LINWOOD TOWNSHIP

ANOKA COUNTY
22817 Typo Creek Drive N.E.
Stacy, Minnesota 55079
(651) 462-2812 • Fax (651) 462-0500
Email: info@linwoodtownship.org
Website: http://linwoodtownshipmn.gov

AGENDA
Town Board Meeting
Tuesday, June 23, 2026 - 6:30 pm
Town Hall Chambers

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM

This is an opportunity for residents to present items to the Board that are not on the agenda. Each presentation is limited to three (3) minutes, and a maximum of fifteen minutes is set aside. If your item needs follow-up from the Township, staff will arrange for that.

5. CONSIDERATION AND APPROVAL OF AGENDA

6. CONSIDERATION AND APPROVAL OF CONSENT AGENDA

6.1 Approval of June 9, 2026 Meeting Minutes
6.2 Approval of June 9, 2026 Workshop Meeting Minutes
6.3 Resolution 2026-09: Liquor and Gambling (bingo) for Fun Fest
6.4 Claims List for Approval #39500 - #39512 Total $89,491.22
6.5 Payroll for Approval $24,672.01

7. NEW BUSINESS

7.1 PUBLIC HEARING: Chapter 2, Article I, III and VI for proposed ordinance amendments
7.2 Resolution 2026-08: Variance for 8560 North Fawn Lake Road NE – Cindy Nash
7.3 Resolution 2026-011: Variance for Pajtsheng and Ntxhi Estates for shared driveway – Cindy Nash
7.4 Resolution 2026-012: Final Plat for Pajtsheng and Ntxhi Estates – Cindy Nash
7.5 Resolution 2026-010: Chapter 6 ordinance amendment – Cindy Nash
7.6 P&Z Action Item List: Direction for Cindy Nash to assist P&Z process – Supervisor Luedtke
7.7 Resolution 2026-06: Appointing Election Judges for 2026 Primary –Julie Dahnke
7.8 Request for Action: Pay for Election Judges – Julie Dahnke

7.9 Request for Action: Date change for AB voting – Julie Dahnke

7.10 Request for Action: Re-Appointment of Joe Dolphy to the P&Z Commission – Supervisor Cole

8. OLD BUSINESS

8.1 Resolution 2026-07: Continued use of Electronic Pollpads – Mark Allseits

8.2 Planning and Zoning Committee Seat Terms – Supervisors

- 8.2.1 Application for Joe Dolphy
- 8.2.2 Application for James Garrison
- 8.2.3 Application for Rory Paggen
- 8.2.4 Letter of Interest from Robert Kreft

8.4 Request for Action: Employee Handbook – Jonn Olson

- 8.4.1 Employe Handbook Version 1.0

9. CLOSED SESSION

9.1 Performance Review – Coordinator, Alicia Morris

The performance review portion will be a closed session pursuant to Minnesota Statutes, section 13D.05, subd. 3(b) to discuss the performance review of Coordinator Morris

10. UPCOMING MEETINGS

10.1 Town Board Monthly Workshop – July 7, 2026 at 5:30PM

10.2 Town Board Workshop – July 14, 2026 at 5:30PM

10.3 PARCs – July 20, 2026 at 6:00PM

10.4 Planning & Zoning – July 21, 2026 at 6:00PM

The next Regular Town Board Meeting is scheduled for July 14, 2026 at 6:30PM

11. **ADJOURNMENT**

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Town Board Meeting
Meeting Minutes
June 9, 2026

Meeting called to order at 6:33 pm by Jonn Olson, Chair
Pledge to the Flag
Roll Call

Commission members present:	Samuel Cole, Lisa Henrickson, Dan Lametti, Andy Luedtke, Jonn Olson
Staff present:	Alicia Morris, Coordinator/Treasurer
Attorney present:	Mark Allseits
Residents present:	Jay Melton, Joe Dolphy, Al Hurtley, Ed Kramer, Hank Senger

PUBLIC FORUM
Jay Melton, 234th Lane. Reported that his neighbor has horses on the property which is 5.2 acres. Linwood code states the minimum lot size is 9 acres to have horses. Mr. Melton and Supervisor Olson will meet on June 10, 2026 to work toward resolving this issue.
Joe Dolphy, Fawn Lake Drive NE, stated that the office should send a letter for compliance to the homeowner and if they don't comply, then they would get a citation. Attorney Mark Allseits suggested specific items that would strengthen the township's position and support a favorable court ruling if litigation became necessary.

Al Hurtley, 229th Ave NE. Inquired if discussion of the easement between the School Forest and the homeowners land will be added to the agenda tonight. He was assured it will be added to the agenda.

CONSIDERATION AND APPROVAL OF AGENDA
Removal:

- 7.2 P&Z Committee Terms

Add:

- 7.4 Request for Garnishment

- 7.5 School Forest Access

Motion by Dan Lametti to approve the agenda as presented. Second by Sam Cole.
Motion carried. (5-0)

CONSIDERATION AND APPROVAL OF CONSENT AGENDA
Approval of May 26, 2026 Meeting Minutes
Approval of May 26, 2026 Workshop Minutes
Approval of June 2, 2026 Workshop Minutes
Claims List for Approval: 39482-39499; Total: $58,877.69
Payroll for Approval: $10,242.17

Recommended Changes to the June 2, 2026 Workshop Minutes:
The Workshop Minutes should have included information that residents, Joshua Phelps and Mike Frost, attended the workshop to recommend that they would like to see new members on the P&Z Committee.

Motion by Jonn Olson to approve the Consent Agenda with the amendments to the June 2 Workshop Minutes as noted above, seconded by Lisa Henrickson. Andy Luedtke abstained.
Motion carried. (4-0-1)

NEW BUSINESS
7070 Fawn Lake Dr NE – Non-Compliant Septic – Mark Allseits
Zierke Soil Testing Documentation
Rum River Consultants Communication
Attorney Mark Allseits outlined actions the Town Board could take to ensure compliance.

Joe Dolphy stated he took advantage of the two-year time frame to save money to pay for a new septic system. He contracted with Zierke Soil testing to come out and do soil borings and with Hassel Free to install the new system. He expressed frustration with the course of action taken by Rum River.

Motion by Andy Luedtke to table the issue of ensuring compliance to have time to formalize language of an abatement agreement with the property owner until the June 23 Meeting. Second by Dan Lametti. Motion carried. (5-0)

MnDOT Agreement No. 1062604 – Supervisor Olson
Resolution 2026-05
This is regarding the project on 205th completed in 2023 using LRUP grants; the township needs the paperwork outlining the scope and the cost of the project. Craig Yoakum generated a document the township needs to sign in order to receive disbursements from the grant.

Motion by Jonn Olson to grant the Town Board Chair to sign the MnDOT Agreement No. 1062604. Second by Andy Luedtke.
Discussion: Grant funds will be received in phases, and an escrow account will be established to manage the payments. All ayes, motion carried. (5-0)
Motion by Jonn Olson to approve Resolution 2026-05 which is a local road improvement program

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grant agreement, grant terms and conditions, SAP number 002-592-001. Second by Dan Lametti. Motion carried. (5-0)

Request for Garnishment, Mark Allseits

The township received a Request for Garnishment notice from a law firm to collect an unpaid debt from a Linwood Township employee or volunteer. There is a Minnesota Statute that states if the individual earns $455.20 or less in weekly gross earnings, the percent of disposable earnings to be withheld are 0%. Attorney Allseits confirmed that the individual earns less than this amount, thus he is seeking authorization from the board to draft a response to the law firm seeking garnishment that there is no withholding to be had because of the low wages earned on a gross weekly basis. Once that is complete, he will send a confidential memo to the board so they have the complete information. The information should remain confidential due to personnel data that prohibits the board from disclosing information of any employees or bona fide volunteers.

Motion by Jonn Olson to authorize Attorney Allseits to draft a document indicating the wage threshold of the employee. Second by Supervisor Henrickson, Motion carried. (5-0)

School Forest Access

Discussion was held regarding access to the School Forest. Attorney Allseits reported that a recorded perpetual easement exists between the State of Minnesota and the adjoining property owner. He recommended having a surveyor review the easement document and property to determine whether the existing easement covers the route currently used by students to access the School Forest. The easement references three pathways that require clarification. If the existing easement covers the route, no additional agreement is needed; if not, a new easement should be pursued before the property's sale closes.

Ed Kramer noted the access route is used annually for a Halloween event involving approximately 500 participants. Supervisor Olson suggested that, if necessary, an alternative trail could be explored through adjacent State-owned land west of the school. Attorney Allseits recommended that the School District engage a surveyor to determine whether the current easement provides the needed access.

Supervisor Cole agreed to research the easement records and contact the prospective property owner regarding continued access. He will report his findings at a future Town Board meeting.

Motion by Jonn Olson to authorize Supervisor Cole to research the easements and property use and to contact the prospective landowner regarding continued access. Second by Lisa Henrickson.

Discussion: Sam will go to the Recorders Office to learn about the easements and anything else attached to that property.

All ayes, motion carried. (5-0)

OLD BUSINESS

PARC'S To Do List – Sam Cole

Supervisor Cole reported that the Linwood Parks and Recreation Committee toured all active township parks this spring to assess their condition. Following the tour, the committee submitted a four-page list of recommended maintenance and improvement projects. The Board will review the list to determine which items can be completed by Public Works.

Supervisor Olson will coordinate with Public Works regarding the projects they will undertake and will attend the Parks and Recreation Committee meeting next Monday.

PARC Survey to Residents, Sam Cole
The Committee would like to post a survey for Linwood residents to learn how the community uses the parks, what they like/dislike, etc. They would like to host small (no cost activities) in the parks such as flying kites, a community kickball game, etc. to encourage residents to use the parks and foster a sense of community.

Supervisor Olson stated if a survey is made available to township residents, it should be established and maintained by the office to ensure document and data retention. His preference is that the survey be hosted on the website. A link to the survey on the township's website could be posted on a member of the PARCs Committee social media.

Motion by Sam Cole to direct staff and PARCs Committee to collaborate on creating a survey on the township's website.
Amended Motion by Sam Cole to direct the PARCs Committee to collaborate with the Township Coordinator to create the survey for PARCs usage. Second by Andy Luedtke. Motion carried unanimously. (5-0)

PARCs Committee – Scheduling Park Activities, Sam Cole
The committee seeks the board's approval to plan park activities that do not cost any money freely without board approval each time. The consensus was that the issue will be discussed at the upcoming workshop.

Clerk Position – Alicia Morris
Request for Action – Post for Clerk Position
Clerk Job Description
Clerk Position Posting

Motion by Jonn Olson to approve the Clerk Job Description as written, additionally approve the coordinator to post and advertise to seek applicants for the town clerk position. Second by Sam Cole. Motion carried unanimously. (5-0)

UPCOMING MEETINGS
Town Board Workshop – June 23, 2026 at 5:30PM
Public Hearing Meeting re: revised fee schedule – June 23, 2026 at 6:30PM
PARCs – June 15, 2026 at 6:00PM
Planning & Zoning – June 16, 2026 at 6:00PM

The next Regular Town Board Meeting is scheduled for June 23, 2026 at 6:30PM
Attorney Allseits stated:

- Has stopped work on the employee personnel document. Jonn noted he has almost completed his editing.

- Attorney Allseits has stopped all work until he receives further direction from the Board.
- Signs in the Right of Way. He offered to draft a template the office can use to plug in the names and send out as needed, or he can draft letters and send according to board approval.

Jonn Olson stated that he and the office staff will locate the documents outlining the township's code enforcement procedures and process so that enforcements can proceed accordingly.

***Motion* by Sam Cole to adjourn, seconded by Lisa Henrickson. Motion carried. (5-0)**

Meeting adjourned at 8:03PM.

Respectfully submitted by Linda Hurtley, Contract Office Assistant

Minutes Approved: June 23, 2026

Chairperson: _____
Jonn Olson

Attested: _____
Julie Dahnke, Interim Clerk

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ANOKA COUNTY
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Town Board Workshop Minutes

June 9, 2026

CALL TO ORDER: *Meeting called to order at 5:30 pm by Supervisor Olson*

ROLL CALL:

Members present:	*Dan Lametti, Samuel Cole, Jonn Olson, Lisa Henrickson, Andy Luedtke*
Staff present:	*Alicia Morris, Coordinator/Treasurer*
Residents present:	*Joe Dolphy Jr, Ed Kramer*

APPROVAL OF AGENDA Supervisor Olson motion to approve agenda as amended, seconded by Supervisor Henrickson. Motion carried (5-0).

COORDINATOR REVIEW

Discussion was held regarding scheduling closed 30-day review of Coordinator position.

PACKET PREPARATION

Discussion was held regarding creation of process for packet preparation.

RECYCLING

Supervisor Henrickson raised question regarding grant coverage for the Recycling program.

POLL PAD DISCUSSION

Supervisor Henrickson provided updates regarding Oak Grove and requested Mark to update first page of proposed resolution.

PLANNING & ZONING ORDINANCE CHANGES

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Discussion held regarding proposed ordinance revisions for public hearing. Supervisor Luedtke will continue working with staff to complete.

Motion to adjourn by Supervisor Henrickson, second by Supervisor Lametti. Motion carried (5-0). Meeting adjourned at 6:11pm.

Respectfully submitted by Alicia Morris, Coordinator/Treasurer

Minutes Approved on June 23, 2026

Chairperson: _____

Jonn Olson

Attested: _____

Julie Dahnke, Interim Clerk

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TOWN OF LINWOOD
ANOKA COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2026-09

RESOLUTION ACKNOWLEDGING LINWOOD FIRE ASSOCIATION'S INTENTION TO SELL LIQUOR AND CONDUCT GAMBLING ACTIVITIES FOR A ONE DAY EVENT

WHEREAS, the Linwood Fire Association desires to sell on-sale liquor and conduct gambling activities at the Linwood Township Fire Station, 22870 Typo Creek Drive NE, Stacy, MN for their Annual Fundraising Event on September 12, 2026; and

WHEREAS, per Minnesota statutes, a township has no statutory authority to approve or deny a liquor or gambling permit, but local government acknowledgement is required before submitting the application to the appropriate state agencies; and

WHEREAS, the Linwood Fire Association has provided to the Township completed Liquor and Gambling applications; and

WHEREAS, copies of the Temporary On-Sale Liquor License and the Lawful Gambling Exempt Permit shall be provided to the Township by the Linwood Fire Association when the licenses have been issued by the MN Department of Public Safety Alcohol and Gambling Enforcement Division and the MN Gambling Control Board, respectively.

NOW, THEREFORE, BE IT RESOLVED, that Linwood Township acknowledges that the Linwood Fire Association intends to sell on-sale liquor and conduct gambling activities, limited to bingo and raffles, at the Linwood Township Fire Station during the Linwood Fire Association one-day Annual Fundraising Event on Saturday, September 12, 2026; and

BE IT FURTHER RESOLVED, that, at least two weeks prior to the event, the Linwood Fire Association shall provide the Township with proof of liability insurance, the name of the licensed and bonded security person who will be onsite during the event, and no Township employee may sell alcohol for the Linwood Fire Association while they are on duty and being compensated by the Township.

ADOPTED by the Board of Supervisors of the Town of Linwood this 23rd day of June 2026.

Approved: _____
Jonn Olson, Chairman

Attested: _____
Julie Danhke, Interim Clerk

Date Range : **6/23/2026 To 6/23/2026**

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
06/23/2026	Adam's Pest Control, Inc.	Inv#4541453 - Pest Control	39500	$120.32			
					225-42280-401-	Fire Sta. ons and Buildings	$120.32
06/23/2026	Anoka County Treasury Office	Inv.# CINC26-010727 - 2026 Q2 Law Enforcement Billing	39501	$79,135.50			
					232-42123-312-	Patrol	$79,135.50
06/23/2026	Blue Fire Training LLC	Inv. #93212 - Respose to Livestock Emergencies	39502	$1,840.00			
					225-42240-433-	Fire Training	$1,840.00
06/23/2026	Site Industries	Inv. #INV26415 - Annaul License	39503	$1,610.00			
					100-49010-433-	Cemetery	$1,610.00
06/23/2026	Connexus Energy	Electric service - May 2026	39504	$1,219.50			
					100-41940-381-	General Government Buildings and Plant	$115.27
					100-42501-381-	Civil Defense Expenditures	$16.20
					201-43160-381-	Street Lighting	$100.49
					245-43231-381-	43231 Recycling Collection	$76.00
					100-49010-381-	Cemetery	$16.50
					201-41940-381-	General Government Buildings and Plant	$122.28
					215-42401-381-	Building Inspections Administration	$59.26
					225-42280-381-	Fire Stations and Buildings	$394.50
					235-45186-381-	Senior Citizens Recreation	$98.77
					235-49041-381-	Transportation - Equipt, Maintenance & Garage	$9.88
					100-42222-381-	Firefighter Equipt & Expenses	$9.88
					240-41940-381-	General Government Buildings and Plant	$82.78
					240-45202-381-	Park Areas	$58.42
					232-42123-383-	Patrol	$59.27
06/23/2026	ECM Publishers	Inv. #1101878, Inv. #1101879, Inv. #1102995	39505	$138.55			
					100-41912-351-	Zoning	$56.50
					100-41912-351-	Zoning	$49.20

Date Range : **6/23/2026 To 6/23/2026**

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
					100-41912-351-	Zoning	$32.85
06/23/2026	Evergreen Recycling	Inv. #4104	39506	$897.50			
					245-43231-384-	43231 Recycling Collection	$897.50
06/23/2026	LePage & Sons	Inv. #323706	39507	$772.20			
					245-43240-384-	Waste (Refuse) Disposal	$772.20
06/23/2026	MidCo	Inv. #13376650115494, Inv. #13375590115494	39508	$460.73			
					225-42250-321-	Fire Communication	$114.14
					245-43211-321-	43211 Recycling Administration	$346.59
06/23/2026	Niel Meierhofer	Inv. #2026-01 - Equiptment Grant for 2025	39509	$600.00			
					225-42210-313-	Fire Administration	$600.00
06/23/2026	Raml's Tree Service	Inv. #2734 - Tree Removal	39510	$1,500.00			
					100-43128-403-	ROW Right of Way	$1,500.00
06/23/2026	Waste Management	Inv. #0143730-4812-4 - Waste Services 5/1/26-5/31/26	39511	$746.92			
					100-41940-384-	General Government Buildings and Plant	$34.69
					245-43231-386-	43231 Recycling Collection	$400.03
					201-41940-384-	General Government Buildings and Plant	$34.69
					225-42280-384-	Fire Stations and Buildings	$69.38
					235-45186-384-	Senior Citizens Recreation	$69.38
					240-45202-384-	Park Areas	$69.38
					215-42401-384-	Building Inspections Administration	$69.37
06/23/2026	MN Board of Firefighter Training	License Renewal - 6	39512	$450.00			
					225-42240-433-	Fire Training	$450.00

Date Range : **6/23/2026 To 6/23/2026**

Date	Vendor	Description	Claim #	Total	Account #	Account Name	Detail
Total For Selected Claims				**$89,491.22**			**$89,491.22**

Andrew Luedtke	**Vice Chair, Town Supervisor**	**Date**
Dan Lametti	**Town Supervisor**	**Date**
Jonn J Olson	**Chair, Town Supervisor**	**Date**
Lisa Henrickson	**Town Supervisor**	**Date**
Samuel Cole	**Town Supervisor**	**Date**

Chapter 2 ADMINISTRATION[1]

ARTICLE I. IN GENERAL

Sec. 2-1. Town board powers.

The supervisors of Linwood constitute a board designated as "The Town Board of Linwood Township." The town board shall have charge of all town affairs not committed to other officers by the laws of the state. Town supervisors are charged with the duty to make decisions on behalf of the town and have the responsibility to see that the town fulfills its duties to the state and to the town residents.

State law reference(s)—General powers of the town board, M.S.A. § 366.01, subd. 1.

Sec. 2-2. Composition.

(a) The town board shall be comprised of five board members, elected at large, for staggered four-year terms.

(b) The term of office shall begin on the first Monday of January next following their election. The oath of office must be taken and filed with the clerk before undertaking the duties of office.

(c) Incumbents must take the oath after each election. Every time the position is up for election or appointment, entry into office is treated the same even if the incumbent was reelected to the office.

(d) ~~Unless provided otherwise, three supervisors shall comprise a quorum.~~

State law reference(s)—Oath of office, M.S.A. § 367.25, subd. 1.

Sec. 2-3. General powers and duties of chair and vice-chair.

(a) The town board shall annually select a chair and a vice-chair from among the town board members.

(b) The town board chair shall perform the following duties in addition to the usual responsibilities of a supervisor:

(1) Preside over meetings of the town board.

(2) Sign documents.

a. Sign all ordinances, resolutions, bylaws, orders, regulations, licenses and permits adopted or authorized by the town board unless the town board, by motion, authorizes another officer to sign specific types of documents in lieu of the chair. The board, by resolution, may authorize the use of a facsimile signature.

b. Sign all drafts, order checks and transfer orders.

c. The town board chair shall not be authorized to execute any contract on behalf of the town unless and until the contract has been reviewed and approved by the town board and express authority has been granted to the town board chair by the board to sign the contract on behalf of

[1]State law reference(s)—Towns, M.S.A. § 365.01 et seq.

the town. Each page of any contract signed on behalf of the town must be signed or initialed at the time of signing.

(c) The town board vice-chair shall serve in place of the chair in the chair's absence, disability or refusal to preside.

(d) Emergencies prior to reorganization. In the event that immediate action by the township is required to protect the public health, safety, or welfare between the date of taking office and the time set for the annual reorganization of the town board, those members of the board remaining in office or, having taken the oath of office for a term to commence on the first Monday in January following their election, shall select a chairman pro tempore to serve until the scheduled reorganization.

Sec. 2-4. Reorganization.

At the annual reorganization meeting, to be held at the first town board meeting in January each year, the town board shall:

(1) Appoint a chair and vice-chair.

(2) Appoint board members that shall serve as liaisons between the town board and the various commissions, committees, departments and duties.

(3) Set the time and place of the regular public meetings of the town.

(4) Designate the official newspaper and town posting locations.

(5) Designate the town depository and officials to sign checks.

(6) Other business, as needed.

(7) Review Code of Conduct Polciy

Sec. 2-5. Vacancies.

A vacancy in the office of supervisor may be filled by the remaining supervisors until the next town election, when a successor shall be elected for the expired term. The supervisors may hold a special election to fill the vacant supervisor position. When a vacancy occurs in the position of the town clerk or town treasurer, the town board shall fill the vacancy by appointment.

Sec. 2-6. Compensation.

The town board shall set the compensation of supervisors, treasurer, clerk, deputy treasurer, deputy clerk, and all other employees of the town. The town board may fix the hours of employment for town employees.

Sec. 2-7. Election of supervisors.

(a) The town board supervisors are elected at large by the voters of the township at the general election to be held on the first Tuesday after the first Monday in November.

(b) The following outlines the years in which each town office would be scheduled for election:

Election Schedule of Town Offices

Seat	*Election Year*
Supervisor A	Same as U.S. Congressional midterm

Supervisor B	Same as U.S. Presidential
Supervisor C	Same as U.S. Presidential
Supervisor D	Same as U.S. Congressional midterm
Supervisor E	Same as U.S. Presidential

(Ord. No. 151, § 1, 3-24-2015)

Secs. 2-8—2-18. Reserved.

ARTICLE II. ELECTIONS (RESERVED)[2]

Secs. 2-19—2-41. Reserved.

ARTICLE III. BOARDS, COMMITTEES, COMMISSIONS

DIVISION 1. GENERALLY

Secs. 2-42—2-70. Reserved.

DIVISION 2. PLANNING AND ZONING COMMISSION[3]

Sec. 2-71. Establishment.

There is hereby established a planning and zoning commission.

(Code 2004, § 201.01)

State law reference(s)—Planning agency, M.S.A. § 462.354.

Sec. 2-72. Composition.

(a) The planning and zoning commission shall consist of seven regular members, each of whom shall be appointed for staggered terms of three years. Members shall be ~~resident freeholders~~residents of the town. Each member shall be appointed by a majority vote by the town board and may also be removed by a majority vote of the town board. ~~In addition, one alternate member of the planning and zoning commission, also a resident freeholder of the town, shall be appointed by a majority vote by the town board, who may also be removed by a majority vote of the town board. The alternate member shall attend all meetings of the planning and zoning commission but shall vote only in the absence of a regular member. The alternate~~

[2]State law reference(s)—Town general election, M.S.A. § 205.075; annual town elections, M.S.A. § 365.51.

[3]State law reference(s)—Municipal planning, M.S.A. § 462.12 et seq.

member shall be treated as a regular member in all other respects and shall receive the same compensation as regular members.

(b) Appointees shall hold their offices until their successors are appointed or qualified. The terms of ex officio members on the planning and zoning commission shall correspond to their respective official tenures. Vacancies during a term shall be filled by the board for the unexpired portion of the term. Every appointed member, before entering upon the discharge of the member's duties, shall take an oath that the member will faithfully discharge the duties of the member's office. Compensation will be set by the town board.

(Code 2004, § 201.02)

State law reference(s)—Organization for municipal planning, M.S.A. § 462.354.

Sec. 2-73. Organization and meetings.

(a) The planning and zoning commission shall elect its own chair and vice-chair. A secretary shall be appointed by the town board to preserve a record of the planning and zoning commission proceedings. Meetings of the planning and zoning commission may be called by the town board or by the chair of the planning and zoning commission. Four members of the planning and zoning commission shall constitute a quorum to do business.

(b) Set the time and place of the regular public meetings of the planning and zoning commission.The planning and zoning commission shall hold at least one regular meeting each month. It shall adopt rules for the transaction of business and shall keep a record of its resolutions, transactions and findings, which record shall be a public record. On or before February 1 of each year, the planning and zoning commission shall submit to the town board a report of its work during the preceding year from January 1 to December 31. Expenditures of the planning and zoning commission shall be within amounts appropriated for the purposes by the town board.

(Code 2004, § 201.03)

Sec. 2-74. Adoption of program of work.

(a) Upon the appointment and organization, the planning and zoning commission shall adopt by resolution a program of work, outlining activities proposed to be undertaken in the exercise of its powers and the performance of its duties. Such a program includes:

(1) An outline of data and information to be assembled as a basis for the town plan.

(2) An outline of subjects to be covered by the town.

(3) An outline of types of procedures necessary to make the town plan effective.

(b) The planning and zoning commission may, by resolution, revise its program of work from time to time.

(Code 2004, § 201.04)

Sec. 2-75. Adoption of plan.

(a) Before adopting any substantial amendment of the town plan, the planning and zoning commission shall hold at least one public hearing thereon. Notice of the time, place and purpose of the hearing shall be given by publication in the official town newspaper at least ten days before the day of the hearing. The adoption of the town plan or any section or amendment thereof shall be by resolution of the planning and zoning commission, approved by a majority of all the members of the commission. The planning and zoning commission may from time to time amend or add to the town plan or section thereof as herein provided for

the adoption of the original plan whenever changed conditions or further studies by the commission indicate that such amendment or addition is necessary.

(b) An attested copy of the plan or of any section, amendment or addition to the town plan adopted by the planning and zoning commission shall be certified to the town board.

(Code 2004, § 201.06)

Sec. 2-76. Town board procedure for plan effectuation.

Upon the adoption of the comprehensive town plan or any amendment thereof, it shall be the duty of the planning and zoning commission to recommend to the town board reasonable and practicable means for putting into effect such plan or amendment thereof in order that the same will serve as a pattern and guide for the orderly physical, economic and social development of the town and as a basis for the efficient expenditure of the funds thereof relating to the subjects of the town plan. Such means shall consist of zoning regulations, regulations for the control of subdivision plats, an official map, coordination of the normal public improvements of the town, a long-term program of capital expenditures and such other matters as will accomplish the purposes of this section.

(Code 2004, § 201.07)

Sec. 2-77. Zoning ordinance.

At any time after the adoption of a land use plan for the town, the planning and zoning commission, for the purpose of carrying out the policies and goals of the land use plan, may and upon instructions by the town board shall prepare a proposed ordinance and submit it to the town board with its recommendations for adoption. No zoning ordinance or amendment thereto shall be adopted by the town board until a public hearing has been held thereof by the planning and zoning commission after a notice similar to that required by section 2-75.

(Code 2004, § 201.08)

Sec. 2-78. Official map.

(a) After adoption of a major thoroughfare plan and a community facilities plan, the planning and zoning commission with the assistance of the town engineer, may and upon instructions by the town board, shall prepare an official map of the platted and unplatted portions of the town and adjoining territory, or portions thereof, indicating upon such map the land that is needed for future street purposes and as sites for other necessary public facilities and services within the town.

(b) After such map has been prepared, it shall be submitted to the town board, which shall thereupon consider such map and may adopt it or any part of it with such amendments as it deems advisable. Before such adoption by the town board, a public hearing shall be held upon the proposal at least ten days after a notice of the time, place and purpose thereof has been published in the official town newspaper. After such map has been adopted by the town board and filed with the county recorder, whenever any street or highway is widened or improved or any new street is opened or interests in land for other public purposes are acquired by the municipalities, it is not required in such proceedings to pay for a building or structure placed without a permit or in violation of condition of the permit within the limits of the mapped street or outside of any building line that may have been established upon the existing street or within any area thus identified for public purposes.

(Code 2004, § 201.09)

Sec. 2-79. Plats.

(a) Every proposed plat of land within the town shall be submitted to the town board before being filed and no plat of land shall be filed unless and until the same shall first have been approved by the town board.

(b) Any person who violates this provision or who sells land or offers land for sale or contracts for the sale of land by reference to or by other use of any plat before such plat has been approved by the town board in accordance with the provisions of this section, is guilty of a misdemeanor and upon conviction thereof shall be punished in accordance with the law.

(c) Before approving a plat, the town board shall submit the same to the planning and zoning commission for its recommendations. The planning and zoning commission, within 30 days after any such plat has been referred to it by the town board, shall act on the same and shall make its recommendations with respect thereof. Such recommendations may consist of:

(1) Recommendation that the town board approve such plat;

(2) Recommendation that the town board disapprove such plat, in which case such recommendation shall include a statement of the specific reasons for recommendation; or

(3) Recommendation that the town board approve such plat after specified changes or revisions are made therein, which recommendations may include the condition that a revised plat, containing such changes or revisions, be submitted to the planning and zoning commission, in which case such revised plat shall be so submitted to the planning and zoning commission for its further consideration and recommendations before action thereon by the town board.

(Code 2004, § 201.10)

~~Sec. 2-80. List of recommended public works.~~

~~Each officer, department, board or commission of or in the town whose functions include recommending, preparing plans for or constructing public works shall, at least three months before the end of each fiscal year, submit to the planning and zoning commission a list of the proposed public works recommended by such officer, department, board or commission for planning, initiation or construction during the ensuing fiscal year. The planning and zoning commission shall request from the local school district a similar list of its proposed public works. The planning and zoning commission shall list and classify all such proposed public works and shall prepare a coordinated program of proposed public works for the ensuing fiscal year. Such program shall be recommended by the commission to the town board and to such other officers, departments, boards or public bodies as have jurisdiction over the recommending, planning or construction of such public works. A copy of such recommended program of public works shall be included in the annual report of the planning and zoning commission provided for in section 2-73.~~

~~(Code 2004, § 201.12)~~

Sec. 2-81. Compliance with plan.

After a comprehensive town plan or section thereof has been recommended by the planning and zoning commission and a copy filed with the town board, no publicly owned interest in real property within the town shall be acquired or disposed of, nor shall any capital improvement be authorized by the town or special district or agency thereof or any other political subdivision having jurisdiction within the town until after the planning and zoning commission has reviewed the proposed acquisition, disposal or capital improvement and reported in writing to the town board or other special district or agency or political subdivision concerned, its findings as to

compliance of the proposed acquisition, disposal or improvement with the comprehensive town plan. Failure of the planning and zoning commission to report on the proposal within 45 days after such a reference, or such other period as may be designated by the town board, shall be deemed to have satisfied the requirements of this section. The town board may, by resolution adopted by two-thirds vote, dispense with the requirements of this section when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive plan.

(Code 2004, § 201.13)

Secs. 2-82—2-105. Reserved.

ARTICLE IV. ADMINISTRATIVE ENFORCEMENT PROCEDURES

DIVISION 1. GENERALLY

Sec. 2-106. Purpose and intent.

The administrative enforcement procedures established within this article are intended to provide the town with an informal, cost-effective and more efficient alternative to criminal prosecution or civil litigation for certain violations of the town ordinances. The town retains the right, at its sole discretion, to also enforce the town ordinances by bringing criminal charges or commencing civil litigation in any case where the town determines it is appropriate or necessary, but finds that an administrative process is beneficial to the residents of the town and further finds that such a process is a legitimate and necessary alternative method of enforcing ordinance violations. The penalties imposed by this article may be in addition to any other enforcement mechanism available to the town for violations of the town ordinances and state statutes.

(Ord. No. 179, § 1, 5-28-2019)

Sec. 2-107. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Ordinance compliance officer means any officer of the county sheriff's department, the town zoning administrator, or any person or company contracted to provide ordinance enforcement services who has received official authority by the town board to enforce the town ordinances. There may be more than one person designated as ordinance compliance officer at any given time.

Ordinance offense means a violation of any section, subdivision, paragraph or provision of the town Code or duly adopted ordinance.

Owner means an individual, association, syndicate, partnership, corporation, limited liability company, trust or any other legal entity holding an equitable or legal ownership interest in land, buildings, structures, dwelling units or other property.

(Ord. No. 179, § 2, 5-28-2019)

Secs. 2-108—2-127. Reserved.

DIVISION 2. PROCEDURE

Sec. 2-128. Civil penalty; administrative notice; citation; response.

(a) *Civil penalty.* An ordinance offense is subject to a civil penalty in accordance with the schedule set forth in section 2-309. The schedule establishes increasing civil penalties for the recurrence of the same or similar type of ordinance offense or for the ongoing failure to correct an ordinance offense.

(b) *Administrative notice.* An ordinance compliance officer may issue, either in person or by United States first class mail, an administrative notice to a person suspected or known to have committed an ordinance offense and/or to be the owner of property upon which an ordinance offense is being committed. The administrative notice shall identify the ordinance offense, the location upon which the ordinance offense occurred or is occurring, and the recommended corrective action for the ordinance offense. The administrative notice may also state that the alleged violator has, at the discretion of the ordinance compliance officer, up to 15 days to correct or abate the ordinance offense. If the alleged violator and/or owner of property upon which an ordinance offense is being committed is unable to correct or abate the ordinance offense within the prescribed time, that person may request in writing an extension of no more than 30 additional days from the ordinance compliance officer. Any extension granted by the ordinance compliance officer shall be in writing and shall specifically state the date of expiration. If the ordinance offense is not corrected or abated, as outlined in the administrative notice, within the prescribed time or any extension thereto, the ordinance compliance officer may issue a citation as provided in subsection (c) of this section.

(c) *Citation.* An ordinance compliance officer is authorized to issue a citation upon the belief that the alleged violator and/or owner of the property has failed to correct or abate the ordinance offense within the prescribed time. The citation shall be given to the person responsible for the violation and/or to the owner of the property upon which the violation has occurred, either by personal service or by United States first class mail. Said citation shall state the nature of the ordinance offense, the time and date said ordinance offense occurred, the civil penalty applicable to that ordinance offense as set forth in section 2-309, and the manner for paying the civil penalty or requesting a hearing before a hearing officer to contest the citation.

(d) *Responding to a citation/payment.* Once a citation is issued, the alleged violator and/or the owner of the property upon which the violation has occurred shall, within 15 days of the time of issuance of the citation, either pay the civil penalty set forth in the citation or request a hearing in writing according to the procedure set forth in section 2-155. The civil penalty may be paid either in person at the town hall or by United States first class mail postage prepaid and postmarked within said prescribed 15 days. Payment of the civil penalty shall be deemed to be an admission of the ordinance offense.

(Ord. No. 179, § 3, 5-28-2019; Ord. No. 198, § 1, 9-27-2022)

Secs. 2-129—2-154. Reserved.

DIVISION 3. APPEAL TO TOWN BOARD

Sec. 2-155. Procedure.

(a) *Requesting a hearing.* Any person contesting a citation issued pursuant to this article may, within 15 days of the time of issuance of the citation, request a hearing before the town board. Any request for a hearing shall be made in writing and delivered personally to the zoning administrator. A written hearing request shall also be delivered personally to the town clerk or mailed to the town hall by United States first class mail, postage prepaid and postmarked within said prescribed 15 days. The hearing shall be held at the town hall at the next regular town board meeting. Failure to attend the hearing constitutes a waiver of the violator's rights to an administrative hearing and an admission of the violation. The town board may waive this result upon good cause shown. A determination of good cause shall be made by the town board, but does specifically not include forgetfulness or intentional delay.

(b) *Town board to hear appeal.* If an appeal contesting the citation issued under this article is timely filed as outlined in subsection (a) of this section, the town board is authorized to conduct an informal hearing regarding the appeal to determine if an ordinance offense has occurred. The town board shall have the authority to uphold or dismiss the citation or reduce, stay or waive the civil penalty imposed upon such terms and conditions as the town board shall determine. The town board's decision shall be in writing. A copy of the town board's decision shall be served by United States first class mail upon the person requesting the hearing. The town board's decision is final.

(c) *Conduct of hearing.* At the hearing, the parties will have the opportunity to present testimony, documents and exhibits and question witnesses. The town clerk shall tape record the proceedings and receive testimony and exhibits. Strict rules of evidence will not apply. The town board shall receive and give weight to evidence, including hearsay evidence, that possesses probative value commonly accepted by reasonable and prudent persons in the conduct of their affairs.

(Ord. No. 179, § 4, 5-28-2019; Ord. No. 198, § 2, 9-27-2022)

Secs. 2-156—2-178. Reserved.

DIVISION 4. ENFORCEMENT

Sec. 2-179. Civil penalty; failure to comply or pay.

(a) In the event a person charged with an ordinance offense fails to pay the civil penalty or request a hearing in writing according to the procedure set forth in section 2-155, a late charge of six percent of the civil penalty shall be imposed thereon and shall continue to accrue at the same rate per annum while the civil penalty remains unpaid and the ordinance offense remains uncorrected or unabated unless waived in whole or in part by the town board in its sole discretion. In the event a person charged with an ordinance offense fails to correct or abate the ordinance offense after the imposition of the late charge, the town may also correct or abate the offense and assess the charges for doing so onto the property taxes and/or criminal charges may be filed.

(b) An unpaid civil penalty and accrued late charges will constitute a personal obligation of the person to whom the citation was issued and the town shall have the right to collect such unpaid civil penalty and accrued late charges, together with the town's costs and reasonable attorney's fees, in criminal or civil proceedings.

(c) Pursuant to M.S.A. §§ 366.012, 429.101, 514.67, and other applicable laws, a lien in the amount of the civil penalty and any accrued late charges may be assessed against the property where the ordinance offense occurred and collected in the same manner as taxes at the interest rate of six percent per annum. Any such

assessment shall not preclude the town from issuing additional citations for a continuing ordinance offense, nor shall it preclude the town from making additional assessments against the same property resulting from a continuing or new ordinance offense.

(d) The town may suspend or revoke a license or permit or other approval associated with the ordinance offense if the civil penalty and accrued late charges are not timely paid.

(Ord. No. 179, § 5, 5-28-2019; Ord. No. 198, § 3, 9-27-2022)

State law reference(s)—Unpaid charges as liens, M.S.A. § 429.101; governmental service charges constitute lien, M.S.A. § 514.67.

Sec. 2-180. Subsequent offenses.

If a subsequent citation for an ordinance offense is issued by the town to the same alleged violator and/or property owner within 24 months of the issuance of a previous citation for the same, or substantially similar, ordinance offense, the initial civil penalty for each subsequent citation shall increase as set forth in section 2-309. For the purposes of this section, a "subsequent offense" shall include the continued failure to correct or abate an ordinance offense, which shall be sufficient grounds for the issuance of a subsequent citation.

(Ord. No. 179, § 6, 5-28-2019; Ord. No. 198, § 4, 9-27-2022)

Editor's note(s)—Ord. No. 198, § 4, adopted September 27, 2022, amended the title of § 2-180 to read as herein set out. The former § 2-180 title pertained to subsequent violations.

Secs. 2-181—2-198. Reserved.

ARTICLE V. PUBLIC HEARINGS[4]

Sec. 2-199. General authority of hearings.

Unless otherwise provided in this Code or by law, every public hearing required by law, ordinance or resolution to be held on any legislative or administrative matter shall be conducted in accordance with this article.

(Code 2004, § 100.05(subd. 1))

Sec. 2-200. Notice.

Every hearing shall be preceded by ten days mailed notice to all persons entitled thereto by law, ordinance or regulation unless only published notice is required. The notice shall state the time, place and purpose of the hearing. Failure to give the notice or defects in it shall not invalidate the proceedings if a good faith effort has been made to comply with this section.

(Code 2004, § 100.05(subd. 2))

[4]State law reference(s)—Public hearing requirements, M.S.A. § 117.0412.

State law reference(s)—At least 30 days but not more than 60 days must be provided for hearings involving mitigation of a blighted area, remediation of an environmentally contaminated area, reducing abandoned property, or removing a public nuisance, M.S.A. § 117.0412.

Sec. 2-201. Conduct of hearing.

At the hearing, each party in interest shall have an opportunity to be heard and to present such evidence as is relevant to the proceeding. The board may adopt rules governing the conduct of hearings, records to be made and such other matters as it deems necessary.

(Code 2004, § 100.05(subd. 3))

Sec. 2-202. Record.

Upon the disposition of any matter after hearing, the board shall have prepared a written summary of its findings and decisions and enter the summary in the official board minutes.

(Code 2004, § 100.05(subd. 4))

Secs. 2-203—2-227. Reserved.

ARTICLE VI. FEES, RATES AND CHARGES

DIVISION 1. GENERALLY

Secs. 2-228—2-247. Reserved.

DIVISION 2. ADMINISTRATIVE FEES AND CHARGES

Sec. 2-248. Purpose.

