



PUBLIC UTILITIES COMMISSION AGENDA

City of Brainerd, Minnesota
BPU Service Center, 8027 Highland Scenic Rd, Commission Room
Tuesday, March 26, 2024 @ 9:00 AM

The public is invited to attend these meetings in person

1. **Call To Order**

2. **Roll Call**

___M. Angland ___T. Erickson ___T. Johnson ___M. O'Day ___D. Matten

3. **Pledge of Allegiance**

4. **Approval Of Agenda**

5. **Consent Calendar**

NOTICE TO PUBLIC - all matters listed are considered routine by the Commission and will all be enacted by one (1) motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Commission votes on the motion to be ADOPTED BY ROLL CALL

A. **Approval of Minutes**

B. **Approval of Bills**

C. **Approval of Change Orders Minger Construction Directional Drilling - Contaminated Soils & Inadvertent Return**

D. **Out-of-State Travel**

6. **Public Forum**

Time allocated for citizens to bring matters not on the agenda to the attention of the Commission -
Time limits may be imposed

7. **Commission Committee Reports**

A. **Personnel Committee**

B. **Finance Committee**

8. **Unfinished Business**

A. **Approval of Revised Job Descriptions**

B. **MOU between Brainerd and Baxter**

- C. See attached separate memo regarding updates to Unfinished Business Items
9. **New Business**
- A. Authorize Funding for Public Utilities Director Executive Search
 - B. Bolton & Menk Water Plant Operations Manual
 - C. Legal Services - Hydro Generation Grant
 - D. Surplus Items
10. **Staff Reports**
(Verbal: Any Updates since Packet)
- A. City Administrator Report
 - B. Council Liaison Report
 - C. Public Utilities Director Report
 - D. HR Director Report
 - E. Finance Manager Report
 - F. Managers Reports
11. **Commission Member Reports**
12. **Adjourn**

Visit Brainerd Public Utilities website at www.bpu.org

MISSION

"The mission of Brainerd Public Utilities is to provide safe, reliable, environmentally friendly electric, water and sewer services to our customers at the lowest reasonable cost."



BRAINERD PUBLIC UTILITIES

8027 Highland Scenic Rd • P.O. Box 373 • Brainerd, Minnesota 56401

Business Office: 218.829.8726 ■ **Repair Service:** 218.829.2193

www.bpu.org

The regular meeting of the Brainerd Public Utilities Commission was held at 9:00 AM on February 27, 2024.

Commission President Matten called the meeting to order at 9:00 AM.

Commission Roll Call

Mike Angland – Present

Tad Johnson – Present

Dolly Matten – Present

Mark O'Day – Present

Tad Erickson - Present

Utility Staff Present

Public Utilities Director

Operations Manager

Water/Wastewater Manager

Finance Manager

Electric Distribution Supervisor

Business Office Supervisor

Recording Secretary

Todd Wicklund

Trent Hawkinson

Charlie Gammon

Danny Loch

Mitch Lachelt

Jana Pernula

Mandy Selisker

Others in Attendance

City Administrator

Interim City Administrator

HR Director

Bolton & Menk

City Liaison

Water Crew Chief

Nick Broyles

Patrick Wussow

Kris Schubert

Morgan Salo, PE

Jeff Czczok

Jason Engholm

Commissioner Matten opened the meeting with the Pledge of Allegiance.

Commissioner Matten welcomed Tad Erickson to the BPU Commission.

Approval of Agenda Items

Commissioner Matten requested that the approval of the minutes be removed from the consent calendar and placed immediately after the consent calendar.

Motion by Commissioner Johnson and seconded by Commissioner O'Day to approve the agenda less the February Minutes. There was a unanimous vote in favor of the motion. Motion carried.

BRAINERD PUBLIC UTILITIES COMMISSION MEETING

February 27, 2024

Approval of Consent Items

Motion by Commissioner O'Day and seconded by Commissioner Angland to approve the current month's bills and Change Order No. 3 received from Minger Construction for \$2,7376.13 for Directional Drilling Forcemain River Crossing Project (see attached change order). There was a unanimous roll call vote in favor of the motion. Motion carried.

Approval of Minutes

Commissioner Matten inquired and sought clarification on the intent of the motion by Commission Johnson on the Alley Project Ronald to Joseph related to project bids. The intention of the motion was to obtain an estimate to further enable pursuing RFP's. Interim City Administration Wussow noted that the minutes should reflect what action was taken at the meeting and the board could make a change before final action is taken.

City Council Liaison Czczok requested that the January 30, 2024, minutes be amended to show the update on the City Administrator search, as deferred by Interim City Administrator Wussow, under the City Liaison report rather than the City Administrator report.

Motion by Commissioner Johnson and seconded by Commissioner O'Day to approve the minutes from the January 30, 2024, regular monthly meeting with the requested change. There was a unanimous vote in favor of the motion. Motion carried.

Public Forum

None

Commission Committee Reports

Personnel

Commissioner O'Day reported on the hiring of the Public Utilities Director position.

- The joint work group has 4 interviews scheduled: three on February 28th and one on March 1st.

Finance

Commissioner Johnson reported a meeting discussing the Hydro Dam which will be discussed in detail later in new business.

Unfinished Business - See board packet for staff memo.

The following unfinished business items were noted and presented by Public Utilities Director Wicklund and Finance Manager Loch:

Adoption of Frozen Water Lines Policy 2024-01

Finance Manager Loch summarized the changes to the original draft as discussed at the January 30, 2024, commission meeting and presented the revised policy for approval. Commissioner O'Day provided a few recommended grammar and punctuation edits to paragraphs one and five.

Motion by Commissioner Johnson and seconded by Commissioner O'Day to approve Policy 2024-01, Frozen Water Services Lines with the recommended edits. There was a unanimous vote in favor of the motion. Motion carried.

BRAINERD PUBLIC UTILITIES COMMISSION MEETING

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Approval of Revised Job Descriptions

HR Director Schubert presented five redlined and final job descriptions due to the recent reorganization of BPU.

- Commissioner O'Day inquired if changes were reviewed with employees. Schubert noted that Operations Manager Hawkinson shared with his staff and Water/Wastewater Manager Gammon's department were such minor changes that there wasn't much done with the employees on those revisions. Hawkinson reported that there is a lot of nervousness and anxiety amongst staff with the changing of job descriptions and negotiations. Staff had good concerns; most were addressed although not 100% in agreement but worked through it.

Motion by Commissioner O'Day and seconded by Commissioner Erickson to recommend approval of the updated job descriptions to the City Council for the Water Crew Chief, Water Service worker, Water Plant Chief Operator, Water Plant Operator, and Wastewater Crew Chief classifications as presented. There was a unanimous vote in favor of the motion. Motion carried.

Alley Project Ronald to Joseph

Finance Manager Loch and Operations Manager Hawkinson reviewed and reported on the following:

- Discussion from the January 30, 2024, Commission meeting gave the direction to staff to obtain an estimate of proposed costs from the Engineer. SEH's estimate is \$931,000 which also includes replacing the customer service lines. This will likely affect several service lines within the project area, but the audit is not yet complete. BPU currently identified 13 service lines on BPU's side and at least four on the customer side, which at some point in the next 10 years will need to be replaced due to the Lead Service Line requirements. Total cost to BPU for the project was estimated at \$691,000 and is not currently budgeted.
- Commissioner Matten asked if the city was moving forward with this project. Interim City Administrator Wussow clarified that the Council authorized going out for bids at their last meeting. Commissioner Matten further inquired that if the bids warrant not proceeding with the project how that may affect BPU also going out for request for proposals (RFPs). Wussow stated that the timing of the project does require both parties to go out for bids to get it done in 2024.
- Commissioner O'Day inquired on how BPU was intending to pay for this project. Public Utilities Director Wicklund noted that this would likely be incorporated into a bond issue later in the year.
- Commissioner Johnson inquired if the project was delayed when it would have to be done based on estimated useful life. Hawkinson reported that BPU's water main needs to be replaced through this project noting in the next few years at least.
 - Hawkinson's recommendation is to postpone this project for one year. There is a lot of public outreach that needs to be completed ahead of this with the customers that has not been discussed.
 - General discussion continued

BRAINERD PUBLIC UTILITIES COMMISSION MEETING

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Motion by Commissioner O'Day and seconded by Commissioner Erickson to approve moving forward with getting RFPs for the alley project. Motion was withdrawn by Commissioner O'Day.

Discussion on the motion occurred the consensus of the Commission was to postpone RFPs until further questions are answered. Discussion of a joint meeting ended with City Administrator Broyles proposing a 6:00 meeting at City Hall on Monday, March 4th prior to the City Council meeting. This meeting would include City Engineering staff, BPU staff, several Commissioners and the Safety and Public Works Committee.

BPU Water Crew Chief Engholm spoke to the successful coordination meetings that occur every other Tuesday and are very productive although no formal decision can result from them. An open invitation was extended to the Commission to attend at any time.

Crypto Mining Activity

Public Utilities Director Wicklund provided the following update:

- The agreement with VCV was a two-year agreement which is set to expire March 22, 2024. Not much as far as development has happened within the last two years. VCV inquired if BPU would consider extending the agreement with their intention to start permitting in Spring, construction to start early Summer, and goal to have 10-15 MW late fall and up to 25MW by the end of the year.

Commissioner O'Day was in favor of letting the current contract expire and renegotiating a new contract with new terms.

Commissioner Matten wanted to ensure there were no ramifications on BPU to let the contract expire. Public Utilities Director Wicklund agreed that BPU was able to let the contract expire having gained further knowledge from JFK contract and potential language that BPU may need or want to update.

Motion by Commissioner O'Day and seconded by Commissioner Angland to let the current contract with VCV Digital expire and renegotiate a new contract. Motion was withdrawn by Commissioner O'Day.

Commissioner Johnson inquired on why BPU would want to renegotiate a contract based on previous history. Commissioner Angland inquired if the city is still working with them. Wussow noted that there has been no correspondence in the last three to four months of his interim role. Hawkinson was in favor of letting the contract expire and looking at other opportunities to sell this capacity based on time invested with no return. He is unsure if their intention is to move forward with a project or if they are potentially shopping for a different site.

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Commissioner Erickson pointed out that if the intent is to let the contract terminate that no motion and no action would accomplish this. Commissioner Johnson asked that BPU staff communicate to anyone on the City side that was involved on the front end of this the intention to let the contract expire to make all parties aware.

Wellhead Protection Plan

Finance Manager Loch inquired if the Commission would like a formal presentation with the entire Commission or just a committee from Bolton & Menk on the Wellhead Protection Plan. A presentation for the full commission was requested by Commissioner Matten.

New Business

Approve Amendment 16 with AEP Energy Partners

Loch presented Amendment 16 provided by AEP Energy Partners primarily due to the REC purchases. As of yesterday, it was requested to hold off momentarily due to finding some hedging that would be more beneficial to BPU and wanting to update the language to reflect that.

BPU staff is requesting conditional approval of the amendment which will likely come though in the next two days. Pricing should not be affected but there may be some additional capacity benefits reflected.

Motion by Commissioner O'Day and seconded by Commissioner Angland to conditionally approve Amendment 16 with AEP Energy Partners. There was a unanimous roll call vote in favor of the motion. Motion carried.

Discuss Hydro Generation Options

Wicklund presented the memo prepared by Barr Engineering with four options for consideration.

Wicklund reviewed the following:

- Summary of the four presented options with potential net benefit. The calculation is figured with projections out to year 2050 and identifies additional add-on options that could be considered.
- Bay 6 has no generator and a potential Flygt turbine could be added. A second option would be to add two generators, one to bay 6 and one to 4.
- Additional projects needed at the Hydro are a new roof over the powerhouse and a new bulkhead for Bay 6.

Motion by Commissioner Johnson and seconded by Commissioner Angland to approve staff option 1A for the purpose of ordering the two Flygt generators for Bay 4 and 6. There was a unanimous vote in favor of the motion. Motion carried.

Commissioner Johnson noted there is a one-year lead time for the generators and the earliest to be online was estimated for the Fall of 2025. The approval would authorize purchasing the generators and would allow time to work out construction details. Commissioner Johnson commented that Barr Engineering did a great job with the presented options.

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Distributed Energy Resources (DER)

Loch presented options of displaying BPU's energy production on the website as it relates to renewable energy. Commissioners Matten and Angland expressed appreciation for the work on this and the consensus of the Commission was to move forward with implementing this on the website.

Hawkinson confirmed that this would be live generation and could be presented as hourly or daily data. Currently the three sources would be: Wastewater Treatment Plant Solar, Airport Solar, and the Hydro Dam. Commissioner Angland requested an aerial photo of each energy source and Commissioner Matten would like to see a key code.

City Administrator Report

Interim City Administrator Wussow introduced City Administrator Nick Broyles to the Commission and staff present.

City Administrator Boyles provided a brief introduction and background and looks forward to working with the BPU Commission and staff.

City Liaison Report

Czczok reported on the following:

- Suggested for future Commissioner meetings with Street Projects on the agenda to invite the City Engineer to attend. Czczok clarified the action at the February 20th City Council meeting was to go out for estimates and action was not to order in the job related to the alley project. At the end of the meeting, further discussion on the adopted resolution by the City Council was that the resolution was adopted approving plans and specs and advertisement for bids. It was noted that this also included the water.

Public Utility Director's Report

Wicklund reported on the following:

- The City Engineer was originally scheduled to be in the building for a regular coordination meeting but with the Commission meeting occurring, the meeting was postponed.

HR Director's Report – *see board packet for report.*

Managers Reports

Finance Manager Loch reported on the following:

- October and November 2023 Finance reports were included in the packet.
- 2023 audit starts next week with CliftonLarsonAllen (CLA) being onsite.
- A budget-to-actual report related to 2024 was included in packet breaking out revenue and expenses for each department.
 - The current YTD budget is an allocation of 2/12 of the current budget.
 - Notable items: Report was generated before some of the billing was generated for all the billing zones, therefore revenue is under budget. Hydro overage in expense is related to the retirement and related severance payout.

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Water/Wastewater Manager Gammon reported on the following:

- Inquired if anyone had any questions on current Delegation requirements or Lead/Copper compliance.
- MOU with the City of Baxter has continued and the joint meetings between all parties have been beneficial.
- The Wastewater Treatment Plant Management board will meet on an as needed basis as called for action by Gammon.
- Water Treatment Plant updates:
 - Automation is ongoing and estimated to be ahead of schedule with a goal at the end of March to potentially release the overnight shift to assist with workload on a daytime shift as the alarm systems are completed.
- Lead/Copper compliance:
 - Staff have been active with residents' concerns and site visits.

Commissioner Johnson requested a written report going forward with an update of all ongoing projects and updates.

Operations Manager Hawkinson reported on the following:

- Electric
 - St. Joe's substation project: New transformer was set, and control house should be coming in the next few weeks.
 - Area for improvement to highlight projects and employees.
 - Proposed starting a future campaign to highlight staff or put together a video to incorporate public outreach, educate public, and showcase outstanding employees. Would request a \$5,000 budget for these types of items for assistance in creating these videos.

Commissioner Johnson encouraged this initiative and recommended starting with a press release and social media post. Commissioner Matten commended BPU and the City for sharing each other's updates to help increase communication in the community. Commissioner Angland also noted recognizing staff and projects also helps with recruitment and education opportunities and is in support of this.

- Outages
 - Underground fault on Brian Lane
 - Created a maintenance project to fix long term.
 - Main Airport Terminal
 - Outage caused by a squirrel in an underground pipe. A conductor will need to be replaced this year.
- Hydro
 - Flows are around 220 cubic feet per second (cfs)
 - Generator five is currently being turned on during the day for about 8-9 hours depending on water flows.
- Solar
 - Combined with the current two projects still generating about 2MWh.

BRAINERD PUBLIC UTILITIES COMMISSION MEETING

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Operations Manager Hawkinson invited Commissioner Erickson and City Administrator Broyles to reach out for a tour of the facilities, as well as any other City Council members who are interested.

Commission Members – Future Agenda Items

Commissioner Erickson expressed thanks for the warm welcome.

Next Board meeting is scheduled for March 26, 2024.

Adjournment

Motion by Commissioner Johnson and seconded by Commissioner O'Day to adjourn to closed session pursuant to Statute 13D.05 to discuss the purchase of the Roberts property. Motion carried at 10:37 AM.

Those in attendance were Commissioners Johnson, Erickson, O'Day, Angland and Matten, City Council Liaison Czezok, Finance Manager Loch, Operations Manager Hawkinson, Water/Wastewater Manager Gammon and Public Utilities Director Wicklund.

Commissioner Matten reconvened the meeting back into open session at 10:49 AM.

Adjournment at 10:49 AM by Commissioner Matten to the joint meeting of BPU staff, Commission, City Engineer and Safety and Public Works Committee at City Hall on Monday, March 4th at 6:00 PM.

Dolly Matten, Commission President

Danny Loch, Finance Manager/Secretary



Brainerd Public Utilities, MN

Board Packet Check Report

By Check Number

Date Range: 02/24/2024 - 03/21/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
Bank Code: AP2-BREMER BANK						
00140	AEP ENERGY PARTNERS, INC.	03/19/2024	EFT	0.00	1,324,683.96	181
175-21482347	Invoice	03/18/2024	Invoice Period: 02/01/24-02/29/24	0.00	1,324,683.96	
10095	AEP ONSITE PARTNERS, LLC	03/19/2024	EFT	0.00	56,410.51	182
419-21482453	Invoice	03/18/2024	Invoice Period: 02/01/24-02/29/24	0.00	56,410.51	
05948	MICROSOFT	03/19/2024	EFT	0.00	52.13	183
E0200Q46NK	Invoice	03/18/2024	ONLINE SERVICES: 12/2023	0.00	52.13	
09535	U.S. BANK ST PAUL	03/21/2024	EFT	0.00	78,693.75	184
2509777	Invoice	03/20/2024	ACCT #: 0037186NS / MNGO Bond 2016A	0.00	78,693.75	
06790	NAPA AUTO PARTS BAXTER	03/07/2024	Regular	0.00	133.55	81728
674051	Invoice	03/07/2024	IGNITION COIL	0.00	62.82	
674052	Credit Memo	03/07/2024	IGNITION COIL - ORIG INV: 2400-674051	0.00	-62.82	
675658	Invoice	03/07/2024	DISC BRAKE ROTOR	0.00	133.55	
05791	TYLER MALLOY	03/07/2024	Regular	0.00	433.84	81729
02/18-02/23/24 T.	Invoice	03/07/2024	Reimburse Travel Expenses: Milsoft Traini...	0.00	433.84	
03699	GRAINGER	03/14/2024	Regular	0.00	998.82	81734
9038384799	Invoice	03/14/2024	Tourniquet Assembly	0.00	107.32	
9971473732	Invoice	03/14/2024	Pintle Mounts	0.00	404.40	
9971542692	Invoice	03/14/2024	Pintle Hook & Ball	0.00	210.54	
9974390966	Invoice	03/14/2024	Strip Lighting	0.00	276.56	
06085	Minger Construction Companies, Inc	03/14/2024	Regular	0.00	2,376.13	81735
2022-11121-Cha...	Invoice	03/14/2024	Forecmain River Crossing: Change Order...	0.00	2,376.13	
05238	MITCH LACHELT	03/14/2024	Regular	0.00	115.52	81736
03/12/24-REIMB...	Invoice	03/14/2024	REIMBURSE OUTAGE MEAL EXPENSE - AIR...	0.00	115.52	
06200	MPCA	03/14/2024	Regular	0.00	390.00	81737
04/16-04/18/24-J...	Invoice	03/14/2024	TYPE IV BASIC LAND APPLICATION: Jason ...	0.00	390.00	
09665	VIKING INDUSTRIAL CENTER	03/14/2024	Regular	0.00	500.00	81738
3284061	Invoice	03/14/2024	LEL SENSOR/REPLACEMENT	0.00	500.00	
09540	HD SUPPLY, INC.	03/15/2024	Regular	0.00	247.95	81745
INV00270859	Invoice	03/15/2024	ASHCROFT PRESSURE GAUGE	0.00	247.95	
05889	MCGRANN SHEA CARNIVAL STRAUGH & LAMB	03/15/2024	Regular	0.00	481.25	81746
147147	Invoice	03/15/2024	FILE: 61350-0010 . LRG INDUSTRIAL POWE...	0.00	481.25	
07335	OFFICE SHOP	03/15/2024	Regular	0.00	2,397.95	81748
1138250-0	Invoice	03/15/2024	OFFICE SUPPLIES	0.00	18.61	
1138250-1	Invoice	03/15/2024	OFFICE SUPPLIES: TONER	0.00	388.72	
1138280-0	Invoice	03/15/2024	OFFICE SUPPLIES	0.00	87.12	
1138309-0	Invoice	03/15/2024	OFFICE SUPPLIES	0.00	21.73	
1138309-1	Invoice	03/15/2024	OFFICE SUPPLIES: CALCULATORS	0.00	30.03	
1138309-2	Invoice	03/15/2024	OFFICE SUPPLIES: TONER	0.00	1,089.72	
1138369-0	Invoice	03/15/2024	OFFICE CHAIR	0.00	516.72	
1138621-0	Invoice	03/15/2024	OFFICE SUPPLIES	0.00	273.20	
C1138280-0	Credit Memo	03/15/2024	CREDIT MEMO: STAPLES	0.00	-27.90	
08020	REGULATORY SOFTWARE SERVICES	03/15/2024	Regular	0.00	948.00	81749
02/20/2024-PCB...	Invoice	03/15/2024	PCB MANAGER.COM SOFTWARE - 12 MO....	0.00	948.00	

Board Packet Check Report

Date Range: 02/24/2024 - 03/21/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
09948	WIDSETH SMITH NOLTING & ASSOC., INC	03/15/2024	Regular	0.00	25,608.50	81750
228678	Invoice	03/15/2024	DIRECTIONAL DRILLING/FORCEMAIN RIVER..	0.00	25,608.50	
00075	A W RESEARCH	03/18/2024	Regular	0.00	10,767.84	81751
60740	Invoice	03/18/2024	WWT TESTING	0.00	2,581.60	
60741	Invoice	03/18/2024	WTR TESTING	0.00	604.80	
61064	Invoice	03/18/2024	WWT TESTING	0.00	3,257.52	
61065	Invoice	03/18/2024	WTR TESTING	0.00	696.00	
61431	Invoice	03/18/2024	WTR TESTING	0.00	672.80	
61442	Invoice	03/18/2024	WWT TESTING	0.00	2,955.12	
02025	CITY OF BRAINERD	03/18/2024	Regular	0.00	179,045.17	81752
02/2024-MILL RA...	Invoice	03/18/2024	MONTHLY TRANSFER: 02/2024	0.00	64,004.57	
02/29/24-SAN/S...	Invoice	03/18/2024	SANITARY & STORM SWR BILLING/COLLEC...	0.00	109,161.89	
23-0003900	Invoice	03/18/2024	RATWIK, ROSZAK, & MALONEY INV.: 10/2...	0.00	273.43	
24-0004172	Invoice	03/18/2024	NeoGov Inv#39692	0.00	1,705.49	
24-0004192	Invoice	03/18/2024	HILDI INVOICE #15838 - GASB 75	0.00	685.29	
24-0004201	Invoice	03/18/2024	RATWIK, ROSZAK, & MALONEY INV.: 11/2...	0.00	2,779.50	
24-0004221	Invoice	03/18/2024	MN GO BONDS 2023A/MUNIPLATFORM I...	0.00	435.00	
03180	EVOLVING SOLUTIONS, INC.	03/18/2024	Regular	0.00	4,133.00	81753
203020	Invoice	03/18/2024	ANNUAL MAINT: MICROSOFT 365/VEEAM...	0.00	4,133.00	
03321	FIRST IMPRESSION PRINTING	03/18/2024	Regular	0.00	2,296.87	81754
90350	Invoice	03/18/2024	PRINTING/PUBLISHING FORMS: ENVELOP...	0.00	696.87	
90395	Invoice	03/18/2024	PRINTING/PUBLISHING FORMS: COPPER B...	0.00	1,600.00	
03695	GOPHER STATE ONE-CALL	03/18/2024	Regular	0.00	87.75	81755
4020110	Invoice	03/18/2024	GSOC TICKETS	0.00	87.75	
05415	LANDIS-GYR TECHNOLOGY, INC/FKA CELLNET	03/18/2024	Regular	0.00	1,464.48	81756
90390181	Invoice	03/18/2024	MONTHLY ENDPOINT FEE: 03/2024	0.00	1,464.48	
05530	LEAGUE OF MN CITIES INS. TRUST WC	03/18/2024	Regular	0.00	28,462.50	81757
10002612-W/C Q...	Invoice	03/18/2024	ACCT: 10002612-WORK COMP - Q2 2024 ...	0.00	28,462.50	
06125	MINNESOTA DEPT OF COMMERCE	03/18/2024	Regular	0.00	2,962.45	81758
1000051185	Invoice	03/18/2024	INDIRECT ASSESSMENT: Q4 2024 - #217	0.00	2,962.45	
06141	MINNESOTA DEPT OF HEALTH	03/18/2024	Regular	0.00	11,961.00	81759
1180002-Q1 2024	Invoice	03/18/2024	WATER SERVICE CONNECTION FEE: Q1 20...	0.00	11,961.00	
06244	MINNESOTA SOCIETY OF CPA'S	03/18/2024	Regular	0.00	730.00	81760
363884	Invoice	03/18/2024	CPA MEMBERSHIP: 04/1/24-03/31/25 - T....	0.00	365.00	
365736	Invoice	03/18/2024	CPA MEMBERSHIP: 4/1/24-3/31/25 - DANI...	0.00	365.00	
06155	MN DEPARTMENT OF PUBLIC SAFETY	03/18/2024	Regular	0.00	125.00	81761
1801500852023...	Invoice	03/18/2024	SECTION 302/SECTION 312 - FACILITY ID: ...	0.00	25.00	
1801500872023...	Invoice	03/18/2024	SECTION 302/SECTION 312 - FACILITY ID: ...	0.00	100.00	
07339	ONLINE INFORMATION SERVICES, INC.	03/18/2024	Regular	0.00	153.92	81762
1246275	Invoice	03/18/2024	ONLINE UTILITY EXCHANGE REPORT: 02/2...	0.00	153.92	
06268	Ryan Churchill	03/18/2024	Regular	0.00	640.00	81763
5529498	Invoice	03/18/2024	WEBSITE SUPPORT / TRAINING: 02/2024	0.00	640.00	
09728	WASTE PARTNERS	03/18/2024	Regular	0.00	1,535.19	81764
42X00352	Invoice	03/18/2024	TRASH/RECYCLING SERVICE: ACCT#242053	0.00	1,535.19	
00075	A W RESEARCH	03/21/2024	Regular	0.00	75.00	81765
60694	Invoice	03/21/2024	ANNUAL FEE - REPORTING RESULTS TO M...	0.00	75.00	
00105	ACE HARDWARE-BRAINERD	03/21/2024	Regular	0.00	501.28	81766
03/07/24-BULB R...	Invoice	03/21/2024	FLOURESCENT BULB RECYCLING - COUPO...	0.00	155.25	
322205	Invoice	03/21/2024	HEX BUSHINGS	0.00	4.80	

Board Packet Check Report

Date Range: 02/24/2024 - 03/21/2024

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
322207	Invoice	03/21/2024	SEALANT	0.00	24.99	
322230	Invoice	03/21/2024	PIPE	0.00	76.91	
322272	Invoice	03/21/2024	SPRAYER	0.00	33.65	
322274	Invoice	03/21/2024	HOSE ADAPTER/HEX BUSHING	0.00	20.17	
322280	Invoice	03/21/2024	BRASS MPT	0.00	163.41	
322595	Invoice	03/21/2024	LED INSPECTION LIGHT TOOL	0.00	16.34	
322689	Invoice	03/21/2024	WD40	0.00	5.76	
10188	ALPENGLOW TECHNOLOGIES, LLC	03/21/2024	Regular	0.00	400.00	81767
10343	Invoice	03/21/2024	Monthly IT Billing: 03/2024	0.00	400.00	
00250	AMARIL UNIFORM COMPANY	03/21/2024	Regular	0.00	879.94	81768
IV257370	Invoice	03/21/2024	VEST/HI VIS GEAR - R.MILLER	0.00	879.94	
00315	AMERICAN STEEL INC	03/21/2024	Regular	0.00	93.62	81769
119843	Invoice	03/21/2024	CHANNEL	0.00	93.62	
00337	AMERICAN WELDING & GAS INC	03/21/2024	Regular	0.00	80.56	81770
0009954636	Invoice	03/21/2024	CYLINDER RENTAL INVOICE	0.00	80.56	
00340	ARAMARK UNIFORM SERVICES	03/21/2024	Regular	0.00	134.88	81771
2530243437	Invoice	03/21/2024	WORK UNIFORMS	0.00	33.77	
2530245922	Invoice	03/21/2024	WORK UNIFORMS	0.00	33.67	
2530248469	Invoice	03/21/2024	WORK UNIFORMS	0.00	33.77	
2530250997	Invoice	03/21/2024	WORK UNIFORMS	0.00	33.67	
00497	AUTO VALUE	03/21/2024	Regular	0.00	12.26	81772
02/25/2024 STAT...	Invoice	03/21/2024	FINANCE CHARGE ON 02/25/24 STATEME...	0.00	0.51	
17355423	Invoice	03/21/2024	GASKET MATERIAL	0.00	11.75	
00670	BARR ENGINEERING CO	03/21/2024	Regular	0.00	44,462.36	81773
23181016.06-25	Invoice	03/21/2024	WORK ORDER #6: SUPPORT FOR THE HYD...	0.00	8,236.86	
23181016.07-4	Invoice	03/21/2024	HYDRO PROJ. PHASE II: UNIT 6 GENERATI...	0.00	36,225.50	
00692	BATTERIES PLUS # 035	03/21/2024	Regular	0.00	14.24	81774
P70718686	Invoice	03/21/2024	3V LITHIUM BATTERIES	0.00	14.24	
00735	BEST OIL COMPANY	03/21/2024	Regular	0.00	5,042.26	81775
34048	Invoice	03/21/2024	DIESEL	0.00	427.00	
34049	Invoice	03/21/2024	GAS	0.00	493.50	
34147	Invoice	03/21/2024	DIESEL	0.00	395.00	
34148	Invoice	03/21/2024	GAS	0.00	658.00	
34226	Invoice	03/21/2024	DIESEL	0.00	592.50	
34227	Invoice	03/21/2024	GAS	0.00	658.00	
5779	Invoice	03/21/2024	GAS	0.00	487.90	
5998	Invoice	03/21/2024	GAS	0.00	637.36	
5999	Invoice	03/21/2024	DIESEL	0.00	693.00	
00820	BOLTON & MENK, INC.	03/21/2024	Regular	0.00	18,824.50	81776
0331368	Invoice	03/21/2024	WHPP PART 2: SERVICES FROM 01/20/24-...	0.00	5,289.00	
0331373	Invoice	03/21/2024	WTP FILTER BACKWASH RECLAIM: 01/20/...	0.00	13,535.50	
00825	BORDER STATES ELECTRIC	03/21/2024	Regular	0.00	7,765.51	81777
927901132	Invoice	03/21/2024	INV FUSES TYPE K	0.00	67.35	
927901135	Invoice	03/21/2024	PUR CABLE CLEANER	0.00	324.96	
927901143	Invoice	03/21/2024	EL HARDWARE	0.00	672.00	
927939752	Invoice	03/21/2024	INV EU0590 CAPS	0.00	648.40	
927956029	Invoice	03/21/2024	INV COOPER UNDERGROUND PARTS	0.00	5,216.40	
927956054	Invoice	03/21/2024	INV EU1430	0.00	141.60	
927979279	Invoice	03/21/2024	INV 35KV 600 UG LUGS	0.00	694.80	
01805	CENTERPOINT ENERGY	03/21/2024	Regular	0.00	3,070.56	81778
8000014432-1-03...	Invoice	03/21/2024	MONTHLY GAS BILL - WTR PROD/WTR DIS...	0.00	3,070.56	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
01837	CENTURYLINK	03/21/2024	Regular	0.00	480.44	81779
218201-0080497...	Invoice	03/21/2024	MONTHLY PHONE BILL: 03/2024	0.00	480.44	
01890	CHARTER COMMUNICATIONS	03/21/2024	Regular	0.00	75.32	81780
175590201030124	Invoice	03/21/2024	TV SERVICE: 03/2024	0.00	75.32	
02790	DAKOTA SUPPLY GROUP	03/21/2024	Regular	0.00	2,799.45	81781
S103512901.001	Invoice	03/21/2024	INV EC UNDERGROUND CABLE	0.00	2,799.45	
03495	FLAHERTY & HOOD, P.A.	03/21/2024	Regular	0.00	510.00	81782
20976	Invoice	03/21/2024	NPDES PERMIT ISSUES/SERVICES	0.00	510.00	
03497	FLEETPRIDE TRUCK & TRAILER PARTS	03/21/2024	Regular	0.00	1,258.96	81783
115138050	Invoice	03/21/2024	ALUMINUM TOOL BOX - FA # 041/1028	0.00	1,218.36	
115385128	Invoice	03/21/2024	NYLON TUBING - FA# 1024	0.00	40.60	
03542	FORUM COMMUNICATIONS	03/21/2024	Regular	0.00	669.00	81784
MP3168200224	Invoice	03/21/2024	JOB AD: PUBLIC UTILITIES DIRECTOR	0.00	669.00	
03915	HACH COMPANY	03/21/2024	Regular	0.00	3,621.28	81785
13924703	Invoice	03/21/2024	BUFFER CITRATE/ SODIUM PERIODATE	0.00	148.33	
13930030	Invoice	03/21/2024	REAGENT SET/FERROVER IRON/HYDROCH...	0.00	1,088.55	
13933556	Invoice	03/21/2024	STOPPER	0.00	54.27	
13940998	Invoice	03/21/2024	REAGENT SET	0.00	453.75	
13943672	Invoice	03/21/2024	SAMPLE CELL	0.00	1,340.00	
13946274	Invoice	03/21/2024	WATER HARDNESS TNT	0.00	323.00	
13960636	Invoice	03/21/2024	FERROVER IRON/PAN IND SOLN/ASCORBIC...	0.00	170.63	
13962308	Invoice	03/21/2024	ALKALINE CYANIDE RGT	0.00	42.75	
04050	HAWKINS INC.	03/21/2024	Regular	0.00	39,660.71	81786
6697068	Invoice	03/21/2024	PUMPS/EJECTORS/ELEC. CHLOR SCALE/VE...	0.00	33,679.00	
6705397	Invoice	03/21/2024	CHLORINE	0.00	1,577.00	
6708327	Invoice	03/21/2024	SODIUM HYDROXIDE	0.00	4,374.71	
6708781	Invoice	03/21/2024	CHLORINE CYLINDER	0.00	30.00	
09540	HD SUPPLY, INC.	03/21/2024	Regular	0.00	174.99	81787
INV00273608	Invoice	03/21/2024	CAHNNEL NUT/SDJ PIPE CLAMP	0.00	27.75	
INV00274165	Invoice	03/21/2024	MINIATURE BALL VALVE	0.00	137.85	
INV00279433	Invoice	03/21/2024	ADJ PIPE CLAMP	0.00	9.39	
04555	INTEGRATED PROTECTION SYSTEMS, INC.	03/21/2024	Regular	0.00	5,503.62	81788
81635	Invoice	03/21/2024	JOB #34530 / CENTRAL - ALARM SYSTEM ...	0.00	5,119.74	
81636	Invoice	03/21/2024	JOB #1055 / CENTRAL - ANNUAL MONITOR..	0.00	383.88	
04613	JACO ANALYTICAL, INC.	03/21/2024	Regular	0.00	19.65	81789
E4AV46	Invoice	03/21/2024	OIL SAMPLES	0.00	19.65	
05335	LAKES AREA MAT SERVICE II, INC	03/21/2024	Regular	0.00	187.93	81790
20240205	Invoice	03/21/2024	MAT/TOWEL SERVICE	0.00	45.80	
20240219	Invoice	03/21/2024	MAT/TOWEL SERVICE	0.00	45.80	
20240304	Invoice	03/21/2024	MAT/TOWEL SERVICE	0.00	45.80	
20240318	Invoice	03/21/2024	MAT/TOWEL SERVICE	0.00	50.53	
05590	LEWIS ELECTRIC MOTOR REPAIR, INC.	03/21/2024	Regular	0.00	493.25	81791
554447	Invoice	03/21/2024	PUR LEWIS MOTOR REPAIR	0.00	493.25	
05976	MIDWEST MACHINERY CO.	03/21/2024	Regular	0.00	922.11	81792
9940274	Invoice	03/21/2024	FILTERS/FILTER KITS - FA#3939	0.00	922.11	
06080	MILSOFT UTILITY SOLUTIONS	03/21/2024	Regular	0.00	5,327.44	81793
20241125	Invoice	03/21/2024	WINDMIL/LIGHTTABLE SUPPORT: 04/2024...	0.00	5,327.44	
06141	MINNESOTA DEPT OF HEALTH	03/21/2024	Regular	0.00	23.00	81794
14692-HOLTZ 20...	Invoice	03/21/2024	CLASS D RENEWAL/TIM HOLTZ	0.00	23.00	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
06266	MINNESOTA VALLEY	03/21/2024	Regular	0.00	88.00	81795
1241501	Invoice	03/21/2024	TESTING	0.00	88.00	
06790	NAPA AUTO PARTS BAXTER	03/21/2024	Regular	0.00	34.00	81796
684516	Credit Memo	03/21/2024	RADIATOR - ORIG INV: 2400-684419	0.00	-261.54	
684713	Credit Memo	03/21/2024	THEMOSTAT/AIR FILTER - ORIG INV:2400-...	0.00	-70.16	
685374	Invoice	03/21/2024	OIL FILTERS	0.00	110.05	
685508	Invoice	03/21/2024	SERPENTINE BELT/ALT. BEARING/TENSION...	0.00	167.88	
685564	Invoice	03/21/2024	REAR MAIN SEAL SET	0.00	50.22	
686050	Invoice	03/21/2024	SWITH - DIMMER / FA# 041	0.00	10.70	
686469	Invoice	03/21/2024	U-JOINT - FA # 1024	0.00	26.85	
06985	NCL OF WISCONSIN, INC	03/21/2024	Regular	0.00	1,132.61	81797
500225	Invoice	03/21/2024	SAMPLE CELLS/PAN INDICATOR SOLUTION	0.00	258.66	
500486	Invoice	03/21/2024	ALKALINE REAGENT	0.00	51.95	
500785	Invoice	03/21/2024	GLASS CELLS	0.00	822.00	
08820	NEUTRON INDUSTRIES	03/21/2024	Regular	0.00	418.03	81798
903246998	Invoice	03/21/2024	SWEET LEMON PT9	0.00	418.03	
07920	QUALITY FLOW SYSTEMS, INC.	03/21/2024	Regular	0.00	83,570.00	81799
46425	Invoice	03/21/2024	PUR WWTP QUALITY FLOW	0.00	50,000.00	
46560	Invoice	03/21/2024	PUR SW6 LS REPLACEMENT PUMP ESTIMA...	0.00	14,160.00	
46561	Invoice	03/21/2024	PUR INDUSTRIAL LS PUMP REPLACEMENT	0.00	9,430.00	
46562	Invoice	03/21/2024	PUR MEADOWVIEW LS REPLACEMENT P...	0.00	9,980.00	
08058	RESCO	03/21/2024	Regular	0.00	172.60	81800
3024932	Invoice	03/21/2024	INV EO4320 FUSE	0.00	172.60	
08428	SEH DESIGN/BUILD, INC.	03/21/2024	Regular	0.00	75,000.00	81801
2439	Invoice	03/21/2024	WTR TANK MAINT-0.6 MG RADIAL CONE -...	0.00	75,000.00	
08805	STAR ENERGY SERVICES, LLC	03/21/2024	Regular	0.00	166.00	81802
22385	Invoice	03/21/2024	NOVA PORTAL SUPPORT - KNOTT (MIKELS...	0.00	166.00	
08893	STS OPERATING	03/21/2024	Regular	0.00	200.06	81803
6033463-00-SHIP...	Invoice	03/21/2024	FREIGHT ON ORIGINAL INVOICE	0.00	200.06	
08895	STUART C. IRBY CO	03/21/2024	Regular	0.00	55.75	81804
S013891926.001	Invoice	03/21/2024	PUR METER SERVICING EQUIPMENT	0.00	55.75	
09440	Trojan Technologies Group ULC	03/21/2024	Regular	0.00	24,788.49	81805
200/21716	Invoice	03/21/2024	PUR WW TROJAN LAMPS	0.00	24,788.49	
07715	U.S. POSTAL SERVICE	03/21/2024	Regular	0.00	320.00	81806
03/20/24-PRESO...	Invoice	03/21/2024	FIRST CLASS PRESORT - MT 16	0.00	320.00	
09663	VIKING ELECTRIC SUPPLY, INC	03/21/2024	Regular	0.00	22.61	81807
S007755629.001	Credit Memo	03/21/2024	HONGEN - ORIG INV: S007746961.003	0.00	-211.70	
S007811020.001	Invoice	03/21/2024	90D LIQ CONN	0.00	5.51	
S007818897.001	Invoice	03/21/2024	WHITE CODING TAPE	0.00	24.16	
S007818897.002	Invoice	03/21/2024	BLUE/RED CODING TAPE	0.00	145.32	
S007867550.001	Invoice	03/21/2024	3/4 IN STR LIQ CONN / 2 HOLE STRAP	0.00	57.39	
S007882152.001	Invoice	03/21/2024	UTILITY BOX COVER	0.00	1.93	
09899	WESCO RECEIVABLES CORP	03/21/2024	Regular	0.00	36,057.00	81808
369747	Invoice	03/21/2024	INV EO5270 GROUND ROD	0.00	657.00	
370755	Invoice	03/21/2024	INV NEW COMMERCIAL POLES	0.00	35,400.00	
09925	WEX HEALTH, INC	03/21/2024	Regular	0.00	25.50	81809
0001917846-IN	Invoice	03/21/2024	MONTHLY COBRA BILLING: 02/2024	0.00	25.50	
07640	PITNEY BOWES, INC.	03/14/2024	Bank Draft	0.00	3,500.00	DFT0001013
03/01/24-POSTA...	Invoice	03/14/2024	POSTAGE REFILL	0.00	3,500.00	

