be sent to a facility for energy recovery.
- 6) If contaminated soils are discovered during the project ,the state duty officer shall be immediately called at the numbers above and emergency actions taken.
- 7) Trash and construction debris shall be disposed of properly.

WET BASIN CONSTRUCTION

- 1) Post notice of NPDES at entrance to project site.
- 2) Installment of all perimeter silt fence and down gradient control devices to include ditch check along County Rd.61
- 3) Remove trees, brush and stumps inside project limits.
- 4) Move topsoil and place approximate 8' high berm inside of silt fence along entire perimeter. Stabilize berm with seed and mulch. Some berms will become permanent others will be used to stabilize wet basin slopes prior to seeding and

mulch application.

- 5) Begin construction of wet basin and other structures. These include roadway entrance, forebay, drain down pipe, low orifice, emergency structures at pipe discharge locations. The structures will be used for sediment processing and stockpile areas.
- 6) Construct rock entrance for ingress and egress.
- 7) Place aggregate surface on entrance area.
- 8) Install debris controls on pipe intakes, to be controlled at less than 5.66cfs.)
- 9) Final turf establishment seed, fertilize, native seed mixture MN DOT 310 for poor soil conditions. Seedlings to be planted on topsoil berm center.
- 10) Stockpile sediment controls will be constructed on newly constructed Wet Basin.

PHASING AND SCREENING

- Phase I; Salvaged topsoil to be re-used on site. Pine seedlings to be planted on berms east of entrance to County Road #61 and west of entrance to County Road #61 and mulch entire disturbed area.
- Phase II; Topsoil from area north of entrance to County Road #61 will be salvaged and re-used. Material is placed in same area as Phase I. Topsoil berm east of entrance to County Road #61 same as phase I. Entire disturbed area will be mulched per plan. Estimated time 1 month.
- Phase III; Area will be expanded to include berms constructed and seedlings planted on berms.

SAFETY AND ENVIRONMENTAL

- 1) Hours of operation 6:00AM to 7:00PM
- 2) Dust and Noise control, operating procedures to minimize impacts to adjoining property and community. Seedlings planted on berms for visual and noise screening.
- 3) MPCA Air permits for crushing and plant operations. These permits include specific noise and dust control measures monitored by the MPCA agency.
- 4) NPDES permits for this project will be obtained before construction begins.
- 5) Gates will be installed at all vehicle entrance and exit areas where mining is active to stop any erosion. This would be during phase Two on the east side of the site that as slope reclamation proceeds and erosion control is relocated to provide a safe project area.

14) Silt fence will be installed at the beginning of the project, not just for perimeter control of runoff but also construction limits. This will prevent an unnecessary soil compaction outside of project area.

15) To limit potential for discharge of pollutants from site, page 7 of this SWPP designates a fueling and maintenance area. This area was chosen to ensure that if any possible spill occurred that pollutants will flow to containment basin and allow for final cleanup. Anticipated materials on site would be fuel and lubricants for industrial equipment. External washing of equipment will be limited. Concrete washouts are not allowed on site and all redi-mix vehicles will provide their own self contained washout device. No permanent storage of fuel, oil, or grease is planned for on site during construction. During mining phase all required spill kit and containment materials will be on site. Proper storage of those materials will also be followed.

16) Any necessary dewatering during construction phases will be pumped through sediment bags and then flow through a vegetative area.

CONDITIONAL USE PERMIT, MINING AND PROCESSING ACTIVITIES

1) The primary need for Conditional Use Permit is to provide for local aggregate needs in the building , highway and street construction industries.

2) The activities required to extract materials from this site are as follows.

A) Salvaging topsoil for future reclamation and temporary use, to aid in vegetative growth.

B) Heavy soil overburden moved to areas to provide for berm screening and wet basin construction. Excess material will be stockpiled for future slope restoration prior to permanent topsoil placement. This stripping activity area shall be minimized as much as possible.

C) Because this site is a large rock out-cropping it will require drilling and blasting to occur. As stated earlier in this plan these activities will become necessary 1 to 2 times annually. This will be done with all necessary safety precautions in place by a licensed drilling and blasting company as to not endanger life or damage to property.

D) Crushing and stockpiling of processed material will then be done. Operations can be done Monday thru Saturday 6:00 AM to 7:00 PM. The number of employees on site could range from 3-10. Emergency situations may be requested thru city of Grand Rapids MN, to extend hours.

E) It is anticipated that crushing and hauling activities will be generally performed from April thru November.

F) The annual average of material to be removed is estimated at 110,000 tons. The estimated total quantity to be removed from site is 5-10 million tons over a period of 50-100 years depending on local demand.

G) Hauling activities will be done Monday average number of trips annually will be 3 per day with most days having no loads a crushed rock will go to another source for Asphalt. Other traffic may include lowboy pump-out trucks. Truck Hauling signs will

H) There are no plans for permanent built portable asphalt plant on site when needed

I) Setbacks will be followed as required follows: 1)100 feet to the boundary of an right of way to any existing or platted road residence other than that of the owner incorporated municipality and ordinary h

FINAL RECLAMATION AND END USE PLA

This project area has previously had mo years ago by the prior owner Blandin Pap been ongoing the past 15 years. The area to be preserved,,this area is estimated at conifers today. It is also intended to pres limits along Hwy 38. Note that due to the years) some select timber harvesting will forest management practices.

The final reclamation will be ongoing as e of slopes of the estimated 30'-70' deep e 1V slope. These slopes will be filled with spread with 4" of salvaged topsoil over th seed mixture in accordance with recomm Water Conservation District, along with n Erodible areas, such as, drainage ways, o checks, rip rap blanket or sod installed as estimated Quarry bottom elevation will b that most of the excavated area will becc other mining activities done nearby. All p previously noted with approved methods will be internally graded to this body of w of this land will remain the same as toda accesses will remain inplace on the north area. Steep slope hazards will have been At this time ownership is intended to ren Company.

Staircase
and opening
Area
↓

Existing
Structures
→

TH
38



County Road

91-004-2300

Total

Phase II

91-452-0010

91-452-0011

91-452-0020

91-452-0015

91-004-2300

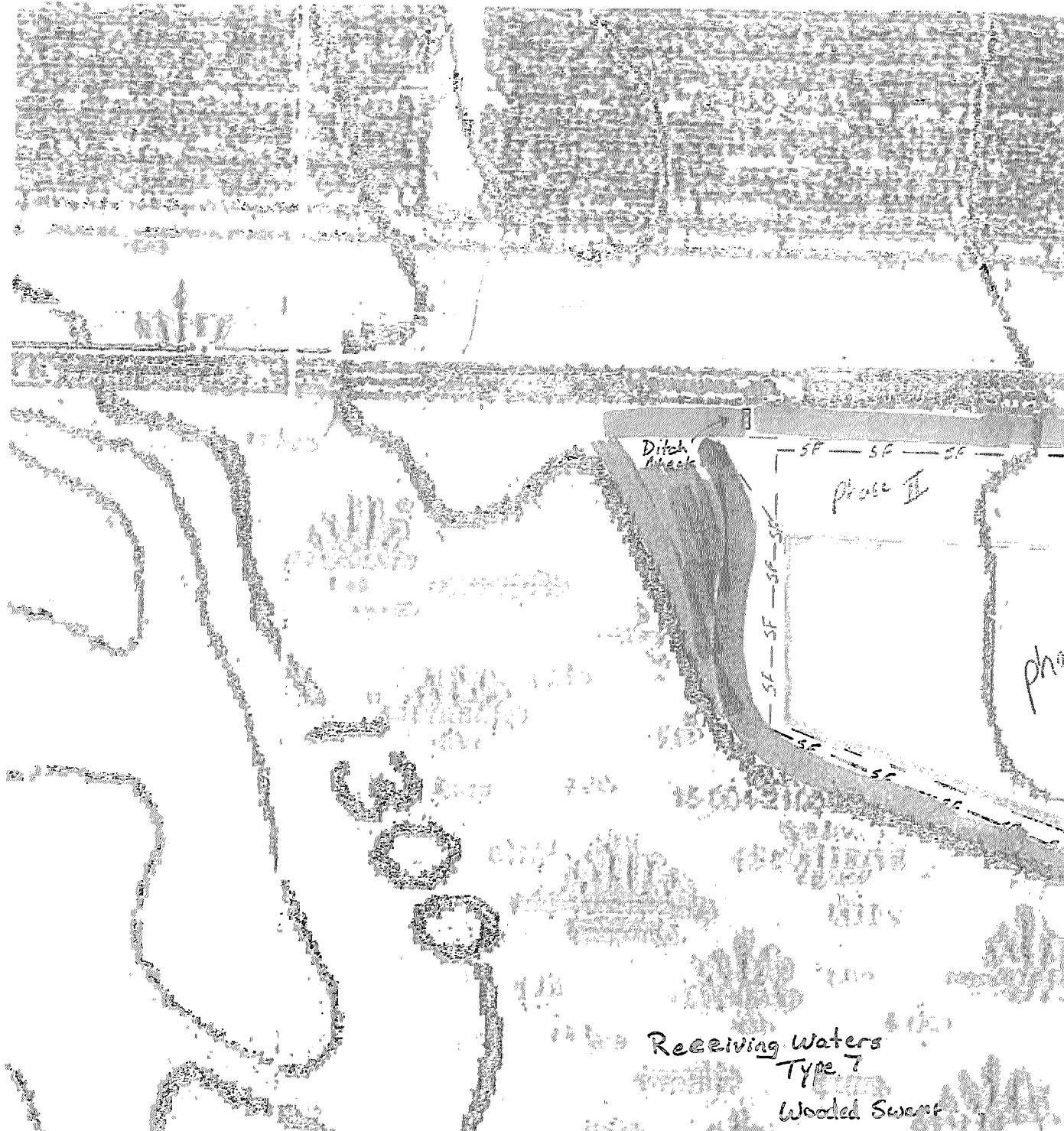
153-001

State Hwy 38

Haul Road

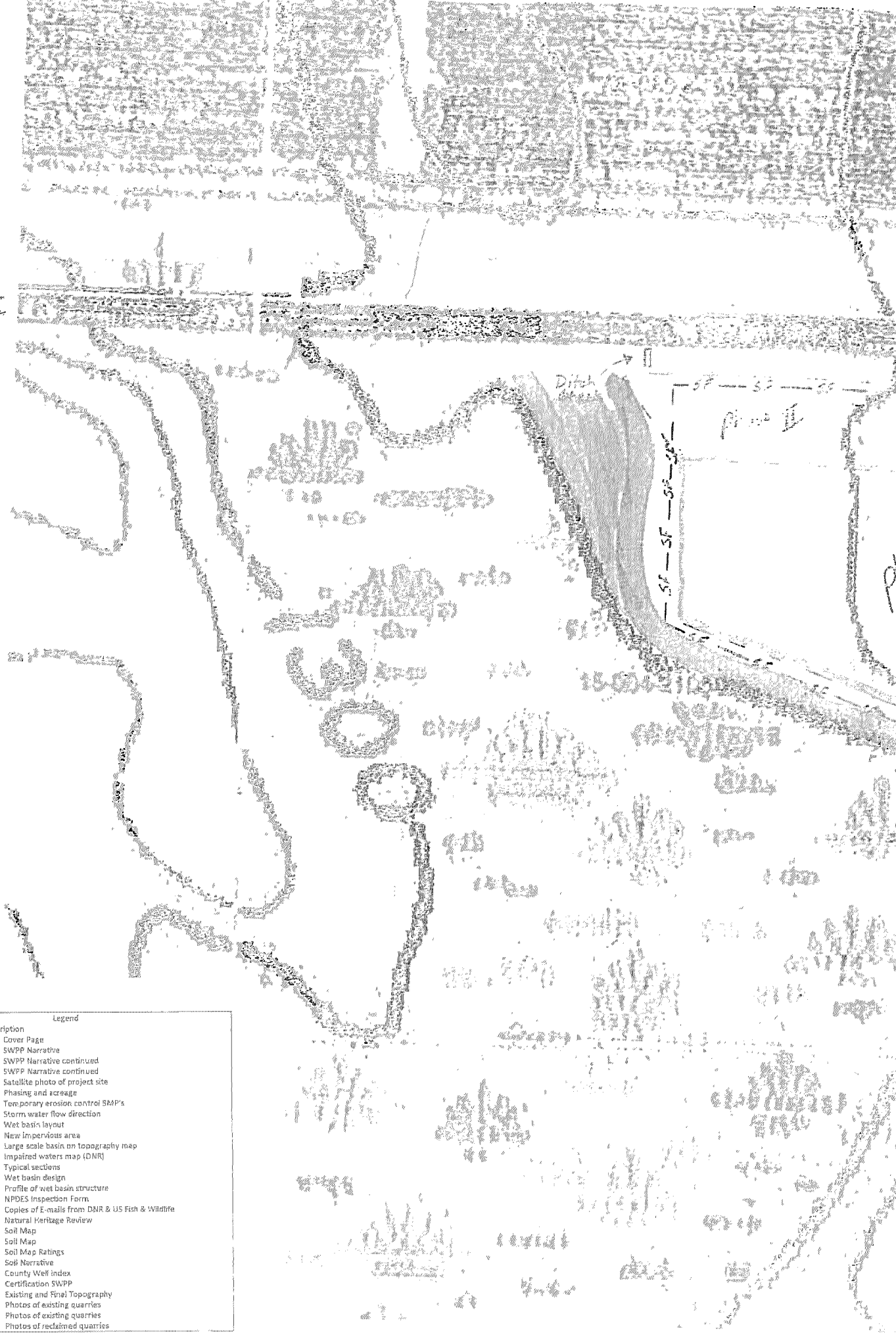
Haul

SWPP
 Phase I+II
 BMP's
 Buffer



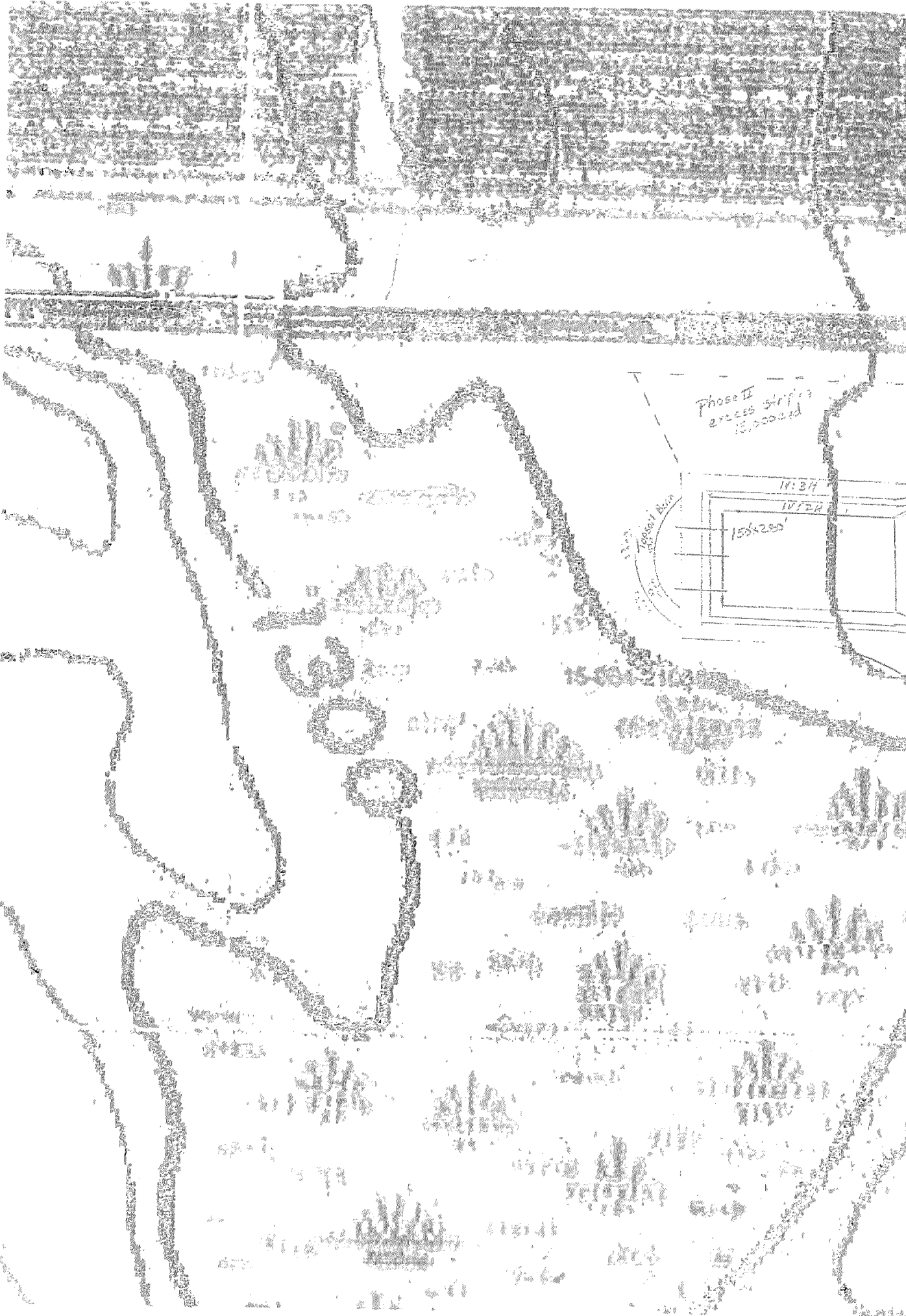
Page	Description
1	Cover Page
2	SWPP Narrative
3	SWPP Narrative continued
4	SWPP Narrative continued
5	Satellite photo of project site
6	Phasing and acreage
7	Temporary erosion control BMP's
8	Storm water flow direction
9	Wet basin layout
10	New impervious area
11	Large scale basin on topography map
12	Impaired waters map (OWR)
13	Typical sections
14	Wet basin design
15	Profile of wet basin structure
16	NPDES Inspection Form
17	Copies of E-mails from DNR & US Fish & Wildlife
18	Natural Heritage Review
19	Soil Map
20	Soil Map
21	Soil Map Ratings
22	Soil Narrative
23	County Well Index
24	Certification SWPP
25	Existing and Final Topography
26	Photos of existing quarries
27	Photos of existing quarries
28	Photos of reclaimed quarries

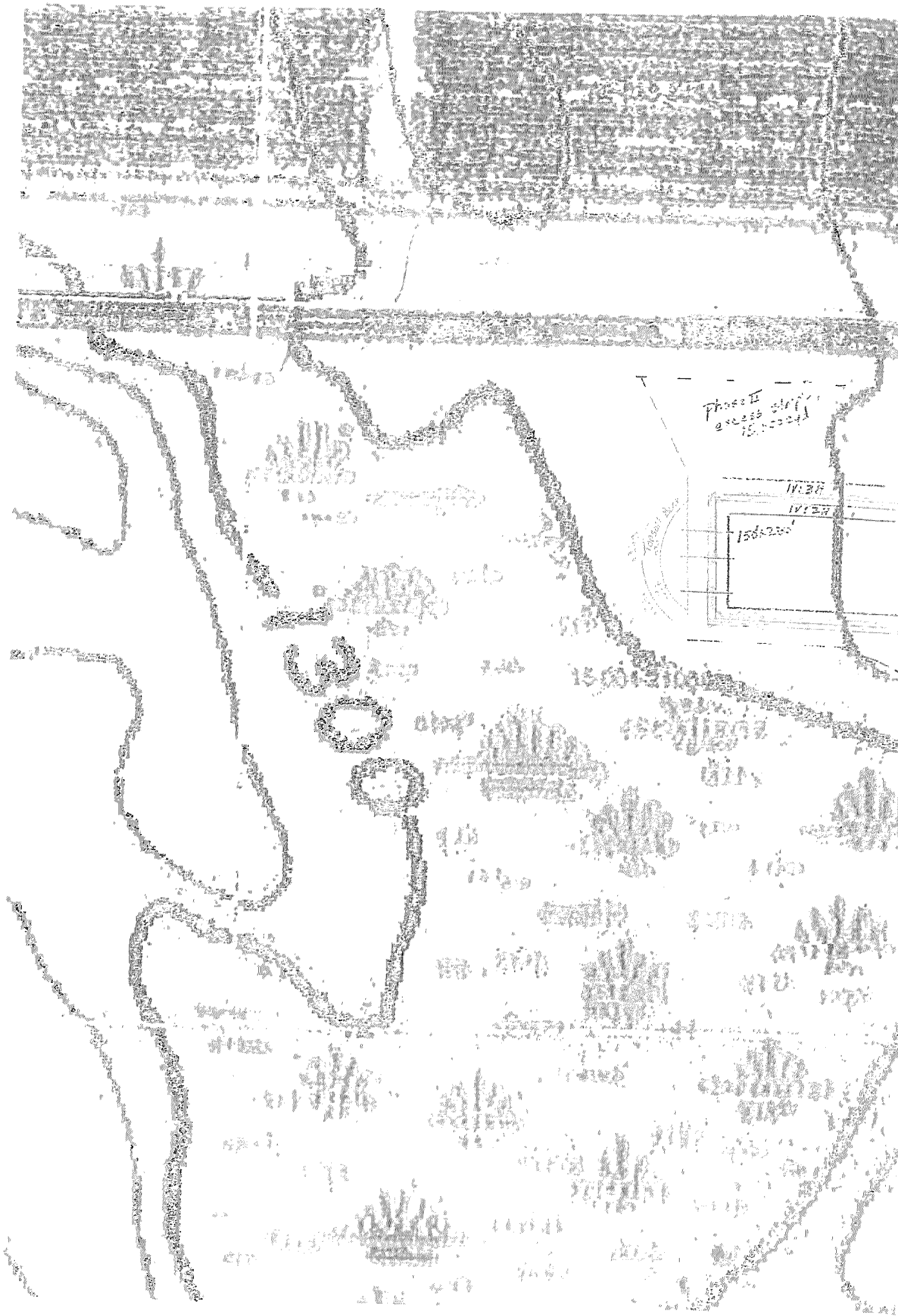
SWPP
Phase I+II
Erosion
+ Buffer



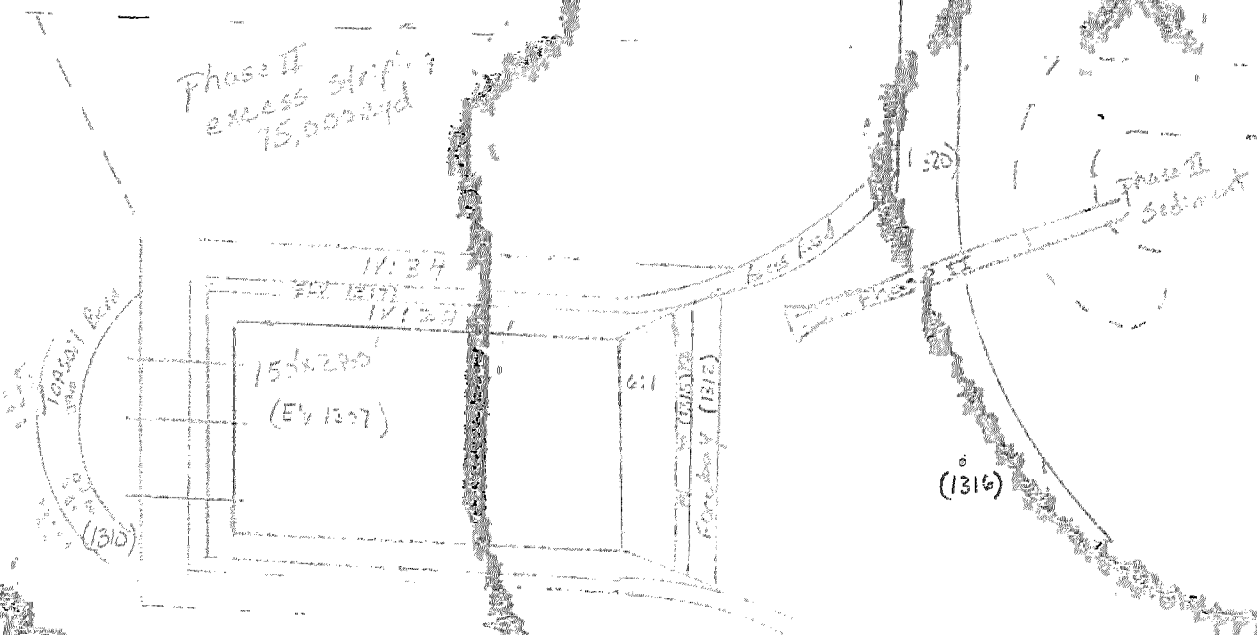
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1	Cover Page	
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Of 9/10/1





Phase II
excess striping
75,000 yd



(130)

(1316)

(14)

5 FT. MIN. LENGTH POST AT
6 FT. MAX. SPACING

BLACK PLASTIC ZIP TIES
(50 LB. TENSILE)
LOCATED IN TOP 8"

GEOTEXTILE FABRIC,
36" WIDE

TIRE COMPACTION
ZONE

FLOW

FLOW

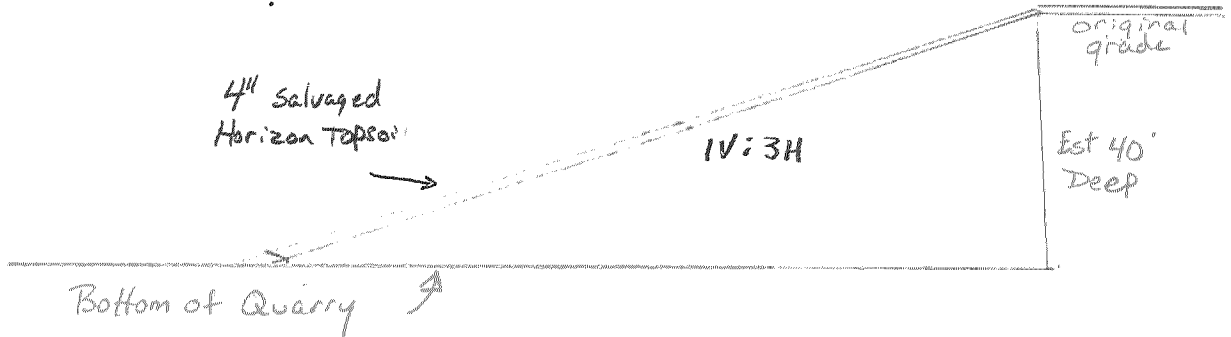
2'0" MIN. POST
EMBEDMENT

MACHINE SLICE 8-12"
DEPTH

SILT FENCE

NO SCALE

Final Reclamation Slope



(1314)

Access Road 2% ↓

Wet Basin 3' Depth
Bottom (1307)
Low Orifice (1310)
Emergency Spillway (1313)

11:6H

(1311)

Forebay

(1314)

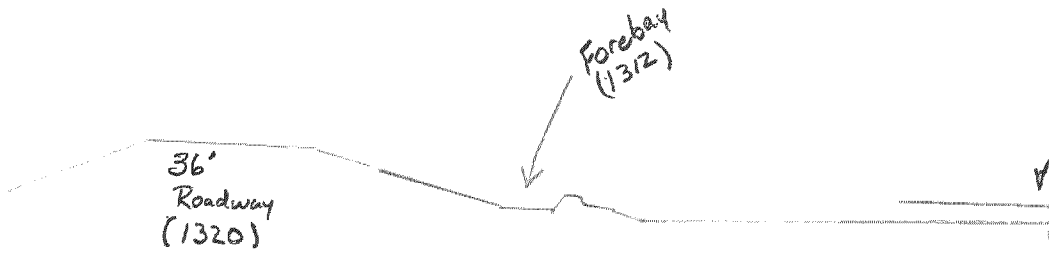
(1313) overflow

28

15' Access Road (1317)

36' Roadway 2% ↓
(1320)

Co. Rd. #61



36'
Roadway
(1320)

Forebay
(1312)

NPDES Construction Site Permit Holder Inspection Form

Date:

Time:

Inspector Name:

Weather:

Inspector Phone:

Inspection type: Weekly Rain Event (Amount ____ in, Date ____)

Inspection Summary

Item		Comment/Action
Perimeter Control Functioning [24 hours to repair]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Sediment Basins Functioning (temp. and perm.) [72 hours to repair]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Surface Waters Free of Deposits [7 days to repair]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Vehicle Exits Functioning [24 hours to clean streets]	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Erosion Prevention BMPs Functioning	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Sediment Control BMPs Functioning	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Sediment Retained on site	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Infiltration Areas Undamaged	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Repairs Needed	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	
Does the SWPPP need to be Amended	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	

Photo Log:

Comments:

Inspector Signature: _____

Confirmation of corrective action listed here completed. Date: _____

Signature: _____

Dan

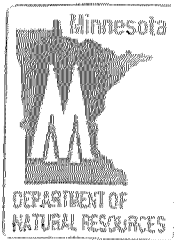
From: Herr, Erika S (DNR) [erika.herr@state.mn.us]
Sent: Thursday, February 21, 2013 2:57 PM
To: dan@hawkinsonconstruction.com
Subject: DNR public waters

Dan,

As we discussed, I checked the DNR PWI (public waters inventory) map and there are no DNR Public Waters located in S4, T55, R25.