To defray administrative costs of processing of requests for amendments, variances, interim use permits, conditional use permits, or the subdivision of land, the town board has established a schedule of fees and service charges. Further, all applicants shall pay the total cost of staff and/or consulting time spent in processing the applicant's request. The zoning administrator as part of the application process shall collect the fees. No land use application shall be deemed complete until such time as the zoning administrator has collected all required fees. If any portion of this section conflicts with the language of any other portion of the town Code including, but not limited to, the subdivision regulations of chapter 22 or the zoning regulations of chapter 30, the terms of this article shall apply and control.

(Ord. No. 170, pt. 1, ¶ 1, 5-22-2018)

Sec. 2-249. Schedules of fees and charges adopted.

The following schedule of license and permit fees, and planning and zoning related fees, charges for services and resales and other charges is hereby adopted by the town board, to be in effect in the town from the date of

publication of the ordinance from which this section is derived and thereafter until adoption and publication of another ordinance resetting the fees and charges in the town:

Linwood Town Fee Schedule

The administration and issuance of permits, along with the collection of fees and services administered by Linwood
Township's Designated Building Official shall be conducted in accordance with the Linwood Town Code, Minnesota Statutes and Administrative Rules, and as provided by in this Ordinance. Fees are to be commensurate with the service provided. Permit fees not specifically identified within this Ordinance are based on valuation determined in, Subd. 8.

Subd. 1. Fee Multiplier Table (FMT). The following table establishes permit and inspection fees for all projects that require plan review or are not otherwise specifically identified within this fee schedule, including non-residential and multi-family mechanical permits. The minimum fee for these permits is $125. The cost of plan review is separate, if applicable.

Valuation	Permit Fee
$1 to $4,000	$125.00
$4,001 to $25,000	$125.00 for the first $4,000 plus $16.55 for each additional $1,000 or fraction thereof, to and including $25,000
$25,001 to $50,000	$464.15 for the first $25,000 plus $12 for each additional $1,000 or fraction thereof, to and including $50,000
$50,001 to $100,000	$764.15 for the first $50,000 plus $8.45 for each additional $1,000 or fraction thereof, to and including $100,000
$100,001 to $500,000	$1,186.65 for the first $100,000 plus $6.75 for each additional $1,000 or fraction thereof, to and including $500,000
$501,000 to $1,000,000	$3,886.65 for the first $500,000 plus $5.50 for each additional $1,000 or fraction thereof, to and including $1,000,000; and
$1,000,001 and up	$6,636.65 for the first $1,000,000 plus $4.50 for each additional $1,000 or fraction thereof

Subd. 2. Plumbing Permit Fees for Non-residential or Multi-Family Structures Regulated under the Minnesota State Building Code and Minn. R. 1305. The following permit fee table is based upon the construction valuation of the plumbing system. The cost of plan review is separate, if applicable.

Valuation/Project Details	Permit Fee
$0 to $1,500	$135.00
$1,501 to $2,500	$135.00 for the first $1,500, plus $43 for each additional $500 or fraction thereof, to and including $2,500;

$2,501 to $5,000	$221.00 for the first $2,500, plus $28 for each additional $500 or fraction thereof, to and including $5,000;
$5,001 to $25,000	$361.00 for the first $5,000, plus $53 for each additional $1,000 or fraction thereof, to and including $25,000;
$25,001 to $50,000	$1,421 for the first $25,000, plus $51 for each additional $1,000 or fraction thereof, to and including $50,000;
$50,001 to $500,000	$2,696 for the first $50,000, plus $47 for each additional $10,000 or fraction thereof, to and including $500,000;
$500,001 to $3,000,000	$4,811 for the first $500,000, plus $61 for each additional $50,000 or fraction thereof, to and including $3,000,000; or
$3,000,001 and over	$7,861 for the first $3,000,000, plus $51 for each additional $100,000 or fraction thereof;
Manufactured home park or campground	$25 for each site, minimum charge of $135
Single fixture permit	$210.00

Subd. 3. Plumbing Permit Fees for Structures Regulated under the Minnesota Residential Code.
The following table establishes plumbing permit fees for one and two-family residential structures.

Type of Plumbing Permit	Permit Fee, Per Dwelling Unit
New construction	$150.00
Addition, alteration, remodel, or replacement	$125.00
Basement finish – Owner-occupied, non-rental (owner performed work)	Included with building permit provided inspections are performed together (e.g. framing, rough-in plumbing and mechanical)
Basement finish – Rental property and/or contractor-performed work	$125.00
Water heater, conditioning system, sewer or water connection, irrigation, backflow prevention, miscellaneous plumbing improvement	$125.00 each
Two or more improvements installed and inspected at the same time: Water heater, conditioning system, sewer or water connection, irrigation, backflow prevention, other miscellaneous plumbing improvements	$185.00

Subd. 4. Mechanical Permit Fees for Structures Regulated under the Minnesota Residential Code.
The following table establishes mechanical permit fees for one and two-family residential structures:

Type of Mechanical Permit	Permit Fee, Per Dwelling Unit
New construction (HVAC, mechanical ventilation system, and gas lines)	$150.00
Addition, alteration, remodel, or replacement	$125.00
Basement finish – Owner-occupied, non-rental (owner performed work)	Included with building permit provided inspections are performed together (e.g. framing, rough-in plumbing and mechanical)
Basement finish – Rental property and/or contractor-performed work	$125.00
Furnace, fireplace, air conditioner, garage heater, gas lines, miscellaneous appliance, miscellaneous HVAC improvement	$125.00 each
Two or more improvements installed and inspected at the same time: Furnace, fireplace, air conditioner, garage heater, gas lines, miscellaneous appliance, other miscellaneous HVAC improvement	$185.00

Subd. 5 Fire Protection System Permits. The following table establishes permit and inspection fees for administration of fire protection permits as regulated according to Section 105.7.1 through 105.7.25 of the Minnesota State Fire Code (MSFC). The cost of plan review is separate, if applicable.

Valuation/Project Details	Permit Fee
$0 to $1,500	$135.00
$1,501 to $2,500	$135.00 for the first $1,500, plus $43 for each additional $500 or fraction thereof, to and including $2,500;
$2,501 to $5,000	$221.00 for the first $2,500, plus $28 for each additional $500 or fraction thereof, to and including $5,000;
$5,001 to $25,000	$361.00 for the first $5,000, plus $53 for each additional $1,000 or fraction thereof, to and including $25,000;
$25,001 to $50,000	$1,421 for the first $25,000, plus $51 for each additional $1,000 or fraction thereof, to and including $50,000;
$50,001 to $500,000	$2,696 for the first $50,000, plus $47 for each additional $10,000 or fraction thereof, to and including $500,000;
$500,001 to $3,000,000	$4,811 for the first $500,000, plus $61 for each additional $50,000 or fraction thereof, to and including $3,000,000; or
$3,000,001 and over	$7,861 for the first $3,000,000, plus $51 for each additional $100,000 or fraction thereof;

Operational permits	$350.00, duration of permit determined by the Fire Code Official or their designee
Minor Fire Protection (sprinkler/fire alarm)	$265.00, includes plan review and shall apply: • Relocation or installation of 20 sprinkler heads or fewer • Modification or replacement of a fire alarm control panel

Subd. 6. Plan Review Fees. The following fees apply when an administrative or technical plan review is completed for all projects that are not otherwise specifically identified within this fee schedule. Plan review is determined by the Designated Building Official or their designee. A permit applicant will be assessed one hundred percent (100%) of the plan review fee, for plan review and processing services, whether or not a permit is issued.

(a) **Building & Mechanical Permit Plan Review.**

(1) 65% of the permit fee as calculated in the FMT in Subd. 1.

(2) Plan review fees for similar plans are set forth in Minn. R. 1300.0160.

(3) Where a plan review fee is performed and charged for residential, the minimum fee for plan review is $81.25.

(4) Where a plan review fee is performed and charged for non-residential and multi-family, the minimum fee is $150.00.

(b) **Plan Revisions.** Applicant-submitted changes or incomplete plans for all projects:

(1) Review of plans for which the Designated Building Official or their designee has issued two (2) or more requests for additional information: $95 per hour with a minimum of one-half (1/2) hour.

(2) Additional plan review required for changes, additions, or revisions to previously approved plans: $95 per hour with a minimum of one-half (1/2) hour.

(3) Applicant-requested revision with an increase in project scope, $50 plus the difference between the original project fee and the revised project fee.

(c) **Abandoned Permit Applications**. If an application requiring plan review is submitted, and the applicant elects not to proceed following completion of the plan review or the Contractor deems the application abandoned pursuant to Minn. R. 1300.0120, Subp. 9, plan review services rendered shall be billed in accordance with this fee schedule.

(d) **Non-Residential or Multi-Family Plumbing and Fire Construction Permit Plan Review**: the following table establishes plan review and audit fees, unless otherwise indicated. These fees are based on the construction valuation of the performed work. This does not include the cost of the permit.

Valuation/Project Details	Plan Review Fee
$0 to $1,500	$135.00
$1,501 to $2,500	$135.00 for the first $1,500, plus $28 for each additional $500 or fraction thereof, to and including $2,500;
$2,501 to $5,000	$191.00 for the first $2,500, plus $25 for each additional $500 or fraction thereof, to and including $5,000;
$5,001 to $25,000	$316.00 for the first $5,000, plus $33 for each additional $1,000 or fraction thereof, to and including $25,000;
$25,001 to $50,000	$976 for the first $25,000, plus $31 for each additional $1,000 or fraction thereof, to and including $50,000;
$50,001 to $500,000	$1,751 for the first $50,000, plus $23 for each additional $10,000 or fraction thereof, to and including $500,000;
$500,001 to $3,000,000	$2,786 for the first $500,000, plus $41 for each additional $100,000 or fraction thereof, to and including $3,000,000; and
$3,000,001 and over	$3,811 for the first $3,000,000, plus $33 for each additional $100,000 or fraction thereof;
Manufactured home park or campground (plumbing only)	One to 25 sites: $300 26 to 50 sites: $350 51 to 125 sites: $400 More than 125 sites: $500

Subd. 7. Industrialized Modular or Prefabricated Buildings. The following fees apply to plan review and inspections for industrialized or modular buildings as defined in Minn. Stat. § 326B.103, Subd. 8a, and prefabricated buildings as defined in Minn. Stat. § 326B.103, Subd. 10a:

(a) **Inspections and Audit Fees.** Inspection and audits for industrialized modular or prefabricated buildings shall be billed at $125.00 per hour, with a one (1) hour minimum per inspection or audit.

(b) **Plan Review Fees.** Plan review of building plans, specifications, installation instructions, quality-control manuals, systems manuals, and other documents reasonably necessary for review shall be billed at $125.00 per hour, with a one (1) hour minimum per review.

Subd. 8. Project/Construction Valuation Determination. Valuation shall be assessed in accordance with Minn. R.
1300.0160. Valuation is determined using information published by the State of Minnesota, the International Code Council (ICC), and as outlined in the following Building Valuation Data (BVD) table based on regional market conditions.

Description	Value Per Square Foot

Slab on grade	$17.00
Crawl space	$22.00
Unfinished basement (new home or addition)	$31.50
Basement finish (new home)	$56.50
Basement finish (existing home)	$25.00
Main/first floor area (new home or addition)	$150.00
Second floor area (new home or addition)	$125.00
Attached garage	$75.00
Detached garage (slab on grade or frost protected footings)	$60.00
Post & beam accessory structure, interior finished	$60.00
Post & beam accessory structure, unfinished shell	$25.00
Lean-to	$25.00
Carport or gazebo	$50.00
Garage conversion to living space	$75.00
Porch, open	$55.00
Porch, 3-season	$130.00
Porch, 3-season on existing deck	$100.00
Porch, screened or breezeway, non-conditioned area	$90.00
Deck	$45.00
Roof over existing deck	$50.00
In-ground pool	$40.00
Above-ground pool	$15.00
Remodel, repair, alteration, other	Depends on the scope of work and required plan review and inspections

Subd. 9. Other Permits and Fees. The following table identifies costs for permits or fees associated with administration of either the Minnesota State Building Code or the Linwood Town Code. The minimum fee for the following permits is $125. ***Plan review is charged according to Subd. 6 of this fee schedule, unless otherwise identified.***

Description	**Cost (FMT = Fee Multiplier Table)**

Accessory structure building permit, residential	Refer to the FMT in Subd. 1 Maximum fee: $850, includes plan review
Addition, alteration, remodel, or repair building permit	Refer to the FMT in Subd. 1
Agriculture permit exemption administrative application	$250, includes preliminary site plan review
Basement finish building permit	Refer to the FMT in Subd. 1 Maximum fee: $500, includes plan review
Change of use/occupancy	Refer to the FMT in Subd. 1 Minimum fee: $300
Consultants, cost for service	If the actual cost to Linwood Township for service provided by a contracted consultant is greater than indicated by this fee schedule, the greater rate shall be paid by the applicant.
Deck building permit	Refer to the FMT in Subd. 1 Maximum fee: $675, includes plan review (pertains only if a residential deck is attached to the primary dwelling)
Demolition building permit, residential, non-residential, or multifamily	$300, includes two (2) site inspections and administrative plan review
Fence building permit, over seven (7) feet high	Refer to the FMT in Subd. 1
Inspection, no fee specifically indicated	$95 per hour, one (1) hour minimum
Inspection, outside normal business hours	$150 per hour, two (2) hour minimum
Inspection, reinspection	$95 per hour, one (1) hour minimum
Investigation	In addition to, but not to exceed, the original permit fee.
Manufactured home set-up building permit	$375, includes mechanical and plumbing inspections and plan review
Mechanical single appliance permit, non-residential or multifamily	$210.00
Mechanical temporary heating equipment, non-residential or multi-family	$210.00
Miscellaneous building permit, no fee specifically indicated	Refer to the FMT in Subd. 1
Moved-in structure building permit, residential	$250 if the structure being moved is within Linwood Township; or $250 plus $95/hour plus mileage at the current IRS standard rate if the structure is located outside Linwood Township

Reissuance or renewal of a permit	Refer to the FMT in Subd. 1 and determined based on the remaining work to be completed. Minimum fee: $50.00
Roof building permit, one and two-family residential	$125.00
Siding building permit, one and two-family residential	$125.00
Solar/Photovoltaic system building permit, one and two-family residential up to 3.5kW	$175.00
Solar/Photovoltaic system building permit, one and two-family residential over 3.5kW	Refer to the FMT in Subd. 1
Solar/Photovoltaic system building permit, non-residential or multi-family	Refer to the FMT in Subd. 1
Window same size replacement building permit, one and twofamily residential	$125.00 per dwelling unit
Technology Service Charge (includes contractor license verification)	$10.00 per permit

Subd. 10. State Surcharge. In accordance with Minn. Stat. § 326B.148, a state surcharge shall be charged on all permits, if applicable.

Subd. 11. Refunds. The Designated Building Official may authorize refunds of up to eighty percent (80%) of the issued permit fee when no work has commenced and no inspections have been performed.

(a) Requests must be submitted in writing by the permit applicant within one hundred eighty (180) days of permit issuance.

(1) Within (10) business days of receipt, the Designated Building Official or their designee shall review the request and determine the amount to be refunded or provide written justification if the request is denied.

(b) Fees retained shall cover expenses incurred for services rendered by the city and/or its consultant(s).

(c) Refunds shall only be issued to the original payee.

(d) No refunds shall be granted for the following:

(1) Plan review fees;

(2) Re-inspection fees;

(3) State surcharge fees;

(4) Fraudulent applications;

(5) Expired, revoked, suspended, or invalid permits;

(6) Technology Service Charge, unless canceled within the same business day; or

(7) Contractor license verification.

Subd. 12. Work Without a Permit. If work requiring a permit under state law, rule, or the town code has commenced without first obtaining a permit, an investigation shall be conducted before a permit may be issued. Investigation fees are identified in Subd. 10 of this fee schedule. This fee is in addition to the permit fee and is due whether or not a permit is ultimately issued.

Subd. 13. Abandonment, Expiration, Revocation/Suspension, or Validity. The validity, expiration, suspension, and revocation of permits shall be governed by Minn. R. 1300.0120 and the following:

(a) An application for a permit for any proposed work shall be considered abandoned one hundred eighty (180) days after the date of filing, except in the following cases:

(1) The application has been actively pursued in good faith by the applicant, as determined by the Designated Building Official or their designee; and

(2) A written request for an extension, not to exceed one hundred eighty (180) days, has been submitted with justifiable cause demonstrated, and the extension has been approved by the Designated Building Official or their designee.

(b) Every permit issued shall expire unless the authorized work is commenced within one hundred eighty (180) days of issuance. The Designated Building Official or their designee may grant written extensions of time, not to exceed one hundred eighty (180) days, if the applicant demonstrates justifiable cause.

(c) The Designated Building Official or their designee may suspend or revoke a permit if it was issued in error, if the application contained incorrect, inaccurate, or incomplete information, or if there is a violation of any state law, rule, or ordinance.

(d) The issuance of a permit, or the approval of plans, specifications, or computations, shall not be construed as authorization for any violation of this code or any other ordinance of the Linwood Town Code. Any permit purporting to authorize work in violation of the code or other ordinances shall be invalid. A permit also becomes invalid if the authorized work is suspended or abandoned for more than one hundred eighty (180) days, commencing on the first day the work was suspended or abandoned.

Subd. 14. Subsurface Sewage Treatment System (SSTS) Fees. The following table identifies costs associated with SSTS administration and permits.

Description	Fee
SSTS: Type I, II, or III (new or replacement)	$450.00 (includes soil verification)
SSTS: Type IV or V (new or replacement for performance or engineered systems)	$375.00 + Actual Cost
Holding Tank (additional maintenance and operating permits required)	$350.00 (includes first years' operating permit)
Soil Site Review (charged in addition to the land use application)	$250.00 + $100.00 per lot
SSTS Abandonment/Removal	$125.00
SSTS Alteration or extension	$200.00
Operating Permit	$200.00 annually, or as determined by the Designated Building Official or their designee
Maintenance Permit	$20.00
SSTS Reinspection	$95.00 per hour, 1 hour minimum

Subd. 15. Biennial Rental Licensing. The following table identifies costs associated with administration of Linwood Township's rental licensing program.

Type of Dwelling	License Fee
Condo	$150.00 per dwelling unit
Townhome (attached or detached)	$200.00 per dwelling unit
Single family dwelling	$250.00 per dwelling unit
Duplex	$300.00 per building
Multi-family (3+ units)	$400.00 per building + $25.00 per unit
Reinspection for condo, townhome, single family, or duplex	$95.00 each, after the first reinspection
Reinspection for multi-family	$95.00 per hour, one (1) hour minimum
Late application fee (following the expiration of the license)	1 – 15 days: 50% of the license fee 16+ days: 100% of the license fee
Point of conversion (existing homes)	$500.00
Inspections requested outside of the rental licensing cycle (e.g. tenant concerns)	$95.00 per hour, one (1) hour minimum
License reinstatement fee	Cost of the initial license, not to exceed $500.00
Technology Service Charge	$10.00 per license application/property

Subd. 16. Zoning Permits. The following table identifies permit fees that are regulated under the Zoning Code. The fees identified below include site plan review and a final inspection.

Type of Improvement	Zoning Permit Fee
Driveway	$250.00
Agricultural zoning permits	$250.00
Fences seven (7) feet high and under	$250.00
~~Accessory structures 200 square feet and under~~	~~$250.00~~
Right-of-way utility permit	$200.00
Sign permit application	$75.00
Wetland issues/wetland mitigation	$200.00 minimum, $1000.00 escrow

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Subd. 17. *License Fees*		
Annual fees expire on December 31		
Adult use establishment license	$10,000.00	
~~Dog license annual fee~~	~~$2.00~~	
Dog kennel annual fee	~~$25.00~~$50.00	Requires interim use permit
Large assembly license	$100.00	$300,000.00 bond, minimum
~~Rental housing license - biennial renewal~~	~~See Land Use Fees~~	
~~Sign permit - biennial fee~~	~~$50.00/2yr~~$75.00	
Temporary habitation annual fee	$60.00	
Subd. 18. *Service Fees*		
ACH payment	0.8% of transaction — $5.00 maximum	
Assessment search	$10.00	
Copies - paper or electronic	$0.25 per side	
Credit card convenience fee	2.9% + $0.30 of transaction	
Data request response staff time	$40.00 hour after first ½ hour	
Fax (send or receive)	$2.00 per 10 pages	
Notary fee (no charge for residents)	$2.00	
Filing fee for elected office	$2.00	
Recording fee	$75.00	
Returned check fee - NSF	$35.00	
Senior center hall rental	$200.00 hall	$250.00 hall w/kitchen
Senior center hall damage deposit	$200.00 hall	$250.00 hall w/kitchen
Senior center hall rental application fee	$50.00	

Senior center chair rental	$1.00 each (minimum fee $10.00)	
Senior center table rental	$5.00 each	
~~Senior traveler~~	~~$0.75 per mile (nonmedical)~~	
Swing away mailbox post	$125.00 plus sales tax	
Swing away mailbox post with installation	$~~175~~200.00 plus sales tax	
Town code book	$75.00	
Township maps	$1.00 to $10.00	

~~***Building Permit Fees***~~

~~The administration and issuance of permits and the collection of fees shall be as authorized in M.S.A. ch. 326B, Minnesota Administrative Rules 1300.0120 and 1300.0160, and as provided by this article. Fees are to be commensurate with the service provided. Permit fees not specifically identified within this article are based on the valuation determined by Subdivision 2.~~

~~**Subd. 1. Permit and Inspection Fees for Residential Building, Commercial Building, Fire Suppression, Fire Alarm, Commercial Mechanical, and Commercial Plumbing.** The minimum fee for processing these permits is $100.00.~~

~~**Total Valuation**~~	~~**Permit Fee**~~
~~$1.00 to $2,000.00~~	~~$100.00 Minimum~~
~~$2,001.00 to $25,000.00~~	~~$100.00 for the first $2,000.00 plus $16.55 for each additional $1,000.00 or fraction thereof, to and including $25,000.00~~
~~$25,001.00 to $50,000.00~~	~~$464.15 for the first $25,000.00 plus $12.00 for each additional $1,000.00 or fraction thereof, to and including $50,000.00~~
~~$50,001.00 to $100,000.00~~	~~$764.15 for the first $50,000.00 plus $8.45 for each additional $1,000.00 or fraction thereof, to and including $100,000.00~~
~~$100,001.00 to $500,000.00~~	~~$1,186.65 for the first $100,000.00 plus $6.75 for each additional $1,000.00 or fraction thereof, to and including $500,000.00~~
~~$500,001.00 to $1,000,000.00~~	~~$3,886.65 for the first $500,000.00 plus $5.50 for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00; and~~
~~$1,000,001.00 and up~~	~~$6,636.65 for the first $1,000,000.00 plus $4.50 for each additional $1,000.00 or fraction thereof~~

~~**Subd. 2. Project Valuation Determination.** The Designated Building Official has the authority and responsibility to determine project valuation for the purposes of establishing applicable plan review and permit fees. Valuation data may be referenced from the State of Minnesota and/or the International Code Council.~~

~~**Subd. 3. Plan Review Fees.** Where a plan review fee is performed and charged, the minimum plan review fee for all permits is $50.00. Plan review fees for building, fire suppression, and fire alarm permits shall be 65 percent of the building permit fees as set forth in Subdivision 1 of this Section. Plan review fees for similar plans are set forth in Minnesota Rules 1300.0160.~~

~~Plan review fees for all commercial mechanical permits shall be ten percent of the permit fee when a project job valuation is determined to exceed $30,000.00.~~

~~In the event a permit applicant submits an application that requires plan review and decides not to proceed with the building project after the plan review has been completed, the plan review fee will be billed by the jurisdiction to the permit applicant.~~

~~**Subd. 4. State Surcharge on Building, Mechanical, and Plumbing Permits.** In addition to the permit fees established in this fee schedule, a surcharge fee shall be collected on all permits issued for work governed by the Minnesota State Building Code in accordance with M.S.A. § 326B.148.~~

Subd. 5. Refunds. The jurisdiction may refund up to 80 percent of the permit fees in which no work has been done and no inspections have been made. Requests for refunds must be made by the permit applicant in writing within 180 days of issuance. Within ten days of receipt, the Building Official must review the refund request and determine the amount to be refunded or deny the refund request for cause. No refunds will be approved or granted for the following: plan review fees, state surcharge fees, re-inspection fees, or any other services that have previously been rendered. Refunds of $100.00 or less shall not be granted.	
Subd. 6. Work Without a Permit. Work commenced without a permit may result in additional fees as specified in MN Rules 1300.010, Subpart 8.	
Subd. 7. Validity, Expiration and Suspension or Revocation of Permits. The validity, expiration, and suspension or revocation of permits shall be as provided by MN Rules 1300.0120, Subparts 10, 11, and 12.	
Subd. 8. Residential Mechanical Permit Fees for Structures Regulated under the Minnesota Residential Code.	
New construction mechanical (includes HVAC system, mechanical ventilation system, and gas lines)	$150.00 per unit
Addition, alteration, remodel, or replacement mechanical	$125.00
Basement finish mechanical	$125.00
Fireplace	$125.00
Garage heater	$125.00
Gas lines	$125.00
Miscellaneous mechanical appliance	$125.00
All other minor mechanical work	$125.00
Furnace and air conditioner units installed and inspected simultaneously	$185.00
Subd. 9. Plumbing Permit Fees for Structures Regulated Under the Minnesota Residential Code.	
New construction plumbing	$150.00 per unit
Addition, alteration, remodel, or replacement	$125.00
Basement finish	$125.00
Water heater	$125.00
Water conditioning system	$125.00
Miscellaneous plumbing fixtures	$125.00
Subd. 10. Other Permits and Fees.	
Accessory structures	Refer to Subd. 1 table. A 65% plan review may apply.
Structure additions, alterations	Refer to Subd. 1 table. A 65% plan review may apply
Structure remodel	Refer to Subd. 1 table. A 65% plan review may apply
Basement finishes	Refer to Subd. 1 table. A 65% plan review may apply
Deck	Refer to Subd. 1 table. A 65% plan review may apply
Fence over 7 feet high	Refer to Subd. 1 table. A 65% plan review may apply
Residential structure moving (exceeding 60 miles from the jurisdiction)	$250.00
Residential roofing	$125.00
Residential siding	$125.00
Residential window replacement (same size)	$125.00
Commercial demolition	Refer to Subd. 1 table. 65% plan review may apply
Residential demolition	$200.00
Manufactured home set-up (foundation and connections only)	$175.00
Solar/Photovoltaic Systems Residential (up to 3.5kW)	$175.00

Solar/Photovoltaic Systems Residential (over 3.5kW)	Refer to Subd. 1 table. 65% plan review may apply	
Solar/Photovoltaic Systems Commercial	Refer to Subd. 1 table. 65% plan review may apply	
Residential irrigation system, including backflow prevention	$125.00	
Miscellaneous commercial or residential building permits for which no fee is specifically indicated	Refer to Subd. 1 table, 65% plan review may apply	
Temporary Heating Equipment	$150.00	
Inspections which no fee is specifically indicated	$125.00 per hour	
Additional plan review required by changes, additions, or revisions to previously approved plans	$95.00 per hour	
Re-inspection fees	$95.00 per hour/inspection—whichever is greater (minimum charge of 1 hour)	
Inspections outside of normal business hours	$150.00 per hour (minimum charge of 2 hours)	
Change of Use/Occupancy	Refer to Subd. 1 table. 65% plan review may apply (minimum fee of $300.00)	
Septic System - Residential New	$250.00	
Septic System - Commercial New	Refer to Subd. 1 table. 65% plan review may apply	
Septic System - Residential Alteration/Repair	$200.00	
Septic System - Commercial Alteration/Repair	Refer to Subd. 1 table. 65% plan review may apply	
Operating Permit	$125.00 Annually	
Land Use Fees		
Accessory building 120 sq. ft. to 200 sq. ft.	$50.00	
Adult use establishment application	$3,000.00	Escrow may apply
Demolition per structure	$150.00	
Driveway permit	$200.00	$800.00 Escrow
Driveway Extra Inspection	$50.00	
Rental housing license — initial & renewal application (1—4 units)	$350.00	Initial application after July 1 20% off
Rental housing license — initial & renewal application (5—9 units)	$350.00 plus $15.00 per room	
Rental housing license — initial & renewal application (10+ units)	$500.00	
Rental housing - annual inspection	$160.00	
Right-of-way utility permit	$200.00	
Septic system (pumping report)	$10.00	
Sign permit application	$50.00	
Swimming pool above ground	$80.00	
Wetland issues/wetland mitigation	$200.00 minimum	Escrow may apply

Subd. 19. ***Zoning Fees***		
Administrative subdivision	$350.00	$1,000.00 Escrow
Amendment application for conditional or interim use permit	$350.00, requires public hearing	$1,000.00 Escrow
Amendment to comp plan	$350.00, requires public hearing	$1,000.00 Escrow~~Escrow may apply~~
Amendment to zoning plan/map (Rezoning)	$350.00, requires public hearing	$1,000.00 Escrow
Text amendment to Town Code	$1,000.00, requires public hearing	$1,000.00 Escrow
Conditional use permit	$350.00, requires public hearing	$1,000.00 Escrow
Final plat	$200.00	$2,500.00 Escrow
Preliminary plat	$350.00 plus $100.00/lot, requires public hearing	$5,000.00 Escrow
Easement vacation	$350.00, requires public hearing	$1,000.00 ~~Escrow may apply~~
Interim use permit	$350.00, requires public hearing	$1,000.00 Escrow
Interim use permit: solar garden or solar farm	$1,500.00, requires public hearing	$1,000.00 Escrow~~Escrow shall apply~~
Adult use establishment application	$3000.00	$1,000.00 Escrow
Other land use application	$200.00	$1,000.00 Escrow~~Escrow may apply~~
Parkland dedication fee	$2,000.00 minimum per lot	
Public hearing	$200.00	$1,000.00 Escrow~~Escrow may apply~~
Site plan review	$50.00	
Sketch plan review	$200.00	$500.00 Escrow
Solar zoning application	$100.00	$1,000.00 Escrow~~Escrow may apply~~
Variance	$350.00, requires public hearing	$1,000.00 Escrow
Subd. 20. Recycling Fees		
Small Appliances (Counter-top Kitchen Appliances, Heaters, Propane Tanks, Vacuums, etc.)	$5.00	
Large Appliances (AC, Dehumidifiers, Freezers, Gas Grills, Microwaves, Refrigerators, Stoves, Treadmills, Washers/Dryers, Water Heaters, Water Softeners, etc.)	$10.00	
Small Gas Engines (lawnmowers, yard equipment, etc.)	$5.00	
Household Electronics (Printers, Copiers, Computer Towers, Laptops, VCR, DVD, DVR, Stereos, etc.	$5.00	
Televisions, Computer Monitors (up to 20")	$10.00	
Televisions, Computer Monitors (21" to 30")	$20.00	

Televisions, Computer Monitors (over 30")	$30.00	
Mattress/Box Spring (any size)	$25.00	
Mattress (crib size)	$10.00	
Couch	$45.00	
Sleeper Sofa/Pullout Couch (mattress separate – see fee)	$45.00	
Loveseat	$30.00	
Recliner	$15.00	
Ottoman	$10.00	
Carpet/Carpet Padding (per room)	$15.00	
Chairs	$5.00	
Chairs - Office/Upholstered Arm	$15.00	
Tires – Passenger/Light Truck/Trailer	$5.00	
~~Tires – Semi/Farm Tractor~~	~~$50.00~~	
Trash (Furniture, Household, Garage/Yard Clean-outs, Small Project Remodeling Debris and Lumber, etc.)	$40/Cubic Yard	

(Code 2004, § 1101.01; Ord. No. 134, § 1, 6-10-2008; Ord. No. 140, 7-27-2010; Ord. No. 152, § 1, 4-14-2015; Ord. No. 155, § 1, 9-22-2015; Ord. No. 170, pt. 1, ¶ 2, 5-22-2018; Ord. No. 184, § C, 7-28-2020; Ord. No. 187, 1-26-2021; Ord. No. 200, §§ 1—10, 10-25-2022; Ord. No. 205, Exh. A, 2-14-2023; Ord. No. 206, §§ 1—12, 3-14-2023; Ord. No. 218, § 1, 11-26-2024)

Secs. 2-250—2-276. Reserved.

DIVISION 3. PROFESSIONAL FEES AND ESCROW AMOUNTS

Sec. 2-277. Purpose and responsibility.

The owner of the property subject to the land use application shall be responsible for all professional fees and expenses incurred by the town associated with the processing of the land use application or request and enforcing the terms of any application agreement, including, but not limited to, attorney's fees, engineering or planning fees. The fees will be promptly paid upon billing by the town in the event the escrow fund is depleted and payment will be received within ten days of the date of the invoice.

(Ord. No. 170, pt. 2(subd. 1), 5-22-2018)

Sec. 2-278. Fees, expenses due despite approval or denial; additional escrow monies.

All fees and expenses are due whether the application is approved or denied. If the escrow amount is depleted, the applicant and/or property owner shall furnish additional monies as requested by the town within 30 days of such request. Any amounts not utilized from this escrow fund shall be returned to the applicant and/or property owner, without interest, when all financial obligations to the town have been satisfied. All fees and expenses are due whether the application is approved or denied.

(Ord. No. 170, pt. 2(subd. 2), 5-22-2018)

Sec. 2-279. Deposit to escrow.

When a land use application has been submitted, the applicant and/or property owner shall deposit funds in an escrow account with the town from time to time an amount determined by the zoning administrator to be necessary to cover such costs prior to commencement of the review stage of the application. The applicant shall reimburse the escrow account for any deficits caused if the amount actually expended or billed to the town by the consultants exceeds the fund balance. The town shall refund any amount deposited in the escrow account not expended when all financial obligations to the town have been satisfied. The town shall not pay interest on such escrow fund deposits.

(Ord. No. 170, pt. 2(subd. 3), 5-22-2018; Ord. No. 215, § 1, 4-9-2024)

Secs. 2-280—2-306. Reserved.

DIVISION 4. ORDINANCE VIOLATION FINES

Sec. 2-307. Action upon notification.

An ordinance offense shall be corrected, abated and/or removed within the time set forth in section 2-128. Failure to comply may subject the resident/property owner to court action or assessment as set forth in section 2-179.

(Ord. No. 170, pt. 3(subd. 1), 5-22-2018; Ord. No. 198, § 5, 9-27-2022)

Sec. 2-308. Reserved.

Editor's note(s)—Ord. No. 198, § 6, adopted September 27, 2022, repealed § 2-308, which pertained to notification to zoning administrator and derived from Ord. No. 170, pt. 3(subd. 2), adopted May 22, 2018.

Sec. 2-309. Schedule adopted.

The schedule of ordinance offense civil penalties is as follows:

First offense:	~~$50.00~~$100.00
Second offense within any 24 month period:	~~$100.00~~$200.00
Third offense within any 24 month period:	~~$150.00~~$300.00
Fourth offense within any 24 month period:	~~$200.00~~$500.00

(Ord. No. 198, § 7, 9-27-2022)

Sec. 2-310. Noncompliant fire fines.

The following fines are applicable to noncompliant fires:

Schedule of Noncompliant Fire Fines

Ord. No./ Sec. No.		*1st Offense*	*2nd Offense*	*3rd Offense*	*4th Offense*
504.05 404.06 Sec. 12-47	Noncompliant fire	Written warning/$100.00	~~$100.00~~$200.00	$300.00	$500.00

(Code 2004, § 1101.01; Ord. No. 134, § 1, 6-10-2008; Ord. No. 140, 7-27-2010; Ord. No. 152, § 1, 4-14-2015; Ord. No. 155, § 1, 9-22-2015; Ord. No. 170, pt. 3(subd. 2), 5-22-2018; Ord. No. 172, 11-13-2018)

Secs. 2-311—2-337. Reserved.

DIVISION 5. SPECIFIC FEES, RATES AND CHARGES

Subdivision I. In General

Secs. 2-338—2-360. Reserved.

Subdivision II. Rental Housing

~~**Sec. 2-361. Residential buildings.**~~

~~The following fees, rates and charges are applicable to residential rental properties:~~

~~Fees, Rates and Charges of Residential Rental Properties~~

~~Initial license—Per property address (includes inspection and set-up fees)~~	
~~1—4 individually rented units or bedrooms (non-owner-occupied)~~	~~$350.00~~
~~5—9 individual rented units or bedrooms (owner and non-owner-occupied)~~	~~$15.00 per room, in addition to license fee~~
~~10 or more units~~	~~$500.00~~
~~Yearly fire and building safety inspection fee (required for more than 4 units)~~	~~$160.00~~
~~Re-inspection fee (if repairs are needed)~~	~~$85.00~~

~~No entry fee (for failing to show up for scheduled appointment)~~	~~$45.00~~

(Ord. No. 159, § 509.09, 5-23-2017)

Secs. 2-362—2-380. Reserved.

Subdivision III. Certification of Unpaid Costs and Expenses

Sec. 2-381. Property owner responsibility; action upon nonpayment.

All unpaid expenses incurred by the town or owed to the town under the various provisions of the town Code and this article not covered by any escrow will be charged against said parcel and will be the responsibility of the property owner whose property is subject to the request for services pursuant to M.S.A. ch. 462 and M.S.A. § 366.012 and any other relevant statutes. The property owner shall be invoiced for the town's costs to where property tax statements are sent by the county. The invoice shall advise the property owner of his right to request a hearing by the town board regarding said costs. Unless a hearing is granted by the town board, the invoice shall be paid within 30 days of the date of the invoice; should property owner not reimburse the town within said time, the town shall be authorized to certify said unreimbursed costs to the county auditor for payment with the property owner's property taxes. This cost recovery shall be in addition to any penalty or legal or equitable remedy the town may seek or receive for the violation of any provision of the town Code.

(Ord. No. 170, pt. 4, 5-22-2018)

State law reference(s)—Collection of unpaid service charges, M.S.A. § 366.012.

Secs. 2-382—2-400. Reserved.

ARTICLE VII. SPECIAL ASSESSMENTS

Sec. 2-401. Special assessment policy.

(a) The special assessment policy of the town shall be comprised of the statutes contained in M.S.A. ch. 429 which is hereby adopted by reference and incorporated into this Code as if fully set forth herein, along with any applicable provisions of the Code, or policy provisions adopted by ordinance or resolution. The town board may, from time to time, by ordinance or resolution, adopt, amend, or repeal any portion of the special assessment policy.

(b) Full prepayment of an assessment is authorized only until such time that the assessment is certified to the county auditor for collection. Upon certification of the assessment to the county auditor for collection, only regular annual installment payments pursuant to the terms and conditions established in the resolution adopting the assessment, or a full payment for the outstanding amount due for the assessment, will be accepted by the town.

LINWOOD TOWNSHIP
ANOKA COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2026-08

RESOLUTION APPROVING A VARIANCE RELATED TO ACCESSORY STRUCTUREs AT 8560 NORTH FAWN LAKE ROAD NE

WHEREAS, Craig Waltjer ("Applicant") is the owner and applicant for a variance related to property located at 8560 North Fawn Lake Road NE (PID #23-34-22-21-0008); and

WHEREAS, the property is legally described as:

Lot 1, Block 2, MUNDAHL'S FAWN LAKE NORTH, Anoka County, Minnesota

Referred to herein as the "Subject Property"; and

WHEREAS, the Subject Property is zoned R-1; and

WHEREAS, the Applicant had applied for two variances to 1) allow an existing 259 square foot structure near the lake to be considered as the permitted 200 square foot shed, and 2) to allow the façade of the new accessory structure to be harmonious with but not match exactly the façade of the home.; and

WHEREAS, Section 30-671 of the Linwood Code of Ordinances permits a lot to have the following accessory buildings and structures:

- One dwelling
- One private garage (whether attached or detached)
- One accessory building or structure
- One storage shed up to 200 square feet in size and one portable storage structure

WHEREAS, Section 30-677 of the Zoning Ordinance requires the following:

> *"Any accessory building built in front of the rear line of the dwelling unit, or nearer to the road than the dwelling unit, shall have the facade facing the adjacent road match the materials and colors of the dwelling unit. This includes stone and brick, which may be closely matching, lightweight hang-on type products."*

WHEREAS, the Applicant is proposing to construct an accessory structure of approximately 2,368 square feet on the Subject Property, would remove one existing shed, and would like to keep one other 259 square foot structure near the lake; and

WHEREAS, Minnesota Statute Section 462.357, subd. 6 provides:

a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

WHEREAS, the public hearing was properly noticed and scheduled for June 16, 2026 Planning Commission meeting; and

WHEREAS, the application and staff report were reviewed by the Planning Commission at its meeting on June 16, 2026 at which the Planning Commission recommended approval of the variances subject to conditions and findings of fact; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board makes the following findings:

1. The proposed variance is a reasonable use of the land. The existing 259 square foot building has been on the site for decades and represents an older lake neighborhood aesthetic that is not meaningfully replicated if they were to remove that 259 square foot structure and replace it with a modern typical 200 square foot structure.

2. The property is somewhat unique in that it is on the end of the cul-de-sac so it has limited visibility for other properties. It is also a shoreland lot, so locating the new accessory structure nearer to the road than the lake is more protective of the lake and the viewsheds from the lake. The lot is also heavily wooded which serves as natural screening from the structure.

3. The variance would not alter the essential character of the locality. There is little visibility to the home by other persons.

BE IT FURTHER RESOLVED, the Board of Supervisors approves variances to 1) allow an existing 259 square foot structure near the lake to be considered as the permitted 200 square foot shed, and 2) to allow the façade of the new accessory structure to be harmonious with but not match exactly the façade of the home, subject to the following conditions:

1. A building permit shall be secured for the accessory structure which shall be constructed in substantial conformance with the plans included within the Board of Supervisors packet and including the survey prepared by Widseth dated February 26, 2026.

2. The 259 square foot accessory structure labelled on the survey as "cabin" is permitted to remain. The cabin shall not be used for dwelling purposes.

3. The new 2,368 square foot structure shall be constructed to be harmonious with the home and utilize similar colors on the wainscot. Stone is **not** required to be used and the building plans may be updated to remove the stone.