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Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Payable #	Payable Type	Post Date	Payable Description	Discount Amount	Payable Amount	
01191	BREMER BANK - CC	02/29/2024	Bank Draft	0.00	38,491.88	DFT0001022
01/25/24-CC STA...	Invoice	02/29/2024	CC STATEMENT: 01/25/2024	0.00	38,491.88	
06171	MN DEPT OF REVENUE	03/20/2024	Bank Draft	0.00	143,730.00	DFT0001024
02/2024-SALES T...	Invoice	03/20/2024	SALES TAX DRAFT: 02/2024	0.00	143,730.00	
00472	AT&T MOBILITY	03/21/2024	Bank Draft	0.00	2,209.73	DFT0001025
287302792515X...	Invoice	03/21/2024	AT & T MONTHLY BILL: 02/2024	0.00	2,209.73	
02455	CTC	03/21/2024	Bank Draft	0.00	2,115.15	DFT0001026
21347710	Invoice	03/21/2024	MONTHLY BILL: 03/2024	0.00	2,115.15	
07640	PITNEY BOWES, INC.	03/21/2024	Bank Draft	0.00	3,500.00	DFT0001027
03/12/24-POSTA...	Invoice	03/21/2024	POSTAGE REFILL	0.00	3,500.00	
09961	XCEL ENERGY	03/21/2024	Bank Draft	0.00	3,634.20	DFT0001028
51-4948533-6	Invoice	03/21/2024	Xcel Energy - Service Center/WWT	0.00	3,634.20	
01805	CENTERPOINT ENERGY	03/21/2024	Bank Draft	0.00	279.89	DFT0001030
11595232-7-02/1...	Invoice	03/21/2024	50 JENNY STREET	0.00	279.89	
01805	CENTERPOINT ENERGY	03/21/2024	Bank Draft	0.00	18.37	DFT0001031
11582840-2-02/1...	Invoice	03/21/2024	1602 E RIVER RD	0.00	18.37	
02717	CULLIGAN	03/21/2024	Bank Draft	0.00	99.72	DFT0001033
150-01059575-2-...	Invoice	03/21/2024	150-01059575-2 Service Center	0.00	99.72	
02717	CULLIGAN	03/21/2024	Bank Draft	0.00	48.00	DFT0001034
150-10024107-7-...	Invoice	03/21/2024	150-10024107-7 Hydro	0.00	48.00	

Bank Code AP2 Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	160	71	0.00	644,131.45
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	11	11	0.00	197,626.94
EFT's	4	4	0.00	1,459,840.35
	175	86	0.00	2,301,598.74

All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	160	71	0.00	644,131.45
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	11	11	0.00	197,626.94
EFT's	4	4	0.00	1,459,840.35
	175	86	0.00	2,301,598.74

Fund Summary

Fund	Name	Period	Amount
9	POOLED CASH CONTROL	2/2024	38,491.88
9	POOLED CASH CONTROL	3/2024	2,263,106.86
			2,301,598.74



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: Approval of Change Orders Minger Construction Directional Drilling - Contaminated Soils & Inadvertent Return

AGENDA:

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY:

DEPARTMENT: Public Utilities

PRESENTER:

ESTIMATED TIME (MIN): 1

SUMMARY OF ISSUE: During the construction phases of the forcemain through the directional drilling, the contractors encountered contaminated soil and inadvertent returns from the drilling operations. Widseth has been overseeing the project and has proposed and negotiated the attached change orders with Minger construction. These negotiations have led to splitting costs related to the contaminated soil and an inadvertent return to the project. These costs were considered unexpected for the project and additional costs beyond the scope of the project.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Staff met with Widseth to discuss potential change orders with Minger and additional costs that were not included in the scope of the project. Staff recommendation is to accept that attached change orders that split the costs with Minger Construction related to the inadvertent return and costs related to contaminated soils that would not have been known at the time of the bidding of the project.

FINANCIAL IMPACT: \$25,861.17

PARTIAL PAYMENT APPLICATION
NUMBER 4

Name of Contractor:	Minger Construction Companies, Inc. 620 Corporate Drive Jordan, MN 55352	
Name of Owner:	Brainerd Public Utilities 8027 Highland Scenic Drive Baxter, MN 56425	
Date of Completion:	Amount of Contract:	Dates of Estimate:
Original: See Agreement	Original: \$1,727,164.08	From: 1/5/24
Revised:	Revised: \$1,775,945.48	To: 3/11/24

Description of Project:
DIRECTIONAL DRILLING FORCEMAIN RIVER CROSSING

SPEC NO.	ITEM DESCRIPTION	CONTRACT ITEMS				THIS PERIOD		TOTAL TO DATE	
		QTY.	UNIT	UNIT PRICE	AMOUNT	QTY.	AMOUNT	QTY.	AMOUNT
Plan	MOBILIZATION	1	LS	\$135,000.00	\$135,000.00			0.9	\$121,500.00
31 1100	CLEARING	0.9	AC	\$5,500.00	\$4,950.00			0.9	\$4,950.00
31 1100	GRUBBING	0.9	AC	\$2,750.00	\$2,475.00			0.9	\$2,475.00
02 4100	ABANDON EX MH 2-6	1	LS	\$3,472.00	\$3,472.00			1	\$3,472.00
02 4100	ABANDON EX MH 2-7	1	LS	\$3,472.00	\$3,472.00			1	\$3,472.00
02 4100	ABANDON EX VAULT MH-1	1	LS	\$15,000.00	\$15,000.00			1	\$15,000.00
02 4100	ABANDON EX VAULT MH-2	1	LS	\$24,250.00	\$24,250.00			1	\$24,250.00
02 4100	FLUSH EACH OF THE EXISTING 20" DIP FORCEMAIN	1	LS	\$14,500.00	\$14,500.00			1	\$14,500.00
31 2200	EXCAVATION- COMMON	825	CY	\$20.00	\$16,500.00			750	\$15,000.00
31 2200	COMMON TOPSOIL BORROW	150	CY	\$75.00	\$11,250.00				
32 1216	BITUMINOUS PAVEMENT RESTORATION	1	LS	\$24,480.00	\$24,480.00				
32 1500	AGGREGATE SURFACED ROADWAY RESTORATION	1	LS	\$3,460.00	\$3,460.00			0.1	\$346.00
33 3913	AIR RELEASE MANHOLE	1	EA	\$94,770.00	\$94,770.00			0.9	\$85,293.00
01 5526	TRAFFIC CONTROL	1	LS	\$4,000.00	\$4,000.00			0.9	\$3,600.00
01 5713	STABILIZED CONSTRUCTION EXIT	4	EA	\$1,215.00	\$4,860.00			2	\$2,430.00
01 5713	SILT FENCE, TYPE MS	1500	LF	\$4.45	\$6,675.00			1529	\$6,804.05
33 3123	CONNECT TO HDD PIPE	2	EA	\$18,200.00	\$36,400.00			2	\$36,400.00
33 3123	20" FORCEMAIN AND FITTINGS - EAST SIDE	1	LS	\$128,500.00	\$128,500.00			1	\$128,500.00
33 3111	30" GRAVITY PIPE AND MANHOLES - WEST SIDE	1	LS	\$261,000.00	\$261,000.00			1	\$261,000.00
33 7079	BYPASS PIPING, WET TAP, LINE STOPS - EAST VAULT	1	LS	\$167,500.00	\$167,500.00			1	\$167,500.00
33 3123	CAP FORCEMAIN IN EAST VAULT	1	LS	\$4,750.00	\$4,750.00			1	\$4,750.00
33 0597.16	TRACER WIRE SYSTEM	1	LS	\$1,500.00	\$1,500.00				
33 0507.13	FORCEMAIN(HORIZONTAL DIRECTIONAL DRILL)	1	LS	\$688,000.00	\$688,000.00			1	\$688,000.00
01 5713	SEDIMENT CONTROL LOG TYPE WOOD FIBER	1330	LF	\$4.45	\$5,918.50				
01 5713	TEMPORARY EROSION CONTROL	1	LS	\$11,000.00	\$11,000.00			0.9	\$9,900.00
32 9219	HYDRAULIC BONDED FIBER MATRIX(3500 #/AC)	11130	LBS	\$1.85	\$20,590.50				
	LANDSCAPING- BAXTER	1	LS	\$24,500.00	\$24,500.00				
32 9219	SEEDING	3.18	AC	\$556.00	\$1,768.08				
32 9219	SEED MIX 25-131(220 #/Ac)	22	LBS	\$4.50	\$99.00				
32 9219	SEED MIX 34-371(12.5 #/Ac)	13	LBS	\$90.00	\$1,170.00				
32 9219	SEED MIX 36-311 (33.5 #/Ac)	44	LBS	\$31.00	\$1,364.00				
32 9219	SEED MIX TRAIL (35 #/Ac)	30	LBS	\$133.00	\$3,990.00				
	Helical Piling Installation	1	LS	\$16,885.57	\$16,885.57			1	\$16,885.57
	Raise Existing MH 2-5	1	LS	\$7,658.53	\$7,658.53			1	\$7,658.53
	Bolt Down Casting	1	LS	\$2,376.13	\$2,376.13				
	Contaminated Soils	1	LS	\$9,249.73	\$9,249.73	1	\$9,249.73	1	\$9,249.73
	IR Drilling Fluid Return	1	LS	\$12,611.44	\$12,611.44	1	\$12,611.44	1	\$12,611.44
TOTAL:					\$1,775,945.48		\$21,861.17		\$1,645,547.32

Notes:

		THIS PERIOD	TOTAL TO DATE
AMOUNT EARNED		\$21,861.17	\$1,645,547.32
AMOUNT RETAINED (5% OF THE AMOUNT EARNED TO DATE)		\$1,093.06	\$82,277.37
PREVIOUS PAYMENTS			\$1,542,501.84
AMOUNT DUE		\$20,768.11	\$20,768.11

Estimated Percentage Completed: 92.7%

CONTRACTOR'S CERTIFICATION:

The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the Contractor for work for which previous payment estimates were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR : MINGER CONSTRUCTION COMPANIES, INC.

BY: Mike Urban
Date: 3/11/24

Digitally signed by Mike Urban
DN: C=US, E=MikeU@mingerconst.com, O=Minger Construction Co.
Inc., CN=Mike Urban
Date: 2024.03.11 09:21:19-05'00'

ENGINEER'S CERTIFICATION:

The undersigned endorses that to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.

ENGINEER: WIDSETH SMITH NOLTING & ASSOCIATES INC.

BY: William Westerberg, P.E.
Date:

APPROVED BY BRAINERD PUBLIC UTILITIES:

BY: Todd Wicklund, Public Works Director
Date:

RECOMMENDED FOR APPROVAL BY BRAINERD PUBLIC UTILITIES

BY:
Date:

APPROVED BY :

BY:
Date:

CHANGE ORDER NO.: 4

Owner: **Brainerd Public Utilities** Owner's Project No.:
Engineer: **Widseth Smith Nolting & Assoc Inc.** Engineer's Project No.: **2022-11121**
Contractor: **Minger Construction Companies, Inc.** Contractor's Project No.:
Project: **Directional Drilling Forcemain River Crossing**
Contract Name: **Directional Drilling Forcemain River Crossing**
Date Issued: **March 11, 2024** Effective Date of Change Order: **March 26, 2024**

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

Description:

The directional drilling subcontractor for Minger Construction is ECI. ECI was expanding the mud pit on the east side of the river and encountered contaminated soil. The contaminated soil was relocated on site and stockpiled on poly. After all the material was relocated it was covered with poly to prevent further contamination. Widseth collected samples of the contaminated soil and sent them to a lab for testing. The test results were sent to the disposal site and it was determined that the contaminated soil could be taken to the Crow Wing County Landfill. The materials were loaded and hauled to the landfill.

Attachments:

Minger Construction Change Order # 4
Anderson Brothers Trucking Invoice
ECI Change Order
Crow Wing County Sanitary Landfill load tickets

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>1,727,164.08</u>	Original Contract Times: Substantial Completion: <u>March 1, 2024</u> Ready for final payment: <u>June 1, 2026</u>
\$ _____	[Increase] [Decrease] from previously approved Change Orders No.1 to No. [Number of previous Change Order] : Substantial Completion: _____ Ready for final payment: _____
Contract Price prior to this Change Order: \$ <u>1,754,084.31</u>	Contract Times prior to this Change Order: Substantial Completion: <u>March 1, 2024</u> Ready for final payment: <u>June 1, 2026</u>
[Increase] [Decrease] this Change Order: \$ <u>9,249.73</u>	[Increase] [Decrease] this Change Order: Substantial Completion: _____ Ready for final payment: _____
Contract Price incorporating this Change Order: \$ <u>1,763,334.04</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>March 1, 2024</u> Ready for final payment: <u>June 1, 2026</u>

Recommended by Engineer (if required)
By: Widseth, Wesley
Title: Widseth Civil Engineer
Date: 3/11/24

Authorized by Owner
By: _____
Title: _____
Date: _____

Accepted by Contractor Mike Urban
Mike Urban - Project Manager
3/12/24

Approved by Funding Agency (if applicable)

Digitally signed by Mike Urban
DN: C=US, E=MikeU@mingerconst.com,
O=Minger Construction Co. Inc.,
CN=Mike Urban
Date: 2024.03.12 07:44:48-05'00'



Minger Construction Co., Inc.

Phone: 952-368-9200

620 Corporate Drive
Jordan, MN 55352

Fax: 952-368-9311

PROJECT: Brainerd - HDD Forcemain River Crossing

PROJECT NUMBER: _____

Date 3/11/2024

Change Order

4

Contaminated Soils

While working on the east side of the river, contaminated soil was encountered that needed to be mitigated. The soil was excavated, relocated, stockpiled and covered until the test results came back which allowed it to be hauled and disposed at the Crow Wing County landfill. Once approval was obtained to dispose of the material at the landfill, the materials was loaded into trucks and hauled off site.

Description	QUANTITY	UNIT	Unit Cost	Cost
Labor				
Superintendent	7	HR	\$128.13	\$896.91
Equipment				
Foreman Pickup	7	HR	\$30.00	\$210.00
75,000 LB Excavator	4.5	HR	\$185.00	\$832.50
Total labor & Equipment				\$1,939.41
Materials				
Crow Wing County Landfill - Dump Fee Ticket 195326	1	LS	\$193.00	\$193.00
Crow Wing County Landfill - Dump Fee Ticket 195309	1	LS	\$193.00	\$193.00
Crow Wing County Landfill - Dump Fee Ticket 195314	1	LS	\$193.00	\$193.00
Crow Wing County Landfill - Dump Fee Ticket 195326	1	LS	\$193.00	\$193.00
Crow Wing County Landfill - Dump Fee Ticket 195320	1	LS	\$193.00	\$193.00
Total Materials				\$965.00
Subcontractors				
Anderson Brothers - Hauling	1	LS	\$1,503.25	\$1,503.25
ECI - Excavating, moving, stockpiling	0.5	LS	\$8,250.00	\$4,125.00
Total Subcontractors				\$5,628.25
			Total	\$8,532.66
			Labor, Equipment, Material Markup(15%)	\$435.66
			Subcontractor Markup(5%)	\$281.41
			Total Markup	\$717.07
			Total	\$9,249.73

ENGINEER/INSPECTOR

Minger Construction
CONTRACTOR

OWNER

SIGNATURE

SIGNATURE

SIGNATURE

DATE

DATE

DATE



Anderson Brothers Construction Company of Brainerd
11325 State Highway 210
Brainerd, MN 56401
(218) 829-1768

Invoice # 34162

Bill to: 16864 Minger Construction Inc 620 Corporate Drive Jordan, MN 55352	Job: 14193 ABCC MISC PIT DELIVERY DELIVERIES FROM NON COMMERCIAL PITS 2023
--	---

Invoice #: 34162 Date: 12/31/23 Payment Terms: Contract Job Customer Code: 16864	Customer P.O. #: DEC 22, 2023-HAULING Salesperson:
---	---

Remarks: DUMPED A CROW WING COUNTY LANDFILL 12-22-23

Quantity	Description	U/M	Unit Price	Extension
8.750	HAULING TO CROW WING COUNTY LANDFILL	HRS	160.00	1,400.00
Subtotal:				1,400.00
Sales Tax:				103.25
Total:				1,503.25

Past Due Accounts are subject to a service charge of 1.5% per month (18% per annum)



CHANGE ORDER

Project Number: 234001202 Date: 11/14/2023

Change Order No.: 2

Project: Brainerd, MN-Forcemain River Crossing HDD

Subcontract No.:

Job No.: 23-064 (Brainerd BPU Dir Drill FM)

Change Description

ECI Contracting, Inc. is submitting this change order for additional cost associated with contaminated soils encountered. Place containment and separate soils from HDD operations.

Labor

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
1	10/19/2023	Keifer - Contaminated Soils	3	HR	\$ 2,600.00		\$ 7,800.00
2	10/20/2023	Keifer - Contaminated Soils	3	HR	\$ 150.00		\$ 450.00
Total							\$ 8,250.00

Equipment

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
7	10/19/2023	Minger Skid Steer	3	HR			\$ -
8	10/20/2023	Minger Skid Steer	3	HR			\$ -
9							\$ -
10							\$ -
Total:							\$ -

Subcontractors

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
7							\$ -
8							\$ -
9							\$ -
10							\$ -
Total:							\$ -

Materials

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
11			1	LS		15%	\$ -
12							\$ -
13							\$ -
14							\$ -
Total:							\$ -

Rentals

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
							\$ -
							\$ -
							\$ -
							\$ -
Total:							\$ -

Total \$ 8,250.00

Minger Construction Companies, Inc.
CONTRACTOR

620 Corporate Drive

Jordan, MN 55352
ADDRESS

SIGNATURE

DATE

Ellingson Trenchless-DBA ECI Contracting, Inc
SUB-CONTRACTOR

56035 State Highway 56

West Concord, MN 55985
ADDRESS

Mike Schibursky

SIGNATURE

11/14/2023

DATE



Mike Schibursky | Project Manager
Office: 507.969.9054 | Cell: 507.676.1808
Email: mschibursky@ecicontracting.us

ECI Contracting
56035 State Highway 56
West Concord, MN 55985
Web: www.ecicontracting.us

From: Mike Schibursky
Sent: Friday, October 20, 2023 12:04 PM
To: Mike Urban <mikeu@mingerconst.com>; Keith Sherman <KeithS@mingerconst.com>; William Westerberg <william.westerberg@widseth.com>
Cc: Keifer Tabaka <ktabaka@ecicontracting.us>; Freddie Padilla <fpadilla@ecicontracting.us>; Kurt Peterson <kpeterson@ecicontracting.us>; Troy Tumbleson <ttumbleson@ecicontracting.us>; Brock Franko <bfranko@ecicontracting.us>; Mike Roussel <mroussel@ecicontracting.us>; Robert Hotz <rob.hotz@ecicontracting.us>
Subject: RE: 234001202-Brainerd MN-FM River Crossing HDD-Daily Report-10.19.23

All,

See attached Daily report for 10.19.23. As you know, the crew dug through some contaminated soils while expanding the storage pit. Notifications were made. The contaminated soil was separated and placed on plastic away from HDD operations.

Hoping for a big day today! Have a good one.

Rig Up

- 10.10.23-10.11.23

Pilot – 10.11.23-10.14.23

- Shift Total – 134.07'
- Measured Distance – 858.03'
- Remaining – 0'

36" Ream – 10.18.23

- Shift Total – 80'
- Measured Distance – 440'
- Remaining – 417.9'

IR Mitigation

1. IR Mitigation on Hillside
 - a. Crew – 0 hours
 - b. Pump & Hoses
 - c. Silt Fence
2. IR Mitigation in River
 - a. Crew – 0 hours
 - b. No Mitigation - Left rings in place
 - c. No flow from IRs today.

3. Contaminated Soils

- a. Crew Hours - 3 hours
- b. While expanding the cuttings storage pit, the crew smelled petroleum from the soil.
- c. Notifications were made.
- d. Contaminated soils were staged under plastic and separated from HDD operations.

Mike Schibursky

From: Mike Schibursky
Sent: Monday, October 23, 2023 7:01 AM
To: Mike Urban; Keith Sherman; William Westerberg
Cc: Keifer Tabaka; Freddie Padilla; Kurt Peterson; Troy Tumbleson; Brock Franko; Mike Roussel; Robert Hotz
Subject: 234001202-Brainerd MN-FM River Crossing HDD-Daily Report-10.20.23
Attachments: 234001202-IFS Daily Report-10.20.23-r0-36in Ream.Cont Soils.pdf; 234001202-Brainerd MN-Driller Daily-10.20.23-36in Ream-r0.csv

All,

See attached Daily report for 10.20.23. Keifer worked on the contaminated soils for a bit. Good day.

Have a good one.

Rig Up

- 10.10.23-10.11.23

Pilot – 10.11.23-10.14.23

- Shift Total – 134.07'
- Measured Distance – 858.03'
- Remaining – 0'

36" Ream – 10.18.23

- Shift Total – 300'
- Measured Distance – 740'
- Remaining – 117.9'

IR Mitigation

1. IR Mitigation on Hillside
 - a. Crew – 0 hours
 - b. Pump & Hoses
 - c. Silt Fence
2. IR Mitigation in River
 - a. Crew – 0 hours
 - b. No Mitigation - Left rings in place
 - c. No flow from IRs today.

3. Contaminated Soils

- a. Keifer Tabaka – 3 Hours
- b. Minger Skid Steer
- c. Crew Hours - 0 hours
- d. While expanding the cuttings storage pit, the crew smelled petroleum from the soil.
- e. Notifications were made.
- f. Contaminated soils were staged under plastic and separated from HDD operations.



CROW WING COUNTY SANITARY LANDFILL
15732 STATE HIGHWAY 210
BRainerd, MN 56401
Phone: (218) 828-4392

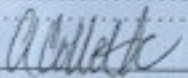
SENT TO
Anderson Brothers
Brainerd, MN 56401

Ticket No.: 195316
Date: 12/22/2023
Time: 10:36 AM
Truck: 25003
Axles: 6

Dealer: A001 Anderson Brothers
Material: Off Road Vehicle
20.41 @ \$0.00 Per tne..... \$5.00
Gross: \$9140 Tare: 27920

Material: ISW Loose
16 @ \$11.75 Per yds..... \$162.24
Gross: 16 Tare: 0

Solid Waste Management Tax.....	\$25.76
Demolition Tax.....	\$0.00
Misc Fees.....	\$0.00
TOTAL.....	\$193.00

Signature 

NO SMOKING IN LANDFILL

CROW WING COUNTY SANITARY LANDFILL

15732 STATE HIGHWAY 210

BRainerd, MN 56401

Phone: (218) 828-4392

Bill To
Anderson Brothers
Brainerd, MN 56401

Ticket No.: 195320
Date: 12/22/2023
Time: 10:35 AM
Truck: 25005
Axles: 6

Order: A001 Anderson Brothers
Material: Off Road Vehicle
21.98 @ 20.00 Per Tons..... \$5.00
Gross: 52140 Tare: 26200

Material: ISW Loose
14 @ \$11.75 Per yds..... \$162.24
Gross: 16 Tare: 0

Solid Waste Management Tax.....	\$25.76
Demolition Tax.....	\$0.00
Misc Fees.....	\$0.00
TOTAL.....	\$193.00

Signature



NO SMOKING IN LANDFILL

CROW WING COUNTY SANITARY LANDFILL

15732 STATE HIGHWAY 210

BRAINEED, MN 56401

Phone: (218) 828-4392

Corrected

BILL TO
Anderson Brothers
Brainerd, MN 56401

Ticket No.: 195308
Date: 12/32/2023
Time: 08:45 AM
Truck: 25005
Axles: 6

Hauler: A001 Anderson Brothers

Material: Off Road Vehicle

17.35 @ \$0.00 Per Tons..... \$5.00

Gross: 62500 Tare: 28200

Material: TSW Loose

16 @ \$11.75 Per yds..... \$162.24

GROSS: 16 TARE: 0

Solid Waste Management Tax..... \$25.76

Demolition Tax..... \$0.00

Misc Fees..... \$0.00

TOTAL..... \$193.00

Signature

A. Collett

NO SMOKING IN LANDFILL

CROW WING COUNTY SANITARY LANDFILL
15732 STATE HIGHWAY 210
BRainerd, MN 56401
Phone: (218) 828-4392

Corrected

BILL TO
Anderson Brothers

Brainerd, MN 56401

Ticket No.: 195309
Date: 12/22/2023
Time: 08:46 AM
Truck: 2503
Axles: 6

Hauler: A001 Anderson Brothers
Material: Off Road Vehicle
17.53 @ \$0.00 Per tns..... \$5.00
Gross: 62980 Tare: 27920

Material: ISW Loose
16 @ \$11.75 Per yds..... \$162.24
Gross: 16 Tare: 0

Solid Waste Management Tax.....	\$25.76
Demolition Tax.....	\$0.00
Misc Fees.....	\$0.00
TOTAL.....	\$193.00

Signature

A. Collette

NO SMOKING IN LANDFILL

CROW WING COUNTY SANITARY LANDFILL
15732 STATE HIGHWAY 210
BRAINERD, MN 56401
Phone: (218) 828-4392

Bill To
Anderson Brothers
Brainerd, MN 56401

Ticket No.: 195314
Date: 12/22/2023
Time: 10:35 AM
Truck: 25005
Axles: 6

hauler: A001 Anderson Brothers
Material: Off Road Vehicle
17.61 @ \$0.00 Per tns..... \$0.00
Gross: 63420 Tare: 28200

Material: ISW Loose
16 @ \$11.75 Per yds..... \$162.24
Gross: 16 Tare: 0

Solid Waste Management Tax..... \$25.76
Demolition Tax..... \$0.00
Misc Fees..... \$0.00
TOTAL..... \$193.00

Signature A. Collett

NO SMOKING IN LANDFILL

CHANGE ORDER NO.: 5

Owner: **Brainerd Public Utilities** Owner's Project No.:
Engineer: **Widseth Smith Nolting & Assoc Inc.** Engineer's Project No.: **2022-11121**
Contractor: **Minger Construction Companies, Inc.** Contractor's Project No.:
Project: **Directional Drilling Forcemain River Crossing**
Contract Name: **Directional Drilling Forcemain River Crossing**
Date Issued: **March 11, 2024** Effective Date of Change Order: **March 26, 2024**

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

Description:

The directional drilling subcontractor for Minger Construction is ECI. ECI had an inadvertent return (IR) of drilling mud to the surface during drilling operations requiring mitigation and containment of the drilling mud.

Attachments:

Minger Change Order #5

ECI Daily Operations Report 10/11/23

ECI Daily Operations Report 10/12/23

ECI Daily Operations Report 10/13/23

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ <u>1,727,164.08</u>	Original Contract Times: Substantial Completion: <u>March 1, 2024</u> Ready for final payment: <u>June 1, 2026</u>
\$ _____	[Increase] [Decrease] from previously approved Change Orders No.1 to No. [Number of previous Change Order] : Substantial Completion: _____ Ready for final payment: _____
Contract Price prior to this Change Order: \$ <u>1,763,334.04</u>	Contract Times prior to this Change Order: Substantial Completion: <u>March 1, 2024</u> Ready for final payment: <u>June 1, 2026</u>
[Increase] [Decrease] this Change Order: \$ <u>12,611.44</u>	[Increase] [Decrease] this Change Order: Substantial Completion: _____ Ready for final payment: _____
Contract Price incorporating this Change Order: \$ <u>1,775,945.48</u>	Contract Times with all approved Change Orders: Substantial Completion: <u>March 1, 2024</u> Ready for final payment: <u>June 1, 2026</u>

Recommended by Engineer (if required)
By: Widseth, W. J.
Title: Widseth Civil Engineer
Date: 3/11/24

Authorized by Owner
By: _____
Title: _____
Date: _____

Accepted by Contractor Mike Urban
Mike Urban - Project Manager
3/12/24

Approved by Funding Agency (if applicable)

Digitally signed by Mike Urban
DN: cn=US,
e=MikeU@mingerconst.com,
o=Minger Construction Co. Inc.,
cn=Mike Urban
Date: 2024.03.12 07:46:58-05'00'



Minger Construction Co., Inc.

Phone: 952-368-9200

620 Corporate Drive
Jordan, MN 55352

Fax: 952-368-9311

PROJECT: Brainerd - HDD Forcemain River Crossing

PROJECT NUMBER: _____

Date 3/11/2024

Change Order

5

Inadvertant Return Mitigation

During the HDD Forcemain Installation process, inadvertant drilling fluid returns came up in the river and had to be mitigated. Notifications were made and the inadvertant returns were contained. The cost of inadvertant return mitigation was not included as part of bid price because the increase risk of the IR was not known until after the bid. For this reason, the IR mitigation will need to be paid via change order.

Description	QUANTITY	UNIT	Unit Cost	Cost
Subcontractors				
ECI - IR Mitigation	0.5	LS	\$24,021.79	\$12,010.90
Total Subcontractors				\$12,010.90
			Total	\$12,010.90
			Labor, Equipment, Material Markup(15%)	\$0.00
			Subcontractor Markup(5%)	\$600.54
			Total Markup	\$600.54
			Total	\$12,611.44

ENGINEER/INSPECTOR

Minger Construction
CONTRACTOR

OWNER

SIGNATURE

SIGNATURE

SIGNATURE

DATE

DATE

DATE



CHANGE ORDER

Project Number: 234001202 Date: 11/14/2023

Change Order No.: 1

Project: Brainerd, MN-Forcemain River Crossing HDD

Subcontract No.:

Job No.: 23-064 (Brainerd BPU Dir Drill FM)

Change Description

ECI Contracting, Inc. is submitting this change order for additional cost associated with IR mitigation in the river.

Labor & Equipment

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
1	10/11/2023	IR Mitigation River-Install Floating Silt Curtain	1.5	HR	\$ 2,600.00		\$ 3,900.00
2	10/12/2023	IR Mitigation River-Standby Regulatory/IR Mitigation in River	5.5	HR	\$ 2,600.00		\$ 14,300.00
3	10/13/2023	IR Mitigation River	2	HR	\$ 2,600.00		\$ 5,200.00
4	10/14/2023	IR Mitigation on Hillside		HR	\$ 2,600.00		\$ -
5	10/28/2023	IR Mitigation River-Supt-Removed IR Mitigation Measures	1	HR	\$ 150.00		\$ 150.00
6	10/28/2023	IR Mitigation River-Op1-Removed IR Mitigation Measures	1	HR	\$ 115.00		\$ 115.00
Total							\$ 23,665.00

Subcontractors

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
7							\$ -
8							\$ -
9							\$ -
10							\$ -
Total:							\$ -

Materials

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
11		Fire Rings-Receipt 1 - Two Total	1	LS	\$ 107.85	15%	\$ 124.03
12		Fire Rings-Receipt 2 - Three Total	1	LS	\$ 202.40	15%	\$ 232.75
13							\$ -
14							\$ -
Total:							\$ 356.79

Rentals

Item #	Date	Item	Qty	Unit	Price	Markup	Extension
							\$ -
							\$ -
							\$ -
							\$ -
Total:							\$ -

Total \$ 24,021.79

Minger Construction Companies, Inc.

CONTRACTOR

620 Corporate Drive

Jordan, MN 55352

ADDRESS

SIGNATURE

DATE

Ellingson Trenchless-DBA ECI Contracting, Inc

SUB-CONTRACTOR

56035 State Highway 56

West Concord, MN 55985

ADDRESS

Mike Schibursky

SIGNATURE

11/14/2023

DATE

Mike Schibursky

From: Mike Schibursky
Sent: Thursday, October 12, 2023 4:13 AM
To: Mike Urban; keiths@mingerconst.com; william.westerberg@widseth.com
Cc: Keifer Tabaka; Troy Pranger; Freddie Padilla; Kurt Peterson; Robert Hotz; Troy Tumbleson; Mike Roussel
Subject: 234001202-Brainerd MN-FM River Crossing HDD-IR in River-Daily Report 10.11.23
Attachments: 234001202-IFS Daily Report-10.11.23-r0 Rig Up.Pilot Begins-r0.pdf; 234001202-Brainerd MN-Driller Daily-10.12.23-Pilot-r0.csv; 234001202 - Minger Const - Mississippi River Crossing Daily.pdf; 234001202 - Minger Const - Mississippi River Crossing Daily.dwg; 234001202 - Minger Const - Mississippi River Crossing Survey Report..pdf

Tracking:	Recipient	Read
	Mike Urban	
	keiths@mingerconst.com	
	william.westerberg@widseth.com	
	Keifer Tabaka	Read: 10/12/2023 7:40 AM
	Troy Pranger	Read: 10/12/2023 10:21 AM
	Freddie Padilla	Read: 10/12/2023 9:51 AM
	Kurt Peterson	
	Robert Hotz	
	Troy Tumbleson	
	Mike Roussel	Read: 10/12/2023 5:15 AM

All,

See attached daily report for 10.11.23. I will keep you posted with how things go regarding the IR as soon as the crew gets going this morning.

Rig Up

- 10.10.23-10.11.23

Pilot Begins – 10.11.23

- Shift Total – 172.63'
- Measured Distance – 172.63'
- Remaining – 685.27'

Issues

1. IR in River
 - a. Drilling operations suspended.
 - b. Notifications Made
 - c. Environmental Controls in Place

Owner:	City of Brainerd MN
Project:	Forcmain River Crossing
Client:	Minger Construction Co., Inc.



DAILY OPERATIONS REPORT

Date:	Wednesday, October 11, 2023			JOB #	234001139
Shift:	Day	x	Night		
Location:	Brainerd, MN				

Crossing	HDD Length	Rig #	Rig Up/Down	Pilot	Ream	Swab	Pull	-	% Complete
1 Mississippi River HDD	857.9	9029	50%	100%	100%				60%

Daily Progress

Rig	Crossing	Daily Footage	Total Footage	Current Phase	Total LH	Total EH
9029	Mississippi River HDD	172.63	172.63	Pilot	259	150

7:00am - Crew held a JSA meeting on site then continued rigging up and finishing up a few remaining tasks while Troy completed his coil. 1:05pm - Began drilling the pilot hole. 2:30pm - While adding joint 7 the wire got wrapped around the spooler and got pulled apart downhole. Crew removed the cover on the spooler and tripped back to the connection of joint 2 & 3 and made a good connection. 3:06pm - Back on bottom drilling on joint 7. 3:30pm - While drilling on joint 8 we lost returns to the entry pit. The borepath was monitored while we continued drilling on joint 8. 3:40pm - An IR was discovered near the bank of the river North of centerline consisting of approximately 1200 gallons. The crew deployed a turbidity curtain and tripped the BHA back to the rig dry. 5:00pm - Crew shut down with the BHA in the entry pit ready to trip back to bottom in the morning.