Regards,
Erika

Erika S. Herr
Grand Rapids Area Hydrologist
DNR Division of Ecological and Water Resources
1201 E Hwy 2 Grand Rapids, MN 55744
218/327-4106



Minnesota Department of Natural Resources

Division of Ecological and Water Resources, Box 25

500 Lafayette Road

St. Paul, Minnesota 55155-4025

Phone: (651) 259-5109 E-mail: lisa.joyal@state.mn.us

#61
Quarry

November 8, 2013

Correspondence # ERDB 20140111

Mr. Dan Petermeier
Hawkinson Construction Company
PO Box 278
Grand Rapids, MN 55744

RE: Natural Heritage Review of the proposed 61 Quarry, T55N R25W Section 4, Itasca County

Dear Mr. Petermeier,

As requested, the Minnesota Natural Heritage Information System has been queried to determine if any rare species or other significant natural features are known to occur within an approximate one-mile radius of the proposed project. Based on this query, rare features have been documented within the search area (please visit the Rare Species Guide at <http://www.dnr.state.mn.us/rsg/index.html> for more information on the biology, habitat use, and conservation measures of these rare species):

- Prairie moonwort (*Botrychium campestre*), a state-listed plant of special concern, was documented in the 1990's in the tailings basins north of the proposed project boundary. Typically a prairie species, prairie moonwort is also found in tailings basins on the Iron Range. A botanical survey for this species within the proposed project boundary is not required for environmental review purposes.
- The black sandshell (*Ligumia recta*), a state-listed mussel of special concern, has been documented in the Prairie River in the vicinity of the proposed project. Given that mussels are particularly vulnerable to deterioration in water quality, especially increased siltation, it is important that effective sediment and pollution control practices be incorporated into any stormwater plan.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available, and is the most complete source of data on Minnesota's rare or otherwise significant species, native plant communities, and other natural features. However, the NHIS is not an exhaustive inventory and thus does not represent all of the occurrences of rare features within the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the Natural Heritage letter is valid for one year; it is only valid for the project location (noted above) and the project description provided on the NHIS Data Request Form. Please contact me if project details change or for an updated review if construction has not occurred within one year.

The Natural Heritage Review does not constitute review or approval by the Department of Natural Resources as a whole. Instead, it identifies issues regarding known occurrences of rare features and potential effects to these rare features. To determine whether there are other natural resource concerns associated with

Search



Map Unit Legend



Itasca County, Minnesota (MN061)



Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
72	Shooker very fine sandy loam	19.2	3.2%
268B	Cromwell fine sandy loam, 1 to 10 percent slopes	9.3	1.5%
541	Rifle mucky peat	12.6	2.1%
544	Cathro muck	10.7	1.8%
549	Greenwood peat	129.2	21.2%
618B	Itasca silt loam, 1 to 10 percent slopes	184.1	30.3%
628	Talmoon silt loam	5.5	0.9%
797	Mooselake and Lupton mucky peats	5.5	0.9%
870C	Itasca-Goodland silt loams, 2 to 12 percent slopes	215.9	35.5%
995	Borosaprists, depressional	0.7	0.1%
1043C	Udorthents, nearly level to rolling	15.6	2.6%
Totals for Area of Interest		608.2	100.0%

Soil Map





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[Glossary](#)
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Area of Interest (AOI)

Soil Map

Soil Data Explorer

Download Soils Data

View Soil Information By Use: All Uses

Intro to Soils

Suitabilities and Limitations for Use

Soil Properties and Qualities

Search

Suitabilities and Limitations Ratings

[Open All](#)
[Close All](#)

Building Site Development

Construction Materials

Disaster Recovery Planning

Land Classifications

Land Management

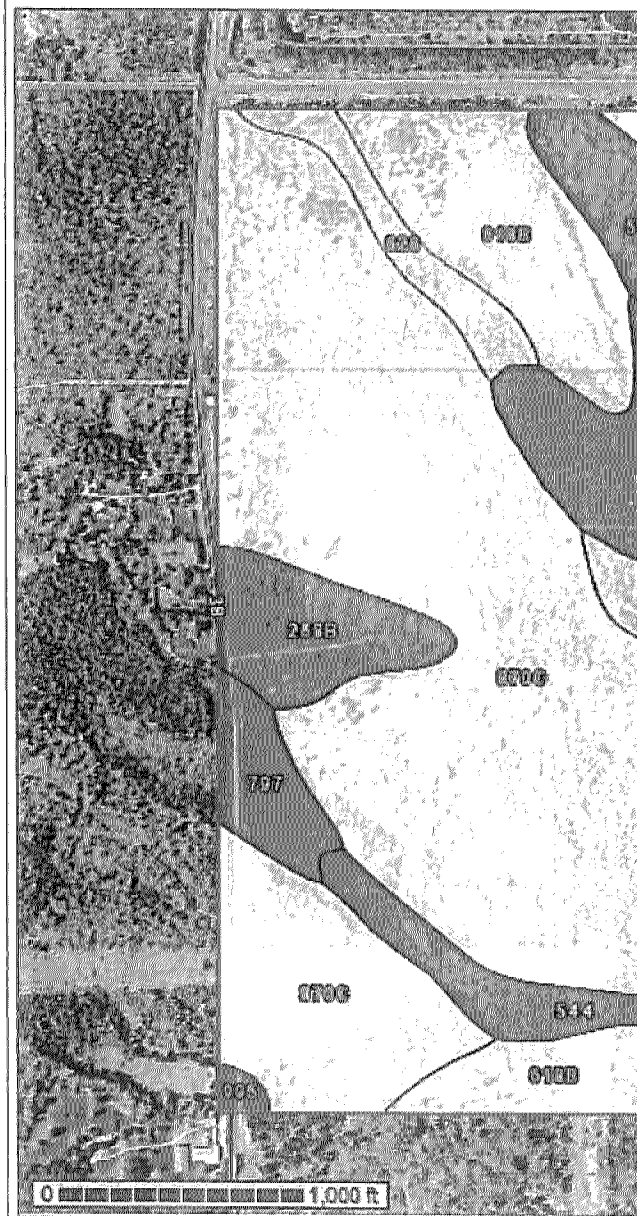
Military Operations

Recreational Development

Sanitary Facilities

Vegetative Productivity

Map - Pond Reservoir Areas



Page	Description	Legend
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Irrigation, Micro (Subsurface Drip)

Irrigation, Sprinkler (Close Spaced Drops)

Irrigation, Sprinkler (General)

Irrigation, Surface (Graded)

Irrigation, Surface (Level)

Pond Reservoir Areas

[View Description](#) [View Rating](#)

View Options



Map

Table

Component Breakdown and Rating Reasons

Numeric Values

Description of Rating

Rating Options

Detailed Description

Advanced Options



[View Description](#) [View Rating](#)

Warning: Soil Ratings Map may not be accurate.

You have zoomed in beyond the scale at which the soil surveys that comprise your AOI were mapped. Soil ratings may be dependent on that map scale.

Enlargement of maps beyond the scale of the original maps do not show the small areas of contrasting soil types.

Tables -- Pond Reservoir Areas -- Summary by Map Unit

Summary by Map Unit -- Itasca County, Minnesota

Map unit symbol	Map unit name
72	Shooker very fine sandy loam
268B	Cromwell fine sandy loam, 1 to 10 percent slopes
541	Rifle mucky peat
544	Cathro muck
549	Greenwood peat
618B	Itasca silt loam, 1 to 10 percent slopes
628	Talmoon silt loam
797	Mooselake and Lupton mucky peats
870C	Itasca-Goodland silt loams, 2 to 12 percent slopes
995	Borosapristis, depressional
1043C	Udorthents, nearly level to rolling

Totals for Area of Interest

Table -- Pond Reservoir Areas -- Summary by Rating Value

Rating
Somewhat limited
Very limited

Page	Description	Legend
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28	Photos of reclaimed quarries	

Totals for Area of Interest

Description – Pond Reservoir Areas

Pond reservoir areas hold water behind a dam or embankment. The potential for erosion is determined by the saturated hydraulic conductivity. This can affect the storage capacity of the reservoir area.

The ratings are both verbal and numerical. Rating "Not limited" indicates that the soil has features that are not expected. "Somewhat limited" indicates that the soil has features that are minimized by special planning, design, or installation. "Limited" indicates one or more features that are unfavorable for the soil. "Very limited" indicates expensive installation procedures. Poor performance is indicated by a rating of "Very limited".

Numerical ratings indicate the severity of individual soil features. The difference between the point at which a soil feature has the greatest effect and the point at which it has the least effect.

The map unit components listed for each map unit in the Web Soil Survey Viewer are determined by the aggregation method. Only those that have the same rating class as listed in the legend are shown. The user better understand the percentage of each component.

Other components with different ratings may be present. These can be viewed by generating the equivalent report from the Web Soil Survey. To validate these interpretations and to confirm the identity of the soil features.

Rating Options – Pond Reservoir Areas


Aggregation Method: Dominant Condition


Component Percent Cutoff: None Specified


Tie-break Rule: Higher

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27	Photos of existing quarries	
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Search Database

Unique Number 


Town Range & Direction
 W 

Section 

Search Near Address


Street Address


City


Zip Code 


Map Tools

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Township & Range W 



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UNIVERSITY OF MINNESOTA Certificate of Attendance

2013-2014 Erosion and Stormwater Management Certification

Professional Development Hours

Brian Anderson

Student

Construction Site Management Review

12/13/2013

University of Minnesota

Building Department

Leo Helm, Dwayne Stenzel

Instructors

January 8, 2014

Activity Date

5.1

Professional Development Hours

Please retain any or all of the following for your records: Registration Receipts, Agenda/ syllabus, course plan, training brochure, and any narrative of the content or exposure/ outcome of the education activity

Des

Please retain
narrative of

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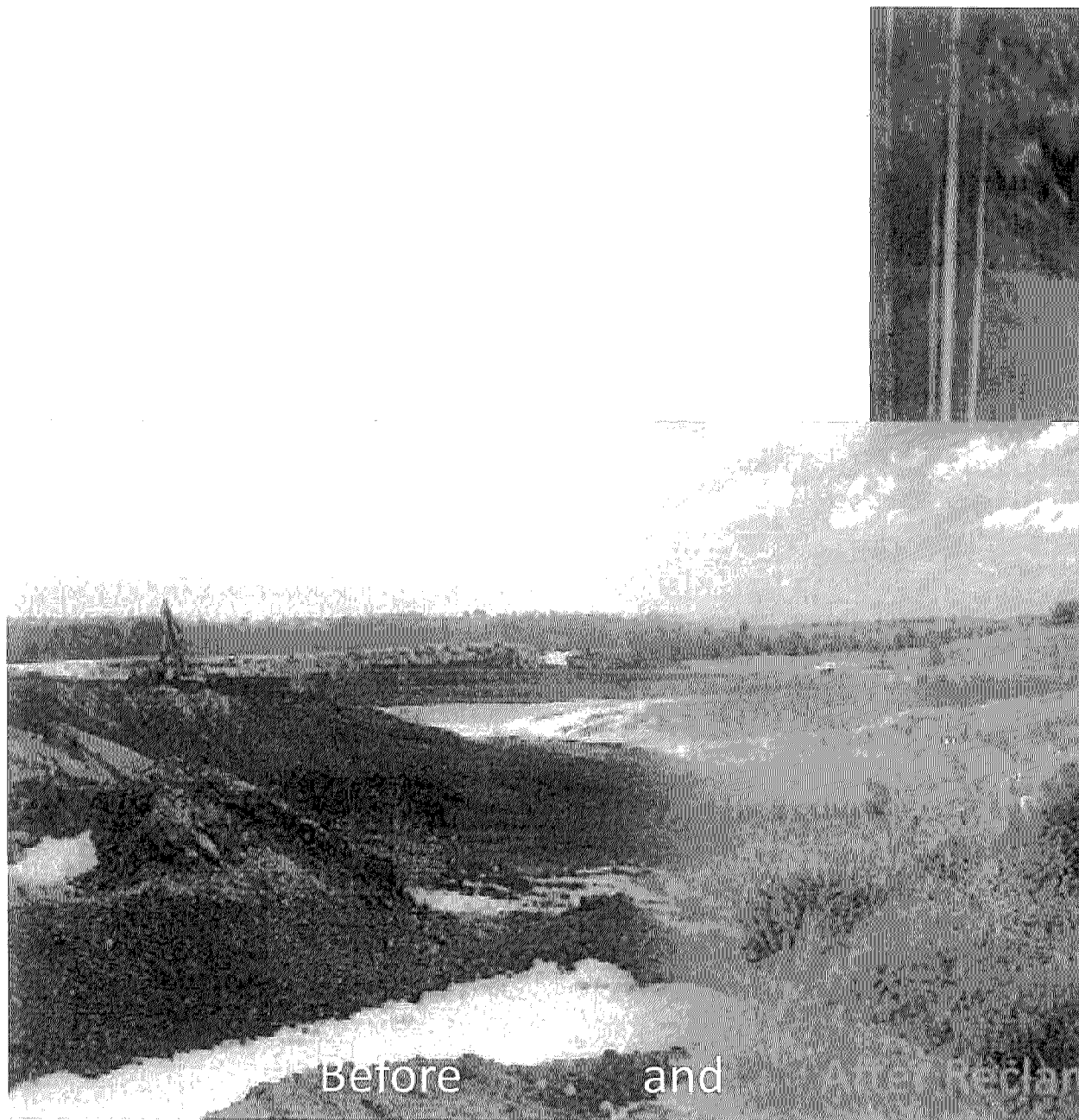


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Site visit to a Rock Quarry

Note: Quarry walls have not been totally sloped



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ENVIRONMENTAL ASSESSMENT WORKSHEET

1. Project title: *Proposed Nonmetallic Aggregate Mine*

2. Proposer

Contact person: *Derek Hawkinson*
Title: *Estimator*
Address: *501 W. County Road 63*
City, State, ZIP: *Grand Rapids, MN 55744*
Phone: *218.326.0309*
Fax: *218.326.0755*
Email: *derek@hawkinsonconstruction.com*

3. RGU

Contact person: *Rob Mattei*
Title: *Director of Community Development*
Address: *420 North Pokegama Avenue*
City, State, ZIP: *Grand Rapids, MN 55744-2662*
Phone: *218.326.7622*
Fax: *218.326.7621*
Email: *rmattei@ci.grand-rapids.mn.us*

4. Reason for EAW Preparation (check one)

Required:

- EIS Scoping
 Mandatory EAW

Discretionary:

- Citizen petition
 RGU discretion
 Proposer initiated

If EAW or EIS is mandatory give EQB rule category subpart number(s) and name(s):

Nonmetallic Mining 4410.4300, Subp. 12B

5. Project Location

County: *Itasca*
City/Township: *Grand Rapids*
PLS Location: *T 55N, R25W, Section 4 (N ½)*
Watershed (81 major watershed scale): *07010103 (Prairie-Willow)*
GPS Coordinates: *47.280, -93.525*
Tax Parcel Numbers: *91-004-1200*
91-004-2100
91-004-2200
91-004-2300
91-004-2400
91-004-1300

At a minimum attach each of the following to the EAW:

- County map showing the general location of the project; (*see Figure 1*)
- U.S. Geological Survey 7.5 minute, 1:24,000 scale map indicating project boundaries (photocopy acceptable) (*See Figure 2*)
- Site plans showing all significant project and natural features. Pre-construction site plan and post-construction site plan (*See Figures 3 and 4*)

6. Project Description

- a. Provide the brief project summary to be published in the *EQB Monitor*, (approximately 50 words).

The proposed project involves development and operation of an open-pit aggregate mine that will extract granite and quartzite from the underlying bedrock. Most rock crushing is planned to be performed at an existing nearby pit but some crushing may be done at the project site. The operational life of the mine is expected to be approximately 50 years.

- b. Give a complete description of the proposed project and related new construction, including infrastructure needs. If the project is an expansion include a description of the existing facility. Emphasize: **1)** construction, operation methods and features that will cause physical manipulation of the environment or will produce wastes, **2)** modifications to existing equipment or industrial processes, **3)** significant demolition, removal or remodeling of existing structures, and **4)** timing and duration of construction activities.

1. *Actions that will cause physical manipulation of the environmental during the life of the project include:*

- *Clearing and grubbing*
- *Topsoil removal and stockpiling*
- *Installation of perimeter silt fence and berms*
- *Site grading/stormwater pond installation*
- *Construction of haul road(s) and turn lanes*
- *Shothole drilling and blasting*
- *Rock crushing*
- *Hauling and/or on-site stockpiling*
- *Dewatering*
- *Site restoration/reclamation*

2. *As there are currently no existing equipment or industrial processes located within the proposed project area, no modifications to such equipment or activities will be performed.*

3. *As there are currently no structures located within the proposed project area, no demolition, removal or remodeling will be performed.*

4. *The project is anticipated to begin in July 2017. Initial Phase I activities (access road construction, wet basin construction and soil berm installation) are anticipated to be completed by September 2018. It is anticipated that aggregate removal will occur over approximately 5 years in Phase 1. The timing of Phases II and III are uncertain, but are generally expected to occur over approximately 50 years.*

c. Project magnitude:

Construction/ Infrastructure Elements	Size
<i>Total Project Acreage</i>	<i>150.8 acres</i>
<i>Linear project length</i>	<i>N/A</i>
<i>Number and type of residential units</i>	<i>None</i>
<i>Commercial building area (in square feet)</i>	<i>0</i>
<i>Industrial building area (in square feet)</i>	<i>0</i>
<i>Institutional building area (in square feet)</i>	<i>0</i>
<i>Other uses – specify (in square feet)</i>	<i>150.5 acres of aggregate mine 0.3 acres of highway turn lane</i>
<i>Structure height(s)</i>	<i>N/A</i>

d. Explain the project purpose; if the project will be carried out by a governmental unit, explain the need for the project and identify its beneficiaries.

The purpose of the project will be to extract rock from the site that will be crushed and washed and used as a construction material for construction sites in the area. Beneficiaries include the project proposers and the recipients of the crushed rock used for construction.

The project will not be carried out by a governmental unit.

e. Are future stages of this development including development on any other property planned or likely to happen?

Yes No

If yes, briefly describe future stages, relationship to present project, timeline and plans for environmental review. *N/A*

f. Is this project a subsequent stage of an earlier project?

Yes No

If yes, briefly describe the past development, timeline and any past environmental review.

N/A

7. Cover types

Estimate the acreage of the site with each of the following cover types before and after development:

<i>Cover Type</i>	<i>Before</i>	<i>After</i>
<i>Wetlands</i>	<i>51.2</i>	<i>17.2</i>
<i>Deep water/streams</i>	<i>0</i>	<i>0</i>
<i>Wooded/forest</i>	<i>17.0</i>	<i>3.2</i>
<i>Brush/Grassland</i>	<i>145.1</i>	<i>38.6</i>
<i>Cropland</i>	<i>0</i>	<i>0</i>
<i>Lawn/landscaping</i>	<i>0</i>	<i>0</i>
<i>Impervious surface</i>	<i>0</i>	<i>1.8</i>
<i>Aggregate mine</i>	<i>0</i>	<i>150.5</i>
<i>Existing borrow pit</i>	<i>10.0</i>	<i>6.0</i>
<i>TOTAL</i>	<i>223.3</i>	<i>223.3</i>

The total acreage above includes areas that will not be disturbed (e.g., setbacks).

8. Permits and approvals required

List all known local, state and federal permits, approvals, certifications and financial assistance for the project. Include modifications of any existing permits, governmental review of plans and all direct and indirect forms of public financial assistance including bond guarantees, Tax Increment Financing and infrastructure. All of these final decisions are prohibited until all appropriate environmental review has been completed. See Minnesota Rules, Chapter 4410.3100.

Unit of Government	Type of Application	Status
<i>MnDOT</i>	<i>Highway Construction Permit</i>	<i>To be submitted</i>
<i>Itasca County</i>	<i>Highway Construction Permit</i>	<i>To be submitted</i>
<i>Itasca County</i>	<i>Driveway Approach Permit</i>	<i>To be submitted</i>
<i>Itasca County Soil and Water Conservation District</i>	<i>Wetland Permit</i>	<i>To be submitted</i>
<i>Minnesota Pollution Control Agency</i>	<i>Construction Stormwater permit</i>	<i>To be submitted</i>
<i>Minnesota Pollution Control Agency</i>	<i>Industrial Stormwater NPDES/SDS</i>	<i>To be submitted</i>
<i>Minnesota Pollution Control Agency</i>	<i>Air Permit</i>	<i>To be determined</i>
<i>Minnesota Department of Natural Resources</i>	<i>Groundwater Appropriation permit (if necessary)</i>	<i>To be submitted</i>
<i>City of Grand Rapids</i>	<i>Conditional Use Permit</i>	<i>To be submitted</i>

9. Land use

a. Describe:

- i. Existing land use of the site as well as areas adjacent to and near the site, including parks, trails, prime or unique farmlands.

The existing land use of the proposed project area is undeveloped, with a cover of wetlands, isolated stands of trees, brush, grasslands, and includes a former soil borrow pit. A map showing land cover obtained from the EPA NEPA Assist website is attached as Figure 5. There are no parks, or farmlands currently on the site. A Grant-In-Aid snowmobile trail running roughly southwest to northeast (see Figure 6) currently runs diagonally through the proposed area.

The existing land uses of the proposed project area are mapped in the City Comprehensive plan as forestry and mining and extractive land uses (Figure 7).

Nearby land uses include scattered residential parcels to the west and northwest, the Lind Greenway Tailings Basin to the north, and generally undeveloped land to the east and south.

- ii. Plans: describe planned land use as identified in comprehensive plan (if available) and any other applicable plan for land use, water, or resources management by a local, regional, state, or federal agency.

The current City of Grand Rapids Comprehensive Plan (July, 2011) shows the area of the proposed project with an area designated for extraction of aggregate resources (see Figure 8). Other City comprehensive plan maps show this area as containing wetlands, steep slopes, and moderately- to highly-constrained for development.

The proposed project area is shown on the future land use map (Figure 9) in the City comprehensive plan as a resource management area, a category that includes private lands managed for mineral extraction.

The Itasca County Comprehensive Plan (June 1, 2013) lists planning goals that support the identification and long-term access to economic mineral deposits (including aggregate).

- iii. Zoning, including special districts or overlays such as shoreland, floodplain, wild and scenic rivers, critical area, agricultural preserves, etc.

The proposed project area is currently zoned I-1 (Industrial Park) and the proposed project area is contained within a designated mining overlay zoning district as shown on the City Comprehensive Plan (Figure 10). Also, the western border of the proposed project area is shown in the City zoning map as a scenic by-way commercial overlay district related to the Highway 38 transportation corridor. No designated shoreland, floodplain, wild and scenic rivers, critical areas or agricultural preserves are identified in City or County zoning maps for the proposed project area.

- b. Discuss the project's compatibility with nearby land uses, zoning, and plans listed in Item 9a above, concentrating on implications for environmental effects.

The proposed land use is consistent with City future land use plans and zoning as well as consistent with Itasca County Comprehensive Plan goals.

Two potential land use conflicts have been identified related to the proposed land use:

- 1. A potential conflict with the residence abutting the western boundary of the project. The potential conflict is primarily related to potential noise, dust and odors that will be generated by aggregate extraction and operations.*
- 2. A potential conflict with the use of the snowmobile trail through the property.*

- c. Identify measures incorporated into the proposed project to mitigate any potential incompatibility as discussed in Item 9b above.

Mitigation measures to avoid or minimize the potential land use conflicts listed above include:

- 1. Potential conflict with nearby residence:*
 - a. Adherence to City setback requirements (250 from residences);*
 - b. Preblast survey of foundations and wells of nearby residences;*
 - c. Timely prenotification of blasting activities; and*
 - d. Strict adherence to site dust control measures.*

- 2. Potential conflict with use of snowmobile trail:*

According to the MN DNR, the snowmobile trail that runs through the site is a Grant-In-Aid Trail and is managed and maintained by a local snowmobile club. The local snowmobile club, the Deer River Bushwackers, will be responsible for acquiring permits and landowner approval for relocation of the trail.

10. Geology, soils and topography/land forms

- a. Geology - Describe the geology underlying the project area and identify and map any susceptible geologic features such as sinkholes, shallow limestone formations, unconfined/shallow aquifers, or karst conditions. Discuss any limitations of these features for the project and any effects the project could have on these features. Identify any project designs or mitigation measures to address effects to geologic features.