4. The variance shall expire if these conditions are not met and a building permit application has not been issued for the property by June 23, 2027

Adopted by the Board of Supervisors of the Township of Linwood on this 23rd day of June 2026.

Approved:_____
Jonn Olson

Attested:_____
Julie Dahnke, Interim Clerk

Collaborative Planning, LLC

Memorandum

Date:	**June 18, 2026**
To:	**Board of Supervisors**
From:	**Cindy Nash, Town Planner**
RE:	**Waltjer Variances – 8560 North Fawn Lake Rd NE**

Description of Request

Craig Waltjer has submitted an application for two variances to permit a new accessory structure at their home. The property consists of approximately 2.78 acres and is zoned R-1 with a shoreland overlay.

Section 30-671 of the Zoning Ordinance permits a lot to have the following accessory buildings and structures:

- One dwelling
- One private garage (whether attached or detached)
- One accessory building or structure
- One storage shed up to 200 square feet in size and one portable storage structure

Section 30-677 of the Zoning Ordinance requires the following:

> *"Any accessory building built in front of the rear line of the dwelling unit, or nearer to the road than the dwelling unit, shall have the facade facing the adjacent road match the materials and colors of the dwelling unit. This includes stone and brick, which may be closely matching, lightweight hang-on type products."*

The property currently contains a home, an attached garage, and an existing accessory structure consisting of 259 square feet near the lake and a shed consisting of approximately 274 square feet near the home. The applicant is desiring to construct a new additional accessory structure consisting of 2,368 square feet and would remove the existing 274 square foot accessory structure.

Item 1: Recommendation on Variance related to Existing 259 Sq. Ft Structure

Public Hearing: **June 16, 2026 Planning Commission**

Zoning
The property is zoned R-1 and is located in the shoreland overlay district.

Existing Conditions
The property currently has two accessory structures that are slightly larger than 200 square feet in size. The ordinance only permits one accessory structure that is up to 2400 square feet and an additional storage shed up to 200 square feet.

Variance Request
The requested variance is to allow the existing 269 square foot structure near the lake to be considered as the permitted 200 square foot shed. The applicant desires to construct a new 2,368 square foot accessory building, but to do so would be required to remove both of the existing accessory structures that are just under 300 square feet. The one that is closer to the lake was an old cabin (no longer considered a dwelling) that they continue to use to enhance their enjoyment of the lake. Due to setbacks from the lake, they cannot tear down and reconstruct a different structure under 200 square feet in that location.

Variance Review and Findings Criteria
The purpose of the Variance is to provide the Town with an opportunity for amelioration of unnecessary hardships resulting from the rigid enforcement of its Zoning Ordinance. This Variance provision authorizes the Town Board to permit a particular property to be used in a manner not allowed for by the Ordinance by varying the terms of the ordinance. Variances shall pertain only to the physical characteristics of the land or structures to be built thereon, such as area, height, setback requirements, and density. Specifically, the Town may grant only non-use or area Variances and shall not grant use Variances.

The planning and zoning commission may recommend a variance from the minimum standards of this division other than procedural provisions when, in its opinion, practical difficulties (as defined by M.S.A. § 462.357, subd. 6) may result from strict compliance.

In recommending any variance, the planning and zoning commission shall prescribe any conditions that it deems necessary to or desirable for the public interest. Variances shall only be permitted when they are in harmony with the general purposes and intent of this chapter and when the terms of the variance are consistent with the comprehensive plan. When evaluating variance requests, the planning and zoning commission shall consider:

1. Is the variance in harmony with the purposes and intent of this chapter?
2. Is the variance consistent with the comprehensive plan?
3. Does the proposal put property to use in a reasonable manner?
4. Are there unique circumstances to the property not created by the landowner?
5. Will the variance, if granted, alter the essential character of the locality?

Planning Commission Recommendation

The Planning Commission recommended approval of the variance.

The packet for the Board of Supervisors contains one resolution approving both variances. In the event that the Board is not inclined to approve either one or both of the variances, it is requested that you table the application to your next meeting and direct staff to prepare updated resolutions for denial of the variance(s).

Item 2: Recommendation on Variance related to Materials on Accessory Building Located Closer to Road than the Home

Public Hearing: June 16, 2026 Planning Commission

Zoning
The property is zoned R-1 and is located in the shoreland overlay district.

Existing Conditions
The property currently has two accessory structures that are slightly larger than 200 square feet in size. The ordinance only permits one accessory structure that is up to 2400 square feet and an additional storage shed up to 200 square feet.

Variance Request
The requested variance is to allow the façade of the new accessory structure to be harmonious with but not match exactly the façade of the home. A copy of the proposed plans for the building is included in the packet.

Variance Review and Findings Criteria
The purpose of the Variance is to provide the Town with an opportunity for amelioration of unnecessary hardships resulting from the rigid enforcement of its Zoning Ordinance. This Variance provision authorizes the Town Board to permit a particular property to be used in a manner not allowed for by the Ordinance by varying the terms of the ordinance. Variances shall pertain only to the physical characteristics of the land or structures to be built thereon, such as area, height, setback requirements, and density. Specifically, the Town may grant only non-use or area Variances and shall not grant use Variances.

The planning and zoning commission may recommend a variance from the minimum standards of this division other than procedural provisions when, in its opinion, practical difficulties (as defined by M.S.A. § 462.357, subd. 6) may result from strict compliance.

In recommending any variance, the planning and zoning commission shall prescribe any conditions that it deems necessary to or desirable for the public interest. Variances shall only be permitted when they are in harmony with the general purposes and intent of this chapter and when the terms of the variance are consistent with the comprehensive plan. When evaluating variance requests, the planning and zoning commission shall consider:

1. Is the variance in harmony with the purposes and intent of this chapter?
2. Is the variance consistent with the comprehensive plan?
3. Does the proposal put property to use in a reasonable manner?

4. Are there unique circumstances to the property not created by the landowner?
5. Will the variance, if granted, alter the essential character of the locality?

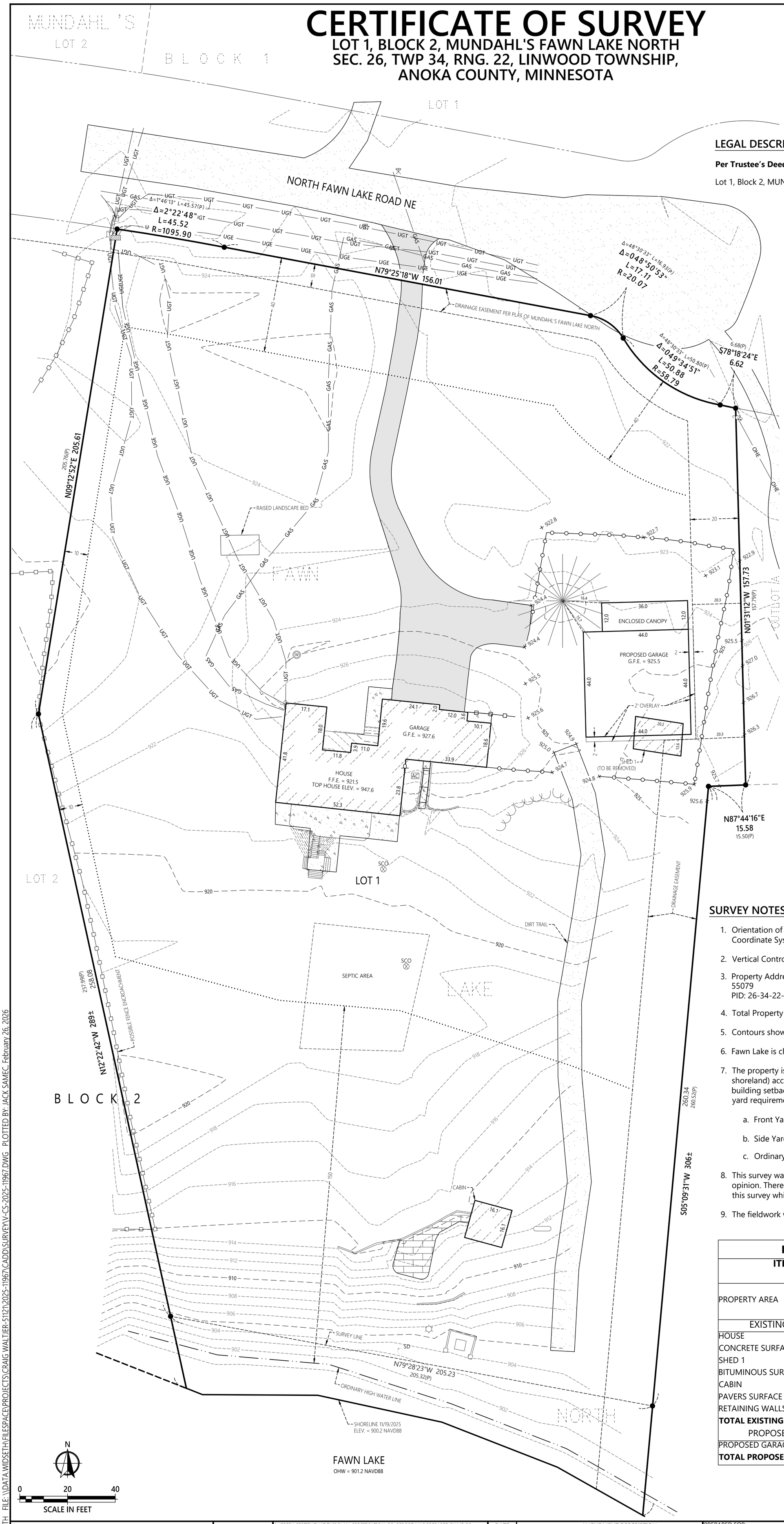
Planning Commission Recommendation

The Planning Commission recommended approval of the variance.

The packet for the Board of Supervisors contains one resolution approving both variances. In the event that the Board is not inclined to approve either one or both of the variances, it is requested that you table the application to your next meeting and direct staff to prepare updated resolutions for denial of the variance(s).

CERTIFICATE OF SURVEY

LOT 1, BLOCK 2, MUNDAHL'S FAWN LAKE NORTH
SEC. 26, TWP 34, RNG. 22, LINWOOD TOWNSHIP,
ANOKA COUNTY, MINNESOTA



LEGAL DESCRIPTION

Per Trustee's Deed Doc. No. 2397938.002

Lot 1, Block 2, MUNDAHL'S FAWN LAKE NORTH, Anoka County, Minnesota.

LEGEND

- RIGHT-OF-WAY LINE
- EASEMENT LINE
- SETBACK LINE
- 1230 MAJOR CONTOURS
- 1234 MINOR CONTOURS
- UGT UNDERGROUND TELEPHONE LINE
- UGE UNDERGROUND ELECTRIC LINE
- GAS NATURAL GAS LINE
- CHAINLINK FENCE
- WOOD FENCE
- BITUMINOUS SURFACE
- CONCRETE SURFACE
- PAVERS SURFACE
- GRAVEL SURFACE
- BUILDING
- PROPANE TANK
- SCO SANITARY CLEANOUT
- GUY WIRE ANCHOR
- MAILBOX
- T TELECOM PEDESTAL
- SD SATELLITE DISH
- AC AC UNIT
- LIGHT POLE
- E ELECTRIC METER
- ELECTRIC POLE
- TRANSFORMER
- W WATER WELL
- TREE - CONIFEROUS
- DENOTES FOUND 1/2" IRON PIPE MONUMENT W/ CAP MARKED RLS 9260 UNLESS LABELED OTHERWISE IN THE DRAWING

SURVEY NOTES

1. Orientation of this bearing system is based on the Anoka County Coordinate System NAD83 (1996 adj.)
2. Vertical Control: Benchmark "Widseth" Elev. = 913.050 NAVD88
3. Property Address: 8560 North Fawn Lake RD NE. Linwood Township, MN 55079
   PID: 26-34-22-21-0008
4. Total Property Area(Above OHW): 118085 +/- Sq. Ft. or 2.7 +/- Acres.
5. Contours shown are per field collected data on NAVD88 datum.
6. Fawn Lake is classified as a Natural Environment lake per MN DNR.
7. The property is zoned (R-1) Single Family Residential District(and shoreland) according to the Linwood Township zoning map. The building setback lines as shown are according to the Linwood Township yard requirements:
   a. Front Yard/Right-of-way : 40 feet
   b. Side Yard : 10 feet
   c. Ordinary High Water — Natural environment lake : 150 feet
8. This survey was completed without the benefit of a title commitment or opinion. There may be easements or other limiting factors not shown on this survey which affect the subject property.
9. The fieldwork was performed on November 19th, 2025.

IMPERVIOUS AREA TABLE

ITEM		AREA (FT^2)	IMPERVIOUS (%)
PROPERTY AREA	=	118,085	8.05%
EXISTING AREAS			
HOUSE	=	2,637	2.23%
CONCRETE SURFACES	=	946	0.80%
SHED 1	=	274	0.23%
BITUMINOUS SURFACE/DRIVEWAY	=	3,235	2.74%
CABIN	=	260	0.22%
PAVERS SURFACE	=	344	0.29%
RETAINING WALLS	=	113	0.10%
TOTAL EXISTING IMPERVIOUS	**=**	**7,809**	**6.61%**
PROPOSED AREAS			
PROPOSED GARAGE	=	2,548	2.16%
TOTAL PROPOSED IMPERVIOUS	**=**	**10,083**	**8.54%**

N

0 20 40

SCALE IN FEET

WIDSETH
ARCHITECTS ▪ ENGINEERS ▪ SCIENTISTS ▪ SURVEYORS

DRAWN BY: JAS
CHECKED BY: KLJ

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Kelly L. Jordan LIC. NO.: 42648 DATE: 02/26/2026

DATE	AMENDMENT DESCRIPTION

PREPARED FOR: CRAIG WALTJER

CERTIFICATE OF SURVEY | PROJECT #: 2025-11967

© 2026 WIDSETH FILE: \\DATA.WIDSETH\FILESPACE\PROJECTS\CRAIG WALTJER-51121\2025-11967\CADD\SURVEY\V-CS-2025-11967.DWG PLOTTED BY: JACK SAMEC, February 26, 2026

Variance Summary

This variance request is to consider (or grandfather) an old 259 square foot building built before the Township code dated 2004 as a 200 square foot storage building. This would allow a 2400 square foot or less accessory building to be built on the property.

22817 Typo Creek Drive N.E. • Stacy, MN 55079
Phone (651) 462-2812 • Fax (651) 462-0500
E-Mail: records@linwoodtownship.org

File # 26-01-VAR
Fee $ 350 Rcpt # 17187
Chk # 237 Date: 4-10-26
Escrow $ 1,000 Rcpt # 17187
Chk # 237 Date: 4-10-26

VARIANCE: APPLICATION FOR CONSIDERATION

Applicant:
Name Craig Waltjer
Mailing Address 26875 465th Ave
City Tea State SD Zip 57064
Daytime phone: 713-254-3474
E-mail: CWaltjer@att.net

Owner (if different from Applicant):
Name same as above
Mailing Address _____
City _____ State _____ Zip _____
Daytime phone: _____

Property Information
Property Address 8560 N. Fawn Lake Rd. NE
City Stacy State MN Zip 55079
Legal Description: Lot 1 Block 2
Development Mundahl's Fawn Lake North Anoka County, Minnesota
(If lengthy legal, please attach full legal description)
Property ID Number: 26-34-22-21-0008
Present Zoning: R1

Person/Company Paying the Escrow:
Name Craig Waltjer

2nd Applicant:
Name Susan Waltjer
Mailing Address 26875 465th Ave
City Tea State SD Zip 57064
Daytime phone: 281-639-6688
E-mail: CWaltjer@att.net

Owner (if different from Applicant):
Name same as above
Mailing Address _____
City _____ State _____ Zip _____
Daytime phone: _____

Property # 2 Information
Property Address _____
City _____ State _____ Zip _____
Legal Description: Lot _____ Block _____
Development _____
(If lengthy legal, please attach full legal description)
Property ID Number: _____
Present Zoning: _____

Person/Company Receiving Returned Escrow:
(If different from the payor, permission is needed)
Name Craig Waltjer

CRITERIA FOR GRANTING VARIANCES

(Responses to each statement must be answered by applicant and submitted with application.)

A variance may be granted only in the event that all of the following circumstances exist:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this Ordinance have had no control. The building for the variance seems old and built prior to the ordinance Sec. 30-671 dated 2004. The building existed when we purchased the property. The property is also remote at the very end of a dead end gravel road.

2. The literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance. The building for the variance is 259 square feet which is larger than the 200 square foot maximum. Literal interpretation of the Ordinance would prohibit the building of an accessory building of the size and use commonly built on other properties in the district.

3. The special conditions or circumstances do not result from the actions of the applicant. The building for the variance existed when we purchased the property.

4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to others of other lands, structures or buildings in the same district. The building for the ~~Ordinance~~ Variance was built before the ordinance and is only 59 square feet larger than the maximum 200 square feet stated in the ordinance.

5. The variance will not allow any use that is not permitted under the Ordinance for a property in the zone where the affected applicant's land is located. The building for the variance will be used the same as a 200 square foot building as permitted under the oridinance

VARIANCE: APPLICATION FOR CONSIDERATION

Narrative description of request must be attached on a separate page. Description must include the reason for the variance request and the unique circumstances to the property that require a variance from the ordinance or standards.

Data furnished in this application form is public information.

Applicant and Owner Statement

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the Township pertaining to additional application expense(s).

I hereby certify that the information contained in this application is to my knowledge a true, accurate and complete representation of the facts and conditions concerning the proposed request for a variance. I hereby authorize the Linwood Township authorized staff to enter upon this property for such inspections as necessary for the review of this application.

Signature of Applicant

Craig Waltzi

Date: 3/20/26

Signature of Applicant #2

Susan Waltzi

Date: 3/20/26

Signature of Owner

Craig Waltzi

Date: 3/20/26

Signature of Owner

Susan Waltzi

Date: 3/20/26

Application fee: $350.00

Escrow: $1,000.00

For Office Use only File #_____

Application Received by:_____ Date:_____

Document Verification by: _____ Date:_____

Additional Information Requested within 15 days of application: _____

_____

Application Deemed Complete by (name): _____ Date:_____

_____ Date:_____

Zoning Administrator

Variance Summary

This variance request is to allow the accessory building facade facing the roadway to use materials in harmony with the dwelling instead of matching materials. The property is extremely wooded and remote at the very end of a dead-end gravel road. The building materials would not be visible from the roadway.

22817 Typo Creek Drive N.E. • Stacy, MN 55079
Phone (651) 462-2812 • Fax (651) 462-0500
E-Mail: records@linwoodtownship.org

File # 26-02-VAR
Fee $ 350 Rcpt # 17188
Chk # 238 Date: 4-16-26
Escrow $ 1,000 Rcpt # 17188
Chk # 238 Date: 4-16-26

VARIANCE: APPLICATION FOR CONSIDERATION

Applicant:
Name Craig Waltjer
Mailing Address 26875 465th Ave
City Tea State SD Zip 57064
Daytime phone: 713-254-3474
E-mail: cwaltjer@att.net

Owner (if different from Applicant):
Name same as above
Mailing Address _____
City _____ State _____ Zip _____
Daytime phone: _____

Property Information
Property Address 8566 N. Fawn Lake Rd NE
City Stacy State MN Zip 55079
Legal Description: Lot 1 Block 2
Development Mundahl's Fawn Lake North
Anoka County, Minnesota
(If lengthy legal, please attach full legal description)
Property ID Number: 26-34-22-21-0008
Present Zoning: R1

Person/Company Paying the Escrow:
Name Craig Waltjer

2nd Applicant:
Name Susan Waltjer
Mailing Address 26875 465th Ave
City Tea State SD Zip 57064
Daytime phone: 281-639-6688
E-mail: cwaltjer@att.net

Owner (if different from Applicant):
Name same as above
Mailing Address _____
City _____ State _____ Zip _____
Daytime phone: _____

Property # 2 Information
Property Address _____
City _____ State _____ Zip _____
Legal Description: Lot _____ Block _____
Development _____
(If lengthy legal, please attach full legal description)
Property ID Number: _____
Present Zoning: _____

Person/Company Receiving Returned Escrow:
(If different from the payor, permission is needed)
Name Craig Waltjer

CRITERIA FOR GRANTING VARIANCES

(Responses to each statement must be answered by applicant and submitted with application.)

A variance may be granted only in the event that all of the following circumstances exist:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same zone or vicinity, and result from lot size or shape, topography or other circumstances over which the owners of property since enactment of this Ordinance have had no control. The property is extremely wooded. The property elevation descends from the dwelling down to the lake. The west side has numerous buried utilities. There is a drainage easement on the north and east side. The only practical building location is noted on the site plan.
2. The literal interpretation of the provisions of this Ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Ordinance. Other properties in the district allow an accessory building to be built behind the dwelling allowing the building to be in harmony with the dwelling instead of the requirement to match the materials of the dwelling. Our property doesn't allow this.
3. The special conditions or circumstances do not result from the actions of the applicant. The property is remote, extremely wooded and at the dead end of a gravel road. The elevation drops to the lake and there is a drainage easement all limiting building location.
4. Granting the variance requested will not confer on the applicant any special privilege that is denied by this Ordinance to others of other lands, structures or buildings in the same district. other buildings in the district that are in remote areas, not visible from the roadway or far from the roadway do not have materials that match the dwelling but are in harmony with the dwelling
5. The variance will not allow any use that is not permitted under the Ordinance for a property in the zone where the affected applicant's land is located. No. The accessory building will be used as permitted under the Ordinance.

VARIANCE: APPLICATION FOR CONSIDERATION

Narrative description of request must be attached on a separate page. Description must include the reason for the variance request and the unique circumstances to the property that require a variance from the ordinance or standards.

Data furnished in this application form is public information.

Applicant and Owner Statement

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the Township pertaining to additional application expense(s).

I hereby certify that the information contained in this application is to my knowledge a true, accurate and complete representation of the facts and conditions concerning the proposed request for a variance. I hereby authorize the Linwood Township authorized staff to enter upon this property for such inspections as necessary for the review of this application.

Signature of Applicant

Craig Waltzin

Date: 4/7/26

Signature of Applicant #2

Susan Waltzin

Date: 4/7/26

Signature of Owner

Craig Waltzin

Date: 4/7/26

Signature of Owner

Susan Waltzin

Date: 4/7/26

Application fee: $350.00

Escrow: $1,000.00

For Office Use only File #_____

Application Received by:_____ Date:_____

Document Verification by: _____ Date:_____

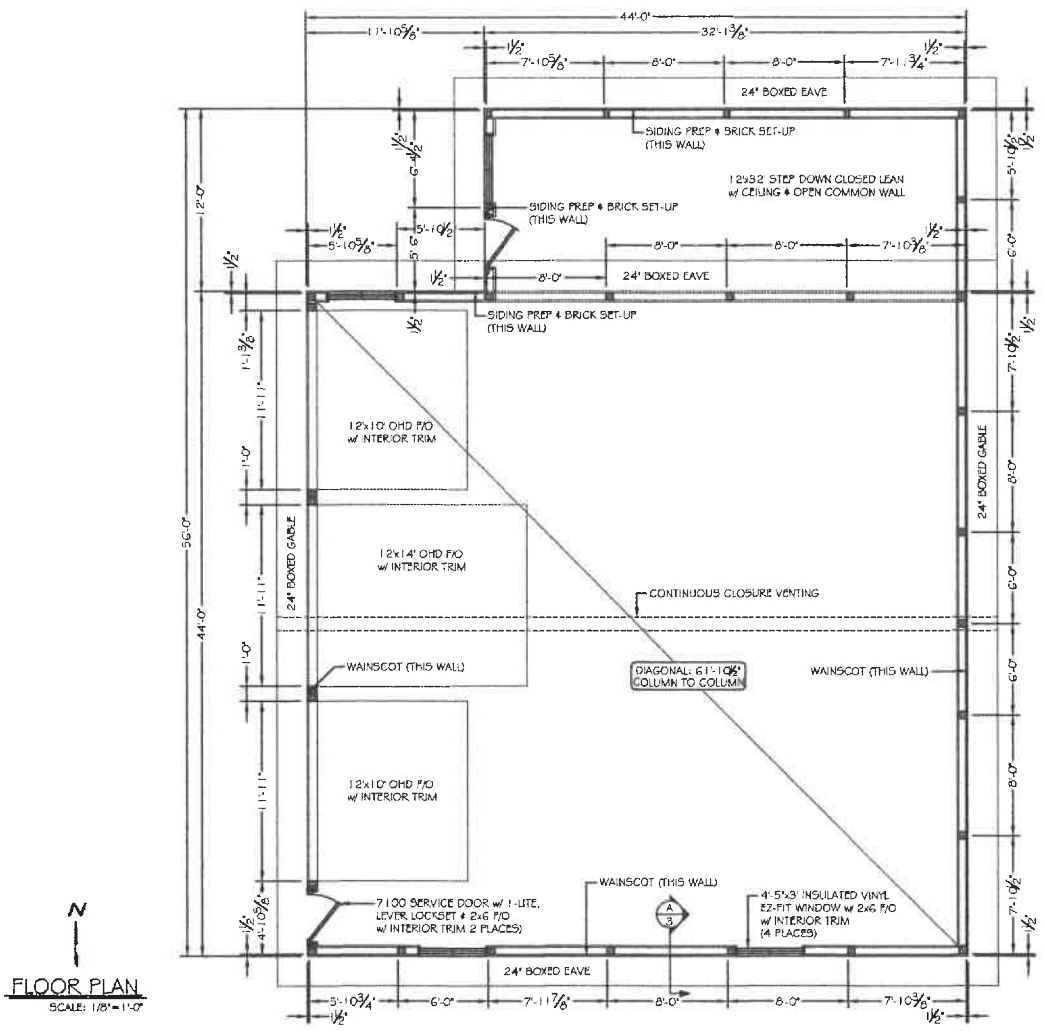
Additional Information Requested within 15 days of application: _____

_____

Application Deemed Complete by (name): _____ Date:_____

_____ Date:_____

Zoning Administrator



N

FLOOR PLAN

SCALE: 1/8" = 1'-0"

Northland Buildings

The Leader in Custom Built Buildings

ENGINEERING DEPARTMENT
2894 58th Street
Eau Claire, WI 54703
Fax (715) 874-4213
Office (715) 874-4211

PROJECT TITLE

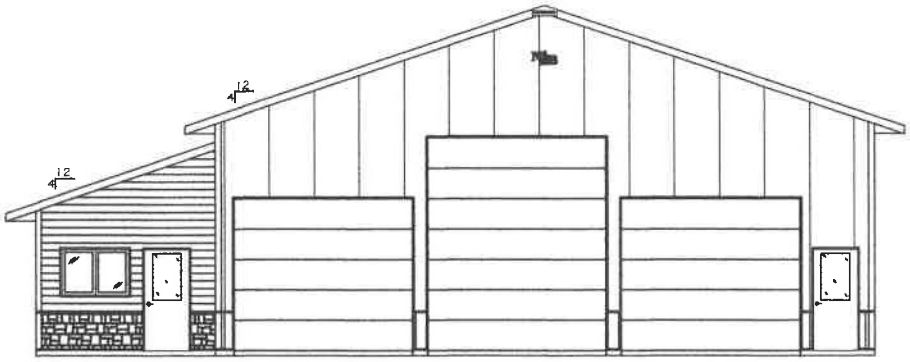
CRAIG WALTJER

STACY, MN

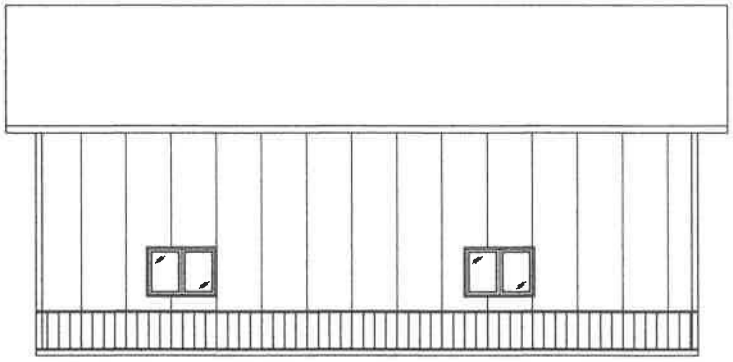
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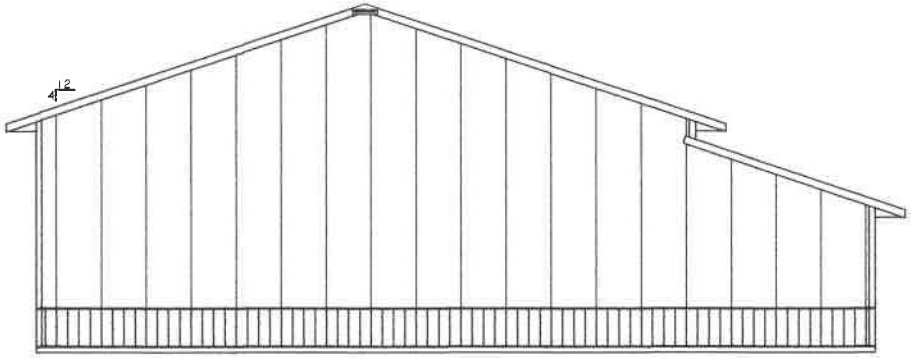
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NO.	DATE	DESCRIPTION	BY	AS NOTED	26-039-44
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1				DATE: 03/23/26	1 of 3
2					
3					



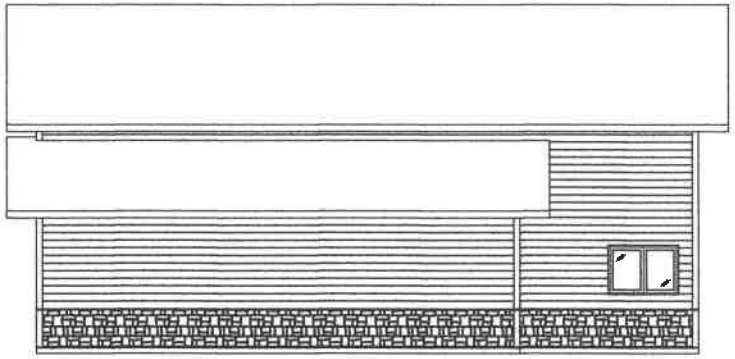
WEST



SOUTH



EAST



NORTH

ELEVATIONS

SCALE: 1/8"=1'-0"

Northland Buildings
The Leader in Custom Built Buildings

ENGINEERING DEPARTMENT
2894 58th Street
Eau Claire, WI 54703
Fax (715) 874-4213
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PROJECT TITLE

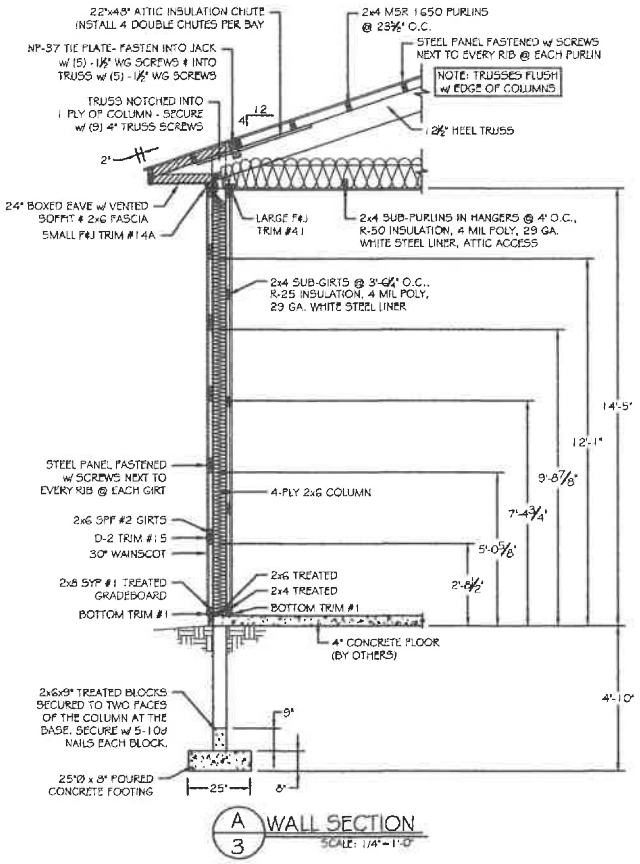
CRAIG WALTJER

STACY, MN

44' x 44' x 14'-5"

FILE NAME: I:\ACAD\DWGS\PLAN REQUEST\26\LP\WALTJER,CRAIG.DWG

REVISIONS				SCALE	JOB NO.
NO.	DATE	DESCRIPTION	BY	AS NOTED	26-039-44
0	03/23/26	RELEASED	BCC	DRAWN BY	SHEET NO.
1				BCC	2 of 3
2				DATE	
3				03/23/26	



Northland Buildings
The Leader in Custom Built Buildings

ENGINEERING DEPARTMENT
2894 58th Street
Eau Claire, WI 54703
Fax (715) 874-4213
Office (715) 874-4211

PROJECT TITLE

CRAIG WALTJER

STACY, MN

44' x 44' x 14'-5"

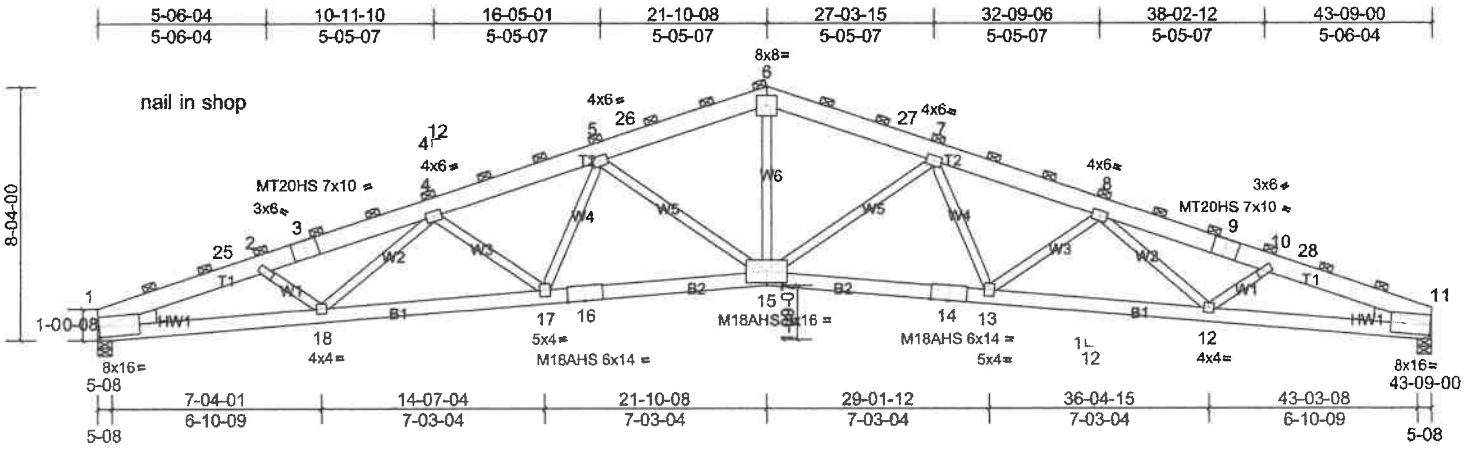
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REVISIONS				SCALE	JOB NO.
NO.	DATE	DESCRIPTION	BY	AS NOTED	26-039-44
0	03/23/26	RELEASED	BCC	DRAWN BY	SHEET NO.
1				BCC	3 of 3
2				DATE	
3				03/23/26	

Job	Truss	Truss Type	Qty	Ply	
606720 QROOF1	001	SCISSORS	1	2	Job Reference (optional)

Littfin Truss Company, Winsted, MN, swd

Run: 25.40 S Feb 10 2026 Print: 25.4.0 S Feb 10 2026 MiTek Industries, Inc. Fri Mar 20 10:44:37 Page: 1
ID:?Wr?weKH7L3jOvGJkYoSFfzZ3Z3-FoxFxLrF?YTd2V2am43YVjfWT5DMoHWDAHGGP_zZ3YO



Scale = 1:71.1

Plate Offsets (X, Y): [1:0-05,3-14], [11:0-05,3-14]

Loading	(psf)	Spacing	8-00-00	CSI		DEFL	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL (roof)	42.0	Plate Grip DOL	1.15	TC	0.96	Vert(LL)	-0.98	15	>534	240	MT20HS	187/143
TCDL	4.0	Lumber DOL	1.15	BC	0.81	Vert(CT)	-1.20	15-17	>439	180	MT20	220/190
BCLL	0.0	Rep Stress Incr	NO	WB	0.96	Horz(CT)	0.46	11	n/a	n/a	M18AHS	186/179
BCDL	5.0	Code	IRC2018/TPI2014	Matrix-MSH							Weight: 640 lb	FT = 20%

LUMBER
TOP CHORD 2x8 SP 1650F 1.6E
BOT CHORD 2x6 SP 2700F 2.2E
WEBS 2x4 DF-N No.1/No.2 or 2x4 SPF No.2 *Except* W6:2x4 DF No.2 or 2x4 DF-N No.1/No.2
WEDGE Left: 2x6 SPF 1650F 1.5E
Right: 2x6 SPF 1650F 1.5E

BRACING
TOP CHORD 2-0-0 oc purlins (2-6-15 max.).
BOT CHORD Rigid ceiling directly applied or 9-5-1 oc bracing.

REACTIONS (size) 1=5-08, (min. 3-11), 11=5-08, (min. 3-11)
Max Horiz 1=403 (LC 11)
Max Uplift 1=-1728 (LC 12), 11=-1728 (LC 12)
Max Grav 1=8925 (LC 1), 11=8925 (LC 1)

FORCES (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 1-25=-22705/6389, 2-25=-22355/6407, 2-3=-22751/6400, 3-4=-22638/6426, 4-5=-22131/6360, 5-26=-17587/5210, 6-26=-17307/5237, 6-27=-17307/5248, 7-27=-17587/5221, 7-8=-22131/6356, 8-9=-22638/6434, 9-10=-22751/6409, 10-28=-22355/6415, 11-28=-22705/6397
BOT CHORD 1-18=-5745/20855, 17-18=-6104/22669, 16-17=-5179/19831, 15-16=-5171/19850, 14-15=-5125/19850, 13-14=-5133/19831, 12-13=-6066/22669, 11-12=-5750/20855
WEBS 6-15=-2433/8703, 2-18=0/1101, 4-18=-1458/484, 4-17=-2790/967, 5-17=-584/2626, 5-15=-4632/1472, 7-15=-4632/1472, 7-13=-584/2626, 8-13=-2790/967, 8-12=-1458/482, 10-12=0/1101

NOTES (10-12)
1) 2-ply truss to be connected together with 10d (0.120"x3") nails as follows:
Top chords connected as follows: 2x8 - 2 rows staggered at 9-00 oc.
Bottom chords connected as follows: 2x6 - 2 rows staggered at 9-00 oc.
Web connected as follows: 2x4 - 1 row at 9-00 oc.
2) All loads are considered equally applied to all plies, except if noted as front (F) or back (B) face in the LOAD CASE(S) section. Ply to ply connections have been provided to distribute only loads noted as (F) or (B), unless otherwise indicated.
3) Unbalanced roof live loads have been considered for this design.
4) Wind: ASCE 7-16; Vult=115mph (3-second gust) Vasd=91mph; TCDL=2.4psf; BCDL=3.0psf; h=23ft; B=45ft; L=44ft; eave=5ft; Cat. II; Exp C; Enclosed; MWFRS (directional) and C-C Exterior(2E) 0-0-0 to 4-4-8, Interior (1) 4-4-8 to 21-10-8, Exterior(2R) 21-10-8 to 26-3-0, Interior (1) 26-3-0 to 43-9-0 zone; cantilever left and right exposed ; end vertical left and right exposed;C-C for members and forces & MWFRS for reactions shown; Lumber DOL=1.60 plate grip DOL=1.60
5) Dead loads shown include weight of truss. Top chord dead load of 5.0 psf (or less) is not adequate for a shingle roof. Architect to verify adequacy of top chord dead load.
6) All plates are MT20 plates unless otherwise indicated.
7) This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
8) Bearing at joint(s) 1, 11 considers parallel to grain value using ANSI/TPI 1 angle to grain formula. Building designer should verify capacity of bearing surface.
9) Provide mechanical connection (by others) of truss to bearing plate capable of withstanding 1728 lb uplift at joint 1 and 1728 lb uplift at joint 11.
10) This truss is designed in accordance with the 2018 International Residential Code sections R502.11.1 and R802.10.2 and referenced standard ANSI/TPI 1.
11) This truss must not be exposed to environments that are corrosive or greater than 19 percent moisture, and moisture of lumber not to exceed 19 percent
12) It is the responsibility of the engineer of record to determine the suitability of this component for this project per ANSI/TPI 1, Section 2.
13) For Piggyback conditions, see Piggyback truss connection detail for base to cap truss connections.