Shut Down Time			
Time Stopped	Time Resumed	Footage/Jt No.	Description
3:40pm	N/A	Joint 8	IR in the river

Tooling Description					
Drill Bit	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
1	Unknown	10-5/8"	0	0.5	0.5
Mud Motor	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
Reamer	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours

Fluids Description			
Today (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
20,000	52		
Total (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
20000	52	0	0

Employee	Class	Daily Hours	Total Hours
Keifer Tabaka	Superintendent	10	30
Mason Miels	Operator	10	32
Luke Eggers	Operator	10	30
Robert Cutler	Operator	10	32
Esteban Valdez	Operator	10	30
Donald Billingsley	Laborer	10	35
Aubrey Davenport	Laborer	10	30
Troy Pranger	Steer Technician	10	30
Donald Blake	Operator	10	10
			0
			0
			0

Equipment	Number	Daily Hours	Total EH
Drill	9032	10	10
Mud Syst.	43006	10	10
Entry Hoe	25026	10	10
Vac	2104	0	0
Semi	2052	0	0
Supt. Truck	1355	10	10
Crew Truck	1207	10	10
Crew Truck	1205	10	10
Frac tank	SV25533LM	10	10
Pipe Load	6082	10	10
Pipe Load	6083	10	10
Tool Van	6149	10	10
Lowboy	6027	10	10
Trash Dumpster	3022	10	10
Cuttings Bin	RB39925RT	10	10
Cuttings Bin	RB46178RT	10	10
Pit Pump	14501	10	10



Thanks,

Mike Schibursky

From: Mike Schibursky
Sent: Friday, October 13, 2023 5:23 AM
To: Mike Urban; Keith Sherman; william.westerberg@widseth.com
Cc: Keifer Tabaka; Troy Pranger; Freddie Padilla; Kurt Peterson; Robert Hotz; Troy Tumbleson; Mike Roussel
Subject: 234001202-Brainerd MN-FM River Crossing HDD-IR in River-Daily Report 10.12.23/IR Mitigation in River
Attachments: 234001202-IFS Daily Report-10.12.23-r0-Pilot.IR Mitigation.pdf; 234001202-Brainerd MN-Driller Daily-10.12.23-Pilot-r0.csv; 234001202 - Minger Const - Mississippi River Crossing Daily.pdf; 234001202 - Minger Const - Mississippi River Crossing Daily.dwg; 234001202 - Minger Const - Mississippi River Crossing Survey Report..pdf

All,

See attached daily report for 10.12.23. The crew was able to manage the IR while continuing to drill shutting down periodically due to the IR. I will keep you posted with any new developments.

Rig Up

- 10.10.23-10.11.23

Pilot Begins – 10.11.23

- Shift Total – 216.76'
- Measured Distance – 389.39'
- Remaining – 469.51'

IR Mitigation

1. Notifications Made
2. Installed ring around IR
3. Sucking with Vac
4. Minger is mobilizing additional pumps and hose for mitigation
5. Resources
 - a. Vac Truck
 - b. Operator
 - c. Laborer

Shut Down Time			
Time Stopped	Time Resumed	Footage/Jt No.	Des
7:00am	10:01am	Joint 8	Shut down waiting on regulatory agencies, trippe
10:57am	11:17am	Joint 9	New IR in the river.
12:28pm	1:28pm	Joint 12	Shut down to install fire ring casing into the river
2:35pm	2:56pm	Joint 16	Stopped to empty the vac truck and add joints to l
4:04pm	5:00pm	Joint 19	Stopped to empty the vac truck, add joints to the

Pics

Owner:	City of Brainerd MN
Project:	Forcemain River Crossing
Client:	Minger Construction Co., Inc.



DAILY OPERATIONS REPORT

Date:	Thursday, October 12, 2023				JOB #	234001139
Shift:	Day	x	Night			
Location:	Brainerd, MN					

Crossing	HDD Length	Rig #	Rig Up/Down	Pilot	Ream	Swab	Pull	-	% Complete
1 Mississippi River HDD	857.9	9029	50%	45%					60%

Daily Progress

Rig	Crossing	Daily Footage	Total Footage	Current Phase	Total LH	Total EH
9029	Mississippi River HDD	216.76	389.39	Pilot	349	310
7:00am - Crew held a JSA on site then began performing miscellaneous housekeeping while waiting to hear back from the regulatory agencies regarding the IR in the river. 9:40am - Got approval from Minger to begin pumping again and monitor for releases. We began tripping the BHA back in. Returns were intermittent from joint 5 forward. 10:40am - Lost returns for good on joint 7, the river was monitored as we continued. 10:51am - Back on bottom drilling on joint 9 with no returns and no new mud in the river. 10:57am - At the 15' mark of joint 9 mud came up in the river 7' into the river and approximately 25' north of the original IR. 11:17am - Turned the mud down as low as possible and continued forward while monitoring the river via drone for continued mud migration. 12:28pm - Mud continued to come up and migrate further into the river. We shut down and installed fire rings around the IR to isolate the mud from the rest of the river, ran suction hoses, and put the vac truck in place to suck mud out of the fire ring casing. 2:35-2:56pm - Stopped to empty the vac truck and add joints to the rig. 4:04-5:00pm - Shut down to empty the vac truck, added joints to the rig, fueled equipment and removed our fire ring from the river in anticipation of the rain overnight. 5:00pm - Crew off site. IR Mitigation Resources Vac Truck Operator 1 Laborer						

Shut Down Time			
Time Stopped	Time Resumed	Footage/Jt No.	Description
7:00am	10:01am	Joint 8	Shut down waiting on regulatory agencies, tripped to bottom
10:57am	11:17am	Joint 9	New IR in the river.
12:28pm	1:28pm	Joint 12	Shut down to install fire ring casing into the river
2:35pm	2:56pm	Joint 16	Stopped to empty the vac truck and add joints to the rig.
4:04pm	5:00pm	Joint 19	Stopped to empty the vac truck, add joints to the rig, and remove the fire ring from the river

Tooling Description					
Drill Bit	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
1	Unknown	10-5/8"	0.5	2.1	2.6
Mud Motor	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
Reamer	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours

Fluids Description			
Today (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
0	26	0	0
Total (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
20000	78	0	0

Employee	Class	Daily Hours	Total Hours
Keifer Tabaka	Superintendent	10	40
Mason Miels	Operator	10	42
Luke Eggers	Operator	10	40
Robert Cutler	Operator	10	42
Esteban Valdez	Operator	10	40
Donald Billingsley	Laborer	10	45
Aubrey Davenport	Laborer	10	40
Troy Pranger	Steer Technician	10	40
Donald Blake	Operator	10	20
			0
			0
			0
			0

Equipment	Number	Daily Hours	Total EH
Drill	9032	10	20
Mud Syst.	43006	10	20
Entry Hoe	25026	10	20
Vac	2104	10	10
Semi	2052	0	0
Supt. Truck	1355	10	20
Crew Truck	1207	10	20
Crew Truck	1205	10	20
Frac tank	SV25533LM	10	20
Pipe Load	6082	10	20
Pipe Load	6083	10	20
Tool Van	6149	10	20
Lowboy	6027	10	20
Trash Dumpster	3022	10	20
Cuttings Bin	RB39925RT	10	20
Cuttings Bin	RB46178RT	10	20
Pit Pump	14501	10	20







Thanks,

Mike Schibursky

From: Mike Schibursky
Sent: Saturday, October 14, 2023 11:37 AM
To: 'Mike Urban'; 'Keith Sherman'; 'william.westerberg@widseth.com'
Cc: Keifer Tabaka; Troy Pranger; Freddie Padilla; Kurt Peterson; Robert Hotz; Troy Tumbleson; Mike Roussel
Subject: 234001202-Brainerd MN-FM River Crossing HDD-IR in River-Daily Report 10.13.23/IR Mitigation in River
Attachments: 234001202-IFS Daily Report-10.13.23-r0-Pilot.IR Mitigation.pdf; 234001202-Brainerd MN-Driller Daily-10.13.23-Pilot-r0.csv; 234001202 - Minger Const - Mississippi River Crossing Daily.pdf; 234001202 - Minger Const - Mississippi River Crossing Daily.dwg; 234001202 - Minger Const - Mississippi River Crossing Survey Report..pdf

All,

See attached daily report for 10.13.23. The crew was able to manage the IR while continuing to drill shutting down periodically due to the IR. I will keep you posted with any new developments. The goal is to have the BHA out today at some point. I will keep you posted!

Rig Up

- 10.10.23-10.11.23

Pilot Begins – 10.11.23

- Shift Total – 334.57'
- Measured Distance – 723.96
- Remaining – 133.94'

IR Mitigation

1. Notifications Made
2. Installed ring around IR
3. Sucking with Vac
4. Pumping with pump
5. Resources
 - a. Crew – 2 Hours
 - b. Vac Truck

Shut Down Time			
Time Stopped	Time Resumed	Footage/Jt No.	Description
9:36am	10:58am	Joint 24	Contain new IR and install Minger's pump and casing
12:32pm	12:58pm	Joint 28	Dump vac truck, swing joints, move pump to the IR with higher volume
1:48pm	2:15pm	Joint 31	Send donnie to exit side to run the exit coil

Pics

Owner:	City of Brainerd MN
Project:	Forcemain River Crossing
Client:	Minger Construction Co., Inc.



DAILY OPERATIONS REPORT

Date:	Friday, October 13, 2023				JOB #	234001139
Shift:	Day	x	Night			
Location:	Brainerd, MN					

Crossing	HDD Length	Rig #	Rig Up/Down	Pilot	Ream	Swab	Pull	-	% Complete
1 Mississippi River HDD	857.9	9029	50%	84%					60%

Daily Progress

Rig	Crossing	Daily Footage	Total Footage	Current Phase	Total LH	Total EH
9029	Mississippi River HDD	334.57	723.96	Pilot	439	444
7:00am - Crew held a JSA on site, fired up equipment, and installed the fire ring casing into the river. 8:13am - Resumed drilling the pilot on joint 20 while sucking mud out of the fire ring casing. 9:36am - While drilling on joint 24 the crew discovered a new IR in the river approximately 30' south of the existing one. Crew shut down and deployed the turbidity curtain, installed a piece of casing on the new IR and put Minger's pump in the casing to maintain both IR's at the same time. 10:58am - Continued drilling the pilot on joint 24. 12:32-12:58pm - Move pump to the other IR, dump the vac truck, and swing joints. 1:48-2:15pm - Entered the exit coil and sent Donnie to exit side to run the box. 4:15pm - While adding joint 37 the submersible pump got a rock stuck in it. We removed the rock but the pump still wasn't functioning right. 4:30pm - Clean up and secure jobsite for the night. 5:00pm - Crew off site. IR Mitigation Resources Crew - 2 Hours Vac Truck Fire Rings Pump & Hoses						

Shut Down Time			
Time Stopped	Time Resumed	Footage/Jt No.	Description
9:36am	10:58am	Joint 24	Contain new IR and install Minger's pump and casing
12:32pm	12:58pm	Joint 28	Dump vac truck, swing joints, move pump to the IR with higher volume
1:48pm	2:15pm	Joint 31	Send donnie to exit side to run the exit coil

Tooling Description					
Drill Bit	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
1	Unknown	10-5/8"	2.6	3.6	6.2
Mud Motor	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
Reamer	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours

Employee	Class	Daily Hours	Total Hours
Keifer Tabaka	Superintendent	10	50
Mason Miels	Operator	10	52
Luke Eggers	Operator	10	50
Robert Cutler	Operator	10	52
Esteban Valdez	Operator	10	50
Donald Billingsley	Laborer	10	55
Aubrey Davenport	Laborer	10	50
Troy Pranger	Steer Technician	10	50
Donald Blake	Operator	10	30
			0
			0
			0
			0

Fluids Description			
Today (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
0	48	0	0
Total (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
20000	126	0	0

Equipment	Number	Daily Hours	Total EH
Drill	9032	8	28
Mud Syst.	43006	8	28
Entry Hoe	25026	8	28
Vac	2104	8	18
Semi	2052	0	0
Supt. Truck	1355	10	30
Crew Truck	1207	10	30
Crew Truck	1205	10	30
Frac tank	SV25533LM	8	28
Pipe Load	6082	8	28
Pipe Load	6083	8	28
Tool Van	6149	8	28
Lowboy	6027	8	28
Trash Dumpster	3022	8	28
Cuttings Bin	RB39925RT	8	28
Cuttings Bin	RB46178RT	8	28
Pit Pump	14501	8	28







Thanks,



Mike Schibursky | Project Manager
Office: 507.969.9054 | Cell: 507.676.1808
Email: mschibursky@ecicontracting.us

ECI Contracting
56035 State Highway 56
West Concord, MN 55985
Web: www.ecicontracting.us

From: Mike Schibursky <mschibursky@ecicontracting.us>

Sent: Friday, October 13, 2023 5:23 AM

Owner:	City of Brainerd MN
Project:	Forcemain River Crossing
Client:	Minger Construction Co., Inc.



DAILY OPERATIONS REPORT

Date:	Saturday, October 28, 2023			JOB #	234001202
Shift:	Day	x	Night		
Location:	Brainerd, MN				

Crossing	HDD Length	Rig #	Rig Up/Down	Pilot	Move/Ream 36"	Ream	Swab	Pull	% Complete
1 Mississippi River HDD	857.9	9029	100%						92%

Daily Progress

Rig	Crossing	Daily Footage	Total Footage	Current Phase	Total LH	Total EH
9029	Mississippi River HDD	0	787.5	Rig Up/Down	1551	2331

7:00am - Crew held a JSA on site and then continued washing and strapping down trailers once it got light out. They dressed up the jobsite and access road with the skid steer, removed the turbidity curtains from the river and remove the fire rings, scaled and re-arranged trailers as needed, got all loads washed off and prepared for pickup, hauled the 308 from the top side down to the staging area in the rotary parking lot. All rental equipment and trailers are sitting there ready for pickup.
5:00pm - Crew off site.

IR Mitigation on Hillside

*No flow from this locations today

*Crew - 0 Hours

*Pump & Hoses

*Silt Fence

IR Mitigation in River

*Crew - 0 Hours

*Keifer Tabaka - 1 Hour

*Mason Miels - 1 Hour

*Hoe - 1 Hour

*Removed rings and floating silt curtain

Contaminated Soils

*Keifer Tabaka - Hours

*Minger Skid Steer

*Crew - 0 Hours

*While expanding the cuttings storage pit, the crew smelled petroleum from the soil.

Shut Down Time			
Time Stopped	Time Resumed	Footage/Jt No.	Description

Tooling Description					
Drill Bit	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
1	Unknown	10-5/8"	7.7		7.7
Mud Motor	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
Reamer	ECI Serial No.	Size	Previous Hours	Daily Hours	Total Hours
			11.8		11.8

Employee	Class	Daily Hours	Total Hours
Keifer Tabaka	Superintendent	10	180
Mason Miels	Operator	10	188
Luke Eggers	Operator	10	186
Robert Cutler	Operator	10	188
Esteban Valdez	Operator	10	186
Donald Billingsley	Laborer	10	191
Aubrey Davenport	Laborer	10	186
Troy Pranger	Steer Technician	0	80
Donald Blake	Operator	0	60
Davie Allen	Operator	10	106
			0
			0
			0

Fluids Description			
Today (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
Total (Disposal is Per Load)			
Water Used (Gal)	Bentonite Bags	Mud Hauled	Cuttings (7 CY)
109350	564	1	15

Equipment	Number	Daily Hours	Total EH
Drill	9032	0	125
Mud Syst.	43006	0	125
Entry Hoe	25026	0	125
Vac	2104	10	71
Semi	2052	10	40
Supt. Truck	1355	10	160
Crew Truck	1207	10	160
Crew Truck	1205	10	160
Frac tank	SV25533LM	10	155
Pipe Load	6082	10	155
Pipe Load	6083	10	155
Tool Van	6149	10	155
Lowboy	6027	0	125
Trash Dumpster	3022	10	155
Cuttings Bin	RB39925RT	10	155
Cuttings Bin	RB46178RT	10	155
Pit Pump	14501	10	155

Receipt 1



Receipt 2





Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: Out-of-State Travel

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Danny Loch, Finance Manager

DEPARTMENT: Public Utilities

PRESENTER: Danny Loch, Finance Manager

ESTIMATED TIME (MIN): 1

SUMMARY OF ISSUE: Out of state travel is to be approved by BPU commission for BPU employees. Trent and Mitch would like to attend the APPA Engineering & Operations conference from April 5th - 10th, in New Orleans, Louisiana, conference items are not available locally, and the attendance has been included in the 2024 budget. Staff are requesting formal approval of this out-of-state travel.

Second, a discussion occurred about Aaron's Fortinet conference, Las Vegas, Nevada, but not formally approved in November 2023. This conference is for security and technical training on our firewall and security devices that is not held locally. Staff would like formal approval for this out-of-state travel that has already been approved in the budget.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Staff recommend approval of out of state travel for the conferences mentioned above. All have have been included in the 2024 budgeted.

FINANCIAL IMPACT: Included in Budget



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: Approval of Revised Job Descriptions

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: The Operations Manager, Water/Wastewater Manager and Maintenance Mechanic descriptions were recently updated as a result of the recent reorganization of the Public Utilities Department. Attached are redlined and final versions of the updated job descriptions for the Commission's review.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Staff will be preparing two more job descriptions for the new Maintenance Service Lead and Technical Service Lead positions. Since these are new positions, the wages for the positions will need to be negotiated with the IBEW Union before the jobs can be posted.

RECOMMENDED ACTION/MOTION: Motion to recommend approval of the updated job descriptions to the City Council for the Operations Manager, Water/Wastewater Manager and Maintenance Mechanic classifications as presented.

FINANCIAL IMPACT: n/a



Operations Manager

Department: Public Utilities

FLSA Status: Exempt

General Definition of Work

Provides leadership and direction relating to Brainerd's municipal utility systems including electric distribution, hydro and solar generation, and water distribution. Performs highly responsible technical, supervisory and administrative work such as complex design engineering, safety engineering services, system operations, field operations, complex engineering studies and analysis, training support, project management, quality assurance, budgeting, purchasing, and operation/maintenance of these facilities or systems. Work is performed under the limited supervision of the Public Utilities Director.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude an employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Responsible for and assists in the overall planning, design, construction, operation, and maintenance of BPU's electric distribution, hydro and solar generation, and water distribution facilities and departments.
- Responsibilities include training, inspecting and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommends hiring for electric distribution and generation and water distribution systems.
- Participates in the development and administration of capital improvement budget, operating budgets and monitors effective and efficient use of budgeted funds, personnel, materials, facilities, and time for applicable utility systems.
- Ensures compliance with applicable reliability and environmental standards.
- Responsible for the design and general operations of electric power distribution system and vegetation management.
- Oversees the planning and scheduling of all construction, operations, and maintenance activities associated with BPU's generation and distribution facilities and implements response and recovery plans during storm events and provides damage identification work during storm and other emergency situations.
- Ensures compliance with applicable North American Electric Reliability Corporation (NERC) reliability standards and acts as the subject matter expert on these standards.
- Coordinates with other City departments and developers/customers on new services and conversion of existing services including developing cost estimates and design for existing facility conversions.
- Oversees the Electric rights-of-way activities. Oversees the design and coordination of street and area lights.
- Responsible for the Electric Department system protection (relays), communications and metering systems. Performs system studies to establish protective relay settings. Oversees the installation, maintenance and calibration of all protective relays.
- Oversees the installation, testing and maintenance of BPU's electric meter shop and metering system. Ensures metering is documented and accurate.
- Responsible for operation and support of the technical hardware and software support for the power management and control system utilized by BPU's electric control center and the GIS mapping functions.
- Plans, evaluates, and administers implementation of all hardware and software improvements to the power management and its associated peripheral controls systems to enhance the electric and control system.
- Trains staff in the use of Supervisory Control and Data Acquisition/Automatic Generation Control (SCADA/AGC), advanced applications programs and power management peripheral control systems.
- Responsible for hydro engineering support along with ensuring the safety and reliability of hydro operations.
- Forecasts energy requirements and peak loads for budgetary, operation and planning purposes as required. Provides real time studies and analysis to support the reliable operations of the Electric system.
- Performs other duties as assigned.

Operations Manager Job Description

Page 2

Knowledge, Skills and Abilities

- Thorough knowledge of the modern practices, methods, techniques and equipment used in activities involved in one or more of the technical areas (Distribution Operations, System Operations, Generation, Electric, and Water System Planning).
- Thorough knowledge of the use and care of equipment and systems associated with the respective technical area.
- Thorough knowledge of BPU's Electric and Water Distribution systems.
- Thorough knowledge of budgeting cost accounting principles.
- Ability to plan projects and use them in preparing plan specifications.
- Ability to supervise and direct subordinate technical and operational personnel.
- Ability to read, understand and apply applicable BPU policies, procedures, rules and work processes.
- Ability to read, understand and apply applicable regulatory requirements (safety, environmental, reliability).
- Ability to plan projects, prepare cost estimates, conduct research, make inspections, and prepare reports.
- Ability to manage complex projects and assignments for prolonged periods of time.
- Ability to manage change.
- Ability to maintain records and coordinate and/or supervise subordinates or contractors.
- Ability to comprehend, and the leadership to seek resolution of, complicated problems and to issue technical written and oral instructions.
- Ability to maintain effective working relationships with fellow employees, contractors and the public.
- Ability to communicate clearly and concisely orally and in writing.
- Ability to safely work extended hours during storm and other emergency situations.
- Skill in the use of personal computers and associated programs and applications necessary for successful job performance.

Education, Experience and Special Requirements

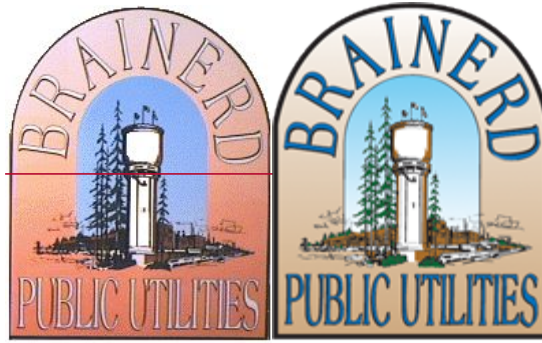
- Possession of a high school diploma and seven years of professional experience that includes the planning, redesign, operation and maintenance of both the electric and water distribution facilities. Three years of the experience must include supervisory experience.
- Must obtain, and maintain throughout the period of employment, the required clearances to have unrestricted access to critical facilities consistent with NERC and FERC reliability standards.
- Graduate of electrical lineworker or water environmental technology program at a vocational or technical college or an Associate's Degree from an accredited college or university in science, water systems, civil or electrical engineering.
- A combination of experience and training may be considered to meet BPU requirements as determined by the Public Utilities Director.
- Minnesota Class A commercial driver's license with air brake endorsement is a desired qualification.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force, and exertion of up to 100 pounds of force rarely-not daily; work regularly requires standing, speaking or hearing, using hands to finger, handle or feel, climbing or balancing and reaching with hands and arms, frequently requires walking, stooping, kneeling, sitting, bending, crouching or crawling, pushing or pulling, lifting and repetitive motions and occasionally requires tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions including extreme heat or cold, wet/humid conditions (non-weather), and risk of electrical shock, occasionally requires working near moving mechanical parts and working in high, precarious places; occasionally exposed to vibration, noise, fumes or airborne particles and rarely exposed to toxic or caustic chemicals; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic). The worker may be exposed to bloodborne pathogens and may be required to wear specialized personal protective gear.

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

Last Revised: March 22, 2024



Operations Manager

Department: ~~Public Utilities~~ — ~~Electric~~
Status: Exempt

— FLSA

General Definition of Work

~~Performs highly responsible technical, supervisory and administrative work that provides supervision and engineering support within the Electric Department. Provides leadership and direction relating to Brainerd's municipal utility systems including electric distribution, hydro and solar generation, and water Expertdistribution. in the subject matter in the Electric Department and is responsible for supervising highly technical engineering, operational or administrative work~~
Performs highly responsible technical, supervisory and administrative work such as complex design engineering, safety engineering services, system operations, field operations, complex engineering studies and analysis, training support, project management, quality assurance, budgeting, purchasing, and operation/maintenance of these of Electric Department facilities or systems. Work is performed under the limited supervision of the Work with extensive independence under the general direction of Utility SuperintendentPublic Utilities Director. The work is reviewed through observations, conferences, reports, and by results obtained.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude an employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Responsible for and assists in the overall planning, design, construction, operation, and maintenance of BPU's electric distribution, hydro and solar generation, and water distribution facilities and departments.
- Responsibilities include training, inspecting and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommends hiring for electric distribution and generation and water distribution systems.
- All — Plans, schedules, assigns, and trains subordinate personnel. Ensures work is done in a professional, competent and safe manner. Participates in the development and administration of capital improvement budget, operating budgets and monitors effective and efficient use of budgeted funds, personnel, materials, facilities, and time for applicable utility systems. Assists in the overall planning, design, construction, operation, and maintenance of BPU's Electric Department facilities. Develops budget, scope of work documents, and performs manager duties on various projects and programs. Reviews specifications and plans, evaluates vendor proposals, and provides recommendations for purchases. Recommends the hire, promotion, grievance resolution, discipline and discharge of employees.
- Conducts performance evaluations and recommends approval or denial of merit increases. Requires the use and exercise of independent judgment. Performs various administrative activities and functions. Ensures compliance with applicable reliability and environmental standards. Acts as the subject matter expert with respect to applicable reliability standards. Performs related work as required.
- **Power Delivery — Lines and Service Operations —**
- Responsible for the design and day-to-daygeneral operations of electric power distribution systemdelivery and vegetation management.

- Oversees the planning and scheduling of all construction, operations, and maintenance activities associated with BPU's generation and distribution facilities and ~~Develops and implements response and recovery plans during storm events and provides damage identification work during storm and other emergency situations.~~
- Ensures compliance with applicable North American Electric Reliability Corporation (NERC) reliability standards and acts as the subject matter expert on these standards.

- ~~**Power Delivery — Distribution Operations** — Responsible for the design for the Electric distribution system. Coordinate new service needs with customers/developers. Develops and coordinates design and construction work with Line and Service operations. Coordinates with other City departments and developers/customers on new services and conversion of existing services including developing.~~ ~~Develops~~ cost estimates and design for existing facility conversions.

~~Minnesota Class A commercial driver's license with air brake endorsement or the ability to obtain within six months of hire.~~

- ~~Oversees the Electric rights-of-way activities. Oversees the design and coordination of street and area lights. Provides damage identification work during storm and other emergency situations.~~
- ~~**System Operations/Protection and Communications and Meter Operations** —~~
- Responsible for the Electric Department system protection (relays), communications and metering systems. Performs system studies to establish protective relay settings. Oversee the installation, maintenance and calibration of all protective relays.
- Oversees the installation, testing and maintenance of BPU's electric meter shop and metering system. Ensures metering is documented and accurate.

Operations Manager Job Description

Page 2

~~System Operations — Power Management and Control —~~

- Responsible for operation and support of the technical hardware and software support for the power management and control system utilized by BPU's electric control center and the GIS mapping functions.
- Plans, evaluates, and administers implementation of all hardware and software improvements to the power management and its associated peripheral controls systems to enhance the electric and control system.
- Trains staff in the use of Supervisory Control and Data Acquisition/Automatic Generation Control (SCADA/AGC), advanced applications programs and power management peripheral control systems.

~~Hydro Generation —~~

- Responsible for hydro engineering support ~~and oversight of assigned hydro personnel. Coordinates with staff to ensure safe along with ensuring the safety and reliability of~~ hydro operations. ~~Acts as the project manager for capital and operating projects. Provides technical support during emergency situations.~~
- ~~**System Integrated Planning** — Responsible for direct supervision of staff in the development of long-range planning for BPU's Electric system.~~ Forecasts energy requirements and peak loads for budgetary, operation and planning purposes as required. Provides real time studies and analysis to support the reliable operations of the Electric system.
- Performs other duties as assigned.

Knowledge, Skills and Abilities

- Thorough knowledge of the modern practices, methods, techniques and equipment used in activities involved in one or more of the technical areas (Distribution Operations, System Operations, Generation, Electric, and Water System Planning).
- Thorough knowledge of the use and care of equipment and systems associated with the respective technical area.
- Thorough knowledge of BPU's Electric and Water Distribution systems.
- Thorough knowledge of budgeting cost accounting principles.
- Ability to plan projects, and projects and use them in preparing plan specifications.
- Ability to supervise and direct subordinate technical and operational personnel.
- Ability to read, understand and apply applicable BPU policies, procedures, rules and work processes.

- Ability to read, understand and apply applicable regulatory requirements (safety, environmental, reliability).
- Ability to plan projects, prepare cost estimates, conduct research, make inspections, and prepare reports.
- Ability to manage complex projects and assignments for prolonged periods of time.
- Ability to manage change.
- Ability to maintain records and coordinate and/or supervise subordinates or contractors.
- Ability to comprehend, and the leadership to seek resolution of, complicated problems and to issue technical written and oral instructions.
- Ability to maintain effective working relationships with fellow employees, contractors and the public.
- Ability to communicate clearly and concisely orally and in writing.
- Ability to safely work extended hours during storm and other emergency situations.
- Skill in the use of personal computers and associated programs and applications necessary for successful job performance.

Education, Experience and Special Requirements

- Possession of a high school diploma and ~~seventen~~ years of professional experience that includes the planning, redesign, operation and maintenance of both the electric and water distribution facilities. ~~Three-Five~~ years of the experience must include supervisory experience.
- Must obtain, and maintain throughout the period of employment, the required clearances to have unrestricted access to critical facilities consistent with NERC and FERC reliability standards.
- Graduate of electrical lineworker or water environment technology program at a vocational or technical college or an Associate's Degree from an accredited college or university in science, water systems, civil or electrical engineering.
- ~~Must be a journeyman lineman or A~~ combination of experience and training may be considered to meet BPU requirements as determined by the ~~BPU Superintendent~~Public Utilities Director.
- ~~Minnesota Class A commercial driver's license with air brake endorsement~~ or the ability to obtain within six months of hire, is a desired qualification.

Operations Manager Job Description

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Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force, and exertion of up to 100 pounds of force rarely-not daily; work regularly requires standing, speaking or hearing, using hands to finger, handle or feel, climbing or balancing and reaching with hands and arms, frequently requires walking, stooping, kneeling, sitting, bending, crouching or crawling, pushing or pulling, lifting and repetitive motions and occasionally requires tasting or smelling; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, assembly or fabrication of parts within arm's length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions including extreme heat or cold, wet/humid conditions (non-weather), and risk of electrical shock, occasionally requires working near moving mechanical parts and working in high, precarious places; occasionally exposed to vibration, noise, fumes or airborne particles and rarely exposed to toxic or caustic chemicals; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic). The worker may be exposed to bloodborne pathogens and may be required to wear specialized personal protective gear.

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

Last Revised: ~~February 1, 2019~~March 21, 2024



Water/Wastewater Manager

Department: Public Utilities

FLSA Status: Exempt

General Definition of Work

Performs difficult technical and administrative work supervising the operations of Class B Water Plant and Class A Major Wastewater Treatment Plant (WWTP); does related work as required. Work is performed under general direction of Public Utilities Director. Continuous supervision is exercised over Water Plant and Wastewater personnel.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Manages the operation of Public Utilities Class A Major WWTP, certified wastewater lab, delegated pretreatment program, and lift stations; ensures compliance with operating permit requirements; maintaining records; preparing reports.
- Administrates pretreatment discharge permits for industrial and commercial dischargers.
- Supervises Water/Wastewater personnel in the performance of their duties; evaluates data and plant operation to ensure compliance. Responsible person for the National Pollutant Discharge Elimination System (NPDES) permit and Public Water System (PWS) through affiliated Federal and State Agencies.
- Oversees all aspects of the biosolids application process.
- Responsibilities include training, inspecting and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommends hiring for Water Plant and Wastewater personnel.
- Inspects the WWTP and WTP equipment to ascertain that it is in proper operation at all times; monitors treatment process and flow throughout the plant; oversees the repair and maintenance of plant equipment and reports major repair needs to Public Utilities Director; assists in troubleshooting electrical, mechanical, chemical, biological, hydraulic and pneumatic systems.
- Oversees the maintenance of records of plant operations, analytical lab results, and prepares periodic reports for submission to local, state and federal regulatory agencies, superiors or others as required.
- Inspects and monitors WWTP equipment and machinery to determine that all machinery is operating properly and to ensure proper treatment of wastewater and the disposal of biosolids; takes samples of wastewater at various stages of treatment processes in the WWTP.
- Confers with consultants and engineers; and federal and state agencies for both wastewater treatment and water production/treatment.
- Consults with vendors; orders equipment and parts for both wastewater treatment and water production/treatment.
- Participates in the development and administration of capital improvement budget, operating budgets and monitors effective and efficient use of budgeted funds, personnel, materials, facilities, and time for both wastewater treatment and water production/treatment.
- Performs regular duties of a wastewater operator when required.
- Maintains state certifications for both wastewater treatment and water production/treatment operations by attending certification seminars.
- Performs other duties as assigned.

Water/Wastewater Manager

Page 2

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of wastewater and water tools, materials, and equipment with the ability to detect flaws and to determine proper remedial measures;
- Thorough knowledge of hydraulic, chemical, analytical, and mechanical principles pertinent to wastewater and water operations;
- Thorough knowledge of the occupational hazards of the work and of necessary safety precautions to comply with BPU and OSHA safety requirements;
- Ability to read, interpret, and implement documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies;
- Ability to write reports, business correspondence and procedure manuals;
- Ability to effectively present information and respond to questions from subordinates, supervisors, regulatory agencies, and customers;
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- Ability to develop and interpret a variety of instructions and plans furnished in written, oral, and drawing form;
- Ability to understand and follow moderately complex oral and written instructions; ability to read meters and charts accurately and to maintain records of operations;
- Skilled in the use and care of laboratory testing and analysis equipment and instruments;
- Ability to assign and supervise the work of others;
- Ability to establish and maintain effective working relationships with employees, regulatory agency officials and the general public.

Education, Experience and Special Requirements

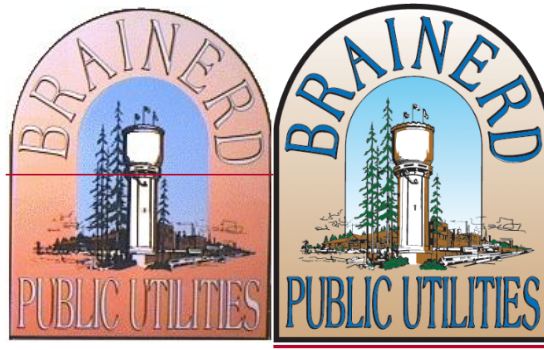
- Associates/Technical degree in wastewater and water technology; extensive experience in wastewater and water plant operations including considerable supervisory experience or equivalent education and experience.
- Possession of a MPCA Class A Wastewater Operators Certificate.
- Possession of a MPCA Type 4 Application Certificate.
- Possession of a Minnesota Class D driver's license.
- Possession of a MDH Class B or higher Water Operators Certificate.
- Experience in a Certified Laboratory is desirable.

Physical Requirements

This work requires the regular exertion of up to 10 pounds of force; frequent exertion of up to 25 pounds of force; and rarely, not daily, exertion of up to 50 pounds of force; work regularly requires standing, sitting, speaking or hearing, reaching with hands and arms and occasionally requires climbing or balancing, stooping, kneeling, crouching or crawling and pushing or pulling; work requires close vision, distance vision, 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 and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to the risk of electrical shock, exposure to vibration; work is generally in a moderately noisy location. The worker may be exposed to bloodborne pathogens and may be required to wear specialized personal protective equipment.

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

Last Revised: March 15, 2024



Water/Wastewater Manager~~Supervisor~~

Department: Public Utilities~~Wastewater~~

FLSA Status: Exempt

General Definition of Work

Performs difficult technical and administrative work supervising the operations of a Class B Water Plant and Class A Major Wastewater Treatment Plant (WWTP); does related work as required. Work is performed under general direction of Public Utilities Director/Utility Superintendent. Continuous supervision is exercised over Water Plant and Wastewater personnel.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Manages/Oversees the operation of Public Utilities BPU's Class A Major WWTP, certified wastewater lab, delegated pretreatment program, and lift stations; ensures compliance with operating permit requirements; maintaining records; preparing reports.
- Administers pretreatment discharge permits for industrial and commercial dischargers.
- Supervises Water/Wastewater personnel in the performance of their duties; evaluates data and plant operation to ensure compliance. Responsible person for the with National Pollutant Discharge Elimination System (NPDES) permit and Public Water System (PWS) through affiliated Federal and State Agencies.
- Oversees all aspects of the biosolids application process.
- Responsibilities include training, inspecting and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommending hiring and terminating for Water Plant and Wastewater personnel.
- Inspects the WWTP and WTP and equipment to ascertain that it is in proper operation at all times; monitors treatment process and flow throughout the plant; oversees the repair and maintenance of plant equipment and reports major repair needs to Public Utilities Director/Superintendent; assists in troubleshooting electrical, mechanical, chemical, biological, hydraulic and pneumatic systems.
- Oversees the maintenance of records of plant operations, analytical lab results, and prepares periodic reports for submission to local, state and federal regulatory agencies, superiors or others as required.
- Inspects and monitors WWTP equipment and machinery to determine that all machinery is operating properly and to ensure proper treatment of wastewater and the disposal of biosolids; takes samples of wastewater at various stages of treatment processes in the WWTP.
- Confers with consultants and engineers; and federal and state agencies for both wastewater treatment and water production/treatment.
- Consults with vendors; orders equipment and parts for both wastewater treatment and water production/treatment.
- ~~Participates in the development and administration of capital~~ improvement budget, and operating budgets and monitors effective and efficient use of budgeted funds, personnel, materials, facilities, and time for both wastewater treatment and water production/treatment.
- ~~_____~~
- ~~_____~~ Performs regular duties of a wastewater operator when required.

-
- Maintains state certifications for both wastewater treatment and water production/treatment operations by attending certificationtraining seminars.
- Performs other duties as assigned.

Water/Wastewater Manager

Page 2

Knowledge, Skills and Abilities

- Thorough knowledge of the operating characteristics and maintenance requirements of wastewater and water tools, materials, and equipment with the ability to detect flaws and to determine proper remedial measures;
- Thorough knowledge of hydraulic, chemical, analytical, and mechanical principles pertinent to wastewater and water operations;
- Thorough knowledge of the occupational hazards of the work and of necessary safety precautions to comply with BPU and OSHA safety requirements;
- Ability to read, interpret, and implement documents such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies;
- Ability to write reports, business correspondence and procedure manuals;
- Ability to effectively present information and respond to questions from subordinates, supervisors, regulatory agencies, and customers;
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations;
- Ability to solve practical problems and deal with a variety of variables in situations where only limited standardization exists;
- Ability to develop and interpret a variety of instructions and plans furnished in written, oral, and drawing form;
- Ability to understand and follow moderately complex oral and written instructions; ability to read meters and charts accurately and to maintain records of operations;
- Skilled in the use and care of laboratory testing and analysis equipment and instruments;
- Ability to assign and supervise the work of others;
- Ability to establish and maintain effective working relationships with employees, regulatory agency officials and the general public.