The unconsolidated sediment in the vicinity of the proposed project area are sand, gravel, and swampy deposits. The sand and gravel deposits are located in the southwest corner of the project area and consist of surficial outwash and valleytrain deposits that may include ice-contact sand and gravel exposed at the surface. Unconsolidated sediments at the site may also include lacustrine silty sand and Holocene alluvium. The sand and gravel deposits nearby are a source of domestic groundwater supplies where the water table is near the surface and a shallow well point may be driven. Exposed ice-contact sand may furnish much greater supplies. The swampy deposits are located on the central and southeast corner of the project area, consist of peat and organic silt, and are not a source of groundwater.

The primary bedrock unit to be mined is the Pokegama Quartzite, which is hard, thinly bedded, and conglomeratic at the base and are not generally known to be a source of groundwater. Other bedrock units that will be mined include the Neoproterozoic foliated to gneissic tonalite,

granodiorite, and diorite of the Superior Province. The unit includes the Lookout Mountain tonalite (~2,718 Ma) of the Giants Range batholith and other intrusions within batholithic complexes.

The review of the geologic setting of the proposed project area did not reveal the presence of geologic or landform features of concern. A geologic map for the project area is attached as Figure 11.

Sources:

Oakes, E.L., 1970, *Geology and ground-water resources of the Grand Rapids area, north-central Minnesota: U.S. Geological Survey, Hydrologic Investigations Atlas HA-322, scale 1:48,000.*

Jirsa et al., *Bedrock Geology, "Geologic Map of Minnesota Bedrock Geology", State Map Series S-21, Scale 1:500,000, University of Minnesota, Minnesota Geological Survey, 2011.*

- b. Soils and topography - Describe the soils on the site, giving NRCS (SCS) classifications and descriptions, including limitations of soils. Describe topography, any special site conditions relating to erosion potential, soil stability or other soils limitations, such as steep slopes, highly permeable soils. Provide estimated volume and acreage of soil excavation and/or grading. Discuss impacts from project activities (distinguish between construction and operational activities) related to soils and topography. Identify measures during and after project construction to address soil limitations including stabilization, soil corrections or other measures. Erosion/sedimentation control related to stormwater runoff should be addressed in response to Item 11.b.ii.

According to the NRCS, the soil at the proposed project area consists of the following classifications (Figure 12):

<i>Map Unit Symbol</i>	<i>Map Unit Name</i>
72	<i>Shooker very fine sandy loam</i>
268B	<i>Cromwell fine sandy loam, 1 to 10 percent slopes</i>
541	<i>Rifle mucky peat</i>
549	<i>Greenwood peat</i>
618B	<i>Itasca silt loam, 1 to 10 percent slopes</i>
628	<i>Talmoon silt loam</i>
797	<i>Mooselake and Lupton mucky peats</i>
870C	<i>Itasca-Goodland silt loams, 2 to 12 percent slopes</i>

The proposed project area is located at an elevation that ranges from 1,290 feet to 1,330 feet above mean sea level. The site topography slopes downward towards low-lying areas in the center and southeastern corner of the site.

Operational activities will involve nonmetallic quarry mining, with an annual average of material to be removed estimated at 110,000 tons. The estimated quantity to be removed from

the site is 5-10 million tons over a period of 50-100 years depending on local demand. A storm water pollution prevention plan (SWPPP) has been developed for the project that details topsoil removal and stockpiling, as well as erosion control measures. All operations shall conform with the National Pollution Discharge Elimination System (NPDES) General Permit from the state of Minnesota. Soil stabilization after mining will be completed as required in the Construction SWPPP and the City of Grand Rapids Conditional Use Permit.

11. Water resources

- a. Describe surface water and groundwater features on or near the site in a.i. and a.ii. below:
 - i. Surface water – lakes, streams, wetlands, intermittent channels, and county/judicial ditches. Include any special designations such as public waters, trout stream/lake, wildlife lakes, migratory waterfowl feeding/resting lake, and outstanding resource value water. Include water quality impairments or special designations listed on the current MPCA 303d Impaired Waters List that are within 1 mile of the project. Include DNR Public Waters Inventory number(s), if any.

A wooded swamp, a shrub swamp, and a bog are located within the proposed project area. Prairie Lake (331-0384-00) is located within one mile of the project and is identified as an impaired water. This lake has an U.S. Environmental Protection Agency (EPA)-approved Total Daily Maximum Load (TDML) plan for mercury in fish tissue and nutrient/eutrophication biological indicators. These impairments affect aquatic consumption and aquatic recreation. The actual discharge point from this project is estimate at 2.5 miles downstream of Prairie Lake into the Prairie River. Storm water will flow through various wetland types in a southeasterly direction for 2.5 miles to the point at which it discharges into the Prairie River. As a part of the SWPPP development for the project, the Minnesota Pollution Control Agency (MPCA) was contacted for advice on the interpretation of the discharge point in relation to this impaired water. The MPCA contact confirmed that the discharge point 2.5 mile downstream will not affect the water quality of Prairie Lake. No other public waters are within 1 mile of the proposed project area.

- ii. Groundwater – aquifers, springs, seeps. Include: **1)** depth to groundwater; **2)** if project is within a MDH wellhead protection area; **3)** identification of any onsite and/or nearby wells, including unique numbers and well logs if available. If there are no wells known on site or nearby, explain the methodology used to determine this.

1) Based on the presence of wetlands on the Site, the depth to groundwater across the site is expected to be 0-10 feet.

2) The proposed project area is not located within a MDH wellhead protection area.

3) No wells are located on the proposed project area. Three wells are located within 0.25 mile of the proposed project area (Figure 13). All three of these wells are domestic wells located west of the proposed project area beyond Highway 38. Well logs for these wells are attached as Appendix A. The table below provides basic information for the three wells:

<i>Unique No.</i>	<i>Well Name</i>	<i>Depth (ft.)</i>	<i>Aquifer</i>	<i>Listed Use</i>	<i>Date</i>
604082	Ross, Linda	34	Quat. Buried	Domestic	10/09/1997
635013	Johnson, Doran	39	Quat. Buried	Domestic	08/17/1999
793240	Dent, Brian & Carol	57	Not listed	Domestic	06/07/2013

b. Describe effects from project activities on water resources and measures to minimize or mitigate the effects in Item b.i. through Item b.iv. below.

i. Wastewater - For each of the following, describe the sources, quantities and composition of all sanitary, municipal/domestic and industrial wastewater produced or treated at the site.

(1) If the wastewater discharge is to a publicly owned treatment facility, identify any pretreatment measures and the ability of the facility to handle the added water and waste loadings, including any effects on, or required expansion of, municipal wastewater infrastructure.

No wastewater will be generated at the site that will be directly discharged to a publicly owned treatment facility. Portable toilets will be used at the facility for which a contractor will perform removal, transport and off-site sanitary disposal at a permitted sanitary disposal site.

(2) If the wastewater discharge is to a subsurface sewage treatment systems (SSTS), describe the system used, the design flow, and suitability of site conditions for such a system.

No wastewater will be generated at the site that will be discharged to a subsurface sewage treatment system.

(3) If the wastewater discharge is to surface water, identify the wastewater treatment methods and identify discharge points and proposed effluent limitations to mitigate impacts. Discuss any effects to surface or groundwater from wastewater discharges.

No wastewater will be generated at the site that will be discharged to a surface water.

- ii. Stormwater – Describe the quantity and quality of stormwater runoff at the site prior to and post construction. Include the routes and receiving water bodies for runoff from the site (major downstream water bodies as well as the immediate receiving waters). Discuss any environmental effects from stormwater discharges. Describe stormwater pollution prevention plans including temporary and permanent runoff controls and potential BMP site locations to manage or treat stormwater runoff. Identify specific erosion control, sedimentation control or stabilization measures to address soil limitations during and after project construction.

A SWPPP has been prepared and will be implemented. Stormwater runoff flows to the central portion of the site toward a type 7 wooded swamp wetland. Stormwater will continue to flow toward that wetland. A wet basin will be constructed to contain stormwater runoff from Phase 1 areas and allow for solids to settle. All operations must conform with the NPDES General Permit from the State of Minnesota.

- iii. Water appropriation - Describe if the project proposes to appropriate surface or groundwater (including dewatering). Describe the source, quantity, duration, use and purpose of the water use and if a DNR water appropriation permit is required. Describe any well abandonment. If connecting to an existing municipal water supply, identify the wells to be used as a water source and any effects on, or required expansion of, municipal water infrastructure. Discuss environmental effects from water appropriation, including an assessment of the water resources available for appropriation. Identify any measures to avoid, minimize, or mitigate environmental effects from the water appropriation.

Dewatering will be necessary at times during the course of project operations. Waters from dewatering activities will be discharged elsewhere on the project site. If dewatering exceeds one million gallons per year or 10,000 gallons per day, a DNR Water Appropriation Permit will be obtained.

- iv. Surface Waters

- (1) Wetlands - Describe any anticipated physical effects or alterations to wetland features such as draining, filling, permanent inundation, dredging and vegetative removal. Discuss direct and indirect environmental effects from physical modification of wetlands, including the anticipated effects that any proposed wetland alterations may have to the host watershed. Identify measures to avoid (e.g., available alternatives that were considered), minimize, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed, and identify those probable locations.

A map of NWI wetland locations obtained from the U.S. Fish and Wildlife Service online NWI mapper is attached as Figure 14. During the life of the project, all wetlands within the proposed area of disturbance will be subject to conversion. Wetland delineations will be performed at the project site prior to any disturbance. Any wetland disturbance and potential mitigation will be performed in accordance with the Minnesota Wetlands Conservation Act (WCA).

- (2) Other surface waters- Describe any anticipated physical effects or alterations to surface water features (lakes, streams, ponds, intermittent channels, county/judicial ditches) such as draining, filling, permanent inundation, dredging, diking, stream diversion, impoundment, aquatic plant removal and riparian alteration. Discuss direct and indirect environmental effects from physical modification of water features. Identify measures to avoid, minimize, or mitigate environmental effects to surface water features, including in-water Best Management Practices that are proposed to avoid or minimize turbidity/sedimentation while physically altering the water features. Discuss how the project will change the number or type of watercraft on any water body, including current and projected watercraft usage.

Prairie Lake (331-0384-00) is located within one mile of the project and is identified as an impaired water. This lake has an EPA-approved TDML plan for mercury in fish tissue and nutrient/eutrophication biological indicators. These impairments affect aquatic consumption and aquatic recreation. The actual discharge point from this project is estimate at 2.5 miles downstream of Prairie Lake into the Prairie River. Storm water will flow through various wetland types in a southeasterly direction for 2.5 miles to the point at which it discharges into the Prairie River. As a part of the SWPPP development for the project, the MPCA was contacted for advice on the interpretation of the discharge point in relation to this impaired water. The MPCA contact confirmed that the discharge point 2.5 mile downstream will not affect the water quality of Prairie Lake. No other public waters are within 1 mile of the proposed project area.

12. Contamination/Hazardous Materials/Wastes

- a. Pre-project site conditions - Describe existing contamination or potential environmental hazards on or in close proximity to the project site such as soil or ground water contamination, abandoned dumps, closed landfills, existing or abandoned storage tanks, and hazardous liquid or gas pipelines. Discuss any potential environmental effects from pre-project site conditions that would be caused or exacerbated by project construction and operation. Identify measures to avoid, minimize or mitigate adverse effects from existing contamination or potential environmental hazards. Include development of a Contingency Plan or Response Action Plan.

Based on information obtained from the MPCA's "What's in My Neighborhood" (WIMN) website, three sites with environmental permits or registrations are located within 0.5 mile of the project area. None of the three sites were identified as potentially contaminated by the MPCA. Details concerning the sites are provided below:

<i>Site Name</i>	<i>Location</i>	<i>Permit/Activity</i>	<i>Notes</i>
<i>Blandin Paper Co. Tree Nursery</i>	<i>Highway 38 North (0.25 mile south)</i>	<i>Hazardous Waste, Small to Minimal Quantity Generator; Industrial Stormwater Permit</i>	<i>Last reported activity in 1999; Stormwater permit terminated</i>
<i>Trout Demolition Debris Land Disposal</i>	<i>Trout Road & Highway 38 (0.4 mile southeast)</i>	<i>Solid waste landfill</i>	<i>Active permit; last inspected 8/2015</i>
<i>Maveus PBR</i>	<i>41 Peterson Road (0.5 mile south)</i>	<i>Permit by Rule (PBR) solid waste landfill</i>	<i>Inactive</i>

- b. Project related generation/storage of solid wastes - Describe solid wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from solid waste handling, storage and disposal. Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of solid waste including source reduction and recycling.

With the exception of small amounts of household solid waste, no solid wastes will be generated at the site during construction and/or operation of the project. Solid wastes will be disposed of off-site according to applicable regulations.

- c. Project related use/storage of hazardous materials - Describe chemicals/hazardous materials used/stored during construction and/or operation of the project including method of storage. Indicate the number, location and size of any above or below ground tanks to store petroleum or other materials. Discuss potential environmental effects from accidental spill or release of hazardous materials. Identify measures to avoid, minimize or mitigate adverse effects from the use/storage of chemicals/hazardous materials including source reduction and recycling. Include development of a spill prevention plan.

No hazardous materials or petroleum products will be stored on the site during construction and/or operation of the project. Hazardous materials and petroleum products, such as gasoline, lubricants, and solvents, will be brought to the site as needed for fueling and equipment maintenance purposes only and will be used within a designated fueling and maintenance area. The materials (including wastes generated) will be removed from the site once the equipment maintenance task has been completed. The fueling and maintenance area was chosen so that if a spill occurred, pollutants would flow to the containment basin and allow for final cleanup. All required spill kit and containment materials will be on site and will be properly stored.

- d. Project related generation/storage of hazardous wastes - Describe hazardous wastes generated/stored during construction and/or operation of the project. Indicate method of disposal. Discuss potential environmental effects from hazardous waste handling, storage, and disposal.

Identify measures to avoid, minimize or mitigate adverse effects from the generation/storage of hazardous waste including source reduction and recycling.

With the exception of minor quantities of spent automotive fluids generated as a result of maintenance activities, no hazardous wastes will be generated or stored at the site during construction and/or operation of the project. Hazardous waste generated from vehicle/equipment maintenance will be disposed of appropriately off-site.

13. Fish, wildlife, plant communities, and sensitive ecological resources (rare features)

- a. Describe fish and wildlife resources as well as habitats and vegetation on or in near the site.

According to the Minnesota DNR Recreation Compass, the nearest Wildlife Management Areas (WMAs) (Bass Brook WMA and Prairie Lake Deer Yard WMA) are located approximately three miles from the proposed project area. No other specifically designated wildlife areas, including national wildlife refuges, Waterfowl Production Areas (WPAs), or Scientific & Natural Areas (SNAs) are located near the proposed project area. According to the Minnesota Board of Water and Soil Resources (BWSR) Reinvest in Minnesota (RIM) online mapper, no RIM easements are located in the vicinity of the proposed project area.

Predominant land cover within the proposed project area is undeveloped scrub wetlands, wooded/forested areas, and brush/grassland. No lakes or rivers are present on the proposed project area. The project area has previously had most of the timber harvested a number of years ago by the Blandin Paper Company. Areas of regeneration have been ongoing for the last 15 years.

The proposed project area likely provides habitat for a variety of wildlife, including deer, small mammals, song birds and other common birds, reptiles, and amphibians. No substantial fish habitats are known within the project boundaries.

- b. Describe rare features such as state-listed (endangered, threatened or special concern) species, native plant communities, Minnesota County Biological Survey Sites of Biodiversity Significance, and other sensitive ecological resources on or within close proximity to the site. Provide the license agreement number (LA) and/or correspondence number (ERDB) from which the data were obtained and attach the Natural Heritage letter from the DNR. Indicate if any additional habitat or species survey work has been conducted within the site and describe the results.

*Correspondence from the Minnesota DNR in November 2013 (Correspondence #ERDB 20140111) indicates that the DNR's Natural Heritage Information System (NHIS) has no known records for rare features or other significant natural features within the proposed project site. However, the DNR indicated that the Prairie moonwort (*Botrychium campestre*), a state-listed plant of special concern, and the black sandshell (*Ligumia recta*), a state-listed mussel of special concern, have been documented within one mile of the project area. On April 24, 2015, NHIS Review Specialist Samantha Bump indicated that the November 2013 NHIS review was still valid. Copies of the NHIS letter and 2015 update email from the DNR are attached in Appendix B.*

*The U.S. Fish and Wildlife Service (USFWS) indicated in an April 3, 2015 email response (Appendix B) that the USFWS has no known records of federally listed or proposed species and/or designated or proposed critical habitat within the proposed project area; however, Canada lynx (*Lynx canadensis*), gray wolf (*Canis lupis*), and northern long-eared bat (*Myotis septentrionalis*) may occur within Itasca County. The USFWS indicated that suitable summer roosting habitat may be present for the northern long-eared bat, a federal threatened species and recommended that any tree removal at the proposed project site be conducted outside the summer roost period, which is between April and September. However, on January 14, 2016 final rules on the long-eared bat published by the USFWS went into effect that relate project activity restrictions to the presence of known bat hibernaculum or maternity roosting trees and the project location relative to the white-nose syndrome zone. The project site is within the white-nose syndrome area, but there are no known bat hibernaculum or roosting trees known in the township containing the project area (MN DNR/USFWS Townships List, April 1, 2016). Therefore, there are no current project restrictions related to the long-eared bat.*

- c. Discuss how the identified fish, wildlife, plant communities, rare features and ecosystems may be affected by the project. Include a discussion on introduction and spread of invasive species from the project construction and operation. Separately discuss effects to known threatened and endangered species.

The state species of special concern identified by NHIS in the project area vicinity are not likely to occur within the project area. Prairie moonwort is known to occur within the iron range in sediment basins used by iron ore and taconite processing plants. This habitat type does not currently exist on the site, but will be created as a result of project reclamation. Black sandshell occurs within the Prairie River, which is located approximately one mile east of the Site. The discharge flow from this project is estimate at 2.5 miles downstream of Prairie Lake into the Prairie River. Storm water will flow through various wetland types in a southeasterly direction for 2.5 miles to the point at which it discharges into the Prairie River.

The three federally listed species thought to occur within Itasca County may occur within the project area, and the USFWS indicated that northern long-eared bat summer roost habitat may be present. During summer, northern long-eared bats roost singly or in colonies in cavities, underneath bark, crevices, or hollows or both live and dead trees and/or snags.

In general, terrestrial wildlife resources in the proposed project area will be disturbed by the conversion of the area to quarry operations. The wildlife located in these areas will be displaced to areas with similar habitat availability adjacent to the proposed project area. Invasive species could potentially be introduced to the proposed project area through the movement of vehicles on and off-site.

- d. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to fish, wildlife, plant communities, and sensitive ecological resources.

An approximately 70-acre area consisting of dense conifers along the southern property boundary will be preserved. This area is contiguous to adjacent properties with similar land

cover, and will provide habitat to wildlife displaced as a result of project construction and operation.

Best management practices within the SWPPP for the project will prevent untreated stormwater runoff from the project from reaching the Prairie River, thereby avoiding impacts to the black sandshell and other aquatic species. Once quarry operations are completed at the project area and reclamation of the site is completed, a permanent water body will have been created that will provide habitat for waterfowl and aquatic animals and plants.

The construction and operation of the project is not anticipated to increase the spread or introduction of invasive species. Final turf establishment efforts at the project area during construction of the wet basin will utilize native seed mixture MN DOT 310 for ponds and wet areas tall grasses. Perimeter topsoil berms will seeded, fertilized, and mulched, and pine seedlings will be planted on the perimeter berm adjacent to County Road 61 and west of the project entrance. Planting of these areas will likely prevent the establishment of invasive species in the area.

14. Historic properties

Describe any historic structures, archeological sites, and/or traditional cultural properties on or in close proximity to the site. Include: 1) historic designations, 2) known artifact areas, and 3) architectural features. Attach letter received from the State Historic Preservation Office (SHPO). Discuss any anticipated effects to historic properties during project construction and operation. Identify measures that will be taken to avoid, minimize, or mitigate adverse effects to historic properties.

One archaeological site and one historical site were identified within or adjacent to the proposed project area. The archaeological site is designated as site number 21ICbj. According to the SHPO file for Site 21ICbj, the site consists of a foundation built on exposed granite. Based on the UTM coordinates provided by SHPO, this site is located approximately 100 feet southeast of the intersection of County Road 61 and MN Highway 38. This site falls within the 100-foot buffer of the property boundary setback and therefore will not be impacted as a result of the construction or operation of the proposed project.

The historical site is designated as Minnesota Highway 38 (inventory number IC-GRT-023) and has been determined to be eligible to be listed on the National Register of Historic Places (NRHP), but is not currently listed on the NRHP. It is anticipated that a turn lane will be added to northbound Minnesota Highway 38 to allow for access to the property.

Copies of the SHPO correspondence is attached in Appendix C.

15. Visual

Describe any scenic views or vistas on or near the project site. Describe any project related visual effects such as vapor plumes or glare from intense lights. Discuss the potential visual effects from the project. Identify any measures to avoid, minimize, or mitigate visual effects.

Relatively minor changes in elevation and dense tree cover in the surrounding area results in a limited viewshed in the project area vicinity, and no known scenic views or vistas are located in the surrounding area. Setbacks (100 feet from property boundaries and 250 feet from residences) will be maintained, and existing trees within these buffers will minimize visual effects to adjacent residences and passing vehicles. Additionally, eight-foot-tall topsoil berms will be constructed along County Road 61 and the proposed entrance of the site. Pine seedlings will be planted on top of the berms, which will further reduce the view of project operations from passing vehicles and adjacent properties. No visual effects from intense lights or vapor plumes are expected.

16. Air

- a. Stationary source emissions - Describe the type, sources, quantities and compositions of any emissions from stationary sources such as boilers or exhaust stacks. Include any hazardous air pollutants, criteria pollutants, and any greenhouse gases. Discuss effects to air quality including any sensitive receptors, human health or applicable regulatory criteria. Include a discussion of any methods used assess the project's effect on air quality and the results of that assessment. Identify pollution control equipment and other measures that will be taken to avoid, minimize, or mitigate adverse effects from stationary source emissions.

Stationary source emissions will be limited to the rock crusher(s), screens, transfer equipment (e.g., conveyors), associated diesel-fueled engines used to power the equipment, and stockpiles. Emission rates from the crusher, screens, transfer equipment, and stockpiles are primarily limited to particulates. Annual particulate emission totals cannot be reliably estimated as they will vary widely depending on activities at the site during any given year.

Emissions from diesel-fueled equipment include oxides of nitrogen (NO_x), total organic compounds (TOC), carbon monoxide (CO), and particulates, with small amounts of air toxics associated with all internal combustion engines. As stated above, annual emission totals for these compounds cannot be reliably estimated as they will vary widely depending on activities at the site during any given year.

As the location of the facility is within a low population density area, no significant effects to nearby air quality or human health are anticipated. While there are residential receptors immediately west of the project area, currently there are no known sensitive receptors. Air quality standards that will be adhered to by facility operations are set forth in MPCA Rules Chapter 7001-7030.

Mitigation measures to be taken to minimize particulate emissions will be to use water to suppress particulate emissions during crushing, screening and transfer operations, and to apply water to stockpiles that generate fugitive emissions.

- b. Vehicle emissions – Describe the effect of the project's traffic generation on air emissions. Discuss the project's vehicle-related emissions effect on air quality. Identify measures (e.g. traffic operational improvements, diesel idling minimization plan) that will be taken to minimize or mitigate vehicle-related emissions.

Truck traffic at the facility will generate air emissions, but proposed traffic will be highly variable and is not anticipated to create air quality impacts.

- c. Dust and odors – Describe sources, characteristics, duration, quantities, and intensity of dust and odors generated during project construction and operation. (Fugitive dust may be discussed under item 16a). Discuss the effect of dust and odors in the vicinity of the project including nearby sensitive receptors and quality of life. Identify measures that will be taken to minimize or mitigate the effects of dust and odors.

Truck movements within the facility will create dust, and dust preventatives (such as water and/or calcium products) will be utilized as necessary to minimize the amount of dust created. Blasting operations (anticipated approximately 1-2 times per year) will also create dust, but dust associated with this activity will be very infrequent and of very brief duration. Nearby property owners will be notified of blasting activities well in advance of the activity.

Dust mitigation measures will include preparing and implementing a dust control plan.

Odors may be generated from operation of facility equipment engines and truck traffic and possibly from excavation and stockpiling of organic soils.

Odor mitigation measures will include minimizing equipment used on-site, minimize idling, keep engines in good repair, minimize idling truck traffic through scheduling, and covering of organic soils if needed.

17. Noise

Describe sources, characteristics, duration, quantities, and intensity of noise generated during project construction and operation. Discuss the effect of noise in the vicinity of the project including 1) existing noise levels/sources in the area, 2) nearby sensitive receptors, 3) conformance to state noise standards, and 4) quality of life. Identify measures that will be taken to minimize or mitigate the effects of noise.

- (1) Existing sources of noise in the surrounding area is primarily related to road traffic along Minnesota Highway 38 and County Road 61.*
- (2) The nearest receptors are residences located immediately to the west of the project area along State Highway 38. No other noise sensitive receptors, such as parks, schools, or businesses are located in close proximity to the project area.*
- (3) The proposed project will operate in compliance with state noise rules (Minn. R. 7030).*
- (4) There will be periodic noise impacts to nearby residences; however, the measures described below will minimize these impacts to the extent practicable.*

Sources of noise during project construction are expected to include heavy machinery and truck traffic. During operation, drilling and blasting will occur and will be necessary approximately one or two times annually. Crushing and stockpiling of processed material and material hauling will also generate noise during operation.

In order to minimize the effects of noise, equipment will be fitted with standard noise reduction devices, such as mufflers and broad bank back-up alarms. Hours of operation will also be controlled, and operations will be limited to Monday through Saturday 6:00 AM to 7:00 PM. Berm construction and vegetative screening around perimeter areas of the project area will also aid in noise reduction.

18. Transportation

- a. Describe traffic-related aspects of project construction and operation. Include: 1) existing and proposed additional parking spaces, 2) estimated total average daily traffic generated, 3) estimated maximum peak hour traffic generated and time of occurrence, 4) indicate source of trip generation rates used in the estimates, and 5) availability of transit and/or other alternative transportation modes.
 1. *There are no existing parking spaces and no parking spaces are proposed.*
 2. *The estimated average traffic will vary widely. There will be an annual average of 25 truckloads per day, with most days having no truck loads, and other days having a maximum mine operation up to 300 loads per day.*
 3. *It is estimated that approximately 10% of the daily truck traffic would travel to and from the proposed mine in both the AM (7:15-8:15 a.m.) and PM (5:00-6:00 p.m.) peak hours under average and maximum mine operations.*
 4. *Trip generation rates are based upon the experience of the project proposer who has other similar facilities in the area.*
 5. *As the project area is in a relatively unpopulated area, there are no consequential public transit or alternative transportation modes.*
- b. Discuss the effect on traffic congestion on affected roads and describe any traffic improvements necessary. The analysis must discuss the project's impact on the regional transportation system. *If the peak hour traffic generated exceeds 250 vehicles or the total daily trips exceeds 2,500, a traffic impact study must be prepared as part of the EAW.* Use the format and procedures described in the Minnesota Department of Transportation's Access Management Manual, Chapter 5 (*available at: Minnesota Department of Transportation Access Management Resources [/http://www.dot.state.mn.us/accessmanagement/resources.html](http://www.dot.state.mn.us/accessmanagement/resources.html)*) or a similar local guidance.