Continued on page 2

Northland Buildings Inc.
The Leader in Custom Built Buildings

QUOTE

Price Good Until: 1/17/2026

Sales Consultant: Richard Gorka
Phone: (763) 444-1943
CELL: (715) 456-8680
Pager:
Fax:
Email: gorkar@northlandbuildings.com

Date: 1/7/2026 **Media Code:** QLCUS

Purchaser's Name: CRAIG WALTJER **QuoteID:** 12_17_25

CoPurchaser's Name: Advantage Series - 29ga Steel & 26ga Trim

Address: 8560 N FAWN LAKE RD NE

City: STACY **State:** MN **Zip:** 55079-

Home Phone: **Cell Phone:** (713) 254-3474 **Job Phone:**

Work Phone: **Email:** cwaltjer@att.net

Email 2:

Building Location: *Address* 8560 N FAWN LAKE RD NE *City* STACY *St* MN *Zip* 55079-

County CHISAGO

Building Size:
Width 44 *Length* 44 *Height* 14'5"

Truss: *On Center:* 8 *Pitch:* 4/12 *Plys:* 1
LiveLoad: 42 *DeadLoad:* 4 *CeilingLoad:* 5 *Total Load* 51

Building Type: Storage **Build Use:** Residential Non-Dwelling **SQFT:** 1936 **LF:** 176

Frame: Post 4PLY 2x6 Columns

GradeBoard: 2x8 **Build On Concrete:** No

Wall	*Color*	*Description*
All		164 ft of Wainscot
End1		(1) 12'0"W X 10'0"H Interior Trimmed Overhead Frame-Out (Not including Door) no High Lift
End1		(1) 12'0"W X 10'0"H Interior Trimmed Overhead Frame-Out (Not including Door) no High Lift
End1		(1) 12'0"W X 14'0"H Interior Trimmed Overhead Frame-Out (Not including Door)
End1		(1) 12'0"W X 10'0"H Overhead Door INSULATED WITH 115 MPH WINDLOAD AND LITES
End1		(1) 12'0"W X 10'0"H Overhead Door INSULATED WITH 115 MPH WINDLOAD AND LITES
End1		(1) 12'0"W X 14'0"H Overhead Door INSULATED WITH 115 MPH WINDLOAD AND LITES
All		240 ft of 24" Boxed Eaves & Gables w/ 2x6 Fascia incl 24' of Gable & 32' of Eave for Leans
All		Interior Pckg w/ 3036 Sqft Fiberglass R-25 8in Blanket for walls, 2x4 Sub Girts 4 ft OC,w/ 29 ga White AZ35 liner panel - Walls, w/ Poly w/ 140 LF of 2inx4in S4S Gradeboard
Ceiling		Interior Pckg w/ 1943 Sqft , 2x4 Sub Purlins 4 ft OC-Installed w/ hangers- 35# & 42#,w/ 29 ga White AZ35 liner panel - Ceiling, w/ Poly ,w/ Attic Access
Ceiling		R-50 Blown Insulation 1943 sqft
Side1		Closed 12'W x 32'L x 13'0" / 9'0"H (approx Nailer Flush) OC8 4/12 Lean w/ 12" Sdwll Step w/ Opened Common Wall w/ 3PLY 2x6 Posts
		48' of Continuous Closure Venting
		(2) Common 45' Span 8' OC 42-4-5 Residential 4/12 Over 1/12 2-Ply Scissor Truss Includes Ends
End1	Bronze	(1) 3' Right Hand In Swing Thermally Broken (7100) 1-Lite Service Door w/ Lever Lockset and 2x6 Frmout w/ Int.Trim
End1	Bronze	(1) 3' Right Hand In Swing Thermally Broken (7100) 1-Lite Service Door w/ Lever Lockset and 2x6 Frmout w/ Int.Trim
Side2	Dark Bronze	(1) 4ft5"(W)x3(H) Slider with Screen Thermal Insulated Vinyl EZ-FIT Window w/ 2x6 w/ Int. Trim Frame-Out
Side2	Dark Bronze	(1) 4ft5"(W)x3(H) Slider with Screen Thermal Insulated Vinyl EZ-FIT Window w/ 2x6 w/ Int. Trim Frame-Out
Side1	Dark Bronze	(1) 4ft5"(W)x3(H) Slider with Screen Thermal Insulated Vinyl EZ-FIT Window w/ 2x6 w/ Int. Trim Frame-Out
End1	Dark Bronze	(1) 4ft5"(W)x3(H) Slider with Screen Thermal Insulated Vinyl EZ-FIT Window w/ 2x6 w/ Int. Trim Frame-Out

LINWOOD TOWNSHIP
ANOKA COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2026-011

RESOLUTION APPROVING A VARIANCE RELATED TO A SHARED DRIVEWAY ACCESS FOR A DEVELOPMENT KNOWN AS PAJTSHENG AND NTXHI ESTATES

WHEREAS, Muatjsim Vang and Tswjfwm Vang, (the "Developer") has submitted an application for final plat of certain real property located in the Linwood Township, State of Minnesota, and

WHEREAS, the property is legally described as:

> The Southeast Quarter of the Northwest Quarter of Section 11, Township 33, Range 22, Anoka County, Minnesota, except the South 385.00 feet of the West 452.00 feet thereof, Anoka County, Minnesota.
>
> Referred to herein as the "Subject Property"; and

WHEREAS, the Applicant had applied for a variance to permit a shared driveway with access easement and maintenance agreement for Lots 2 and 3 on the plat, rather than having individual driveways to a public road; and

WHEREAS, Minnesota Statute Section 462.357, subd. 6 provides:

a. Variances shall only be permitted (a) when they are in harmony with the general purposes and intent of the ordinance and (b) when the variances are consistent with the comprehensive plan.
b. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that (a) the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; (b) the plight of the landowner is due to circumstances unique to the property not created by the landowner; and (c) the variance, if granted, will not alter the essential character of the locality.

WHEREAS, the public hearing was properly noticed and scheduled for June 16, 2026 Planning Commission meeting; and

WHEREAS, the application and staff report were reviewed by the Planning Commission at its meeting on June 16, 2026 at which the Planning Commission recommended approval of the variances subject to conditions and findings of fact; and

NOW, THEREFORE, BE IT RESOLVED, the Town Board makes the following findings:

1. The proposed variance is a reasonable use of the land. The Anoka County Highway Department will not permit a driveway directly onto Lot 3, but providing an access onto 217th Avenue NE instead would introduce more impervious surface into this area, and would require access through a drainage and utility easement in an area containing wetlands. In addition, it is cost prohibitive to improve 217th Avenue NE.

2. The property is somewhat unique in that it contains large wetland areas and is located on a county road. Minimization of access points and reduction of impervious surfaces benefits both the natural resources and traffic.

3. The variance would not alter the essential character of the locality. The shared driveway will result in better sightlines on County Road 75 than individual driveways.

BE IT FURTHER RESOLVED, the Board of Supervisors approves variances to allow a shared driveway subject to the following conditions:

1. An access easement and maintenance agreement shall be provided to the Township for review and approval by the Town Attorney prior to the release of the plat of Pajtsheng and Ntxhi Estates for recording.

2. The variance shall expire if these conditions are not met and the plat of Pajtsheng and Ntxhi Estates has not been recorded by June 23, 2027.

Approved: _____
Jonn Olson

Attested: _____
Julie Dahnke, Interim Clerk

LINWOOD TOWNSHIP
ANOKA COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2026-012

A RESOLUTION APPROVING A FINAL PLAT FOR A DEVELOPMENT KNOWN AS PAJTSHENG AND NTXHI ESTATES

WHEREAS, Muatjsim Vang and Tswjfwm Vang, (the "Developer") has submitted an application for final plat of certain real property located in the Linwood Township, State of Minnesota, legally described on Exhibit A (the "Subject Property"); and

WHEREAS, the Board of Supervisors of Linwood Township did previously adopt a resolution approving a preliminary plat of the Subject Property; and

WHEREAS, the Developer has requested a final plat so as to allow the Developer to plat the Subject Property into various lots as shown on a preliminary and final plat for a development entitled Pajtsheng and Ntxhi Estates, the most recent revision of said final plat and plans prepared by Plowe Engineering, Inc and contains the following plans:

1. Final Plat
2. Preliminary Plat
3. Civil Plans containing 6 pages and dated May 19, 2026

(the "Site Plans"); and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors hereby approves the application for a Final Plat subject to the following conditions:

1. The Final Plat must address comments received from the Anoka County Highway Department in a manner satisfactory to the County.

2. All comments contained within the Town Engineer memo from Hakanson Anderson dated June 2, 2026 and the memo from Collaborative Planning dated June 12, 2026 are incorporated herein (collectively referred to as the "Staff Memos").

3. All public infrastructure including but not limited to stormwater, and roads shall either be dedicated or located within a drainage and utility easement.

4. The improvements to the Subject Property shall be constructed in substantial conformance with the Site Plans as revised to conform to the requirements of the Staff Memos.

5. If the updated Site Plans addressing the comments of the resolutions, Staff Memos, or outside agencies necessitate revisions to any of the lot lines or easements on the Subject Property, then those revisions shall be incorporated into the Final Plat submitted by the Developer. Compliance with these requirements may result in changes to or the removal of lots, outlots,

easements, or right of way, in which case the Developer shall revise the Site Plans and Final Plat as necessary in conformance thereto. If an off-site easement is required to address a comment, then a separate easement document shall be provided to the Town for review and approval prior to release of the Final Plat for recording.

6. To the extent that there are differences or conflicts between the Site Plans and this resolution, the terms of this resolution shall be controlling unless and until modified by a final plat resolution.

7. The timing of the construction of the infrastructure improvements on the Subject Property will be subject to the conditions of a Development Agreement between the Town and the Developer.

8. A current title commitment shall be provided for the review of the Town Attorney before the final plat is released for recording.

9. Financial security in a form approved by the Town Attorney and in an amount approved by the Town Engineer must be provided by the Developer prior to release of the final plat for recording. The Developer's Agreement shall specify the amount of the financial security.

10. The Developer must reimburse the Town for all costs incurred by the Town and its consultants in relation to review of the proposed development plans as well as the preparation of the Developer's Agreement.

11. No wetlands may be impacted during construction of the homes. Buffers require that unmowed areas adjacent to wetlands are maintained with non-invasive vegetation for the purpose of filtering pollutants before they enter the wetland, reducing erosion, and minimizing human impacts. Buffer wetlands will need to be established with native grasses. The applicant shall submit an establishment plan specifying an accepted MnDOT BWSE, NRCS, or SWCD seed mix that is appropriate for the area.

12. Individual septic system design is required at the time of building permit application and shall be reviewed and approved by the Building Official.

13. Building permits shall be required for the new homes which requires submittal of a certificate of survey for individual lots, lowest floor elevations noted and custom grading/erosion control plans and are subject to review of the Town.

14. Any new utility lines installed to serve the Subject Property are required to be placed underground.

15. The Developer shall be responsible for securing necessary easements and for constructing all streets, utility, trail, stormwater, and other improvements shown on the Approved Construction Plans at their own expense.

16. The Subject Property shall be final platted in one phase. Prior to the release of the Final Plat for recording, a Developer's Agreement must be entered into which Agreement(s) will include, but not be limited to, the following:

a. Park dedication and other fee requirements.
b. Wetland buffers.
c. Requirements prior to issuance of a building permit.
d. All required approvals from other governmental agencies.
e. Maintenance requirements during construction.
f. Financial guaranties.
g. Other planning and engineering items, as appropriate.

17. The Developer shall be responsible for obtaining and complying with all necessary permits from any other governmental agencies.

18. The Developer shall incorporate the standards and procedures of the Minnesota Stormwater Manual for site restoration and erosion control measures during the construction process.

19. Park dedication shall be payment-in-lieu of land dedication. Park dedication fees shall be paid prior to release of the final plat for recording as per the Town fee schedule in effect at the time of the execution of the Developer's Agreement.

20. The approval of the Final Plat shall terminate if a Developer's Agreement has not been entered into between the Town and Developer by October 1, 2026.

21. The approval of the Final Plat shall terminate unless all conditions of this resolution are completed and the Final Plat is recorded no later than October 1, 2026.

22. Additional conditions as determined necessary by the Town Planner, Town Engineer, and Town Attorney as review of the project progresses and is completed.

23. The property owner is responsible for all costs associated with the processing of this request.

Adopted by the Board of Supervisors for Linwood Township this 23rd day of June, 2026.

Approved: _____
Jonn Olson, Chair

Attested: _____
Julie Dahnke, Interim Clerk

EXHIBIT A

Legal Description

The Southeast Quarter of the Northwest Quarter of Section 11, Township 33, Range 22, Anoka County, Minnesota, except the South 385.00 feet of the West 452.00 feet thereof, Anoka County, Minnesota.

Collaborative Planning, LLC

Memorandum

Date:	**June 18, 2026**
To:	**Planning Commission**
From:	**Cindy Nash, Consulting Town Planner**
RE:	**Variance and Final Plat – Pajtsheng & Ntxhi Estates**

Description of Request

The applicants are requesting approval of a variance application for a shared driveway and a final plat. The property consists of approximately 35 acres and is located at near the intersection of CR 75 (Sunrise Road NE) and 217th Ave NE.

The property is currently vacant. The Developer is proposing to plat the property into a total of three lots.

The following items are included in the packet for review:

1. Final Plat
2. Final Plan Set
3. Preliminary Plat (revised)
4. February 4, 2026 letter from Anoka County Highway Department
5. June 2, 2026 letter from Town Engineer
6. June 12, 2026 memo from Town Planner

PO Box 251, Medina, MN 55340
Phone 763.473.0569

Item 1: Recommendation on Variance

Background

The preliminary plat originally proposed three driveway entrances on to CR 75. As described in the February 4, 2026 letter from Anoka County Highway Department, they did not approve direct access for Lot 3 onto CR 75, and instead said that access would need to come from 217th Ave NE. The applicant's latest submission includes a request for a shared driveway for Lots 2 and 3. As proposed, this driveway would be located on the northern side of Lot 2 and then would cross Lot 2 before accessing Lot 3. The Town will need to determine if this will be acceptable to permit a shared driveway. If it is acceptable, then an access easement agreement would need to be submitted for review and recorded concurrent with the final plat.

Locating the driveway as proposed by the applicant would accomplish the following:

- Eliminate the need to take a driveway through the forested area and drainage and utility easement on the south side of the parcel
- Reduce the amount of new impervious surface

Recommendation

The Planning Commission recommended approval of the variance. A resolution is included in the packet for Town Board consideration and approval.

Item 2: Recommendation on Final Plat

The final plat is the version of the plat that is recorded, together with a Development Agreement. This then permits the applicant to move forward with the actual construction of the subdivision.

Land Use

The proposed land use is three (3) lots.

Access, Roads, Guest Parking, Pedestrian Circulation

No new streets are proposed, and no improvements are proposed to CR 75 or 217th Ave NE.

The preliminary plat originally proposed three driveway entrances on to CR 75. As described in the February 4, 2026 letter from Anoka County Highway Department, they did not approve direct access for Lot 3 onto CR 75, and instead said that access would need to come from 217th Ave NE. The applicant's latest submission includes a request for a shared driveway for Lots 2 and 3. As proposed, this driveway would be located on the northern side of Lot 2 and then would cross Lot 2 before accessing Lot 3. The Town will need to determine if this will be acceptable to permit a shared driveway. If it is acceptable, then an access easement agreement would need to be submitted for review and recorded concurrent with the final plat.

Anoka County comments on this plan set are not yet available.

Lots

The three lots appear to meet the Town's ordinances requirements, subject to any comments in the Town Engineer comment memo.

Utilities (including Septic Systems)

All lots would be served by individual well and ISTS.

The development will require stormwater management and the revised plans identify sedimentation basins and a rate control basin. This stormwater design has been reviewed by the Town Engineer and remaining comments of his are included in his memo.

Parks and Trails

Park dedication is required for two lots.

Development Agreement

The Final Plat will require a Development Agreement between the Township and the applicant, particularly related to stormwater management. The Development Agreement will be brought back to the Town Board for approval at a future meeting.

Engineering and Planning

The development should comply with the comments of the Town Engineer.

Recommendation

The Planning Commission recommended approval of the variance. A resolution is included in the packet for Town Board consideration and approval.

Collaborative Planning, LLC

MEMORANDUM

To: Julie Dahnke, Interim City Clerk

From: Cindy Nash, City Planner

Date: June 12, 2026

Subj: Planning Review Comments – Pajtsheng and Ntxhi Estates Final Plat

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Information Available

- Pajtsheng and Ntxhi Estates Final Plat received on March 30, 2026, prepared by Widseth
- Preliminary Plat prepared by Widseth dated June 21, 2024, latest revision May 19, 2026.
- Civil Plans (6 sheets total) prepared by Plowe Engineering, dated May 19, 2026.

General

1. Park dedication is required for two (2) lots.

2. Septic review to be completed by Linwood Township septic consultant.

3. The stormwater infrastructure will need to be maintained by the property owner(s) through a stormwater maintenance agreement. Easements over the stormwater will need to be provided along with suitable access for the Town to inspect the maintenance of the stormwater infrastructure.

4. Revisions to the final plat and plans to address comments in the comment memos as well as conditions of final plat approval shall be submitted for City Planner and City Engineer review prior to recording of the final plat.

5. Engineering comments will be provided separately.

6. The Developer will need to enter into a Development Agreement to ensure the construction of the stormwater ponds, and erosion control measures and inspections.

7. If the variance for the shared access is approved, an access easement and maintenance agreement including exhibit showing the location of the easement

must be prepared and provided for review and approval of the Town Attorney prior to release of the final plat for recording.

8. A title commitment must be provided for review by the Town Attorney.

cc: Craig Jochum, HAA

Hakanson Anderson

Main Office:
3601 Thurston Avenue, Anoka, MN 55303
Phone: 763-427-5860
www.haa-inc.com

June 2, 2026

Cindy Nash
Collaborative Planning, LLC
P.O. Box 251
Medina, MN 55340

RE: Preliminary Plat Review No.6 – PAJTSHENG & NTXHI ESTATES

Dear Cindy,

We have reviewed the Preliminary Plat information submitted for the proposed plat of Pajtsheng & Ntxhi Estates. The information submitted is as follows:

- Civil Plans (6 Sheets Total) prepared by Plowe Engineering, dated May 19, 2026.
- Preliminary Plat prepared by Widseth, dated June 21, 2024, latest revision May 19, 2026.

We have the following comments:

1. The Anoka County Highway Department revised their original comment letter regarding access to the three proposed lots. They are requiring the driveway for Lot 2 to be moved to the north lot line and suggested Lot 3 construct an access off 217th Avenue. The revised plans show the access to Lot 3 will be from a shared driveway which goes completely through Lot 2. If the Township allows the access of Lot 3 through Lot 2, as shown on the current plan, ingress/egress easements will need to be prepared and recorded. The easement has been added to the Preliminary Plat. We also recommend that the Town Attorney review this item along with any documents that will be recorded.

2. There is a drainage swale in the rear yards of Lot 2 and Lot 3. Revise the swale so it is on the lot line and within the current 20-foot drainage and utility easement.

If you have any questions, please call me at 763-852-0485.

Sincerely,
Hakanson Anderson

Craig J. Jochum, Town Engineer

Anoka County
TRANSPORTATION DIVISION
Highway

Susan Bautch
Linwood Township
22817 Typo Creek Drive NW
Stacy, MN 55079

February 4, 2026

RE: Preliminary Plat – Pajtcheng & Ntxhi Estates_UPDATED

Dear Susan,

We have reviewed the Preliminary Plat for Pajtsheng & Ntxhi Estates to be located east of CR 75 (Sunrise Road NE) and north of 217th Avenue NE within the Township of Linwood, and I offer the following comments:

- The existing right of way along CSAH 14 is 60 feet east of centerline which should be sufficient for future reconstruction purposes.

- As proposed, the plat will introduce three new residential access points onto county roads. The easterly right of way has restricted access deeded to Anoka County which requires County Board approval to open access for the plat. The proposed access locations for Lot 2 and Lot 3 do not meet sight distance guidelines. The access for Lot 2 shall be moved to the north lot line. The access for Lot 3 shall be made off 217th Avenue NE due to there being restricted access along this portion of CR 75.

- No other access points onto CR 75 will be permitted for this plat and the right of access along CR 75 is dedicated to Anoka County with the exception for the proposed new residential access points. Any existing driveways and field entrances shall be removed, and the ditch section restored to match existing depth, slope, and grades.

- Internal site grading shall not commence until the requested ACHD Engineering plan approvals are received and the applicable permits can be issued.

- Any utility relocation in the CR 75 right of way will be required to be coordinated directly by the city/developer.

- Please note that no plantings or private signs will be permitted within the county right of way and care must be exercised when locating private signs, building, structures, plantings, berms, etc. outside of the county right of way, so as not to create any new sight obstructions for this section of CR 75.

ACHD would like to work with local governments in promoting compatibility between land use and the county highway system. It should be recognized that residential land uses located adjacent to County highways often results in complaints about traffic noise. Existing and/or future traffic noise from CR 75 could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities

listed in the MPCA's Noise Area Classification (NAC) where establishment of the land use would result in violations of established noise standards. It is advised that the City and the Developer assess the noise situation for this development as it is proposed to be located directly adjacent to CR 75 and take the level of action deemed necessary to minimize the impact of any highway noise by incorporating the appropriate noise mitigation elements into the design and phasing of this plat as applicable.

The ACHD Engineering Plan Review process will apply to this site. The following items should be submitted to Camila Arenas, Engineer I, Camila.Arenas@anokacountymn.gov (checklist and payment information are available on our website: https://www.anokacountymn.gov/4072/Development-Review):

- Construction plans
- Utility relocation plans
- Traffic Control plans
- Grading and erosion control plans
- Drainage calculations – Note that the post-developed rate/volume of runoff must not exceed the pre-developed rate/volume of runoff for the 10-year critical design storm
- ACHD Design Requirements Checklist
- Engineering plan review fee (estimated at $150.00)

Following completion of the ACHD Engineering Plan Review process, the contractor(s) who will be completing any work within the county right of way must begin the ACHD Permit process. Two Residential Access permits ($175.00 each) must be obtained prior to the commencement of any construction. License permit bonding, methods of construction, design details, work zone traffic control, restoration requirements and follow-up inspections are typical elements of the permitting process. Contact Sue Burgmeier via phone at 763.324.3176 or via email at HighwayPermits@anokacountymn.gov for further information and to coordinate the ACHD Permit process.

Thank you for the opportunity to comment. Feel free to contact me if you have any questions regarding this review.

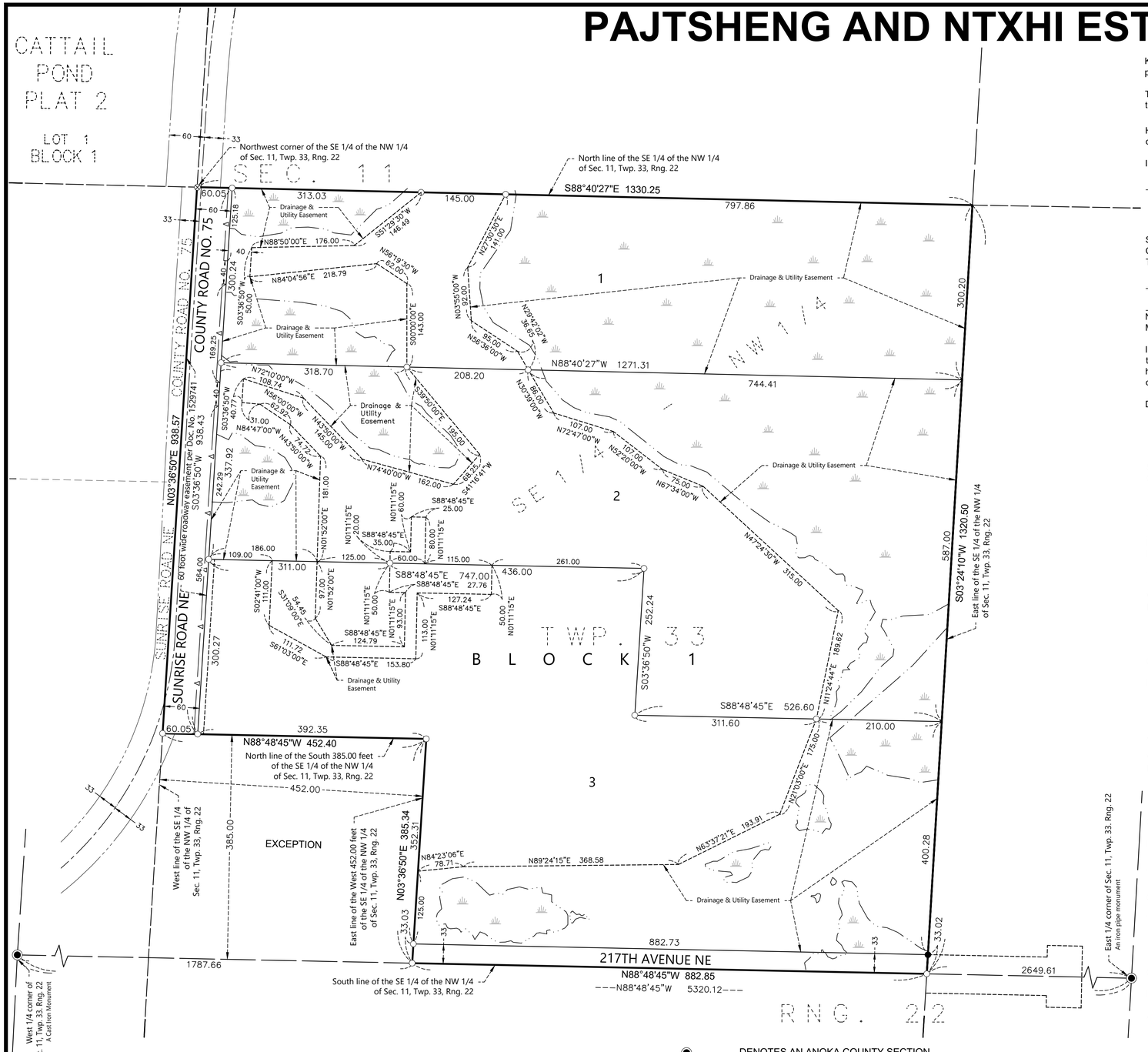
Sincerely,

Logan Keehr, PE
Traffic Engineer II

xc: CR 75/Plats+Developments/2026
Jerry Auge, Assistant County Engineer
David Zieglmeier, County Surveyor
Sean Thiel, Traffic Engineering Manager
Sue Burgmeier, Traffic Technician
Camila Arenas, Engineer I

PAJTSHENG AND NTXHI ESTATES

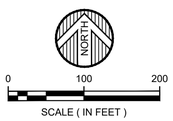
TOWNSHIP OF LINWOOD
COUNTY OF ANOKA
SEC. 11, TWP. 33, RNG. 22



DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:



BEING 10 FEET IN WIDTH AND ADJOINING OUTSIDE LOT LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.



For the purposes of this plat, the South Line of the Southeast Quarter of the Northwest Quarter of Section 11, Township 33, Range 22, Anoka County, Minnesota is assumed to have a bearing of North 88 degrees 48 minutes 45 seconds West.

- ◉ DENOTES AN ANOKA COUNTY SECTION CORNER MONUMENT
- ● DENOTES A FOUND 1/2 INCH IRON PIPE MONUMENT WITH CAP MARKED 20262
- ⊗ DENOTES A FOUND MAGNETIC NAIL
- ○ DENOTES A SET 1/2 INCH IRON PIPE MONUMENT WITH CAP MARKED LS 49021
- ——·——·—— DENOTES EDGE OF DELINEATED WETLAND BY WIDSETH, REPORT DATED JUNE 2024
- ——— Δ ——— DENOTES RIGHT OF ACCESS TO ANOKA COUNTY PER DOCUMENT NUMBER 1529741 AND _____

KNOW ALL PERSONS BY THESE PRESENTS: That Muajtsim Vang, a married individual and Tswjfwm Vang, a married individual, owners of the following described property:

The Southeast Quarter of the Northwest Quarter of Section 11, Township 33, Range 22, Anoka County, Minnesota, except the South 385.00 feet of the West 452.00 feet thereof, Anoka County, Minnesota.

Have caused the same to be surveyed and platted as PAJTSHENG AND NTXHI ESTATES and do hereby dedicate to the public for public use the public ways and the drainage and utility easements as shown on this plat. Also dedicating to the County of Anoka the right of access onto County Road Number 75 as shown on this plat.

In witness whereof said Muajtsim Vang, a married individual and Tswjfwm Vang, a married individual have hereunto set their hands this _____ day of _____, 20_____.

_____ Muajtsim Vang

_____ Tswjfwm Vang

STATE OF MINNESOTA
COUNTY OF _____
This instrument was acknowledged before me this _____ day of _____ , 20_____ by Muajtsim Vang and Tswjfwm Vang.

_____(signature)

_____(print name)
Notary Public, Minnesota
My Commission Expires _____

I Shawn M. Kupcho do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd.3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____day of _____, 20_____.

_____
Shawn M. Kupcho, Licensed Land Surveyor
Minnesota License No. 49021

STATE OF MINNESOTA
COUNTY OF CHISAGO
This instrument was acknowledged before me this _____ day of _____, 20_____ by Shawn M. Kupcho

_____(signature)

_____(print name)
Notary Public, Minnesota
My Commission Expires _____

TOWNSHIP OF LINWOOD, MINNESOTA

We do hereby certify that on the _____day of _____, 20_____, the Board of Supervisors for the Township of Linwood, Anoka County, Minnesota, approved this plat of PAJTSHENG AND NTXHI ESTATES and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

By: _____ Clerk

By: _____ Chairperson

COUNTY ENGINEER

Recommended for approval this _____day of _____, 20_____.

By: _____
Anoka County Engineer

ANOKA COUNTY BOARD

We do hereby certify that on the _____day of _____, 20_____, the Board of Commissioners of Anoka County, Minnesota, approved this plat of PAJTSHENG AND NTXHI ESTATES and said plat is in compliance with the provisions of Minnesota Statutes, Section 505.03, Subd. 2.

By: _____ County Administrator

By: _____ Chairperson

COUNTY SURVEYOR

I hereby certify that in accordance with Minnesota Statutes, Section 505.021, Subd. 11, this plat has been reviewed and approved this _____ day of _____, 20_____ .

By: _____
David M. Zieglmeier, Anoka County Surveyor

COUNTY ATTORNEY

This plat was approved as to form and execution on this _____day of _____, 20_____.

By: _____
Anoka County Attorney

COUNTY AUDITOR/TREASURER

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20_____ on the land hereinbefore described have been paid.

Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this _____ day of _____, 20_____ .

_____
Property Tax Administrator

By: _____, Deputy

COUNTY RECORDER/REGISTRAR OF TITLES
COUNTY OF ANOKA, STATE OF MINNESOTA

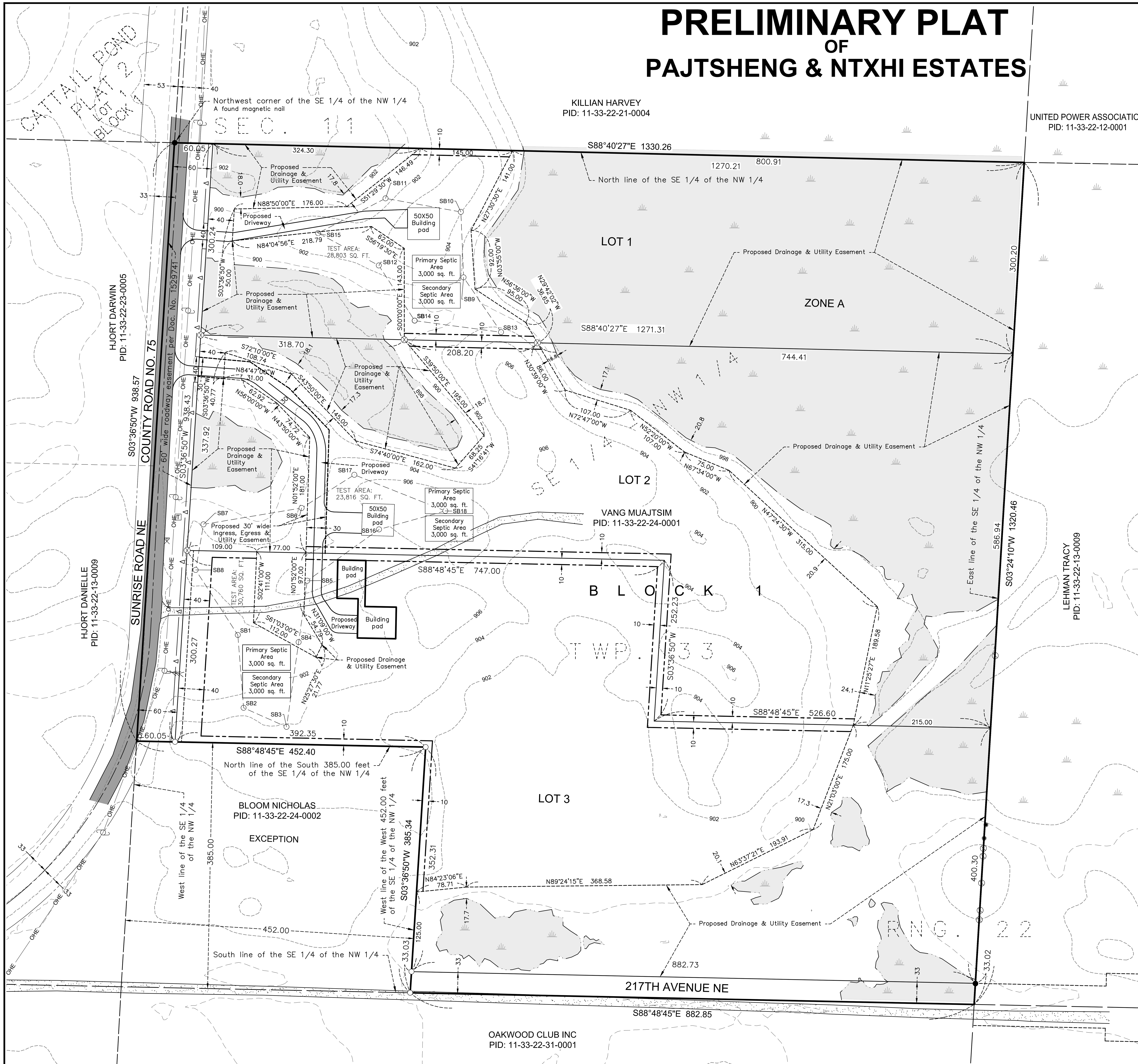
I hereby certify that this plat of PAJTSHENG AND NTXHI ESTATES was filed in the office of the County Recorder/Registrar of Titles for public record on this _____ day of _____, 20_____, at _____ o'clock __.M. and was duly recorded as Document Number_____.

_____
County Recorder/Registrar of Titles

By: _____, Deputy

WIDSETH
ARCHITECTS ▪ ENGINEERS ▪ SCIENTISTS ▪ SURVEYORS

PRELIMINARY PLAT
OF
PAJTSHENG & NTXHI ESTATES



PROPERTY DESCRIPTION: (per First American Title Insurance Company Title Commitment No. 240180)

The Southeast Quarter of the Northwest Quarter of Section 11, Township 33, Range 22, Anoka County, Minnesota, except the South 385.00 feet of the West 452.00 feet thereof, Anoka County, Minnesota, according to the government survey thereof.

SURVEY NOTES:

1. The orientation of this bearing system is based on the Anoka County Coordinate System NAD83 (1996 adj.)
2. No address has been assigned to this parcel. Parcel ID No. 11.33.22.24.0001
3. Contours shown are LIDAR derived on the NAVD88 datum provided by MnDNR.
4. The subject property lies within Zone X, areas determined to be outside the 0.2% annual chance flood plain, Zone A, No Base Flood Elevations determined, Special Flood Hazard Areas (SFHAs) Subject to inundation by the 1% annual chance flood per FEMA Flood Insurance Rate Map No. 27003C0235E, effective December 16, 2015. The approximate zone limits are shown on the survey.
5. Total Acreage: 1,586,643 Sq. Ft. or 36.42 Acres.
6. The property is zoned as (RA) Rural Agricultural (per Linwood Township Zoning Map)
   Building Setbacks: (per Linwood Township Zoning Code)

Front yard (right of way):	40 feet	Minimum Parcel Requirements:
Side yard:	10 feet	Minimum Buildable Area: 20,000 Sq. Ft. 2 feet from natural grade to mottled soil
Rear yard:	30 feet	Minimum Parcel Size: 5 Acres
Wetland:	50 feet	Minimum Parcel Width: 300 feet

7. The field work was performed on April 15, 2024. Additional Soil borings were located on May 23, 2024.

LEGEND

- EASEMENT LINE
- BOUNDARY LINE
- PROPOSED LOT LINE
- SECTION LINE
- QUARTER LINE
- SIXTEENTH LINE
- RIGHT-OF-WAY LINE
- OHE — OVERHEAD ELECTRIC
- BUILDING SETBACK LINE
- FLOOD ZONE A LIMITS
- Δ DENOTES CONTROLLED ACCESS DEDICATED TO ANOKA COUNTY
- PROPOSED CULVERT
- ● DENOTES A FOUND 1/2" IRON PIPE MONUMENT W/ CAP NO. 20262 UNLESS LABELED OTHERWISE
- ○ DENOTES A SET 1/2" IRON PIPE MONUMENT W/ CAP NO. 49021
- ⊗ DENOTES A SET SPIKE ON PROPERTY LINE
- FENCE POST
- ELEC POLE
- TREE CONIFER
- TELE PEDESTAL
- GUY ANCHOR
- MAILBOX
- BITUMINOUS SURFACE
- GRAVEL SURFACE
- DELINEATED WETLAND AREA

WETLAND SPECIALIST

WIDSETH
Ella Kohls
5368 266TH STREET
WYOMING, MN 55092
PHONE (651) 358-2343

LAND SURVEYOR

WIDSETH
Shawn Kupcho
5368 266TH STREET
WYOMING, MN 55092
PHONE (651) 358-2343

SOIL TESTING

JOSH PUTT LIC NO. L4063
P.O. BOX 45
SHAFER, MN 55074
(651) 900-1567

OWNER

MUAJTSIM VANG
2088 WEST CEDAR STREET
LINO LAKES, MN 55038

SOIL BORING	BORING ELEVATION	ELEV. AT MOTTLED SOIL
SOIL BORING 1	900.7	899.3
SOIL BORING 2	903.0	901.7
SOIL BORING 3	903.4	901.4
SOIL BORING 4	900.6	899.5
SOIL BORING 5	904.2	902.9
SOIL BORING 6	901.9	900.4
SOIL BORING 7	901.8	900.3
SOIL BORING 8	901.9	899.9
SOIL BORING 9	901.5	900.3
SOIL BORING 10	904.0	902.9
SOIL BORING 11	901.3	899.8
SOIL BORING 12	902.3	901
SOIL BORING 13	902.4	900.6
SOIL BORING 14	899.4	898.2
SOIL BORING 15	903.1	900.6
SOIL BORING 16	904.7	901.9
SOIL BORING 17	905.2	903.4
SOIL BORING 18	907.3	905.1

LOT SUMMARY

Lot 1, Block 1 : 381,228 Sq. Ft. or 8.75 Acres
Lot 2, Block 1 : 560,100 Sq. Ft. or 12.86 Acres
Lot 3, Block 1 : 559,873 Sq. Ft. or 12.85 Acres
Dedicated Roadway 217th Avenue NE: 29,132 Sq. Ft. or 0.67 Acres
Dedicated Roadway Sunrise Road NE: 56,310 Sq. Ft. or 1.29 Acres

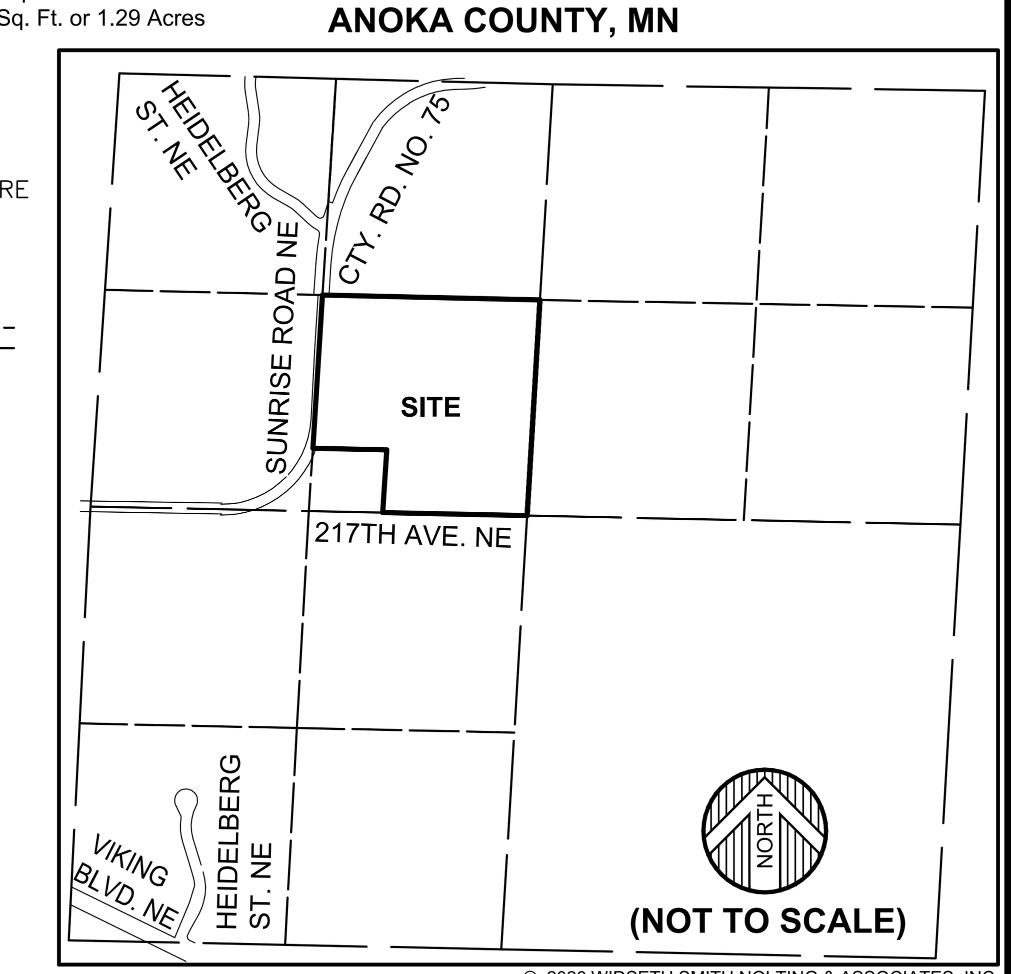
DRAINAGE AND UTILITY EASEMENTS ARE SHOWN THUS:

BEING 10 FEET IN WIDTH ADJOINING RIGHT-OF-WAY LINES, UNLESS OTHERWISE SHOWN ON THIS PLAT.