Education, Experience and Special Requirements

- Associates/Technical degree in wastewater and water technology; extensive experience in wastewater and water plant operations including considerable supervisory experience or equivalent education and experience.
- Possession of a MPCA Class A Wastewater Operators Certificate.
- Possession of a MPCA Type 4 Application Certificate.
- Possession of a Minnesota Class D driver's license.
- Possession of a MDH Class B or higher Water Operators Certificate.
- ~~Experience in a Certified Laboratory is desirable.~~
- ~~Minnesota Department of Health Class D Water License is desirable.~~
- Experience in a Certified Laboratory is desirable.

Physical Requirements

This work requires the regular exertion of up to 10 pounds of force; frequent exertion of up to 25 pounds of force; and rarely, not daily, exertion of up to 50 pounds of force; work regularly requires standing, sitting, speaking or hearing, reaching with hands and arms and occasionally requires climbing or balancing, stooping, kneeling, crouching or crawling and pushing or pulling; work requires close vision, distance vision, 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 and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work regularly requires exposure to outdoor weather conditions and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to the risk of electrical shock, exposure to vibration; work is generally in a moderately noisy location. The worker may be exposed to bloodborne pathogens and may be required to wear specialized personal protective equipment.

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

| Last Revised: March 15, 2024~~May 21, 2019~~



Maintenance Mechanic

Department: Public Utilities

FLSA Status: Non-Exempt

General Definition of Work

Performs skilled mechanical work performing preventative and corrective maintenance on BPU's motorized fleet, motorized and non-motorized support equipment and various stationary mechanical equipment associated with facility systems; maintains records and files; and related work as apparent or assigned. Work is performed under the general supervision of the Operations Manager.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Performs preventative and corrective maintenance, including general mechanical overhaul and adjustments and repair work on all vehicles and equipment.
- Diagnoses and determines the extent of mechanical problems and replaces or rebuilds equipment based upon cost and quality of equipment operation considerations.
- Inspects, adjusts, repairs, replaces components and related parts for drive train, cooling, fuel, exhaust, brake, ignition and electrical systems.
- Inspects, adjusts, repairs, replaces components and related parts for hydraulic systems and compressed air systems.
- Welds, modifies equipment, and fabricates parts as needed.
- Replaces or rebuilds components as required to meet industry standards and DOT requirements.
- Operates standard testing equipment to diagnose malfunctions; drives to sites to repair equipment.
- Orders and maintains shop supplies and service parts as necessary.
- Maintains required cost-accounting and service/repair records in accordance with established BPU practices and DOT requirements.
- Keeps work area clean and orderly.
- Responds to trouble and emergency calls and performs necessary maintenance. Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- Attendance at continuing education events applicable to the position is strongly encouraged.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Performs other duties when assigned or when necessary.

Knowledge, Skills and Abilities

- Thorough knowledge of the standard methods, practices, tools, materials, equipment and technology used in the maintenance and repair of motorized fleets, motorized and non-motorized support equipment, and various types of stationary mechanical equipment;

Maintenance Mechanic

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- Thorough knowledge of the principles of two and four cycle internal combustion engines; electrical systems; hydraulic systems; hydraulic and pneumatic control systems; air compressors and of mechanical principles in general.
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements.
- Ability to write routine reports and correspondence.
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
- Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists.
- Ability to detect flaws in the operation of mechanical equipment and to determine proper remedial measures.
- Ability to read and interpret documents and a variety of instructions in diagram or schedule form such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Skill in the use and care of tools of the trade.
- Basic knowledge of computers, and diagnostic equipment.
- Ability to operate various vehicles and equipment for diagnostic and road testing.
- Ability to properly operate specialty tools and support equipment.
- Ability to work under adverse conditions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.

Education and Experience

- Associates/Technical degree in operating and performing maintenance of heavy trucks and equipment

OR

- A minimum of four years' experience in the maintenance and repair of vehicles, equipment, and pumps, including welding and troubleshooting.

Special Requirements

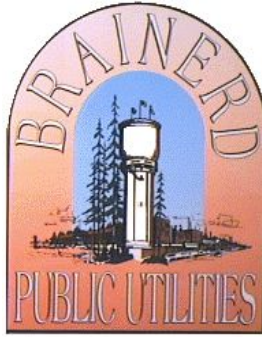
- Minnesota Class A commercial driver's license with tanker endorsement or ability to obtain within one year of hire.
- ASE certification and/or DOT Inspector license.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of up to 70 pounds of force; work regularly requires walking, frequently requires standing and repetitive motions and occasionally requires sitting, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting; work requires depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; 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, assembly or fabrication of parts within arms length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; worker is frequently exposed to outdoor weather conditions, working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to vibration, wearing a self contained breathing apparatus and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

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

Last Revised: February 8, 2024



Maintenance Mechanic

Department: ~~Electric~~Public Utilities
Non-Exempt

FLSA Status:

General Definition of Work

Performs skilled mechanical work performing preventative and corrective maintenance on BPU's motorized fleet, motorized and non-motorized support equipment and various stationary mechanical equipment associated with facility systems; maintains records and files; and related work as apparent or assigned. Work is performed under the general supervision of the ~~Line Supervisor~~ Operations Manager.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude employee from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Performs preventative and corrective maintenance, including general mechanical overhaul and adjustments and repair work on all vehicles and equipment.
- Diagnoses and determines the extent of mechanical problems and replaces or rebuilds equipment based upon cost and quality of equipment operation considerations.
- Inspects, adjusts, repairs, replaces components and related parts for drive train, cooling, fuel, exhaust, brake, ignition and electrical systems.
- Inspects, adjusts, repairs, replaces components and related parts for hydraulic systems and compressed air systems.
- Welds, modifies equipment, and fabricates parts as needed.
- Replaces or rebuilds components as required to meet industry standards and DOT requirements.
- Operates standard testing equipment to diagnose malfunctions; drives to sites to repair equipment.
- Orders and maintains shop supplies and service parts as necessary.
- Maintains required cost-accounting and service/repair records in accordance with established BPU practices and DOT requirements.
- Keeps work area clean and orderly.
- Responds to trouble and emergency calls and performs necessary maintenance. Willingness to accept call out/call back for outages and emergency repairs is essential. Call out/call back can be declined for good cause only.
- Attendance at continuing education events applicable to the position is strongly encouraged.
- Assists other Brainerd Public Utilities service crews as needed and in emergencies.
- Performs other duties when assigned or when necessary.

Knowledge, Skills and Abilities

- Thorough knowledge of the standard methods, practices, tools, materials, equipment and technology used in the maintenance and repair of motorized fleets, motorized and non-motorized support equipment, and various types of stationary mechanical equipment;

Maintenance Mechanic

Page 2

- Thorough knowledge of the principles of two and four cycle internal combustion engines; electrical systems; hydraulic systems; hydraulic and pneumatic control systems; air compressors and of mechanical principles in general.
- Thorough knowledge of the occupational hazards of the work and necessary safety precautions to comply with BPU and OSHA safety requirements.
- Ability to write routine reports and correspondence.
- Ability to apply concepts such as fractions, percentages, ratios, and proportions to practical situations.
- Ability to solve practical problems and deal with a variety of concrete variables in situations where only limited standardization exists.
- Ability to detect flaws in the operation of mechanical equipment and to determine proper remedial measures.
- Ability to read and interpret documents and a variety of instructions in diagram or schedule form such as BPU safety rules, operating and maintenance instructions, procedure manuals, and policies.
- Ability to listen and speak effectively; follow oral and written instructions.
- Skill in the use and care of tools of the trade.
- Basic knowledge of computers, and diagnostic equipment.
- Ability to operate various vehicles and equipment for diagnostic and road testing.
- Ability to properly operate specialty tools and support equipment.
- Ability to work under adverse conditions.
- Ability to establish and maintain effective working relationships with coworkers, supervisors, and customers.

Education and Experience

- Associates/Technical degree in operating and performing maintenance of heavy trucks and equipment

OR

- A minimum of four years' experience in the maintenance and repair of vehicles, equipment, and pumps, including welding and troubleshooting.

Special Requirements

- Minnesota Class A commercial driver's license with tanker endorsement or ability to obtain within one year of hire.
- ASE certification and/or DOT Inspector license [eure is highly desired for this position.](#)

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force, frequent exertion of up to 50 pounds of force and occasional exertion of up to 70 pounds of force; work regularly requires walking, frequently requires standing and repetitive motions and occasionally requires sitting, climbing or balancing, stooping, kneeling, crouching or crawling, reaching with hands and arms, pushing or pulling and lifting; work requires depth perception, color perception, night vision and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; 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, assembly or fabrication of parts within arms length, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; worker is frequently exposed to outdoor weather conditions, working near moving mechanical parts, exposure to fumes or airborne particles, exposure to toxic or caustic chemicals, exposure to vibration, wearing a self contained breathing apparatus and exposure to bloodborne pathogens and may be required to wear specialized personal protective equipment; work is generally in a loud noise location (e.g. grounds maintenance, heavy traffic).

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

Last Revised: ~~January 1, 2018~~ February 86, 2024



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: MOU between Brainerd and Baxter

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Danny Loch, Finance Manager

DEPARTMENT: Public Utilities

PRESENTER: Danny Loch, Finance Manager

ESTIMATED TIME (MIN): 2

SUMMARY OF ISSUE: The attached MOU has been signed and approved by the City Council, Baxter City Council and needs to be ratified by the Commission. Review has been done by all attorneys and the MN PCA.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Staff recommend ratifying the attached MOU that has been signed by both Cities.

FINANCIAL IMPACT:

MEMORANDUM OF UNDERSTANDING PRETREATMENT DELEGATION

This Memorandum of Understanding ("**MOU**"), dated as March 19, 2024 (the "**Effective Date**") is entered in to by the City of Baxter, a Minnesota municipal corporation ("**Baxter**"), and the City of Brainerd and its Public Utilities Commission ("**BPU**"), a Minnesota municipal corporation (collectively, "**Brainerd**"). Brainerd and Baxter are collectively referred to as the "**Parties**" or individually referred to as a "**Party**" to this Agreement.

RECITALS

- A. The Minnesota Pollution Control Agency ("**MPCA**") has issued Brainerd NPDES/SDS Permit No. MN0049328 (the "**NPDES Permit**") to operate the wastewater treatment plant located at 8027 Highland Scenic Road, Baxter, MN (the "**WWTP**") which serves the sanitary sewage treatment needs of the greater Brainerd/Baxter community. The parties' rights with respect to the WWTP are governed by a Sewer Use and Capacity Agreement dated November 27, 2007 (the "**Agreement**"). Under the Agreement, each Party is responsible for permitting the discharges of users within its jurisdiction according to its sewer use ordinance.
- B. Based on the WWTP's increased capacity and the Parties flow volumes, MPCA is delegating its pretreatment authority to Brainerd in the NPDES Permit. This MOU addresses how the Parties will fulfill the requirements of that delegation, consistent with the terms of the Agreement.
- C. The Parties agree that the intent and goal of this MOU is to treat all industrial users of the WWTP similarly irrespective of the jurisdiction in which they are located.

AGREEMENT

- 1. Within thirty-(30) days of the Effective Date, Baxter will adopt and enforce an amended sewer use ordinance as set forth in **Exhibit A** that includes pollutant specific limits no less stringent than those in Brainerd's sewer use ordinance and an analogous comprehensive pretreatment program consistent with 40 C.F.R. §403.8 and Minn. Rule Ch. 7049.
- 2. Each time that Brainerd proposes to revise its sewer use ordinance, it will provide the proposed revised version to Baxter, together with the reasons for the proposed changes. If the proposed revision is required by the NPDES Permit or applicable state or federal law or regulations governing the WWTP or the Parties discharges or is needed to comply with any of the same, Baxter shall promptly, and not later than ninety (90) days from receipt of the draft from Brainerd, adopt an analogous revision to its sewer use ordinance. If the proposed revision is desired by Brainerd but not needed to comply with its Permit or otherwise legally required, the Parties will discuss the proposed revision and Baxter will decide whether to implement it.
- 3. Baxter will ensure that all industrial users within its city limits are subject to a pretreatment program consistent with 40 C.F.R. § 403.8 and Minn. Rule Ch. 7049. Specifically, Baxter will perform all duties necessary to implement and enforce its sewer use ordinance against industrial users in its jurisdiction. Any Industrial user owning contiguous property located in both Brainerd and Baxter, will be subject to Brainerd's jurisdiction and its pretreatment ordinance irrespective of which city its

requirements, or contamination of WWTP sludge. Brainerd will notify Baxter of its intent to take emergency action.

11. The notice, indemnification, dispute resolution and cost sharing provisions of the Agreement shall apply to this MOU as though incorporated herein. Consistent with the cost sharing provisions of the agreement, the parties also agree that each Party shall bear sole responsibility for any fines or penalties as a result of that Party's individual actions or failure to act with respect to its violation of applicable Delegated Pretreatment Program requirements.

12. If any provision of this MOU is held invalid or unenforceable, the remaining provisions shall be binding on the Parties unless the unenforceable provision would cause the MOU to fail in its essential purpose.

13. This MOU is to be read with the Agreement and the two shall represent the entire Agreement of the Parties concerning the WWTP (known as the Expanded WWTP in the Agreement). This MOU may be amended only by a written agreement signed by the Parties.

14. Neither Party shall assign or transfer this Agreement without the prior consent of the other.

IN WITNESS WHEREOF, the parties below represent hereby that they have been duly authorized to sign this Agreement by their respective councils.

CITY OF BRAINERD:

Dated: 3/18/24

By: [Signature]

CITY OF BRAINERD:

Dated: 18 March 2024

By: [Signature]

SEAL

In Witness thereof this 18th day
of March, 2024.

[Signature]

(Notary Public)

BRAINERD PUBLIC UTILITIES:

Dated: 3/18/24 3/26/24

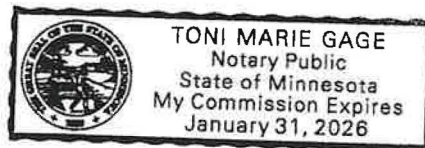
By: [Signature]

SEAL

In Witness thereof this 26th day
of March, 2024.

[Signature]

(Notary Public)



CITY OF BAXTER:

Dated: 3-19-24

By: [Signature]
Darrell Olson, Mayor

CITY OF BAXTER:

Dated: 3-19-24

By: [Signature]
Kelly Steele, Assistant City
Administrator/City Clerk

SEAL

In Witness thereof this ¹⁹ day
of March 2024.

[Signature]
(Notary Public)

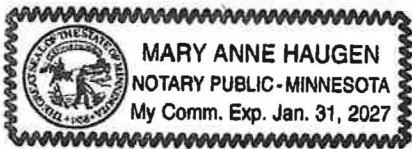


EXHIBIT A

City of Baxter Ordinance

Chapter 2

Sewer Use and Service Section

CHAPTER 2
SEWER USE AND SERVICE

SECTION:

- 8.2.1 General Background Information
- 8.2.2 General Provisions
- 8.2.3 Definitions
- 8.2.4 Use of Public Sewers
- 8.2.5 Prohibitions and Limitation
- 8.2.6 Limitation on Wastewater Strength
- 8.2.7 Accidental Discharges
- 8.2.8 Industrial Wastewater Discharge Permit
- 8.2.9 Pretreatment Requirements
- 8.2.10 Industrial Wastewater Monitoring and Reporting
- 8.2.11 Regulation of Fats, Oils and Greases (FOG)
- 8.2.12 Special Programs and Requirements
- 8.2.13 Confidential Information
- 8.2.14 Civil Damages, False Information, Tampering and Penalties
- 8.2.15 Enforcement
- 8.2.16 Determination and Levying of User Charges
- 8.2.17 Sewer Availability Charge (SAC)

8.2.1 GENERAL BACKGROUND INFORMATION

- A. Sanitary and industrial wastewater generated in the City of Baxter is collected and conveyed to the Brainerd Public Utilities Commission Wastewater Treatment Plant for treatment and disposal. Sludge generated as a byproduct of the treatment of wastewater from Baxter is also managed and disposed by the Brainerd Public Utilities Commission.
- B. Conveyance facilities, including sanitary sewers and lift stations within the Baxter City limits are owned, operated by and under the control of the City of Baxter.
- C. A Sewer Use and Capacity Agreement between the City of Brainerd and the City of Baxter originally executed on November 27, 2007, as amended, defines the contractual interaction between the Parties, including the methods used to proportion the capital and operating costs.

8.2.2 GENERAL PROVISIONS:

- A. Purpose: The purpose of this chapter is:
 - 1. To provide forth uniform requirements for discharges into the city's wastewater collection system and enable the city to comply with all state and federal laws, and with the discharge requirements established by the Brainerd Public Utilities for wastewater discharged to their facility.
 - 2. Establish the process the City of Baxter will use to determine and levy charges to all users within the Baxter service area discharging thereto.

B. Objectives: The objectives of this chapter are:

1. To prevent the introduction of pollutants into the wastewater collection and system which could interfere with the operation of the collection and conveyance system, or with the treatment of wastewater generated within the Baxter service area or use or disposal of the sludge generated through the treatment of that wastewater;
2. To establish the authority to determine and levy user charges that are necessary for the efficient, economic, and safe operation of the city's wastewater collection system, and for City's portion of the operational and capital costs of the Wastewater Treatment Plant and for the associated sludge disposal costs;
3. To establish a system of regulation and charges which will provide effective operation of the city's wastewater collection and conveyance system in compliance with applicable standards and regulations of the Minnesota Pollution Control Agency and the United States Environmental Protection Agency.

8.2.3 DEFINITIONS:

A. For the purpose of this chapter, the following words, terms and abbreviations have the meanings given them:

1. ACT: The clean water act (33 USC 1251 et seq., as amended).
2. ADMINISTRATIVE AUTHORITY: The City of Baxter, Baxter Public Works Director, Baxter building official, or staff member authorized by the Baxter city council.
3. BAXTER PUBLIC UTILITIES COMMISSION: Any reference to the Baxter Utility commission pursuant to procedure is will be a recommendation by the utilities commission to the city council for formal action.
4. BIOCHEMICAL OXYGEN DEMAND (BOD): The quantity of oxygen used in the biochemical oxidation of organic matter in a specified time, at a specified temperature, and under specified conditions. This is a measure of the amount of degradable organic material in the wastewater.
5. BRAINERD PUBLIC UTILITIES COMMISSION: Any reference to Brainerd Public Utilities Commission shall mean official action of the City of Brainerd. The Brainerd Public Utilities Commission is designated as the Treatment Authority.
6. BUILDING SEWER: The extension from the building drain to the public sewer or other place of disposal, sometimes called the house connection or service connection.
7. CATEGORICAL INDUSTRIAL USER: Industrial user that is subject to national categorical pretreatment standards.
8. CATEGORICAL PRETREATMENT STANDARDS or NATIONAL CATEGORICAL PRETREATMENT STANDARDS: Pretreatment standards from the federal regulations that are incorporated by reference in Minn. Rules part 7040.0310.

9. CITY: The term City shall designate the City of Baxter Minnesota, unless specifically indicated otherwise.
10. CHLORIDE: A chemical contaminate typically originating from regenerating ion exchange water softeners.
11. COD: Chemical oxygen demand. This is wastewater strength parameter sometimes used with industrial wastes.
12. CAPITAL COSTS: All costs and expenses incurred in planning, designing, financing, and constructing wastewater collection, conveyance, and treatment works.
13. CHEMICAL OXYGEN DEMAND (COD): A measure of the oxygen equivalent of that portion of organic matter that is susceptible to oxidation by a strong chemical oxidant, using EPA approved laboratory procedures.
14. CITY: City of Baxter, Minnesota.
15. COMBINED SEWER: A sewer intended to serve as a sanitary sewer and a storm sewer, or as an industrial sewer and a storm sewer.
16. COMMERCIAL USER: All users of the system classified as industrial users in the standard industrial classification manual, 1972, U.S. office of management and budget, as amended and supplemented under divisions A, B, D, E, and I, but who are excluded from such definition for the purposes of this chapter because they discharge primarily segregated domestic wastes, or wastes from sanitary conveniences; the classification shall not include such exempt users who are otherwise classified in this chapter as domestic users, government users, or industrial users.
17. CONSTRUCTION: Any one or more of the following: preliminary planning to determine the feasibility of treatment works, engineering, architectural, legal, fiscal, or economic investigations or studies, surveys, designs, plans, working drawings, specifications, procedures, or other necessary actions, erection, building, acquisition, alteration, remodeling, improvement, or extension of treatment works, or the inspection or supervision of any of the foregoing items.
18. CONTRACT USER: Any users who have a special contract or agreement with the city which allows discharge of wastes into the city's sewer system.
19. DEBT RETIREMENT COSTS: The combined principal and interest payments necessary to pay bonded indebtedness.
20. DOMESTIC USER: Those establishments of which its related occupants, if any, are usually considered a domestic service and whose discharge consists solely of sanitary wastes.
21. DOMESTIC WASTEWATER: Wastewater derived principally from a dwelling due to domestic activities. It may or may not contain ground water, surface water, or storm water.
22. FATS, OILS AND GREASE (FOG): Any substance, such as vegetable, animal, or other product that is used in, or is a byproduct of, the cooking or food preparation process and that turns or may turn viscous or solidifies with a change in temperature or other condition or organic polar compounds derived

from animal or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time.

23. FLOW: The quantity of sewage expressed in gallons or cubic feet per twenty-four (24) hours.
24. ARBAGE: Solid wastes resulting from the domestic and commercial preparation, cooking, and dispensing of food, and from the handling, storage or sale of meat, fish, fowl, fruit, vegetables, or condemned food.
25. INDUSTRIAL WASTEWATER: The liquid waste resulting from the processes employed in industrial, manufacturing, trade or business establishments, as distinct from domestic wastewater. Any waste that is transported by a liquid waste hauler and disposed into public sewers is industrial wastewater. Any leachate or contaminated ground water disposed into public sewers is industrial wastewater.
26. INFILTRATION: The water entering a sewer system, including sewer service connections, from the ground, through such means as, but not limited to, defective pipes, pipe joints, connections, or manhole walls. Infiltration does not include, and is distinguished from, inflow.
27. INFILTRATION/INFLOW: The total quantity of water from both infiltration and inflow without distinguishing the source.
28. INFLOW: The water discharged into a sewer system, including service connections from such sources as, but not limited to, roof leaders, cellar, yard, and area drains, foundation drains, cooling water discharges, drains from springs and swampy areas, manhole covers, cross connections from storm sewers and interceptors, catch basins, storm waters, surface runoff, street wash waters, or drainage: inflow does not include, and is distinguished from infiltrations.
29. INSTITUTIONAL USER: Those establishments engaged in activities of a noneconomic nature, frequently being the performance of services for the general public (health, education, social), and not classified as a governmental or commercial user in this chapter.
30. INTERFERENCE: The inhibition or disruption of the collection system or the wastewater treatment plant.
31. LIMITED FOOD SERVICE ESTABLISHMENT (LFSE) FACILITY: A location, business or facility, engaged only in reheating, hot holding, or reassembly of ready to eat food products that does not discharge waste from food preparation or cleanup qualifies as an LFSE facility. An LFSE facility cannot include any operation or process that changes the form, flavor, or consistency of food.
32. LEACHATE: Wastewater resulting from the percolation of rain water and/or internal liquids through the deposited material in a solid waste disposal facility.

33. LIQUID WASTE HAULER: Any person who transports waste for the purpose of discharge into public sewers.
34. LOAD: Quantities of sewer characteristics such as BOD, SS, and other constituents as expressed in milligrams per liter (mg/l) or pounds per hours (lbs./24 hours).
35. LOCAL CHARGE: A treatment charge assessed by the city to liquid waste haulers based on waste volume and strength.
36. MAY: Is permissive.
37. MONITORING: The measurement, sometimes continuous, of water quality.
38. NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM PERMIT OR NPDES PERMIT: The system for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans by the administrator of the environmental protection agency pursuant to section 402 and 405 of the federal water pollution control act amendment 1972.
39. NATURAL OUTLET: Any outlet into a watercourse, pond, ditch, lake, or other body of surface or ground water.
40. NONCONTACT COOLING WATER: Water used for cooling purposes that does not contact raw materials, work pieces or a finished products. Noncontact cooling water discharged to public sewers is industrial waste.
41. OPERATION AND MAINTENANCE COSTS (O & M COSTS): The expenses related to the costs of the operation, maintenance, replacement, and administration of the City of Baxter total treatment works or system.
42. PASS THROUGH: A discharge of sewered pollutants that flows from the city's treatment plant into the receiving stream in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the plant's NPDES/SDS permit, including an increase in the magnitude or duration of a violation.
43. PERSON: Any individual, firm, company, association, society, corporation, municipal corporation, government unit, or group.
44. PASS THROUGH: A discharge that exits a POTW plant into waters of the state in quantities or concentrations that, alone or in conjunction with discharges from other sources, is a cause of violating a requirement of any permit, rule, regulation or ordinance controlling, prohibiting, or limiting the release of pollutants from the POTW plant into the environment, including an increase in the magnitude or duration of a violation.
45. pH: The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen-ion concentration of 10^{-7} .
46. pH: The logarithm of the reciprocal of the hydrogen-ion concentration. The concentration is the weight of hydrogen-ions, in grams, per liter of solution. Neutral water, for example, has a pH value of seven (7) and a hydrogen-ion concentration of 10^{-7} .

47. **PRETREATMENT:** The application of physical, chemical and biological processes to reduce the pollutants in or alter the nature of the pollutant properties in a wastewater prior to discharging such wastewater into the publicly owned collection and conveyance system and ultimately the wastewater treatment plant.
48. **PRETREATMENT SOLIDS:** Any materials that are formed, concentrated, or removed by pretreatment performed by any person.
49. **PROCESS WATER:** Any water used in the manufacturing, preparation or production of goods, materials, or food. Process water is an industrial waste.
50. **PUBLIC SEWER:** Any sewer owned or operated by a unit or agency of government.
51. **PUBLIC WORKS DIRECTOR:** The Public Works Director of the wastewater disposal system of the city or the person's duly authorized representative.
52. **REPLACEMENT:** Expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment plant to maintain the capacity and performance for which such works were designed and constructed. The term "operation and maintenance" includes replacement.
53. **SANITARY SEWER:** A sewer intended to carry only sanitary or sanitary and industrial wastewater from residences, commercial buildings, industrial plants, and institutions.
54. **SANITARY WASTEWATER:** The liquid and water carried wastes discharged from sanitary plumbing facilities.
55. **SANITARY WASTES:** The liquid and water carried wastes discharged from sanitary plumbing facilities.
56. **SEWAGE COLLECTION SYSTEM:** Each, and all, of the common lateral sewers within a publicly owned treatment system, which are primarily installed to receive wastewaters directly from facilities which convey wastewater from individual structures or from private property, and which include service connection "Y" fittings designed for connection with those facilities. The facilities which convey wastewater from individual structures, from private property to the public lateral sewer, or its equivalent, are specifically excluded from the definition, with the exception of pumping units, and pressurized lines, for individual structures or groups of structures when such units are cost effective and are owned and maintained by the City of Baxter.
57. **SEWAGE OR WASTEWATER:** The water carried waste products from residences, public buildings, institutions, industrial establishments, or other buildings including the excrementitious or other discharge from the bodies of human beings or animals, together with such ground water infiltration and storm and surface water as may be present.
58. **SEWER:** A pipe or conduit for carrying sewage, industrial wastewater, or other waste liquids.
59. **SEWER:** A pipe or conduit for carrying sewage, industrial waste, or other waste liquids.

60. SEWER SYSTEM OR SEWERAGE SYSTEM: Pipe lines or conduits, pumping stations, force mains, and all other devices and appliances appurtenant thereto, used for collecting or conducting sewage, industrial wastewater, or other wastewater to a point of ultimate disposal.
61. SHALL: Is mandatory.
62. SIGNIFICANT INDUSTRIAL USER: Any industrial user of the wastewater treatment system whose flow:
- a. Exceeds twenty-five thousand (25,000) gallons or more per average workday;
 - b. Has exceeded five percent (5%) of the flow carried by the city's wastewater treatment system during any day in the past year;
 - c. Has in its wastewater a toxic pollutant, in toxic amounts, as defined by standards issued and effective under section 307 (a) of the federal water pollution control act or as defined by Minnesota statutes and rules;
 - d. Has BOD5 or TSS concentrations that are higher than typical domestic sewage. The concentration of BOD5 and TSS in typical domestic sewage is assumed to be 300 mg/l and 300 mg/l, respectively;
 - e. Has significant impact, or reasonable potential to impact either individually or in combination with other contributing industries, on the city's wastewater treatment system or the quality of its effluent; Has significant impact or reasonable potential to impact on the quality of sludge produced by the wastewater disposal system,
 - f. Has significant or reasonable potential to violate required pretreatment standards.
 - g. Has a significant impact on air emission of the wastewater treatment plant.
 - h. An industrial user that is subject to national categorical pretreatment standards.
63. SIGNIFICANT NONCOMPLIANCE: A industrial user is in significant noncompliance if its violation meets one or more of the following criteria:
- a. Chronic violations of wastewater discharge limits defined in this part as those in which 66 percent or more of all the measurements taken during a six-month period exceed, by any magnitude, a numeric pretreatment standard or requirement;
 - b. Technical review criteria (TRC) violations, defined in this part as those in which 33 percent or more of all of the measurements for each pollutant parameter taken during a six-month period or exceed the product of a numeric pretreatment standard or requirement multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
 - c. Any other violation of a pretreatment standard or requirement that the POTW determines has caused alone or in combination with other

- discharges, interferences or pass-through, including endangering the health of POTW personnel or the general public;
 - d. Any discharge of a pollutant that had caused imminent endangerment to human health, welfare, or the environment or has resulted in the receiving POTW authority's exercise of its authority to halt or prevent such a discharge;
 - e. Failure to meet, within 90 days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;
 - f. Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
 - g. Failure to accurately report noncompliance; or
 - h. Any other violation, which may include a violation of best management practices, that the POTW authority determines will adversely affect the operation or implementation of the local pretreatment program.
64. **SLUG DISCHARGE:** A discharge of a nonroutine, episodic nature, including, but not limited to, an accidental spill or noncustomary batch discharge, which has a potential to cause interference or pass-through or in any other way violate the POTW's regulations, local limits. Or individual control mechanisms.
65. **SLUG:** Any discharge of water, wastewater or industrial waste which in concentration of any given constituent or in quantity of flow, exceeds for any period of duration longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, qualities, or flows during the normal operation.
66. **STORM SEWER:** A sewer which carries storm and surface water and drainage but excludes sewage and industrial wastewater, other than unpolluted cooling or process water.
67. **TOTAL SUSPENDED SOLIDS (TSS):** The residue material from a wastewater sample after filtration, using EPA approved laboratory procedures.
68. **TREATMENT AND DISPOSAL SYSTEM:** Any devices and systems for the storage, treatment, recycling, and reclamation of municipal sewage, domestic sewage, or liquid industrial wastewater, or necessary to recycle or reuse water at the most economical cost over the useful life of the works. These include intercepting sewers, outfall sewers, , extensions, improvements, remodeling, additions, and alteration hereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment;; or any other method or system for

preventing, abating, reducing, storing, treating, separating, or disposing of municipal wastewater or industrial wastewater.

- 69. USEFUL LIFE: Estimated period during which a collection, conveyance system or treatment works will be operated.
- 70. USER: Any person, firm, corporation, or other entity, whether municipal or otherwise, discharging sewage into the collection and conveyance system.
- 71. USER CHARGE: A charge levied on users of a conveyance system or treatment works, for the user's proportionate share of the cost of operation and maintenance (including replacement) of such works.

8.2.4 USE OF PUBLIC SEWERS:

- A. The public sewers of the city are governed by the provisions of this section.
 - 1. Discharge: It is unlawful to discharge to any natural outlet within the city limits any sewage or other pollutant waters, except where suitable treatment has been provided in accordance with subsequent provisions of this chapter. It is also unlawful to discharge wastewater generated within the city limits to a natural outlet that is outside the city limits without suitable treatment.
 - 2. Private Systems: It shall be unlawful to construct, maintain, use, or permit to be used any cesspool, privy, or privy vault on any part of any lot or parcel of land in the city abutting a public sanitary sewer with which a sewer connection may be made, if said parcel of land is within five hundred feet (500') of said public sanitary sewer.
 - 3. Water Service Terminated: Whenever any privy, privy vault, or cesspool is either erected, constructed or used, contrary to the provisions of this chapter on any premises in the city, the water supply from the city waterworks thereto shall be terminated and shall remain cut off until the City of Baxter is satisfied that such violation of this chapter has ceased and until the expense of turning off and turning on the water has been paid with whatever fine for violation of this chapter may be assessed.
- B. Use Required:
 - 1. Existing Facilities: When property abuts upon any public street or alley along which a public sanitary sewer has been constructed, the owner of any dwelling or commercial establishment on the property shall install sanitary sewer service therein and connect with the city sanitary sewer system in accordance with the provisions of this chapter within one hundred twenty (120) days after the date of mailing of official notice to do so by the city clerk. The notice shall be given to the owner or occupant or his authorized agent in writing by the city clerk on order of the city council. Said notice shall be delivered no sooner than one year after a city sanitary sewer main could serve the subject property. In addition, connection is required before the owner of said property sells or transfers title to said property or before repair or replacement of any or septic system on the property. For the purposes of this chapter, "abut" shall mean that the property is either

contiguous to the city street served by city sanitary sewer or benefits from an easement that enables service from said city street whereby they could connect to city utilities without further consent from any other landowner.

2. New Construction: As to nonabutting property which, in the case of residential use is within four hundred feet (400') and in the case of business or commercial use is within six hundred feet (600') of any public street or alley along which a public sewer system has been constructed, the owner shall, as to any new construction requiring sewer service, connect with the city sewer system in accordance with the provisions of this chapter, before any use or occupancy may be made of such premises.
3. Abandonment of Existing System: Any existing business or commercial use which abandons an existing private sewer system must substitute it with a connection to the city sewer system, as opposed to any private sewer system
4. Failure to Comply; City Action: Whenever any owner or occupant fails to comply with such written notice, the council shall, by resolution, direct that connection be made with the sewer system and the cost of the installation be paid in the first instance out of the general fund and then assessed against the property benefited.
5. Nonuser Fees: Any property owner who has not connected to the city sewer system shall pay a fee set by the city council. The fact, however, that such user sewer rate is being charged by the city or is being waived hereunder in no way waives or diminishes the right of the city to require any property owner to connect to such sewer system in accordance with the terms and provisions above. This nonuser fee shall be set from time to time by the city council if the property is not hooked up within one year after the adjacent city sewer system is operational and shall be subject to change in the same manner as with sewer rates under section 8-2-16 of this chapter. The fact, however, that nonuser fees are being charged by the city shall not operate as a waiver of the required use provisions set forth in this section. In addition, no property owner may elect to pay nonuser fees unless they have their current septic system inspected pursuant to title 9, chapter 8 of this code and said system passes the inspection.
6. Exemption: If any existing single-family residence is more than eight hundred feet (800') from the nearest available city utility connection lines, the homeowner may apply for an exemption agreement with the city which would exempt them from the connection requirements and nonuser fees as set forth above. Said agreement would be recorded against the property and may require connection upon subdivision or other changes to the lot. To apply for said exemption, the homeowner shall be required to present a septic system compliance certificate and the exemption agreement may require periodic inspection and compliance of said septic system. And, based upon the proximity of said septic system to wetlands, wells, lakes, rivers and streams, the homeowner may need to construct or modify their existing septic system to utilize better design and materials to prevent contamination of nearby natural resources.

7. Pretreatment: Where pretreatment facilities are required by the City of Baxter, they shall be maintained continuously in effective operation by the sewer user at its expense. Failure to do so shall void the right of sewerage system use and the City of Baxter reserves the right to discontinue service.
- C. Control Manholes: The City of Baxter may as a condition of providing sewer service require a control manhole built on the building sewer at owner's expense to facilitate observation, sampling, inspection and measurement of wastewater. The Control Manhole and enclosure shall be equipped with a locking access hatch or door. If flow measurement is necessary to establish flowrates, the building sewer Owner may be required to install an approved flow measurement and recording device. Such manhole when required shall be accessible, safely located, and built-in accordance with city standards for sewer manholes. The necessity of a control manhole will be based on sewage volume and wastewater strength and permitted characteristics and whether the wastewater discharge requires control within the operation to meet acceptable conditions for discharge to the sewage system. Sampling and flow monitoring equipment may be located within the Owner's building if duly authorized Baxter employees or agents have total access to the sampling and monitoring equipment at any time during normal business hours.
 - D. Special Agreements: Nothing within this sewer chapter shall be interpreted to require the service of wastewater at published sewer rates when such wastewater may impair the system or cause a higher-than-normal expense in operation of the sewerage system. Nor shall the sewer section be interpreted to prohibit the handling of deleterious wastewater, requirements for pretreatment, or sewer service rates higher than published rates on an agreement basis. Such agreements may be approved by the City of Baxter after considering the problems in handling, the effect on the sewerage system and the cost of handling the wastewater. Special agreements are not allowed which would: 1) cause the violation of the existing NPDES permit or state disposal system permit; and 2) allow any user subject to national categorical pretreatment standards to circumvent their requirements.
 - E. Entry On Premises: Duly authorized City of Baxter employees or designees bearing proper identification shall, at reasonable times, be permitted to enter upon properties served by sanitary sewers for the purpose of inspection, measurement, sampling and testing in connection with operation of the sewer system. No person shall interfere with, delay, resist or refuse entrance to the administrative authority's attempt to inspect any facility involved directly or indirectly with a discharge to the city's sanitary sewer system.
 - F. Contractors' Responsibility: Contractors employed on city contracts, plumbers, and other persons engaged in construction or maintenance activity where there is connection to or danger of damage to the sewer system shall exercise particular care to protect the sewer system and shall always protect, keep foreign materials out, and accomplish construction or connections in a neat and workmanlike manner. Failure to do so shall be a violation of this chapter and shall not stop the city from correcting the damage or removing the foreign material, if necessary, on an overtime basis, and collecting the costs therefor. For other than immediate necessary repair or removal a five (5) day written notice shall be deemed adequate

notice to the party to repair damage, correct faulty construction or remove material from the sewerage system.