Based on information from the developer, the site will have an annual average of 25 truckloads per day, with most days having no truck loads, and other days having a maximum mine operation up to 300 loads per day. All traffic traveling to and from the proposed site may be split between a CR 61 access and direct access off of TH 38 but could all potentially use one access or the other depending on the current mine operation. The majority of truck traffic will be traveling to and from the proposed aggregate mine to another nearby mine pit located approximately 2 miles west of the intersection of Peterson Road/TH 38. Truck traffic may also enter the proposed development from other job sites using the TH 38 access from the north or the CR 61 access from the east. For this analysis all truck loads are assumed to travel to and from the nearby mine pit. This allows for analysis with more left turns leaving the site.

The facility will have approximately 4 employees working under normal operating conditions and 10 employees under maximum mine output conditions.

It was assumed that approximately 10% of the daily truck traffic would travel to and from the proposed mine in both the AM and PM peak hours under average and maximum mine operations. Therefore under average operating conditions there are 8 total truck trips in the AM and PM peak hour and 4 employees entering the mine in the AM and 4 exiting in the PM peak. The table below summarizes the trip generation estimates for daily, AM peak hour and PM peak hour demands under average operating conditions.

Trip Generation – Initial Average Operating Conditions

Site	Daily	AM Peak			PM Peak		
	Total	Enter	Exit	Total	Enter	Exit	Total
Employees	8	4	0	4	0	4	4
Trucks	50	4	4	8	4	4	8
Total	58	8	4	12	4	8	12

During maximum output of the site it was assumed that there would also be approximately 10% of the daily truck traffic, or 60 total truck trips in the AM and PM peak hour and 10 employees entering in the AM peak hour and 10 exiting in the PM peak hour. The table below summarizes the trip generation estimates for daily, AM peak hour and PM peak hour demands under maximum mine output conditions.

Trip Generation – Peak Maximum Operating Conditions

Site	Daily	AM Peak			PM Peak		
	Total	Enter	Exit	Total	Enter	Exit	Total
Employees	20	10	0	10	0	10	10
Trucks	600	30	30	60	30	30	60
Total	620	40	30	70	30	40	70

Existing traffic turning movement counts were collected in March/April 2015 during the weekday peak periods at the intersections of TH 38/CR 61 and TH 38/Peterson Road. Due to time restrictions the count at TH 38/Peterson Road was taken on Good Friday and therefore lower traffic volumes were reported. This count was adjusted based on the count taken at TH 38/CR 61 the previous week. The peak hours were found to occur from 7:15 AM – 8:15 AM and 5:00 PM – 6:00 PM. The counts recorded approximately 2% of the traffic to be heavy commercial (truck) traffic. Due to the time of year of these counts, the analysis used MnDOT’s heavy commercial counts in this area of 10%.

TH 38 and CR 61 have a 55 mph speed limit and Peterson Road has a 30 mph speed limit. The two intersections are controlled by stop signs on CR 61 and on Peterson Road.

Although a traffic impact study is not required due to the development generating less than 250 peak hour vehicles and less than less than 2,500 daily trips, traffic operational analysis was conducted to determine potential operational impacts and the need for turn lanes.

Synchro/SimTraffic software was used in the analysis to evaluate the impact of the proposed development site on the study intersections. Analysis was conducted for 2015 existing, 2016 Build and No Build, and 2036 Build and No Build. The No Build scenarios analyzed the intersections of TH 38/CR 61 and TH 38/Peterson Road. In addition to these two intersections the Build scenarios analyzed access only to TH 38 (Mine Access 1) and only to CR 61 (Mine Access 2). For this analysis each site access was analyzed with all proposed truck and employee traffic using one access or the other.

Traffic forecasts for the study area were developed to estimate traffic volumes for Year 2016 and 2036. These forecasts include annual growth in background traffic. Based on MnDOT historical Average Daily Traffic (ADT) volumes an annual growth rate of 1.7% was used to forecast existing traffic volumes.

Synchro/SimTraffic computer software was used to determine the level of service (LOS) reported below for the intersections under the various scenarios.

2015 Existing Conditions

- All intersections operate at a LOS A in both peak hours. The worst movement at any intersection also operates at a LOS A.*

2016 No Build Conditions

- All intersections operate at a LOS A in both peak hours. The worst movement at any intersection also operates at a LOS A.*

2016 Average Mine Operations using CR 61 Access

- All intersections operate at a LOS A in both peak hours. The worst movement at any intersection also operates at a LOS A.*

2016 Maximum Mine Operations using CR 61 Access

- All intersections operate at a LOS A in both peak hours. The worst movement at any intersection also operates at a LOS A.*

2016 Average Mine Operations using TH 38 Access

- All intersections operate at a LOS A in both peak hours. The worst movement at any intersection also operates at a LOS A.*

2016 Maximum Mine Operations using TH 38 Access

- All intersections operate at a LOS A in both peak hours. The worst movement at any intersection operates at a LOS B.*

2036 No Build Conditions

- *All intersections operate at a LOS A in both peak hours. The worst movement at any intersection operates at a LOS A.*

2036 Average Mine Operations using CR 61 Access

- *All intersections operate at a LOS A in both peak hours. The worst movement at any intersection operates at a LOS B.*

2036 Maximum Mine Operations using CR 61 Access

- *All intersections operate at a LOS A in both peak hours. The worst movement at any intersection operates at a LOS B.*

2036 Average Mine Operations using TH 38 Access

- *All intersections operate at a LOS A in both peak hours. The worst movement at any intersection operates at a LOS B.*

2036 Maximum Mine Operations using TH 38 Access

- *All intersections operate at a LOS A in both peak hours. The worst movement at any intersection operates at a LOS B.*

The traffic operational analysis does not indicate any traffic operational problems immediately or 20 years into the future. The maximum average delay per vehicle with a LOS B in 2036 is 12.8 seconds. However, due to the rural location of the development further evaluation was conducted using MnDOT's Access Management Manual to determine if left and right turn lanes are warranted at the two mine accesses. Based on these warrants, which includes the percentage of trucks using the mine accesses, a northbound right turn lane on TH 38 at Mine Access 1 and an eastbound right turn lane on CR 61 at Mine Access 2 are recommended.

Based on the turn lane warrants in MnDOT's Access Management Manual a northbound right turn lane on TH 38 at Mine Access 1 and an eastbound right turn lane on CR 61 at Mine Access 2 are recommended for installation as part of the development.

- c. Identify measures that will be taken to minimize or mitigate project related transportation effects.

The traffic study (Appendix D) concluded that the proposed action will not create unacceptable levels of service. A mitigation measure recommended in the traffic study was to provide a northbound right turn lane at TH 38 & Mine Access 1 and an eastbound right turn lane at CR 61 & Mine Access 2, both of which have been incorporated into the EAW analysis.

19. Cumulative potential effects

Note: Preparers can leave this item blank if cumulative potential effects are addressed under the applicable EAW Items.

- a. Describe the geographic scales and timeframes of the project related environmental effects that could combine with other environmental effects resulting in cumulative potential effects.

Over the anticipated lifespan of the project, there are no predicted project environmental effects that will combine with other predicted environmental effects that will result in negative cumulative effects.

- b. Describe any reasonably foreseeable future projects (for which a basis of expectation has been laid) that may interact with environmental effects of the proposed project within the geographic scales and timeframes identified above.

There are no known future projects in the vicinity of the site that would interact with the environmental effects of the proposed project.

- c. Discuss the nature of the cumulative potential effects and summarize any other available information relevant to determining whether there is potential for significant environmental effects due to these cumulative effects.

There are no known anticipated cumulative potential effects that would create potential for significant environmental effects.

20. Other potential environmental effects

If the project may cause any additional environmental effects not addressed by items 1 to 19, describe the effects here, discuss the how the environment will be affected, and identify measures that will be taken to minimize and mitigate these effects.

No additional impacts from this project are anticipated.

RGU CERTIFICATION

I hereby certify that:

- The information contained in this document is accurate and complete to the best of my knowledge.
- The EAW describes the complete project; there are no other projects, stages or components other than those described in this document, which are related to the project as connected actions or phased actions, as defined at Minnesota Rules, parts 4410.0200, subparts 9c and 60, respectively.
- Copies of this EAW are being sent to the entire EQB distribution list.

Signature

Date

Title

Traffic Impact Analysis

Proposed Aggregate Mine City of Grand Rapids, Minnesota

SEH No. BRAUN 131970 4.00

April 21, 2015



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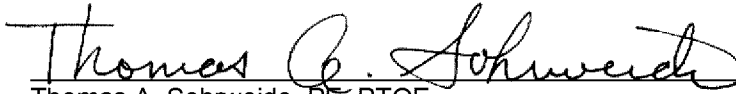
Engineers | Architects | Planners | Scientists

Proposed Aggregate Mine
Traffic Impact Analysis
City of Grand Rapids, Minnesota

SEH No. BRAUN 131970

April 21, 2015


I hereby certify that this report was prepared by me or under my direct supervision,
and that I am a duly Licensed Professional Engineer under the laws of the State of
Minnesota.



Thomas A. Sohrweide, PE, PTOE
Project Manager

Date: April 21, 2015

Lic. No.: 20943

Reviewed By: 

Chad Jorgenson

Date: April 21, 2015

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Certification Page
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Traffic Impact Analysis

Proposed Aggregate Mine

Prepared for Grand Rapids, Minnesota

1.0 Introduction

Hawkinson Construction Company has declared their intent to apply for a Conditional Use Permit for the mining of aggregate materials on approximately 140 acres of land just north of Grand Rapids, MN. The proposed mine is proposed to have two access points, one from Trunk Highway (TH) 38 and another from County Road (CR) 61.

This report provides findings related to a traffic impact analysis performed to evaluate the traffic impacts of a proposed aggregate mine.

The project study area includes the following intersections that are potentially impacted by traffic from this site. These intersections include:

- TH 38 and CR 61
- TH 38 and Peterson Road
- Proposed Aggregate Mine Site Access and TH 38
- Proposed Aggregate Mine Site Access and CR 61

The traffic operations at these intersections are evaluated for the year of opening of the facility (expected to occur in 2016) and twenty years after opening in 2036. Figure 1 in the Appendix depicts the study area.

2.0 Existing Conditions

The existing geometrics and traffic control for the study intersections are as follows:

- TH 38 at County Road 61
 - Stop Control on the eastbound and westbound legs
 - Single lane gravel approach for eastbound vehicles
 - Single lane paved approach for westbound vehicles
 - Northbound and southbound paved single lane approach with bypass lanes
- TH 38 at Peterson Road
 - Stop control on the eastbound and westbound legs
 - Single lane gravel approach for the westbound vehicles
 - Single lane paved approach for the eastbound vehicles
 - Northbound and southbound left and right turn lanes with single thru lane.

TH 38 and CR 61 have a speed limit of 55 mph and Peterson Road has a speed limit of 30 mph.

3.0 Traffic Forecasting

Traffic forecasts for the study area were developed to estimate traffic volumes for Year 2016 and 2036. These forecasts include annual growth in background traffic. Based on MnDOT historical Average Daily Traffic (ADT) volumes an annual growth rate of 1.7% was used to forecast existing traffic volumes. MnDOT Heavy Commercial ADT counts indicate that heavy commercial vehicles comprise of 10% of the roadway traffic.

3.1 Data Collection

Existing traffic turning movement counts were collected during the weekday peak periods at the intersections of TH 38 at CR 61 and TH 38 at Peterson Road. Due to time restrictions the count at TH 38 and Peterson Road was taken on Good Friday and therefore lower traffic volumes were reported. This count was adjusted based on the count taken at TH 38 and CR 61 the previous week. The peak hours were found to occur from 7:15 AM – 8:15 AM and 5:00 PM – 6:00 PM. Figure 2 in the Appendix represents the adjusted and existing peak hour turning movement counts. The counts recorded approximately 2% of the traffic to be heavy commercial (truck) traffic. Due to the time of year of these counts, the analysis will use MnDOT’s heavy commercial counts of 10%.

4.0 Trip Generation and Distribution

Based on information obtained from the developer of the proposed development site, there will be an average of 25 truckloads per day, with most days having no truck loads, and other days having a maximum mine operation up to 300 loads per day. All traffic traveling to and from the proposed site will generally be split between a CR 61 access and direct access off of TH 38 but could all potentially use one access or the other depending on the current mine operation. The majority of truck traffic will be traveling to and from the proposed aggregate mine to another nearby mine pit located approximately 2 miles west of the intersection of Peterson Road & TH 38. Truck traffic may also enter the proposed development from other job sites using the TH 38 access from the north or the CR 61 access from the east. For this analysis all truck loads are assumed to travel to and from the nearby mine pit. This allows for analysis with more left turns leaving the site.

The facility will have approximately 4 employees working under normal operating conditions and 10 employees under maximum mine output conditions.

It was assumed that approximately 10% of the daily truck traffic would travel to and from the proposed mine in both the AM and PM peak hours under average and maximum mine operations. Therefore under average operating conditions there is 8 total truck trips in the AM and PM peak hour and 4 employees entering the mine in the AM and 4 exiting in the PM peak. Table 1 below summarizes the trip generation estimates for daily, AM peak hour and PM peak hour demands under average operating conditions.

Table 1 – Trip Generation – Initial Average Operating Conditions

Site	Daily	AM Peak			PM Peak		
	Total	Enter	Exit	Total	Enter	Exit	Total
Employees	8	4	0	4	0	4	4
Trucks	50	4	4	8	4	4	8
Total	58	8	4	12	4	8	12

During maximum output of the site it was assumed that there would also be approximately 10% of the daily truck traffic, or 60 total truck trips in the AM and PM peak hour and 10 employees entering in the AM peak hour and 10 exiting in the PM peak hour. Table 2 below summarizes the trip generation estimates for daily, AM peak hour and PM peak hour demands under maximum mine output conditions.

Table 2 – Trip Generation – Peak Average Operating Conditions

Site	Daily	AM Peak			PM Peak		
	Total	Enter	Exit	Total	Enter	Exit	Total
Employees	20	10	0	10	0	10	10
Trucks	600	30	30	60	30	30	60
Total	620	40	30	70	30	40	70

5.0 Operational Analysis

Synchro/SimTraffic software was used in the analysis to evaluate the impact of the proposed development site on the study intersections. The analysis scenarios had the truck percentages increased accordingly in Synchro due to the increase from the truck traffic traveling to and from the development site. For this analysis each site access was analyzed with all proposed truck and employee traffic using one access or the other.

- 2015 Existing Conditions
 - The existing volumes modeled can be seen in Figure 2 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 3 below. The worst movement at any intersection also operates at a LOS A and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A1.

Table 3 – 2015 Existing Operations

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	0.9 / A	6.8 / A	0.7 / A
	WB	4.5 / A		2.7 / A	
	NB	0.2 / A		0.3 / A	
	SB	0.5 / A		0.4 / A	
TH 38 @ Peterson Road	EB	4.0 / A	1.6 / A	2.1 / A	0.6 / A
	WB	0.0 / A		0.0 / A	
	NB	0.3 / A		0.4 / A	
	SB	1.8 / A		1.0 / A	

- 2016 No Build Conditions
 - The 2016 No Build volumes modeled can be seen in Figure 3 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 4 below. The worst movement at any intersection also operates at a LOS A and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A2.

Table 4 – 2016 No Build Operations

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	0.9 / A	4.3 / A	0.7 / A
	WB	4.5 / A		3.5 / A	
	NB	0.2 / A		0.3 / A	
	SB	0.5 / A		0.4 / A	
TH 38 @ Peterson Road	EB	4.0 / A	1.6 / A	3.6 / A	0.7 / A
	WB	0.0 / A		0.0 / A	
	NB	0.3 / A		0.4 / A	
	SB	1.8 / A		1.1 / A	

- 2016 Average Mine Operations using CR 61 Access
 - The 2016 average mine operating conditions with all mine traffic using the access on CR 61 can be seen in Figure 4 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 5 below. The worst movement at any intersection also operates at a LOS A and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A3.

Table 5 – 2016 Average Mine Operations using Mine Access 2

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	0.8 / A	7.7 / A	0.9 / A
	WB	4.5 / A		4.0 / A	
	NB	0.1 / A		0.3 / A	
	SB	0.4 / A		0.5 / A	
TH 38 @ Peterson Road	EB	6.3 / A	1.8 / A	6.4 / A	0.9 / A
	WB	0.0 / A		0.0 / A	
	NB	0.4 / A		0.5 / A	
	SB	1.9 / A		1.3 / A	
CR 61 @ Mine Access 2	EB	0.3 / A	0.8 / A	0.4 / A	0.6 / A
	WB	0.1 / A		0.2 / A	
	NB	4.6 / A		4.8 / A	
	SB				

- 2016 Maximum Mine Operations using CR 61 Access
 - The 2016 maximum mine operating conditions with all mine traffic using the access on CR 61 can be seen in Figure 5 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 6 below. The worst movement at any intersection also operates at a LOS A and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A4.

Table 6 – 2016 Maximum Mine Operations using Mine Access 2

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	1.5 / A	6.1 / A	1.4 / A
	WB	6.8 / A		5.4 / A	
	NB	0.1 / A		0.3 / A	
	SB	0.6 / A		0.6 / A	
TH 38 @ Peterson Road	EB	8.3 / A	2.1 / A	8.5 / A	1.4 / A
	WB	0.0 / A		0.0 / A	
	NB	0.6 / A		0.7 / A	
	SB	1.8 / A		1.2 / A	
CR 61 @ Mine Access 2	EB	0.4 / A	1.2 / A	1.0 / A	1.7 / A
	WB	0.3 / A		0.4 / A	
	NB	5.2 / A		5.1 / A	
	SB				

- 2016 Average Mine Operations using TH 38 Access
 - The 2016 average mine operating conditions with all mine traffic using the access on TH 38 can be seen in Figure 6 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 7 below. The worst movement at any intersection also operates at a LOS A and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A5.

Table 7 – 2016 Average Mine Operations using Mine Access 1

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	0.9 / A	5.7 / A	0.7 / A
	WB	4.5 / A		3.2 / A	
	NB	0.1 / A		0.3 / A	
	SB	0.5 / A		0.4 / A	
TH 38 @ Peterson Road	EB	7.7 / A	1.7 / A	6.7 / A	0.8 / A
	WB	0.0 / A		0.0 / A	
	NB	0.4 / A		0.4 / A	
	SB	1.8 / A		1.1 / A	
TH 38 @ Mine Access 1	EB		0.7 / A		0.5 / A
	WB	5.6 / A		7.9 / A	
	NB	0.3 / A		0.4 / A	
	SB	0.7 / A		0.3 / A	

- 2016 Maximum Mine Operations using TH 38 Access
 - The 2016 maximum mine operating conditions with all mine traffic using the access on TH 38 can be seen in Figure 7 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 8 below. The worst movement at any intersection operates at a LOS B and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A6.

Table 8 – 2016 Maximum Mine Operations using Mine Access 1

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	0.9 / A	7.3 / A	0.8 / A
	WB	4.3 / A		3.4 / A	
	NB	0.2 / A		0.3 / A	
	SB	0.5 / A		0.6 / A	
TH 38 @ Peterson Road	EB	8.2 / A	2.3 / A	10.0 / B	1.6 / A
	WB	0.0 / A		0.0 / A	
	NB	0.6 / A		0.7 / A	
	SB	2.1 / A		1.3 / A	
TH 38 @ Mine Access 1	EB		1.4 / A		1.1 / A
	WB	8.6 / A		7.7 / A	
	NB	0.4 / A		0.6 / A	
	SB	1.1 / A		0.5 / A	

- 2036 No Build Conditions
 - The 2036 No Build volumes modeled can be seen in Figure 8 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 9 below. The worst movement at any intersection operates at a LOS A and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A7.

Table 9 – 2036 No Build Operations

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	1.2 / A	7.6 / A	0.9 / A
	WB	6.7 / A		4.1 / A	
	NB	0.2 / A		0.4 / A	
	SB	0.6 / A		0.6 / A	
TH 38 @ Peterson Road	EB	8.0 / A	2.2 / A	3.5 / A	1.0 / A
	WB	0.0 / A		0.0 / A	
	NB	0.5 / A		0.6 / A	
	SB	2.4 / A		1.5 / A	
TH 38 @ Mine Access 1	EB		0.9 / A		0.4 / A
	WB				
	NB	0.3 / A		0.5 / A	
	SB	1.0 / A		0.3 / A	
CR 61 @ Mine Access 2	EB	0.2 / A	0.2 / A	0.5 / A	0.3 / A
	WB	0.2 / A		0.1 / A	
	NB				
	SB				

- 2036 Average Mine Operations using CR 61 Access
 - The 2036 average mine operating conditions with all mine traffic using the access on CR 61 can be seen in Figure 9 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 10 below. The worst movement at any intersection operates at a LOS B and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A8.

Table 10 – 2036 Average Mine Operations using Mine Access 2

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	1.4 / A	5.4 / A	1.3 / A
	WB	6.8 / A		6.5 / A	
	NB	0.1 / A		0.4 / A	
	SB	0.8 / A		0.7 / A	
TH 38 @ Peterson Road	EB	6.8 / A	2.2 / A	8.4 / A	1.1 / A
	WB	0.0 / A		0.0 / A	
	NB	0.5 / A		0.6 / A	
	SB	2.4 / A		1.6 / A	
CR 61 @ Mine Access 2	EB	0.3 / A	0.4 / A	0.4 / A	0.6 / A
	WB	0.2 / A		0.2 / A	
	NB	4.7 / A		4.7 / A	
	SB				

- 2036 Maximum Mine Operations using CR 61 Access
 - The 2036 maximum mine operating conditions with all mine traffic using the access on CR 61 can be seen in Figure 10 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 11 below. The worst movement at any intersection operates at a LOS B and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A9.

Table 11 – 2036 Maximum Mine Operations using Mine Access 2

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	2.2 / A	6.3 / A	1.9 / A
	WB	10.8 / B		9.1 / A	
	NB	0.2 / A		0.4 / A	
	SB	0.8 / A		0.9 / A	
TH 38 @ Peterson Road	EB	10.8 / B	2.5 / A	11.8 / B	1.7 / A
	WB	0.0 / A		0.0 / A	
	NB	0.8 / A		0.9 / A	
	SB	2.3 / A		1.4 / A	
CR 61 @ Mine Access 2	EB	0.8 / A	1.4 / A	0.8 / A	1.7 / A
	WB	0.4 / A		0.4 / A	
	NB	5.6 / A		5.7 / A	
	SB				

- 2036 Average Mine Operations using TH 38 Access
 - The 2036 average mine operating conditions with all mine traffic using the access on MN Highway 38 can be seen in Figure 11 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 12 below. The worst movement at any intersection operates at a LOS B and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A10.

Table 12 – 2036 Average Mine Operations using Mine Access 1

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	1.1 / A	9.6 / A	1.3 / A
	WB	5.7 / A		5.4 / A	
	NB	0.2 / A		0.5 / A	
	SB	0.6 / A		0.8 / A	
TH 38 @ Peterson Road	EB	8.9 / A	2.2 / A	6.8 / A	1.0 / A
	WB	0.0 / A		0.0 / A	
	NB	0.6 / A		0.5 / A	
	SB	2.4 / A		1.6 / A	
TH 38 @ Mine Access 1	EB		0.9 / A		0.6 / A
	WB	10.0 / B		8.1 / A	
	NB	0.3 / A		0.5 / A	
	SB	1.0 / A		0.5 / A	

- 2036 Maximum Mine Operations using TH 38 Access
 - The 2036 maximum mine operating conditions with all mine traffic using the access on MN Highway 38 can be seen in Figure 12 in the Appendix.
 - All intersections operate at a LOS A in both peak hours as shown in Table 13 below. The worst movement at any intersection operates at a LOS B and all maximum queue lengths are contained within the storage lengths available. More detailed results are shown in the attached Table A11.

Table 13 – 2036 Maximum Mine Operations using Mine Access 1

Intersection:	Approach	AM Peak Hour		PM Peak Hour	
		Approach (Delay/LOS)	Intersection (Delay/LOS)	Approach (Delay/LOS)	Approach (Delay/LOS)
TH 38 @ CR 61	EB	0.0 / A	1.4 / A	6.6 / A	1.1 / A
	WB	7.5 / A		5.6 / A	
	NB	0.2 / A		0.4 / A	
	SB	0.7 / A		0.6 / A	
TH 38 @ Peterson Road	EB	10.4 / B	2.7 / A	12.3 / B	1.7 / A
	WB	0.0 / A		0.0 / A	
	NB	0.7 / A		0.8 / A	
	SB	2.6 / A		1.5 / A	
TH 38 @ Mine Access 1	EB		0.9 / A		1.3 / A
	WB	11.9 / B		10.1 / B	
	NB	0.5 / A		0.8 / A	
	SB	1.3 / A		0.6 / A	

6.0 Turn Lane Warrants

MnDOT's Access Management Manual was used to determine if left and right turn lanes are warranted at the two mine accesses. Based on these warrants, which includes the percentage of trucks using the mine accesses, a northbound right turn lane at Mine Access 1 & TH 38 and an eastbound right turn lane at Mine Access 2 & CR 61 should be provided.

Our analysis included all mine traffic traveling to and from the existing mine to the south. Information from the developer indicated that in reality the majority of the truck traffic will travel to and from the existing mine, which indicates some trucks will enter and leave the proposed facility to and from the north. To analyze the need for left turn lanes and to be conservative, under maximum mine output conditions we assumed 40% of the trucks would enter the mine from the north at Mine Access 1 on TH 38 or from the east at Mine Access 2 on CR 61. Assuming 10% of the daily truck traffic enters and leaves in the peak hours, approximately 12 trucks enter the facility. The remaining hours of a 12 hour work day would average less than 10 trucks per hour. The warrant for left turn lanes is not met due to the need for the heavy vehicle volume to exceed 15 or more vehicles per hour for at least 8 hours a day for four or more months per year.

7.0 Recommendations & Conclusion

- The traffic volume demands from the proposed aggregate mine do not create unacceptable operations.
- Based on the turn lane warrants in MnDOT's Access Management Manual a northbound right turn lane at TH 38 & Mine Access 1 and an eastbound right turn lane at CR 61 & Mine Access 2 should be provided.