NORTH

SCALE (IN FEET) 0 80 160

VICINITY MAP
SEC. 11, TWP. 33, RNG. 22, ANOKA COUNTY, MN



© 2026 WIDSETH SMITH NOLTING & ASSOCIATES, INC.

WIDSETH
ARCHITECTS • ENGINEERS • SCIENTISTS • SURVEYORS

PREPARED FOR: **MUAJTSIM VANG**

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Shawn M. Kupcho L.S. DATE: 6/21/2024 LIC. NO. 49021

DATE	AMENDMENTS	BY
11/5/25	REVISED SOIL BORING ELEVS/ADDED PROPOSED DRIVEWAYS/UPDATED HOUSE/SEPTIC AREAS	SMK
11/10/25	REVISE PROPOSED DRAINAGE AND UTILITY EASEMENTS TO COVER SEDIMENTATION BASINS	SMK
3/27/26	REVISE ACCESS OPENING - REVISE DRAINAGE AND UTILITY EASEMENTS - LOTS 2 AND 3	SMK
5/19/26	REVISE DRAINAGE AND UTILITY EASEMENT / ADD INGRESS, EGRESS AND UTILTY EASEMENT	SMK

DATE: June 21, 2024
SCALE: AS SHOWN
DRAWN BY: JAS
CHECKED BY: SMK
FILE NUMBER: 2024-10090

PAJTSHENG & NTXHI ESTATES

TITLE SHEET, LEGEND, EXISTING CONDITIONS & REMOVAL PLAN

LINWOOD TOWNSHIP, MINNESOTA

LEGEND *

- EXISTING OVERHEAD ELECTRIC
- EXISTING UNDERGROUND TELEPHONE
- EXISTING UNDERGROUND CABLE
- EXISTING TELEPHONE PEDESTAL
- EXISTING ELECTRICAL PEDESTAL
- EXISTING CABLE PEDESTAL
- EXISTING UTILITY POLE
- EXISTING LIGHT POLE
- EXISTING STORM SEWER
- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- EXISTING FORCEMAIN
- EXISTING STORM MANHOLE
- EXISTING CATCH BASIN
- EXISTING FLARED-END SECTION
- EXISTING GATE VALVE
- EXISTING HYDRANT
- EXISTING WELL
- EXISTING SANITARY SEWER MANHOLE
- EXISTING CONTOUR (928 / 930)
- EXISTING SPOT ELEVATION (920.99 GS)
- EXISTING SPOT ELEVATION (907.42 BIT) (MATCH INTO ELEVATION)
- EXISTING BITUMINOUS
- EXISTING TREES
- EXISTING TREE TO BE REMOVED
- SURFACE DRAINAGE DIRECTION
- EXISTING FENCE
- EXISTING RETAINING WALL
- EXISTING WETLAND (WET)

- PROPOSED WATER PIPE
- PROPOSED SANITARY SEWER PIPE
- PROPOSED STORM SEWER PIPE
- PROPOSED DRAINTILE AND CLEAN-OUT
- PROPOSED ELECTRIC SERVICE *
- PROPOSED GAS SERVICE *
- PROPOSED TELEPHONE SERVICE *
- PROPOSED STORM MANHOLE
- PROPOSED CATCH BASIN
- PROPOSED FLARED-END SECTION
- PROPOSED GATE VALVE
- PROPOSED HYDRANT
- PROPOSED SANITARY SEWER MANHOLE
- PROPOSED CONTOUR (928 / 930)
- PROPOSED SPOT ELEVATION (920.60) (GUTTERLINE, BITUMINOUS SURFACE, OR GROUND SURFACE UNLESS OTHERWISE INDICATED)
- PROPOSED SILT FENCE
- PROPOSED DIRECTION OF DRAINAGE (4.0%)
- PROPOSED BITUMINOUS
- PROPOSED FILTRATION MEDIA
- PROPOSED INLET PROTECTION
- PROPOSED HEAVY-DUTY PAVEMENT
- PROPOSED ENKAMAT
- PROPOSED RETAINING WALL
- BITUMINOUS PAVEMENT REMOVAL
- CONCRETE SIDEWALK REMOVAL
- PROPOSED CONCRETE SIDEWALK
- VEHICLE MAINTENANCE ACCESS (VMA) ROUTE
- TEST PIT (BY TRADEWELL SOIL TESTING)
- BUILDING SETBACK (BLDSB)
- DRAINAGE & UTILITY EASEMENTS
- INGRESS & EGRESS EASEMENTS

* NOT ALL SYMBOLS ARE APPLICABLE.

GENERAL NOTES

THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.

CALL "811" FOR EXISTING UTILITIES LOCATIONS PRIOR TO ANY EXCAVATIONS.

THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING SANITARY SEWER, STORM SEWER, AND WATER MAIN AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.

INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES.

ALL UTILITIES THAT WILL BE OWNED AND MAINTAINED BY THE CITY AFTER CONSTRUCTION SHALL BE BUILT TO CITY STANDARDS.

THE CONTRACTOR SHALL NOTIFY CITY PUBLIC WORKS DEPARTMENT A MINIMUM OF 24 HOURS PRIOR TO THE INTERRUPTION OF ANY SEWER OR WATER SERVICES TO EXISTING HOMES OR BUSINESSES.

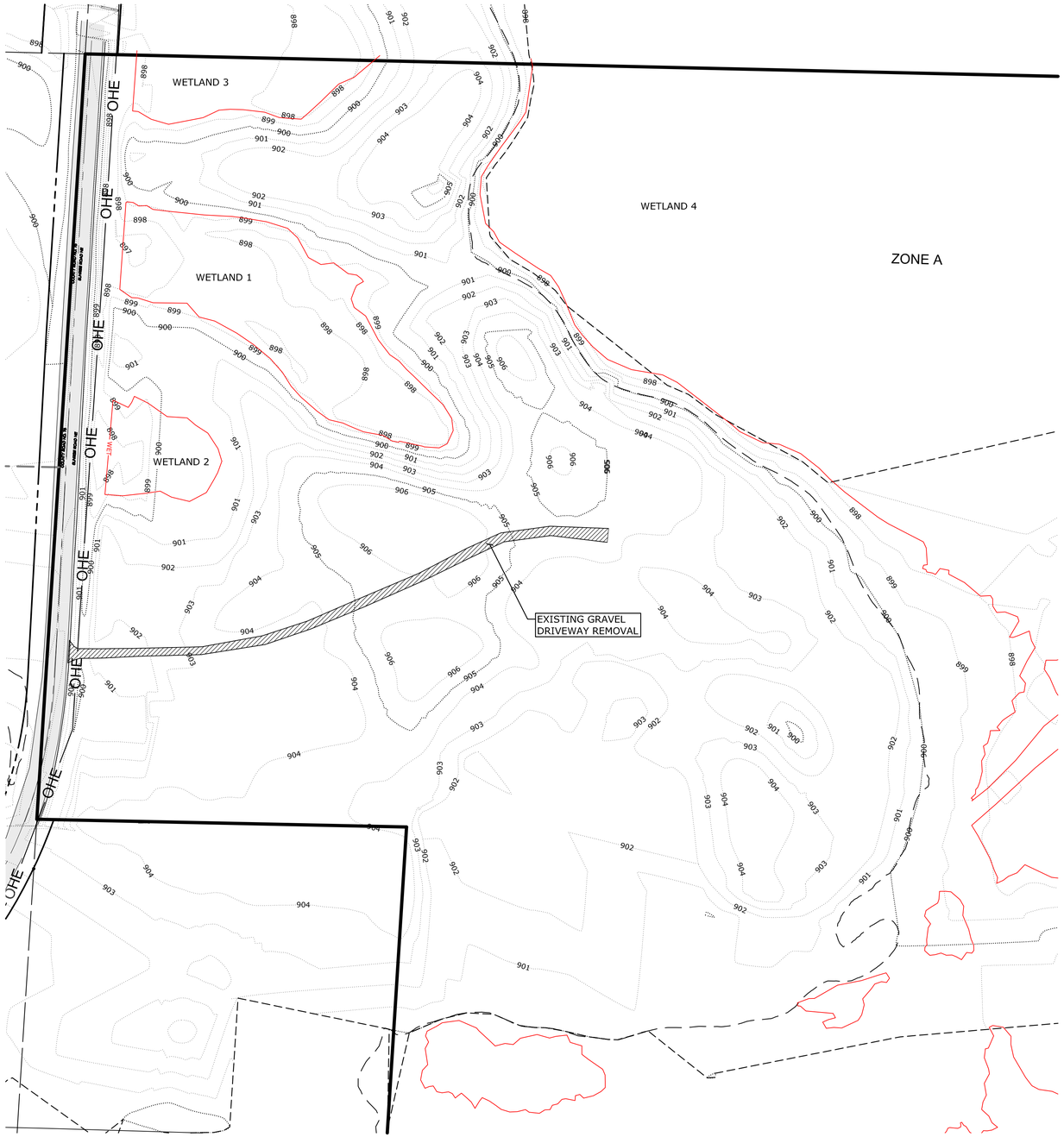
THE CONTRACTOR SHALL OBTAIN A RIGHT-OF-WAY PERMIT FROM THE CITY PRIOR TO ANY WORK.

STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.

NOTIFY CITY A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.

ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.

811 below. Call before you dig.



VICINITY MAP



NOT TO SCALE

SHEET INDEX

C0 TITLE SHEET, LEGEND, EXISTING CONDITIONS, & REMOVAL PLAN

C1.1 GRADING, DRAINAGE & EROSION CONTROL PLAN
C1.2 GRADING, DRAINAGE & EROSION CONTROL PLAN

C2 DETAILS & NOTES

C3.1 STORM WATER POLLUTION PREVENTION PLAN
C3.2 STORM WATER POLLUTION PREVENTION PLAN

NOTE: THIS PLAN SET IS INTENDED TO ACCOMPANY THE PRELIMINARY PLAT SHEET(S), PROVIDED BY OTHERS.

DRAWN BY:	DESIGN BY:
M.Q.A.	Q.M.A.
CHCKD BY:	PROJ. NO.
M.Q.A.	25-2215

ORIGINAL DATE: AUGUST 25, 2025

DATE	REVISION DESCRIPTION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

QASEM M. ABUGHAZLEH LIC. NO. 56299

DATE: 05.19.2026

PAJTSHENG & NTXHI ESTATES
LINWOOD TOWNSHIP, MINNESOTA
TITLE SHEET, LEGEND, EXISTING CONDITIONS, AND REMOVAL PLAN

PREPARED FOR:
MUAJTSIM VANG

SITE PLANNING & ENGINEERING
PLOWE ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

NORTH

0 40 80

1 INCH = 80 FEET

C0

S:\Edown\cad\25prod\2215 Pajtsheng & Ntxhi Estates (Linwood Township)\2215 CAD\2215 BASE 18.dwg 5/19/2026

SOIL BORING	BORING ELEVATION	ELEV. AT MOTTLED SOIL
SOIL BORING 1	900.7	899.3
SOIL BORING 2	903.0	901.7
SOIL BORING 3	903.4	901.4
SOIL BORING 4	900.6	899.5
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SOIL BORING 17	905.2	903.4
SOIL BORING 18	907.3	905.1

GENERAL NOTES

1. THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
2. CALL "811" FOR EXISTING UTILITIES LOCATIONS PRIOR TO ANY EXCAVATIONS.
3. THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
4. INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES (MOST CURRENT EDITION) AND MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION (MOST CURRENT EDITION).
5. STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.
6. NOTIFY CITY OF EAST BETHEL A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.

STORM SEWER NOTES

1. PROPOSED STORM SEWER PIPE SHALL BE:
   1.1. CORRUGATED METAL PIPE (DRIVEWAY CULVERTS)
2. FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING STORM SEWER AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.
3. STORM SEWER LENGTHS INCLUDE THE LAYING LENGTH OF THE FLARED-END SECTION. LAYING LENGTH OF APRON TO BE DEDUCTED FROM PAYMENT LENGTH OF PIPE.
4. TRASH GUARDS ARE NOT REQUIRED FOR CULVERTS.

MISCELLANEOUS NOTES

1. SEPTIC AND WELL DESIGN BY OTHERS.
2. SITE TOPOGRAPHY PROVIDED BY OTHERS.

AN MPCA NPDES CONSTRUCTION PERMIT IS REQUIRED PRIOR TO THE START OF CONSTRUCTION

LOT TABLE

Lot	Block	Lowest Floor Elevation	Low Floor Determining Factor	Lowest Opening	Low Opening Determining Factor	HWL
1	1	**907.30**	Josh Putt Boring #10 Mottles found at approximately at 904.2	**907.30**	1-foot above EOF for Basin 3 **902.20**	Basin 3 **901.18**
2	1	**908.30**	Josh Putt Boring #18 Mottles found at approximately at 905.1	**908.30**	1-foot above EOF for Basin 2 **902.20**	Basin 2 **901.54**
3	1	**908.00**	Josh Putt Boring #5 Mottles found at approximately at 902.9	**908.00**	1-foot above EOF for Basin 2 **902.20**	Basin 2 **901.54**

NOTES FOR WORK IN COUNTY R/W

1. **ALL INSTALLATIONS SHALL BE IN ACCORDANCE WITH MNDOT SPECIFICATIONS (LATEST EDITION)**
2. **ALL DISTURBED SOIL WITHIN COUNTY RIGHT-OF-WAY MUST BE SEEDED (MNDOT 25-141) & MULCHED (TYPE 1, DISC ANCHORED)**
3. **USE ALL STRAW FIBER BLANKET FOR DITCH SLOPES OF 3:1 OR GREATER**
4. **CONTRACTOR TO CONTACT ANOKA COUNTY PERMITS SECTION AT (763) 324-3176 TO OBTAIN THE RIGHT-OF-WAY PERMIT.**

Know what's below. Call before you dig.

SEE SHEET C2 FOR GRADING & EROSION CONTROL NOTES.

GRADING, DRAINAGE, AND EROSION CONTROL PLAN PAJTSHENG & NTXHI ESTATES

DRAWN BY: M.Q.A. | DESIGN BY: Q.M.A.
CHCKD BY: M.Q.A. | PROJ. NO. 25-2215
ORIGINAL DATE: AUGUST 25, 2025

DATE	REVISION DESCRIPTION
11/11/25	UPDATED EASEMENTS BY WIDSETH
1/30/26	UPDATED GRADING FOR LOTS 2 AND 3
2/26/26	LOT 3 PAD ADJUSTMENT
5/19/26	REMOVAL OF REAR YARD BMP

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
QASEM M. ABUGHAZLEH LIC. NO. 56299
DATE: 05.19.2026

PAJTSHENG & NTXHI ESTATES
LINWOOD TOWNSHIP, MINNESOTA
GRADING, DRAINAGE, AND EROSION CONTROL PLAN

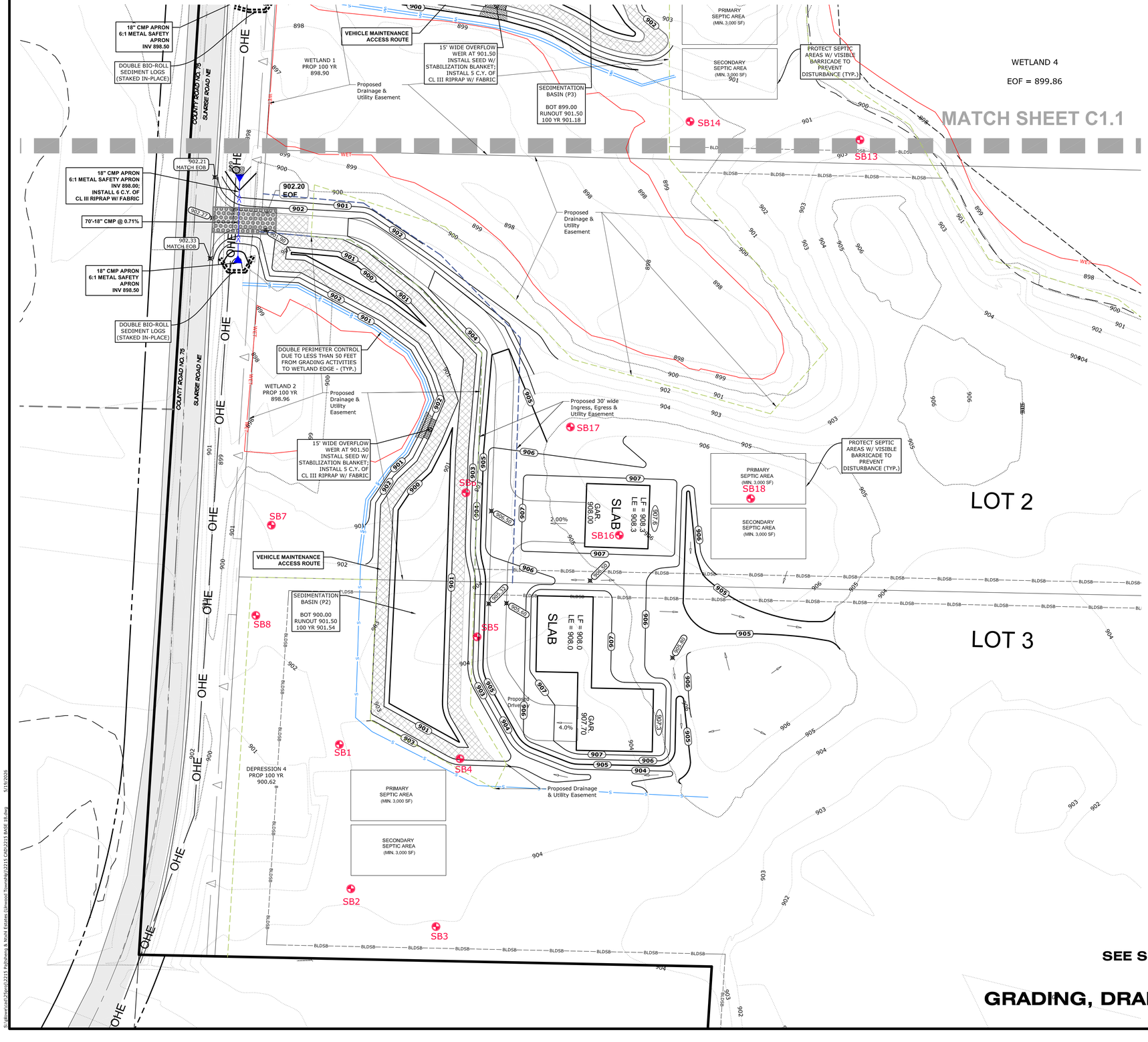
PREPARED FOR:
MUAJTSIM VANG

SITE PLANNING & ENGINEERING
PLOWE ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

NORTH
0 20 40
1 INCH = 40 FEET

C1.1

S:\Plowe\cad\25proj\2215 Pajtsheng & Ntxhi Estates (Linwood Township)\2215 CAD\2215 BASE 18.dwg 5/19/2026



GENERAL NOTES

1. THE INFORMATION SHOWN ON THESE DRAWINGS CONCERNING TYPE AND LOCATION OF EXISTING UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR IS RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO TYPE AND LOCATION OF UTILITIES AS NECESSARY TO AVOID DAMAGE TO THESE UTILITIES.
2. CALL "811" FOR EXISTING UTILITIES LOCATIONS PRIOR TO ANY EXCAVATIONS.
3. THE CONTRACTOR SHALL FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING UTILITIES AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO THE START OF INSTALLATIONS.
4. INSTALLATIONS SHALL CONFORM TO THE CITY STANDARD SPECIFICATIONS AND DETAIL PLATES (MOST CURRENT EDITION) AND MNDOT STANDARD SPECIFICATIONS FOR CONSTRUCTION (MOST CURRENT EDITION).
5. STORAGE OF MATERIALS OR EQUIPMENT SHALL NOT BE ALLOWED ON PUBLIC STREETS OR WITHIN PUBLIC RIGHT-OF-WAY.
6. NOTIFY CITY OF EAST BETHEL A MINIMUM OF 48 HOURS PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
8. ALL ELECTRIC, TELEPHONE, AND GAS EXTENSIONS INCLUDING SERVICE LINES SHALL BE CONSTRUCTED TO THE APPROPRIATE UTILITY COMPANY SPECIFICATIONS. ALL UTILITY DISCONNECTIONS SHALL BE COORDINATED WITH THE APPROPRIATE UTILITY COMPANY.

STORM SEWER NOTES

1. PROPOSED STORM SEWER PIPE SHALL BE:
   1.1. CORRUGATED METAL PIPE (DRIVEWAY CULVERTS)
2. FIELD VERIFY SIZE, ELEVATION, AND LOCATION OF EXISTING STORM SEWER AND NOTIFY ENGINEER OF ANY DISCREPANCIES PRIOR TO ANY INSTALLATIONS.
3. STORM SEWER LENGTHS INCLUDE THE LAYING LENGTH OF THE FLARED-END SECTION. LAYING LENGTH OF APRON TO BE DEDUCTED FROM PAYMENT LENGTH OF PIPE.
4. TRASH GUARDS ARE NOT REQUIRED FOR CULVERTS.

MISCELLANEOUS NOTES

1. SEPTIC AND WELL DESIGN BY OTHERS.
2. SITE TOPOGRAPHY PROVIDED BY OTHERS.

AN MPCA NPDES CONSTRUCTION PERMIT IS REQUIRED PRIOR TO THE START OF CONSTRUCTION

LOT TABLE

Lot	Block	Lowest Floor Elevation	Low Floor Determining Factor	Lowest Opening	Low Opening Determining Factor	HWL
1	1	**907.30**	Josh Putt Boring #10 Mottles found at approximately at 904.2	**907.30**	1-foot above EOF for Basin 3 **902.20**	Basin 3 **901.18**
2	1	**908.30**	Josh Putt Boring #18 Mottles found at approximately at 905.1	**908.30**	1-foot above EOF for Basin 2 **902.20**	Basin 2 **901.54**
3	1	**908.00**	Josh Putt Boring #5 Mottles found at approximately at 902.9	**908.00**	1-foot above EOF for Basin 2 **902.20**	Basin 2 **901.54**

NOTES FOR WORK IN COUNTY R/W

1. **ALL INSTALLATIONS SHALL BE IN ACCORDANCE WITH MNDOT SPECIFICATIONS (LATEST EDITION)**
2. **ALL DISTURBED SOIL WITHIN COUNTY RIGHT-OF-WAY MUST BE SEEDED (MNDOT 25-141) & MULCHED (TYPE 1, DISC ANCHORED)**
3. **USE ALL STRAW FIBER BLANKET FOR DITCH SLOPES OF 3:1 OR GREATER**
4. **CONTRACTOR TO CONTACT ANOKA COUNTY PERMITS SECTION AT (763) 324-3176 TO OBTAIN THE RIGHT-OF-WAY PERMIT.**

Know what's below. Call before you dig.

SEE SHEET C2 FOR GRADING & EROSION CONTROL NOTES.

GRADING, DRAINAGE, AND EROSION CONTROL PLAN PAJTSHENG & NTXHI ESTATES

DRAWN BY: M.Q.A. | DESIGN BY: Q.M.A.
CHCKD BY: M.Q.A. | PROJ. NO. 25-2215
ORIGINAL DATE: AUGUST 25, 2025

DATE	REVISION DESCRIPTION
11/11/25	UPDATED EASEMENTS BY WIDSETH
1/30/26	UPDATED GRADING FOR LOTS 2 AND 3
5/19/26	REMOVAL OF REAR YARD BMP

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

QASEM M. ABUGHAZLEH LIC. NO. 56299
DATE: 05.19.2026

PAJTSHENG & NTXHI ESTATES
LINWOOD TOWNSHIP, MINNESOTA
GRADING, DRAINAGE, AND EROSION CONTROL PLAN

PREPARED FOR:
MUAJTSIM VANG

SITE PLANNING & ENGINEERING
PLOWE ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

NORTH
0 20 40
1 INCH = 40 FEET

C1.2

S:\Plowe\cad\25proj\2215 Pajtsheng & Ntxhi Estates (Linwood Township)\2215 CAD\2215 BASE (B).dwg 5/19/2026

SITE SEQUENCING

- PRIOR TO ANY GRADING OPERATIONS, THE CONTRACTOR SHALL INSTALL ROCK CONSTRUCTION ENTRANCE (LOCATIONS TO BE DETERMINED - COORDINATE WITH OWNER) AND PERIMETER SILT FENCE AS SHOWN ON PLAN. (CONTACT CITY TO INSPECT EROSION CONTROL MEASURES PRIOR TO GRADING OPERATIONS, IF NECESSARY.) ADDITIONAL SILT FENCE MAY BE NECESSARY IF LOCAL CONDITIONS REQUIRE.

- THE CONTRACTOR SHALL PROVIDE ALL SOD, SEED, MULCH AND FERTILIZER WHICH SHALL CONFORM WITH THE FOLLOWING MNDOT SPECIFICATIONS AS MODIFIED BELOW.

ITEM	MNDOT SPECIFICATION/NOTES
SOD	3878
SEED **	3876
* FOR TURF ESTABLISHMENT	
COMMERCIAL TURF	MNDOT MIX 25-131 (220 LBS/ACRE)
RESIDENTIAL TURF	MNDOT MIX 25-131 (120 LBS/ACRE)
TEMPORARY FALL COVER	MNDOT MIX 21-112 (100 LBS/ACRE)
SPRING/SUMMER	MNDOT MIX 21-111 (100 LBS/ACRE)
SOIL-BUILDING COVER	MNDOT MIX 21-113 (110 LBS/ACRE)
1-2 YEARS COVER	MNDOT MIX 22-111 (30.5 LBS/ACRE)
2-5 YEARS COVER	MNDOT MIX 22-112 (40 LBS/ACRE)
MULCH	3882 (TYPE 1 - DISC ANCHORED)
FERTILIZER	3881
WOOD FIBER BLANKET	3885 (CATEGORY 2)

* MOW A MINIMUM OF ONCE PER 2 WEEKS
** SEEDED AREAS SHALL BE EITHER MULCHED OR COVERED BY FIBROUS BLANKETS TO PROTECT SEEDS AND LIMIT EROSION.

- ALL EXPOSED SOILS MUST HAVE TEMPORARY EROSION CONTROL PROTECTION OR PERMANENT COVER WITHIN FOURTEEN (14) DAYS.

- THE CONTRACTOR SHALL PAY SPECIAL ATTENTION TO ALL ADJACENT PROPERTY LINES AND MAKE SURE THE EROSION CONTROL PRACTICES INPLACE IN THOSE AREAS PREVENT MIGRATION OF SEDIMENT ONTO ADJACENT PROPERTIES.

- THE CONTRACTOR SHALL MAINTAIN SILT FENCE, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENT, THROUGH COMPLETION OF BUILDING CONSTRUCTION. SILT FENCE TO BE REMOVED ONLY AFTER COMPLETION OF BUILDING CONSTRUCTION AND UPON ESTABLISHMENT OF VEGETATION.

- THE CONTRACTOR SHALL PROVIDE WOOD FIBER BLANKET FOR ALL AREAS OF CONCENTRATED FLOW AND FOR ALL SLOPES 3:1 OR GREATER.

- PROTECT ALL STORM WATER MANAGEMENT FACILITIES FROM CONSTRUCTION RUN-OFF. CONTRACTOR TO INSTALL AND CONSTRUCT SAID FACILITIES ONCE SITE HAS BEEN STABILIZED.

- IF ANY SLOPES APPEAR TO BE FAILING, THE CONTRACTOR SHALL PROVIDE ADDITIONAL SILT FENCE, BIOROLLS AND EROSION CONTROL BLANKET AS NEEDED.

- THE CONTRACTOR SHALL FINAL GRADE SWALE AREAS UPON STABILIZATION OF UPSTREAM AREAS.

- THE CONTRACTOR SHALL SOD ALL DISTURBED DRAINAGE AREAS, INCLUDING SWALES & OVERFLOWS.

- UPON GRADING COMPLETION THE CONTRACTOR SHALL PROVIDE NATIVE TOPSOIL WITH SOD OR SEED, AND MULCH ANCHORED WITH A STRAIGHT SET DISC WITHIN 48 HOURS OF FINAL GRADING.

- EXCESS SOIL SHOULD BE TREATED LIKE OTHER EXPOSED SOIL AND STABILIZED WITHIN 72 HOURS. ANY SOIL STOCKPILES ARE TO HAVE SILT FENCE PLACED ON DOWNSTREAM SIDES.

- IF A STREET, ALLEY, SIDEWALK OR OTHER PUBLIC PLACE SHOULD BECOME SOILED OR LITTERED, THE CONTRACTOR SHALL CAUSE SUCH SOILING OR LITTERING TO BE CLEANED UP BY SWEEPING NOT LATER THAN THE END OF THE WORKING DAY IN WHICH SUCH SOILING OR LITTERING SHALL HAVE OCCURRED OR BEEN OBSERVED.

OTHER POLLUTION CONTROL MEASURES

CONSTRUCTION WASTE MATERIALS - ALL WASTE MATERIALS GENERATED AS A RESULT OF SITE CONSTRUCTION SHALL BE COLLECTED AND REMOVED ACCORDING TO ALL LOCAL AND/OR STATE WASTE MANAGEMENT REGULATIONS BY A LICENSED SOLID WASTE MANAGEMENT COMPANY. THE CONTRACTOR WILL ENSURE THAT ALL SITE PERSONNEL ARE INSTRUCTED IN THESE PRACTICES.

HAZARDOUS WASTES - ALL HAZARDOUS WASTE MATERIALS SHALL BE STORED PROPERLY TO PREVENT SPILLS AND VANDALISM. WHEN NECESSARY, HAZARDOUS WASTES WILL BE DISPOSED OF IN THE MANNER SPECIFIED BY LOCAL AND/OR STATE REGULATION OR BY THE MANUFACTURER.

SANITARY WASTE - ALL SANITARY WASTE WILL BE COLLECTED FROM THE PORTABLE UNITS BY A LOCAL, LICENSED WATER MANAGEMENT COMPANY, AS REQUIRED BY LOCAL REGULATION.

OFFSITE VEHICLE TRACKING - A ROCK CONSTRUCTION ENTRANCE HAS BEEN PROVIDED TO HELP REDUCE VEHICLE TRACKING OF SEDIMENTS. IF A STREET, ALLEY, SIDEWALK OR OTHER PUBLIC PLACE SHOULD BECOME SOILED OR LITTERED, THE CONTRACTOR SHALL CAUSE SUCH SOILING OR LITTERING TO BE CLEANED UP BY SWEEPING NOT LATER THAN THE END OF THE WORKING DAY IN WHICH SUCH SOILING OR LITTERING SHALL HAVE OCCURRED OR BEEN OBSERVED. DUMP TRUCKS HAULING LOOSE MATERIALS (SAND, TOPSOIL, ETC.) TO AND/OR FROM THE SITE SHALL BE COVERED WITH A TARPAULIN.

VEHICLE CLEANING - NO ENGINE DEGREASING IS ALLOWED ON-SITE. EXTERNAL WASHING OF VEHICLES TO BE CONFINED TO A DEFINED AREA ("BONE YARD") ON-SITE. CONTRACTOR TO PROVIDE DESIGNATED TRUCK WASHOUT AREA WITH APPROPRIATE SIGNAGE. WASHOUT AREA IS TO BE A MINIMUM OF 50' FROM DITCHES, PONDS, OR OTHER STORMWATER FEATURES. ALL LIQUID AND SOLID WASTE GENERATED BY WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER (E.G. COMPACTED CLAY LINER, IMPERMEABLE GEO-MEMBRANE) AND DISPOSED OF PROPERLY.

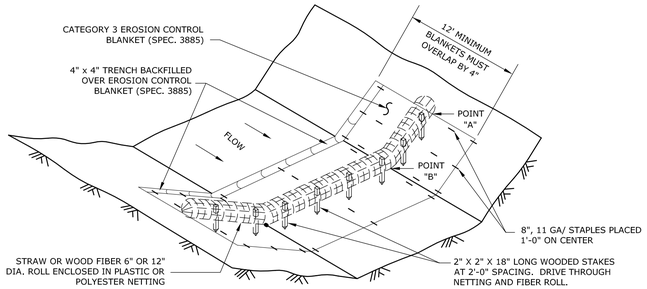
SPILL PREVENTION AND CONTROL - ALL VEHICLES WILL BE CHECKED FOR LEAKING OIL AND FLUIDS. VEHICLES LEAKING FLUIDS WILL NOT BE ALLOWED ON-SITE. SPILL KITS WILL BE STORED ON-SITE AND ALL SPILLS WILL BE CLEANED UP IMMEDIATELY DISCOVERY. SPENT ABSORBENT MATERIALS AND RAGS WILL BE HAULED OFF-SITE IMMEDIATELY AFTER THE SPILL IS CLEANED UP AND PROPERTY DISPOSED OF. SPILL PREVENTION AND CONTROL MEASURES SHALL BE IMPLEMENTED ONCE CONSTRUCTION BEGINS.

SOIL STOCKPILES - INSTALL SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS AROUND ALL TEMPORARY SOIL STOCKPILES. LOCATE SOIL OR DIRT STOCKPILES SUCH THAT DOWNSLOPE DRAINAGE LENGTH IS NO LESS THAN 8 M (25 FEET) FROM THE TOE OF THE PILE TO A SURFACE WATER, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, OR CONDUITS AND DITCHES UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER. IF REMAINING FOR MORE THAN 7 DAYS, STABILIZE THE STOCKPILES BY MULCHING, VEGETATIVE COVER, TARPS, OR OTHER MEANS. DURING STREET REPAIR, COVER CONSTRUCTION SOIL OR DIRT STOCKPILES LOCATED CLOSER THAN 8 M (25 FEET) TO A ROADWAY OR DRAINAGE CHANNEL WITH TARPS, AND PROTECT STORM SEWER INLETS WITH SILT SOCKS OR STAKED SILT FENCE.

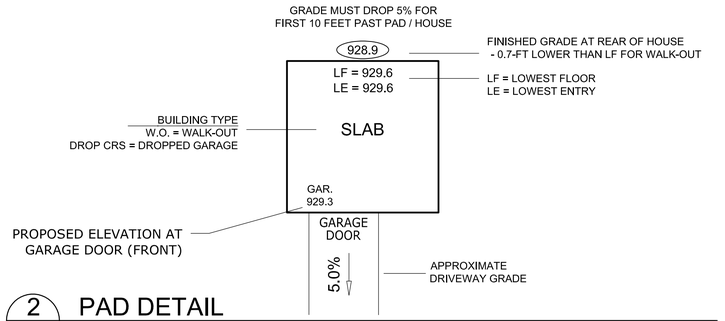
PROVIDE WIMCO (OR APPROVED EQUAL) FOR INLET PROTECTION AT ALL EXISTING STORM SEWER INLETS THAT WILL RECEIVE RUN-OFF DURING CONSTRUCTION. INLET PROTECTION TO REMAIN IN-PLACE UNTIL AT LEAST 70% OF SITE VEGETATION HAS BEEN ESTABLISHED.

CONTRACTOR TO PROVIDE DESIGNATED CONCRETE TRUCK WASHOUT AREA WITH APPROPRIATE SIGNAGE. KEEP WASHOUT AREAS AS FAR AS PRACTICAL FROM STORM DRAINS, DITCHES AND PONDS. DO NOT ALLOW RUN-OFF FROM THIS AREA BY CONSTRUCTING A TEMPORARY PIT OR BERMED AREA LARGE ENOUGH FOR LIQUID AND SOLID WASTE. AFTER WASTE CONCRETE IS SET, BREAK-UP AND DISPOSE OF PROPERLY.

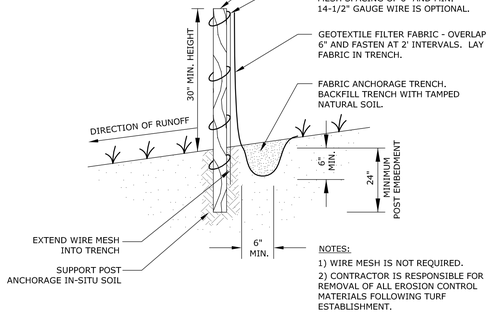
THE CONTRACTOR MUST DISCHARGE TURBID OR SEDIMENT-LADEN WATERS RELATED TO DEWATERING (E.G., PUMPED DISCHARGES, TRENCH/DITCH CUTS FOR DRAINAGE) TO A TEMPORARY OR PERMANENT SEDIMENTATION BASIN ON THE PROJECT SITE UNLESS INFEASIBLE. THE CONTRACTOR MAY DISCHARGE FROM THE TEMPORARY OR PERMANENT SEDIMENTATION BASINS TO SURFACE WATERS IF THE BASIN WATER HAS BEEN VISUALLY CHECKED TO ENSURE ADEQUATE TREATMENT HAS BEEN OBTAINED IN THE BASIN AND THAT NUISANCE CONDITIONS (SEE MINN. R. 7050.0210, SUBP. 2) WILL NOT RESULT FROM THE DISCHARGE. IF THE WATER CANNOT BE DISCHARGED TO A SEDIMENTATION BASIN PRIOR TO ENTERING THE SURFACE WATER, IT MUST BE TREATED WITH THE APPROPRIATE BMPS, SUCH THAT THE DISCHARGE DOES NOT ADVERSELY AFFECT THE RECEIVING WATER OR DOWNSTREAM PROPERTIES.



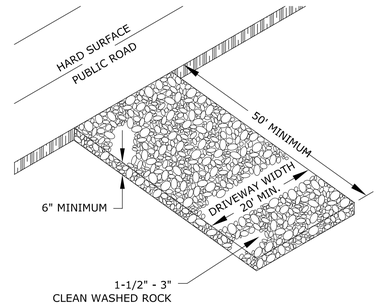
1 C2 BIO-ROLL BLANKET
N.T.S.