- G. Storm Water Connections: Roof, ground water or surface drain connections to the city's sanitary sewer system is prohibited.
- H. Entrance Into Manholes: Entrance into sewer manholes or opening the same for any purpose whatever except by duly authorized city or City of Baxter employees or their agents is prohibited.
- I. Building sewer construction: Building sewers shall be constructed in compliance with the most recent edition of the Minnesota Plumbing Code. Sewers shall run in a practical alignment at a uniform slope of no less than $\frac{1}{4}$ " per foot toward the point of connection to the city's collection system. A separate building sewer shall be provided for each account and be located within the property boundaries of that account. Any exception to the above shall be approved by the administrative Authority prior to installation.

8.2.5 PROHIBITIONS AND LIMITATION:

- A. No user shall discharge or cause to be discharged, directly or indirectly, any of the substances described in this section into the wastewater collection system or to any public sewer:

Explosive Gases: Any liquids, solids or gases which by reason of their nature or quantity are, or may be sufficient, either alone or by interaction with other substances, to cause fire or explosion or be injurious in any other way to the wastewater collection and conveyance system or to the wastewater treatment plant, or to the operation of those systems. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides.

- 1. Grease, Garbage, Etc.: Solid or viscous substances which will or may cause obstruction to the flow in a sewer or other interference with the operation of the wastewater collection and conveyance facilities, or the treatment plant, such as, but not limited to, grease, garbage with particles greater than one-half inch ($\frac{1}{2}$ ") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, gas, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, mud or glass grindings or polishing wastes. Acidic or Basic Fluids: Any wastewater having a pH less than 5.0 or higher than 9.0 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and personnel of the wastewater collection and conveyance system or treatment and disposal system.
- 2. Toxic Pollutants: Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants to inhibit or disrupt any wastewater treatment process, constitutes a hazard to humans or

animals, or create a toxic effect in the receiving waters of the wastewater disposal system. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to section 307(a) of the act.

3. Noxious Fluids: Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastewater is capable of creating a public nuisance or hazard to life or are sufficient to prevent entry into the sewer for their maintenance and repair.
4. Dyes, etc.: Any wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions.
5. Other Violations: Any wastewater which creates conditions at or near the wastewater disposal system which violate any statute or any rule, regulation or section of any public agency or state or federal regulatory body.
6. Heated Wastewater: Any wastewater having a temperature greater than one hundred fifty degrees Fahrenheit (150°F) (65.6°C.), or causing, individually or in combination with other wastewater, the influent at the wastewater treatment plant to have a temperature exceeding one hundred four degrees Fahrenheit (104°F) (40°C) or having heat in amounts which will inhibit biological activity in the treatment works resulting in interference.
7. Unpolluted Water: Any unpolluted water, including, but not limited to, noncontact cooling water, unpolluted storm or ground water.
8. Excess Grease And Oil: Any wastewater containing fats, wax, grease, or oils of animal or vegetable origin whether emulsified or not, in excess of plus one hundred y milligrams per liter (100 mg/l) or containing substances which may solidify or become viscous at temperatures between thirty two degrees Fahrenheit and one hundred fifty degrees (32°F and 150°F) (0°C and 65.6°C); and any wastewater containing oil and grease concentration of mineral origin of greater than plus one hundred milligrams per liter (+100 mg/l), whether emulsified or not.
9. Inert Suspended Solids: Wastewater containing inert suspended solids (such as, but not limited to, fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to, sodium chloride and sodium sulfate) in such quantities that they would cause disruption with the wastewater system.
10. Other Prohibited Substances: No user shall discharge to any public sewer any discharge which causes "interference", as defined, with the wastewater conveyance or the wastewater treatment plant. Pollutants in the effluent from an industrial user shall not be considered to cause interference where the industrial user is in compliance with specific prohibitions or standards developed by federal, state, or local governments. Where the industrial user is in compliance with such specific prohibitions or standards and pollutants in the effluent from the industrial user's facility nevertheless are determined to have caused or significantly contributed to a violation of any requirement of the city's NPDES or state disposal system permit, and are likely to cause such a

- violation in the future, the City of Baxter must take appropriate action to develop and enforce specific effluent limits for that industrial user.
11. Strong Acid or Plating Solutions: Any wastewater containing strong acid, iron pickling wastewater, or concentrated plating solutions, whether neutralized or not.
 12. Phenols: Any wastewater containing phenols or other taste or odor producing substances which constitute a nuisance or hazard to the structures, equipment, or personnel of the conveyance system, or which interfere with the wastewater treatment plant.
 13. Radioactive Wastes: Any radioactive wastes or isotopes of such half-life or concentration that they are in noncompliance with regulations issued by the appropriate authority having control over their use or which have caused or may cause damage or hazards to the wastewater treatment plant or personnel operating it.
 14. Water Insoluble Oils: Any water insoluble oils, including, but not limited to, fuel oil, nonbiodegradable cutting oil, lubricating oil, hydraulic oil, mineral oil and motor oil.
 15. Medical Wastes: Whole, ground or shredded glassware, needles and other sharps, plastic and textile objects from hospitals, physician and dentist offices, clinics, veterinary facilities, other healthcare facilities, mortuaries, blood banks, laboratories of any kind and food preparation facilities.
 16. Infectious Wastes: Wastes, other than domestic wastewater, that are infectious except as provided for in an acceptable infectious waste management plan submitted to Minnesota department of health or Minnesota pollution control agency pursuant to Minnesota statutes 116.75-116.83
 17. Foam Producing: Any material containing foam or foam producing substances in sufficient quantities to cause a public nuisance, operational problems in public sewers or cause interference or pass-through.
 18. Pretreatment Solids: Any pretreatment solids from an industrial pretreatment system except as provided in section 8-2-7 of this chapter.
 19. Outside Of City Wastewater: Any wastewater generated outside the city limits unless prior approval has been obtained from the Public Works Director
 20. Hazardous Wastes: Any hazardous wastes, as defined by Minnesota statutes section 116.06 subdivision 11 and Minnesota rules chapter 7045, unless prior approval has been obtained from the public work director and such discharge does not constitute a violation of local, state or federal law.
 21. Pharmaceuticals: Outdated or unused medicines, drugs or pharmaceutical shall not be disposed by discarding into the sewer.
 22. Sump pump discharges: Discharges from sump pumps, footing drains or other sources of uncontaminated groundwater shall not be connected to the sanitary sewer.

8.2.6 LIMITATION ON WASTEWATER STRENGTH:

- A. National Categorical Pretreatment Standards: National categorical pretreatment standards promulgated by the U.S. environmental protection agency (EPA) pursuant to the act shall be met by all users which are subject to such standards in any instance where they are more stringent than the limitations in this chapter.
- B. State Requirements: State requirements and limitations on discharges shall be met by all users who are subject to such standards in any instance in which they are more stringent than federal requirements and limitations or those in this or any other applicable section of this code.
- C. City's Right of Revision: The city reserves the right to establish by ordinance more stringent limitations or requirements on discharges to the wastewater disposal system if deemed necessary to comply with the objectives stated in section 8-2-2 of this chapter.
- D. Dilution: No user shall increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained herein, contained in the national categorical pretreatment standards, or contained in any state requirements.
- E. Supplemental Limitations: The City of Baxter may impose additional specific limitations on any wastewater that is to be discharged into the city's wastewater disposal system.
- F. Specific Local Discharge Limitations: No person, except as authorized pursuant to a compliance schedule in a permit, shall discharge or cause or allow to be discharged into public sewers any wastewater that exceeds the concentration limitations and mass loading limitations established by the Treatment Authority.

8.2.7 ACCIDENTAL DISCHARGES:

- A. Protection Required: Each user shall provide protection from accidental discharge or prohibition materials, or other substances regulated by this chapter. Where necessary, facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or user's own cost and expense.
- B. Notice Of Accidental Discharge: Users shall notify the Baxter Public Works Director immediately upon having a slug or accidental discharge of substances or wastewater in violation of this chapter in order to enable counter measures to be taken to minimize damage to the wastewater collection and conveyance, the wastewater treatment and disposal system or the receiving water. Such notification will not relieve users of liability for any expense, loss or damage to the wastewater disposal system or treatment process, or for any fines imposed on the City of Baxter on account thereof under any state or federal law. Employers shall ensure that all employees who may cause or discover such a discharge are advised of the emergency notification procedure.

8-2-8: INDUSTRIAL WASTEWATER DISCHARGE PERMIT:

- A. Mandatory Permits: All industries proposing to connect or to commence a new discharge to the wastewater disposal system shall obtain a wastewater discharge permit before connecting to or discharging into the wastewater disposal system.
- B. Issuance of an industrial discharge permit shall not relieve the industrial user from any obligation to obtain any hazardous waste license required by other authorities or to comply with any other local, state, or federal requirements regarding wastewater disposal.
- C. Permit Application; Fee:
 - 1. Form; Fee: Users required to obtain a wastewater discharge permit shall complete and file with the Public Works Director, an application in the form prescribed by the public works director and accompanied by the applicable fee set by the City of Baxter.
 - 2. Time of Filing: Proposed new users shall apply at least one hundred eighty (180) days prior to connecting or discharging to the wastewater disposal system.
 - 3. Required Information: In support of the application, the user shall submit, in units and terms appropriate for evaluation, the following information:
 - a. Name, address, location (if different from the address);
 - b. SIC number according to the standard industrial classification manual, bureau of the budget, 1972, as amended;
 - c. Wastewater constituents and characteristics as determined by a reliable analytical laboratory. Sampling and analysis shall be performed in accordance with procedures established by the EPA pursuant to section 304(g) of the act and contained in 40 CFR, part 136, as amended.
 - d. Time and duration of discharge;
 - e. Average daily and thirty (30) minute peak wastewater flow rates, including daily, monthly and seasonal variations, if any;
 - f. Site plans, floor plans, mechanical and plumbing plans and details to show all sewers, sewer connections, and appurtenances by the size, location and elevation;
 - g. Description of activities, facilities and plant processes on the premises including all materials which are or could be discharged, including sludges, floats, skimming's, etc.;
 - h. Where known, the nature and concentration of any pollutants in the discharge which are limited by the city, state or national categorical pretreatment standards, and (for an existing discharge) a statement regarding whether or not the pretreatment standards are being met on a consistent basis, and if not, whether additional operation and maintenance and additional pretreatment is required for the user to meet applicable pretreatment standards. If additional operation and maintenance and pretreatment will be required, a proposed schedule by which the changes will be completed shall be submitted. The completion date in this schedule shall not be later than the compliance

date established for the applicable pretreatment standard. The schedule shall contain increments of progress in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standard. No increment shall exceed nine (9) months in length, and progress reports concerning each increment shall be submitted within fourteen (14) days following each increment date;

- i. Each product produced by type, amount, and rate of production;
- j. Type and amount of raw materials processed (average and maximum per day);
- k. Number of full and part time employees, and hours of work; and
- l. Any other information as may be deemed by the Public Works Director to be necessary to evaluate the permit application.

D. Issuance Of Industrial Discharge Permit: Within ninety (90) calendar days, after receipt of a completed permit application from an industrial user, the Public Works Director shall, upon a determination that the applicant is capable of compliance with permit conditions and these rules, issue an industrial discharge permit subject to applicable terms and conditions. The permit may include limitations or special conditions, including requiring pretreatment, to reduce the pollutant concentrations or constituents. Industrial discharge permit duration shall be established by the Public Works Director. Permits shall be issued in one of the following forms:

- 1. A standard permit will be issued to an industrial user with a direct discharge connection to a public sewer;
- 2. A liquid waste hauler permit will be issued to an industrial user who transports and discharges industrial wastewater to public sewers; and
- 3. A special discharge permit will be issued to an industrial user who discharges leachate, ground water or other waste to public sewers, for which a standard form is not applicable.

E. Permit Conditions: Wastewater discharge permits shall be subject to all provisions of this chapter and all other applicable regulations, user charges and fees established by the City of Baxter. Permits may contain the following:

- 1. Payment of annual permit fees to cover any costs associated with sampling, monitoring, or special treatment requirements;
- 2. Payment of strength charge as required by the City of Baxter's strength charge system, section 8-2-14 of this chapter. Strength charges will be as identified in the Baxter Fee Ordinance;
- 3. Payment of load charges as required for liquid waste haulers, section 8-2-12 of this chapter;
- 4. Limits on the average and maximum wastewater constituents and characteristics;
- 5. Limits on average and maximum rate and time of discharge or requirements for flow regulations and equalization;

6. Requirements for installation and maintenance of inspection and sampling facilities;
 7. Requirements for installation, operation and maintenance of pretreatment facilities;
 8. Specifications for monitoring programs which may include sampling locations, frequency and method sampling, number, types and standards for tests and reporting schedule;
 9. Compliance schedules;
 10. Requirements for submission of technical reports or discharge reports;
 11. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the Public Works Director, but in no case less than three (3) years, and affording Public Works Director access thereto;
 12. Requirements for notification to and acceptance by the Public Works Director any new introduction of wastewater constituents or of any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater collection system;
 13. Requirements for notification of slug or accidental discharges as provided in section 8-2-7 of this chapter, and reporting of permit violations;
 14. Requirements for disposal of sludges, floats, skimmers, and similar materials; and
 15. Other conditions as deemed appropriate by the Public Works Director to ensure compliance with this chapter.
- F. **Permit Duration:** Permits shall be issued for a specified time period, not to exceed five (5) years. The user shall apply for permit reissuance a minimum of one hundred eighty (180) days prior to the expiration of the user's existing permit. The terms and conditions of the permit may be subject to modification by the Public Works Director during the term of the permit as limitations or requirements as identified in sections 8-2-5 and 8-2-6 of this chapter are modified or other just cause exists. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.
- G. **Permit Modifications:** Within nine (9) months of the promulgation of a national categorical pretreatment standard, the wastewater discharge permit of users subject to such standard shall be revised to require compliance with such standard within the time frame prescribed by such standard. Where a user, subject to a national categorical pretreatment standard, has not previously applied for a wastewater discharge permit as required by subsection B of this section, the user shall apply for a wastewater discharge permit within one hundred eighty (180) days after the promulgation of the applicable national categorical pretreatment standard. In addition, the user with an existing wastewater discharge permit shall submit to the Public Works Director within one hundred eighty (180) days after the promulgation of an applicable national categorical pretreatment standard the information required by subsection B3h of this section. If the information previously

submitted in an application is still current and adequate, only a letter from the user certifying such is required.

- H. Permit Transfer: Wastewater discharge permits are issued to a specific user for a specific operation. A wastewater discharge permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation without the approval of the Public Works Director. Any succeeding owner or user shall also comply with the terms and conditions of the existing permit.

8.2.9 PRETREATMENT REQUIREMENTS:

A. General Pretreatment Requirements

1. Users shall provide necessary wastewater treatment as required to comply with this Section and shall achieve compliance with all national categorical pretreatment standards within the time limitations as specified by the federal pretreatment regulations. Any facilities required to pretreat wastewater shall be provided, operated and maintained at the user's expense.
2. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the Public Utilities director for review, and shall be acceptable to the Public Utilities Director before construction of the facility. The review of such plans and operating procedures will be in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Public Utilities Director under the provisions of this Section. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Public Utilities Director prior to the user's initiation of the changes.
3. Records. All records relating to compliance with the pretreatment standards shall be made available by the Public Utilities director to Officials of the EPA or MPCA on request.
4. User Reports. Any user subject to a national categorical pretreatment standard, after the compliance date of such pretreatment standard, or, in the case of commencement of a new discharge to the wastewater disposal system, shall submit to the Public Utilities Director during the months of June and December, unless required more frequently in the pretreatment standard or by the Public Utilities Director, a report indicating the nature and concentration of pollutants in the effluent which are limited by such pretreatment standards. In addition, this report shall include a record of all daily flows which during the reporting period exceeded the average daily flow reported in Section 8.2.10. The Public Utilities Director may agree to alter the months during which the above reports are to be submitted.

B. Trap And Separator Installations:

1. Required: Oil, grease, sand, and flammable waste traps shall be installed for the proper discharge of wastewater containing excessive amounts of oil, grease, sand, or flammable liquids when required by the Minnesota plumbing

code, Minnesota rules chapter 4715, or where the Public Works Director determines such traps are necessary.

2. **Maintenance:** Separators and traps shall be maintained in efficient operating condition by periodic removal of any accumulated pretreatment solids.
 - a. **Floating Materials:** Floating materials shall be removed when the accumulation is within two inches (2") of the outlet.
 - b. **Settled Solids:** Settled solids shall be removed when the solids reach seventy five percent (75%) of the trap or separator capacity.
 - c. **Inspection And Maintenance:** Oil, sand and flammable waste traps shall be maintained and inspected by the owner at least annually.
- C. **Sludge Generated:** Sludges, floats, skimmings, and similar material, generated by an industrial or commercial pretreatment system shall not be placed into the city's wastewater disposal system. Such sludges shall be contained, transported, and disposed of in accordance with all federal, state, and local regulations.

8.2.10 INDUSTRIAL WASTEWATER MONITORING AND REPORTING:

1. **General Requirements:** All Permittees and nonpermitted industrial users specified by the Public Works Director shall monitor industrial waste discharges into public sewers. Such monitoring shall accurately characterize the discharge and shall be performed in accordance with all applicable provisions of these rules and any permit issued thereunder. Such monitoring information shall be submitted to the Public Works Director in a self-monitoring report. At a minimum, a summary report shall be prepared quarterly.
- B. **Monitoring Point:**
1. **Required:** Each permittee shall have an approved monitoring point provided at the permittee's expense. Liquid waste haulers and specific industrial users may be exempted by permit from portions of this chapter.
 2. **Criteria for Approval:** An approved monitoring point shall meet the following criteria:
 - a. The wastewater flow is visible and accessible for inspection and monitoring purposes;
 - b. Adequate safeguards are in place to protect City of Baxter personnel from accident or injury;
 - c. The wastewater flow has appropriate velocity and is well mixed to yield representative samples;
 - d. The wastewater flow at the monitoring point conveys all the permittee's industrial waste;
 - e. The monitoring point is large enough or space is provided nearby to allow for monitoring equipment placement; and
 - f. The total wastewater flow of the permitted facility, if exceeding twenty-five thousand (25,000) gallons per day, can be measured using an open channel or other acceptable measuring device.

3. **Deadline for Installation:** All permittees shall have an approved monitoring point within twelve (12) months of the effective date of this chapter.
 4. **Design Plans:** Design plans for constructing a monitoring point shall be submitted to the superintendent for approval sixty (60) calendar days prior to any construction necessary to meet the criteria specified in this chapter. All new installations shall be in accordance with provisions of the Minnesota plumbing code.
 5. **Maintenance:** Each permittee is responsible for all maintenance on the approved monitoring point, including routine cleaning.
- C. **Representative Sampling:** Representative samples shall be collected by permittees at an approved monitoring point. Sampling shall be conducted on a normal operating day and in accordance with standard monitoring techniques described herein. The samples shall accurately characterize the discharge, taking into account batch discharges, daily production variations, downtime, cleanup and other operating conditions. Each permittee shall accurately determine wastewater flow volumes during periods of sample collection. Flow proportional compositing may be required. Samples shall be collected in a well-mixed region of the wastewater. To avoid collecting nonrepresentative amounts of sediment or floating material, the intake of the sampling device shall be placed appropriately. When using an automatic sampler, the intake line velocity shall be sufficient to ensure representative sampling of suspended solids. The minimum intake velocity should be two feet (2') per second, the minimum automatic sampler intake line inside diameter shall be one-fourth inch (1/4"). When feasible, the automatic sampler intake shall be downstream of the primary flow device.
- D. **Grab And Composite Samples:** Samples shall be collected as specified in the permit or as determined by the Public Works Director. Grab and/or composite samples may be required. A series of at least four (4) grab samples is required when analyzing wastewater for pH, grease and oil, cyanide, volatile organics, total phenols, and sulfides. For other parameters, grab samples may be required when the wastewater flow is not continuous or when necessary to determine the instantaneous wastewater characteristics. Grab samples can be taken manually or automatically. Composite samples are formed by combining discrete samples collected either manually or by an automatic sampler. Each discrete sample shall have a minimum volume of at least one hundred milliliters (100 ml). Discrete samples can be composited using any of the following methods: 1) equal time intervals and equal volume samples; 2) equal time intervals and unequal volume samples; or 3) unequal time intervals and equal volume samples. Flow proportional composite sampling is the designated method for sample collection for industrial permit holders. Equal time/equal volume composition may only be utilized if the hourly wastewater flow volumes are nearly constant during the sampling period.
- E. **Sample Handling Procedures:** All samples shall be contained, preserved and held in accordance with code of federal regulations, part 136. The sample temperature shall be maintained at four degrees Celsius (4°C), if necessary, from the time of collection until sample analysis is performed. When applicable, additional preservation shall be performed upon sample collection.

- F. Test Procedures for Analysis of Pollutants: All measurements, tests, and analysis of the characteristics of the industrial wastewater shall be determined in accordance with the latest edition of "standard methods for the examination of water and wastewater", published by the American public health association. The permittee or the contracted monitoring service and/or commercial analytical laboratory shall document analytical procedures, including, but not limited to, quality control and, if applicable, chain of custody procedures conducted on each sample. The Public Works Director may require that any sample analysis data submitted to fulfill requirements of these rules, or any permit issued thereunder be obtained from a laboratory appropriately certified by the Minnesota department of health.
- G. Wastewater Flow Measuring: Wastewater volumes discharged by permittees to public sewers shall be accurately determined during sampling periods using metered water supply or wastewater flow measuring devices or both. Metered water supply may be used to determine reporting period discharge volumes if the Public Works Director determines that operating day losses can be accounted for. Operating day losses include, but are not limited to, lawn sprinkling, loss to product, or evaporation. Water meters used for wastewater discharge volume determinations shall be maintained in good operating condition. The Public Works Director may require outside calibration of such meters. If the Public Works Director determines that operating day losses cannot be accounted for, or that the hourly water meter volumes do not correlate with the monitoring point hourly volumes, continuous flow measuring of industrial wastewater discharges to public sewers shall be required. All continuous flow measuring installations shall meet the following requirements:
1. Primary Flow Device: Primary flow devices including, but not limited to, weirs and flumes, shall be installed such that proper hydraulic conditions exist.
 2. Factors used to determine the type, size, and location of a primary flow device include:
 - a. Flow rate and velocity;
 - b. Pipe configuration and slope;
 - c. Turbulence;
 - d. Presence of nearby tributary flows;
 - e. Solids concentration; and
 - f. Other factors.
 3. The primary flow device shall accommodate the maximum expected flow. The primary flow device shall be properly leveled and sealed.
 4. Flow Level Sensing Device: The flow level sensing device shall be installed at a proper distance upstream of the primary flow device and in a location where excessive turbulence is not created.
 5. Continuous Recording Device: All continuous flow measuring installations shall include a continuous recording device.
 6. Maintenance: All continuous flow measuring installations shall be maintained in good operating condition. Records of all maintenance conducted on flow measuring installations shall be kept. Maintenance includes, but is not limited

to, the removal of sediment from upstream and downstream of the primary device, and the calibration of the flow meter.

- H. Inspections; Access: The Public Works Director or his designee shall inspect the facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with.
 - 1. Persons or occupants of premises where wastewater is created or discharged shall allow the Public Works Director ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties.
 - 2. The Public Works Director, MPCA and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with any security guards so that upon presentation of suitable identification, the Public Works Director, MPCA and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.
- I. Confidential Information: Information received from a user shall be treated as public unless requested by the user in accordance with section 8-2-13 of this chapter, and in any event in accordance with applicable law.
- J. Self-Monitoring Reports:
 - 1. Required: Permittees shall submit complete and accurate self-monitoring reports to the Public Works Director at a frequency stated in the permit.
 - 2. Required Information: Permittees shall use report forms provided by the Public Works Director. Self-monitoring reports may require the permittee to disclose the following information for each reporting period:
 - a. General facility data;
 - b. Operational data;
 - c. Source and volume of all water supplies;
 - d. Volumes of water used or lost;
 - e. Use and volume of wastewater discharged to public sewers;
 - f. Analytical results from wastewater monitoring;
 - g. Description of sampling and analytical methods; and
 - h. Other information as is relevant to determining compliance with these rules.
 - 3. Frequency of Reports: The frequency of routine reporting shall be based on the reporting schedule included in the individual permit. The minimum reporting frequency shall be quarterly. Industrial wastewater discharges subject to a strength charge or a cumulative annual metal limit shall report monthly. Liquid waste haulers shall report monthly. Refer to section 8-2-10 of this chapter for additional sampling and reporting requirements.

4. Modification of Reporting Schedule: The Public Works Director may modify the above reporting schedule for any permittee based on the permittee's industrial wastewater characteristics or any other relevant consideration.
5. Compliance with Regulations: Permittees subject to categorical pretreatment standards shall submit self-monitoring reports and other required reports to the City of Baxter in accordance with the general pretreatment regulations established under the act and any requirement of a categorical pretreatment standard.
6. Due Dates: Permittees shall submit complete self-monitoring reports to the Public Works Director such that the Public Works Director has received such reports on or before the thirtieth calendar day of the month following the end of each applicable reporting period.

8.2.11 REGULATION OF FATS, OILS AND GREASES (FOG)

A. Requirements:

1. FOG Discharge Requirement: No FSE or LFSE facility shall discharge or cause to be discharged into the sanitary sewer system FOG that exceeds an average concentration level of one hundred milligrams per liter (100 mg/l) or that may accumulate and cause or contribute to blockages in the sanitary sewer system. The following discharge prohibitions shall apply to all FSE or LFSE facilities:
 - a. No person shall discharge or allow to be discharged any wastewater from an FSE facility directly to a sanitary sewer system without causing such discharge to pass through a FOG interceptor.
 - b. The discharge of any waste materials removed from a FOG control device into the sanitary sewer system is prohibited.
 - c. The discharge of any waste or FOG into the sanitary sewer system which fails to comply with the FOG discharge manual is prohibited.
2. FOG Interceptor and FOG Trap Requirements:
 - a. FSE facilities are required to install, operate, and maintain an approved FOG interceptor adequately sized for the facility. Proposed new construction projects will be required to submit the FOG control device system design with the building permit application. Existing FSE facilities that do not have a FOG interceptor or that have a noncompliant or inadequate FOG control device shall install an approved system within one hundred eighty (180) days of the effective date hereof.
 - b. LFSE facilities are not required to install a FOG interceptor, but all such facilities are required to install, operate, and maintain an approved FOG trap within one hundred eighty (180) days of the effective date hereof. All new LFSE facilities shall install an approved FOG trap, the design of which shall be submitted to the city with its building permit application.
 - c. FOG interceptors shall receive wastewater only from food service-related plumbing fixtures such as sinks and kitchen drains. Domestic wastewater from toilets, lavatories and bathroom drains shall not flow through FOG interceptors.

3. Multiple FSE Facilities at Commercial Properties: For properties at which multiple FSE facilities are operated on a single parcel or as part of a planned unit development (PUD) or a common interest community (CIC), each FSE facility operator shall be individually and separately responsible for installation and maintenance of the FOG interceptor serving its FSE facility and for compliance with this section. Furthermore, owners of commercial properties at which multiple FSE facilities are operated on a single parcel or as part of a PUD or CIC shall be responsible for ensuring compliance of each FSE facility on such property or properties. Such operators or property owners can comply with this section by installing and maintaining a FOG interceptor for each FSE facility or upon prior approval of the city a FOG interceptor serving multiple FSE facilities.
4. Best Management Practices: Each FSE facility shall comply with best management practices outlined in the most current city of Baxter FOG discharge manual. Detailed requirements for best management practices are specified in the FOG discharge manual and may include kitchen practices and employee training that is essential in minimizing FOG discharges.
5. FOG Design, Installation and Performance Test Requirements:
 - a. All FOG interceptors and FOG traps shall be designed only as specified in the city of Baxter FOG design manual unless the FSE facility obtains prior written approval from the administrative authority of an equally effective alternative design. Furthermore, all FOG interceptors and FOG traps shall be installed to meet the minimum required specifications provided in Minnesota rules 4715, as amended from time to time. Notwithstanding the provisions of Minnesota rules 4715, the administrative authority may require FOG traps and FOG interceptors to be of sufficient size and capacity to meet unique or special situations.
 - b. All FOG interceptors must be located outside of the building, buried, or covered adequately to prevent freezing and with access ports to allow for inspection and cleaning. Access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The access manholes shall include a readily removable cover to facilitate inspection, FOG removal and wastewater sampling, but shall be of sufficient weight and size to prevent unauthorized entry. FOG interceptors shall be located to be readily accessible for cleaning by a licensed commercial cleaner. If the FOG interceptor is installed substantially below grade, safe access shall always be provided throughout the year.
 - c. After installation all FOG interceptors must pass a manometer test with one-inch (1") of water column for five (5) minutes or a vacuum test with two inches (2") of mercury for sixty (60) minutes.
6. Variance and Waiver of FOG Interceptor Requirement: FSE facilities are required to install, operate and maintain an approved type and adequately sized FOG interceptor necessary to maintain compliance with the objectives of this section. Written variances from this requirement may be granted by the administrative authority under the following circumstances:

- a. The alternative pretreatment technology that is at least as effective in controlling FOG discharge as a FOG interceptor or FOG trap, or
 - b. The FSE facility demonstrates to the satisfaction of the administrative authority that the FOG discharge is negligible and will have an insignificant impact on the sanitary sewer system, or
 - c. The installation of the FOG interceptor is not feasible, in which case the administrative authority may allow the installation of an interior FOG trap or traps. (Note: Feasibility shall not be based solely on financial considerations.)
7. Food Grinders Prohibited: No food grinder shall be installed in any FSE or LFSE facility. All food grinders shall be removed from an existing FSE or LFSE facility upon a major remodel of an FSE or LFSE facility or within one hundred eighty (180) days of the effective date hereof whichever occurs first.
8. FOG Interceptor and FOG Trap Maintenance: FOG interceptors and FOG traps shall be maintained in proper operating condition by the owner, operator, or permittee and at its expense. All FOG interceptors and FOG traps shall be inspected, pumped and cleaned regularly of accumulated waste content so as to maintain a minimum design capability or effective volume in the FOG interceptor or FOG trap, but not less than every ninety (90) days. In individual cases, the ninety (90) day interval may be extended upon prior written approval of the administrative authority if evidence (inspection reports) is provided to the administrative authority indicating that the FOG interceptor has not reached twenty-five percent (25%) of its capacity within any ninety (90) day interval during twelve (12) consecutive months of operation. If a FOG interceptor is found to be at or above twenty-five percent (25%) capacity during any ninety (90) day interval, the inspection and maintenance interval shall be reduced to forty-five (45) days.
9. Recordkeeping: The FSE or LFSE facility owner or operator shall maintain a written record of FOG interceptor or FOG trap maintenance and submit the same to the city within five (5) days after pumping. This submittal shall be in addition to reporting by the FOG collector as required in title 3 of this code. Records shall include manifests, receipts and invoices of all cleaning, maintenance, amount of FOG removal, disposal carrier and disposal site location. All such records will be available for inspection by the administrative authority upon request.
- B. It shall be unlawful to make any false statement, representation, record, report, plan or other document that is filed with the city or to tamper with or knowingly render inoperable any FOG control device.
- C. Violations: The owner, operator or permittee of an FSE or LFSE facility shall be in violation of this section if such owner, operator or permittee:
 1. Fails to install an approved FOG control device as required by this section, or
 2. Makes any false statement, representation, record, plan or other document that is filed with the city or administrative authority, or
 3. Tampers with or knowingly renders inoperable any FOG control device required under this section, or

4. Fails to clean, properly operate, maintain or remove FOG from a FOG control device within the required time for such cleaning, maintenance or FOG removal interval, or
 - a. Fails to keep up to date and accurate records of all cleaning, maintenance and FOG removal and upon request to make those records available to any city or administrative authority representative, or
 - b. Refuses the administrative authority reasonable access to the FSE or LFSE facility for the purposes of inspecting, monitoring, or reviewing the FOG control device or manifests, receipts and invoices for cleaning and maintenance, or
 - c. Disposes of, or allows or directs FOG to be disposed of in an unlawful manner, or
 - d. Fails to remove all food grinders located in the FSE or LFSE facility by the date specified in this section, or
 - e. Introduces additives including drain cleaners into a wastewater system for the purposes of emulsifying FOG without the written, specific authorization from the city, or
 - f. Fails to comply with the current FOG best practices manual, or
 - g. Otherwise fails to comply with the provisions of this section.

8.2.12 SPECIAL PROGRAMS AND REQUIREMENTS:

- A. Hauled liquid waste
 1. Baxter does not accept waste from septic tanks or other facilities that concentrate or thicken wastewater, or sludge from pretreatment facilities.
 2. Sanitary sewage waste from holding tanks may be accepted on a case-by-case basis upon prior approval from the Director of Public Works.
 - a. Application: Any person seeking to transport and subsequently discharge industrial waste into the public sewers of the City of Baxter shall file a written application to discharge with the Public Works Director. This application shall include information about the nature and source of the wastewater as defined in this chapter. The application shall be made on a form established by the Public Works Director and shall be accompanied by a required application processing fee.
 - b. Sample Requirements: Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS, TKN and pH. A form establishing the required sample analysis shall be obtained from the Public Works Director. An estimate of discharge volume and frequency shall also be included.
 - c. Approval or Denial: Upon receipt of a complete application for discharge, the Public Works Director shall evaluate the application and issue an approval or denial. The Public Works Director shall:
 - d. Within thirty (30) days, issue a written approval for discharges that will not exceed six (6) months in duration; or

- i. Within ninety (90) days, issue an industrial discharge permit for discharges that will exceed six (6) months in duration; or
 - e. Deny the request for discharging into the City of Baxter public sewers and state the reasons for denial.
 - f. The burden of proof for reasons of denial shall not rest on the Public Works Director, and the Public Works Director reserves the right to be arbitrary in what would be the best interest of the City of Baxter.
 3. Conditions of Discharge: Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set for by the Public Works Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
 4. Monitoring and Reporting: Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written approval or permit. In addition to these requirements, representative samples shall be collected from every load and turned over to the City of Baxter. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.
 5. Right of Recession: The Public Works Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is causing disruption to the City of Baxter's conveyance facilities or to the treatment plant. Such an order shall in effect cancel any previous approval or permit issued to the discharger.
 6. Fees:
 - a. Load Charges: In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the City of Baxter. The method of determining load charges shall be established by the Public Works Director and shall be based on volume, strength and appropriate administration costs for record keeping and monitoring of the discharger.
 - b. Payment; Delinquencies: Persons subject to a load charge shall pay the full amount within thirty (30) days after the billing date. Delinquency in regard to payment of load charges shall be grounds for denial of discharge.
 - c. Established Annually: Application processing fees, load charge rates and strength charges shall be established annually by the City of Baxter.
- B. Leachate And Contaminated Ground Water Discharge Requirements:
1. Application: Any person seeking to discharge leachate or contaminated ground water waste into the public sewers of the City of Baxter shall file a written application to discharge with the Public Works Director. This application shall include information about the nature and source of the wastewater as defined in

this chapter. The application shall be made on a form established by the Public Works Director and shall be accompanied by a required application processing fee.

2. Leachate and contaminated groundwater will be considered a significant industrial discharge and will also require an industrial pretreatment permit.
3. Sample Requirements: Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS, TKN, pH, and any other potential contaminants deemed necessary by the administrative authority including but not limited to emerging contaminants such as PFAS compounds. A form establishing the required sample analysis shall be obtained from the Public Works Director. An estimate of discharge volume and frequency shall also be included.
4. Approval or Denial: Upon receipt of a complete application for discharge, the Public Works Director shall evaluate the application and issue an approval or denial. The Public Works Director shall:
 - a. Within thirty (30) days issue a written approval for discharges that will not exceed six (6) months in duration; or
 - b. Within ninety (90) days, issue an industrial discharge permit for discharges that will exceed six (6) months in duration; or
 - c. Deny the request for discharging into the City of Baxter public sewers and state the reasons for denial.
5. The burden of proof for reasons of denial shall not rest on the Public Works Director and the Public Works Director reserves the right to be arbitrary in what would be the best interest of the City of Baxter.
6. Conditions of Discharge: Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set forth by the Public Works Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
7. Monitoring and Reporting: Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written approval or permit. In addition to these requirements, representative samples shall be collected from every load and turned over to the City of Baxter. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.
8. Right of Recession: The Public Works Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is causing disruption to the treatment plant operations. Such an order shall in effect cancel any previous approval or permit issued to the discharger.
9. Fees:

- a. Load Charges: In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the City of Baxter. The method of determining load charges shall be established by the Public Works Director and shall be based on volume, strength and appropriate administration costs for record keeping and monitoring of the discharger.
- b. Payment and Delinquencies: Persons subject to a load charge shall pay the full amount within thirty (30) days after the billing date. Delinquency regarding payment of load charges shall be grounds for denial of discharge.
- c. Established Annually: Application processing fees and load charge rates and strength charges will be established annually by the City of Baxter.

8.2.13 CONFIDENTIAL INFORMATION:

- A. Data Available to Public: Information and data on a user obtained from applications, permits, monitoring programs and inspections shall be available to the public or other government agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the Public Works Director that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the user.
 - B. Procedure: When requested by the person furnishing a report, and until such time as the information is determined not to be confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this chapter, the NPDES permit, state disposal system permit and the pretreatment programs; provided, however, that such portions of a report shall be available for use by the state or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Information accepted by the Public Works Director as confidential, shall not be transmitted to any governmental agency or to the general public by the Public Works Director until and unless a ten (10) day notification is given to the user.
1. State Law: Data referred to in this section shall be stored and released by the city only in accordance with the provisions of state law regarding data privacy.

8-2-10: SPECIAL PROGRAMS AND REQUIREMENTS:

A. Liquid Waste Hauler Requirements:

1. Application: Any person seeking to transport and subsequently discharge industrial waste into the public sewers of the BPUC shall file a written application to discharge with the Public Works Director. This application shall include information about the nature and source of the wastewater as defined in subsection 8-2-8B of this chapter. The application shall be made on a form established by the Public Works Director and shall be accompanied by a required application processing fee.
2. Sample Requirements: Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS,

TKN and pH. A form establishing the required sample analysis shall be obtained from the Public Works Director. An estimate of discharge volume and frequency shall also be included.

3. Approval Or Denial: Upon receipt of a complete application for discharge, the Public Works Director shall evaluate the application and issue an approval or denial. The Public Works Director shall:
 - a. Within thirty (30) days, issue a written approval for discharges that will not exceed six (6) months in duration; or
 - b. Within ninety (90) days, issue an industrial discharge permit for discharges that will exceed six (6) months in duration; or
 - c. Deny the request for discharging into the BPUC public sewers and state the reasons for denial.

The burden of proof for reasons of denial shall not rest on the Public Works Director, and the Public Works Director reserves the right to be arbitrary in what would be the best interest of the BPUC.