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**Table A1
Existing Conditions
2015
Grand Rapids, MN**

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	40	13	53	0.0	A	0.2	A	0.0	A	0.2	A	0.9	A	2500			0
		SB	18	291	0	309	0.9	A	0.5	A	0.0	A	0.5	A			1300	2	44	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	33	0	10	43	5.7	A	0.3	A	1.4	A	4.5	A			2856	21	64	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.2	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	31	0	31	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
		WB	0	43	0	43	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	53	0	53	0.0	A	0.3	A	0.0	A	0.3	A	0.6	A	2800			0
		SB	0	324	0	324	0.0	A	0.7	A	0.0	A	0.7	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	9	53	5	67	1.6	A	0.2	A	0.0	A	0.3	A	1.6	A	2000			250
		SB	0	315	8	323	0.0	A	1.8	A	0.9	A	1.8	A			2800			250
		EB	2	0	3	5	4.6	A	0.0	A	3.4	A	4.0	A			3000	3	31	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	222	25	247	0.0	A	0.3	A	0.0	A	0.3	A	0.7	A	2500			0
		SB	21	111	1	133	1.1	A	0.3	A	0.0	A	0.4	A			1300	3	33	0
		EB	0	1	1	2	0.0	A	9.0	A	2.4	A	6.8	A			1200	2	29	0
		WB	28	0	16	44	4.0	A	0.0	A	1.9	A	2.7	A			2856	23	66	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.3	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	47	0	47	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
		WB	0	44	0	44	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	247	0	247	0.0	A	0.3	A	0.0	A	0.3	A	0.3	A	2800			0
		SB	0	140	0	140	0.0	A	0.2	A	0.0	A	0.2	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	8	241	0	249	0.6	A	0.4	A	0.0	A	0.4	A	0.6	A	2000			250
		SB	0	150	0	150	0.0	A	1.0	A	0.0	A	1.0	A			2800			250
		EB	1	0	1	2	2.7	A	0.0	A	1.5	A	2.1	A			3000	3	31	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

**Table A2
No Build Conditions
2016
Grand Rapids, MN**

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	41	14	55	0.0	A	0.2	A	0.0	A	0.2	A	0.9	A	2500			0
		SB	19	297	0	316	0.9	A	0.5	A	0.0	A	0.5	A			1300	2	44	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	34	0	11	45	5.7	A	0.3	A	1.4	A	4.5	A			2856	21	64	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.2	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	32	0	32	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
		WB	0	44	0	44	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	54	0	54	0.0	A	0.3	A	0.0	A	0.3	A	0.6	A	2800			0
		SB	0	330	0	330	0.0	A	0.7	A	0.0	A	0.7	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	10	54	6	70	1.6	A	0.2	A	0.0	A	0.3	A	1.6	A	2000			250
		SB	0	321	9	330	0.0	A	1.8	A	0.9	A	1.8	A			2800			250
		EB	3	0	4	7	4.6	A	0.0	A	3.4	A	4.0	A			3000	3	31	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	226	26	252	0.0	A	0.3	A	0.0	A	0.3	A	0.7	A	2500			0
		SB	22	113	2	137	1.2	A	0.3	A	0.0	A	0.4	A			1300	5	33	0
		EB	0	2	2	4	0.0	A	5.7	A	3.6	A	4.3	A			1200	3	30	0
		WB	29	0	17	46	5.0	A	0.0	A	2.0	A	3.5	A			2856	23	67	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.3	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	48	0	48	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
		WB	0	45	0	45	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	252	0	252	0.0	A	0.4	A	0.0	A	0.4	A	0.4	A	2800			0
		SB	0	143	0	143	0.0	A	0.3	A	0.0	A	0.3	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	9	246	0	255	0.6	A	0.4	A	0.0	A	0.4	A	0.7	A	2000			250
		SB	0	153	0	153	0.0	A	1.1	A	0.0	A	1.1	A			2800			250
		EB	2	0	2	4	4.2	A	0.0	A	3.3	A	3.6	A			3000	3	31	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

Table A3
Average Mine Operations using CR 61 Access
2016
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	41	22	63	0.0	A	0.2	A	0.0	A	0.1	A	0.8	A	2500			0
		SB	19	297	0	316	0.4	A	0.4	A	0.0	A	0.4	A			1300		13	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	38	0	11	49	5.9	A	0.3	A	1.8	A	4.5	A			2856	28	77	0
	County Road 61 at Mine Access 2	NB	4	0	0	4	4.6	A	0.0	A	0.0	A	4.6	A	0.4	A	500	4	31	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	32	8	40	0.0	A	0.3	A	0.1	A	0.3	A			3000			0
		WB	0	44	0	44	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	62	0	62	0.0	A	0.3	A	0.0	A	0.3	A	0.7	A	2800			0
		SB	0	334	0	334	0.0	A	0.8	A	0.0	A	0.8	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	10	58	6	74	2.0	A	0.2	A	0.0	A	0.4	A	1.8	A	2000			250
		SB	0	321	13	334	0.0	A	1.9	A	0.7	A	1.9	A			2800			250
		EB	7	0	4	11	6.8	A	0.0	A	4.8	A	6.3	A			3000	10	59	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	226	30	256	0.0	A	0.3	A	0.0	A	0.3	A	0.9	A	2500			0
		SB	22	113	2	137	1.1	A	0.4	A	0.0	A	0.5	A			1300	3	35	0
		EB	0	2	2	4	0.0	A	11.0	B	4.3	A	7.7	A			1200	4	46	0
		WB	37	0	17	54	5.1	A	0.3	A	2.7	A	4.0	A			2856	28	76	0
	County Road 61 at Mine Access 2	NB	8	0	0	8	4.8	A	0.0	A	0.0	A	4.8	A	0.6	A	500	11	66	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	48	4	52	0.0	A	0.4	A	0.3	A	0.4	A			3000			0
		WB	0	45	0	45	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	256	0	256	0.0	A	0.4	A	0.0	A	0.4	A	0.4	A	2800			0
		SB	0	151	0	151	0.0	A	0.3	A	0.0	A	0.3	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	9	246	0	255	0.8	A	0.5	A	0.0	A	0.5	A	0.9	A	2000			250
		SB	0	157	4	161	0.0	A	1.3	A	0.1	A	1.3	A			2800			250
		EB	6	0	2	8	7.8	A	0.0	A	3.7	A	6.4	A			3000	10	59	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

Table A4
Maximum Mine Operations using CR 61 Access
2016
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	41	54	95	0.0	A	0.2	A	0.1	A	0.1	A	1.5	A	2500			0
		SB	19	297	0	316	0.7	A	0.6	A	0.0	A	0.6	A			1300	1	24	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	64	0	11	75	8.3	A	1.9	A	2.3	A	6.8	A			2856	42	116	0
	County Road 61 at Mine Access 2	NB	30	0	0	30	5.2	A	0.0	A	0.0	A	5.2	A	1.2	A	500	36	87	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	32	40	72	0.0	A	0.3	A	0.5	A	0.4	A			3000			0
		WB	0	44	0	44	0.0	A	0.3	A	0.0	A	0.3	A			3000			0
	TH 38 at Mine Access 1	NB	0	94	0	94	0.0	A	0.3	A	0.0	A	0.3	A	0.7	A	2800			0
		SB	0	360	0	360	0.0	A	0.8	A	0.0	A	0.8	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	10	64	16	90	2.4	A	0.4	A	0.1	A	0.6	A	2.1	A	2000			250
		SB	0	321	39	360	0.0	A	1.9	A	0.9	A	1.8	A			2800			250
		EB	33	0	4	37	8.9	A	0.0	A	3.6	A	8.3	A			3000	36	106	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	226	56	282	0.0	A	0.4	A	0.1	A	0.3	A	1.4	A	2500			0
		SB	22	113	2	137	1.3	A	0.5	A	0.0	A	0.6	A			1300	3	28	0
		EB	0	2	2	4	0.0	A	7.9	A	3.3	A	6.1	A			1200	5	48	0
		WB	69	0	17	86	6.9	A	2.2	A	2.6	A	5.4	A			2856	33	91	0
	County Road 61 at Mine Access 2	NB	40	0	0	40	5.1	A	0.0	A	0.0	A	5.1	A	1.7	A	500	34	96	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	48	30	78	0.0	A	1.3	A	0.5	A	1.0	A			3000			0
		WB	0	45	0	45	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
	TH 38 at Mine Access 1	NB	0	282	0	282	0.0	A	0.3	A	0.0	A	0.3	A	0.3	A	2800			0
		SB	0	183	0	183	0.0	A	0.3	A	0.0	A	0.3	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	9	246	0	255	1.6	A	0.7	A	0.0	A	0.7	A	1.4	A	2000			250
		SB	0	163	30	193	0.0	A	1.3	A	0.5	A	1.2	A			2800			250
		EB	32	0	2	34	8.8	A	0.0	A	3.4	A	8.5	A			3000	36	106	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

Table A5
Average Mine Operations using TH 38 Access
2016
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	41	14	55	0.0	A	0.1	A	0.0	A	0.1	A	0.9	A	2500			0
		SB	19	297	0	316	0.6	A	0.5	A	0.0	A	0.5	A			1300	1	13	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	34	0	11	45	5.5	A	0.0	A	1.5	A	4.5	A			2856	23	62	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.2	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	32	0	32	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
		WB	0	44	0	44	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	54	8	62	0.0	A	0.3	A	0.0	A	0.3	A	0.7	A	2800			0
		SB	0	330	0	330	0.0	A	0.7	A	0.0	A	0.7	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	4	0	0	4	5.6	A	0.0	A	0.0	A	5.6	A			500	4	31	0
	TH 38 at Pederson Road	NB	10	58	6	74	2.4	A	0.2	A	0.0	A	0.4	A	1.7	A	2000			250
		SB	0	321	13	334	0.0	A	1.8	A	0.9	A	1.8	A			2800			250
		EB	7	0	4	11	9.0	A	0.0	A	2.7	A	7.7	A			3000	10	69	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	226	26	252	0.0	A	0.3	A	0.0	A	0.3	A	0.7	A	2500			0
		SB	22	113	2	137	1.1	A	0.3	A	0.0	A	0.4	A			1300	4	35	0
		EB	0	2	2	4	0.0	A	7.2	A	2.7	A	5.7	A			1200	3	43	0
		WB	29	0	17	46	4.4	A	0.1	A	2.2	A	3.2	A			2856	24	72	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.3	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	48	0	48	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
		WB	0	45	0	45	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	252	4	256	0.0	A	0.4	A	0.0	A	0.4	A	0.5	A	2800			0
		SB	0	143	0	143	0.0	A	0.3	A	0.0	A	0.3	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	8	0	0	8	7.9	A	0.0	A	0.0	A	7.9	A			500	4	31	0
	TH 38 at Pederson Road	NB	9	246	0	255	0.9	A	0.4	A	0.0	A	0.4	A	0.8	A	2000			250
		SB	0	157	4	161	0.0	A	1.1	A	0.3	A	1.1	A			2800			250
		EB	6	0	2	8	9.4	A	0.0	A	2.2	A	6.7	A			3000	10	69	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

Table A6
Maximum Mine Operations using TH 38 Access
2016
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	41	14	55	0.0	A	0.2	A	0.0	A	0.2	A	0.9	A	2500			0
		SB	19	297	0	316	0.6	A	0.5	A	0.0	A	0.5	A			1300		8	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	34	0	11	45	5.6	A	0.0	A	1.3	A	4.3	A			2856	25	65	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.1	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	32	0	32	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
		WB	0	44	0	44	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	54	40	94	0.0	A	0.6	A	0.1	A	0.4	A	1.4	A	2800			0
		SB	0	330	0	330	0.0	A	1.1	A	0.0	A	1.1	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	30	0	0	30	8.6	A	0.0	A	0.0	A	8.6	A			500	38	99	0
	TH 38 at Pederson Road	NB	10	64	16	90	2.1	A	0.5	A	0.0	A	0.6	A	2.3	A	2000			250
		SB	0	321	39	360	0.0	A	2.2	A	1.1	A	2.1	A			2800			250
		EB	33	0	4	37	8.4	A	0.0	A	6.3	A	8.2	A			3000	33	84	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	226	26	252	0.0	A	0.3	A	0.0	A	0.3	A	0.8	A	2500			0
		SB	22	113	2	137	1.5	A	0.4	A	0.0	A	0.6	A			1300	5	48	0
		EB	0	2	2	4	0.0	A	10.5	B	4.1	A	7.3	A			1200	3	28	0
		WB	29	0	17	46	4.6	A	0.0	A	2.0	A	3.4	A			2856	25	74	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.3	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	48	0	48	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
		WB	0	45	0	45	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	252	30	282	0.0	A	0.7	A	0.0	A	0.6	A	1.1	A	2800			0
		SB	0	143	0	143	0.0	A	0.5	A	0.0	A	0.5	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	40	0	0	40	7.7	A	0.0	A	0.0	A	7.7	A			500	38	99	0
	TH 38 at Pederson Road	NB	9	246	0	255	1.5	A	0.7	A	0.0	A	0.7	A	1.6	A	2000			250
		SB	0	163	30	193	0.0	A	1.4	A	0.8	A	1.3	A			2800			250
		EB	32	0	2	34	10.3	B	0.0	A	4.1	A	10.0	B			3000	33	84	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

**Table A7
No Build Conditions
2036
Grand Rapids, MN**

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	58	19	77	0.0	A	0.2	A	0.0	A	0.2	A	1.2	A	2500			0
		SB	26	418	0	444	0.6	A	0.6	A	0.0	A	0.6	A			1300	1	17	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	48	0	15	63	8.7	A	0.0	A	2.0	A	6.7	A			2856	31	88	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.2	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	45	0	45	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
		WB	0	62	0	62	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	76	0	76	0.0	A	0.3	A	0.0	A	0.3	A	0.9	A	2800			0
		SB	0	465	0	465	0.0	A	1.0	A	0.0	A	1.0	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	13	76	8	97	2.1	A	0.2	A	0.1	A	0.5	A	2.2	A	2000			250
		SB	0	452	12	464	0.0	A	2.4	A	0.8	A	2.4	A			2800			250
		EB	3	0	5	8	7.4	A	0.0	A	8.4	A	8.0	A			3000	6	49	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	319	36	355	0.0	A	0.4	A	0.0	A	0.4	A	0.9	A	2500			0
		SB	31	160	2	193	1.5	A	0.5	A	0.0	A	0.6	A			1300	8	60	0
		EB	0	2	2	4	0.0	A	10.0	B	2.9	A	7.6	A			1200	3	43	0
		WB	41	0	23	64	5.8	A	0.0	A	2.3	A	4.1	A			2856	26	70	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.3	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	68	0	68	0.0	A	0.5	A	0.0	A	0.5	A			3000			0
		WB	0	64	0	64	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	355	0	355	0.0	A	0.5	A	0.0	A	0.5	A	0.4	A	2800			0
		SB	0	201	0	201	0.0	A	0.3	A	0.0	A	0.3	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	12	346	0	358	1.1	A	0.6	A	0.0	A	0.6	A	1.0	A	2000			250
		SB	0	215	0	215	0.0	A	1.5	A	0.0	A	1.5	A			2800			250
		EB	2	0	2	4	2.0	A	0.0	A	4.2	A	3.5	A			3000	6	49	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

Table A8
Average Mine Operations using CR 61 Access
2036
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	58	27	85	0.0	A	0.2	A	0.0	A	0.1	A	1.4	A	2500			0
		SB	26	418	0	444	0.7	A	0.8	A	0.0	A	0.8	A			1300	3	29	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	52	0	15	67	8.5	A	0.2	A	3.3	A	6.8	A			2856	35	95	0
	County Road 61 at Mine Access 2	NB	4	0	0	4	4.7	A	0.0	A	0.0	A	4.7	A	0.4	A	500	4	31	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	45	8	53	0.0	A	0.3	A	0.1	A	0.3	A			3000			0
		WB	0	62	0	62	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	84	0	84	0.0	A	0.3	A	0.0	A	0.3	A	0.9	A	2800			0
		SB	0	469	0	469	0.0	A	1.0	A	0.0	A	1.0	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	13	80	8	101	2.3	A	0.3	A	0.1	A	0.5	A	2.2	A	2000			250
		SB	0	452	16	468	0.0	A	2.4	A	1.2	A	2.4	A			2800			250
		EB	7	0	5	12	11.7	B	0.0	A	2.8	A	6.8	A			3000	8	54	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	319	40	359	0.0	A	0.4	A	0.0	A	0.4	A	1.3	A	2500			0
		SB	31	160	2	193	1.8	A	0.5	A	0.0	A	0.7	A			1300	8	42	0
		EB	0	2	2	4	0.0	A	9.5	A	2.7	A	5.4	A			1200	5	39	0
		WB	49	0	23	72	8.3	A	0.4	A	3.8	A	6.5	A			2856	34	84	0
	County Road 61 at Mine Access 2	NB	8	0	0	8	4.7	A	0.0	A	0.0	A	4.7	A	0.6	A	500	11	67	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	68	4	72	0.0	A	0.4	A	0.9	A	0.4	A			3000			0
		WB	0	64	0	64	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	359	0	359	0.0	A	0.4	A	0.0	A	0.4	A	0.4	A	2800			0
		SB	0	209	0	209	0.0	A	0.5	A	0.0	A	0.5	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	12	346	0	358	1.3	A	0.6	A	0.0	A	0.6	A	1.1	A	2000			250
		SB	0	219	4	223	0.0	A	1.6	A	0.2	A	1.6	A			2800			250
		EB	6	0	2	8	10.5	B	0.0	A	3.0	A	8.4	A			3000	8	54	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

Table A9
Maximum Mine Operations using CR 61 Access
2036
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	58	59	117	0.0	A	0.3	A	0.1	A	0.2	A	2.2	A	2500			0
		SB	26	418	0	444	1.0	A	0.8	A	0.0	A	0.8	A			1300	2	33	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	78	0	15	93	12.7	B	1.6	A	4.9	A	10.8	B			2856	52	133	0
	County Road 61 at Mine Access 2	NB	30	0	0	30	5.6	A	0.0	A	0.0	A	5.6	A	1.4	A	500	37	90	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	45	40	85	0.0	A	1.3	A	0.2	A	0.8	A			3000			0
		WB	0	62	0	62	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
	TH 38 at Mine Access 1	NB	0	116	0	116	0.0	A	0.3	A	0.0	A	0.3	A	0.9	A	2800			0
		SB	0	495	0	495	0.0	A	1.1	A	0.0	A	1.1	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	13	86	8	107	3.3	A	0.6	A	0.1	A	0.8	A	2.5	A	2000			250
		SB	0	452	42	494	0.0	A	2.4	A	0.8	A	2.3	A			2800			250
		EB	33	0	5	38	11.1	B	0.0	A	8.8	A	10.8	B			3000	37	97	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	319	66	385	0.0	A	0.5	A	0.0	A	0.4	A	1.9	A	2500			0
		SB	31	160	2	193	1.8	A	0.7	A	0.0	A	0.9	A			1300	8	56	0
		EB	0	2	2	4	0.0	A	9.7	A	2.9	A	6.3	A			1200	4	35	0
		WB	81	0	23	104	10.5	B	0.6	A	4.9	A	9.1	A			2856	49	125	0
	County Road 61 at Mine Access 2	NB	40	0	0	40	5.7	A	0.0	A	0.0	A	5.7	A	1.7	A	500	40	101	0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	68	30	98	0.0	A	1.0	A	0.2	A	0.8	A			3000			0
		WB	0	64	0	64	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
	TH 38 at Mine Access 1	NB	0	385	0	385	0.0	A	0.4	A	0.0	A	0.4	A	0.4	A	2800			0
		SB	0	241	0	241	0.0	A	0.5	A	0.0	A	0.5	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			500			0
	TH 38 at Pederson Road	NB	12	346	0	358	1.9	A	0.9	A	0.0	A	0.9	A	1.7	A	2000			250
		SB	0	225	30	255	0.0	A	1.5	A	0.4	A	1.4	A			2800			250
		EB	32	0	2	34	12.4	B	0.0	A	2.4	A	11.8	B			3000	37	97	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

Table A10
Average Mine Operations using TH 38 Access
2036
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	58	19	77	0.0	A	0.2	A	0.0	A	0.2	A	1.1	A	2500			0
		SB	26	418	0	444	0.5	A	0.6	A	0.0	A	0.6	A			1300		10	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	48	0	15	63	7.2	A	0.1	A	1.7	A	5.7	A			2856	27	71	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.1	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	45	0	45	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
		WB	0	62	0	62	0.0	A	0.1	A	0.0	A	0.1	A			3000			0
	TH 38 at Mine Access 1	NB	0	76	8	84	0.0	A	0.3	A	0.0	A	0.3	A	0.9	A	2800			0
		SB	0	465	0	465	0.0	A	1.0	A	0.0	A	1.0	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	4	0	0	4	10.0	B	0.0	A	0.0	A	10.0	B			500	7	76	0
	TH 38 at Pederson Road	NB	13	80	8	101	3.2	A	0.3	A	0.0	A	0.6	A	2.2	A	2000			250
		SB	0	452	16	468	0.0	A	2.4	A	1.0	A	2.4	A			2800			250
		EB	7	0	5	12	11.3	B	0.0	A	6.4	A	8.9	A			3000	11	67	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	319	36	355	0.0	A	0.5	A	0.0	A	0.5	A	1.3	A	2500			0
		SB	31	160	2	193	2.1	A	0.6	A	0.0	A	0.8	A			1300	8	53	0
		EB	0	2	2	4	0.0	A	12.8	B	3.2	A	9.6	A			1200	3	41	0
		WB	41	0	23	64	7.4	A	0.2	A	3.1	A	5.4	A			2856	32	81	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.3	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	68	0	68	0.0	A	0.4	A	0.0	A	0.4	A			3000			0
		WB	0	64	0	64	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	355	4	359	0.0	A	0.5	A	0.0	A	0.5	A	0.6	A	2800			0
		SB	0	201	0	201	0.0	A	0.5	A	0.0	A	0.5	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	8	0	0	8	8.1	A	0.0	A	0.0	A	8.1	A			500	7	76	0
	TH 38 at Pederson Road	NB	12	346	0	358	1.6	A	0.5	A	0.0	A	0.5	A	1.0	A	2000			250
		SB	0	219	4	223	0.0	A	1.6	A	0.7	A	1.6	A			2800			250
		EB	6	0	2	8	8.7	A	0.0	A	2.2	A	6.8	A			3000	11	67	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

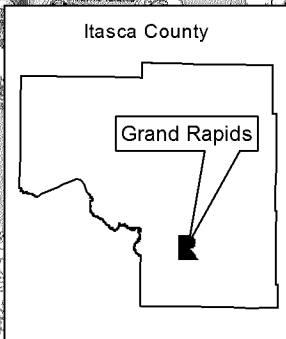
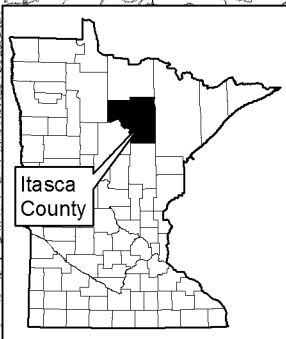
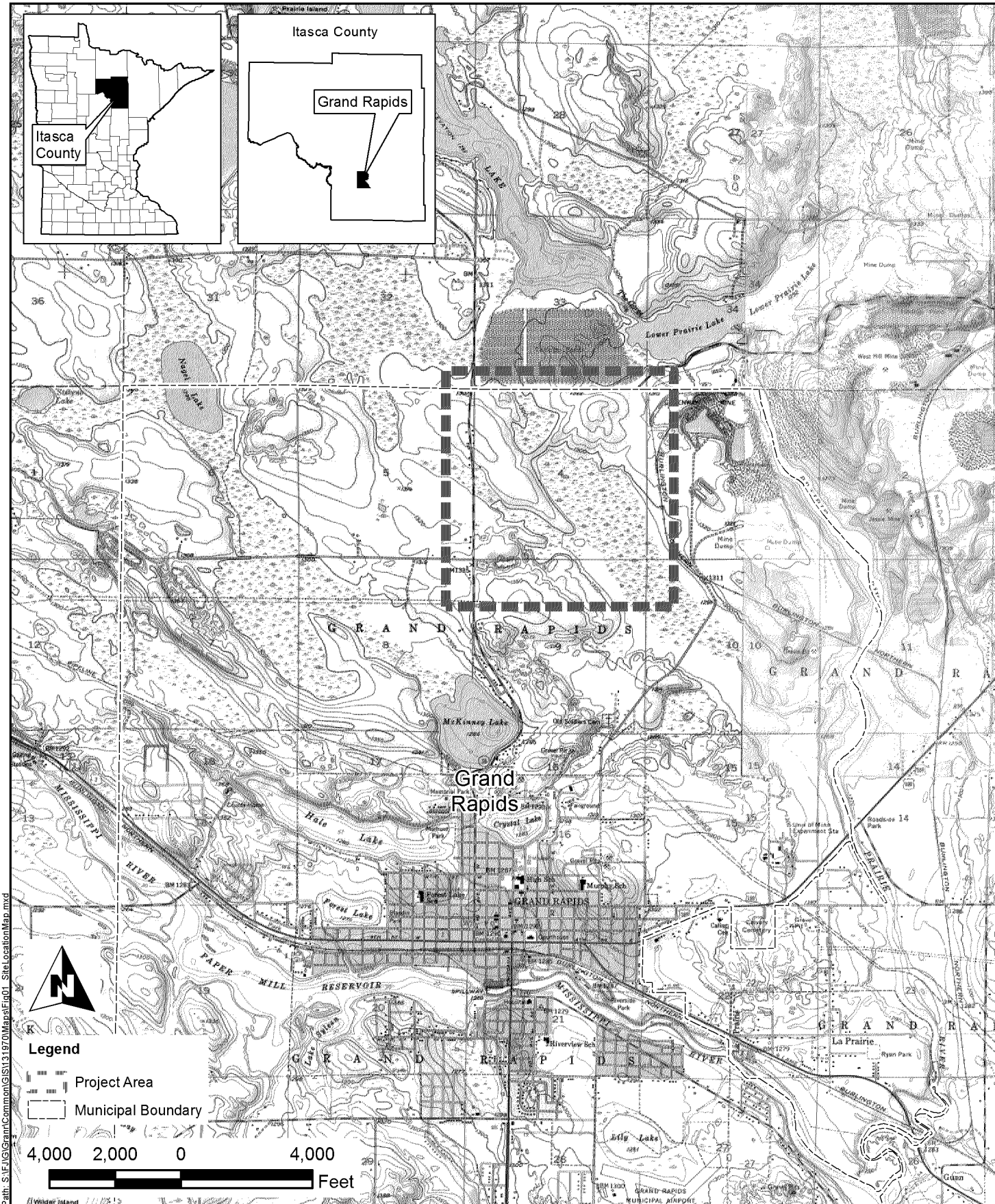
Table A11
Maximum Mine Operations using TH 38 Access
2036
Grand Rapids, MN