2 C2 PAD DETAIL
N.T.S.



3 C2 SILT FENCE
N.T.S.



4 C2 ROCK CONSTRUCTION ENTRANCE
N.T.S.

DETAILS & NOTES
PAJTSHENG & NTXHI ESTATES

DRAWN BY: M.Q.A. | DESIGN BY: Q.M.A.
CHCKD BY: M.Q.A. | PROJ. NO. 25-2215
ORIGINAL DATE: AUGUST 25, 2025

DATE	REVISION DESCRIPTION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.
QASEM M. ABUGHAZLEH LIC. NO. 56299
DATE: 05.19.2026

PAJTSHENG & NTXHI ESTATES
LINWOOD TOWNSHIP, MINNESOTA
DETAILS & NOTES

PREPARED FOR:
MUAJTSIM VANG

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C2

S:\Network\pt\2pmd\2215 Pajtsheng & Ntxhi Estates (Linwood Township)\2215 CAD\2215 BASE 18.dwg 5/19/2026

<u>4.1 TERMINATION OF COVERAGE. [MINN. R. 7090]</u>

4.2 PERMITTEES MUST SUBMIT A NOT WITHIN 30 DAYS AFTER ALL TERMINATION CONDITIONS LISTED IN SECTION 13 ARE COMPLETE. [MINN. R. 7090]

4.3 PERMITTEES MUST SUBMIT A NOT WITHIN 30 DAYS AFTER SELLING OR OTHERWISE LEGALLY TRANSFERRING THE ENTIRE SITE, INCLUDING PERMIT RESPONSIBILITY FOR ROADS (E.G., STREET SWEEPING) AND STORMWATER INFRASTRUCTURE FINAL CLEAN OUT, OR TRANSFERRING PORTIONS OF A SITE TO ANOTHER PARTY. THE PERMITTEES' COVERAGE UNDER THIS PERMIT TERMINATES AT MIDNIGHT ON THE SUBMISSION DATE OF THE NOT. [MINN. R. 7090]

4.4 PERMITTEES MAY TERMINATE PERMIT COVERAGE PRIOR TO COMPLETION OF ALL CONSTRUCTION ACTIVITY IF THEY MEET ALL OF THE FOLLOWING CONDITIONS:

A. CONSTRUCTION ACTIVITY HAS CEASED FOR AT LEAST 90 DAYS; AND

B. AT LEAST 90 PERCENT (BY AREA) OF ALL ORIGINALLY PROPOSED CONSTRUCTION ACTIVITY HAS BEEN COMPLETED AND PERMANENT COVER HAS BEEN ESTABLISHED ON THOSE AREAS; AND

C. ON AREAS WHERE CONSTRUCTION ACTIVITY IS NOT COMPLETE, PERMANENT COVER HAS BEEN ESTABLISHED; AND

D. THE SITE COMPLIES WITH ITEM 13.3 THROUGH 13.7.

AFTER PERMIT COVERAGE IS TERMINATED UNDER THIS ITEM, ANY SUBSEQUENT DEVELOPMENT ON THE REMAINING PORTIONS OF THE SITE WILL REQUIRE PERMIT COVERAGE IF THE SUBSEQUENT DEVELOPMENT ITSELF OR AS PART OF THE REMAINING COMMON PLAN OF DEVELOPMENT OR SALE WILL RESULT IN LAND DISTURBING ACTIVITIES OF ONE (1) OR MORE ACRES IN SIZE. [MINN. R. 7090]

4.5 PERMITTEES MAY TERMINATE COVERAGE UPON MPCA APPROVAL AFTER SUBMITTING INFORMATION DOCUMENTING THE OWNER CANCELED THE PROJECT. [MINN. R. 7090]

<u>6.1 SWPPP AMENDMENTS. [MINN. R. 7090]</u>

6.2 ONE OF THE INDIVIDUALS DESCRIBED IN ITEM 21.2.A OR ITEM 21.2.B OR ANOTHER QUALIFIED INDIVIDUAL MUST COMPLETE ALL SWPPP CHANGES. CHANGES INVOLVING THE USE OF A LESS STRINGENT BMP MUST INCLUDE A JUSTIFICATION DESCRIBING HOW THE REPLACEMENT BMP IS EFFECTIVE FOR THE SITE CHARACTERISTICS. [MINN. R. 7090]

6.3 PERMITTEES MUST AMEND THE SWPPP TO INCLUDE ADDITIONAL OR MODIFIED BMPS AS NECESSARY TO CORRECT PROBLEMS IDENTIFIED OR ADDRESS SITUATIONS WHENEVER THERE IS A CHANGE IN DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, WEATHER OR SEASONAL CONDITIONS HAVING A SIGNIFICANT EFFECT ON THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR GROUNDWATER. [MINN. R. 7090]

6.4 PERMITTEES MUST AMEND THE SWPPP TO INCLUDE ADDITIONAL OR MODIFIED BMPS AS NECESSARY TO CORRECT PROBLEMS IDENTIFIED OR ADDRESS SITUATIONS WHENEVER INSPECTIONS OR INVESTIGATIONS BY THE SITE OWNER OR OPERATOR, USEPA OR MPCA OFFICIALS INDICATE THE SWPPP IS NOT EFFECTIVE IN ELIMINATING OR SIGNIFICANTLY MINIMIZING THE DISCHARGE OF POLLUTANTS TO SURFACE WATERS OR GROUNDWATER OR THE DISCHARGES ARE CAUSING WATER QUALITY STANDARD EXCEEDANCES (E.G., NUISANCE CONDITIONS AS DEFINED IN MINN. R. 7050.0210, SUBP. 2) OR THE SWPPP IS NOT CONSISTENT WITH THE OBJECTIVES OF A USEPA APPROVED TMDL. [MINN. R. 7050.0210]

<u>7.1 BMP SELECTION AND INSTALLATION. [MINN. R. 7090]</u>

7.2 PERMITTEES MUST SELECT, INSTALL, AND MAINTAIN THE BMPS IDENTIFIED IN THE SWPPP AND IN THIS PERMIT IN AN APPROPRIATE AND FUNCTIONAL MANNER AND IN ACCORDANCE WITH RELEVANT MANUFACTURER SPECIFICATIONS AND ACCEPTED ENGINEERING PRACTICES. [MINN. R. 7090]

<u>8.1 EROSION PREVENTION PRACTICES. [MINN. R. 7090]</u>

8.2 BEFORE WORK BEGINS, PERMITTEES MUST DELINEATE THE LOCATION OF AREAS NOT TO BE DISTURBED. [MINN. R.

8.3 PERMITTEES MUST MINIMIZE THE NEED FOR DISTURBANCE OF PORTIONS OF THE PROJECT WITH STEEP SLOPES. WHEN STEEP SLOPES MUST BE DISTURBED, PERMITTEES MUST USE TECHNIQUES SUCH AS PHASING AND STABILIZATION PRACTICES DESIGNED FOR STEEP SLOPES (E.G., SLOPE DRAINING AND TERRACING). [MINN. R. 7090]

8.4 PERMITTEES MUST STABILIZE ALL EXPOSED SOIL AREAS, INCLUDING STOCKPILES. STABILIZATION MUST BE INITIATED IMMEDIATELY TO LIMIT SOIL EROSION WHEN CONSTRUCTION ACTIVITY HAS PERMANENTLY OR TEMPORARILY CEASED ON ANY PORTION OF THE SITE AND WILL NOT RESUME FOR A PERIOD EXCEEDING 14 CALENDAR DAYS. STABILIZATION MUST BE COMPLETED NO LATER THAN 14 CALENDAR DAYS AFTER THE CONSTRUCTION ACTIVITY HAS CEASED. STABILIZATION IS NOT REQUIRED ON CONSTRUCTED BASE COMPONENTS OF ROADS, PARKING LOTS AND SIMILAR SURFACES. STABILIZATION IS NOT REQUIRED ON TEMPORARY STOCKPILES WITHOUT SIGNIFICANT SILT, CLAY OR ORGANIC COMPONENTS (E.G., CLEAN AGGREGATE STOCKPILES, DEMOLITION CONCRETE STOCKPILES, SAND STOCKPILES) BUT PERMITTEES MUST PROVIDE SEDIMENT CONTROLS AT THE BASE OF THE STOCKPILE. [MINN. R. 7090]

8.5 FOR PUBLIC WATERS THAT THE MINNESOTA DNR HAS PROMULGATED "WORK IN WATER RESTRICTIONS" DURING SPECIFIED FISH SPAWNING TIME FRAMES, PERMITTEES MUST COMPLETE STABILIZATION OF ALL EXPOSED SOIL AREAS WITHIN 200 FEET OF THE WATER'S EDGE, AND THAT DRAIN TO THESE WATERS, WITHIN 24 HOURS DURING THE RESTRICTION PERIOD. [MINN. R. 7090]

8.6 PERMITTEES MUST STABILIZE THE NORMAL WETTED PERIMETER OF THE LAST 200 LINEAR FEET OF TEMPORARY OR PERMANENT DRAINAGE DITCHES OR SWALES THAT DRAIN WATER FROM THE SITE WITHIN 24 HOURS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE. PERMITTEES MUST COMPLETE STABILIZATION OF REMAINING PORTIONS OF TEMPORARY OR PERMANENT DITCHES OR SWALES WITHIN 14 CALENDAR DAYS AFTER CONNECTING TO A SURFACE WATER OR PROPERTY EDGE AND CONSTRUCTION IN THAT PORTION OF THE DITCH TEMPORARILY OR PERMANENTLY CEASES. [MINN. R. 7090]

8.7 TEMPORARY OR PERMANENT DITCHES OR SWALES BEING USED AS A SEDIMENT CONTAINMENT SYSTEM DURING CONSTRUCTION (WITH PROPERLY DESIGNED ROCK-DITCH CHECKS, BIO ROLLS, SILT DIKES, ETC.) DO NOT NEED TO BE STABILIZED. PERMITTEES MUST STABILIZE THESE AREAS WITHIN 24 HOURS AFTER THEIR USE AS A SEDIMENT CONTAINMENT SYSTEM CEASES. [MINN. R. 7090]

8.8 PERMITTEES MUST NOT USE MULCH, HYDROMULCH, TACKIFIER, POLYACRYLAMIDE OR SIMILAR EROSION PREVENTION PRACTICES WITHIN ANY PORTION OF THE NORMAL WETTED PERIMETER OF A TEMPORARY OR PERMANENT DRAINAGE DITCH OR SWALE SECTION WITH A CONTINUOUS SLOPE OF GREATER THAN 2 PERCENT. [MINN. R. 7090]

8.9 PERMITTEES MUST PROVIDE TEMPORARY OR PERMANENT ENERGY DISSIPATION AT ALL PIPE OUTLETS WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER OR PERMANENT STORMWATER TREATMENT SYSTEM. [MINN. R. 7090]

8.10 PERMITTEES MUST NOT DISTURB MORE LAND (I.E., PHASING) THAN CAN BE EFFECTIVELY INSPECTED AND MAINTAINED IN ACCORDANCE WITH SECTION 11. [MINN. R. 7090]

<u>9.1 SEDIMENT CONTROL PRACTICES. [MINN. R. 7090]</u>

9.2 PERMITTEES MUST ESTABLISH SEDIMENT CONTROL BMPS ON ALL DOWNGRADIENT PERIMETERS OF THE SITE AND DOWNGRADIENT AREAS OF THE SITE THAT DRAIN TO ANY SURFACE WATER, INCLUDING CURB AND GUTTER SYSTEMS. PERMITTEES MUST LOCATE SEDIMENT CONTROL PRACTICES UPGRADIENT OF ANY BUFFER ZONES. PERMITTEES MUST INSTALL SEDIMENT CONTROL PRACTICES BEFORE ANY UPGRADIENT LAND-DISTURBING ACTIVITIES BEGIN AND MUST KEEP THE SEDIMENT CONTROL PRACTICES IN PLACE UNTIL THEY ESTABLISH PERMANENT COVER. [MINN. R. 7090]

9.3 IF DOWNGRADIENT SEDIMENT CONTROLS ARE OVERLOADED, BASED ON FREQUENT FAILURE OR EXCESSIVE MAINTENANCE REQUIREMENTS, PERMITTEES MUST INSTALL ADDITIONAL UPGRADIENT SEDIMENT CONTROL PRACTICES OR REDUNDANT BMPS TO ELIMINATE THE OVERLOADING AND AMEND THE SWPPP TO IDENTIFY THESE ADDITIONAL PRACTICES AS REQUIRED IN ITEM 6.3. [MINN. R. 7090]

9.4 TEMPORARY OR PERMANENT DRAINAGE DITCHES AND SEDIMENT BASINS DESIGNED AS PART OF A SEDIMENT CONTAINMENT SYSTEM (E.G., DITCHES WITH ROCK-CHECK DAMS) REQUIRE SEDIMENT CONTROL PRACTICES ONLY AS APPROPRIATE FOR SITE CONDITIONS. [MINN. R. 7090]

9.5 A FLOATING SILT CURTAIN PLACED IN THE WATER IS NOT A SEDIMENT CONTROL BMP TO SATISFY ITEM 9.2 EXCEPT WHEN WORKING ON A SHORELINE OR BELOW THE WATERLINE. IMMEDIATELY AFTER THE SHORT TERM CONSTRUCTION ACTIVITY (E.G., INSTALLATION OF RIP RAP ALONG THE SHORELINE) IN THAT AREA IS COMPLETE, PERMITTEES MUST INSTALL AN UPLAND PERIMETER CONTROL PRACTICE IF EXPOSED SOILS STILL DRAIN TO A SURFACE WATER. [MINN. R. 7090]

9.6 PERMITTEES MUST RE-INSTALL ALL SEDIMENT CONTROL PRACTICES ADJUSTED OR REMOVED TO ACCOMMODATE SHORT-TERM ACTIVITIES SUCH AS CLEARING OR GRUBBING, OR PASSAGE OF VEHICLES, IMMEDIATELY AFTER THE SHORT-TERM ACTIVITY IS COMPLETED. PERMITTEES MUST RE-INSTALL SEDIMENT CONTROL PRACTICES BEFORE THE NEXT PRECIPITATION EVENT EVEN IF THE SHORT-TERM ACTIVITY IS NOT COMPLETE. [MINN. R. 7090]

9.7 PERMITTEES MUST PROTECT ALL STORM DRAIN INLETS USING APPROPRIATE BMPS DURING CONSTRUCTION UNTIL THEY ESTABLISH PERMANENT COVER ON ALL AREAS WITH POTENTIAL FOR DISCHARGING TO THE INLET. [MINN. R. 7090]

9.8 PERMITTEES MAY REMOVE INLET PROTECTION FOR A PARTICULAR INLET IF A SPECIFIC SAFETY CONCERN (E.G. STREET FLOODING/FREEZING) IS IDENTIFIED BY THE PERMITTEES OR THE JURISDICTIONAL AUTHORITY (E.G., CITY/COUNTY/TOWNSHIP/MINNESOTA DEPARTMENT OF TRANSPORTATION ENGINEER). PERMITTEES MUST DOCUMENT THE NEED FOR REMOVAL IN THE SWPPP. [MINN. R. 7090]

9.9 PERMITTEES MUST PROVIDE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS AT THE BASE OF STOCKPILES ON THE DOWNGRADIENT PERIMETER. [MINN. R. 7090]

9.10 PERMITTEES MUST LOCATE STOCKPILES OUTSIDE OF NATURAL BUFFERS OR SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS UNLESS THERE IS A BYPASS IN PLACE FOR THE STORMWATER. [MINN. R. 7090]

9.11 PERMITTEES MUST INSTALL A VEHICLE TRACKING BMP TO MINIMIZE THE TRACK OUT OF SEDIMENT FROM THE CONSTRUCTION SITE OR ONTO PAVED ROADS WITHIN THE SITE. [MINN. R. 7090]

9.12 PERMITTEES MUST USE STREET SWEEPING IF VEHICLE TRACKING BMPS ARE NOT ADEQUATE TO PREVENT SEDIMENT TRACKING ONTO THE STREET. [MINN. R. 7090]

9.13 PERMITTEES MUST INSTALL TEMPORARY SEDIMENT BASINS AS REQUIRED IN SECTION 14. [MINN. R. 7090]

9.14 IN ANY AREAS OF THE SITE WHERE FINAL VEGETATIVE STABILIZATION WILL OCCUR, PERMITTEES MUST RESTRICT VEHICLE AND EQUIPMENT USE TO MINIMIZE SOIL COMPACTION. [MINN. R. 7090]

9.15 PERMITTEES MUST PRESERVE TOPSOIL ON THE SITE, UNLESS INFEASIBLE. [MINN. R. 7090]

9.16 PERMITTEES MUST DIRECT DISCHARGES FROM BMPS TO VEGETATED AREAS UNLESS INFEASIBLE. [MINN. R. 7090]

9.17 PERMITTEES MUST PRESERVE A 50 FOOT NATURAL BUFFER OR, IF A BUFFER IS INFEASIBLE ON THE SITE, PROVIDE REDUNDANT (DOUBLE) PERIMETER SEDIMENT CONTROLS WHEN A SURFACE WATER IS LOCATED WITHIN 50 FEET OF THE PROJECT'S EARTH DISTURBANCES AND STORMWATER FLOWS TO THE SURFACE WATER. PERMITTEES MUST INSTALL PERIMETER SEDIMENT CONTROLS AT LEAST 5 FEET APART UNLESS LIMITED BY LACK OF AVAILABLE SPACE. NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS. IF PRESERVING THE BUFFER IS INFEASIBLE, PERMITTEES MUST DOCUMENT THE REASONS IN THE SWPPP. SHEET PILING IS A REDUNDANT PERIMETER CONTROL IF INSTALLED IN A MANNER THAT RETAINS ALL STORMWATER. [MINN. R. 7090]

9.18 PERMITTEES MUST USE POLYMERS, FLOCCULANTS, OR OTHER SEDIMENTATION TREATMENT CHEMICALS IN ACCORDANCE WITH ACCEPTED ENGINEERING PRACTICES, DOSING SPECIFICATIONS AND SEDIMENT REMOVAL DESIGN SPECIFICATIONS PROVIDED BY THE MANUFACTURER OR SUPPLIER. THE PERMITTEES MUST USE CONVENTIONAL EROSION AND SEDIMENT CONTROLS PRIOR TO CHEMICAL ADDITION AND MUST DIRECT TREATED STORMWATER TO A SEDIMENT CONTROL SYSTEM FOR FILTRATION OR SETTLEMENT OF THE FLOC PRIOR TO DISCHARGE. [MINN. R. 7090]

<u>10.1 DEWATERING AND BASIN DRAINING. [MINN. R. 7090]</u>

10.2 PERMITTEES MUST DISCHARGE TURBID OR SEDIMENT-LADEN WATERS RELATED TO DEWATERING OR BASIN DRAINING (E.G., PUMPED DISCHARGES, TRENCH/DITCH CUTS FOR DRAINAGE) TO A TEMPORARY OR PERMANENT SEDIMENT BASIN ON THE PROJECT SITE UNLESS INFEASIBLE. PERMITTEES MAY DEWATER TO SURFACE WATERS IF THEY VISUALLY CHECK TO ENSURE ADEQUATE TREATMENT HAS BEEN OBTAINED AND NUISANCE CONDITIONS (SEE MINN. R. 7050.0210, SUBP. 2) WILL NOT RESULT FROM THE DISCHARGE. IF PERMITTEES CANNOT DISCHARGE THE WATER TO A SEDIMENTATION BASIN PRIOR TO ENTERING A SURFACE WATER, PERMITTEES MUST TREAT IT WITH APPROPRIATE BMPS SUCH THAT THE DISCHARGE DOES NOT ADVERSELY AFFECT THE SURFACE WATER OR DOWNSTREAM PROPERTIES. [MINN. R. 7050.0210]

10.3 IF PERMITTEES MUST DISCHARGE WATER CONTAINING OIL OR GREASE, THEY MUST USE AN OIL-WATER SEPARATOR OR SUITABLE FILTRATION DEVICE (E.G., CARTRIDGE FILTERS, ABSORBENTS PADS) PRIOR TO DISCHARGE. [MINN. R. 7090]

10.4 PERMITTEES MUST DISCHARGE ALL WATER FROM DEWATERING OR BASIN-DRAINING ACTIVITIES IN A MANNER THAT DOES NOT CAUSE EROSION OR SCOUR IN THE IMMEDIATE VICINITY OF DISCHARGE POINTS OR INUNDATION OF WETLANDS IN THE IMMEDIATE VICINITY OF DISCHARGE POINTS THAT CAUSES SIGNIFICANT ADVERSE IMPACT TO THE WETLAND. [MINN. R. 7090]

10.5 IF PERMITTEES USE FILTERS WITH BACKWASH WATER, THEY MUST HAUL THE BACKWASH WATER AWAY FOR DISPOSAL, RETURN THE BACKWASH WATER TO THE BEGINNING OF THE TREATMENT PROCESS, OR INCORPORATE THE BACKWASH WATER INTO THE SITE IN A MANNER THAT DOES NOT CAUSE EROSION. [MINN. R. 7090]

<u>11.1 INSPECTIONS AND MAINTENANCE. [MINN. R. 7090]</u>

11.2 PERMITTEES MUST ENSURE A TRAINED PERSON, AS IDENTIFIED IN ITEM 21.2.B, WILL INSPECT THE ENTIRE CONSTRUCTION SITE AT LEAST ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 1/2 INCH IN 24 HOURS. [MINN. R. 7090]

11.3 PERMITTEES MUST INSPECT AND MAINTAIN ALL PERMANENT STORMWATER TREATMENT BMPS. [MINN. R. 7090]

11.4 PERMITTEES MUST INSPECT ALL EROSION PREVENTION AND SEDIMENT CONTROL BMPS AND POLLUTION PREVENTION MANAGEMENT MEASURES TO ENSURE INTEGRITY AND EFFECTIVENESS. PERMITTEES MUST REPAIR, REPLACE OR SUPPLEMENT ALL NONFUNCTIONAL BMPS WITH FUNCTIONAL BMPS BY THE END OF THE NEXT BUSINESS DAY AFTER DISCOVERY UNLESS ANOTHER TIME FRAME IS SPECIFIED IN ITEM 11.5 OR 11.6. PERMITTEES MAY TAKE ADDITIONAL TIME IF FIELD CONDITIONS PREVENT ACCESS TO THE AREA. [MINN. R. 7090]

11.5 DURING EACH INSPECTION, PERMITTEES MUST INSPECT SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS BUT NOT CURB AND GUTTER SYSTEMS, FOR EVIDENCE OF EROSION AND SEDIMENT DEPOSITION. PERMITTEES MUST REMOVE ALL DELTAS AND SEDIMENT DEPOSITED IN SURFACE WATERS, INCLUDING DRAINAGE WAYS, CATCH BASINS, AND OTHER DRAINAGE SYSTEMS AND RESTABILIZE THE AREAS WHERE SEDIMENT REMOVAL RESULTS IN EXPOSED SOIL. PERMITTEES MUST COMPLETE REMOVAL AND STABILIZATION WITHIN SEVEN (7) CALENDAR DAYS OF DISCOVERY UNLESS PRECLUDED BY LEGAL, REGULATORY, OR PHYSICAL ACCESS CONSTRAINTS. PERMITTEES MUST USE ALL REASONABLE EFFORTS TO OBTAIN ACCESS. IF PRECLUDED, REMOVAL AND STABILIZATION MUST TAKE PLACE WITHIN SEVEN (7) DAYS OF OBTAINING ACCESS. PERMITTEES ARE RESPONSIBLE FOR CONTACTING ALL LOCAL, REGIONAL, STATE AND FEDERAL AUTHORITIES AND RECEIVING ANY APPLICABLE PERMITS, PRIOR TO CONDUCTING ANY WORK IN SURFACE WATERS. [MINN. R. 7090]

11.6 PERMITTEES MUST INSPECT CONSTRUCTION SITE VEHICLE EXIT LOCATIONS, STREETS AND CURB AND GUTTER SYSTEMS WITHIN AND ADJACENT TO THE PROJECT FOR SEDIMENTATION FROM EROSION OR TRACKED SEDIMENT FROM VEHICLES. PERMITTEES MUST REMOVE SEDIMENT FROM ALL PAVED SURFACES WITHIN ONE (1) CALENDAR DAY OF DISCOVERY OR, IF APPLICABLE, WITHIN A SHORTER TIME TO AVOID A SAFETY HAZARD TO USERS OF PUBLIC STREETS. [MINN. R. 7090]

11.7 PERMITTEES MUST REPAIR, REPLACE OR SUPPLEMENT ALL PERIMETER CONTROL DEVICES WHEN THEY BECOME NONFUNCTIONAL OR THE SEDIMENT REACHES 1/2 OF THE HEIGHT OF THE DEVICE. [MINN. R. 7090]

11.8 PERMITTEES MUST DRAIN TEMPORARY AND PERMANENT SEDIMENTATION BASINS AND REMOVE THE SEDIMENT WHEN THE DEPTH OF SEDIMENT COLLECTED IN THE BASIN REACHES 1/2 THE STORAGE VOLUME. [MINN. R. 7090]

11.9 PERMITTEES MUST ENSURE THAT AT LEAST ONE INDIVIDUAL PRESENT ON THE SITE (OR AVAILABLE TO THE PROJECT SITE IN THREE (3) CALENDAR DAYS) IS TRAINED IN THE JOB DUTIES DESCRIBED IN ITEM 21.2.B. [MINN. R. 7090]

11.10 PERMITTEES MAY ADJUST THE INSPECTION SCHEDULE DESCRIBED IN ITEM 11.2 AS FOLLOWS:

A. INSPECTIONS OF AREAS WITH PERMANENT COVER CAN BE REDUCED TO ONCE PER MONTH, EVEN IF CONSTRUCTION ACTIVITY CONTINUES ON OTHER PORTIONS OF THE SITE; OR

B. WHERE SITES HAVE PERMANENT COVER ON ALL EXPOSED SOIL AND NO CONSTRUCTION ACTIVITY IS OCCURRING ANYWHERE ON THE SITE, INSPECTIONS CAN BE REDUCED TO ONCE PER MONTH AND, AFTER 12 MONTHS, MAY BE SUSPENDED COMPLETELY UNTIL CONSTRUCTION ACTIVITY RESUMES. THE MPCA MAY REQUIRE INSPECTIONS TO RESUME IF CONDITIONS WARRANT; OR

C. WHERE CONSTRUCTION ACTIVITY HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, INSPECTIONS MAY BE SUSPENDED. INSPECTIONS MUST RESUME WITHIN 24 HOURS OF RUNOFF OCCURRING, OR UPON RESUMING CONSTRUCTION, WHICHEVER COMES FIRST. [MINN. R. 7090]

11.11 PERMITTEES MUST RECORD ALL INSPECTIONS AND MAINTENANCE ACTIVITIES WITHIN 24 HOURS OF BEING CONDUCTED AND THESE RECORDS MUST BE RETAINED WITH THE SWPPP. THESE RECORDS MUST INCLUDE:

A. DATE AND TIME OF INSPECTIONS; AND

B. NAME OF PERSONS CONDUCTING INSPECTIONS; AND

C. ACCURATE FINDINGS OF INSPECTIONS, INCLUDING THE SPECIFIC LOCATION WHERE CORRECTIVE ACTIONS ARE NEEDED; AND

D. CORRECTIVE ACTIONS TAKEN (INCLUDING DATES, TIMES, AND PARTY COMPLETING MAINTENANCE ACTIVITIES); AND

E. DATE OF ALL RAINFALL EVENTS GREATER THAN 1/2 INCHES IN 24 HOURS, AND THE AMOUNT OF RAINFALL FOR EACH EVENT. PERMITTEES MUST OBTAIN RAINFALL AMOUNTS BY EITHER A PROPERLY MAINTAINED RAIN GAUGE INSTALLED ONSITE, A WEATHER STATION THAT IS WITHIN ONE (1) MILE OF YOUR LOCATION, OR A WEATHER REPORTING SYSTEM THAT PROVIDES SITE SPECIFIC RAINFALL DATA FROM RADAR SUMMARIES; AND

F. IF PERMITTEES OBSERVE A DISCHARGE DURING THE INSPECTION, THEY MUST RECORD AND SHOULD PHOTOGRAPH AND DESCRIBE THE LOCATION OF THE DISCHARGE (I.E., COLOR, ODOR, SETTLED OR SUSPENDED SOLIDS, OIL SHEEN, AND OTHER OBVIOUS INDICATORS OF POLLUTANTS); AND

G. ANY AMENDMENTS TO THE SWPPP PROPOSED AS A RESULT OF THE INSPECTION MUST BE DOCUMENTED AS REQUIRED IN SECTION 6 WITHIN SEVEN (7) CALENDAR DAYS. [MINN. R. 7090]

<u>12.1 POLLUTION PREVENTION MANAGEMENT MEASURES. [MINN. R. 7090]</u>

12.2 PERMITTEES MUST PLACE BUILDING PRODUCTS AND LANDSCAPE MATERIALS UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) OR PROTECT THEM BY SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER. PERMITTEES ARE NOT REQUIRED TO COVER OR PROTECT PRODUCTS WHICH ARE EITHER NOT A SOURCE OF CONTAMINATION TO STORMWATER OR ARE DESIGNED TO BE EXPOSED TO STORMWATER. [MINN. R. 7090]

12.3 PERMITTEES MUST PLACE PESTICIDES, FERTILIZERS AND TREATMENT CHEMICALS UNDER COVER (E.G., PLASTIC SHEETING OR TEMPORARY ROOFS) OR PROTECT THEM BY SIMILARLY EFFECTIVE MEANS DESIGNED TO MINIMIZE CONTACT WITH STORMWATER. [MINN. R. 7090]

12.4 PERMITTEES MUST STORE HAZARDOUS MATERIALS AND TOXIC WASTE, (INCLUDING OIL, DIESEL FUEL, GASOLINE, HYDRAULIC FLUIDS, PAINT SOLVENTS, PETROLEUM-BASED PRODUCTS, WOOD PRESERVATIVES, ADDITIVES, CURING COMPOUNDS, AND ACIDS) IN SEALED CONTAINERS TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. STORAGE AND DISPOSAL OF HAZARDOUS WASTE MATERIALS MUST BE IN COMPLIANCE WITH MINN. R. CH. 7045 INCLUDING SECONDARY CONTAINMENT AS APPLICABLE. [MINN. R. 7090]

12.5 PERMITTEES MUST PROPERLY STORE, COLLECT AND DISPOSE SOLID WASTE IN COMPLIANCE WITH MINN. R. CH. 7035. [MINN. R. 7035]

12.6 PERMITTEES MUST POSITION PORTABLE TOILETS SO THEY ARE SECURE AND WILL NOT TIP OR BE KNOCKED OVER. PERMITTEES MUST PROPERLY DISPOSE SANITARY WASTE IN ACCORDANCE WITH MINN. R. CH. 7041. [MINN. R. 7041]

12.7 PERMITTEES MUST TAKE REASONABLE STEPS TO PREVENT THE DISCHARGE OF SPILLED OR LEAKED CHEMICALS, INCLUDING FUEL, FROM ANY AREA WHERE CHEMICALS OR FUEL WILL BE LOADED OR UNLOADED INCLUDING THE USE OF DRIP PANS OR ABSORBENTS UNLESS INFEASIBLE. PERMITTEES MUST ENSURE ADEQUATE SUPPLIES ARE AVAILABLE AT ALL TIMES TO CLEAN UP DISCHARGED MATERIALS AND THAT AN APPROPRIATE DISPOSAL METHOD IS AVAILABLE FOR RECOVERED SPILLED MATERIALS. PERMITTEES MUST REPORT AND CLEAN UP SPILLS IMMEDIATELY AS REQUIRED BY MINN. STAT. 115.061, USING DRY CLEAN UP MEASURES WHERE POSSIBLE. [MINN. STAT. 115.061]

12.8 PERMITTEES MUST LIMIT VEHICLE EXTERIOR WASHING AND EQUIPMENT TO A DEFINED AREA OF THE SITE. PERMITTEES MUST CONTAIN RUNOFF FROM THE WASHING AREA IN A SEDIMENT BASIN OR OTHER SIMILARLY EFFECTIVE CONTROLS AND MUST DISPOSE WASTE FROM THE WASHING ACTIVITY PROPERLY. PERMITTEES MUST PROPERLY USE AND STORE SOAPS, DETERGENTS, OR SOLVENTS. [MINN. R. 7090]

12.9 PERMITTEES MUST PROVIDE EFFECTIVE CONTAINMENT FOR ALL LIQUID AND SOLID WASTES GENERATED BY WASHOUT OPERATIONS (E.G., CONCRETE, STUCCO, PAINT, FORM RELEASE OILS, CURING COMPOUNDS AND OTHER CONSTRUCTION MATERIALS) RELATED TO THE CONSTRUCTION ACTIVITY. PERMITTEES MUST PREVENT LIQUID AND SOLID WASHOUT WASTES FROM CONTACTING THE GROUND AND MUST DESIGN THE CONTAINMENT SO IT DOES NOT RESULT IN RUNOFF FROM THE WASHOUT OPERATIONS OR AREAS. PERMITTEES MUST PROPERLY DISPOSE LIQUID AND SOLID WASTES IN COMPLIANCE WITH MPCA RULES. PERMITTEES MUST INSTALL A SIGN INDICATING THE LOCATION OF THE WASHOUT FACILITY. [MINN. R. 7035, MINN. R. 7090]

<u>13.1 PERMIT TERMINATION CONDITIONS. [MINN. R. 7090]</u>

13.2 PERMITTEES MUST COMPLETE ALL CONSTRUCTION ACTIVITY AND MUST INSTALL PERMANENT COVER OVER ALL AREAS PRIOR TO SUBMITTING THE NOT. VEGETATIVE COVER MUST CONSIST OF A UNIFORM PERENNIAL VEGETATION WITH A DENSITY OF 70 PERCENT OF ITS EXPECTED FINAL GROWTH. VEGETATION IS NOT REQUIRED WHERE THE FUNCTION OF A SPECIFIC AREA DICTATES NO VEGETATION, SUCH AS IMPERVIOUS SURFACES OR THE BASE OF A SAND FILTER. [MINN. R. 7090]

13.3 PERMITTEES MUST CLEAN THE PERMANENT STORMWATER TREATMENT SYSTEM OF ANY ACCUMULATED SEDIMENT AND MUST ENSURE THE SYSTEM MEETS ALL APPLICABLE REQUIREMENTS IN SECTION 15 THROUGH 19 AND IS OPERATING AS DESIGNED. [MINN. R. 7090]

13.4 PERMITTEES MUST REMOVE ALL SEDIMENT FROM CONVEYANCE SYSTEMS PRIOR TO SUBMITTING THE NOT. [MINN. R. 7090]

13.5 PERMITTEES MUST REMOVE ALL TEMPORARY SYNTHETIC EROSION PREVENTION AND SEDIMENT CONTROL BMPS PRIOR TO SUBMITTING THE NOT. PERMITTEES MAY LEAVE BMPS DESIGNED TO DECOMPOSE ON-SITE IN PLACE. [MINN. R. 7090]

13.6 FOR RESIDENTIAL CONSTRUCTION ONLY, PERMIT COVERAGE TERMINATES ON INDIVIDUAL LOTS IF THE STRUCTURES ARE FINISHED AND TEMPORARY EROSION PREVENTION AND DOWNGRADIENT PERIMETER CONTROL IS COMPLETE, THE RESIDENCE SELLS TO THE HOMEOWNER, AND THE PERMITTEE DISTRIBUTES THE MPCA'S "HOMEOWNER FACT SHEET" TO THE HOMEOWNER. [MINN. R. 7090]

13.7 FOR CONSTRUCTION PROJECTS ON AGRICULTURAL LAND (E.G., PIPELINES ACROSS CROPLAND), PERMITTEES MUST RETURN THE DISTURBED LAND TO ITS PRECONSTRUCTION AGRICULTURAL USE PRIOR TO SUBMITTING THE NOT. [MINN. R. 7090]

<u>14.1 TEMPORARY SEDIMENT BASINS. [MINN. R. 7090]</u>

14.2 WHERE TEN (10) OR MORE ACRES OF DISTURBED SOIL DRAIN TO A COMMON LOCATION, PERMITTEES MUST PROVIDE A TEMPORARY SEDIMENT BASIN TO PROVIDE TREATMENT OF THE RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE OR ENTERS SURFACE WATERS. PERMITTEES MAY CONVERT A TEMPORARY SEDIMENT BASIN TO A PERMANENT BASIN AFTER CONSTRUCTION IS COMPLETE. THE TEMPORARY BASIN IS NO LONGER REQUIRED WHEN PERMANENT COVER HAS REDUCED THE ACREAGE OF DISTURBED SOIL TO LESS THAN TEN (10) ACRES DRAINING TO A COMMON LOCATION. [MINN. R. 7090]

14.3 THE TEMPORARY BASIN MUST PROVIDE LIVE STORAGE FOR A CALCULATED VOLUME OF RUNOFF FROM A TWO (2)-YEAR, 24-HOUR STORM FROM EACH ACRE DRAINED TO THE BASIN OR 1,800 CUBIC FEET OF LIVE STORAGE PER ACRE DRAINED, WHICHEVER IS GREATER. [MINN. R. 7090]

14.4 WHERE PERMITTEES HAVE NOT CALCULATED THE TWO (2)-YEAR, 24-HOUR STORM RUNOFF AMOUNT, THE TEMPORARY BASIN MUST PROVIDE 3,600 CUBIC FEET OF LIVE STORAGE PER ACRE OF THE BASINS' DRAINAGE AREA. [MINN. R. 7090]

14.5 PERMITTEES MUST DESIGN BASIN OUTLETS TO PREVENT SHORT-CIRCUITING AND THE DISCHARGE OF FLOATING DEBRIS. [MINN. R. 7090]

14.6 PERMITTEES MUST DESIGN THE OUTLET STRUCTURE TO WITHDRAW WATER FROM THE SURFACE TO MINIMIZE THE DISCHARGE OF POLLUTANTS. PERMITTEES MAY TEMPORARILY SUSPEND THE USE OF A SURFACE WITHDRAWAL MECHANISM DURING FROZEN CONDITIONS. THE BASIN MUST INCLUDE A STABILIZED EMERGENCY OVERFLOW TO PREVENT FAILURE OF POND INTEGRITY. [MINN. R. 7090]

14.7 PERMITTEES MUST PROVIDE ENERGY DISSIPATION FOR THE BASIN OUTLET WITHIN 24 HOURS AFTER CONNECTION TO A SURFACE WATER. [MINN. R. 7090]

14.8 PERMITTEES MUST LOCATE TEMPORARY BASINS OUTSIDE OF SURFACE WATERS AND ANY BUFFER ZONE REQUIRED IN ITEM 23.11. [MINN. R. 7090]

14.9 PERMITTEES MUST CONSTRUCT THE TEMPORARY BASINS PRIOR TO DISTURBING 10 OR MORE ACRES OF SOIL DRAINING TO A COMMON LOCATION. [MINN. R. 7090]

14.10 WHERE A TEMPORARY SEDIMENT BASIN MEETING THE REQUIREMENTS OF ITEM 14.3 THROUGH 14.9 IS INFEASIBLE, PERMITTEES MUST INSTALL EFFECTIVE SEDIMENT CONTROLS SUCH AS SMALLER SEDIMENT BASINS AND/OR SEDIMENT TRAPS, SILT FENCES, VEGETATIVE BUFFER STRIPS OR ANY APPROPRIATE COMBINATION OF MEASURES AS DICTATED BY INDIVIDUAL SITE CONDITIONS. IN DETERMINING WHETHER INSTALLING A SEDIMENT BASIN IS INFEASIBLE, PERMITTEES MUST CONSIDER PUBLIC SAFETY AND MAY CONSIDER FACTORS SUCH AS SITE SOILS, SLOPE, AND AVAILABLE AREA ON-SITE. PERMITTEES MUST DOCUMENT THIS DETERMINATION OF INFEASIBILITY IN THE SWPPP. [MINN. R. 7090]

<u>15.1 PERMANENT STORMWATER TREATMENT SYSTEM. [MINN. R. 7090]</u>

15.2 PERMITTEES MUST DESIGN THE PROJECT SO ALL STORMWATER DISCHARGED FROM THE PROJECT DURING AND AFTER CONSTRUCTION ACTIVITIES DOES NOT CAUSE A VIOLATION OF STATE WATER QUALITY STANDARDS, INCLUDING NUISANCE CONDITIONS, EROSION IN RECEIVING CHANNELS OR ON DOWNSLOPE PROPERTIES, OR A SIGNIFICANT ADVERSE IMPACT TO WETLANDS CAUSED BY INUNDATION OR DECREASE OF FLOW. [MINN. R. 7090]

15.3 PERMITTEES MUST DESIGN AND CONSTRUCT A PERMANENT STORMWATER TREATMENT SYSTEM TO TREAT THE WATER QUALITY VOLUME IF THE PROJECT'S ULTIMATE DEVELOPMENT REPLACES VEGETATION AND/OR OTHER PERVIOUS SURFACES CREATING A NET INCREASE OF ONE (1) OR MORE ACRES OF CUMULATIVE IMPERVIOUS SURFACE. [MINN. R. 7090]

15.4 PERMITTEES MUST CALCULATE THE WATER QUALITY VOLUME AS ONE (1) INCH TIMES THE NET INCREASE OF IMPERVIOUS SURFACES CREATED BY THE PROJECT. [MINN. R. 7090]

15.5 PERMITTEES MUST FIRST CONSIDER VOLUME REDUCTION PRACTICES ON-SITE (E.G., INFILTRATION OR OTHER) WHEN DESIGNING THE PERMANENT STORMWATER TREATMENT SYSTEM. IF THIS PERMIT PROHIBITS INFILTRATION AS DESCRIBED IN ITEM 16.14 THROUGH ITEM 16.21, PERMITTEES MAY CONSIDER A WET SEDIMENTATION BASIN, FILTRATION BASIN OR REGIONAL POND. THIS PERMIT DOES NOT CONSIDER WET SEDIMENTATION BASINS AND FILTRATION SYSTEMS TO BE VOLUME REDUCTION PRACTICES. [MINN. R. 7090]

15.6 FOR PROJECTS WHERE THE FULL VOLUME REDUCTION REQUIREMENT CANNOT BE MET ON-SITE, (E.G., THE SITE HAS INFILTRATION PROHIBITIONS), PERMITTEES MUST DOCUMENT THE REASONS IN THE SWPPP. [MINN. R. 7090]

15.7 PERMITTEES MUST DISCHARGE THE WATER QUALITY VOLUME TO A PERMANENT STORMWATER TREATMENT SYSTEM PRIOR TO DISCHARGE TO A SURFACE WATER. FOR PURPOSES OF THIS ITEM, SURFACE WATERS DO NOT INCLUDE MAN-MADE DRAINAGE SYSTEMS THAT CONVEY STORMWATER TO A PERMANENT STORMWATER TREATMENT SYSTEM. [MINN. R. 7090]

15.8 WHERE THE PROXIMITY TO BEDROCK PRECLUDES THE INSTALLATION OF ANY OF THE PERMANENT STORMWATER TREATMENT PRACTICES REQUIRED BY SECTIONS 15 THROUGH 19, PERMITTEES MUST INSTALL OTHER TREATMENT SUCH AS GRASSED SWALES, SMALLER PONDS, OR GRIT CHAMBERS, PRIOR TO THE DISCHARGE OF STORMWATER TO SURFACE WATERS. [MINN. R. 7090]

15.9 FOR LINEAR PROJECTS WHERE PERMITTEES CANNOT TREAT THE ENTIRE WATER QUALITY VOLUME WITHIN THE EXISTING RIGHTOF-WAY, PERMITTEES MUST MAKE A REASONABLE ATTEMPT TO OBTAIN ADDITIONAL RIGHT-OF-WAY, EASEMENT OR OTHER PERMISSION FOR STORMWATER TREATMENT DURING THE PROJECT PLANNING PROCESS. DOCUMENTATION OF THESE ATTEMPTS MUST BE IN THE SWPPP. PERMITTEES MUST STILL CONSIDER VOLUME REDUCTION PRACTICES FIRST AS DESCRIBED IN ITEM 15.5. IF PERMITTEES CANNOT OBTAIN ADDITIONAL RIGHT-OF-WAY, EASEMENT OR OTHER PERMISSION, THEY MUST MAXIMIZE THE TREATMENT OF THE WATER QUALITY VOLUME PRIOR TO DISCHARGE TO SURFACE WATERS. [MINN. R. 7090]

<u>16.1 INFILTRATION SYSTEMS. [MINN. R. 7090]</u>

16.2 INFILTRATION OPTIONS INCLUDE, BUT ARE NOT LIMITED TO: INFILTRATION BASINS, INFILTRATION TRENCHES, RAINWATER GARDENS, BIORETENTION AREAS WITHOUT UNDERDRAINS, SWALES WITH IMPERMEABLE CHECK DAMS, AND NATURAL DEPRESSIONS. IF PERMITTEES UTILIZE AN INFILTRATION SYSTEM TO MEET THE REQUIREMENTS OF THIS PERMIT, THEY MUST INCORPORATE THE DESIGN PARAMETERS IN ITEM 16.3 THROUGH ITEM 16.21. PERMITTEES MUST FOLLOW THE INFILTRATION PROHIBITION IN ITEM 16.14 ANYTIME AN INFILTRATION SYSTEM IS DESIGNED, INCLUDING THOSE NOT REQUIRED BY THIS PERMIT. [MINN. R. 7090]

16.3 PERMITTEES MUST DESIGN INFILTRATION SYSTEMS SUCH THAT PRE-EXISTING HYDROLOGIC CONDITIONS OF WETLANDS IN THE VICINITY ARE NOT IMPACTED (E.G., INUNDATION OR BREACHING A PERCHED WATER TABLE SUPPORTING A WETLAND). [MINN. R. 7090]

16.4 PERMITTEES MUST NOT EXCAVATE INFILTRATION SYSTEMS TO FINAL GRADE, OR WITHIN THREE (3) FEET OF FINAL GRADE, UNTIL THE CONTRIBUTING DRAINAGE AREA HAS BEEN CONSTRUCTED AND FULLY STABILIZED UNLESS THEY PROVIDE RIGOROUS EROSION PREVENTION AND SEDIMENT CONTROLS (E.G., DIVERSION BERMS) TO KEEP SEDIMENT AND RUNOFF COMPLETELY AWAY FROM THE INFILTRATION AREA. [MINN. R. 7090]