4. Conditions Of Discharge: Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set for by the Public Works Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
5. Monitoring And Reporting: Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written approval or permit. In addition to these requirements, representative samples shall be collected from every load and turned over to the BPUC. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.
6. Right Of Recession: The Public Works Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is causing disruption to the BPUC's treatment plant operations. Such an order shall in effect cancel any previous approval or permit issued to the discharger.
7. Fees:
 - a. Load Charges: In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the BPUC. The method of determining load charges shall be established by the Public Works Director and shall be based on volume, strength and appropriate administration costs for record keeping and monitoring of the discharger.
 - b. Payment; Delinquencies: Persons subject to a load charge shall pay the full amount within thirty (30) days after the billing date. Delinquency in regard to payment of load charges shall be grounds for denial of discharge.
 - c. Established Annually: Application processing fees, load charge rates and strength charges shall be established annually by the BPUC.

B. Leachate And Contaminated Ground Water Discharge Requirements:

1. **Application:** Any person seeking to transport and subsequently discharge leachate or contaminated ground water waste into the public sewers of the BPUC either directly through a sewer connection or by the discharge of hauled waste shall file a written application to discharge with the Public Works Director. This application shall include information about the nature and source of the wastewater as defined in subsection 8-2-8B of this chapter. The application shall be made on a form established by the Public Works Director and shall be accompanied by a required application processing fee.
2. **Sample Requirements:** Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS, TKN, pH and any other potential contaminants deemed necessary by the Administrative Authority, including but not limited to emerging contaminants such as PFAS compounds. A form establishing the required sample analysis shall be obtained from the Public Works Director. An estimate of discharge volume and frequency shall also be included.
3. **Approval Or Denial:** Upon receipt of a complete application for discharge, the Public Works Director shall evaluate the application and issue an approval or denial. The Public Works Director shall:
 - a. Within thirty (30) days issue a written approval for discharges that will not exceed six (6) months in duration; or
 - b. Within ninety (90) days, issue an industrial discharge permit for discharges that will exceed six (6) months in duration; or
 - c. Deny the request for discharging into the BPUC public sewers and state the reasons for denial. The burden of proof for reasons of denial shall not rest on the Public Works Director and the Public Works Director reserves the right to be arbitrary in what would be the best interest of the BPUC.
4. **Conditions Of Discharge:** Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set forth by the Public Works Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
5. **Monitoring And Reporting:** Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written approval or permit. In addition to these requirements, representative samples shall be collected from every load and turned over to the BPUC. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.
6. **Right Of Recession:** The Public Works Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is

causing disruption to the BPUC's treatment plant operations. Such an order shall in effect cancel any previous approval or permit issued to the discharger.

7. Fees:

- a. Load Charges: In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the BPUC. The method of determining load charges shall be established by the Public Works Director and shall be based on volume, strength and appropriate administration costs for record keeping and monitoring of the discharger.
- b. Payment; Delinquencies: Persons subject to a load charge shall pay the full amount within thirty (30) days after the billing date. Delinquency in regard to payment of load charges shall be grounds for denial of discharge.
- c. Established Annually: Application processing fees and load charge rates and strength charges will be established annually by the BPUC.

C. Septage Hauler Requirements:

1. Application: Any person seeking to transport and subsequently discharge septage into the public sewers of the BPUC shall file a written application to discharge with Public Works Director. This application shall include information about the nature and source of the wastewater as defined in subsection 8-2-8B of this chapter. The application shall be made on a form established by the Public Works Director and shall be accompanied by a required application processing fee.
2. Sample Requirements: Each application to discharge shall include a detailed analysis of the typical wastewater characteristics including priority pollutants, COD, TSS, TKN and pH. A form establishing the required sample analysis shall be obtained from the Public Works Director. An estimate of discharge volume and frequency shall also be included.
3. Approval Or Denial: Upon receipt of a complete application for discharge, the Public Works Director shall evaluate the application and issue an approval or denial. The Public Works Director shall:
 - a. Within thirty (30) days issue a written approval for discharges that will not exceed six (6) months in duration; or
 - b. Within ninety (90) days, issue an industrial discharge permit for discharges that will exceed six (6) months in duration; or
 - c. Deny the request for discharging into the BPUC public sewers and state the reasons for denial. The burden of proof for reasons of denial shall not rest on the Public Works Director, and the Public Works Director reserves the right to be arbitrary in what would be the best interest of the BPUC.
4. Conditions Of Discharge: Any person who has obtained a written approval or permit shall discharge in accordance with the terms of that approval or permit, any other applicable provisions of these rules, applicable pretreatment standards under the act, and any other requirements set forth by the Public Works Director. The conditions of discharge will include designation of where discharge can occur, when discharge can occur and the rate of discharge.
5. Monitoring And Reporting: Requirements for ongoing monitoring and reporting of the discharge characteristics shall be designated in the written approval or permit.

In addition to these requirements, representative samples shall be collected from every load and turned over to the BPUC. A minimum of one sample per month will be randomly selected for analysis. It is the responsibility of the liquid waste hauler to arrange for and pay for the required sample analysis. Monthly self-monitoring reports shall be submitted indicating the sample analysis and the volume discharged.

6. Right Of Recession: The Public Works Director may issue an order to deny discharge at any time after discharge has commenced if it is determined that the discharge is causing disruption to the BPUC's treatment plant operations. Such an order shall in effect cancel any previous approval or permit issued to the discharger.
7. Fees:
 - a. Load Charges: In addition to applicable application and annual permit fees, liquid waste haulers shall pay load charges to the BPUC. The method of determining load charges shall be established by the Public Works Director and shall be based on volume, strength and appropriate administration costs for record keeping and monitoring of the discharger.
 - b. Payment; Delinquencies: Persons subject to a load charge shall pay the full amount within thirty (30) days after the billing date. Delinquency in regard to payment of load charges shall be grounds for denial of discharge.
 - c. Established Annually: Application processing fees and load charge rates and strength charges will be established annually by the BPUC. (2002 Code)

8-2-11: INDUSTRIAL WASTEWATER MONITORING AND REPORTING:

- A. General Requirements: Permittees and nonpermitted industrial users specified by the Public Works Director shall monitor industrial waste discharges into public sewers. Such monitoring shall accurately characterize the discharge and shall be performed in accordance with all applicable provisions of these rules and any permit issued thereunder. Such monitoring information shall be submitted to the Public Works Director in a self-monitoring report. At a minimum, a summary report shall be prepared quarterly and submitted to the superintendent.
- B. Monitoring Point:
 1. Required: Each permittee shall have an approved monitoring point provided at the permittee's expense. Liquid waste haulers and specific industrial users, may be exempted by permit from portions of this chapter.
 2. Criteria For Approval: An approved monitoring point shall meet the following criteria:
 - a. The wastewater flow is visible and accessible for inspection and monitoring purposes;
 - b. Adequate safeguards are in place to protect BPUC personnel from accident or injury;
 - c. The wastewater flow has appropriate velocity and is well mixed to yield representative samples;
 - d. The wastewater flow at the monitoring point conveys all of the permittee's industrial waste;

- e. The monitoring point is large enough or space is provided nearby to allow for monitoring equipment placement; and
 - f. The total wastewater flow of the permitted facility, if exceeding twenty five thousand (25,000) gallons per day, can be measured using an open channel or other acceptable measuring device.
- 3. **Deadline For Installation:** All permittees shall have an approved monitoring point within twelve (12) months of the effective date of this chapter.
 - 4. **Design Plans:** Design plans for constructing a monitoring point shall be submitted to the superintendent for approval sixty (60) calendar days prior to any construction necessary to meet the criteria specified in this chapter. All new installations shall be in accordance with provisions of the Minnesota plumbing code.
 - 5. **Maintenance:** Each permittee is responsible for all maintenance on the approved monitoring point, including routine cleaning.
- C. **Representative Sampling:** Representative samples shall be collected by permittees at an approved monitoring point. Sampling shall be conducted on a normal operating day and in accordance with standard monitoring techniques described herein. The samples shall accurately characterize the discharge, taking into account batch discharges, daily production variations, downtime, cleanup and other operating conditions. Each permittee shall accurately determine wastewater flow volumes during periods of sample collection. Flow proportional compositing may be required. Samples shall be collected in a well mixed region of the wastewater. In order to avoid collecting nonrepresentative amounts of sediment or floating material, the intake of the sampling device shall be placed appropriately. When using an automatic sampler, the intake line velocity shall be sufficient to ensure representative sampling of suspended solids. The minimum intake velocity should be two feet (2') per second, the minimum automatic sampler intake line inside diameter shall be one-fourth inch (1/4"). When feasible, the automatic sampler intake shall be downstream of the primary flow device.
- D. **Grab And Composite Samples:** Samples shall be collected as specified in the permit or as determined by the Public Works Director. Grab and/or composite samples may be required. A series of at least four (4) grab samples is required when analyzing wastewater for pH, grease and oil, cyanide, volatile organics, total phenols, and sulfides. For other parameters, grab samples may be required when the wastewater flow is not continuous or when necessary to determine the instantaneous wastewater characteristics. Grab samples can be taken manually or automatically. Composite samples are formed by combining discrete samples collected either manually or by an automatic sampler. Each discrete sample shall have a minimum volume of at least one hundred milliliters (100 ml). Discrete samples can be composited using any of the following methods: 1) equal time intervals and equal volume samples; 2) equal time intervals and unequal volume samples; or 3) unequal time intervals and equal volume samples. Flow proportional composite sampling is the designated method for sample collection for industrial permit holders. Equal time/equal volume composition may only be utilized if the hourly waste flow volumes are nearly constant during the sampling period.

- E. Sample Handling Procedures: All samples shall be contained, preserved and held in accordance with code of federal regulations, part 136. The sample temperature shall be maintained at four degrees Celsius (4°C), if necessary, from the time of collection until sample analysis is performed. When applicable, additional preservation shall be performed upon sample collection.
- F. Test Procedures For Analysis Of Pollutants: All measurements, tests, and analysis of the characteristics of the industrial wastewaters shall be determined in accordance with the latest edition of "standard methods for the examination of water and wastewater", published by the American public health association. The permittee or the contracted monitoring service and/or commercial analytical laboratory shall document analytical procedures, including, but not limited to, quality control and, if applicable, chain of custody procedures conducted on each sample. The Public Works Director may require that any sample analysis data submitted to fulfill requirements of these rules or any permit issued thereunder be obtained from a laboratory appropriately certified by the Minnesota department of health.
- G. Wastewater Flow Measuring: Wastewater volumes discharged by permittees to public sewers shall be accurately determined during sampling periods using metered water supply or wastewater flow measuring devices or both. Metered water supply may be used to determine reporting period discharge volumes if the Public Works Director determines that operating day losses can be accounted for. Operating day losses include, but are not limited to, lawn sprinkling, loss to product, or evaporation. Water meters used for wastewater discharge volume determinations shall be maintained in good operating condition. The Public Works Director may require outside calibration of such meters. In the event that the Public Works Director determines that operating day losses cannot be accounted for, or that the hourly water meter volumes do not correlate with the monitoring point hourly volumes, continuous flow measuring of industrial waste discharges to public sewers shall be required. All continuous flow measuring installations shall meet the following requirements;
1. Primary Flow Device: Primary flow devices including, but not limited to, weirs and flumes, shall be installed such that proper hydraulic conditions exist. Factors used to determine the type, size, and location of a primary flow device include:
 - a. Flow rate and velocity;
 - b. Pipe configuration and slope;
 - c. Turbulence;
 - d. Presence of nearby tributary flows;
 - e. Solids concentration; and
 - f. Other factors.
- The primary flow device shall accommodate the maximum expected flow. The primary flow device shall be properly leveled and sealed.
2. Flow Level Sensing Device: The flow level sensing device shall be installed at a proper distance upstream of the primary flow device and in a location where excessive turbulence is not created.

3. Continuous Recording Device: All continuous flow measuring installations shall include a continuous recording device.
 4. Maintenance: All continuous flow measuring installations shall be maintained in good operating condition. Records of all maintenance conducted on flow measuring installations shall be kept. Maintenance includes, but is not limited to, the removal of sediment from upstream and downstream of the primary device, and the calibration of the flow meter.
- H. Inspections; Access: The Public Works Director shall inspect the facilities of any user to ascertain whether the purpose of this chapter is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Public Works Director ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination or in the performance of any of their duties. The Public Works Director, MPCA and EPA shall have the right to set up on the user's property such devices as are necessary to conduct sampling, inspection, compliance monitoring and metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with any security guards so that upon presentation of suitable identification, the Public Works Director, MPCA and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities.
- I. Confidential Information: Information received from a user shall be treated as public unless requested by the user in accordance with section 8-2-9 of this chapter, and in any event in accordance with applicable law.
- J. Self-Monitoring Reports:
1. Required: Permittees shall submit complete and accurate self-monitoring reports to the Public Works Director at a frequency stated in the permit.
 2. Required Information: Permittees shall use report forms provided by the Public Works Director. Self-monitoring reports may require the permittee to disclose the following information for each reporting period:
 - a. General facility data;
 - b. Operational data;
 - c. Source and volume of all water supplies;
 - d. Volumes of water used or lost;
 - e. Use and volume of wastewater discharged to public sewers;
 - f. Analytical results from wastewater monitoring;
 - g. Description of sampling and analytical methods; and
 - h. Other information as is relevant to determining compliance with these rules.
 3. Frequency Of Reports: The frequency of routine reporting shall be based on the reporting schedule included in the individual permit. The minimum reporting frequency shall be quarterly. Industrial waste discharges subject to a strength charge or a cumulative annual metal limit shall report monthly. Liquid waste haulers shall report monthly. Refer to section 8-2-14 of this chapter for additional sampling and reporting requirements.

4. **Modification Of Reporting Schedule:** The Public Works Director may modify the above reporting schedule for any permittee based on the permittee's industrial waste characteristics or any other relevant consideration.
5. **Compliance With Regulations:** Permittees subject to categorical pretreatment standards shall submit self-monitoring reports and other required reports to the BPUC in accordance with the general pretreatment regulations established under the act and any requirement of a categorical pretreatment standard.
6. **Due Dates:** Permittees shall submit complete self-monitoring reports to the Public Works Director such that the Public Works Director has received such reports on or before the thirtieth calendar day of the month following the end of each applicable reporting period. (2002 Code)

8.2.14 ENFORCEMENT:

- A. **Slug Or Accidental Discharges:** The Administrative Authority may suspend the wastewater treatment service of a user or a wastewater discharge permit or either of them (after informal notice to the discharger), when such suspension is necessary in the opinion of the Administrative Authority, in order to stop an actual or threatened discharge which presents or may present an imminent or substantial endangerment to the health or welfare of persons, to the environment, or to the wastewater treatment plant.
 1. **Compliance:** Any user notified of a suspension of the wastewater treatment service, or the wastewater disposal permit shall immediately stop the discharge. In the event of a failure of the user to comply voluntarily with the suspension order, the Administrative Authority shall take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the wastewater disposal system or endangerment to any individuals.
 2. The Administrative Authority shall reinstate the wastewater discharge permit and/or the wastewater treatment service upon proof of the elimination of the noncomplying discharge. A detailed written statement submitted by the user describing the causes of the slug or accidental discharge and the measures taken to prevent any future occurrence shall be submitted to the Administrative Authority within fifteen (15) days of the date of occurrence.
- B. **Revocation Of Permit:** The Administrative authority may revoke the permit or suspend wastewater service to any user who fails to factually report the wastewater constituents and characteristics of his discharge; who fails to report significant changes in wastewater constituents or characteristics; who refuses reasonable access to the user's premises for the purpose of inspection or monitoring; or who is in violation of conditions of its permit, this chapter, or applicable state and federal regulations.
- C. The administrative authority may also serve an administrative citation pursuant to this code. These fines may be in lieu of or in addition to any notice of revocation. Each day the permit holder is in violation shall be a separate offense and require an additional fine. The citation shall clearly state what days of which violation are being cited.

- D. Notification Of Violation: Whenever the Administrative Authority finds that any person has violated or is violating this chapter, a wastewater discharge permit, or any prohibition, limitation or requirement contained herein, the Administrative Authority serve upon such a person a written notice stating the nature of the violation. Within thirty (30) days of the date of the notice, unless a shorter time is necessary due to the nature of the violation, a plan for the satisfactory correction thereof shall be submitted to the City of Baxter by the user.
- E. Show Cause Hearing; Notice of Hearing: If the violation is not corrected by timely compliance, the Administrative Authority may order any user who causes or allows an unauthorized discharge to show cause before the City of Baxter why the proposed enforcement action should not be taken. A notice shall be served on the user specifying the time and place of a hearing to be held by City of Baxter regarding the violation, the reason why the action is to be taken, the proposed enforcement action, and directing the user to show cause before the City of Baxter why the proposed enforcement action should not be taken. The notice of the hearing shall be served personally or by registered or certified mail (return receipt requested) at least twenty (10) days before the hearing. Service may be made on any agent or officer of a corporation.
- F. Hearing Procedures: The hearing shall be held by the Baxter Utilities Commission. At the hearing, the permit holder shall be permitted counsel and shall have the right to submit evidence and cross examine witnesses. The Baxter Utilities Commission shall::
1. Issue in the name of the City of Baxter notices of hearings requesting the attendance and testimony of witnesses and the protection of evidence relevant to any matter involved in such hearings;
 2. Take the evidence; and
 3. Transmit a report of the evidence and hearing, including hearing minutes and other evidence, together with recommendations to the City of Baxter for action thereon.
- G. Right To Appeal: Any permit holder aggrieved by the revocation of a permit shall have the right to appeal the city's decision to the city council. Such appeal shall be requested by submitting a written request to the mayor within five (5) days of the action of the city which is appealed.
- H. Council Consideration: The city council shall consider the appeal at its next regularly scheduled meeting; at which time the permit holder shall be entitled to present his appeal orally or in writing. The council shall act on the appeal within seven (7) days of the hearing and shall either uphold the action of the city or shall direct the reissuance of a permit which the city had revoked.
- I. Transcripts: At any hearing held pursuant to this section, testimony taken must be under oath and recorded. The transcript, so recorded, will be made available to any member of the public or any party to the hearing upon payment of the usual charges therefor.
- J. Annual Publication: A list of the users significantly violating applicable pretreatment requirements or national categorical pretreatment standards during the twelve (12)

previous months shall be annually published by the city in a local newspaper. The notification shall also summarize any enforcement actions taken against the user during the same twelve (12) months. For the purposes of this provision, significant violations are those violations which remain uncorrected forty-five (45) days after notification of noncompliance, which are part of a pattern of noncompliance over a twelve (12) month period, or which involve a failure to accurately report noncompliance.

- K. Requests For Interpretation of Ruling: Any interested party shall have the right to request in writing an interpretation or ruling on any matter covered by this section and shall be entitled to a written reply from the city.
- L. Legal Action: If any person discharges sewage, industrial wastes or other wastes into the City's sewer system contrary to the provisions of this Section 8, the City may commence an action seeking appropriate legal or equitable relief.

8.2.15 CIVIL DAMAGES, FALSE INFORMATION, TAMPERING AND PENALTIES:

- A. Civil Damages: Any user violating any of the provisions of this chapter or who has a discharge which causes a deposit, obstruction, damage or other impairment to the collection and conveyance system shall be liable to the city for any expense, loss, or damage caused by the violation or discharge. The Public Works Director may add to the user's charges and fees the cost assessed for any cleaning, repair, or replacement work caused by the violation or discharge. Refusal to pay the assessed costs is a violation of this chapter. The City of Baxter shall also have authority to seek injunctive relief for noncompliance with the required pretreatment standards and requirements by industrial users.
- B. Falsifying And Tampering: No person shall knowingly make a false statement, representation or certification in any application, record, report, plan, or other document filed or required to be maintained pursuant to this chapter or tamper or render inaccurate any monitoring device required under this chapter.
- C. Penalties: Any person violating any of the provisions of this chapter is guilty of a misdemeanor.
- D. Fines: The City of Baxter may also establish fines for any person violating the provisions of this chapter. The City of Baxter shall annually review and establish the amount of the fines. Fines shall be considered punitive to encourage compliance and will not be based on actual damages. The city may assess civil or criminal penalties of at least \$1,000 day for each violation by industrial users or required pretreatment standards and requirements. Fines shall be assessed for a violation upon the recommendation of the Public Works Director and confirmation by the City of Baxter.

8.2.16 DETERMINATION AND LEVYING OF USER CHARGES:

- A. Charge Levied: For the purpose of providing funds to meet the costs of operating the city's wastewater collection and conveyance system and wastewater treatment plant and the facilities connected therewith, and the payment of capital charges represented by bond, certificates of indebtedness, or otherwise, which may be

issued to finance the cost of additional treatment facilities, and the payment of reasonable requirements for replacement and obsolescence thereof, there is hereby levied and assessed upon each lot, parcel of land, building, or premises having any connection with the city's public sewer system, or otherwise discharging sewage, industrial wastewater, water, or other liquids directly or indirectly into the public sewer system of the city, a sewer rental charge as hereinafter provided.

- B. **Basis Of Charge:** The sewer use rate to be so charged against any property within the city of the general municipal user category shall be based upon the quantity of water used at each lot, parcel of land, building or premises as the water is measured by the water meter or meters there in use. Industrial or other users which discharge flows with concentration in BOD, or TSS greater than typical domestic sewage, or other components that effect the treatment process and costs shall be charged a sewer use rate charge which appropriately covers such additional costs.
- C. **Discharge Of Noncity Water Into System:** In the event any lot, parcel of land, building or premises discharging sanitary sewage, industrial wastewater, water or other liquids into the sanitary sewer system of the city, either directly or indirectly, is supplied in whole or in part with water not obtained from the city, the owner or occupant of such property shall cause to be installed, necessary metering equipment as approved by the Public Works Director to measure the quantity of water pumped or used, and the sewer rental charge shall be based on the quantity of water so measured. Whenever the owner, lessee, or occupant fails to install such metering equipment, or where it is not practicable to measure the water consumed on any premises by a meter or meters, the Public Works Director shall cause to be determined in such manner and by such methods as may be practicable, considered conditions and attendant circumstances in each case, the estimated volume of water from private sources which discharge into the sanitary sewer system, and such estimate shall be used in lieu of the meter volume of water from private sources to determine the sewage rental charge thereon and therefor.
- D. **Unit Costs:** The City of Baxter shall annually fix the unit costs for use of the sewer system on the basis of flow (including infiltration/inflow), BOD, SS and any other pollutant, taking into consideration the cost of treatment of such sewage, and may increase or decrease such unit cost as often and in such amounts as may reasonably be required to accomplish the purpose of this chapter.
- E. **Billings:**
 - 1. **Monthly Bill:** Based upon the prior month's water meter reading, the public utilities commission of the city shall send to each sewer user a statement of the amount due for sewer used the past month, also including any past due balance, which amount shall be due and payable to the public utilities commission on or before the tenth of the following month and if not then paid, shall be in default. The amounts due to the public utilities commission for sewer usage will be computed in accordance with the provisions of this chapter and statements will be rendered at the same time and on the same bill with the city water and other utilities statements.
 - 2. **Delinquencies:** Billings in default shall be charged a ten percent (10%) surcharge thereon, plus additional late fees shall be assessed every monthly

billing period thereafter using the same calculation and an additional fee shall be assessed if the city has to certify the delinquent fee to the county for collection with real estate taxes. In addition, the city reserves the right to delegate the collection of delinquent accounts to collection agencies under contract with the city, bring civil action, or collect by any other remedy available at law. The city reserves right to deny future utility services at any other address within the city if the utility bill customer has a delinquent or outstanding utility bill at any other previous address within the city.

3. **Shutoff for Nonpayment:** In the event any sewer user shall be in default in the payment of any utility bill exceeding sixty (60) days, such water service, if provided by the city, shall be turned off until such utility bill is paid together with a shutoff fee and an additional fee to cover the cost of turning the water back on again. Said fees shall be set from time to time by the city council. The fees and provisions set forth for shutoff for nonpayment in chapter 1 of this title for waterworks shall likewise apply for this chapter.
- F. **Audits:** The City of Baxter shall once each year provide an internal audit report that will address specific areas of concern including the need to generate sufficient revenue through user charges to cover total O&M costs, the necessity of maintaining a proportionate system of user charges pursuant to 40 CFR 35 93513 (b) and the need to review the replacement account to determine its proper level of funding.
- G. **Collection With Taxes:** Nothing in this chapter shall be held or construed as in any way stopping or interfering with the city's right to levy as taxes against any premises affected, any delinquent or past due sewer charges. Each sewer charge levied by and pursuant to this chapter is hereby made a lien upon the lot, land, or premises served, and all such charges which are past due, and delinquent shall be certified to the city clerk, who shall prepare an assessment roll providing for assessment of the delinquent amount against the respective property served. The assessment roll shall be delivered to the city council for adoption after due notice is given by mail to the affected property owner. Upon such adoption, the clerk shall certify the assessment roll to the county auditor for collection along with taxes as authorized under Minnesota statutes section 444.075 after the city council holds a public hearing regarding the proposed assessment. To appeal this assessment, the property owner must present a written objection to the assessment at said public hearing and then file a district court action in Crow Wing County within thirty (30) days of said public hearing. The provisions set forth for certification of unpaid charges in chapter 1 of this title for waterworks shall likewise apply for this chapter.
- H. **Civil Action:** Any charges levied by and pursuant to this chapter, not paid and becoming delinquent may be recovered from the occupant of the premises served in a civil action by the city in any court of competent jurisdiction, if the city elects to do so.
- I. **Deposit Of Funds:** The monies received from the rates and charges herein established shall be deposited in the sewage disposal fund of the City of Baxter and in accordance with any bond resolution or amendment directing their payment.

- J. Allocation Of Costs: The cost to be recovered pursuant to this chapter and the unit cost to be fixed by the City of Baxter shall be determined and allocated in each of the following categories:
1. Operation and Maintenance Of City's Wastewater Collection, Conveyance, and Treatment Facilities: This category includes the cost of administration, operation, maintenance and replacement for the city's wastewater collection, conveyance, and the City's portion of the treatment authority's treatment facilities, including sludge disposal costs, and including an amount for replacement costs of equipment and real property which shall be segregated in a separate fund. Replacement costs are expenditures for obtaining and installing equipment, accessories, or appurtenances which are necessary during the useful life of the treatment works to maintain the capacity and performance for which such works were designed and constructed.
 2. Other fees as the City of Baxter may deem necessary to carry out the requirements contained herein.
- K. Industrial Users Charge: The category A industrial user charges for administration, operation, maintenance and replacement of the wastewater collection conveyance, and treatment facilities shall be determined as follows:
1. Unit costs for flow, BOD, and SS shall be calculated by apportioning each category cost to flow, BOD, and SS, and then dividing each cost so apportioned by the total estimated flow, BOD, and SS to be received at the wastewater treatment plant in that year.
 2. Industrial user charges shall be the sum of the procedures obtained by multiplying the unit costs as determined above by the user's actual flow, BOD, and SS during the billing period. However, in no case shall the charge be less than that determined by applying the prevailing domestic flow rate charge to the user's actual flow. In addition to the charges provided for herein, the City of Baxter may impose a surcharge on any industrial user pursuant to the requirements hereinbefore or based on some other pollutant loading factor which requires special treatment at the wastewater treatment plant.
 3. Industrial sewer service charges will include user charges and may also include the annual interest and principal costs necessary to retire any bonds issued to pay for construction with such debt retirement costs to be determined and allocated in the same manner as described for annual operating costs hereinbefore.
- L. Measurements Of Strength and Volume: When required by the Public Works Director, each industrial user shall install suitable measuring, sampling, and analyzing devices in compliance with the sewer use code, as required hereinbefore. The Public Works Director shall not require installation of such devices where the industrial user has concentrations of BOD, and suspended solids no greater than the concentrations of such constituents in the general municipal flow and a satisfactory method and access exist for sampling and determining the total daily sewage flow. In such cases, the charges to those industrial users shall be based on the flow rate as determined and on BOD, and SS loads equal to the average load of the general

municipal flow. Each industrial user required by the Public Works Director to install and maintain sewerage monitoring facilities shall submit to the Public Works Director a monthly report of daily flow, BOD, and SS, on a form approved by the Public Works Director. This report shall be used for billing purposes and shall be submitted prior to the fifteenth day of the subsequent month. The Public Works Director shall have the right to inspect the monitoring facilities periodically or continuously, to measure, sample, and analyze the user's flow and to analyze the samples obtained by the industrial user. In the event of any discrepancy between the flows or loads determined by the Public Works Director and the industrial user, the values determined by the Public Works Director shall be used for billing purposes. All measurements, tests, and analyses of the characteristics of sewage concentration shall be determined in accordance with the latest edition of "Standard Methods for The Examination of Water and Wastewater", published by the American Public Health Association and shall be determined at the control manhole provided or upon suitable samples taken at said manhole. If no special manhole is available, the control manhole shall be the nearest downstream manhole in the public sewer to the point at which the building sewer is connected. A twenty-four (24) hour composite sample of the sewage shall be taken by the Public Works Director at least once each year on those customers being assessed a surcharge for the purpose of verifying sample results.

M. Charges For Nonindustrial Users:

1. The category A charge for general users for this chapter shall be determined as follows: unit costs for flow, BOD, SS shall be calculated by apportioning the total annual cost of category A to flow, BOD, and SS. The general users charge shall be the sum of the products obtained by multiplying the unit costs as determined above by the flow, BOD, and SS loadings of one thousand (1,000) gallons of domestic wastewater.
2. The charges to domestic users shall be the product of the unit cost obtained in accordance with subsection 01 of this section and the quantity of water used by such user as measured by the city water meter on the premises. The charges to commercial users with BOD and SS concentrations equal to or less than domestic wastes shall be the product of the unit cost obtained in accordance with subsection 01 of this section and the quantity of water used by such user as measured by the city water meter on the premises. The charges to institutional users with BOD and SS concentrations equal to or less than domestic wastewater shall be the product of the unit cost obtained in accordance with subsection 01 of this section, and the quantity of water used by such user as measured by the city water meter on the premises. The charges to governmental users with BOD and SS concentrations equal to or less than domestic wastewater shall be the product of the unit cost obtained as described above and the quantity of water used by such user as measured by the water meter on the premises. In the event a general municipal user is not supplied

with city water or the water so used is not measured, the user charge shall be fixed and determined by the Public Works Director by such methods as he may find just, equitable, and practicable. In the event sewer service is disconnected by the city during any quarter for any reason, the sewer service charge shall be reduced proportionately in the same manner that water service rates are reduced. If a substantial portion of the water utilized by any user is not discharged into the sewer system, the volume of such water shall be deducted in computing the sewer use charge, provided a separate meter is installed to measure such volume. The user desiring to install such separate meter shall make application and payment for the meter to the Public Works Director and engage, at his own expense, a plumber to effect the necessary piping changes and install the couplings so the meter can be set. Nonindustrial sewer service charges will include user charges and may also include the annual interest and principal cost necessary to retire any bonds issued to pay for construction with such debt retirement costs to be determined and allocated in the same manner described for annual operating costs hereinbefore.

- N. Control Structure: When required by the Public Works Director, the owner of any property serviced by a building sewer carrying industrial wastewater shall install a suitable control structure, together with such necessary meters and other appurtenances in the building sewer to facilitate observation, sampling, and measurement of wastewater. The structures and equipment when required shall be constructed at the owner's expense in accordance with plans approved by the Public Works Director and shall be maintained by the owner so as to be safe and accessible at all times. See subsection 8-2-10B of this chapter for specific requirements for a control structure (monitoring point).
- O. Measurement, Tests, Standard: All measurements, tests, and analyses of the characteristics of water and wastewater to which reference is made in this chapter shall be determined in accordance with 40 CFR 136 (guidelines establishing test procedures for analysis of pollutants), the latest edition of "Standard Methods For The Examination Of Water And Wastewater", and shall be determined at the control structure provided, or upon suitable samples taken at said control structure. In the event that no special structure has been required, the control structure shall be construed to be the nearest downstream manhole in the public sewer from the point at which the building sewer is connected. Sampling shall be carried out by customarily accepted methods to reflect the effect of constituents upon the sewage works and to determine the existence of hazards to life, limb and property. (The particular analyses involved will determine whether a 24-hour composite of all outfalls of a premises is appropriate, or whether a grab sample or samples should be taken. Normally, but not always, BOD and suspended solids analyses are obtained from 24-hour composite of all outfalls whereas pHs are determined from periodic grab samples.)
- P. Other Test: The Public Works Director may conduct such tests as are necessary to enforce this regulation, and employees of the City of Baxter may enter upon any

property for the purpose of taking samples, obtaining information or conducting surveys or investigations relating to such enforcement. Entry shall be made during operating hours unless circumstances require otherwise. In all cases where tests are conducted by the Public Works Director for the purpose of checking to determine if a previously found violation of this chapter has been corrected, the cost of such tests shall be charged to the user or added to the user's sewer charges. In those cases where the Public Works Director determines that the nature or volume of a particular user's sewage requires more frequent than normal testing, the Public Works Director may charge such user for the tests, after giving the user ten (10) days' written notice of its intention to do so, and the cost thereof shall be added to the user's sewer charge. In any case where industrial wastewater is discharged to a public sewer, the Public Works Director may require the user at his own expense to test the discharge on a regular basis and to report the test results to the Public Works Director within a reasonable time. All such tests shall be as ordered by the Public Works Director and shall be conducted by qualified personnel in accordance with the standards set out in this chapter. See section 8-2-11 of this chapter for the specific requirements for sampling and testing for industries with discharge permits.

- Q. Other Fees: The fees and provisions set forth for excavation permits, inspection fees and nonuser fees in chapter 1 of this title for waterworks shall likewise apply to this chapter.

8.2.17 SEWER AVAILABILITY CHARGE (SAC)

A. Description Of the SAC Systems:

1. The sewer availability charge (SAC charge) is similar to fees used by many municipalities. Since 1990 a SAC fee has been levied by the city of Baxter for new connections, commercial users and industrial users who remodel/alter, change use or add onto their facility and have not paid a SAC fee in the past. One SAC unit equals two hundred seventy-four (274) gallons of maximum potential daily wastewater flow usage. Single-family houses, townhouses, duplex units, apartments and multi-dwelling facilities included in each unit each equal one SAC unit per dwelling unit. Commercial buildings are levied SAC units based on maximum potential daily wastewater flowage. Industrial buildings are assessed SAC based on maximum potential daily wastewater flowage and maximum normal daily wastewater flow volume for process areas and maximum potential wastewater flow for commercial areas.
2. The city of Baxter is the provider of sanitary sewer service in the SAC system. The city of Baxter collects SAC fees from property owners. Generally, the city of Baxter issues a permit (building permits, electrical permits, plumbing permits and zoning permits) which indicates that development or redevelopment is occurring. In turn, the development or redevelopment triggers a SAC determination or redetermination. The city of Baxter makes all industrial, residential and commercial determinations. General maintenance on industrial, residential and commercial buildings, not including remodeling and alterations, are exempt from SAC fees.

3. The SAC revenue collected by the city of Baxter is used to finance a portion of the sanitary sewer system. Capital improvement costs are initially financed by debt and involve the building and upgrading of the sanitary sewer system. SAC revenue finances a portion of the sanitary sewer system debt service annually, also called the annual SAC requirement.
4. SAC revenue is held in the SAC reserve fund until utilized for the annual SAC requirement. The per unit charge for each calendar year is determined and approved by the city council, in conjunction with the budget process. The rate for subsequent years shall be subject to review and is dependent on factors including the annual SAC requirement and the forecasted number of SAC units to be collected. Commercial SAC rates have typically been slightly higher than residential rates to account for higher peak flow typically seen from commercial facilities.

B. History of the SAC Program:

1. SAC fees have been levied by the city of Baxter since 1990. The city of Baxter must provide sanitary sewer service to a rapidly growing population, commercial base, and industrial base. The policy was further updated when this code was codified in 2002.
2. Heavy capital costs are inevitable, as the city of Baxter has and will continue to expand and improve its treatment and collection system for the community as its population, commercial base and industrial base continues to change and grow.
3. The issue facing the city is how to fund the expansion and updates of its collection and treatment system. Treatment regulations are becoming more stringent in recent years and will continue to be more stringent as we move into the future. Expanding the system and meeting new, more stringent, discharge regulations require that the system be designed and built to meet these requirements for the next twenty (20) years.
4. The practice of building in capacity and treatment flexibility is based upon experience and the economy. The physical sites of sewer collection systems and wastewater treatment plants seldom change, so major land acquisition occurs only once. Further economies of scale of construction make it more cost effective to provide capacity and treatment alternatives at the time that major construction occurs rather than make small frequent infrastructure changes.
5. There have been court challenges to SAC in other communities. In a district court ruling, later upheld by the Minnesota supreme court, SAC systems were found consistent with state law. Based on the above court decision it is common for municipalities to implement a WAC system in the same format as a SAC system.

C. Residential And Commercial:

1. Initial Determinations (New Construction or Initial Connection): The computation of SAC units for a given property is referred to as a determination. Determinations are generally triggered by building permits, electrical permits, plumbing permits and zoning permits. Examples include the construction of a house, a house connecting to sewer for the first time or construction or modification to a commercial building.

2. Residential SAC: The following types of residential housing each comprise one SAC unit per dwelling unit:
 - a. New single-family houses: A single-dwelling unit.
 - b. Existing single-family houses: Houses built with a private septic system and subsequently connected to the city system shall be charged at the rate used prior to 1990 due to the cost of installing the original private septic system and the amount being assessed to the properties for the public improvements.
 - c. Duplex units, apartments units, condominiums units and townhouse units: A multi-dwelling facility included in each unit.
3. Commercial SAC:
 - a. A "commercial user" in the city of Baxter is defined as any user that is not a residence and that discharges no wastewater from an industrial process.
 - b. Individual businesses occupying the same building are subject to a SAC charge. The SAC charge will be calculated for the entire building and prorated on a percentage of area occupied by each business.
 - c. The SAC charge will be determined by calculating the equivalent residential connection (ERC) in accordance with appendix A.
 - d. For commercial users who propose to change the use of or remodel/alter their facility and have not paid a SAC fee prior to 1990 will have a SAC fee charge based on the original use of the building. Any change in use within the original building will be charged at the current rate and the SAC fee must be paid at the time of the building permit. The SAC for commercial buildings that have a change of use or remodel/alter will be calculated based on ERCs in accordance with appendix A. The SAC calculation will be based on the entire building regardless of the area being modified.
4. Ongoing Determinations:
 - a. Anytime there is a change in use, a SAC determination must take place. Sometimes, this is referred to as a redetermination; simply meaning this is not the first SAC determination to take place on the site. Most redeterminations are triggered by city issued building permits, electrical permits, plumbing permits and zoning permits. A redetermination is necessary when the use of the property has changed or when a physical change in the facility occurs.
 - b. If it is determined, at the sole discretion of the city, that there have been prior building permits issued by the city in which the SAC and WAC should have been recalculated, then the city shall charge the applicant at the rates in place when that prior permit was pulled for any charge that should have been allocated at that time. If no permit has been issued since 1990 the fee shall be calculated based on the 1990 rate. This credit shall not apply to charges due for additional ERCs due for proposed improvements.