Intersection	Approach	Demand Volumes				Delay (s/veh)						LOS By Approach		LOS By Intersection		Through				Queue
		L	T	R	Total	L	LOS	T	LOS	R	LOS	Delay (S/Veh)	LOS	Delay (S/Veh)	LOS	Link Length	Avg.	Max	Storage	
AM Peak Hour	TH 38 at County Road 61	NB	0	58	19	77	0.0	A	0.2	A	0.1	A	0.2	A	1.4	A	2500			0
		SB	26	418	0	444	0.5	A	0.7	A	0.0	A	0.7	A			1300	1	33	0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1200			0
		WB	48	0	15	63	9.7	A	0.1	A	1.8	A	7.5	A			2856	29	100	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.2	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	45	0	45	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
		WB	0	62	0	62	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	76	40	116	0.0	A	0.7	A	0.1	A	0.5	A	1.6	A	2800			0
		SB	0	465	0	465	0.0	A	1.3	A	0.0	A	1.3	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	30	0	0	30	11.9	B	0.0	A	0.0	A	11.9	B			500	43	131	0
	TH 38 at Pederson Road	NB	13	86	8	107	3.6	A	0.4	A	0.1	A	0.7	A	2.7	A	2000			250
		SB	0	452	42	494	0.0	A	2.7	A	1.2	A	2.6	A			2800			250
		EB	33	0	5	38	11.0	B	0.0	A	7.2	A	10.4	B			3000	38	103	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0
PM Peak Hour	TH 38 at County Road 61	NB	0	319	36	355	0.0	A	0.4	A	0.0	A	0.4	A	1.1	A	2500		6	0
		SB	31	160	2	193	1.5	A	0.5	A	0.0	A	0.6	A			1300	6	42	0
		EB	0	2	2	4	0.0	A	10.5	B	2.7	A	6.6	A			1200	4	50	0
		WB	41	0	23	64	7.6	A	0.2	A	3.3	A	5.6	A			2856	32	77	0
	County Road 61 at Mine Access 2	NB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A	0.4	A	500			0
		SB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		EB	0	68	0	68	0.0	A	0.5	A	0.0	A	0.5	A			3000			0
		WB	0	64	0	64	0.0	A	0.2	A	0.0	A	0.2	A			3000			0
	TH 38 at Mine Access 1	NB	0	355	30	385	0.0	A	0.9	A	0.0	A	0.8	A	1.3	A	2800			0
		SB	0	201	0	201	0.0	A	0.6	A	0.0	A	0.6	A			2500			0
		EB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			0			0
		WB	40	0	0	40	10.1	B	0.0	A	0.0	A	10.1	B			500	43	131	0
	TH 38 at Pederson Road	NB	12	346	0	358	1.6	A	0.8	A	0.0	A	0.8	A	1.7	A	2000			250
		SB	0	225	30	255	0.0	A	1.6	A	0.5	A	1.5	A			2800			250
		EB	32	0	2	34	12.8	B	0.0	A	3.1	A	12.3	B			3000	38	103	0
		WB	0	0	0	0	0.0	A	0.0	A	0.0	A	0.0	A			1300			0

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List of Figures

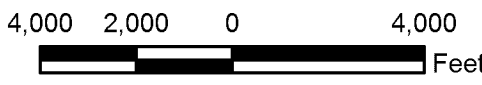
- Figure 1 – Site Location Map
- Figure 2 – 2015 Existing Counts
- Figure 3 – 2016 Background Growth
- Figure 4 – 2016 Normal Mine Operation
- Figure 5 – 2016 Maximum Mine Operations
- Figure 6 – 2016 Normal TH 38
- Figure 7 – 2016 Maximum TH 38
- Figure 8 – 2036 Background growth
- Figure 9 – 2036 Normal CR62
- Figure 10 – 2036 Maximum CR61
- Figure 11 – 2036 Normal TH 38
- Figure 12 – 2036 Maximum TH 38



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- Legend**
- Project Area
 - Municipal Boundary



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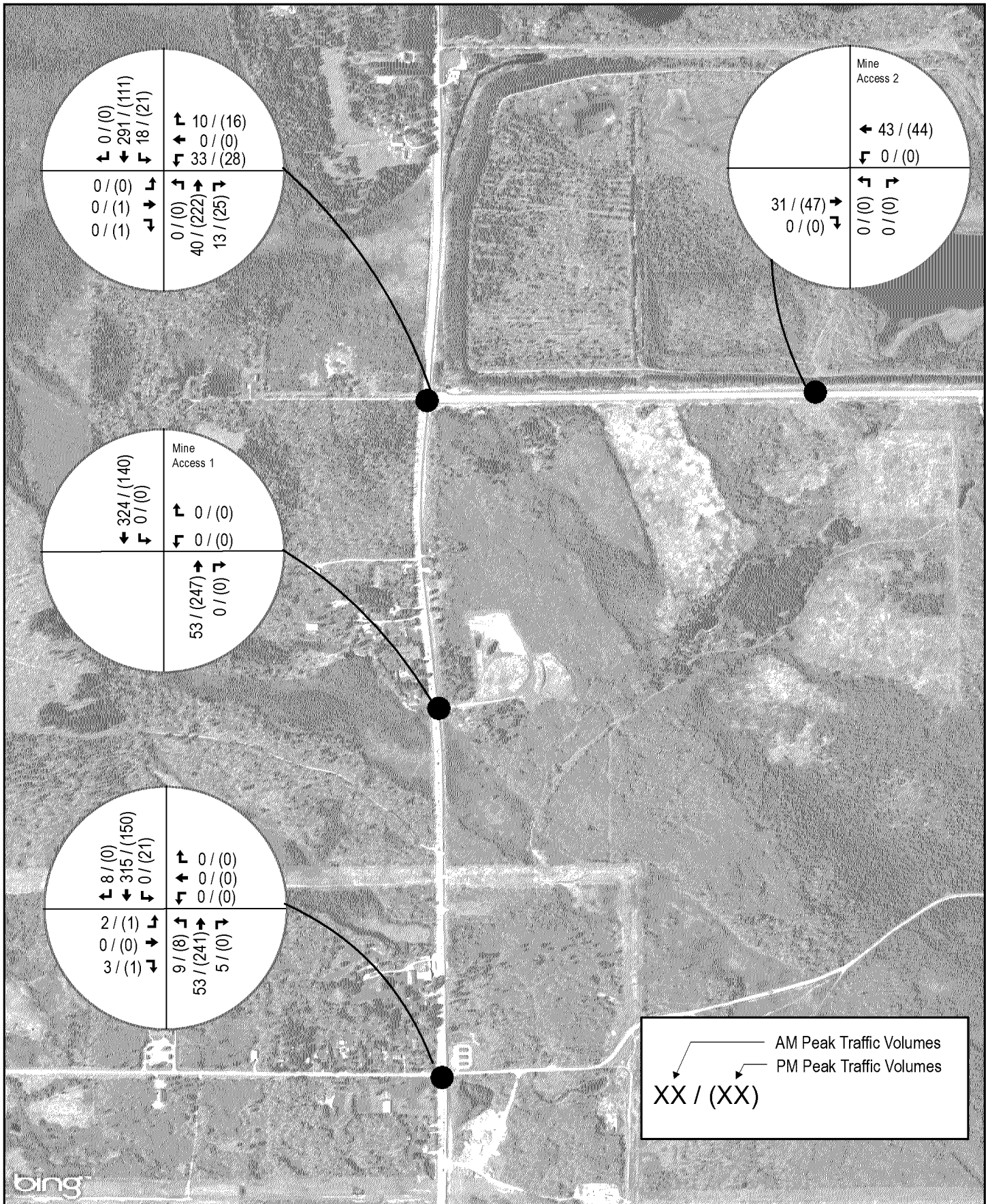
Project: GRANR 131970
Print Date: 4/17/2015
Map by: MSS
Projection: UTM, Zone 15, NAD 83, m
Source: USGS 7.5 Min. Topo,
MnDOT, and SEH Inc.

Project Location
Hawkinson Construction Proposed Aggregate Mine
Grand Rapids, Minnesota

Figure
1

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Print Date: 4/17/2015

Map by: msteuermagel
Projection: Itasca County
Source: BING, MnDOT

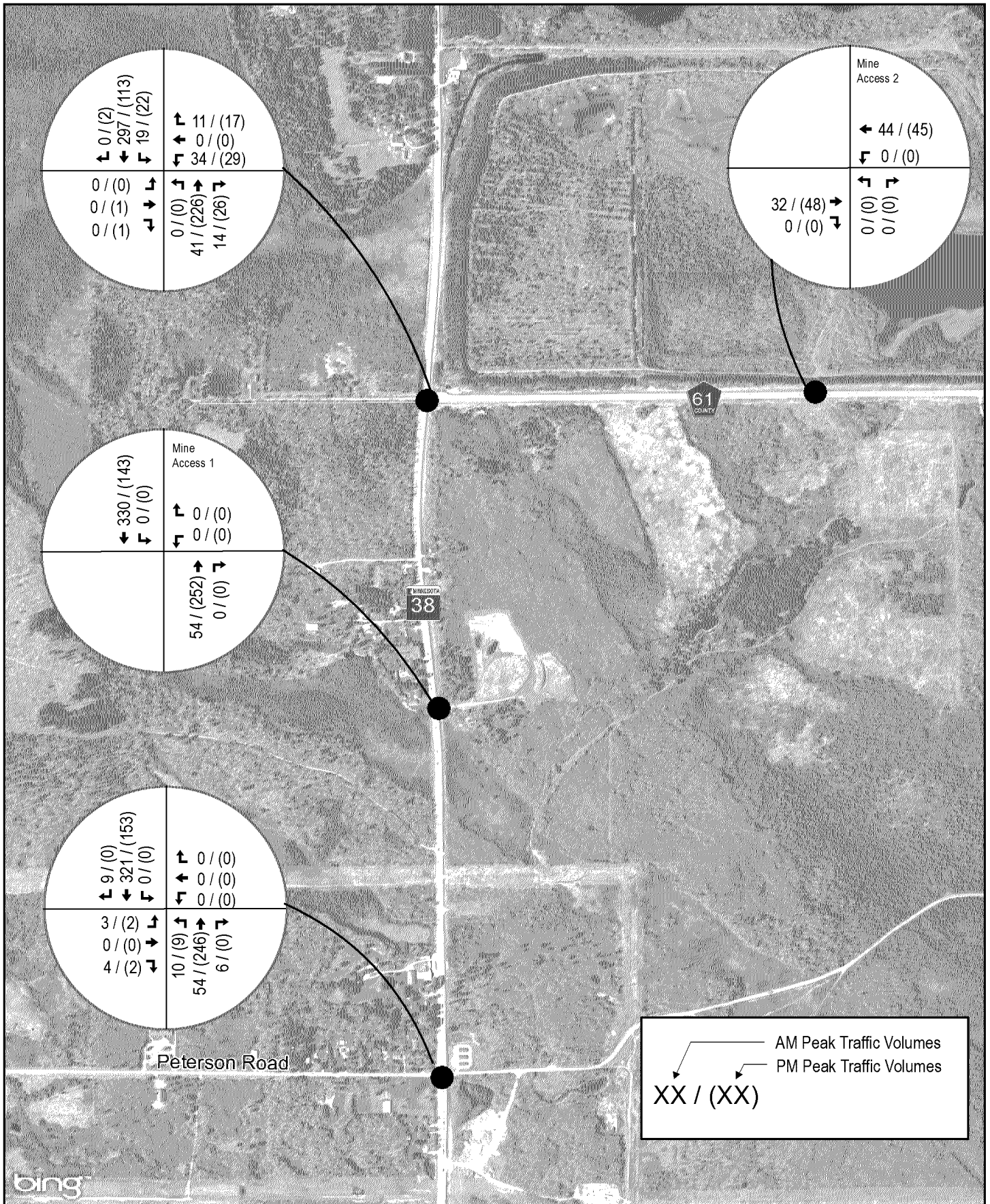

2015 Existing Counts

Hawkinson Construction Proposed Aggregate Mine
Grand Rapids, Minnesota

Figure
2

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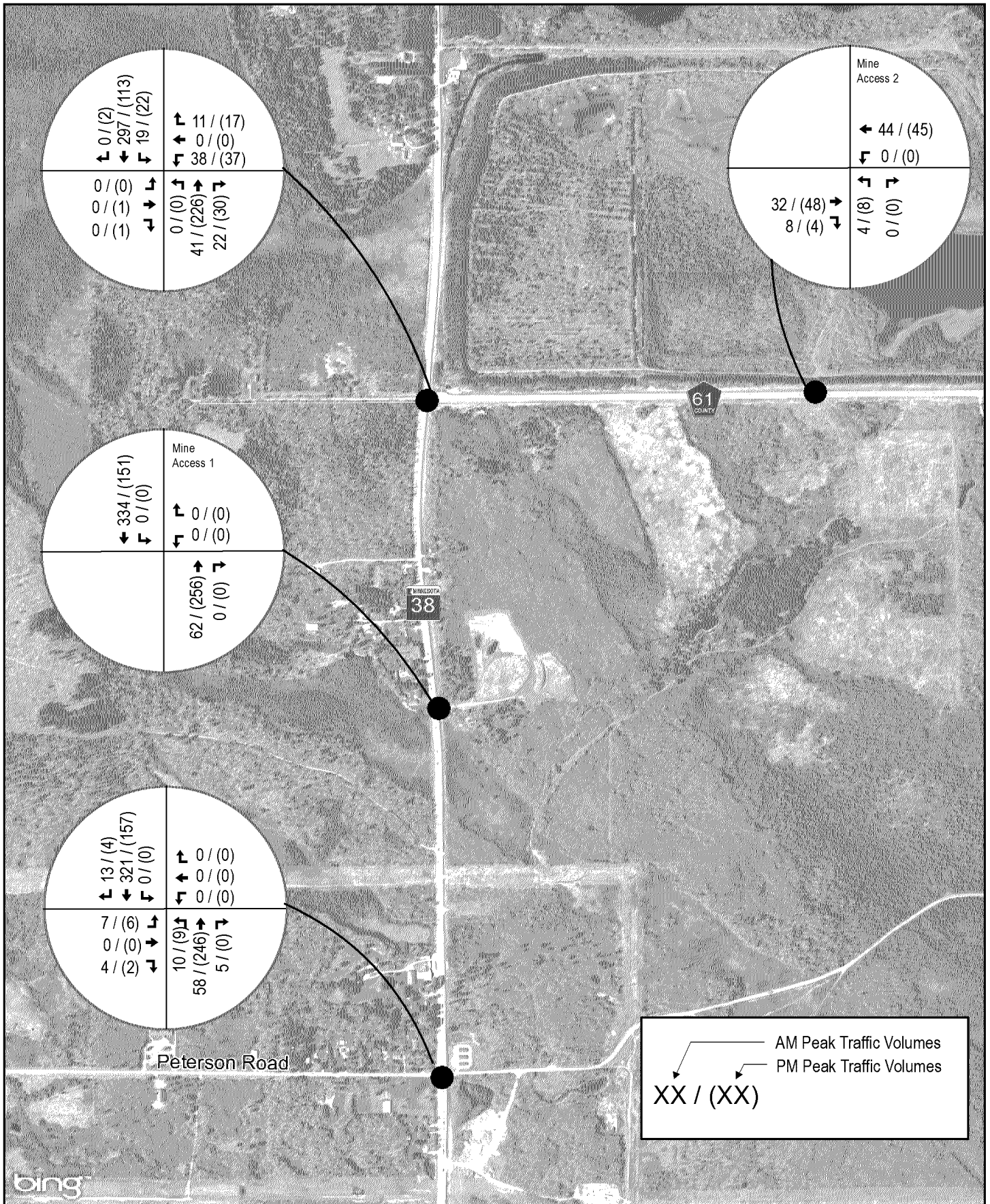
Map by: msteuermagel
 Projection: Itasca County
 Source: BING, MnDOT

2016 No Build
 Hawkinson Construction Proposed Aggregate Mine
 Grand Rapids, Minnesota

Figure 3

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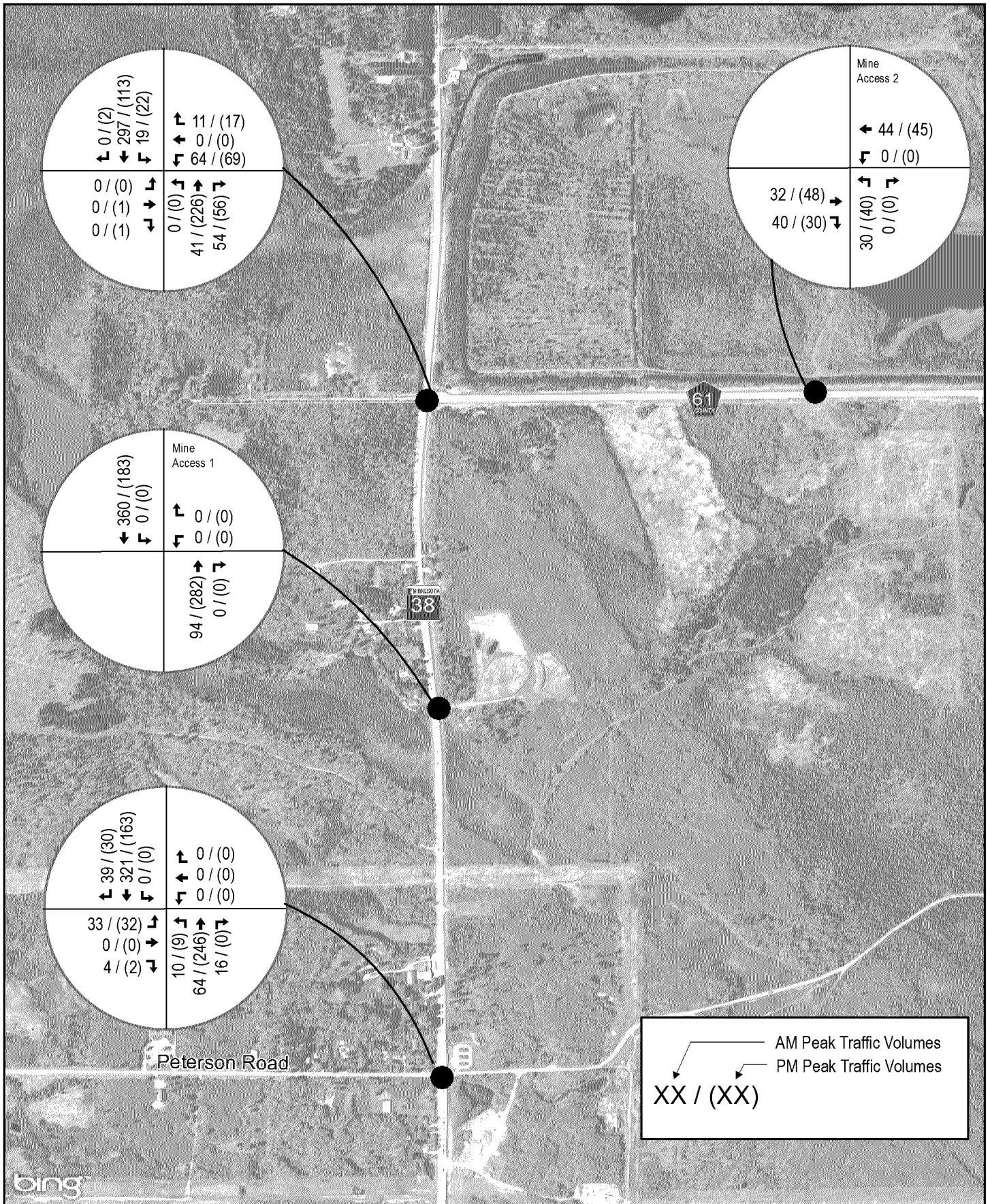
Map by: msteuermagel
 Projection: Itasca County
 Source: BING, MnDOT

**2016 Average Mine Operations
 Using Mine Site Access 2**
 Hawkinson Construction Proposed Aggregate Mine
 Grand Rapids, Minnesota

Figure
 4

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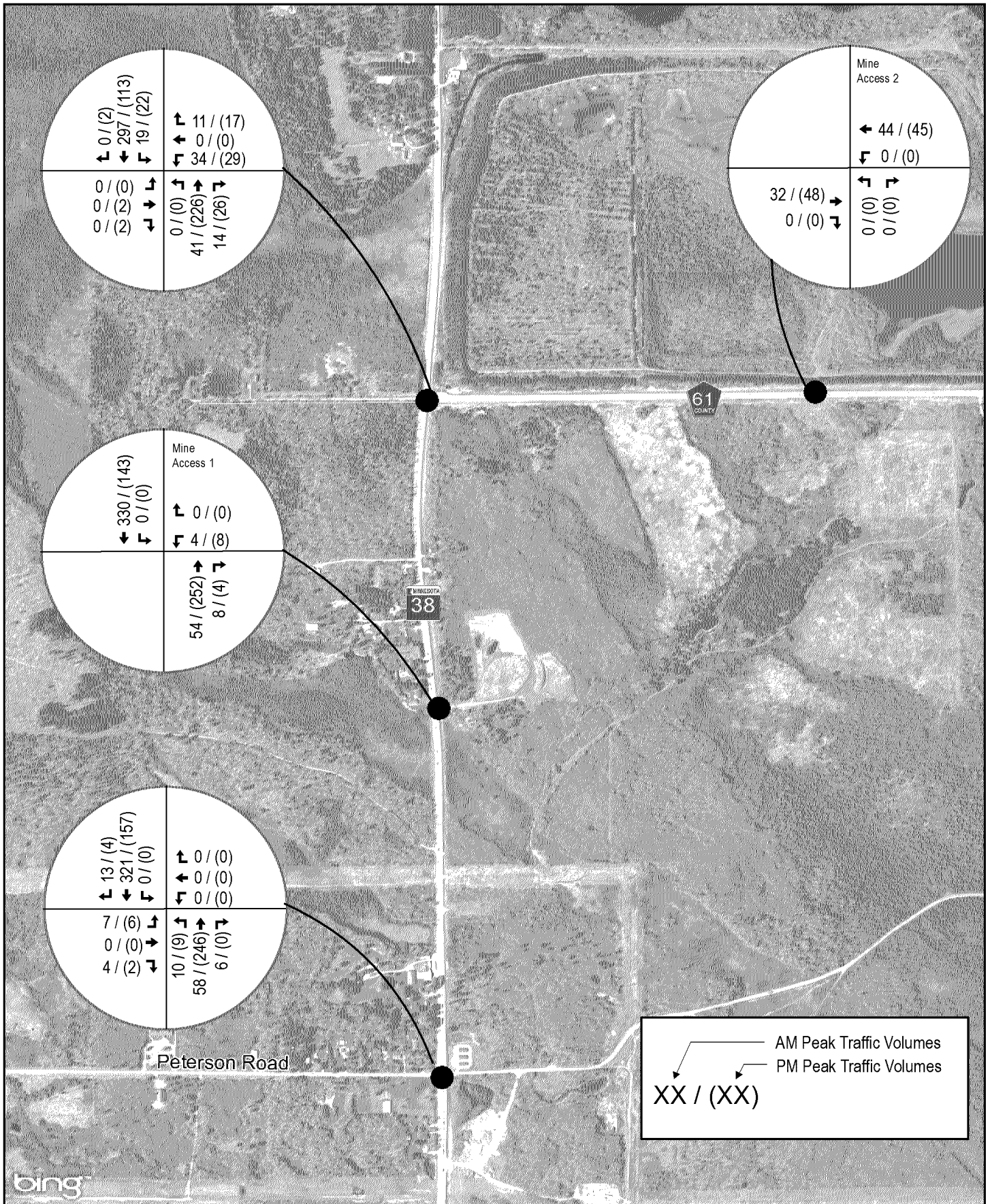
Map by: msteuermagel
 Projection: Ilasca County
 Source: BING, MnDOT

2016 Maximum Mine Operations
Using Mine Site Access 2
 Hawkinson Construction Proposed Aggregate Mine
 Grand Rapids, Minnesota

Figure
 5

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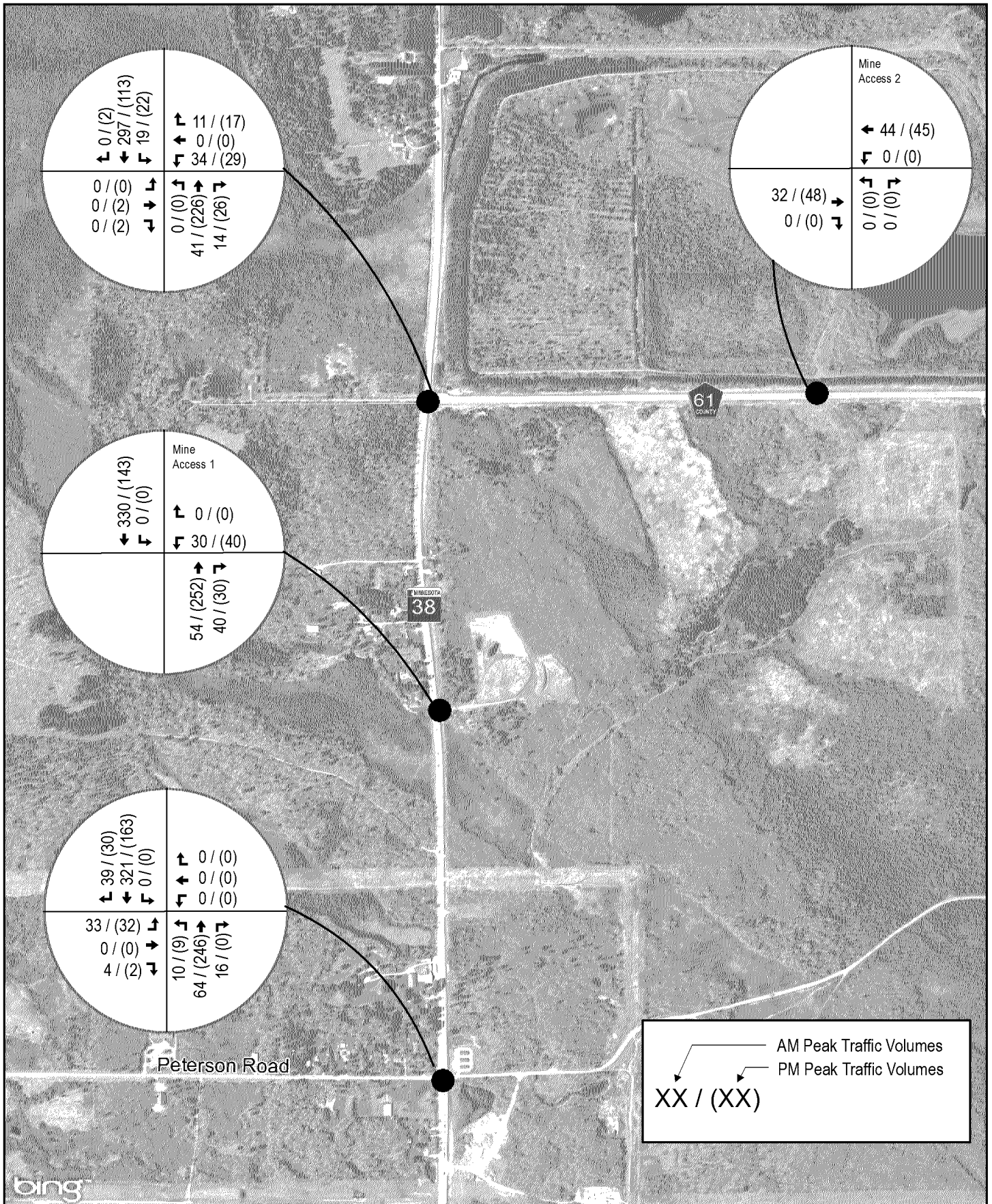
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Map by: msteuermagel
Projection: Itasca County
Source: BING, MnDOT