16.5 WHEN EXCAVATING AN INFILTRATION SYSTEM TO WITHIN THREE (3) FEET OF FINAL GRADE, PERMITTEES MUST STAKE OFF AND MARK THE AREA SO HEAVY CONSTRUCTION VEHICLES OR EQUIPMENT DO NOT COMPACT THE SOIL IN THE INFILTRATION AREA. [MINN. R. 7090]

16.6 PERMITTEES MUST USE A PRETREATMENT DEVICE SUCH AS A VEGETATED FILTER STRIP, FOREBAY, OR WATER QUALITY INLET (E.G., GRIT CHAMBER) TO REMOVE SOLIDS, FLOATING MATERIALS, AND OIL AND GREASE FROM THE RUNOFF, TO THE MAXIMUM EXTENT PRACTICABLE, BEFORE THE SYSTEM ROUTES STORMWATER TO THE INFILTRATION SYSTEM. [MINN. R. 7090]

16.7 PERMITTEES MUST DESIGN INFILTRATION SYSTEMS TO PROVIDE A WATER QUALITY VOLUME (CALCULATED AS AN INSTANTANEOUS VOLUME) OF ONE (1) INCH OF RUNOFF, OR ONE (1) INCH MINUS THE VOLUME OF STORMWATER TREATED BY ANOTHER SYSTEM ON THE SITE, FROM THE NET INCREASE OF IMPERVIOUS SURFACES CREATED BY THE PROJECT. [MINN. R. 7090]

16.8 PERMITTEES MUST DESIGN THE INFILTRATION SYSTEM TO DISCHARGE ALL STORMWATER (INCLUDING STORMWATER IN EXCESS OF THE WATER QUALITY VOLUME) ROUTED TO THE SYSTEM THROUGH THE UPPERMOST SOIL SURFACE OR ENGINEERED MEDIA SURFACE WITHIN 48 HOURS. PERMITTEES MUST ROUTE ADDITIONAL FLOWS THAT CANNOT INFILTRATE WITHIN 48 HOURS TO BYPASS THE SYSTEM THROUGH A STABILIZED DISCHARGE POINT. [MINN. R. 7090]

16.9 PERMITTEES MUST PROVIDE A MEANS TO VISUALLY VERIFY THE INFILTRATION SYSTEM IS DISCHARGING THROUGH THE SOIL SURFACE OR FILTER MEDIA SURFACE WITHIN 48 HOURS OR LESS. [MINN. R. 7090]

16.10 PERMITTEES MUST PROVIDE AT LEAST ONE SOIL BORING, TEST PIT OR INFILTROMETER TEST IN THE LOCATION OF THE INFILTRATION PRACTICE FOR DETERMINING INFILTRATION RATES. [MINN. R. 7090]

16.11 FOR DESIGN PURPOSES, PERMITTEES MUST DIVIDE FIELD MEASURED INFILTRATION RATES BY 2 AS A SAFETY FACTOR OR PERMITTEES CAN USE SOIL-BORING RESULTS WITH THE INFILTRATION RATE CHART IN THE MINNESOTA STORMWATER MANUAL TO DETERMINE DESIGN INFILTRATION RATES. WHEN SOIL BORINGS INDICATE TYPE A SOILS, PERMITTEES SHOULD PERFORM FIELD MEASUREMENTS TO VERIFY THE RATE IS NOT ABOVE 8.3 INCHES PER HOUR. THIS PERMIT PROHIBITS INFILTRATION IF THE FIELD MEASURED INFILTRATION RATE IS ABOVE 8.3 INCHES PER HOUR. [MINN. R. 7090]

16.12 PERMITTEES MUST EMPLOY APPROPRIATE ON-SITE TESTING ENSURE A MINIMUM OF THREE (3) FEET OF SEPARATION FROM THE SEASONALLY SATURATED SOILS (OR FROM BEDROCK) AND THE BOTTOM OF THE PROPOSED INFILTRATION SYSTEM. [MINN. R. 7090]

16.13 PERMITTEES MUST DESIGN A MAINTENANCE ACCESS, TYPICALLY EIGHT (8) FEET WIDE, FOR THE INFILTRATION SYSTEM. [MINN. R. 7090]

16.14 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS THAT RECEIVE RUNOFF FROM VEHICLE FUELING AND MAINTENANCE AREAS INCLUDING CONSTRUCTION OF INFILTRATION SYSTEMS NOT REQUIRED BY THIS PERMIT. [MINN. R. 7090]

16.15 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS WHERE INFILTRATING STORMWATER MAY MOBILIZE HIGH LEVELS OF CONTAMINANTS IN SOIL OR GROUNDWATER. PERMITTEES MUST EITHER COMPLETE THE MPCA'S CONTAMINATION SCREENING CHECKLIST OR CONDUCT THEIR OWN ASSESSMENT TO DETERMINE THE SUITABILITY FOR INFILTRATION. PERMITTEES MUST RETAIN THE CHECKLIST OR ASSESSMENT WITH THE SWPPP. FOR MORE INFORMATION AND TO ACCESS THE MPCA'S "CONTAMINATION SCREENING CHECKLIST" SEE THE MINNESOTA STORMWATER MANUAL. [MINN. R. 7090]

16.16 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS IN AREAS WHERE SOIL INFILTRATION RATES ARE FIELD MEASURED AT MORE THAN 8.3 INCHES PER HOUR UNLESS THEY AMEND SOILS TO SLOW THE INFILTRATION RATE BELOW 8.3 INCHES PER HOUR. [MINN. R. 7090]

16.17 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS IN AREAS WITH LESS THAN THREE (3) FEET OF SEPARATION DISTANCE FROM THE BOTTOM OF THE INFILTRATION SYSTEM TO THE ELEVATION OF THE SEASONALLY SATURATED SOILS OR THE TOP OF BEDROCK. [MINN. R. 7090]

16.18 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS IN AREAS OF PREDOMINATELY HYDROLOGIC SOIL GROUP TYPE D SOILS (CLAY). [MINN. R. 7090]

16.19 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS WITHIN A DRINKING WATER SUPPLY MANAGEMENT AREA (DWSMA) AS DEFINED IN MINN. R. 4720.5100, SUBP. 13, IF THE SYSTEM WILL BE LOCATED:

A. IN AN EMERGENCY RESPONSE AREA (ERA) WITHIN A DWSMA CLASSIFIED AS HAVING HIGH OR VERY HIGH VULNERABILITY AS DEFINED BY THE MINNESOTA DEPARTMENT OF HEALTH; OR

B. IN AN ERA WITHIN A DWSMA CLASSIFIED AS MODERATE VULNERABILITY UNLESS A REGULATED MS4 PERMITTEE PERFORMED OR APPROVED A HIGHER LEVEL OF ENGINEERING REVIEW SUFFICIENT TO PROVIDE A FUNCTIONING TREATMENT SYSTEM AND TO PREVENT ADVERSE IMPACTS TO GROUNDWATER; OR

C. OUTSIDE OF AN ERA WITHIN A DWSMA CLASSIFIED AS HAVING HIGH OR VERY HIGH VULNERABILITY, UNLESS A REGULATED MS4 PERMITTEE PERFORMED OR APPROVED A HIGHER LEVEL OF ENGINEERING REVIEW SUFFICIENT TO PROVIDE A FUNCTIONING TREATMENT SYSTEM AND TO PREVENT ADVERSE IMPACTS TO GROUNDWATER.

SEE "HIGHER LEVEL OF ENGINEERING REVIEW" IN THE MINNESOTA STORMWATER MANUAL FOR MORE INFORMATION. [MINN. R. 7090]

16.20 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS IN AREAS WITHIN 1,000 FEET UPGRADIENT OR 100 FEET DOWNGRADIENT OF ACTIVE KARST FEATURES. [MINN. R. 7090]

16.21 THIS PERMIT PROHIBITS PERMITTEES FROM CONSTRUCTING INFILTRATION SYSTEMS IN AREAS THAT RECEIVE RUNOFF FROM THE FOLLOWING INDUSTRIAL FACILITIES NOT AUTHORIZED TO INFILTRATE STORMWATER UNDER THE NPDES STORMWATER PERMIT FOR INDUSTRIAL ACTIVITIES: AUTOMOBILE SALVAGE YARDS; SCRAP RECYCLING AND WASTE RECYCLING FACILITIES; HAZARDOUS WASTE TREATMENT, STORAGE, OR DISPOSAL FACILITIES; OR AIR TRANSPORTATION FACILITIES THAT CONDUCT DEICING ACTIVITIES. [MINN. R. 7090]

<u>17.1 FILTRATION SYSTEMS. [MINN. R. 7090]</u>

17.2 FILTRATION OPTIONS INCLUDE, BUT ARE NOT LIMITED TO: SAND FILTERS WITH UNDERDRAINS, BIOFILTRATION AREAS, SWALES USING UNDERDRAINS WITH IMPERMEABLE CHECK DAMS AND UNDERGROUND SAND FILTERS. IF PERMITTEES UTILIZE A FILTRATION SYSTEM TO MEET THE PERMANENT STORMWATER TREATMENT REQUIREMENTS OF THIS PERMIT, THEY MUST COMPLY WITH ITEMS 17.3 THROUGH 17.11. [MINN. R. 7090]

17.3 PERMITTEES MUST NOT INSTALL FILTER MEDIA UNTIL THEY CONSTRUCT AND FULLY STABILIZE THE CONTRIBUTING DRAINAGE AREA UNLESS THEY PROVIDE RIGOROUS EROSION PREVENTION AND SEDIMENT CONTROLS (E.G., DIVERSION BERMS) TO KEEP SEDIMENT AND RUNOFF COMPLETELY AWAY FROM THE FILTRATION AREA. [MINN. R. 7090]

17.4 PERMITTEES MUST DESIGN FILTRATION SYSTEMS TO REMOVE AT LEAST 80 PERCENT OF TSS. [MINN. R. 7090]

17.5 PERMITTEES MUST USE A PRETREATMENT DEVICE SUCH AS A VEGETATED FILTER STRIP, SMALL SEDIMENTATION BASIN, WATER QUALITY INLET, FOREBAY OR HYDRODYNAMIC SEPARATOR TO REMOVE SETTLEABLE SOLIDS, FLOATING MATERIALS, AND OILS AND GREASE FROM THE RUNOFF, TO THE MAXIMUM EXTENT PRACTICABLE, BEFORE RUNOFF ENTERS THE FILTRATION SYSTEM. [MINN. R. 7090]

17.6 PERMITTEES MUST DESIGN FILTRATION SYSTEMS TO TREAT A WATER QUALITY VOLUME (CALCULATED AS AN INSTANTANEOUS VOLUME) OF ONE (1) INCH OF RUNOFF, OR ONE (1) INCH MINUS THE VOLUME OF STORMWATER TREATED BY ANOTHER SYSTEM ON THE SITE, FROM THE NET INCREASE OF IMPERVIOUS SURFACES CREATED BY THE PROJECT. [MINN. R. 7090]

17.7 PERMITTEES MUST DESIGN THE FILTRATION SYSTEM TO DISCHARGE ALL STORMWATER (INCLUDING STORMWATER IN EXCESS OF THE WATER QUALITY VOLUME) ROUTED TO THE SYSTEM THROUGH THE UPPERMOST SOIL SURFACE OR ENGINEERED MEDIA SURFACE WITHIN 48 HOURS. ADDITIONAL FLOWS THAT THE SYSTEM CANNOT FILTER WITHIN 48 HOURS MUST BYPASS THE SYSTEM OR DISCHARGE THROUGH AN EMERGENCY OVERFLOW. [MINN. R. 7090]

17.8 PERMITTEES MUST DESIGN THE FILTRATION SYSTEM TO PROVIDE A MEANS TO VISUALLY VERIFY THE SYSTEM IS DISCHARGING THROUGH THE SOIL SURFACE OR FILTER MEDIA WITHIN 48 HOURS. [MINN. R. 7090]

17.9 PERMITTEES MUST EMPLOY APPROPRIATE ON-SITE TESTING TO ENSURE A MINIMUM OF THREE (3) FEET OF SEPARATION BETWEEN THE SEASONALLY SATURATED SOILS (OR FROM BEDROCK) AND THE BOTTOM OF THE PROPOSED FILTRATION SYSTEM. [MINN. R. 7090]

17.10 PERMITTEES MUST ENSURE THAT FILTRATION SYSTEMS WITH LESS THAN THREE (3) FEET OF SEPARATION BETWEEN SEASONALLY SATURATED SOILS OR FROM BEDROCK ARE CONSTRUCTED WITH AN IMPERMEABLE LINER. [MINN. R. 7090]

17.11 THE PERMITTEES MUST DESIGN A MAINTENANCE ACCESS, TYPICALLY EIGHT (8) FEET WIDE, FOR THE FILTRATION SYSTEM. [MINN. R. 7090]

<u>18.1 WET SEDIMENTATION BASIN. [MINN. R. 7090]</u>

18.2 PERMITTEES USING A WET SEDIMENTATION BASIN TO MEET THE PERMANENT STORMWATER TREATMENT REQUIREMENTS OF THIS PERMIT MUST INCORPORATE THE DESIGN PARAMETERS IN ITEM 18.3 THROUGH 18.10. [MINN. R. 7090]

18.3 PERMITTEES MUST DESIGN THE BASIN TO HAVE A PERMANENT VOLUME OF 1,800 CUBIC FEET OF STORAGE BELOW THE OUTLET PIPE FOR EACH ACRE THAT DRAINS TO THE BASIN. THE BASIN'S PERMANENT VOLUME MUST REACH A MINIMUM DEPTH OF AT LEAST THREE (3) FEET AND MUST HAVE NO DEPTH GREATER THAN 10 FEET. PERMITTEES MUST CONFIGURE THE BASIN TO MINIMIZE SCOUR OR RESUSPENSION OF SOLIDS. [MINN. R. 7090]

18.4 PERMITTEES MUST DESIGN THE BASIN TO PROVIDE LIVE STORAGE FOR A WATER QUALITY VOLUME (CALCULATED AS AN INSTANTANEOUS VOLUME) OF ONE (1) INCH OF RUNOFF, OR ONE (1) INCH MINUS THE VOLUME OF STORMWATER TREATED BY ANOTHER SYSTEM ON THE SITE, FROM THE NET INCREASE IN IMPERVIOUS SURFACES CREATED BY THE PROJECT. [MINN. R. 7090]

18.5 PERMITTEES MUST DESIGN BASIN OUTLETS SO THE WATER QUALITY VOLUME DISCHARGES AT NO MORE THAN 5.66 CUBIC FEET PER SECOND (CFS) PER ACRE OF SURFACE AREA OF THE BASIN. [MINN. R. 7090]

18.6 PERMITTEES MUST DESIGN BASIN OUTLETS TO PREVENT SHORT-CIRCUITING AND THE DISCHARGE OF FLOATING DEBRIS. BASIN OUTLETS MUST HAVE ENERGY DISSIPATION. [MINN. R. 7090]

18.7 PERMITTEES MUST DESIGN THE BASIN TO INCLUDE A STABILIZED EMERGENCY OVERFLOW TO ACCOMMODATE STORM EVENTS IN EXCESS OF THE BASIN'S HYDRAULIC DESIGN. [MINN. R. 7090]

18.8 PERMITTEES MUST DESIGN A MAINTENANCE ACCESS, TYPICALLY EIGHT (8) FEET WIDE, FOR THE BASIN. [MINN. R. 7090]

18.9 PERMITTEES MUST LOCATE BASINS OUTSIDE OF SURFACE WATERS AND ANY BUFFER ZONE REQUIRED IN ITEM 23.11. PERMITTEES MUST DESIGN BASINS TO AVOID DRAINING WATER FROM WETLANDS UNLESS THE IMPACT TO THE WETLAND COMPLIES WITH THE REQUIREMENTS OF SECTION 22. [MINN. R. 7090]

18.10 PERMITTEES MUST DESIGN BASINS USING AN IMPERMEABLE LINER IF LOCATED WITHIN ACTIVE KARST TERRAIN. [MINN. R. 7090]

<u>19.1 REGIONAL WET SEDIMENTATION BASINS. [MINN. R. 7090]</u>

19.2 WHEN THE ENTIRE WATER QUALITY VOLUME CANNOT BE RETAINED ONSITE, PERMITTEES CAN USE OR CREATE REGIONAL WET SEDIMENTATION BASINS PROVIDED THEY ARE CONSTRUCTED BASINS, NOT A NATURAL WETLAND OR WATER BODY, (WETLANDS USED AS REGIONAL BASINS MUST BE MITIGATED FOR, SEE SECTION 22). THE OWNER MUST ENSURE THE REGIONAL BASIN CONFORMS TO ALL REQUIREMENTS FOR A WET SEDIMENTATION BASIN AS DESCRIBED IN ITEMS 18.3 THROUGH 18.10 AND MUST BE LARGE ENOUGH TO ACCOUNT FOR THE ENTIRE AREA THAT DRAINS TO THE REGIONAL BASIN. PERMITTEES MUST VERIFY THAT THE REGIONAL BASIN WILL DISCHARGE AT NO MORE THAN 5.66 CFS PER ACRE OF SURFACE AREA OF THE BASIN AND MUST PROVIDE A LIVE STORAGE VOLUME OF ONE INCH TIMES ALL THE IMPERVIOUS AREA DRAINING TO THE BASIN. PERMITTEES CANNOT SIGNIFICANTLY DEGRADE WATERWAYS BETWEEN THE PROJECT AND THE REGIONAL BASIN. THE OWNER MUST OBTAIN WRITTEN AUTHORIZATION FROM THE APPLICABLE LGU OR PRIVATE ENTITY THAT OWNS AND MAINTAINS THE REGIONAL BASIN. [MINN. R. 7090]

<u>20.1 SWPPP AVAILABILITY. [MINN. R. 7090]</u>

20.2 PERMITTEES MUST KEEP THE SWPPP, INCLUDING ALL CHANGES TO IT, AND INSPECTIONS AND MAINTENANCE RECORDS AT THE SITE DURING NORMAL WORKING HOURS BY PERMITTEES WHO HAVE OPERATIONAL CONTROL OF THAT PORTION OF THE SITE. [MINN. R. 7090]

<u>21.1 TRAINING REQUIREMENTS. [MINN. R. 7090]</u>

21.2 PERMITTEES MUST ENSURE ALL OF THE FOLLOWING INDIVIDUALS RECEIVE TRAINING AND THE CONTENT AND EXTENT OF THE TRAINING IS COMMENSURATE WITH THE INDIVIDUAL'S JOB DUTIES AND RESPONSIBILITIES WITH REGARD TO ACTIVITIES COVERED UNDER THIS PERMIT:

A. INDIVIDUALS PREPARING THE SWPPP FOR THE PROJECT.

B. INDIVIDUALS OVERSEEING IMPLEMENTATION OF, REVISING AND/OR AMENDING THE SWPPP AND INDIVIDUALS PERFORMING INSPECTIONS FOR THE PROJECT. ONE OF THESE INDIVIDUALS MUST BE AVAILABLE FOR AN ONSITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY THE MPCA.

C. INDIVIDUALS PERFORMING OR SUPERVISING THE INSTALLATION, MAINTENANCE AND REPAIR OF BMPS. [MINN. R. 7090]

21.3 PERMITTEES MUST ENSURE INDIVIDUALS IDENTIFIED IN SECTION 21 RECEIVE TRAINING FROM LOCAL, STATE, FEDERAL AGENCIES, PROFESSIONAL ORGANIZATIONS, OR OTHER ENTITIES WITH EXPERTISE IN EROSION PREVENTION, SEDIMENT CONTROL, PERMANENT STORMWATER TREATMENT AND THE MINNESOTA NPDES/SDS CONSTRUCTION STORMWATER PERMIT. PERMITTEES MUST ENSURE THESE INDIVIDUALS ATTEND A REFRESHER-TRAINING COURSE EVERY THREE (3) YEARS. [MINN. R. 7090]

<u>24.1 GENERAL PROVISIONS. [MINN. R. 7090]</u>

24.2 IF THE MPCA DETERMINES THAT AN INDIVIDUAL PERMIT WOULD MORE APPROPRIATELY REGULATE THE CONSTRUCTION ACTIVITY, THE MPCA MAY REQUIRE AN INDIVIDUAL PERMIT TO CONTINUE THE CONSTRUCTION ACTIVITY. COVERAGE UNDER THIS GENERAL PERMIT WILL REMAIN IN EFFECT UNTIL THE MPCA ISSUES AN INDIVIDUAL PERMIT. [MINN. R. 7001.0210, SUBP. 6]

24.3 IF THE PERMITTEE CANNOT MEET THE TERMS AND CONDITIONS OF THIS GENERAL PERMIT, AN OWNER MAY REQUEST AN INDIVIDUAL PERMIT, IN ACCORDANCE WITH MINN. R. 7001.0210 SUBP. 6. [MINN. R. 7001.0210, SUBP. 6]

24.4 ANY INTERESTED PERSON MAY PETITION THE MPCA TO REQUIRE AN INDIVIDUAL NPDES/SDS PERMIT IN ACCORDANCE WITH 40 CFR 122.28(B)(3). [40 CFR 122.29(B)(3)]

24.5 PERMITTEES MUST MAKE THE SWPPP, INCLUDING ALL INSPECTION REPORTS, MAINTENANCE RECORDS, TRAINING RECORDS AND OTHER INFORMATION REQUIRED BY THIS PERMIT, AVAILABLE TO FEDERAL, STATE, AND LOCAL OFFICIALS WITHIN THREE (3) DAYS UPON REQUEST FOR THE DURATION OF THE PERMIT AND FOR THREE (3) YEARS FOLLOWING THE NOT. [MINN. R. 7090]

24.6 PERMITTEES MAY NOT ASSIGN OR TRANSFER THIS PERMIT EXCEPT WHEN THE TRANSFER OCCURS IN ACCORDANCE WITH THE APPLICABLE REQUIREMENTS OF ITEM 3.7 AND 3.8. [MINN. R. 7090]

24.7 NOTHING IN THIS PERMIT MUST BE CONSTRUED TO RELIEVE THE PERMITTEES FROM CIVIL OR CRIMINAL PENALTIES FOR NONCOMPLIANCE WITH THE TERMS AND CONDITIONS PROVIDED HEREIN. NOTHING IN THIS PERMIT MUST BE CONSTRUED TO PRECLUDE THE INITIATION OF ANY LEGAL ACTION OR RELIEVE THE PERMITTEES FROM ANY RESPONSIBILITIES, LIABILITIES, OR PENALTIES TO WHICH THE PERMITTEES IS/ARE OR MAY BE SUBJECT TO UNDER SECTION 311 OF THE CLEAN WATER ACT AND MINN. STAT. SECT. 115 AND 116, AS AMENDED. PERMITTEES ARE NOT LIABLE FOR PERMIT REQUIREMENTS FOR ACTIVITIES OCCURRING ON THOSE PORTIONS OF A SITE WHERE THE PERMIT HAS BEEN TRANSFERRED TO ANOTHER PARTY AS REQUIRED IN ITEM 3.7 OR THE PERMITTEES HAVE SUBMITTED THE NOT AS REQUIRED IN SECTION 4. [MINN. R. 7090]

24.8 THE PROVISIONS OF THIS PERMIT ARE SEVERABLE. IF ANY PROVISION OF THIS PERMIT OR THE APPLICATION OF ANY PROVISION OF THIS PERMIT TO ANY CIRCUMSTANCES IS HELD INVALID, THE APPLICATION OF SUCH PROVISION TO OTHER CIRCUMSTANCES, AND THE REMAINDER OF THIS PERMIT MUST NOT BE AFFECTED THEREBY. [MINN. R. 7090]

24.9 THE PERMITTEES MUST COMPLY WITH THE PROVISIONS OF MINN. R. 7001.0150, SUBP. 3 AND MINN. R. 7001.1090, SUBP. 1(A), 1(B), 1(C), 1(H), 1(I), 1(J), 1(K), AND 1(L). [MINN. R. 7090]

24.10 THE PERMITTEES MUST ALLOW ACCESS AS PROVIDED IN 40 CFR 122.41(I) AND MINN. STAT. SECT. 115.04. THE PERMITTEES MUST ALLOW REPRESENTATIVES OF THE MPCA OR ANY MEMBER, EMPLOYEE OR AGENT THEREOF, WHEN AUTHORIZED BY IT, UPON PRESENTATION OF CREDENTIALS, TO ENTER UPON ANY PROPERTY, PUBLIC OR PRIVATE, FOR THE PURPOSE OF OBTAINING INFORMATION OR EXAMINATION OF RECORDS OR CONDUCTING SURVEYS OR INVESTIGATIONS. [40 CFR 122.41(I)]

24.11 FOR THE PURPOSES OF MINN. R. 7090 AND OTHER DOCUMENTS THAT REFERENCE SPECIFIC SECTIONS OF THIS PERMIT, "STORMWATER DISCHARGE DESIGN REQUIREMENTS" CORRESPONDS TO SECTIONS 5, 6 AND 14 THROUGH 21; "CONSTRUCTION ACTIVITY REQUIREMENTS" CORRESPONDS TO SECTIONS 7 THROUGH 13; AND "APPENDIX A" CORRESPONDS TO SECTIONS 22 AND 23. [MINN. R. 7090]

STORM WATER POLLUTION PREVENTION PLAN
PAJTSHENG & NTXHI ESTATES

DRAWN BY:	DESIGN BY:
M.Q.A.	Q.M.A.
CHCKD BY:	PROJ. NO.
M.Q.A.	25-2215

ORIGINAL DATE: AUGUST 25, 2025

DATE	REVISION DESCRIPTION

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

QASEM M. ABUGHAZLEH

DATE: 05.19.2026 LIC. NO. 56299

PAJTSHENG & NTXHI ESTATES

LINWOOD TOWNSHIP, MINNESOTA

STORM WATER POLLUTION PREVENTION PLAN

PREPARED FOR:
MUAJTSIM VANG

SITE PLANNING & ENGINEERING
PLOWE ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

C3.1

PROJECT TITLE

PAJTSHENG & NTXHI ESTATES

PROJECT LOCATION

ADDRESS: NORTH OF 21725 SUNRISE RD NE

PID: 11-33-22-24-0001

LATITUDE: 45.365
LONGITUDE: -93.054

DEVELOPER

MUAJTSIM VANG
2088 WEST CEDAR ST
LINO LAKES, MN 55038

CONTACT NAME: MUAJTSIM VANG
CONTACT PHONE: 651-785-3847
CONTACT E-MAIL: MUAJTSIM.VANG90@GMAIL.COM

GENERAL CONTRACTOR

TBD

NARRATIVE - PERMANENT STORMWATER TREATMENT SYSTEMS

PERMANENT STORMWATER MANAGEMENT FEATURES WILL INCLUDE RATE CONTROL BASINS.

SITE IMPERVIOUS AREAS

	BEFORE CONSTRUCTION	AFTER CONSTRUCTION
TOTAL SITE AREA (ANALYSIS AREA)	26.28 ACRES	
TOTAL ESTIMATED IMPERVIOUS	0.67 ACRES	1.24 ACRES
TOTAL ESTIMATED PERVIOUS	25.61 ACRES	25.04 ACRES

APPROX. 0.57 ACRE INCREASE IN IMPERVIOUS

TOTAL DISTURBED AREA

~2.81 ACRES

SITE MAP W/ EXISTING AND FINAL GRADES AND DESIGN CALCULATIONS

SEE "STORMWATER DRAINAGE REPORT" FOR EXISTING AND PROPOSED AREA MAPS, DENOTING DRAINAGE AREA BOUNDARIES, DIRECTIONS OF FLOW, AND DISCHARGE POINTS WHERE STORMWATER LEAVES THE SITE.

RECEIVING WATERS WITHIN ONE MILE

NAME OF WATER BODY	TYPE OF WATER BODY	SPECIAL WATER	IMPAIRED WATER
LARGE WETLAND (WETLAND 4)	WETLAND	NO	NO
ON-SITE SEDIMENTATION BASINS	BASIN	NO	NO

BUFFER TO SURFACE WATER

☐ YES ☐ NO ☒ N/A IF THE SITE DRAINS TO A SURFACE WATER, IS A 50-FT NATURAL BUFFER ADJACENT TO THE SURFACE WATER PRESERVED?

NOTE: NATURAL BUFFERS ARE NOT REQUIRED ADJACENT TO ROAD DITCHES, JUDICIAL DITCHES, COUNTY DITCHES, STORMWATER CONVEYANCE CHANNELS, STORM DRAIN INLETS, AND SEDIMENT BASINS.

A) YES, REDUNDANT PERIMETER CONTROL (SILT FENCE, BIO-ROLL LOGS, ETC.) IS PLACED IN AREAS THAT HAVE LESS THAN 50 FEET OF DISTANCE TO WETLAND EDGES.

TEMPORARY SEDIMENTATION BASINS

☐ YES ☐ NO ☒ N/A IF TEN (10) OR MORE ACRES OF DISTURBED SOIL DRAIN TO A COMMON LOCATION, IS A TEMPORARY SEDIMENT BASIN PROVIDED FOR TREATMENT OF THE RUNOFF BEFORE IT LEAVES THE CONSTRUCTION SITE OR ENTERS SURFACE WATERS?

A) BECAUSE THIS SITE IS WITHIN ONE MILE OF AN IMPAIRED WATER, THIS REQUIREMENT BECOMES FIVE (5) MILES. HOWEVER, IT IS NOT ANTICIPATED THAT, WITH ONLY 2.61 ACRES OF DISTURBED AREA, THAT OVER 5 ACRES WILL BE DISTURBED.

INFILTRATION FEASIBILITY

☒ YES ☐ NO ☐ N/A ARE THERE ANY INFILTRATION RESTRICTIONS FOR THE SITE (SEE 16.14 THROUGH 16.21?

A) SEPTIC SOIL BORINGS WERE COLLECTED BY JOSH PUTT ON MARCH 20, 2024. THE 4 BORINGS SHOWED LINO LOAMY FINE SANDS (LnA) AND SARTELL FINE SANDS (SbB). HOWEVER, THE MOTTLED SOILS HAVE VARIED FROM 898.1 TO 905.1 AS SUCH, INFILTRATION IS DEEMED INFEASIBLE DUE TO SITE GRADING AND THE FACT THAT THE BOTTOM OF INFILTRATION BASINS MUST BE 3 FEET ABOVE OF THE HIGHEST ANTICIPATED GROUNDWATER LEVEL (HAGWL).

ADDITIONAL STORMWATER MITIGATION MEASURES

☐ YES ☒ NO ARE THERE ANY STORMWATER MITIGATION MEASURES PER:

- ENVIRONMENTAL REVIEW DOCUMENT?
- ENDANGERED SPECIES REVIEW?
- ARCHAEOLOGICAL REVIEW?
- OTHER LOCAL, STATE OR FEDERAL REVIEW?

IF YES TO ANY OF THE ABOVE, DESCRIBE THE MITIGATION MEASURES. FOR PURPOSES OF THIS PERMIT, MITIGATION MEASURES MEANS ACTIONS NECESSARY TO AVOID, MINIMIZE, OR MITIGATE FOR IMPACTS RELATED TO EROSION PREVENTION, SEDIMENT CONTROL, THE PERMANENT STORMWATER TREATMENT SYSTEM, POLLUTION PREVENTION MANAGEMENT MEASURES AND DISCHARGES ASSOCIATED WITH THE PROJECT'S CONSTRUCTION ACTIVITY. [MINN. R. 7090]

DOCUMENTATION OF TRAINED INDIVIDUALS

A. INDIVIDUAL WHO PREPARED THE SWPPP:

QASEM ABUGHAZLEH
PLOWE ENGINEERING, INC.
6776 LAKE DRIVE
LINO LAKES MN 55014
(651) 361-8233
qasem@plowe.com

B. INDIVIDUAL(S) OVERSEEING IMPLEMENTATION OF, REVISING AND/OR AMENDING THE SWPPP AND INDIVIDUALS PERFORMING INSPECTIONS FOR THE PROJECT. ONE OF THESE INDIVIDUALS MUST BE AVAILABLE FOR AN ONSITE INSPECTION WITHIN 72 HOURS UPON REQUEST BY THE MPCA. [MINN. R. 7090]

CONTACT NAME _____
CONTACT PHONE _____
CONTACT E-MAIL: _____

TBD - WHEN INFORMATION BECOMES AVAILABLE, CONTRACTOR TO PROVIDE INFORMATION TO CITY AND WATERSHED

C. INDIVIDUAL(S) PERFORMING OR SUPERVISING THE INSTALLATION, MAINTENANCE AND REPAIR OF BMPS. [MINN. R. 7090]

CONTACT NAME _____
CONTACT PHONE _____
CONTACT E-MAIL: _____

TBD - WHEN INFORMATION BECOMES AVAILABLE, CONTRACTOR TO PROVIDE INFORMATION TO CITY AND WATERSHED

LONG TERM OPERATION AND MAINTENANCE OF PERMANENT STORMWATER FACILITIES

THE PROPOSED STORMWATER MANAGEMENT FEATURE FOR THIS SITE IS AN EXISTING ON-SITE LANDLOCKED BASIN , THIS WILL BE OPERATED AND MAINTAINED BY THE LANDOWNER.

REVEGETATION SPECIFICATIONS

ITEM	MNDOT SPECIFICATION/NOTES
SOD	3878
SEED **	3876
* FOR TURF ESTABLISHMENT COMMERCIAL TURF RESIDENTIAL TURF	 MNDOT MIX 25-131 (220 LBS/ACRE) MNDOT MIX 25-131 (120 LBS/ACRE)
TEMPORARY FALL COVER SPRING/SUMMER SOIL-BUILDING COVER 1-2 YEARS COVER 2-5 YEARS COVER	 MNDOT MIX 21-112 (100 LBS/ACRE) MNDOT MIX 21-111 (100 LBS/ACRE) MNDOT MIX 21-113 (110 LBS/ACRE) MNDOT MIX 22-111 (30.5 LBS/ACRE) MNDOT MIX 22-112 (40 LBS/ACRE)
MULCH	3882 (TYPE 1 - DISC ANCHORED)
HYDROMULCH	3884
FERTILIZER	3881
WOOD FIBER BLANKET	3885 (CATEGORY 2)

* MOW A MINIMUM OF:
RESIDENTIAL TURF - ONCE PER 2 WEEKS
COMMERCIAL TURF - ONCE PER 4 WEEKS

** SEEDED AREAS SHALL BE EITHER MULCHED OR COVERED BY FIBROUS BLANKETS TO PROTECT SEEDS AND LIMIT EROSION.

QUANTITIES - ESTIMATED QUANTITIES FOR EROSION AND SEDIMENT CONTROL MEASURES

TYPE		UNIT
SILT FENCE	1,984	LINEAR FEET
REDUND. SED. CONTROL (EG. BIO-ROLLS, SILT FENCE)	5	EACH
RIP-RAP W. GEO-FABRIC	25	CUBIC YARDS
CATCH BASIN INLET PROTECTION	N/A	EACH
POND RIPRAP OVERFLOW	2	EACH
EROSION CONTROL BLANKET		SQUARE YARDS
SEED & MULCH (GENERAL)		ACRE
ROCK CONSTRUCTION ENTRANCE	2	EACH

NARRATIVE - TIMING FOR INSTALLATION OF EROSION AND SEDIMENT CONTROL MEASURES

ALL EROSION AND SEDIMENT CONTROL MEASURES SHOWN ON THE PLANS OR IMPLEMENTED IN THE FIELD SHALL BE IN ACCORDANCE WITH THE CITY AND NPDES PHASE II PERMIT REQUIREMENTS.

PHASE I:

1. A COPY OF THE APPROVED EROSION AND SEDIMENT CONTROL PLAN AND SWPPP MUST BE AVAILABLE ON THE PROJECT SITE AT ALL TIMES.
2. INSTALL STABILIZED CONSTRUCTION ENTRANCE.
3. PROVIDE TEMPORARY PARKING AND STORAGE AREA.
4. INSTALL SILT FENCE AS SHOWN ON PLAN.
   4.1. ADDITIONAL SILT FENCE MAY BE NECESSARY IF LOCAL CONDITIONS REQUIRE.
   4.2. THE CONTRACTOR SHALL MAINTAIN SILT FENCE, INCLUDING THE REMOVAL OF ACCUMULATED SEDIMENT, THROUGH COMPLETION OF BUILDING CONSTRUCTION.
   4.3. SILT FENCE SHALL REMAIN IN-PLACE UNTIL SITE HAS BEEN STABILIZED.
   4.4. CONTRACTOR TO PROVIDE ADDITIONAL SILT FENCE, BIOROLLS, EROSION CONTROL BLANKET, OR OTHER APPROVED EQUAL FOR ANY SLOPES THAT APPEAR TO BE FAILING.
10. INSTALL INLET PROTECTION FOR ALL EXISTING STORM SEWER STRUCTURES.
11. INSTALL TREE PROTECTION FENCING AS APPLICABLE.
12. PERFORM SITE GRADING ON AN AREA-BY-AREA BASIS TO MINIMIZE UNSTABILIZED AREAS.
    12.1.CONTRACTOR MUST IMMEDIATELY INITIATE STABILIZATION OF EXPOSED SOIL AREAS, AS DESCRIBED IN ITEM 8.4 OF THE PERMIT, AND COMPLETE THE STABILIZATION WITHIN SEVEN (7) CALENDAR DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE TEMPORARILY OR PERMANENTLY CEASES.
    12.2.CONTRACTOR TO PROVIDE TEMPORARY SEDIMENTATION BASINS AS REQUIRED IN SECTION 14.1 THROUGH 14.10.
13. PAY SPECIAL ATTENTION TO ADJACENT PROPERTY LINES TO ENSURE THE EROSION CONTROL PRACTICES INPLACE IN THOSE AREAS PREVENT MIGRATION OF SEDIMENT ONTO ADJACENT PROPERTIES.
14. STABILIZE SOIL STOCKPILES; STABILIZATION SHALL BE INITIATED IMMEDIATELY.
15. FINAL GRADE SWALE AREAS UPON STABILIZATION OF UPSTREAM AREAS.
16. CONTRACTOR SHALL BE RESPONSIBLE TO SWEEP/SCRAPE ADJACENT STREETS WHEN MATERIALS OR DEBRIS HAVE WASHED/FLOWED ONTO ADJACENT STREETS OR AS DIRECTED BY CITY.

PHASE II:

1. PROVIDE TEMPORARY SEED FOR DISTURBED AREAS.
2. \INSTALL RIP-RAP AT FLARED-END SECTIONS.
3. INSTALL TEMPORARY INLET PROTECTION FOR ALL STORM SEWER INLET STRUCTURES IN PAVING AREAS.INSTALL UTILITIES INCLUDING SANITARY SEWER, WATER MAIN, STORM SEWER.
4. INSTALL CURB AND GUTTER.
5. PREPARE SITE FOR PAVING.
6. PAVE SITE.
   6.1. COORDINATE SMALL UTILITIES INSTALLATIONS (GAS, PHONE, ELECTRIC, CABLE, FIBEROPTIC, ETC.) AFTER PAVEMENT INSTALLATION.
7. INSTALL INLET PROTECTION DEVICES.
8. COMPLETE GRADING AND INSTALL PERMANENT SEEDING AND/OR SOD.
9. REMOVE ALL TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES ONLY AFTER SITE HAS BEEN STABILIZED.