5. SAC Credits:
 - a. Credit for SAC previously paid on a site is allowed when there is a new use established on a property. The credit is stated in units and is used to offset the SAC unit determination of the new use. The purpose of SAC credits is to avoid double payment of SAC on a specific parcel of land. The SAC credits stay with the specific parcel and may not be transferred to another parcel.
 6. Demolitions:
 - a. A demolition is when a structure or building is destroyed. SAC credit will be allowed at the time the new use is established for SAC fees previously paid into the system. The SAC credits must be used on the same parcel in which the demolition took place.
 7. Rules Governing The Use Of Credits:
 - a. SAC credits can only be used when there is a new use established on the property. Credits cannot be taken at the time of demolition or at the time a business shuts down. The SAC credits stay with the specific parcel and may not be transferred to another parcel.
- D. Industrial SAC:
1. Initial Determinations (New Construction or Initial Connection):
 - a. The computation of SAC units for a given property is referred to as a determination. Determinations are generally triggered by building permits, electrical permits, plumbing permits or zoning permits.
 - b. The SAC charge will be determined by calculating the equivalent residential connection (ERC) in accordance with appendix A.
 2. Definition of Industrial User: "Industrial user" has a particular, special definition for SAC purposes. It does not include all industries. "Industrial user" for SAC purposes is an industry producing wastewater from an industrial process; it is an industry which holds an industrial discharge permit or is subject to being permitted. Many businesses commonly referred to as industries are not "industries" for SAC purposes and would be subject to commercial criteria for SAC purposes. Because the definition of industrial user for the purpose of SAC is somewhat ambiguous, the city of Baxter will make final decision on whether an "industry" will follow industrial criteria for SAC purposes.
 3. SAC Determination for Industrial Users: Industrial SAC determinations are derived by adding two (2) components: commercial criteria for non-process areas and the sum of maximum domestic wastewater flow plus the normal maximum industrial process wastewater flow for process areas.
 4. For industrial users who propose a change in use, choose to remodel or expand their facility and have not paid a SAC prior to 1990, the SAC must be paid at the time of the building permit. If no permit has been issued since 1990 the fee shall be calculated based on the 1990 rate. The SAC will be calculated as outlined above.
 5. Three Year Review:

- a. Because industrial determinations involve both commercial and industrial criteria, redeterminations can be triggered by changes in either the commercial or industry component. Similar to commercial, building permits or changes in use can trigger redeterminations subject to additional SAC charges. In addition, industrial users may increase wastewater flow without remodeling, simply by expanding the workday or the rate of activity. In these cases, no building or plumbing permit need be issued; however, a redetermination is needed.
 - b. Because of the above reasons, the city of Baxter may complete a redetermination on a three (3) year review of maximum wastewater and water flow from industrial facilities. If it is determined that additional SAC fees are required, the city of Baxter will contact the industrial user to meet and review the data. After review of the data, the city of Baxter will invoice the industrial user for the additional SAC fees.
6. SAC Credits:
 - a. Credit for SAC previously paid on a site is allowed when there is a new use established on a property. The credit is stated in units and is used to offset the SAC determination of the new use. The purpose of SAC credits is to avoid double payment of SAC on a specific parcel of land.
7. Demolitions:
 - a. A demolition is when a structure or building is destroyed. SAC credit will be allowed at the time the new use is established for SAC fees previously paid into the system. The SAC credits must be used on the same parcel in which the demolition took place.
8. Rules Governing the Use of Credits:
 - a. SAC credits can only be used when there is a new use established on the property. Credits cannot be taken at the time of demolition or at the time a business discontinues operations. The SAC credits stay with the specific parcel and may not be transferred to another parcel.
9. Special Credit Situations:
 - a. A different type of credit situation is an industrial user that permanently changes its industrial process to discharge less wastewater. The modification typically occurs among industrial users holding industrial discharge permits and subject to industrial strength charges. Their discharge includes sanitary wastewater and industrial wastewater. By modifying its industrial process, an industrial user may reduce its industrial strength charges (based on treatment demand), its sewer service charges (based on flow volume) and its need for capacity. The modification may occur with little or no change in its exterior building. When a change permanently reduces wastewater flow usage, the city of Baxter recognizes this as a change in use and will allow credit to the SAC. The city of Baxter must approve all such credits to ensure the process change is permanent.

E. Appendix A:

1. Tables set forth in the city of Baxter "appendix A: SAC criteria for commercial properties" most current edition plus any amendments.



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: See attached separate memo regarding updates to Unfinished Business Items

AGENDA: Main

ACTION REQUESTED: Discussion Item

SUBMITTED BY: Danny Loch, Finance Manager

DEPARTMENT: Public Utilities

PRESENTER: Danny Loch, Finance Manager

ESTIMATED TIME (MIN): 2

SUMMARY OF ISSUE: The attached memo summarizes items that are in process and considered unfinished business.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION:

FINANCIAL IMPACT:

**Brainerd Public Utilities
BPU Commission Unfinished Business
March 26, 2024**

A. Hydro Generation/Automation (1/31/23)**

BARR Engineering is working on additional presentation items related to the generation options with pursuing the two new generators. They have a Proposal / Agreement for Detailed Design of BPU Powerhouse Units 4 and 6 Upgrades to be reviewed by commission. They are not available at the time of the agenda packet.

B. Current Open Employment Positions at BPU

The following job descriptions were recommended by Commission to City Council for approval with date of recommendation included:

- Business Office Support Specialist (5/30/23)
- Facilities Custodian (5/30/23)
- Journeyman Electrician (7/25/23)

C. Organizational Restructuring (10/31/23)

Due to the restructuring and realignment of BPU positions it will be necessary to revise the following job descriptions:

- Water Plant Chief Operator
- Water Plant Operator
- Water Crew Chief
- Water Service Worker
- Maintenance Mechanic
- Maintenance Services Lead
- Operations Manager
- Water/Wastewater Manager

D. Schedule of Authority Roles of Commission and Council in Operation of BPU (10/31/23)

Was presented at the joint session between council and commission, and no adjustments were made. A future meeting will be discussed to discuss potential partnership agreement.

E. Development of Plan to be Carbon Free by 2040 (10/31/23)

BPU is subject to the State's Renewable Energy Standard (RES). The RES will require BPU to either generate or procure sufficient electricity generated by an eligible energy technology (solar, wind, hydroelectric, or biomass) to retail customers of BPU that is equivalent to at least 25% of total retail electric sales to retail customers by 2025 and 55% by 2035. In addition to the RES BPU must generate or procure sufficient electricity generated from a carbon-free energy technology (technology that generates electricity without emitting carbon dioxide) that will be 100% by 2040. AEP amendments have provided the requirement to date.

F. Rewrite of Brainerd City Code Section 705 – Water System (6/27/23)

The process of rewriting Section 705 has begun.

G. Lead Service Line (LSL) Inventory Assessment (9/26/23)

Work continues mapping of the public water system. Identification of types of materials used in water service lines along with inventory process is required to be completed and submitted to the Minnesota Department of Health before October 16, 2024. Total cost to replace on complete service line could cost as much as \$44,000 per service. Mapping and communications have been rapidly coming in for this service line inventory.

H. Wellhead Protection Plan (WHP) (7/25/23)

Continue to work with Minnesota Rural Water Association and Bolton & Menk on completing WHPP Part 2 Amendment by July 1, 2024. Expect presentation at next month's meeting.

I. Electric Transmission Service to Brainerd (1/31/23)

Continue to work on scheduling a meeting with Minnesota Power to discuss capacity constraints imposed on BPU by MP on transmission line serving Brainerd.

J. Crypto Mining Activity (7/1/22)

JFK current mining load is approximately 21 MWs. Plan to be at 25 MWs in early Q1 of 2024. VCV's contract is set to expire on March 22, 2024. An agreement is being drafted to continue with VCVs request to extend the contract as discussed at the last Commission meeting.

K. Corrosion Control Plan to Minnesota Department of Health (10/31/23)

A plan was submitted to the Minnesota Department of Health by November 6, 2023, describing the intended plan for dealing with copper corrosion. The plan approval was received January 26, 2024. BPU also sent a brochure to all water customers describing important information about copper in drinking water as required by MDH. A corrosion control video has been posted to the website for informational purposes of this treatment plan. An update to the brochure that was sent in January is being sent out with this month's billing and has been posted to the website.

L. Credit Card Transaction Fees (01/30/2024)

Continued discussion and research occurring with Global Payments representatives and Bremer Bank. BPU can receive reduced rates as a utility provider. In asking Global Payments what rates can be offered they have proposed a decrease of 21%, which would be a reduction back to the rates that were prior to Decembers increase. Staff are still awaiting responses from Tyler Payments for new pricing and the utility pricing information as well as Nieve systems. A presentation of options will occur at next Commission meeting.

M. Reclamation and Backwash Project (2/27/2024)

Surveying and phase 1 of construction meetings have begun on the project with Bolton & Menk. Additional research and development as well as a site visit have occurred to provide for the correct sizing of the tank.

N. DER Website Updates

During the last commission meeting website updates were presented related to the electric generation options, development continues for those items to go live.

O. Customer Communications Policy

The customer communications policy is still being drafted as the process for after hours communication is being created and options are being developed for consideration.



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: Authorize Funding for Public Utilities Director Executive Search

AGENDA:

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director, Nick Broyles, City Administrator

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE: On January 2, 2024, the City Council accepted the retirement of Public Utilities Director Todd Wicklund to be effective May 3, 2024, and also re-established the 2023 Public Utilities Work Group to oversee the 2024 hiring process for our Public Utilities Director position. Twelve applicants applied for the Public Utilities Director position. Five applicants were invited to interview with three going through the interview process. At this time, the Work Group was not confident in selecting any of the interviewees to step into the Public Utilities Director position.

Attached is the Public Utilities Work Group's Report dated March 5, 2024. On March 18, 2024, the City Council approved the following recommendations from the Work Group:

1. Retained GMP Consultants for our Public Utilities Director Executive Search subject to the funding being approved by the Public Utilities Commission. GMP Consultant's proposal is attached. The cost includes a professional fee of \$15,000 plus reimbursement of additional expenses for advertising, mail announcements, consultant travel and background checks.
2. Designated Patrick Wussow as our Interim Public Utilities Director. Attached is the signed Interim Public Utilities Director Employment Agreement. Mr. Wussow's employment will begin on April 15, 2024, to allow him an opportunity to work with Public Utilities Director Wicklund for a few weeks before Mr. Wicklund's retirement.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS: Council Member Mike O'Day noted that the City had participated and received a \$10,000 consultant fee reimbursement from Sourcewell for our recent City Administrator Executive Search and asked if Sourcewell would help offset the cost for the Public Utilities Director Executive Search as well. I contacted Sourcewell and learned that Sourcewell will consider assisting in funding our Public Utilities Director search for invoices received after July 1, 2024. I then contacted GMP Consultants who agreed to delay invoicing the \$15,000 professional fee until after July 1st to receive this funding; therefore, the Commission should be eligible for at least a

\$7,500 reimbursement from Sourcewell (50% of the \$15,000 professional fee). Please note that the consultant requested to submit invoices for other expenses as incurred and any expenses billed before July 1st, would not be eligible for reimbursement.

RECOMMENDED ACTION/MOTION: Motion to authorize funding the Public Utilities Director Executive Search as presented.

FINANCIAL IMPACT: The consultant's executive search fee including their expense reimbursements is estimated to be approximately \$24,000. With Sourcewell's reimbursement, the net cost to the Commission is estimated to be \$16,500. Please note that an estimated \$3,500 per month savings will be experienced when utilizing the Interim Public Utilities Director versus paying Mr. Wicklund's wages and benefits.

Public Utilities Work Group Report - 3/5/24

Present: Council Member Kara Terry, BPU Commissioners Dolly Matten and Mark O'Day, City Administrator Nick Broyles, HR Director Kris Schubert and HR Assistant Brittney Boser.

The following is a report to the Personnel & Finance Committee regarding the Public Utilities Work Group meeting held on 3/5/24. The Personnel and Finance Committee will review this report at its 3/13/24 meeting.

1. **Interviews** – Twelve applicants applied for the Public Utilities Director position. Five applicants were invited to interview with three going through the interviewing process. At this time, the Work Group is not confident in selecting any of the interviewees to step into the Public Utilities Director position. Any of the three interviewees are welcome to apply for the position in the future.
2. **Hiring a consultant** – Due to the unsuccessful search, the Work Group recommends hiring a consultant to conduct a new hiring process. GMP Consulting who assisted the City in hiring City Administrator Broyles has been contacted. Funding for this search would be subject to the Public Utilities Commission's approval at their 3/26/24 meeting.
3. **Interim Public Utilities Director** – Staff contacted Patrick Wussow to serve as our Interim Public Utilities Director. The Work Group recommends that he serve as our Interim Public Utilities Director for 4-6 months while the consultant completes their search. A start date of April 15, 2024, is recommended as that was the tentative hire date noted on the initial Public Utilities Director hiring timeline. The wage and benefits that Mr. Wussow has requested is up to 30 hours on average per week at \$100 per hour with the Employer's PERA contribution of 7.5%. ESST will be provided as required by law. Mr. Wussow requested this hourly wage to be comparable with other interim position payments in neighboring communities and since he is declining other city benefits during this employment.

The Personnel and Finance Committee's recommendations will be presented and considered at the March 18, 2024, Council meeting.

4. **Next Steps:**

a. **P & F Committee – March 13th meeting: Receive and Consider the Work Group's recommendations:**

- Retain GMP Consultants for our Public Utilities Director search subject to the funding being approved by the Public Utilities Commission. GMP Consultant's proposal is attached.
- Designate Patrick Wussow as our Interim Public Utilities Director. Staff is preparing an employment agreement for the Interim position with the following terms:
 - Duration = 4 – 6 months.
 - Up to 30 hours on average per week
 - Hourly Pay = \$100 per hour.
 - Benefits = Employer Contribution of PERA of 7.5%
 - Earned Sick and Safe Time (ESST) as required by law.
 - Wussow will be compensated as the Interim Public Utilities Director when assisting the City in mediation with the IBEW Local No. 31 Public Utility Union.

b. **City Council – March 18th meeting** – Consider the Work Group and P & F Committee's recommendations from 4a.

c. **Public Utilities Commission March 26th meeting** – Consider authorizing funds for the GMP Consulting Public Utilities Director search. The cost includes a professional fee of \$15,000 plus reimbursement of additional expenses for advertising, mail announcements, consultant travel and background checks.



MARCH 2024

Public Utilities Director Recruitment Proposal

FOR CITY OF BRAINERD, MN

PRESENTED BY

Greg M. Prothman

President, GMP Consultants

GMP CONSULTANTS

Greg@gmphr.com

(206) 714-9499

www.gmphr.com





March 5, 2024

Ms. Kris Schubert
Human Resource Director
City of Brainerd
501 Laurel St.
Brainerd, MN 56401

Dear Ms. Schubert,

Thank you for the opportunity to provide a proposal to assist the City of Brainerd with the recruitment of its next Public Utilities Director. We are well positioned to assist the City as we are currently conducting or have just completed recruitments for:

- City of Blythe, CA - Public Works Director (*in progress*)
- City of Belgrade, MT - City Engineer (*in progress*)
- City of Kennewick, WA - Transportation Manager (*in progress*)
- City of Sedro Woolley – Senior Civil Engineer (*recently completed*)
- City of Sammamish – Deputy Public Works Director (*recently completed*)
- Woodinville Water District - General Manager (*recently completed*)
- Lake Whatcom Water & Sewer District - District Engineer (*recently completed*)
- Soos Creek Water & Sewer – Engineering Manager (*recently completed*)

If you have any questions or would like to discuss your specific needs, please do not hesitate to contact me at (206)714-9499 or greg@gmphr.com. I look forward to hearing from you and hope to have the opportunity to work together soon.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Greg Prothman', is written over a faint, larger version of the same signature.

Greg M. Prothman
President,
GMP Consultants LLC

ABOUT GMP CONSULTANTS

GMP Consultants is a public sector executive search firm with a collective 240 years of local government leadership experience with both regional and national relationships. GMP Consultants offer our clients experienced subject matter experts with a solid understanding of local government coupled with decades of experience. We have served in a wide range of executive positions, from city and county management to public works, management information systems, and finance.

Our Qualifications

Founded and led by Greg M. Prothman, formerly the CEO of Prothman, GMP consultants have worked on over 400 executives searches and over 80 public sector consulting projects. All our senior search consultants are active in both ICMA and local state level city management associations or in their respective professional associations.

Our Philosophy

Our business philosophy centers on the understanding that this is a “people” related industry. We have a reputation for providing superior service and building lasting relationships with both clients and candidates. We believe that attention to others’ needs is the key to effective customer service.

Why Choose GMP?

What you get with GMP Consultants is personal service. You appreciate it when phone calls are returned, projects stay on schedule and your challenges are given thorough and creative thinking. While other companies may assign your business to lesser experienced staff, we offer exceptional service from senior-level consultants.

- **Service & Relationship** - Our consultants bring a reputation for providing outstanding service and building lasting relationships with both clients and candidates.
- **Customized Solutions** - We take the time to become familiar with your organization to ensure that we offer the best solution and not just a single service.
- **People First** - We work closely with you and your candidates through every stage of the recruitment process, creating a welcoming candidate experience and ensuring an effective recruitment outcome.
- **Team Approach** - Our entire consulting group works as a team to leverage their networks to assist with each assignment and give your challenges thorough and creative thinking.

PROJECT TEAM MEMBERS

Greg M. Prothman – President

Greg offers a unique combination of 20+ years of experience in various functions of government and 25 years of experience in public sector recruitment. Prior to forming GMP Consulting, Greg founded and was the driving force at Prothman Company as its CEO. Prior he was a partner at Waldron & Company. Early in his career Greg served as a police officer for the University of Washington and the City of Renton. He left police work after completing his Master's degree in Public Administration and accepted an administrative position for the City of Des Moines, WA. He was quickly promoted to Assistant City Manager and then City Manager. A Seattle native, Greg completed his BA at Western Washington University and his Master of Public Administration (MPA) degree from the University of Washington. Additionally, he completed the Senior Executives in State and Local Government program at Harvard University. Greg is a volunteer member of Seattle Mountain Rescue and a member of Crystal Mountain Ski Patrol.

Jeff Weldon - Lead Project Consultant

Jeff served 29 years in municipal management in Minnesota and South Dakota including city administrator for Redwood Falls, MN; and assistant city administrator for Apple Valley, MN as well as city manager for Brookings and Yankton, SD. Jeff was also an adjunct instructor at South Dakota State University in Public Administration and State and Local Government. Jeff currently serves local government managers in Minnesota and South Dakota with career and professional development as a Senior Advisor for the state associations. Jeff holds a Bachelor's Degree from Minnesota State University and a Master's Degree from Hamline University. He was active with the Coalition of Greater Minnesota Cities, Minnesota City/County Management Association, South Dakota Municipal League, and the International City Management Association (ICMA). Jeff is a strong advocate for community involvement and has been involved with his church, the United Way, Rotary and Lions clubs, and the Chamber of Commerce. Jeff and his wife, Tracie, have two grown children and five grandchildren. His hobbies and spare time activities include camping, boating, fishing, golf, travel, woodworking, pencil sketching and reading presidential biographies and Civil War history.

Sarah Marsh – Content Designer

Sarah brings a background across nonprofit, business, government, and education sectors. She holds an M.B.A in Organizational Behavior & Development from the University of Vermont. She also publishes in the field of American History and is the author of two books honored by the National Council for the Social Studies.

Kate Hansen – Project Manager

Kate is a certified Project Management Professional (PMP) with a background in business, nonprofit, and fire administration. She has served as a Public Records Officer as well as a political campaign manager, and brings a distinguishing blend of attention to detail, creativity, and critical thinking. Kate holds a B.A. in Theatre from Chapman University with an emphasis on stage management.

Brenda Gabbitas – Recruitment Coordinator

Brenda has over a decade of experience working with many communities around the globe in both public and private sectors. She leans on her experiences to build lasting relationships with everyone she works with while delivering unparalleled levels of service. Brenda holds a Bachelor's of Education in Early Childhood Development from Utah Valley University.

WORKPLAN & APPROACH

INFORMATION GATHERING & RECRUITMENT PROFILE DEVELOPMENT

Review and Finalize Search Process and Schedule

We meet with the City to review project needs, process, schedule, and identify the scope of the recruiting market. Our goal is to thoroughly understand your organization, current challenges, timeline, and preferred qualifications for this recruitment.

Develop, Review, and Approve a Detailed Recruitment Profile & Invitation

We create a custom recruitment profile highlighting the strengths of your job opportunity as well as your unique needs. If requested, we will assist in reviewing the position compensation and will make recommendations that are consistent with comparable agencies and the market. Examples of prior recruitment profiles are included in this proposal and typically feature:

- Why Apply?
- Community Profile
- The Organization & Position
- The Ideal Candidate / Education & Experience
- Challenges & Opportunities
- Compensation & Benefits
- Resources
- Your Social Media (if applicable)

STRATEGIC MARKETING

Targeted Recruitments - Having 20 plus years of designing and implementing national recruitments, GMP Consultants will create and conduct a nationwide recruitment and candidate generation process, employing recruitment strategies designed to encourage competitive applicants from diverse backgrounds and experiences. We have been successful in identifying a candidate pool that is racially, ethnically, and gender diverse. We will develop a national advertising strategy placing ads in websites, job boards, periodicals, and social media such as LinkedIn. Examples of job boards and websites includes:

- American Public Works Association
- American Water Works Association
- AWWA Minnesota Chapter
- Public Works Careers
- Minnesota Society of Professional Engineers
- APWA – Minnesota Chapter
- APWA – Illinois Chapter
- APWA – Wisconsin Chapter
- APWA – Iowa Chapter
- APWA Michigan Chapter
- League of Minnesota Cities
- Association of Minnesota Counties
- Minnesota Wastewater Operators Association
- Careers in Government
- GMP Website
- GMP LinkedIn

Development of Candidate Database for Direct Mail Invitations - We will mail approximately 500 to 800 letters of invitation to Utility Directors and City Engineers in the midwestern United States and emails to over 3,000 public works professionals across the United States.

CANDIDATE SCREENING AND SHORTLIST PRESENTATION

Candidate Application Materials - Candidates are asked to submit a cover letter, application, resume, answers to supplemental questions (designed to measure writing and thinking skills) and professional references.

Selection & Interview of Semifinalists - We review all candidate application materials and identify the most promising semifinalists. We conduct a one-hour interview with each semifinalist and provide written observations.

Search Work Session – We meet with you to review semifinalists. Prior to the meeting we send you each applicant’s cover letter, resume, essay questions, the consultant semifinal interview notes, and candidate summary sheet. The City Administrator selects the finalist candidates and designs the final interviews.

FINAL INTERVIEWS & SELECTION

Design and Preparation of Final Interviews - We help you decide on the structure and schedule of the interviews, including the panel participants and facilitators. We tailor the process to fit your needs and prepare all the candidate materials for the interviews.

Reference & Background Checks - We conduct professional reference checks on each candidate, requesting the names of supervisors, subordinates, and peers. Background checks include Education Verification, Criminal History, Driving Record, and Sex Offender Check.

Candidate Travel - We help you identify which candidate travel expenses your organization wishes to cover and then work with the candidates to coordinate the most cost-effective travel arrangements.

Final Interviews & Selection - The City Administrator (and advisory panels if used) interview finalists. We facilitate a debrief with all panel participants. After the debrief, we facilitate the evaluation process, help the decision makers come to consensus, discuss next steps, and organize any additional candidate referencing or research.

Candidate Appointment - We facilitate potential contract elements with the City. Once your top candidate has been selected, we will assist as needed with the job offer, contract negotiations, and employment agreement.

RECRUITMENT SCHEDULE EXAMPLE

Recruitments take approximately 80 to 90 days to complete.

Kickoff Meeting		Client & GMP: Meet to discuss timeline & search process
Profile Development	Week 1-2	GMP: Meet with key stakeholders & create position profile
Advertising	Weeks 3 - 6	GMP: Post online ads; send direct mailing
First Review	Week 7 -8	GMP: Conduct preliminary interviews with most promising candidates
Work Session	Week 9	GMP & Client: Meet to review semifinalists and choose finalist candidates
Final Interview Preparation	Week 10-11	GMP: Conduct background & reference checks, complete final Interviews schedule, coordinate travel with candidates
Final Interviews	Week 11	Client: Hosts finalist interviews Client: Makes hiring selection

PROFESSIONAL REFERENCES

Woodinville Water & Sewer

Pamela Maloney, Board Chair
pmaloney@woodinvillewater.com
425 647 5061 c
General Manager (in progress)

City of Lakewood, WA pop. 60,564

John Caulfield, City Manager
jcaulfield@cityoflakewood.us
253-983-7703
City Manager

Island County, WA pop. 84,000

Catherine Reid, HR Director
Creid@islandcountywa.gov
360-240-5584
County Administrator
Public Works Director (in progress)

City of Belgrade, MT pop. 11,075

Neil Cardwell, City Manager
ncardwell@cityofbelgrade.net
406-388-3760
City Manager (2)
Human Resources Director

PROFESSIONAL FEE

The fee for conducting a Public Utilities Director recruitment is \$15,000. The professional fee covers all consultant and staff time required to conduct the recruitment. Professional fees are billed in three equal installments: at the beginning, halfway, and upon completion of the final interviews. In addition to the professional fee, the City will be responsible for reimbursing expenses incurred on the City's behalf.

Expenses include:

- Websites, job boards and other advertising (approx. \$1,500 - 1,900 est.)
- Direct mail announcements (approx. \$1,200 - 1,400 est.)
- Consultant travel: Mileage at IRS rate and \$65 per hour
- Background checks (approx. \$225 per candidate)

The City has the right to cancel the search at any time. The City's only responsibility would be the fees and expenses incurred prior to cancellation.

GUARANTEE & WARRANTY

Should the selected candidate leave the employment of the City within the first 12 months of appointment, we will conduct one additional recruitment for the cost of expenses only, if requested to do so within six months of the employee's departure. If the major elements of the process are followed and a candidate is not chosen, we will repeat the recruitment once with no additional professional fee, the only cost to you would be the expenses.

PUBLIC WORKS RECRUITMENT CLIENTS

City of Blythe, CA

Public Works Director (*in progress*)

City of Belgrade, MT

City Engineer (*in progress*)

City of Kennewick, WA

Transportation Manager (*in progress*)

City of Sedro Woolley

Senior Civil Engineer (*just completed*)

City of Sammamish

Deputy Public Works Dir. (*recently completed*)

Island County, WA

Public Works Dir. (*recently completed*)

Engineering Manager

Soos Creek Water & Sewer

Engineering Mgr. (*recently completed*)

City of Olympia, WA

Public Works Dir. (*recently completed*)

Woodinville Water & Sewer

General Manager (*recently completed*)

Bonner County, ID

Staff Engineer

City of Aberdeen, WA

Public Works Director

City of Arlington, WA

Utilities Manager

Public Works Director

City of Bainbridge Island, WA

Engineer

Project Manager

City of Battle Ground, WA

Public Works Director

City of Bellevue, WA

Assistant Director, Engineering

Utilities Deputy Director

City of Bellingham, WA

City Engineer

City of Bend, OR

Fleet Manager

City of Blaine, WA

Public Works Director

City of Bonney Lake, WA

Public Works Director

City of Bothell, WA

Public Works Director

City of Bozeman, MT

Public Works Director

City of Bremerton, WA

Public Works Director

City of Carnation, WA

Public Works Director

City of College Place, WA

Public Works Director

Environmental Systems Manager

City of DuPont, WA

Public Works Director

City of Edgewood, WA

Engineer

Public Works Director

City of Elma

Public Works Director

City of Ferndale, WA

Public Works Director

City of Fife, WA

Assistant Public Works Director

City of Gillette, WY

Public Works Director

City of Gunnison, CO

Public Works Director

Lake Whatcom Water & Sewer District, WA

General Manager

District Engineer

City of Kelso, WA

Public Works Director

City of Kemmerer, WY

Public Works Director

City of Kenmore, WA

City Engineer

City of Kent, WA

Deputy Dir Public Works

City of Kirkland, WA

Water Division Manager

Public Works Director

City of Lake Oswego, OR

Water Treatment Plant Manager

City of Leavenworth, WA

Public Works Director

City of Lewiston, ID

Public Works Director

City of Lynden, WA

Public Works Director

City of Lynnwood, WA

Public Works Director

City of Maple Valley, WA

Public Works Director/Community Development Director

City of Marysville, WA

Streets/Surface Water Manager

Engineering Services Manager

Public Works Director

City of Medina, WA

Public Works Director

City of Mountlake Terrace, WA

Public Works Director

City of Nampa, ID

City Engineer

City of Newcastle, WA

Public Works Director

City of Pasco, WA

Public Works Director

City of Port Angeles, WA

Public Works & Utilities Director

City Engineer

Light Operations Manager (Electric

Utility Ops. Mgr.)

Public Works Director

City of Orting

Public Works Director

City of Richland, WA

Transportation Engineer

Public Works Director

City of Sammamish, WA
Senior Transportation Program Engineer
Project Engineer/Drainage
Senior Project Engineer
City of Sequim, WA
Public Works Director
City of Shelton, WA
Public Works Director
City of Shoreline, WA
Public Works Director
City Engineer
City of Snohomish, WA
City Engineer
Public Works Utilities Manager
City of Spokane Valley, WA
City Engineer
Public Works Director
City of Tacoma, WA
Public Works Director
City of Troutdale, OR
Public Works Director
City of Tukwila, WA
Public Works Director
City of Walla Walla, WA
Public Works Director
City of Warrenton, OR
Public Works Director
City of White Salmon, WA
Public Works Operations Manager
City of Woodburn, OR
Public Works Director
City of Woodland, WA
Public Works Director
Clark County, WA
Deputy Public Works Director

Chelan County PUD, WA
Procurement and Contracting Manager
Columbia County, WA
Public Works Director/County Engineer
Covington Water District, WA
Director of Utility Services
District Engineer
Assistant Water Resources Manager
Grant County, WA
Public Works Director
County Engineer
Gunnison County, CO
Asst. County Mgr. for Public Works
Island County, WA
Engineering Manager
Jefferson County, OR
Buildings and Grounds Director
Jefferson County, OR
Public Works Director
Jefferson County PUD No.1, WA
Electrical Engineer
Lake Cushman Maintenance Company, WA
General Manager
Lewis County, WA
Public Works Director/County Engineer
Mason County, WA
Public Works Director
Mason County PUD No.3, WA
Engineering Manager
Park City, UT
City Engineer

Pend Oreille County, WA
Public Works Director
San Juan County, WA
Public Works Director
Skagit County, WA
Assistant County Engineer
Public Works Director
Snohomish County, WA
Surface Water Management Utility Director
Clackamas River Water Dist. OR
General Manager
Cowlitz Sewer Operating Board,
Superintendent
Deschutes Valley Water Dist. OR
General Manager
Holmes Harbor Sewer District, WA
General Manager
Skagit County PUD#1, WA
General Manager
Snoqualmie Pass Utility District, WA
General Manager
Tualatin Valley Irrigation District, OR
District Manager
Tualatin Valley Water District, OR
Chief Executive Officer
Manchester Water District, WA
General Manager
Snohomish County PUD, WA
Assistant General Manager,
Pacific City Joint Water-Sanitary Authority, OR
Authority Manager
Sallal Water Association, WA
General Manager
Snohomish County PUD, WA
Assistant General Manager

WORK SAMPLES: POSITION PROFILE AND INVITATION TO APPLY LETTER

(Attached). Additional samples available at gmphr.com. Copyright © 2023 by GMP Consultants, . All rights reserved.

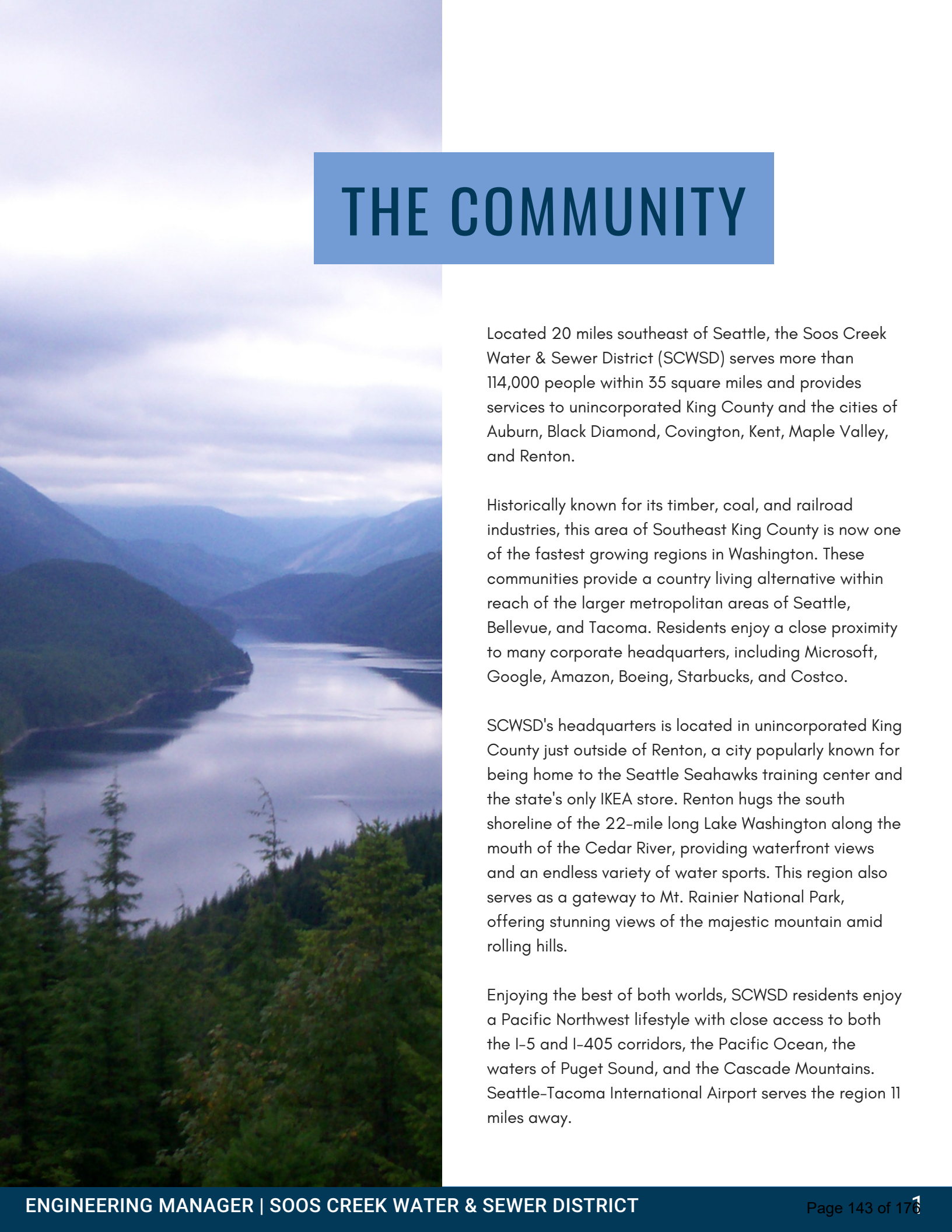


ENGINEERING MANAGER

SOOS CREEK WATER & SEWER DISTRICT

Why Apply?

This is an excellent opportunity for an experienced engineer to make a lasting impact on an organization. The Engineering Manager position is new and was created to provide strong technical leadership on several important district initiatives and priorities. This position will improve how the District leverages technology, establish a proactive asset management program, and work closely with the Operations team to identify effective solutions to improve their water and sewer systems. The family-oriented culture of SCWSD is one of the key factors in the District's success. This close-knit team takes pride in achieving their agency's mission to provide high-quality water and sewer services in an efficient and cost-effective manner.



THE COMMUNITY

Located 20 miles southeast of Seattle, the Soos Creek Water & Sewer District (SCWSD) serves more than 114,000 people within 35 square miles and provides services to unincorporated King County and the cities of Auburn, Black Diamond, Covington, Kent, Maple Valley, and Renton.

Historically known for its timber, coal, and railroad industries, this area of Southeast King County is now one of the fastest growing regions in Washington. These communities provide a country living alternative within reach of the larger metropolitan areas of Seattle, Bellevue, and Tacoma. Residents enjoy a close proximity to many corporate headquarters, including Microsoft, Google, Amazon, Boeing, Starbucks, and Costco.

SCWSD's headquarters is located in unincorporated King County just outside of Renton, a city popularly known for being home to the Seattle Seahawks training center and the state's only IKEA store. Renton hugs the south shoreline of the 22-mile long Lake Washington along the mouth of the Cedar River, providing waterfront views and an endless variety of water sports. This region also serves as a gateway to Mt. Rainier National Park, offering stunning views of the majestic mountain amid rolling hills.

Enjoying the best of both worlds, SCWSD residents enjoy a Pacific Northwest lifestyle with close access to both the I-5 and I-405 corridors, the Pacific Ocean, the waters of Puget Sound, and the Cascade Mountains. Seattle-Tacoma International Airport serves the region 11 miles away.



THE SOOS CREEK WATER & SEWER DISTRICT

Soos Creek Water & Sewer District (SCWSD) has served the residents of southeast King County since 1939. In 1987, SCWSD was formed as a municipal corporation after the merger of Water District 58 and Cascade Sewer District.

Today, SCWSD is one of the largest Special Purpose Districts in Washington State. The District's water service area covers approximately 16 square miles and serves more than 67,500 people in the cities of Renton, Kent, and unincorporated King County. SCWSD purchases its treated water supply from Seattle Public Utilities via a 60-year wholesale water supply contract. The sewer service area covers approximately 35 square miles and serves more than 114,000 people within portions of Kent, Renton, Covington, Black Diamond, Maple Valley and unincorporated King County. The sanitary sewer system conveys wastewater to King County's South Treatment plant in Renton for treatment and disposal.

SCWSD operates with a 2023 budget of \$49.3 million and a team of 44 FTEs. Departments include Administration, Field Operations, Development, Information Technology, Customer Service/Utility Billing, Finance, and Human Resources. SCWSD is a collaborative workforce that works to meet the District's mission to provide reliable, high-quality water and sewer services in an efficient, cost effective manner.

The District is overseen by an elected five-member Board of Commissioners who reside within the District.



THE ENGINEERING MANAGER

The position of Engineering Manager (EM) is new to the District and will be a member of the management team. They will directly oversee the Development Department which includes a lead, permit specialist, development coordinator, and a customer service representative. The EM reports to the General Manager but works closely with all other departments.