**2016 Average Mine Operations
Using Mine Access 1**
Hawkinson Construction Proposed Aggregate Mine
Grand Rapids, Minnesota

**Figure
6**

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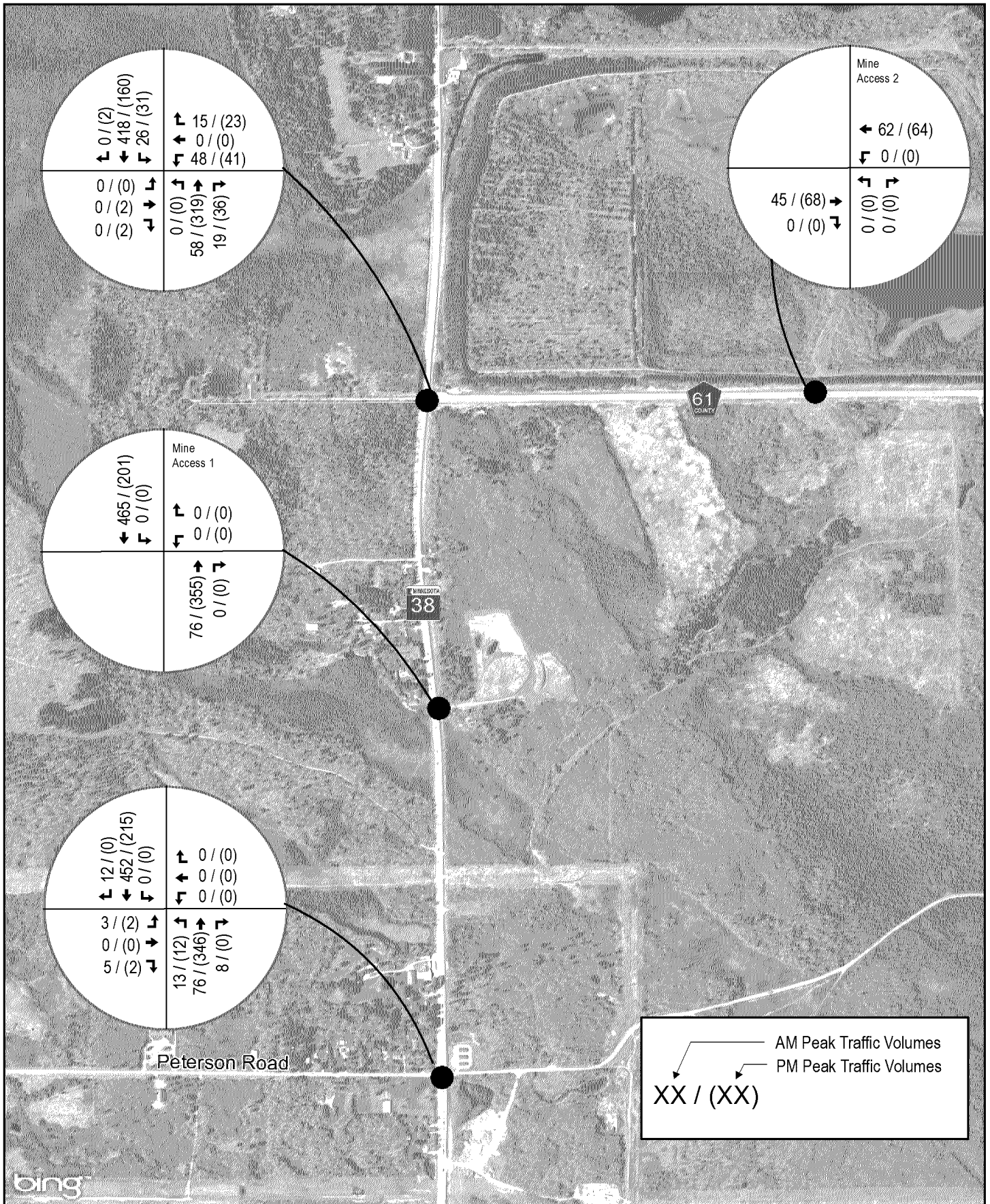

Map by: msteuermagel
 Projection: Itasca County
 Source: BING, MnDOT

2016 Maximum Mine Operations
Using Mine Site Access 1
 Hawkinson Construction Proposed Aggregate Mine
 Grand Rapids, Minnesota

Figure
 7

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Project: GRANR 131970
Print Date: 4/17/2015

Map by: msteuermagel
Projection: Itasca County
Source: BING, MnDOT

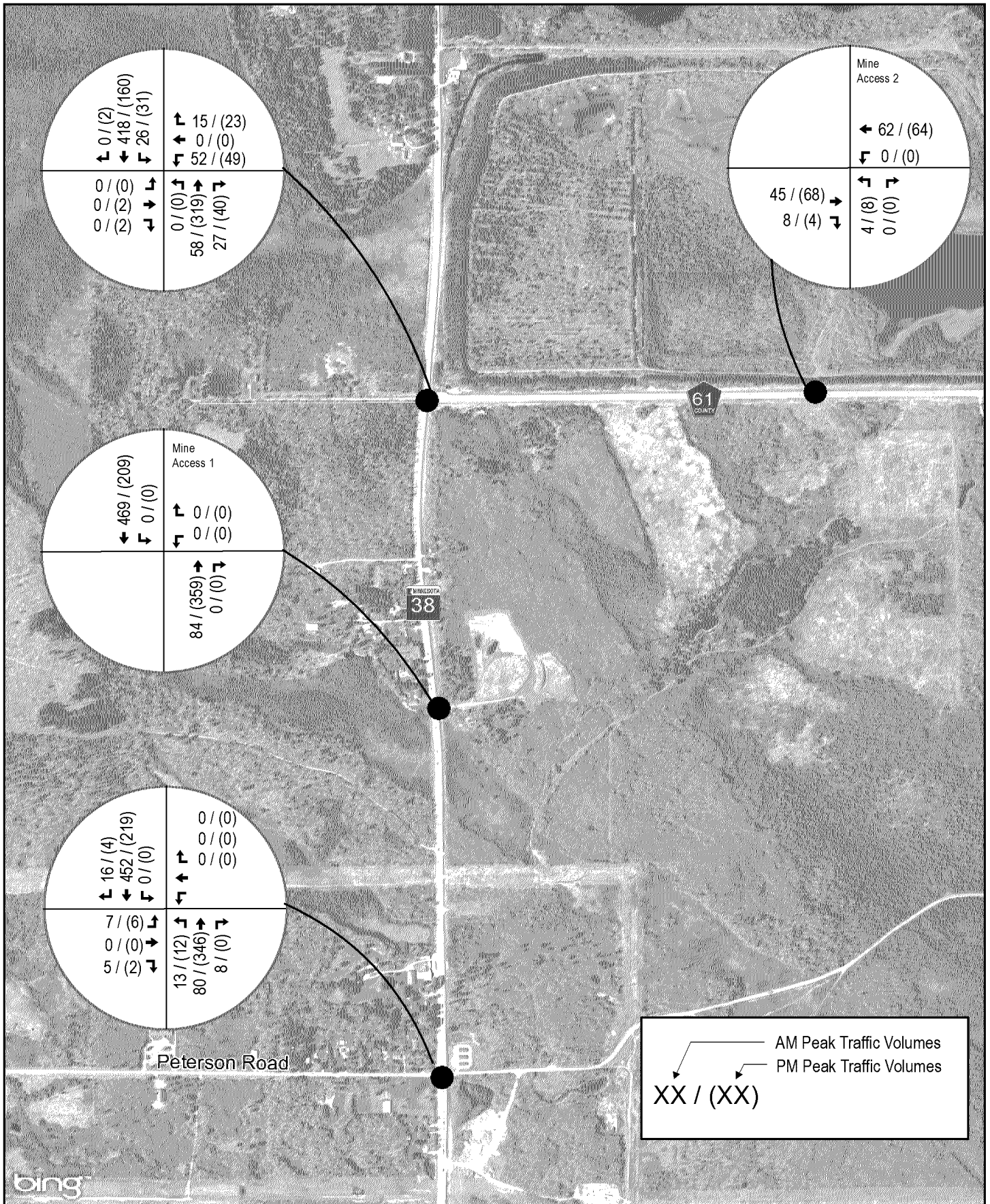
2036 No Build

Hawkinson Construction Proposed Aggregate Mine
Grand Rapids, Minnesota

Figure 8

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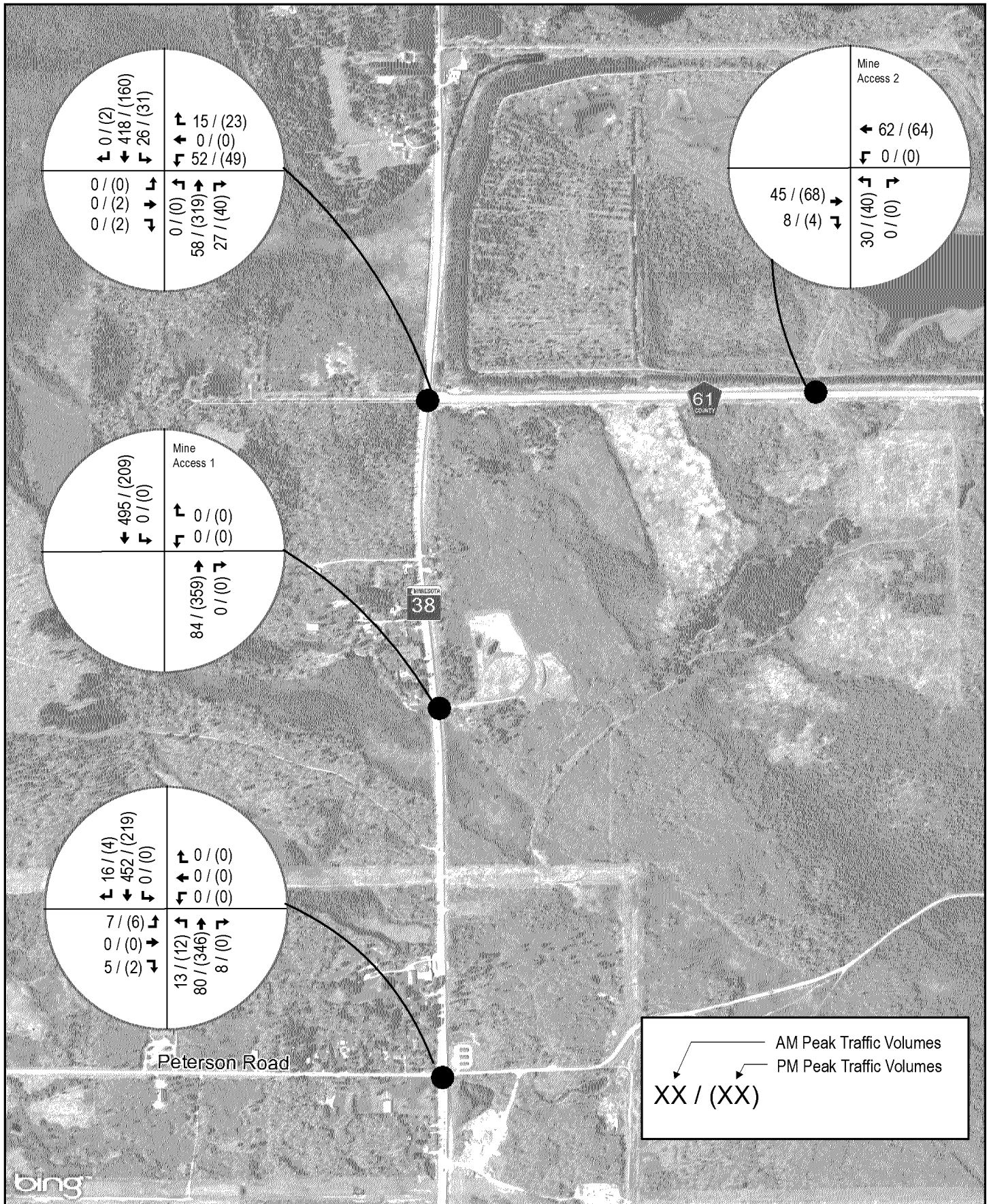
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 Projection: Itasca County
 Source: BING, MnDOT

**2036 Average Mine Operations
 Using Mine Access 2**
 Hawkinson Construction Proposed Aggregate Mine
 Grand Rapids, Minnesota

Figure
 9

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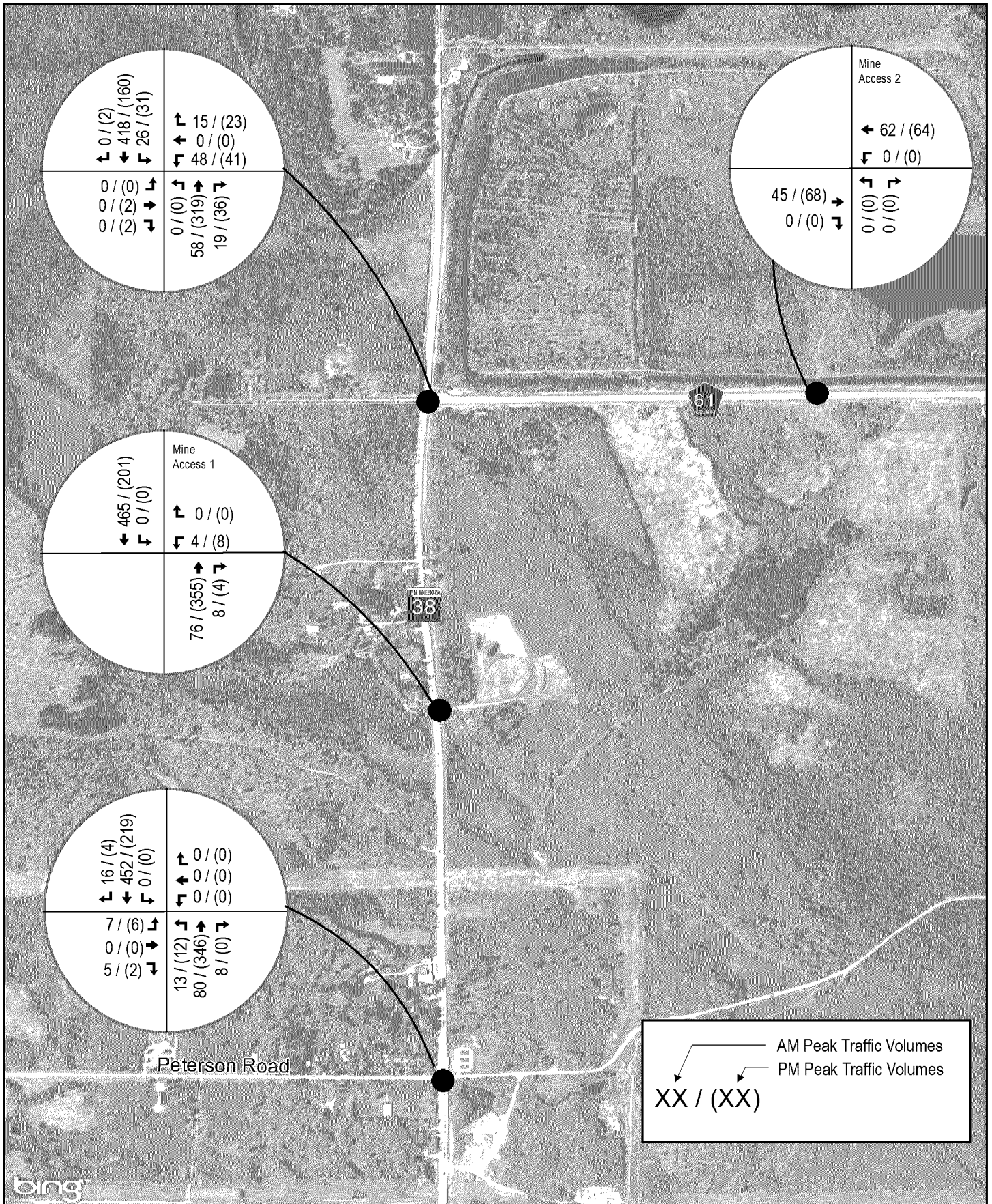

Map by: msteuermagel
Projection: Ilasca County
Source: BING, MnDOT

**2036 Maximum Mine Operations
Using Mine Access 2**
Hawkinson Construction Proposed Aggregate Mine
Grand Rapids, Minnesota

Figure
10

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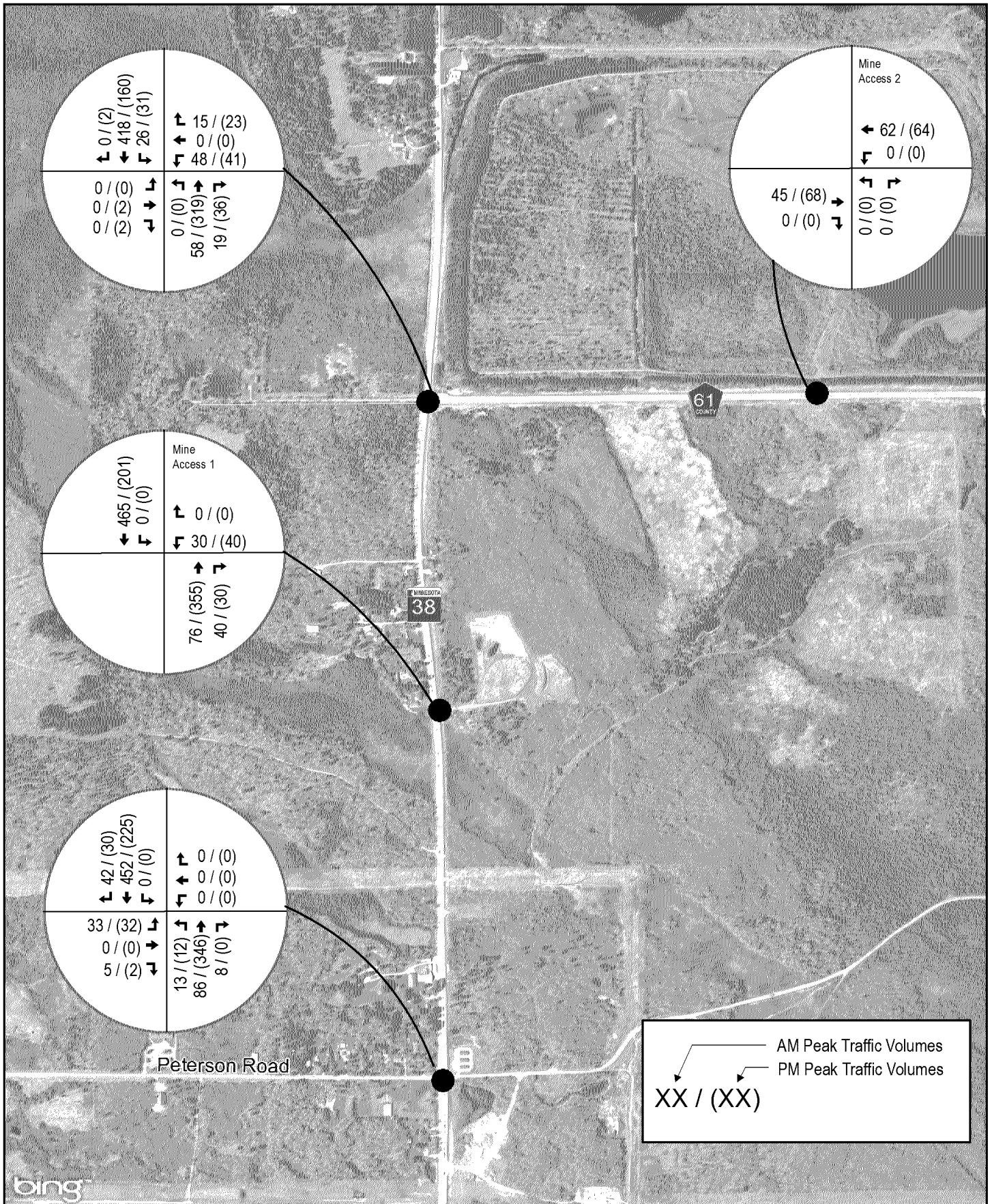

Map by: msteuermagel
 Projection: Itasca County
 Source: BING, MnDOT

**2036 Average Mine Operations
 Using Mine Site 1**
 Hawkinson Construction Proposed Aggregate Mine
 Grand Rapids, Minnesota

**Figure
 11**

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Project: GRANR 131970
 Print Date: 4/17/2015

Map by: msteuermagel
 Projection: Ilasca County
 Source: BING, MnDOT

2036 Maximum Mine Operations Using Mine Access 1

Hawkinson Construction Proposed Aggregate Mine
 Grand Rapids, Minnesota

Figure
 12

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Councilor Zabinski introduced the following resolution and moved for its adoption:

RESOLUTION NO. 16-115

RESOLUTION APPROVING A NEGATIVE DECLARATION FOR THE EAW PREPARED FOR THE MINING OF NONMETALLIC AGGREGATE MATERIALS WITHIN THE CITY OF GRAND RAPIDS, AS REQUESTED BY HAWKINSON CONSTRUCTION COMPANY

WHEREAS, Hawkinson Construction Company (HCC) has declared their intentions to seek the necessary approvals and permitting for the mining of nonmetallic aggregate materials within the City of Grand Rapids on approximately 140 acres of land owned by HCC generally located at the corner of MN State Hwy. 38 and Itasca Co. Road 61; and

WHEREAS, the City of Grand Rapids is acting as the designated responsible governmental unit (RGU) and, as such, is responsible for the preparation, review and consideration of the EAW following the guidelines set forth under State environmental review procedures, Rule 4410.4300; and

WHEREAS, the City contracted with Braun Intertec Corporation (Braun Intertec) to prepare an EAW examining the potential for significant environmental impacts associated with the proposed mining operation; and

WHEREAS, an EAW was prepared and submitted to the Minnesota Environmental Quality Board for publication in the EQB Monitor on October 17, 2016, and distributed to all applicable review agencies and depositories of information; and


WHEREAS, the City conducted a public meeting on November 14, 2016 to receive oral comments from the public; and

WHEREAS, a Record of Decision document dated December 6, 2016 has been prepared reflecting all written and auditory comment with appropriate response to each comment.

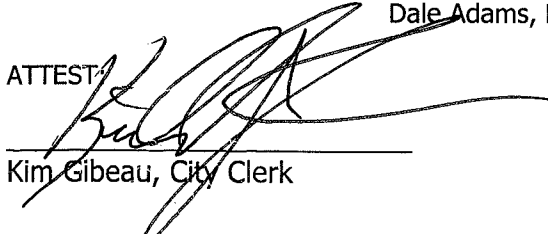
WHEREAS, Findings of Fact and Conclusions have been included in said Record of Decision.

NOW THEREFORE BE IT RESOLVED, that based on the review of the EAW, giving due consideration to the comments and evidence received, the City of Grand Rapids hereby adopts the Record of Decision dated December 6, 2016 and determines that a potential for significant environmental effects have been addressed in the EAW and that the preparation of an EIS for the proposed mining of nonmetallic aggregate materials is not required. City staff is hereby directed to forward both the comments and the EAW decision to all of the responding review agencies.

ADOPTED BY THE CITY COUNCIL THIS 12th DAY OF DECEMBER, 2016.


Dale Adams, Mayor

ATTEST:


Kim Gibeau, City Clerk

Councilor Zeige seconded the foregoing resolution and the following voted in favor thereof Blake, Christy, Zeige, Zabinski, Adams; and the following voted against same: None; whereby the resolution was declared duly passed and adopted.

**FINDINGS OF FACT AND
CONCLUSIONS**

PROPOSED AGGREGATE MINE EAW

Grand Rapids, Minnesota

**Prepared for:
City of Grand Rapids**

December 6, 2016

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EAW Public and Agency Comments and Responses

FINDINGS OF FACT AND CONCLUSIONS

PROPOSED AGGREGATE MINE

CITY OF GRAND RAPIDS ITASCA COUNTY, MINNESOTA

1.0 ADMINISTRATIVE BACKGROUND

The City of Grand Rapids (City) is the Responsible Governmental Unit for this project and Hawkinson Construction Company is the project proposer. An Environmental Assessment Worksheet (EAW) has been prepared for this project in accordance with Minnesota Rules Chapter 4410. The EAW was developed to assess the impacts of the project and other circumstances in order to determine if an Environmental Impact Statement (EIS) is warranted.

The EAW was filed with the Minnesota EQB and circulated for review and comments to the required EAW distribution list. A “Notice of Availability” was published in the EQB Monitor, and the Grand Rapids Herald Review on October 23, 2016. These notices provided a brief description of the project and information on where copies of the EAW were available, and invited the public to provide comments that would be used in determining the need for an EIS on the proposed project. The EAW was made available for public review at Grand Rapids City Hall, the Grand Rapids Public Library, and on the City’s website.

A public hearing for the proposed project was held on Monday November 14, 2016, at the Grand Rapids City Hall. The hearing presented information of the proposed development and operation of an open-pit aggregate mine that will extract granite and quartzite from the underlying bedrock and identified potential environmental impacts of the project. There were no comments or questions made at the hearing by members of the public. Written comments were received through Wednesday, November 23, 2016. All comments received during the EAW comment period, including those received from the public hearing, were considered in determining the potential for significant environmental impacts. Comments received during the comment period, and responses to the comments, are provided in Appendix A.

2.0 PROJECT DESCRIPTION

The proposed project involves development and operation of an open-pit aggregate mine that will extract granite and quartzite from the underlying bedrock. The project location is east of Highway 38 and south of Highway 61 in the northern part of the City of Grand Rapids. Most rock crushing is planned to be performed at an existing nearby pit (off of Peterson Road) but some crushing may be done at the project site. The operational life of the mine is expected to be approximately 50 years.

Corrections to the EAW or Project Changes Since the EAW was Published

Since the EAW was published, the following project items have changed or been updated:

- During the public hearing, a question was raised by a Council Member about the impacts of heavy truck traffic to Peterson Road. The road was inherited by the City from the township, and there are no known design or as-built drawings related to its design or construction. Soil borings taken through the road in 2015 suggest that the road was not designed to support high volumes of heavy truck traffic, and heavy truck traffic use is anticipated to degrade the road over time. Reconstruction of the road will be needed in the future, and funding of costs for this reconstruction will be negotiated between the City and Hawkinson Construction.

3.0 DECISION REGARDING NEED FOR ENVIRONMENTAL IMPACT STATEMENT

Type, Extent, and Reversibility of Impacts

The City of Grand Rapids finds that the analysis completed for the EAW is adequate to determine whether the project has the potential for significant environmental effects. The EAW described the type and extent of impacts anticipated to result from the proposed project. Following are the findings regarding potential environmental impacts of the proposed project and the design features included to avoid, minimize, and mitigate these impacts.

Land Use Impacts

Impacts:

A potential conflict exists with the residences abutting the western boundary of the project. The potential conflict is primarily related to potential noise, dust and odors that will be generated by aggregate extraction and operations.

A potential conflict exists due to the forced relocation of the DNR-recognized snowmobile trail that currently runs through the property.

Mitigation Measures:

Land use conflict mitigation measures include:

- Adherence to City setback requirements (250' from residences);
- Preblast survey of foundations and wells of nearby residences;
- Timely prenotification of blasting activities; and
- Strict adherence to site dust control measures.
- According to Itasca County, the County is the local sponsor of the snowmobile trail and will work with the project proposer and MN DNR on the rerouting of the trail.

Wetland Impacts

Impacts:

Over the life of the mine, approximately 34 acres of wetlands will be directly impacted and need replacement.

Mitigation Measures:

Prior to impacting any wetlands, the wetland boundaries will be delineated according to MN Wetland Conservation Act requirements. A Wetland Mitigation Plan will be prepared and submitted with the wetland permit application. The Plan will include detailed design plans and data, the administrative procedures, and will address the need for wetland replacement. Wetland replacement will be done on at least a one-to-one ratio. The project location is within Minnesota Wetland Bank Service Area 5, and replacement is expected within this service area. Wetland impact permitting will require consideration of wetland impact avoidance, wetland impact minimization, and wetland replacement, and will be led by the Itasca County Soil and Water District. On-site wetland replacement will be encouraged through integration of City-required mine reclamation planning (as part of the Conditional Use Permit) with wetland permitting.

Air Emissions Impacts

Impacts:

Nearby residents have potential to be impacted by air emissions from operating equipment during construction and operation of the mine.

Mitigation Measures:

Stationary source emissions will be limited to the rock crusher(s), screens, transfer equipment (e.g., conveyors), associated diesel-fueled engines used to power the equipment, and stockpiles. Air quality standards that will be adhered to by facility operations are set forth in MPCA Rules Chapter 7001-7030.

Dust and Odor Impacts

Impacts:

Nearby resident have potential to be impacted by:

- Dust from truck movements within the facility
- Dust from blasting operations (1-2 times per year)
- Odors may be generated from operation of facility equipment engines and truck traffic and possibly from excavation and stockpiling of organic soils.

Mitigation Measures:

Dust mitigation measures will include preparing and implementing a dust control plan.

Odor mitigation measures will include minimizing equipment used on-site, minimize idling, keep engines in good repair, minimize idling truck traffic through scheduling, and covering of organic soils if needed.

Noise Impacts

Impacts:

While there are no known sensitive receptors adjacent to the project area, nearby residents have potential to be impacted by noise from:

- Heavy machinery and truck traffic during project construction
- Drilling and blasting during mine operation
- Truck noise from hauling operations during mine operation

Mitigation Measures:

Equipment will be fitted with standard noise reduction devices, such as mufflers and broad band back-up alarms.

Hours of operation will be controlled, and operations will be limited to Monday through Saturday 6:00 AM to 7:00 PM.

Berm construction around portions of perimeter areas of the project area will aid in noise reduction.

Traffic Impacts

Impacts:

Maximum mine operations have potential to produce minor delays (Level of Service degrades from A to B) during a.m. and p.m. peak traffic hours at the intersection of Peterson Road and Highway 38.

Heavy truck traffic on Peterson Road will degrade the road over time.

Mitigation Measures:

Construction of right-turn only lane on westbound Highway 61 into existing mine access, and construction of right-turn only lane on northbound Highway 38 into new mine access will minimize traffic impacts.

Reconstruction of Peterson Road will be needed in the future, and costs for this reconstruction will be negotiated between the City and Hawkinson Construction.

Cumulative Potential Effects of Related or Reasonably Foreseeable Future Projects

The area surrounding the project is mostly undeveloped. No other development activities in the area are planned by or known to the City. As described on page 22 in the EAW, there is no known potential for significant cumulative effects from the proposed project and other reasonably foreseeable future actions.

Extent to Which the Environmental Effects are Subject to Mitigation by Ongoing Public Regulatory Authority

The mitigation of environmental impacts will be designed and implemented in coordination with regulatory agencies and will be subject to the plan approval and permitting process. Permits and approvals that have been obtained or may be required prior to project construction include those listed in Table 1.

Table 1– Agency Approvals and Permits

Unit of Government	Type of Application	Status
<i>MnDOT</i>	<i>Highway Construction Permit</i>	<i>To be submitted</i>
<i>Itasca County</i>	<i>Highway Construction Permit</i>	<i>To be submitted</i>
<i>Itasca County</i>	<i>Driveway Approach Permit</i>	<i>To be submitted</i>
<i>Itasca County Soil and Water Conservation District</i>	<i>Wetland Permit</i>	<i>To be submitted</i>
<i>Minnesota Pollution Control Agency</i>	<i>Nonmetallic Mining NPDES/SDS</i>	<i>To be submitted</i>
<i>Minnesota Pollution Control Agency</i>	<i>Air Permit</i>	<i>To be determined</i>
<i>Minnesota Department of Natural Resources</i>	<i>Groundwater Appropriation permit (if necessary)</i>	<i>To be submitted</i>
<i>City of Grand Rapids</i>	<i>Conditional Use Permit</i>	<i>To be submitted</i>
<i>City of Grand Rapids</i>	<i>Stormwater Permit</i>	<i>To be submitted</i>

Extent to Which Environmental Effects can be Anticipated and Controlled as a Result of Other Environmental Studies

No other environmental studies are known to have been performed that provide relevant environmental information for use in evaluating the environmental effects from the proposed project.

4.0 CONCLUSIONS

1. All requirements for environmental review of the proposed project have been met.
2. The EAW related to the project has generated information which is adequate to determine whether the project has the potential for significant environmental effects.
3. Areas where potential environmental effects have been identified will be addressed during permitting and the final design of the project. Mitigation will be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigative measures will be incorporated into project design, and will be coordinated with City, state and federal agencies during the permitting process.
4. Based on the criteria in Minnesota Rules part 4410.1700, the project does not have the potential for significant environmental effects.
5. An Environmental Impact Statement is not required for the proposed Aggregate Mine Project.



Dale Adams
Mayor, City of Grand Rapids

12-13-16

Date

APPENDIX A

EAW PUBLIC AND AGENCY COMMENTS AND RESPONSES

Proposed Aggregate Mine EAW
Grand Rapids, MN
Summary of Comments and Responses to Comments

Committer agency	Committer name	Date of comments	Section	Comment	Response
12/6/2016					
Minnesota Office of the State Archaeologist	Amanda Gronhoyd, Minnesota State Archaeologist	11/9	Not referenced	<p>Because there is a reported archaeological site (21LCB) within the project boundary, I recommend that a qualified archaeologist examine the area to determine if the project could result in adverse effects to archaeological resources.</p> <p>Please note that it may be more cost effective for the facility to obtain the single Nonmetallic Mining & Associated Activities National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) General Permit (MNGA90000), then both the General Permit for Industrial Stormwater Activity (MNR10000) and General Permit for Construction Stormwater Activity as indicated in the table in this section. For questions regarding the Nonmetallic Mining & Associated Activities NPDES/SDS General Permit, please call Jeff Udd at 218-507-6637</p> <p>Please note that soil 870C is classified as 2-12% slope in the table, but according to the Natural Resource Conservation Service soil survey it is 6-12%.</p>	<p>The requirement for an archaeological survey will be recommended for inclusion into the conditional use permit (CUP) which will be issued by the City of Grand Rapids.</p> <p>Comment noted.</p> <p>Comment noted.</p>
		11/23	Item 8	<p>The water quality in this watershed is very good, and projects which will reduce forest cover and impact wetlands are concerning, as they both have negative impacts on water quality. It is imperative that stormwater is sufficiently treated and that the wetland replacement strategy is in place before the project begins.</p>	<p>The project will be phased so as to avoid impacts to wetlands for the first phase. A wetland replacement strategy and wetland permitting will be required before any wetland impacts occur.</p>
		11/23	Item 10	<p>As noted in the EAW, Prairie Lake is impaired for nutrient/eutrophication biological indicators. The impairment will dictate additional increased stormwater treatment during construction and require additional increased permanent treatment post construction. These requirements will be included in the National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Construction Stormwater Permit. The project proposer should determine that compliance with these increased stormwater water quality treatments can be achieved on the project site or elsewhere. Information regarding the MPCA's Construction Stormwater Program can be found on the MPCA's website at http://www.pca.state.mn.us/water/stormwater/stormwater-c.html Questions regarding Construction Stormwater Permit requirements should be directed to Roberta Getman at 507-206-2629.</p>	<p>Comment noted.</p>
MPCA		11/23	Item 11	<p>It is unclear in the EAW how stormwater will be treated before flowing into the wetland, which is required. Infiltration systems are not acceptable if there will not be at least 3 feet of clearance between the bottom of the basin and the seasonally high groundwater table (this terminology is important - seasonally high groundwater table does not necessarily mean where groundwater is found at any given moment, but rather where hydrological indicators are found).</p> <p>Regarding water appropriation, the EAW does not describe where on site the water will be discharged, best management practices to treat the discharge, or energy dissipation measures that will be utilized.</p> <p>The EAW does not adequately address the wetland replacement strategy. The Department of Natural Resources flow lines show that the wetland on the property flows to the Prairie River. If activity on the site impacts the volume of water flowing to the River, it could have a negative impact on river levels, water chemistry, biology, habitat, etc.</p>	<p>Comment noted.</p> <p>Comment noted.</p> <p>The project will be phased so as to avoid wetlands for the first phase. A wetland replacement strategy and wetland permitting will be required before any wetland impacts occur.</p> <p>Comment noted.</p>
		11/23	Item 11	<p>The effects on water volume flowing to the Prairie River should be addressed, as well as ensuring that suitable sedimentation removal occurs so that the black sandshell mussel is not negatively impacted by any decrease in water quality.</p>	<p>Comment noted.</p>

Proposed Aggregate Mine EAW
Grand Rapids, MN
Summary of Comments and Responses to Comments

Commenter agency	Commenter name	Date of comments	Section	Comment	Response
		11/23	Item 17	<p>It appears that a noise analysis has not been conducted and information provided in the EAW suggests that the Project proposer may not fully understand the Minnesota state noise rule. There are residents living across the street from this parcel. According to Minn. R. 7030, noise must comply with the Noise Area Classification level 1 at the residential property line. Nighttime noise standards are more stringent than daytime standards. The EAW states that operation will be restricted to 6 a.m. - 7 p.m. Minn. R. 7030 defined "nighttime" as 10 p.m. - 7 a.m., so the facility will need to comply with the nighttime noise standard from 6 a.m. - 7 a.m. The EAW also states that berm construction and vegetative screening will aid in noise reduction. Please note that vegetation may provide a visual screen, but does little to reduce noise. A rule of thumb about trees is that to noticeably reduce noise, you would need at least 100 feet of dense evergreen trees at least 15 feet tall. The MPCA recommends conducting a more detailed noise analysis or even modeling to determine the Project's likely noise impacts.</p>	<p>The proposed project will be required to meet the Minnesota state noise rule.</p>
		11/22	Wetlands	<p>The footprints of NW1 wetlands shown in the EAW (apparently derived from U.S. Fish and Wildlife online mapper) do not match the NW1 wetlands GIS layer used by MNDNR, this may be due to GIS projection issues. Future wetland delineation in the field should rectify the wetland bounds. Other more recent wetland classifications might be available from the website https://gdata.mn.gov</p>	<p>Comment noted.</p>
MNDNR		11/22	Wetlands	<p>The EAW should contain more discussion on the responsibilities for wetland mitigation, as identified in Item 11b-iv(1). Identify measures to avoid (e.g., available alternatives that were considered), minimized, or mitigate environmental effects to wetlands. Discuss whether any required compensatory wetland mitigation for unavoidable wetland impacts will occur in the same minor or major watershed, and identify those probable locations. The potential mitigation options should appear in the EAW.</p>	<p>The project will be phased so as to avoid wetlands for the first phase. A wetland replacement strategy and wetland permitting will be required before any wetland impacts occur.</p>
		11/22	land use map	<p>The age of the Land Cover map is listed as 2016. The character of the map indicates an earlier version. If the map is from an earlier version, the actual date should be included and the map layer should be identified. The most current version of a land use map for Minnesota that I am aware of is 2013. The resolution for this layer is 15m.</p>	<p>Comment noted.</p>
		11/22	Geology	<p>The biwabik iron formation, which is not being targeted in the proposal, lies adjacent to the Pokegama Quartzite and Giant's Ridge granite. The two geologic maps in the EAW portray the contact between the iron formation and the quartzite differently within the property. As iron formation materials are typically claimed by the mineral estate owner, if the candidate parcels are subject to split estate surface and mineral ownerships, then the project proposed will wish to ensure that extraction activities do not use, or impede use, of iron formation materials by the mineral estate owner.</p>	<p>Comment noted. Mineral rights are jointly owned by Hawkinson Construction and MN DNR, extractive activities will be negotiated between the two owners.</p>
		11/21	Wetlands	<p>Wetlands-34 acres to be consumed. Realizing there are processes that allow use of wetlands banks or on site I believe more specific information is required. Often banks are not located in the geographic area and site specifics (do) not replicate those lost. I am not familiar with the total 140 acre site so optimally there is a net area on site that could be used as it would be much more reflective of the composition of the ecology of the area. Therefore what and where are the specifics?</p>	<p>The project will be phased so as to avoid wetlands for the first phase. A wetland replacement strategy and wetland permitting will be required before any wetland impacts occur.</p>
NA	Dan Miesle	11/21	Truck routing	<p>The article noted in response to Mayor Adams question the statement was made at the hearing that traffic from the mine would use Peterson Road and not go into the city proper. I suspect some of the aggregate would be transported to areas south of Grand Rapids so please explain how you would NOT go through Grand Rapids. There is no way around the city that makes any sense from a time (and economics) of transporting. I believe specific routes other than Peterson Road must be used at some point. I believe the community should know exact routes of use of city streets will be both cause congestion and have notable weight stress on streets resulting in more frequent upgrades at taxpayer cost. Since I live on McKinney Lake any routing on Hwy 38 will add even more noise and traffic congestion for everyone along the route, notably those also using the Civic Center and High School.</p>	<p>The project is for new source material for the existing aggregate operation. As such, the majority of material would be moved from the project site, along Peterson Road, to the existing aggregate operation, Brink Pit. The proposed project is not intended to be an increase in production to the existing aggregate operation. Traffic from the existing aggregate operation is not anticipated to be changed based on this proposed project.</p>

Proposed Aggregate Mine EAW
Grand Rapids, MN

Summary of Comments and Responses to Comments

Commenter agency	Commenter name	Date of comments	Section	Comment	Response
Minnesota Historical Society	Sarah Beimers	11/21	Hours of operation	From the description this will become a large operation. Giving the washing and grading process will create added noise to this area of town. What will be the hours of operation and what enforcement will be taken for any potential violations? Will these vary [by] time of year, e.g. will expanded hours be allowed during the summer due to longer daylight hours?	The washing and grading process will be conducted at the existing aggregate operation, Brink Pit. Hours of operation at the proposed project site will be limited to Monday through Saturday 6:00AM to 7:00PM or as limited by City, state and federal rules.
				Due to the nature and location of the proposed project, we recommend that a Phase I archaeological survey be completed. The survey must meet the requirements of the Secretary of the Interior's Standards for Identification and Evaluation, and should include an evaluation of National Register eligibility for any properties that are identified. We will reconsider the need for survey if the project area can be documented as previously surveyed or disturbed.	The requirement for an archaeological survey will be recommended for inclusion into the conditional use permit (CUP) which will be issued by the City of Grand Rapids.
Itasca County	Kory Cease	11/16	Not referenced	Itasca County is the local government sponsor of this Grant In Aid snowmobile trail. We will be working with Hawkinson on any possible re-routing to ensure that trail connectivity and continued community economic impact. Communications can be directly with Itasca County Land Department and the MNDNR Parks and Trails Office on any re-alignments to the trail.	Comment noted.
		11/17	Snowmobile trail	Also, the Land Department is responsible for the duties of County Agricultural Inspector to help manage noxious weeds within Itasca County. As part of these duties, we would like to inform you that Spotted knapweed, Canada thistle, and Common tansy lie within the right of way on County Road 61, and Common tansy on Hwy 38 close to the proposed aggregate site. These species are listed under the Minnesota State Noxious Weed Law in accordance to Minnesota Statutes, sections 18.75 to 18.91. We have concerns that these noxious weeds could become or are already established within the proposed site since it lies within the right of way. We would like Hawkinson to have a plan for taking appropriate precautions to ensure control of these invasives, if any are found on site before or during operations. Our office has conducted invasive control on this right of way with spraying and biological control for Spotted knapweed. If Hawkinson needs assistance in identifying any of these species that may potentially be on their property, they can contact Sara Thompson or myself at the Land Department. We are more than happy to help. Please keep us informed of the status of this proposed project.	
		11/17	Noxious weeds	The noise that goes with [excavating] the land. The noise that comes with the crushing of the rocks. The noise from the machinery and trucks at the site. There will be constant beeping from trucks and other machinery. My neighbors and I have to listen to the stock car races all summer long in the evening from stock cars and now this mining company wants to put in a truck crushing mine and we, neighbors to this mine, will have to listen to their crushing of rocks, machinery and truck noises all day long for six days a week.	Comment noted. The proposed project will be required to meet the Minnesota state noise rule.
			Noise	I can just imagine the debris[s] that will be left on the roads from trucks hauling this crushed rock. We all know how much dust from this operation there will be and this comes from the mining trucks and the mining site itself.	Comment noted.
			Debris	On Highway 38 within a short distance from this operation is an apartment complex which houses mostly senior citizens. I can not help but to feel how the noise that comes from this mining operation may affect them. A block south of this complex is two more assisted living buildings, these senior citizens are also going to be affected by the noises coming from this mine site and this would be from the blasting, the trucks and other things that come from mining. Again there will be noises from blasting of the rocks, the machinery and truck noises. I would like to know if this blasting will affect our houses and the foundations. This commotion will affect a lot of people that live not too far from this proposed mining operation.	Comment noted. The proposed project will be required to meet the Minnesota state noise rule, and the project proposer will perform pre-mining building surveys of nearby buildings.
			Senior Citizens in area		

Proposed Aggregate Mine EAW
Grand Rapids, MN

Summary of Comments and Responses to Comments

Commenter agency	Commenter name	Date of comments	Section	Comment	Response
NA	Gene Bennett	11/21		Highway 38 is a scenic highway that is used heavily by both residents but also many tourists in the summer and fall. As we know traffic is going both north and south on Highway 38 and with the addition of all the extra traffic from the mine trucks I feel it will be a traffic hazard as fully loaded trucks turning south onto Highway 38 from County Road 61 will be turning in front of vehicles. When the trucks get to the Peterson Road they have to slow down to turn and go west on the Peterson Road, with all the traffic on Highway 38 this may become a hazard as traffic may be backing up behind them. The same thing will happen when the empty trucks come back and need to turn left to go north Highway 38 to County Road 61. All I can think of is with all this extra traffic and types of vehicles it may be a traffic hazard. I do not live on the Peterson Road but have to feel for all those residents that do. With all the extra truck traffic and vehicle noise it will not be the quiet road it was. When I mentioned heavier traffic I should bring up that I live on 20th St NE and have to use Highway 38. It is already getting harder harder to get onto Highway 38 due to the traffic but it will be harder yet due to extra traffic from other vehicles associated with this new mine. We know there will be other traffic from this mine so both me and other residents living on Highway 38 between County Rd 61 and Grand Rapids are going to find it harder and harder to get on Highway 38 due to the new traffic.	Comment noted. A traffic study was conducted to determine the expected impacts to traffic in the area
			Traffic		
			Mine closure	I would like to know what happens after the life span of 25 years to 50 years of the mine? Do we have just another hold in the ground and piles of useless dirt? We have this already in that area and if you go down the road east on Co Rd 61, you will see the magnetation plant and look at the mess Co Rd 61 to Coleraine is like and that mine was only open a short time.	A reclamation plan will be required as part of the conditional use permitting process.
			Noise	My main concern is noise pollution from a rock crusher and large trucks going by my house. I now live one and three fourths miles east of the present pit. Eight months out of the year I can hear the rock crusher running. The proposed pit would be one and one half miles or less north east of my house which would be louder if it contained a rock crusher.	Comment noted. The proposed project will be required to meet the Minnesota state noise rule.
NA	James Lane	11/18		In the Herald Review article of November 16, 2016 it states the truck traffic will be using the Peterson Road. The Peterson Road is in no condition for heavy haul trucks. Three fourths of a mile runs through a swamp with no ditches. The road and the swamp are at the same level. Two inches of rain will cover part of the road. In the past when they widened Highway 38 they used the Peterson Road and had to repair it many times.	Comment noted. The road is likely to be impacted by heavy truck traffic. Reconstruction of the road will be needed in the future, and funding of costs for this reconstruction will be negotiated between the City and Hawkinson Construction.
			Traffic	This summer they used the Peterson Road for a haul road when they were resurfacing county road 49. The truck traffic was heavy, loud and fast (50 mph in a 30 mph zone).	Comment noted.
			Traffic		Comment noted.
			Not referenced	Instead of worrying so much about the effect on some wetlands you should take into consideration the effect it has on the residence and the tax payers in the area	Comment noted
US Army Corps of Engineers	William Baer	11/16	Not referenced	Due to the general nature of the information provided in the documents, unlikely that U.S. Army Corps of Engineers Regulatory staff will review or comment on the documents until we receive a jurisdictional determination request and/or a permit application.	Comment noted.

Council member _____ introduced the following resolution and moved for its adoption:

RESOLUTION NO. 18-_____

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO HAWKINSON CONSTRUCTION COMPANY FOR THE ESTABLISHMENT OF A LONG-TERM MINING/MINERAL EXTRACTION OPERATION

WHEREAS, Hawkinson Construction Company, in October 2014, declared their intentions to seek the necessary approvals and permitting for the mining of nonmetallic aggregate materials within the City of Grand Rapids on approximately 230 acres of land owned by them and generally located at the corner of MN State Hwy. 38 and Itasca Co. Road 61; and

WHEREAS, the City of Grand Rapids, acting as the designated responsible governmental unit (RGU) and, as such, was responsible for the preparation, review and consideration of the EAW following the guidelines set forth under State environmental review procedures, Rule 4410.4300; and

WHEREAS, the Grand Rapids City Council, on December 12, 2016, adopted Resolution #16-115 approving a negative declaration for the Environmental Assessment Worksheet (EAW) prepared under State environmental review procedures, Rule 4410.4300 subpart 12.b. *Nonmetallic Mineral Mining*,

WHEREAS, an application was received from Hawkinson Construction Company on January 9, 2018 requesting approval of a Conditional Use Permit (CUP) allowing for the establishment of a long-term mining/mineral extraction operation, as provided for under Section 30-704 *Mining Overlay District* of Division 11 of the City Code, on property legally described as:
Government Lots 2, 3, and 4, and SW NW Less Hwy 38 ROW, SE NW, and SW NE, Section 4, Township 55 North, Range 25 West, Itasca County, Minnesota;

WHEREAS, the Planning Commission reviewed the requested CUP application and conducted a public hearing on this request on February 1, 2018, and all were heard who wished to speak on the matter; and

WHEREAS, the Planning Commission made certain findings that the requested CUP would meet the requirements of Section 30-531(e) and Section 30-704 *Mining Overlay District* of Division 11 of the City Code contingent on the following conditions;

1. All performance standards listed within Section 30-704(e) and acknowledged in the submitted Stormwater Pollution Prevention Plan/Extractive Use and Reclamation Plan are adhered to. (Exhibit A)
2. Mitigation Measures listed within Findings of Fact and Conclusions for the proposed aggregate mine EAW (dated December 6, 2016) are adhered to. (Exhibit B)

WHEREAS, the City Council, upon review of the CUP application, Planning Commission meeting minutes, findings and conditions of the Planning Commission, accepts and specifically adopts the findings and recommendations of the Planning Commission; that the establishment, maintenance and operation of the long-term mining/mineral extraction operation use contemplated by the requested CUP:

1. Will not be detrimental to the public health, safety, morals or general welfare, as there are a fair number of safeguards in place;
2. Will not cause undue traffic congestion or hazards and will not result in a parking shortage, if traffic issues arise, MnDOT will address them;
3. Will not be injurious to the use and enjoyment or result in a decrease in value of other property in the area;
4. Will not impede the orderly development of other property in the area, as the area is zoned for industrial uses rather than residential uses;
5. Will not impose an excessive burden on parks and other public facilities and utilities, as Hawkinson Construction is working with the County and the local snowmobile club on the rerouting of the existing snowmobile trail in the area;
6. Is consistent with the Comprehensive Plan, as the subject area is identified in the Comprehensive Plan as an area with significant mineral resources to be reserved for future extraction opportunities.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF GRAND RAPIDS, MINNESOTA that a Conditional Use Permit is granted to Hawkinson Construction Company to allow the proposed establishment of a long-term mining/mineral

extraction operation, as provided for under Section 30-704 *Mining Overlay District* of Division 11 of the City Code, on property legally described above, and as depicted within the CUP application, subject to the conditions listed above, and also attached as Exhibits "A" and "B".

Adopted by the Council this 26th day of February 2018.

Dale Adams, Mayor

ATTEST:

Kim Gibeau, City Clerk

Council member _____ seconded the foregoing resolution and the following voted in favor thereof _____ ; and the following voted against same _____ ; whereby the resolution was declared duly passed and adopted.

DRAFT



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 18-0125 **Version:** 1 **Name:** Stormwater Annual Public Meeting
Type: Agenda Item **Status:** Engineering
File created: 2/20/2018 **In control:** City Council
On agenda: 2/26/2018 **Final action:**
Title: On Monday, February 26, 2018, directly following the regular City Council meeting, a public meeting will be conducted, in the City Hall Council Chambers, regarding the City's Stormwater Pollution Prevention Plan (SWPPP). The meeting will present the progress to date and required activities for 2018. The City invites all residents and encourages public participation. A quorum of the Grand Rapids City Council may be present.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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On Monday, February 26, 2018, directly following the regular City Council meeting, a public meeting will be conducted, in the City Hall Council Chambers, regarding the City's Stormwater Pollution Prevention Plan (SWPPP). The meeting will present the progress to date and required activities for 2018. The City invites all residents and encourages public participation. A quorum of the Grand Rapids City Council may be present.