The EM directs and performs engineering and related functions in support of the District's operational and capital improvement initiatives. They are responsible for a variety of advanced technical and professional engineering tasks including planning, analysis, design, and management. The EM identifies, monitors, and manages capital and local improvement projects; reviews and administers contracts for professional services and construction; and coordinates engineering projects with state and local agencies. They oversee the development, revision and implementation of engineering standards.

THE IDEAL CANDIDATE

- A seasoned municipal water and/or sewer utility engineer with supervision experience and strong leadership skills.
- Project and consultant management experience.
- Comprehensive planning, project development and prioritization skills.
- Capital project and budgeting experience with revenues and expenses.
- Experienced in the full development and implementation of an Asset Management Program.
- An excellent communicator with strong verbal and presentation skills; able to share complex utility information in an understandable way to diverse audiences, including utility professionals, elected bodies, community leaders, and customers.
- Collaborative, and has a history of developing excellent relationships with other jurisdictions including cities, building departments, county, state and federal permitting officials, and other water/sewer district engineering personnel.
- Open, personable, communicative, and approachable to all levels of staff.
- “Hands-on” management style and willing to provide help wherever and whenever needed.
- Experienced in staff development and is a lifelong learner themselves.



EDUCATION & EXPERIENCE

- A bachelor's degree in civil engineering or related field. (Master's degree preferred.)
- Ten years of engineering and project management experience in public works with four years of supervisory experience.
- Or any equivalent combination of education and experience that provides the applicant with the knowledge, skills, and abilities required to perform the job.

Certifications / Licenses:

- WA Professional Engineer License.
- A valid Washington State Driver's License.

OPPORTUNITIES & CHALLENGES

1) SCSWD is a utility leader in the region and wants to maintain this status. Improving and leveraging technology will be an ever-present need and challenge.

2) Because the District is a great place to work, many of their staff are long-term and succession planning will be critical.

3) The District is committed to maintaining institutional knowledge and has started implementation of an Asset Management system and plan. The EM will be primarily responsible for bringing this plan to full implementation.



COMPENSATION & BENEFITS

SCWSD is offering a salary range of \$139,620 to \$190,992 for this position dependent upon experience and qualifications.

- Paid Medical, Vision, and Dental for you and your dependent(s)
- Paid Life, AD&D, and Long-Term Disability Insurance
- Voluntary insurance
- Washington State Retirement Plan
- Deferred Compensation Plan 457
- Health Reimbursement Account (HRA/VEBA)
- Flexible Spending Account (FSA)
- Continuing education and tuition reimbursement
- Employee assistance program
- Annual performance review
- 11 paid holidays
- 2 paid floating holidays per year (pro-rated based on date of hire)
- 12 days of paid vacation, increases with longevity
- 8 hours per calendar month of sick leave
- Up to 10 days of jury duty pay
- 3 days paid bereavement leave for a death in the immediate family



RESOURCES

[Soos Creek Water & Sewer District](#)

[SCWSD Winter 2023 Newsletter](#)

[Renton Chamber of Commerce](#)

[Maple Valley Black Diamond Chamber of Commerce](#)

TO APPLY

Apply Online: gmphr.com

First Review: **September 10, 2023**

More Info: Mark Bethune, GMP Consultants
mark@gmphr.com / (253) 405-3848



Welcome to LAKE WHATCOM



Dear Colleague,

GMP Consultants is assisting the **Lake Whatcom Water & Sewer District** in Bellingham, WA in finding a **District Engineer / Engineering Manager**. Perhaps this is the right time in your career to consider this exciting opportunity. If not, would you please pass this on to others who may be interested?

Thank you for your consideration and assistance.

Greg M. Prothman, GMP Consultants
greg@gmphr.com / 206-714-9499



WHY APPLY?

This is an excellent professional engineering opportunity for an experienced engineer interested in serving the uniquely beautiful and sensitive areas in and around Lake Whatcom, just outside of the popular community of Bellingham.

Lake Whatcom Water & Sewer District is a well-run and financially stable organization that is proactive about maintenance and improvement of its water and sewer systems, with several large projects planned and a solid system renewal program. Due to topography and proximity to pristine Lake Whatcom, this position provides unique and exciting engineering and construction management challenges. The organization is closely knit, collaborative, professional, and committed to its mission of service to its customers while protecting the environment.

gmphr.com

LAKE WHATCOM WATER & SEWER DISTRICT

While headquartered in the city of Bellingham, Washington, the District's service area surrounds Lake Whatcom to the east and includes the communities of Geneva, Sudden Valley, and the North Shore of Lake Whatcom. The District provides water service to approximately 3,760 residential customers and sewer service to approximately 4,100 residential customers. The District operates with a 2023-2024 biennial budget of \$20.9 million, a team of 18.5 FTEs, and is governed by a five-member Board of Commissioners serving six-year terms.



THE DISTRICT ENGINEER / ENGINEERING MANAGER

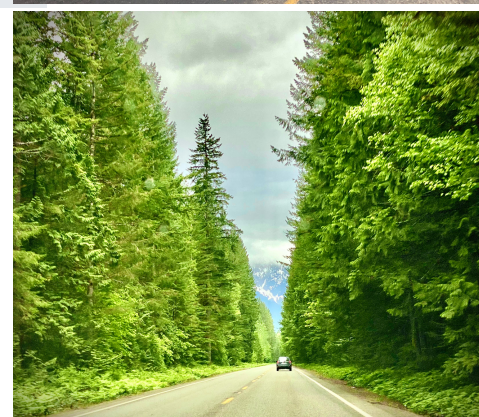
Reporting to the General Manager, the District Engineer is responsible for managing and directing all engineering activities in the design and construction of District and developer-funded projects.

- Oversees and manages complex capital projects, engineering planning studies and engineering contracts including preparation of permits, design, and construction drawings and specifications; and is responsible for capital project construction inspection and asset management system development and maintenance.
- Responds to citizen concerns related to projects, permits, and other issues related to the District; assists the General Manager in the development and implementation of District policies and procedures; supervises the Engineering Department staff comprised of the Construction Engineer (a PE) and Engineering Technician/Safety Officer.



EDUCATION & EXPERIENCE

Five years of progressively responsible experience in engineering and project management in a public utility or water and sewer district, including three years of supervisory experience; and a bachelor's degree in civil engineering, construction management or related field. Or any equivalent combination of education and experience that provides the knowledge, skills and abilities required to perform the job.



LEARN MORE

Visit: gmphr.com

Salary Range: **\$117,500-\$148,700** annually DOQ

First Review Date: **July 16, 2023**

More Information: Dave Zabell, GMP Consultants
dzabell@gmphr.com / (509) 834-9343



INTERIM PUBLIC UTILITIES DIRECTOR EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into as March 18, 2024, by and between the **CITY OF BRAINERD, MINNESOTA**, a municipal corporation ("City") and Patrick Wussow ("Employee").

RECITALS

- A. On January 2, 2024, the City Council accepted the resignation of Public Utilities Director Todd Wicklund effective at the close of business on May 3, 2024. The Council also re-established the 2023 Public Utilities Director Work Group to oversee the 2024 hiring process for our Public Utilities Director position.
- B. On March 5, 2024, the Public Utilities Director Work Group determined it had an unsuccessful hiring search and recommended to the City Council to begin a new hiring search utilizing an Executive Search Consultant.
- C. The City anticipates that it will take additional time beyond May 3, 2024, to secure the services of a new full-time Public Utilities Director.
- D. Employee agrees to serve as Public Utilities Director for the City on a part-time, interim basis until a new Public Utilities Director begins work, on the terms and subject to the benefits, inducements, and conditions agreed to by the Parties, which have been negotiated and agreed to by the Parties for their mutual benefit.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this Agreement, the City and Employee agree as follows:

SECTION 1 - RECITALS

The Parties accept and acknowledge the recitals as part of this Agreement.

SECTION 2 - DUTIES

- A. The City will employ Employee as Interim Public Utilities Director of the City effective April 15, 2024, to perform the functions, duties and powers of the position as established under the Charter and Minnesota law and under the ordinances of the City, and to perform such other duties and responsibilities as shall from time to time be duly assigned by the City Council and the Public Utilities Commission. Employee will faithfully and diligently perform all of the duties, responsibilities and powers so vested, delegated, or assigned, and shall obey all laws of the United States and of the State of Minnesota and all ordinances of the City. Except as provided herein, Employee will devote his work time to his duties and responsibilities to the City and will hold no other employment. Employee will not perform any services for any other entity or for any person, except a member of his family, and will not accept any remuneration therefor, without the prior approval of the City Council. Employee will not engage in any activities or conduct that is foreseeably likely to bring dishonor or disrepute to his position or to the City.

- B. Employee will provide up to 30 hours on average of service to the City per work week. Employee shall be present during normal business hours as well as attend at least one City Council per month similar to all other city department heads and other evening meetings and weekend meetings as required by the City. Time spent attending evening and weekend meetings count towards the up to 30 hours on average hours per week requirement by this Agreement.
- C. Employee will be compensated as the Interim Public Utilities Director when assisting the City in mediation with the IBEW Local No. 31 Public Utility Union. Said time will be counted towards the up to 30 hours on average work week.

SECTION 3 – TERM OF AGREEMENT

- A. Employee will serve as the Interim Public Utilities Director for approximately four (4) to six (6) months until the earlier of: (1) the start of work of a Public Utilities Director approved by the City Council with a two-week training overlap with the new Director; or (2) the close of business on October 18, 2024, at which time this Agreement will automatically expire unless the parties agree, in writing, to extend this Agreement. The parties agree that this Agreement cannot be extended, modified, or renewed by conduct or by any means other than a written agreement signed by both parties.
- B. Employee's tenure, service, and authority as Interim Public Utilities Director of the City shall be subject to termination at will by the City Council at any time.
- C. Upon expiration or termination of this Agreement, neither Party will have any further claim against the other and the City's employment of Employee will automatically end, unless the Parties enter into a subsequent employment contract.

SECTION 4 – SALARY AND PENSION

- A. During the term of this Agreement, the City will pay the Employee \$100.00 per hour for said services as well as the required Public Employees Retirement Association (PERA) pension Employer contribution. In the event that this Agreement is terminated or expires during a pay period, the final salary payment to the Employee pursuant to this Agreement shall be prorated to reflect the number of hours during that period in which this Agreement was in effect.
- B. Employee may choose to receive part of his salary in deferred compensation in accordance with applicable state and federal laws and applicable City policy.
- C. Employee shall not be eligible for additional pay or benefits under the City's longevity program or other applicable City policies.

SECTION 5 – BENEFITS

- A. The Interim Public Utilities Director position is not eligible for overtime pay, vacation or sick leave accruals, holiday or floating holiday pay, and/or health, life and long-term disability insurance coverage or premium payments including Opt-Out Payments.
- B. The Interim Public Utilities Director position is eligible for Earned Sick and Safe Time (ESST) as required by MN law.
- C. Employee shall not be entitled to any benefits contained in the City Personnel Policies, any previous contract, or any policy or practice generally applicable to other City employees that are not expressly identified herein.

SECTION 6 – OTHER TERMS OF EMPLOYMENT

- A. Except as otherwise specifically provided in this Agreement, all provisions of the City ordinances and the City Personnel Policy generally applicable to supervisory/confidential City employees shall apply to Employee.
- B. To the extent permitted by law, the City shall defend, indemnify, and hold harmless Employee against any and all civil claims, demands, suits, actions or proceedings of any kind or nature arising out of the performance by Employee of his duties and responsibilities as Public Utilities Director, except those arising out of malfeasance, willful neglect of duty, or bad faith. This indemnification shall not apply to any criminal proceedings.
- C. The City will reimburse Employee for miscellaneous job-related expenses that Employee incurs from time to time in accordance with the City's practice and policy for expense reimbursement for supervisory/confidential employees.
- D. It is understood that the position of Public Utilities Director requires attendance at evening meetings and occasionally at weekend meetings. It is further understood that the Public Utilities Director may need to be available to other City employees outside of the Employee's regularly scheduled up to 30 hours on average of service per week. Employee understands that additional compensation or compensatory time shall not be allowed for such additional expenditures of time. Employee may absent himself from the office to a reasonable extent in consideration of extraordinary time expenditures for evening and weekend meetings or duties required to be performed in excess of up to 30 hours on average in a workweek.
- E. Nothing in this Agreement prevents, limits or otherwise interferes with the right of the City to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement and statutory requirements.

Furthermore, nothing in this Agreement prevents, limits or otherwise interferes with the right of Employee to resign at any time from his position with the City, subject only to the provisions of this Agreement.

SECTION 7 - GENERAL PROVISIONS

- A. Whenever in this Agreement reference is made to any action of the City Council, such reference shall mean collective action in an official meeting, except insofar as such action is taken by ordinance or other form requiring the independent action of the Mayor, and unless the context clearly requires another meaning.
- B. The City will make reasonable appropriations and will budget reasonable amounts, in accordance with law and with the City ordinances, for all benefits, payments and reimbursements to which Employee is entitled under this Agreement.
- C. This Agreement shall constitute the entire agreement of Employee and the City, and shall supersede any prior agreements, understandings, or undertakings between them.
- D. This Agreement shall be governed by and shall be construed in accordance with the laws of the State of Minnesota and Ordinances of the City.
- E. This Agreement shall be binding upon and shall inure to the benefit of the heirs, executors, and administrators of Employee's estate.
- F. If any section, provision, condition or term of this Agreement, or application thereof to any circumstance, shall be held to be invalid or unenforceable for any reason by any court of competent jurisdiction, the remaining portions or applications hereof as can be given effect without the invalid or unenforceable provision or application shall remain in full force and effect, and to this end the provisions of this Agreement are declared to be severable.

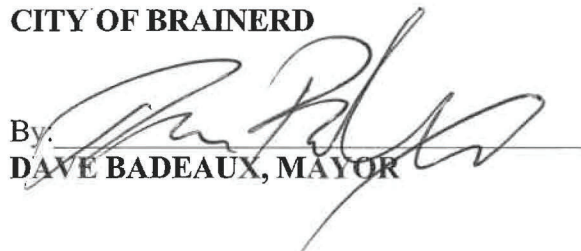
IN WITNESS WHEREOF, the City and Employee have approved and executed this Agreement in two (2) counterparts, this 18th day of March, 2024.

EMPLOYEE



PATRICK WUSSOW

CITY OF BRAINERD

By: 

DAVE BADEAUX, MAYOR



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: Bolton & Menk Water Plant Operations Manual

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Danny Loch, Finance Manager

DEPARTMENT: Public Utilities

PRESENTER: Danny Loch, Finance Manager

ESTIMATED TIME (MIN): 2

SUMMARY OF ISSUE: During preparation for engineering services related to the reclamation project, it was determined that the backwash and operations outlined for the water plant were not sufficient to provide the necessary information related to the design and size of the backwash and reclamation project. Staff have requested that Bolton & Menk prepare an operations manual with the outlined chapters to assist in the proper operation and sizing of the plant. This operations manual will provide updated processes and procedures as well as inform decisions related to the backwash and reclamation project. This is in addition to the reclamation process manual that will already be provided by the project.

During discussions with the finance committee, it was requested that additional information be provided for emergency operations and procedures to assist in such situations, i.e. a boil order, and that Bolton & Menk summarize savings for any trips not needed by their staff or combine trips to save cost with the original reclamation project.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Staff recommend the ratification of the proposal for operations manual preparation to assist with reclamation tank sizing and future funding applications.

FINANCIAL IMPACT: Not to exceed: \$44,700



Real People. Real Solutions.

7656 Design Road
Suite 200
Baxter, MN 56425-8676

Ph: (218) 825-0684
Fax: (218) 825-0685
Bolton-Menk.com

March 14, 2024

Mr. Todd Wicklund
Public Utilities Director
Brainerd Public Utilities
P.O. Box 373
Brainerd, MN 56401-0373

RE: Operations Manual Development – Water Treatment Facility
Engineering Proposal
Brainerd Public Utilities (BPU)

Dear Mr. Wicklund:

I have prepared a short proposal to prepare an operations manual for the water treatment facility. As part of this scope, onsite services will include trips to review operations and obtain information on filtration and backwashing procedures to use in the development of the operations manual. This document will serve as a basis for water operation and is set up to be modified with future water plant improvements. The operations manual will include process descriptions and operations recommendations and procedures for each process at the existing water treatment facility.

The Minnesota Department of Health (MDH) strongly encourages all water utilities to keep and maintain an operation manual. These documents should be regularly reviewed and updated each year and with each infrastructure improvement. The manual serves as a living record of how and why the facility is operating. It is also a reference for operations staff to better understand each component of the system and how the components work together to provide high quality drinking water.

PROJECT UNDERSTANDING – Operations Manual

The most recent operations manual for the WTF is from 1991. It is outdated and does not meet current industry standards. Several projects have been completed since the last manual update. The improvements and operational adjustments have not been incorporated into the document. MDH recommends annual review and updating of an operation manual.

A water reclamation and backwashing system is currently under design for BPU. It is important to include these improvements in the manual. As part of the design, understanding backwashing requirements for current and future operations is critical for the size of the tank and proposed backwashing flow requirements. This operations manual provides the necessary guidance for water plant staff to operate the water facility. The goal is to have a manual operations staff can rely on and review to understand water filtration procedures and backwashing requirements. The final report will be the foundation of decision making for the operation of the facility to pump and treat water.

The final deliverable will be a seven-chapter report that will include the following sections:

1. Introduction
2. Discussion of personnel responsibilities
3. Description of the operation and control of the water treatment facility (for each process at the treatment facility)
 - a. Discussion on water chemistry
 - b. Chemical feed calculations
 - c. Normal valve operation
 - d. Filtration procedures
 - e. Backwash procedures
 - f. Reclamation procedures
4. Review of maintenance needs in the facility
5. Discussion of emergency and safety at the water treatment facility
6. Discussion of laboratory testing procedures and regular testing procedures
7. Records keeping
8. Appendix: process flow diagrams and laboratory testing procedures

The following tasks are included in our proposed approach:

- Task 1 – Operations Evaluation and Onsite visits (10 trips total)
- Task 2 – Operations Manual Development

PROJECT FEES SCHEDULE – Operations Manual

We propose to provide the services to complete the operations manual and onsite observation on an hourly not-to-exceed basis estimated at **\$44,700**. This fee would not be increased without prior authorization from the Utility. This scope represents approximately 5 team members including a water treatment plant operation expert and 256 hours of engineering and technical staff hours to complete the operations manual. This proposal includes a total of 10 site visits during the operations evaluations to shadow treatment plant operators to understand how the plant is being operated and to provide a thorough written description of how to operate the facility. Four (4) of the trips will be by a water plant operations expert. Bolton & Menk intends to begin work upon approval from BPU. The final operations manual will be reviewed with BPU staff before finalizing the manual in the summer of 2024.

A summary of tasks, estimated hours, and proposed trips is provided below.

Task	No. of trips	Estimated Hours	Engineering Fee
Task 1: Operations Evaluation and Onsite visits	10*	128	\$22,600
Task 2: Operations Manual Development and Writing	0	128	\$22,100
Estimated Total:	10	Approx. 256 Hrs.	\$44,700
* 4 trips by WTP operation expert and 6 trips by engineering staff at BMI			

Mr. Todd Wicklund

March 14, 2024

Page: 3

If you have any questions, please feel free to contact me at any time at (612) 840- 6068. We are excited to have the opportunity to work with BPU on this project.

Sincerely,



Bolton & Menk, Inc.

Paul L Saffert P.E. (MN, MO, NC, ND, OH, SC)

Principal Environmental Engineer

cc: Morgan Salo, P.E., Bolton & Menk, Inc.
Mac Graupman, E.I.T. Bolton & Menk, Inc.
File

APPROVED BY: Brainerd Public Utilities

Signature

Date

Printed Name / Title



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: Legal Services - Hydro Generation Grant

AGENDA: Public Utilities

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Danny Loch, Finance Manager

DEPARTMENT: Public Utilities

PRESENTER: Danny Loch, Finance Manager

ESTIMATED TIME (MIN): 4

SUMMARY OF ISSUE: During discussions with BARR engineering, it was determined that there are potential grants related to the hydro generation project. BARR provided contact information for Flaherty & Hood (F&H), F&H have provided grant services related to hydro generation in the past year specifically with Granite Falls who were successful with the same grant application in 2023. Staff met with the finance committee to discuss the potential of the grant application. F&H is proposing \$35,000 in fees related to grant application assistance and consulting.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Staff and the Finance Committee recommend approving up to \$35,000 in consulting fees from Flaherty & Hood for grant assistance and preparation related to the hydro generation project approved last meeting. Potential to receive unto \$9,950,000 in funding for the generation project.

FINANCIAL IMPACT: \$35,000

March 22, 2024

Todd Wicklund
Brainerd Public Utilities
8027 Highland Scenic Road
Brainerd, MN 56401

Thank you for your inquiry regarding legislative services for the 2024 and 2025 legislative sessions. This letter serves as both proposal and agreement for Flaherty & Hood, P.A. to provide services related to the Brainerd Public Utilities Commission potential request to the legislature to fund repair related to hydro-electric infrastructure.

Flaherty & Hood is well positioned to assist the Commission with funding related to hydro-electric infrastructure given our previous involvement and success at the legislature securing funding for a similar project in Granite falls. Additionally, in recent years, we have assisted numerous public entities across the state with state capital investment requests including wastewater infrastructure for the city of Windom, redevelopment of a quarry as an amphitheater in Waite Park, trail improvements and refurbishment of the Sheldon Theater in Red Wing, and funding for a section of U.S. Highway 14 expansion between Dodge Center and Owatonna. We have significant experience working with local governments and helping them obtain funding for critical infrastructure projects.

Scope of Services

In order to successfully secure passage of funding for your project, Flaherty & Hood staff will assist with the following legislative activities:

- Identifying sources of funding for the project
- Developing and executing a legislative strategy
- Drafting necessary legislation and amendments
- Securing bill authors
- Direct lobbying of committee chairs, key legislators, and the Walz Administration
- Creating handouts and other informational materials
- Monitoring progress of legislation through the House and Senate
- Coordinating testimony at legislative hearings

Project Management and Costs

Marty Seifert will be the day-to-day point of contact for Brainerd Public Utilities at Flaherty & Hood and will be primarily responsible for execution of the legislative activities described in this agreement. Seifert will be assisted by firm members Erik Simonson and Bradley Peterson. Peterson will have ultimate responsibility for service delivery on behalf of the firm. Other staff will be available to assist as needed.

Total fee for service will be \$35,000. This is a flat-rate fee that will be billed in May 2024.

Term of services would commence upon approval by the Brainerd Public Utilities Commission and would run through June 30, 2025. Either party may terminate this agreement with written notice to the other party. Should a termination occur, the Brainerd Public Utilities Commission will owe a pro-rated portion of the total fee due up to the time of the termination.

By entering into this agreement, the Commission understands that Flaherty & Hood represents other public entities seeking funding from the legislature. Flaherty & Hood advocates for each client's interest strenuously on its own merits. We do not believe that there is any conflict between our representation of Commission and other entities that may be seeking project funding. If we believe a conflict has arisen, we will immediately be in touch with both clients and seek to resolve the conflict to the satisfaction of both parties.

Conclusion

Flaherty & Hood, P.A. is pleased to provide legislative services to the Brainerd Public Utilities Commission for the 2024 and 2025 legislative sessions and we are confident that we can have a significant impact on advancing your interests.

If the proposal contained in this letter meets with your approval, please sign and return one copy to Flaherty & Hood and retain a copy for your records.

Very truly yours,

FLAHERTY & HOOD, P.A.

By:



Bradley Peterson, Shareholder Attorney

Accepted By:

Brainerd Public Utilities Commission

Brainerd Public Utilities Commission



Public Utilities Commission Agenda Request

MEETING DATE: March 26, 2024

TITLE OF ITEM: Surplus Items

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Danny Loch, Finance Manager

DEPARTMENT: Public Utilities

PRESENTER: Danny Loch, Finance Manager

ESTIMATED TIME (MIN): 2

SUMMARY OF ISSUE: The attached document lists items deemed surplus and no longer useful to the utility.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

RECOMMENDED ACTION/MOTION: Staff recommends approval of the sale of surplus items as attached.

FINANCIAL IMPACT:

Online Auction Request

Online auctions run for 7 to 10 days. Each lot is run as a separate auction. Inspections will be done by appointment only. Please provide all the information below along with digital photos of the lots and copies of titles for all vehicles and trailers. **BIDDER PAYMENTS MUST BE A CERTIFIED CHECK OR MONEY ORDER MADE PAYABLE TO SURPLUS SERVICES.** Full payments must be sent to Surplus Services as soon as possible.

Contact information

Department/Agency:	BRAINERD PUBLIC UTILITIES		
Contact Name:	ANNMARIE LAMSER		
Address:	8027 HIGHLAND SCENIC RD		
Email:	ALAMSER@BPU.ORG		
Phone:	218-825-3233		
Item Location:	BRAINERD PUBLIC UTILITIES		
Deposit Info Vendor Number:		Remittance Address:	

Lot Information

Please review our website: www.MinnBid.org. Look over some of the past and current Online Auctions. This will give you an idea of what the information should be provided in the Remarks section.

LOT 1

Year		Make	OFFICE DESK	Model	
VIN/Serial Number					
Mileage		Condition	USED	Reserve Price (optional)	\$
Remarks: Any known Defects and options the unit may have	Used 5 drawer office desk. 66" W x 36" D x 29" H				

LOT 2

Year		Make	Vintage lights	Model	
VIN/Serial Number					
Mileage		Condition	Used	Reserve Price (optional)	\$
Remarks: Any known Defects and options the	Box included 6 vintage Noma 5 light Wrought Iron candoliers and lots of extra bulbs. Light fixtures all work, boxes in poor condition.				

unit may have	
---------------	--

LOT 3

Year		Make	Basketball hoop	Model	
VIN/Serial Number					
Mileage		Condition	Used	Reserve Price (optional)	\$
Remarks: Any known Defects and options the unit may have	Lifetime World Class 47 1/2" x 26" basketball hoop with Shatter Guard backboard. Removed from a Fitness Center.				

LOT 4

Year		Make	Tools/Parts	Model	
VIN/Serial Number					
Mileage		Condition	Used	Reserve Price (optional)	\$
Remarks: Any known Defects and options the unit may have	Pallet of miscellaneous DeWalt tools, car parts, hazard lights and Bosch drill. All tools work, batteries unknown. The 15 Hazard lights use a 6v lantern battery some work, some don't, Various car lights and bulbs. Refer to pictures for specifics.				

LOT 5

Year		Make	1310	Model	Avery-Weigh-Tronix
VIN/Serial Number					
Mileage		Condition	Used	Reserve Price (optional)	\$
Remarks: Any known Defects and options the unit may have	Used Avery Weigh-Tronix model 1310. Certified every year until removed for a new system. See pictures for model specifics.				

BIDDER PAYMENTS MUST BE A CERTIFIED CHECK OR MONEY ORDER MADE PAYABLE TO SURPLUS SERVICES. Full payments must be sent to Surplus Services, 5420 Old Highway 8, Arden Hills, MN 55112 as soon as possible.

I certify that this is property owned by agency submitting this form and is not subject to any lien, restriction, or other encumbrance.

Authorized Signature

Title

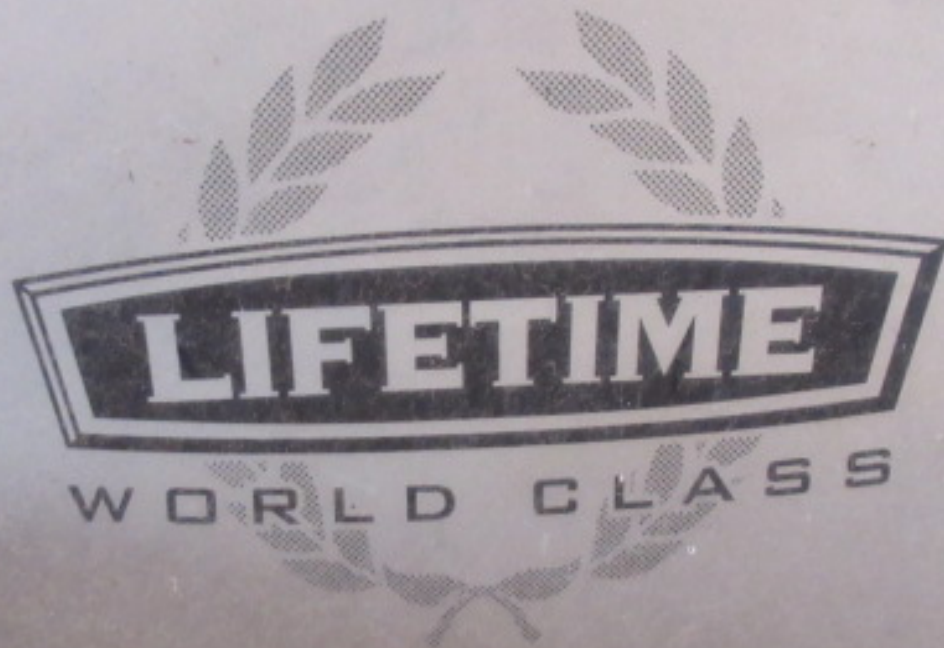
Date

Surplus Services Use Only	
	Surplus Services Authorization











Weigh-Rite Scale Co., Inc. (800) 446-3689

Date Calibrated: By: Next Calibration:

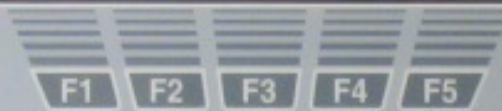
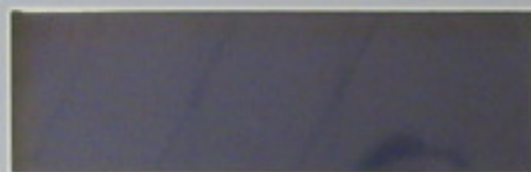
4-20-23 J.E. 4-24

Weigh-Rite Scale Co., Inc. (800) 446-3689

Date Calibrated: By: Next Calibration:

4-20-23 J.E. 4-24

capacity: 100.00 x .02 lb / 45.36 x .01 kg



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ESC

ENTER

Avery Weigh-Tronix

Weigh-Rite Scale Co., Inc. (800) 446-3689

Date Calibrated: By: Next Calibration:

4-20-23 J.E. 4-24

Weigh-Rite Scale Co., Inc. (800) 446-3689

Date Calibrated: By: Next Calibration:

4-20-23 J.E. 4-24

HR Director's Report to BPU Commission

March 22, 2024

Personnel:

- Two BPU Department employees were off from work this past month for non-work-related medical issues. One of those employees was absent intermittently.
- Our third Mediation session with the IBEW Public Utility Union is scheduled for April 22nd.
- We have started the hiring process for several summer intern positions for the Business Office, Water/Wastewater and Water Distribution. Sourcewell has approved funding (up to \$14 per hour) for each internship if we are able to hire qualified individuals for those positions.

Updated Job Descriptions:

Over the last couple of months both the HR Department and Public Utilities Department Staff have been working to update the job descriptions as noted in the Commission's Unfinished Business. At the March 4th City Council meeting, the Council approved the updated job descriptions for the Water Crew Chief, Water Serviceworker, Water Plant Chief Operator, Water Plant Operator, and Wastewater Crew Chief. Following the approval, HR Staff emailed the updated job descriptions to the employees in those classifications and have instructed them to utilize those job descriptions moving forward. We plan to present the updated job descriptions for the Operations Manager, Water/Wastewater Manager, and Maintenance Mechanic positions at the Commission's March meeting.

Wage Adjustment for Finance Manager:

Finance Manager Danny Loch informed us that he received an external job offer and inquired if the City could try to get closer to that offered wage. Danny is currently on Step 2 and paid \$49.29 per hour. Public Utilities Director Wicklund, City Administrator Broyles, Finance Director Hillman and I discussed this and we will be recommending to the City Council to adjust his wage to Step 6 or \$56.52 per hour effective April 2, 2024. This recommendation is being made realizing that Danny has had an opportunity to work directly with Todd for the last five months and with Todd's pending retirement, it is best for the organization and operational efficiency to retain Danny if possible. Danny has said he would stay if the recommendation was approved by Council at their April 1st meeting.

Public Utilities Director Position:

On March 5th, the Public Utilities Director Work Group met to discuss their thoughts on the interview process and potential candidates for our Public Utilities Director position. At the March 18th City Council meeting, the Council approved the following Work Group recommendations:

1. Retained GMP Consultants for our Public Utilities Director search subject to the funding being approved by the Public Utilities Commission.
2. Approved an Interim Public Utilities Director Employment Agreement with Patrick Wussow subject to City Attorney Langel's review and approval.

Also discussed was Sourcewell's Consultant Reimbursement Program. Staff contacted Sourcewell to determine if that reimbursement program that was utilized for the City Administrator search, would be available for the Public Utilities Director search. Sourcewell Staff advised that as long as the invoice is dated after July 1, 2024, Sourcewell's reimbursement program will help fund 50% of GMP Consultant's fee up to a maximum reimbursement of \$10,000.

Performance Evaluation and Calibration Training:

On Monday, February 26th, the BPU Management Team and HR Staff conducted a mini-calibration session. Following that calibration session, BPU Management was asked to review all performance evals following the expectations discussed at the Performance Review training. City Administrator Broyles asked that all performance evals be completed properly and submitted to the HR Department by the end of the day on April 1st.

Wellness Committee:

On March 19th, the Wellness Committee delivered fruit baskets to all City Departments as a push to encourage employees to choose healthy snacks on the go. This also allows all employees to take part in the 'Fruit Basket' Wellright challenge that encourages keeping fruit on your counter with the added bonus of receiving 20 Wellright points for doing so! If you are having issues getting into your Wellright profile or have questions about our Wellness Program, please reach out to either myself or Mandy!

On March 27th, Police Officer Jay Personius will be presenting on Tick Prevention. With the Spring/Summer months approaching, it is important to understand the precautions you can take to keep yourself safe while enjoying the outdoors.

The Wellness Committee has scheduled the City's annual Bio-Metric Screening for April 18, 2024. Additional information including the registration process will be distributed in the next week or so.



BRAINERD PUBLIC UTILITIES

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Brainerd Public Utilities Finance Managers Report March 26, 2024

December 2023 Financial Report

Staff are still working through the year-end entries, reconciliation and preparing audit entries related to pension and other post-employment benefit activity. Once receive additional information confirming final entries from the auditors December financial reports and following 2024 reports will be prepared.

2023 Audit

The audit is still on going, auditors expect to have the audit completed and present at the next Commission meeting. The audit went well during the on-site visit and staff are completing the final requests and providing schedules related to the draft reports of the final report. Additional items are still coming in related to the pension information from the audit of PERA. This was received late last week and are expected to be completed the end of this week.

Water Treatment Facility Reclamation and Backwash Project

Working with Bolton & Menk on the finalized granting process for the PFA grant of \$5M. This was approved at the council meeting two weeks ago and we are now working with PFA to get all the necessary documentation set up as was part of the bid documents.

Wellhead Protection Plan

Final information and questions have been provided to Bolton & Menk, a final draft is being prepared and expected to be presented at the next Commission meeting.

Region V LEAP (Local Energy Action Plan) Grant Application

We are continuing our work with Region 5. The grant has moved to the next steps in the process and updates have been received that the grant has made it to the last approval process step with the department of energy.

Co-Digestion Project Grant application MnTAP

Ongoing work related to grant application with MnTAP and Co-digestion potential at the wastewater treatment facility. Conversations have been occurring with NREL related to the feasibility of producing additional energy from methane production. Staff received an update from the team last week and generating potential with preliminary numbers may lead to the ability to produce enough energy to offset wastewater costs.

Credit Card Transaction Fees

Next Commission meeting we will have acquired 4 quotes on credit card transaction fees. In discussions with providers besides global payments, all have indicated we can receive reduced rates. Staff are meeting with Nieve systems to go over their quote and discuss transaction fee rates on Wednesday March 27th. This presentation will be the last in the information gathering prior to presentation to Commission.

See additional attached documents.



Brainerd Public Utilities, MN

Packet Summary Budget Report

Group Summary

For Fiscal: 2024 Period Ending: 03/31/2024

Account Typ...	Original YTD Budget	Current YTD Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Fund: 1 - ELECTRIC						
Revenue	6,317,871.84	6,317,871.84	1,859,399.71	6,618,858.40	300,986.56	4.76 %
Expense	5,820,870.72	5,820,870.72	1,693,490.66	5,457,192.67	363,678.05	6.25 %
Fund: 1 - ELECTRIC Surplus (Deficit):	497,001.12	497,001.12	165,909.05	1,161,665.73	664,664.61	-133.74 %
Fund: 2 - WATER						
Revenue	983,456.46	983,456.46	198,068.99	834,775.17	-148,681.29	15.12 %
Expense	1,094,412.06	1,094,412.06	164,949.17	480,956.02	613,456.04	56.05 %
Fund: 2 - WATER Surplus (Deficit):	-110,955.60	-110,955.60	33,119.82	353,819.15	464,774.75	418.88 %
Fund: 3 - WASTEWATER TREATMENT						
Revenue	1,216,163.34	1,216,163.34	271,543.14	1,536,863.58	320,700.24	26.37 %
Expense	1,198,470.42	1,198,470.42	120,672.36	316,870.01	881,600.41	73.56 %
Fund: 3 - WASTEWATER TREATMENT Surplus (Deficit):	17,692.92	17,692.92	150,870.78	1,219,993.57	1,202,300.65	-6,795.38 %
Fund: 4 - HYDRO DAM						
Revenue	3,298.68	3,298.68	0.00	0.00	-3,298.68	100.00 %
Expense	111,255.48	111,255.48	36,938.88	149,105.94	-37,850.46	-34.02 %
Fund: 4 - HYDRO DAM Surplus (Deficit):	-107,956.80	-107,956.80	-36,938.88	-149,105.94	-41,149.14	-38.12 %
Report Surplus (Deficit):	295,781.64	295,781.64	312,960.77	2,586,372.51	2,290,590.87	-774.42 %

Fund Summary

Fund	Original YTD Budget	Current YTD Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
1 - ELECTRIC	497,001.12	497,001.12	165,909.05	1,161,665.73	664,664.61
2 - WATER	-110,955.60	-110,955.60	33,119.82	353,819.15	464,774.75
3 - WASTEWATER TREATMENT	17,692.92	17,692.92	150,870.78	1,219,993.57	1,202,300.65
4 - HYDRO DAM	-107,956.80	-107,956.80	-36,938.88	-149,105.94	-41,149.14
Report Surplus (Deficit):	295,781.64	295,781.64	312,960.77	2,586,372.51	2,290,590.87