NPDES DEFINITIONS

"BEST MANAGEMENT PRACTICES (BMPS)" MEANS THE MOST EFFECTIVE AND PRACTICABLE MEANS OF EROSION PREVENTION AND SEDIMENT CONTROL, AND WATER QUALITY MANAGEMENT PRACTICES THAT ARE THE MOST EFFECTIVE AND PRACTICABLE MEANS OF TO CONTROL, PREVENT, AND MINIMIZE DEGRADATION OF SURFACE WATER, INCLUDING AVOIDANCE OF IMPACTS, CONSTRUCTION-PHASING, MINIMIZING THE LENGTH OF TIME SOIL AREAS ARE EXPOSED, PROHIBITIONS, POLLUTION PREVENTION THROUGH GOOD HOUSEKEEPING, AND OTHER MANAGEMENT PRACTICES PUBLISHED BY STATE OR DESIGNATED AREA-WIDE PLANNING AGENCIES. [MINN. R. 7090]

"CONSTRUCTION ACTIVITY" MEANS ACTIVITIES INCLUDING CLEARING, GRADING, AND EXCAVATING, THAT RESULT IN LAND DISTURBANCE OF EQUAL TO OR GREATER THAN ONE ACRE, INCLUDING THE DISTURBANCE OF LESS THAN ONE ACRE OF TOTAL LAND AREA THAT IS PART OF A LARGER COMMON PLAN OF DEVELOPMENT OR SALE IF THE LARGER COMMON PLAN WILL ULTIMATELY DISTURB EQUAL TO OR GREATER THAN ONE ACRE. THIS INCLUDES A DISTURBANCE TO THE LAND THAT RESULTS IN A CHANGE IN THE TOPOGRAPHY, EXISTING SOIL COVER, BOTH VEGETATIVE AND NONVEGETATIVE, OR THE EXISTING SOIL TOPOGRAPHY THAT MAY RESULT IN ACCELERATED STORMWATER RUNOFF THAT MAY LEAD TO SOIL EROSION AND MOVEMENT OF SEDIMENT. CONSTRUCTION ACTIVITY DOES NOT INCLUDE A DISTURBANCE TO THE LAND OF LESS THAN FIVE ACRES FOR THE PURPOSE OF ROUTINE MAINTENANCE PERFORMED TO MAINTAIN THE ORIGINAL LINE AND GRADE, HYDRAULIC CAPACITY, AND ORIGINAL PURPOSE OF THE FACILITY. ROUTINE MAINTENANCE DOES NOT INCLUDE ACTIVITIES SUCH AS REPAIRS, REPLACEMENT AND OTHER TYPES OF NON-ROUTINE MAINTENANCE, PAVEMENT REHABILITATION THAT DOES NOT DISTURB THE UNDERLYING SOILS (E.G., MILL AND OVERLAY PROJECTS) IS NOT CONSTRUCTION ACTIVITY. [MINN. R. 7090]

"DEWATERING" MEANS THE REMOVAL OF SURFACE OR GROUND WATER TO DRY AND/OR SOLIDIFY A CONSTRUCTION SITE TO ENABLE CONSTRUCTION ACTIVITY. DEWATERING MAY REQUIRE A MINNESOTA DEPARTMENT OF NATURAL RESOURCES WATER APPROPRIATION PERMIT AND, IF DEWATERING WATER IS CONTAMINATED, DISCHARGE OF SUCH WATER MAY REQUIRE AN INDIVIDUAL MPCA NPDES/SDS PERMIT. [MINN. R. 7090]

"EROSION PREVENTION" MEANS MEASURES EMPLOYED TO PREVENT EROSION SUCH AS SOIL STABILIZATION PRACTICES, PERMANENT COVER OR CONSTRUCTION PHASING. [MINN. R. 7090]

"GENERAL CONTRACTOR" MEANS THE PARTY WHO SIGNS THE CONSTRUCTION CONTRACT WITH THE OWNER TO CONSTRUCT THE ENTIRE PROJECT DESCRIBED IN THE FINAL PLANS AND SPECIFICATIONS. WHERE THE CONSTRUCTION PROJECT INVOLVES MORE THAN ONE CONTRACTOR, THE GENERAL CONTRACTOR IS THE PARTY RESPONSIBLE FOR MANAGING THE ENTIRE PROJECT ON BEHALF OF THE OWNER. IN SOME CASES, THE OWNER IS THE GENERAL CONTRACTOR. IN THESE CASES, THE OWNER SIGNS THE PERMIT APPLICATION AS THE OPERATOR AND BECOMES THE SOLE PERMITTEE. [MINN. R. 7090]

"GROUNDWATER" MEANS THE WATER CONTAINED BELOW THE SURFACE OF THE EARTH IN THE SATURATED ZONE INCLUDING, WITHOUT LIMITATION, ALL WATERS WHETHER UNDER CONFINED, UNCONFINED, OR PERCHED CONDITIONS, IN NEAR SURFACE UNCONSOLIDATED SEDIMENT OR REGOLITH, OR IN ROCK FORMATIONS DEEPER UNDERGROUND. [MINN. R. 7060]

"HOMEOWNER FACT SHEET" MEANS AN MPCA FACT SHEET AVAILABLE ON THE MPCA CONSTRUCTION STORMWATER WEBSITE FOR PERMITTEES TO GIVE TO HOMEOWNERS AT THE TIME OF SALE. [MINN. R. 7090]

"INFEASIBLE" MEANS NOT TECHNOLOGICALLY POSSIBLE OR NOT ECONOMICALLY PRACTICABLE AND ACHIEVABLE IN LIGHT OF THE BEST INDUSTRY PRACTICES. [MINN. R. 7090]

"INITIATED IMMEDIATELY" MEANS TAKING AN ACTION TO COMMENCE SOIL STABILIZATION AS SOON AS PRACTICABLE, BUT NO LATER THAN THE END OF THE WORK DAY, FOLLOWING THE DAY WHEN THE LAND-DISTURBING ACTIVITIES TEMPORARILY OR PERMANENTLY CEASE. IF THE PERMITTEES KNOW THAT CONSTRUCTION WORK ON THAT PORTION OF THE SITE WILL BE TEMPORARILY CEASED FOR 14 OR MORE ADDITIONAL CALENDAR DAYS OR 7 CALENDAR DAYS WHERE ITEM 23.9 APPLIES, PERMITTEES CAN INITIATE STABILIZATION BY:

A. PREPPING THE SOIL FOR VEGETATIVE OR NON-VEGETATIVE STABILIZATION; OR

B, APPLYING MULCH OR OTHER NON-VEGETATIVE PRODUCT TO THE EXPOSED SOIL AREA; OR

C. SEEDING OR PLANTING THE EXPOSED AREA; OR

D. STARTING ANY OF THE ACTIVITIES IN A - C ON A PORTION OF THE AREA TO BE STABILIZED, BUT NOT ON THE ENTIRE AREA; OR

E, FINALIZING ARRANGEMENTS TO HAVE STABILIZATION PRODUCT FULLY INSTALLED IN COMPLIANCE WITH THE APPLICABLE

DEADLINE FOR COMPLETING STABILIZATION. [MINN. R. 7090]

"IMPERVIOUS SURFACE" MEANS A CONSTRUCTED HARD SURFACE THAT EITHER PREVENTS OR RETARDS THE ENTRY OF WATER INTO THE SOIL AND CAUSES WATER TO RUN OFF THE SURFACE IN GREATER QUANTITIES AND AT AN INCREASED RATE OF FLOW THAN PRIOR TO DEVELOPMENT. EXAMPLES INCLUDE ROOFTOPS, SIDEWALKS, DRIVEWAYS, PARKING LOTS, AND CONCRETE, ASPHALT, OR GRAVEL ROADS. BRIDGES OVER SURFACE WATERS ARE CONSIDERED IMPERVIOUS SURFACES. [MINN. R. 7090]

"NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES)" MEANS THE PROGRAM FOR ISSUING, MODIFYING, REVOKING, REISSUING, TERMINATING, MONITORING, AND ENFORCING PERMITS UNDER THE CLEAN WATER ACT, AS AMENDED (33 U.S.C. 1251 ET SEQ. SECTION 1342 AND 40 CFR PARTS 122, 123, 124 AND 450). [MINN. R. 7090]

"NATURAL BUFFER" MEANS AN AREA OF UNDISTURBED COVER SURROUNDING SURFACE WATERS WITHIN WHICH CONSTRUCTION ACTIVITIES ARE RESTRICTED. NATURAL BUFFER INCLUDES THE VEGETATION, EXPOSED ROCK, OR BARREN GROUND THAT EXISTS PRIOR TO COMMENCEMENT OF EARTH-DISTURBING ACTIVITIES. [MINN. R. 7090]

"NOTICE OF TERMINATION (NOT)" MEANS THE FORM (ELECTRONIC OR PAPER) REQUIRED FOR TERMINATING COVERAGE UNDER THE CONSTRUCTION GENERAL PERMIT. [MINN. R. 7090]

""OPERATOR" MEANS THE PERSON (USUALLY THE GENERAL CONTRACTOR), FIRM, GOVERNMENTAL AGENCY, OR OTHER ENTITY DESIGNATED BY THE OWNER WHO HAS DAY TO DAY OPERATIONAL CONTROL AND/OR THE ABILITY TO MODIFY PROJECT PLANS AND SPECIFICATIONS RELATED TO THE SWPPP. THE PERMIT APPLICATION MUST LIST THE OPERATOR AS A PERMITTEE. SUBCONTRACTORS HIRED BY AND UNDER SUPERVISION OF THE GENERAL CONTRACTOR ARE NOT OPERATORS. [MINN. R. 7090]

"OWNER" MEANS THE PERSON, FIRM, GOVERNMENTAL AGENCY, OR OTHER ENTITY POSSESSING THE TITLE OF THE LAND ON WHICH THE CONSTRUCTION ACTIVITIES WILL OCCUR OR, IF THE CONSTRUCTION ACTIVITY IS FOR A LEASE, EASEMENT, OR MINERAL RIGHTS LICENSE HOLDER, THE PARTY OR INDIVIDUAL IDENTIFIED AS THE LEASE, EASEMENT OR MINERAL RIGHTS LICENSE HOLDER; OR THE CONTRACTING GOVERNMENT AGENCY RESPONSIBLE FOR THE CONSTRUCTION ACTIVITY. [MINN. R. 7090]

"PERMANENT COVER" MEANS SURFACE TYPES THAT WILL PREVENT SOIL FAILURE UNDER EROSIVE CONDITIONS, EXAMPLES INCLUDE: GRAVEL, CONCRETE, PERENNIAL COVER, OR OTHER LANDSCAPED MATERIAL THAT WILL PERMANENTLY ARREST SOIL EROSION. PERMITTEES MUST ESTABLISH A UNIFORM PERENNIAL VEGETATIVE COVER (I.E., EVENLY DISTRIBUTED, WITHOUT LARGE BARE AREAS) WITH A DENSITY OF 70 PERCENT OF THE NATIVE BACKGROUND VEGETATIVE COVER ON ALL AREAS NOT COVERED BY PERMANENT STRUCTURES, OR EQUIVALENT PERMANENT STABILIZATION MEASURES. PERMANENT COVER DOES NOT INCLUDE TEMPORARY BMPS SUCH AS WOOD FIBER BLANKET, MULCH, AND ROLLED EROSION CONTROL PRODUCTS. [MINN. R. 7090]

"PERMITTEES" MEANS THE PERSONS, FIRM, GOVERNMENTAL AGENCY, OR OTHER ENTITY IDENTIFIED AS THE OWNER AND OPERATOR ON THE APPLICATION SUBMITTED TO THE MPCA AND ARE RESPONSIBLE FOR COMPLIANCE WITH THE TERMS AND CONDITIONS OF THIS PERMIT. [MINN. R. 7090]

"PROJECT(S)" MEANS ALL CONSTRUCTION ACTIVITY PLANNED AND/OR CONDUCTED UNDER A PARTICULAR PERMIT. THE PROJECT OCCURS ON THE SITE OR SITES DESCRIBED IN THE PERMIT APPLICATION, THE SWPPP AND IN THE ASSOCIATED PLANS, SPECIFICATIONS AND CONTRACT DOCUMENTS. [MINN. R. 7090]

"PUBLIC WATERS" MEANS ALL WATER BASINS AND WATERCOURSES DESCRIBED IN MINN. STAT. SECT. 103G.005 SUBP. 15. [MINN. R. 7090]

"SEDIMENT CONTROL" MEANS METHODS EMPLOYED TO PREVENT SUSPENDED SEDIMENT IN STORMWATER FROM LEAVING THE SITE (E.G. SILT FENCES, COMPOST LOGS AND STORM DRAIN INLET PROTECTION). [MINN. R. 7090]

"STABILIZE", "STABILIZED", "STABILIZATION" MEANS THE EXPOSED GROUND SURFACE HAS BEEN COVERED BY APPROPRIATE MATERIALS SUCH AS MULCH, STAKED SOD, RIPRAP, EROSION CONTROL BLANKET, MATS OR OTHER MATERIAL THAT PREVENTS EROSION FROM OCCURRING. GRASS SEEDING, AGRICULTURAL CROP SEEDING OR OTHER SEEDING ALONE IS NOT STABILIZATION. MULCH MATERIALS MUST ACHIEVE APPROXIMATELY 90 PERCENT GROUND COVERAGE (TYPICALLY 2 TON/ACRE). [MINN. R. 7090]

"STORMWATER" MEANS PRECIPITATION RUNOFF, STORMWATER RUNOFF, SNOWMELT RUNOFF, AND ANY OTHER SURFACE RUNOFF AND DRAINAGE. [MINN. R. 7090]

"STEEP SLOPES" MEANS SLOPES THAT ARE 1:3 (V:H) (33.3 PERCENT) OR STEEPER IN GRADE. [MINN. R. 7090]

"STORM WATER POLLUTION PREVENTION PLAN (SWPPP)" MEANS A PLAN FOR STORMWATER DISCHARGE THAT INCLUDES ALL REQUIRED CONTENT UNDER IN SECTION 5 THAT DESCRIBES THE EROSION PREVENTION, SEDIMENT CONTROL AND WASTE CONTROL BMPS AND PERMANENT STORMWATER TREATMENT SYSTEMS. [MINN. R. 7090]

"SURFACE WATER OR WATERS" MEANS ALL STREAMS, LAKES, PONDS, MARSHES, WETLANDS, RESERVOIRS, SPRINGS, RIVERS, DRAINAGE SYSTEMS, WATERWAYS, WATERCOURSES, AND IRRIGATION SYSTEMS WHETHER NATURAL OR ARTIFICIAL, PUBLIC OR PRIVATE, EXCEPT THAT SURFACE WATERS DO NOT INCLUDE STORMWATER TREATMENT SYSTEMS CONSTRUCTED FROM UPLAND. THIS PERMIT DOES NOT CONSIDER STORMWATER TREATMENT SYSTEMS CONSTRUCTED IN WETLANDS AND MITIGATED IN ACCORDANCE WITH SECTION 22 AS SURFACE WATERS. [MINN. R. 7090]

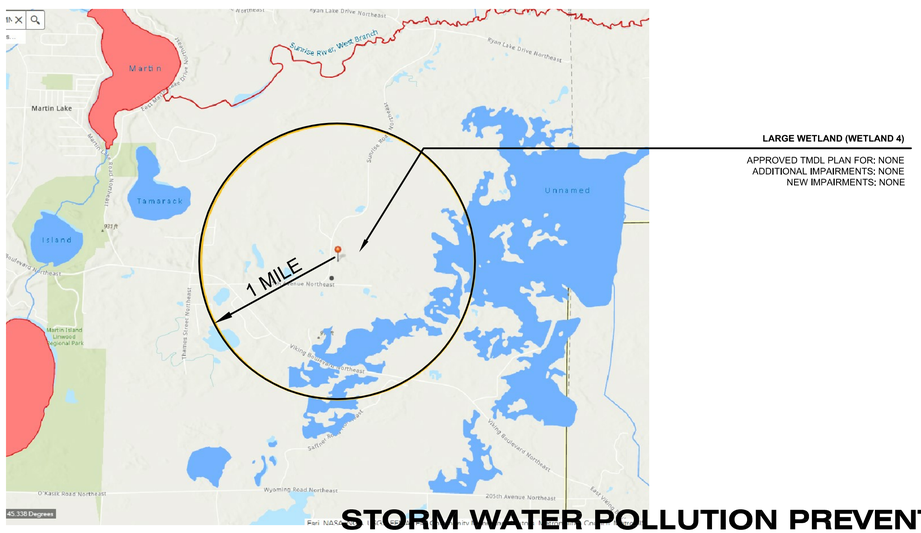
"WATERS OF THE STATE" (AS DEFINED IN MINN. STAT. SECT. 115.01, SUBP. 22) MEANS ALL STREAMS, LAKES, PONDS, MARSHES, WATERCOURSES, WATERWAYS, WELLS, SPRINGS, RESERVOIRS, AQUIFERS, IRRIGATION SYSTEMS, DRAINAGE SYSTEMS AND ALL OTHER BODIES OR ACCUMULATIONS OF WATER, SURFACE OR UNDERGROUND, NATURAL OR ARTIFICIAL, PUBLIC OR PRIVATE, WHICH ARE CONTAINED WITHIN, FLOW THROUGH, OR BORDER UPON THE STATE OR ANY PORTION THEREOF. [MINN. STAT. 115.01, SUBP. 22]

"WATER QUALITY VOLUME" MEANS ONE (1) INCH OF RUNOFF FROM THE NET INCREASE IN IMPERVIOUS SURFACES CREATED BY THE PROJECT (CALCULATED AS AN INSTANTANEOUS VOLUME). [MINN. R. 7090]

"WETLANDS" (AS DEFINED IN MINN. R. 7050.0186, SUBP. 1A.B.) MEANS THOSE AREAS THAT ARE INUNDATED OR SATURATED BY SURFACE WATER OR GROUNDWATER AT A FREQUENCY AND DURATION SUFFICIENT TO SUPPORT, AND UNDER NORMAL CIRCUMSTANCES DO SUPPORT, A PREVALENCE OF VEGETATION TYPICALLY ADAPTED FOR LIFE IN SATURATED SOIL CONDITIONS. WETLANDS GENERALLY INCLUDE SWAMPS, MARSHES, BOGS, AND SIMILAR AREAS, CONSTRUCTED WETLANDS DESIGNED FOR WASTEWATER TREATMENT ARE NOT WATERS OF THE STATE. WETLANDS MUST HAVE THE FOLLOWING ATTRIBUTES:

1. A PREDOMINANCE OF HYDRIC SOILS; AND
2. INUNDATED OR SATURATED BY SURFACE WATER OR GROUNDWATER AT A FREQUENCY AND DURATION SUFFICIENT TO SUPPORT A PREVALENCE OF HYDROPHYTIC VEGETATION TYPICALLY ADAPTED FOR LIFE IN A SATURATED SOIL CONDITION; AND
3. UNDER NORMAL CIRCUMSTANCES SUPPORT A PREVALENCE OF SUCH VEGETATION. [MINN. R. 7050.0186, SUBP. 1A.B]

MAP OF SURFACE WATERS



LARGE WETLAND (WETLAND 4)

APPROVED TMDL PLAN FOR: NONE
ADDITIONAL IMPAIRMENTS: NONE
NEW IMPAIRMENTS: NONE

STORM WATER POLLUTION PREVENTION PLAN
PAJTSHENG & NTXHI ESTATES

DRAWN BY:	DESIGN BY:
M.Q.A.	Q.M.A.
CHCKD BY:	PROJ. NO.
M.Q.A.	25-2215

ORIGINAL DATE: AUGUST 25, 2025

DATE	REVISION DESCRIPTION
3/9/26	REVISED QUANTITIES

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

QASEM M. ABUGHAZLEH LIC. NO. 56299
DATE: 05.19.2026

PAJTSHENG & NTXHI ESTATES
LINWOOD TOWNSHIP, MINNESOTA
STORM WATER POLLUTION PREVENTION PLAN

PREPARED FOR:
MUAJTSIM VANG

SITE PLANNING & ENGINEERING
PLOWE ENGINEERING, INC.
6776 LAKE DRIVE
SUITE 110
LINO LAKES, MN 55014
PHONE: (651) 361-8210
FAX: (651) 361-8701

C3.2

S:\plowe\civil\25proj\2215 Pajtsheng & Ntxhi Estates (Linwood Township)\2215 CAD\2215 BASE 11x17.dwg 5/19/2026

LINWOOD TOWNSHIP
ANOKA COUNTY
STATE OF MINNESOTA

ORDINANCE NO. 010

AN ORDINANCE AMENDING CHAPTER 6 OF THE LINWOOD CODE OF ORDINANCES RELATED TO SURVEYS AND BUILDING PERMIT ISSUANCE

The Board of Supervisors of Linwood Township, Minnesota ordains:

SECTION 1. RESCIND AND REPLACE SECTION. Section 6-41 through Section 6-42 of the Linwood Township Code of Ordinances is hereby rescinded and a new Section 6-41 through 6-42 is added as follows:

Sec. 6-41. Applications for building permits.

(a) Per Minn. R. 1300.0120, no person may do any of the work described in section 6-40 without making application for and procuring a building permit to do so before such work is commenced. Applications for permits shall be accompanied by digital copies of the plans and specifications. All commercial and industrial buildings shall have such plans and specifications approved by the planning and zoning commission and by the town board.

(b) A certificate of survey prepared by a professional licensed by the State of Minnesota shall be submitted if required by Section 6-44 of this ordinance. If the Building Official does not require a certificate of survey, the application shall be accompanied by a site plan showing the full legal description of the tract and the location of existing and proposed buildings with respect to the property lines. The certificate of survey or the site plan, whichever the case may be, shall show information as necessary to determine if the application is in compliance with ordinances.

(c) Before construction begins on a permit that requires a certificate of survey, lot corners must be visibly staked at the road unless this requirement is exempted by the Building Official. The building official may, at his discretion, require that additional stakes be placed along side and/or rear lot lines to indicate their locations relative to the sides of the proposed building.

(d) Applications for permits relating to commercial or industrial buildings shall be accompanied by a certificate of survey and civil site plans prepared by a professional licensed by the State of Minnesota showing information needed to demonstrate the application complies with city codes and ordinances.

Sec. 6-42. Granting and issuance of permits.

(a) All building permits shall be issued by the building official.

(b) One copy of the plans and specifications in connection with each permit shall be kept by the building official and shall be available for public inspection.

SECTION 2. RESCIND AND REPLACE SECTION. Section 6-44 of the Linwood Township Code of Ordinances is hereby rescinded and a new Section 6-44 is added as follows:

Sec. 6-44. Certificate of survey required.

Each application for a building permit for a new dwelling or for construction that changes the exterior dimensions of a structure in the shoreland or floodplain shall be accompanied by a certificate of survey. The building official may at his discretion require a certificate of survey for additions, accessory buildings, septic systems, or other changes to the property. Located on the certificate of survey must be existing and proposed locations for buildings, septic system, alternate septic site, and future accessory buildings. The building official may also require other data to be located on the certificate of survey, including, but not limited to, well, soil borings, soil elevations, surface water runoff, and separations from mottled soil and other information included on a checklist for a certificate of survey provided by the Building Official.

SECTION 3. EFFECTIVE DATE
This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

SECTION 4. REPEALER
All prior ordinances to the extent that they are inconsistent with the terms and provisions of this Ordinance, shall be deemed repealed after the effective date of this Ordinance with regard to those inconsistent terms and provisions.

Passed by the Board of Supervisors of Linwood Township this 23rd day of June, 2026.

Approved:_____
Jonn Olson

Attested: _____
Julie Dahnke, Interim Clerk

Collaborative Planning, LLC

Memorandum

Date:	**June 17, 2026**
To:	**Linwood Township Board of Supervisors**
From:	**Cindy Nash, AICP, EDFP**
RE:	**Ordinance Amendment re: Surveys and Building Permits**

Attached for consideration is an ordinance amendment addressing surveys as related to issuance of building permits. Generally, the existing Town ordinance requires surveys for any type of building permit and does not provide for exceptions to be granted by staff. In addition, by the language of the ordinance, many types of building permits are required to be reviewed by the Planning Commission and the Town Board prior to their approval.

It appears that in the past staff have not enforced these portions of the ordinance but it has also not been updated.

Enclosed in the packet is a redline of the ordinance showing existing language and proposed changes, and a clean version for adoption. Adoption of the amendment will allow myself and Rum River Construction to improve the process for the issuance of permits and lower the cost to applicants.

PO Box 251, Medina, MN 55340
Phone 763.473.0569

Chapter 6 BUILDINGS AND BUILDING REGULATIONS[1]

ARTICLE I. IN GENERAL

Secs. 6-1—6-18. Reserved.

ARTICLE II. ADMINISTRATION

DIVISION 1. GENERALLY

Secs. 6-19—6-39. Reserved.

DIVISION 2. BUILDING PERMITS[2]

Sec. 6-40. Required.

Per Minn. R. 1300.0120 regarding building, an owner or contractor who intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any gas, mechanical, electrical, plumbing system or other equipment, the installation of which is regulated by the state code, shall first make application to the building official and obtain the required permit. A building permit is also required before commencing construction, installation or repair of a wastewater absorption system.

(Code 2004, § 801.02(subd. 1); Ord. No. 143, §§ 5, 6, 3-12-2013)

Sec. 6-41. Applications for building permits.

(a) Per Minn. R. 1300.0120, no person may do any of the work described in section 6-40 without making application for and procuring a building permit to do so before such work is commenced. Applications for permits shall be accompanied by ~~two copies of~~ digital copies of the plans and specifications. ~~Residential buildings of 50,000 or more cubic feet and~~ A~~a~~ll commercial and industrial buildings shall have such plans and specifications approved by the planning and zoning commission and by the town board.

(b) A certificate of survey prepared by a professional licensed by the State of Minnesota shall be submitted if required by Section 6-44 of this ordinance. ~~Each application for a permit shall be accompanied by a certificate of survey, if the tract of land involved is less than five acres. Said certificate shall show the full legal description of the tract and shall show the location of existing and proposed buildings with respect to~~

[1]State law reference(s)—State building code, M.S.A. § 326B.101 et seq.

[2]State law reference(s)—Building permit fees, M.S.A. § 326B.153; surcharge, M.S.A. § 326B.148.

~~the property lines. If the tract involved is five acres or larger,~~If the Building Official does not require a certificate of survey~~, need not be submitted but~~ the application shall be accompanied by a site plan showing the full legal description of the tract and the location of existing and proposed buildings with respect to the property lines. The certificate of survey or the site plan, whichever the case may be, shall show information as necessary to determine if the application is in compliance with ordinances~~shall also show the proposed location of water supply, sanitary facilities and proposed disposal of surface water~~.

(c) Before construction begins on a permit that requires a certificate of survey, lot corners must be visibly staked at the road unless this requirement is exempted by the Building Official. The building official may, at his discretion, require that additional stakes be placed along side and/or rear lot lines to indicate their locations relative to the sides of the proposed building.

(d) Applications for permits relating to commercial or industrial buildings shall be accompanied by a ~~site plan~~ certificate of survey and civil site plans prepared by a professional licensed by the State of Minnesota showing~~, in addition to the foregoing, the proposed parking pattern and traffic flow pattern.~~ information needed to demonstrate the application complies with city codes and ordinances.

(e) ~~The town board may require a certificate of survey whenever it deems one necessary, notwithstanding anything provided in this division.~~

(Code 2004, § 801.02(subds. 2, 5.3); Ord. No. 143, §§ 5, 6, 3-12-2013)

Sec. 6-42. Granting and issuance of permits.

(a) All building permits shall be issued by the building official. ~~Permits for new construction to be located within approved platted subdivisions may be granted and issued by the building official if in his sole discretion the plans and specifications comply herewith and with the state building code. Permits required in all other cases shall be issued by the building official only after such applications have been referred to the planning and zoning commission and town board and approved and granted thereby. Town board approval shall be in the form of a certificate of approval of building permit application and shall be signed by the chair and attested by the clerk. All permits shall be signed by the building official.~~

~~(b) An approved platted subdivision is one which complies with the standards, rules and regulations of the state pollution control agency, if applicable, as well as with all appropriate ordinances and regulations of the county and the town.~~

(~~c~~b) One copy of the plans and specifications in connection with each permit shall be kept by the building official and shall be available for public inspection.

(Code 2004, § 801.02(subd. 3); Ord. No. 143, §§ 5, 6, 3-12-2013)

Sec. 6-43. Denial of permit.

A permit shall not be issued in the following cases:

(1) Where the plans and specifications and other data which accompany an application shall indicate that the proposed work is not in accordance with the provisions of the state building code or town ordinances.

(2) Where the lot or tract of land involved does not comply with town ordinances.

(3) Where necessary grading incidental to the proposed construction shall obstruct any natural drainage waterway, where the relative elevations of the proposed building grade and the established road grade

shall conflict in a manner as to cause damage through drainage conditions or where such proposed construction is too low for proper drainage.

(Code 2004, § 801.02(subd. 5); Ord. No. 143, §§ 5, 6, 3-12-2013)

Sec. 6-44. Certificate of survey required.

Each application for a building permit for a new dwelling or for construction that changes the exterior dimensions of a structure in the shoreland or floodplain shall be accompanied by a certificate of survey. The building official may at his discretion require a certificate of survey for additions, accessory buildings, septic systems, or other changes to the property. Located on the certificate of survey must be existing and proposed locations for buildings, septic system, alternate septic site, and future accessory buildings. The building official may also require other data to be located on the certificate of survey, including, but not limited to, well, soil borings, soil elevations, surface water runoff, and separations from mottled soil and other information included on a checklist for a certificate of survey provided by the Building Official.

(Code 2004, § 801.02(subd. 5.2); Ord. No. 143, §§ 5, 6, 3-12-2013)

LINWOOD TOWNSHIP
ANOKA COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2026-06

RESOLUTION APPOINTING ELECTION JUDGES FOR 2026 PRIMARY ELECTION

WHEREAS Linwood Township is dependent upon and appreciative of citizen assistance for its election process; and

WHEREAS the 2026 Primary Election will be held on Tuesday, August 11; and

WHEREAS Linwood Township has 2 precincts; and

WHEREAS the following State of Minnesota residents have applied to serve as election judges and meet the qualifications established by the State of Minnesota or/and will be eligible to serve after completing the required training.

NOW THEREFORE, BE IT RESOLVED by the Town Board of Linwood Township, Anoka County, Minnesota, the following persons identified shall be appointed to serve as election judges for the 2026 Primary Election, and shall be paid an established hourly wage during election judge trainings and time served for election duties:

Sandra Lathrop	Curt Stainbrook	Jo Stainbrook
Jeffrey Ladd	Diane Selz	Steve Fortman
Mary Dylkowski	Dan Babineau	Vicky Dolphy
Paul Wassmund	Beth Riopel	Lloyd Horton
Julie Dolan	Scott Norton	Diana Heineman
Brianna Novack	Wendy LeVesseur	

BE IT FURTHER RESOLVED that if circumstances require an addition to the people named in this resolution, the Interim Clerk and the Coordinator are authorized to appoint as necessary, provided the person appointed meets all requirements of MN statue.

Adopted by the Board of Supervisors of the Township of Linwood on this 23rd day of June 2026.

Chairperson: _____ Attested: _____

Jonn Olson Julie Dahnke, Interim Clerk

Request for Action

Date: June 23, 2026
To: Town Board Supervisors
From: Julie Dahnke
Re: Hourly rate of pay for Election Judges

Background: Linwood Township relies heavily on residents for the Election process. Residents should be fairly compensated for the time they give to the Township during the Election. Anoka County recommended that compensation be increased in current environment. In 2024 the rate of pay from Linwood was significantly below the city average for Election Judges with Linwood paying $11.00 and the city average was $13.15.

Reasons for Approval: Suggested rate of pay matches what Anoka County will be paying their Election Judges this election. Pay increase will help with retention and participation of residents as Election Judges.

Financial Impact: Election Judges rate will be increased from $11.00 to $14.00 per hour, Assistant and Technology Judges rate will be increased from $12.50 to $15.00 per hour, and Head Judge rate will be increased from $15.00 to $16.00 per hour.

Recommendation: Motion to accept hourly pay rate of $14.00 for Election Judges, $15.00 for Assistant and Technology Judges and $16.00 for Head Judges for the 2026 Election.

Request for Action

Date: June 23, 2026
To: Town Board Supervisors
From: Julie Dahnke/Alicia Morris
Re: Time frame for AB voting

Background: Municipalities now have the option to be open for the full 46 days of absentee voting or just the final 18 days for Early Voting. You can also choose to do 18 days for the primary and 46 days for the general or 18 days for both. Residents can still vote absentee balloting at the county office for the full 46 days of absentee voting.

Reasons for Approval: Shortened window to accommodate current staffing levels. Support integrity of the electoral process as the envelope process of absentee balloting is greatly decreased.

Financial Impact: Positive financial impact as there will be less days that we would need Election Judges on call to verify of accepting/declining ballots for 46 days. Would need to have an Election Judge at the Township if there is only 1 staff member in the office during the 46 days.

Recommendation: Motion to accept the 18-day option for 2026 Primary and General Elections

AGENDA: REQUEST FOR ACTION

Date: 6/23/2026
Sponsor: Supervisor Cole
Title: Re-Appointment of Joe Dolphy, Jr. to the Planning & Zoning Commission — Supervisor Correspondence and Concerns (Information Only)

Background

Joe Dolphy, Jr. has submitted a letter of interest for re-appointment to the Planning & Zoning (P&Z) Commission, where he currently serves as Chair. His re-appointment is now before the Board.

On the morning of June 16, 2026, I sent Mr. Dolphy an email regarding his re-appointment. My purpose was to give him a fair, advance heads-up of the concerns I intend to raise when his re-appointment comes before the Board, so that he would not be blindsided in a public meeting and would have a full opportunity to prepare a response. In that email I noted my appreciation for his years of service, stated plainly that there may be reasonable explanations for each concern, and said my intent was not to accuse or argue but to give fair notice.

At the P&Z Commission meeting later that same evening, Mr. Dolphy described that email and the situation publicly. His characterization included statements that I had wanted to handle this matter privately, and that the Board — including a sitting liaison — intends to remove him from the Commission. I want to correct the record on the first point and address the second openly:

- I do not conduct Board business privately. I sent Mr. Dolphy a written heads-up for the express purpose of having this matter aired fully, fairly, and in public. The suggestion that I wished to keep it private is the opposite of both my intent and my practice.
- No decision on Mr. Dolphy's re-appointment has been made. Re-appointment is a discretionary act of the Board, and Mr. Dolphy is entitled to make his case in public before any vote is taken.

Because Mr. Dolphy has made clear his preference that this be handled in a public forum, this Request for Action places before the Board and the public (1) the email I sent him, and (2) a plain statement of the concerns behind it, so that the Board, Mr. Dolphy, and residents are all working from the same set of facts.

> This item is informational. **No motion is requested and no Board action is sought at this time.** The concerns are summarized below; supporting documentation is attached. The substantive discussion of these concerns, and any decision on re-appointment, will occur when the re-appointment itself is before the Board.

Summary of concerns

None of the following, taken on its own, is decisive, and I have tried to weigh each fairly. Considered together, they raise a question about the impartiality and example-setting expected of the P&Z Chair that I believe the Board and the public should be able to examine openly.

1. **Failure to recuse from the recommendation vote.** Mr. Dolphy stepped aside from chairing the public hearing on the rezoning of his own property (7100 Fawn Lake Dr NE) on March 19, 2024, but resumed the chair and did not abstain from the Commission's vote recommending that rezoning to the Town Board. This concern rests solely on the meeting minutes; I am open to an explanation, or to testimony that the minutes are inaccurate, so that the record can be corrected.
2. **Requesting a waiver of a fee he personally owed.** One month later, Mr. Dolphy asked the Township to waive the Park Dedication fee on the subdivision of that same property — a fee imposed under the ordinances his own Commission administers. The concern is not a self-dealing vote (he cast none) but the appearance created when a Commission Chair seeks a personal exception from a fee his own Commission administers — even where the same waiver might be unremarkable for a private resident.
3. **Length of service, considered alongside resident concerns.** I have heard repeated resident concerns about the functioning of the P&Z Commission. Length of service is not a disqualifier on its own; I treat it as one factor among several.
4. **Conduct at the June 16, 2026 P&Z meeting.** My concern is not that Mr. Dolphy raised this matter publicly — I welcome a public discussion, and that is exactly why I gave him advance written notice. It is the manner in which he responded. He publicly misconstrued the purpose of my email, framing it as an attempt to handle the matter privately, when the email is explicit that its purpose was not to discuss the matter privately, but to give him fair notice ahead of a public meeting. And rather than engage the concerns themselves, he turned on the Town Board — the very body that appoints, supervises, and directs the Commission he serves on — publicly characterizing the Board, including a sitting liaison, as determined to remove him for any reason they could come up with. A Planning & Zoning Commission cannot work effectively under the Town Board's direction when its Chair treats the Board's legitimate oversight as an attack to be resisted rather than part of the accountability the role carries.
5. **The example set on his own septic non-compliance.** A septic system on Mr. Dolphy's property (7070 Fawn Lake Dr NE) has been documented as non-compliant since April 2024 — past its corrective deadline, with two notices issued and no corrective action on record. Rather than accept responsibility, at the June 9, 2026 meeting Mr. Dolphy reacted heatedly, faulting the Board and staff for mishandling the matter and asserting that the Township owed him a courtesy contact before issuing notice. For the Chair of the Planning & Zoning Commission to respond this way when held accountable under **a septic ordinance his own Commission is charged with overseeing** (Chapter 28 of the Linwood Town Code) sets a poor example for how to handle a notice of non-compliance.

Taken together, these concerns point to a pattern worth the Board's careful attention, and raise a fair question I believe the Board and the public should weigh: whether the Chair, for all his genuine and considerable experience, is still demonstrating the leadership and example-setting the position requires. I take no pleasure in raising these concerns against a township official who has given years of service. The record will show that I took every reasonable precaution to give Mr. Dolphy ample, advance notice of these concerns so that he could prepare a response before this public

meeting — notice that he publicly mischaracterized rather than engaged. I raise them now so that question can be examined openly, and so that Mr. Dolphy has a full and fair opportunity to respond.

Recommendations (optional)

None. This item is presented for information and public discussion only.

Proposed Motion

None. No Board action is requested at this time. This item is informational and is open for public discussion.

Financial Impact

None.

Audience Input Permitted?

Yes.

Attachments

1. Email from Supervisor Cole to Mr. Joe Dolphy, Jr., June 16, 2026 ("Letter of Interest")
2. Supporting documentation, organized by concern (highlighted meeting minutes and related correspondence)
3. Septic non-compliance documentation from the June 9, 2026 Town Board packet (Zierke Soil Testing report; Rum River Consultants communication)
4. Citations to the public meeting recordings, with timestamps — P&Z Commission (June 16, 2026, ~1:15:00) and Town Board (June 9, 2026, ~12:30)

With the exception of Concern 3, every concern stated above is grounded in the official record — the Township's own meeting minutes and the recordings of its public meetings — and each is documented in the attached supporting materials. Concern 3 (length of service) rests on resident feedback and my own judgment rather than a specific document, and is offered as one factor among several. I have not relied on rumor or secondhand account; the documentation speaks for itself.

Attachment 1 — Email to Mr. Joe Dolphy, Jr.

From: Samuel Cole **Sent:** Tuesday, June 16, 2026 11:19 AM **To:** joedolphyjr@gmail.com **Subject:** Letter of Interest

Hi Mr. Dolphy,

I'm reaching out to you regarding your letter of interest for re-appointment to the P&Z board. While I appreciate the amount of time you've committed to the P&Z board, several factors make me hesitant to approve your re-appointment. I do not want to blind-side you in a public meeting, so I am sending you this email to give you a fair warning of what I will want to discuss during the upcoming meeting to approve that re-appointment.

My concerns are as follows:

- Failure to recuse from a vote recommending the rezoning of your own property in 2024. While the recusal from the public forum is appreciated, the minutes reflect a failure to recuse from the actual vote.
- Requesting to waive the fee associated with the rezoning of that property. The concern here is not about conflict of interest but rather that it is bad form for township officials to request their own fees to be waived, especially fees they are in charge of overseeing.
- Length of time spent on the P&Z commission. I've heard a lot of complaints from residents about the functioning of our P&Z committee and am therefore concerned about any members who have been on the committee for a long period of time.

Please note that the only information I have regarding this is from meeting minutes. There may be perfectly reasonable explanations for all of these concerns. My intention is not to accuse or argue with you in this email, but to merely give you a fair notice of my concerns so that you can come prepared to address them in a public meeting.

I do believe that this township is better off with you having served it for so many years, and for that I am grateful.

Thank you, Sam Cole

Supporting Documentation — Index

Accompanying the Request for Action on the re-appointment of Joe Dolphy, Jr. This index organizes the record behind each concern. Every item is drawn from the Township's own meeting minutes, the June 9, 2026 Town Board packet, or the recordings of public meetings. The relevant passages are highlighted in the attached copies for ease of reference.

> **Note on the property addresses:** Two adjacent parcels are involved. **7100 Fawn Lake Dr NE** is the parcel rezoned and subdivided (Concerns 1–2). **7070 Fawn Lake Dr NE** is the parcel with the non-compliant septic (Concern 5). Both are associated with Mr. Dolphy.

Concern 1 — Did not recuse from the recommendation vote

A. The rezoning was his own application, moving through the process

- **Document:** `02-20-2024 P&Z Minutes` — **p. 3** (Sketch Plan Updates)
- **Key passage:** *"7100 Fawn Lake Dr NE (B District) Planning staff approved the sketch plan and is currently waiting for applications for the administrative subdivision and rezone (the resulting residential property will need to be rezoned from B to R-1)."*

B. He stepped aside from chairing the public hearing (credit where due)

- **Document:** `03-19-2024 P&Z Public Hearing Minutes - Rezone` — **p. 1**
- **Key passage (notice naming him applicant):** *"To consider an application by Joseph Dolphy, Jr. for a proposed rezoning of 7100 Fawn Lake Dr NE (PID 28-34-22-42-0002) from Business (B) to Single-Family Residential (R-1)…"*
- **Also:** Vice Chairman **Tom Searing** presided over and signed the hearing minutes; Mr. Dolphy appeared as the applicant — *"Joe D. stated he is just trying to separate his home property from the business property. To do an administrative subdivision on the property, he needs to have the house property rezoned."* (p. 1–2)

C. He did NOT step aside from the vote — the key passage

- **Document:** `03-19-2024 P&Z Minutes` (regular meeting) — **p. 3**
- **Key passage:** *"Motion by Tom Pilla, seconded by Nancy Matson, to recommend to the Town Board approval of the rezoning request as written.* ***All ayes, motion carried.****"* No abstention or recusal by Mr. Dolphy is noted. Minutes signed *"Chairman: Joe Dolphy"* (**p. 5**).

Concern 2 — Requested a waiver of a fee he personally owed

D. His waiver request and the Board's approval

- **Document:** `TB Minutes 04-23-2024` — **p. 3**
- **Key passage:** *"The Board received a request to waive the Park Dedication fee for Joe Dolphy, Jr on the Administrative Subdivision lot split on his property at 7100 Fawn Lake Dr NE… PARCs recommended waiving the fee."*

- **The vote:** *"Supervisor Parker moved to waive the Park Dedication Fee for 7100 Fawn Lake Dr; Supervisor Searing seconded… The motion passed 3-1."*

E. Context — the Township has waived this fee for others

- **Document:** `TB Minutes 09-09-2025` — **pp. 4–5**
- **Key passage:** *"Similar situations have come before the Board in the past and the Board has waived the fee…"* (a $2,000 waiver for an unrelated owner). The distinction in Concern 2 is that this applicant was a private resident, not a member of the Commission that administers the fee.

F. The proper remedy — reducing the fee for everyone

- **Document:** `10-21-2025 P&Z Minutes` — **p. 2**
- **Key passage:** *"The revision was to reduce the fee from $2,000 to $500 per lot…"* (the legitimate path: change the rule for all applicants).

Concern 3 — Length of service alongside resident concerns

- **Not a documentary matter — no exhibit is included.** This concern rests on resident feedback and the supervisor's judgment, not on any specific document. It is offered as one factor among several, not a stand-alone basis.

Concern 4 — Conduct at the June 16, 2026 P&Z meeting

- **Recording (public):** Linwood Township P&Z Commission, June 16, 2026 — https://www.youtube.com/live/BKS7826Q1Lk. Mr. Dolphy's remarks regarding the email and his re-appointment begin at approximately the **1:15:00 mark (1 hour 15 minutes)** in the recording.
- **Corroborating document:** the June 16, 2026 email to Mr. Dolphy (RFA Attachment 1), which raised the matter in writing for the express purpose of a public discussion — rebutting his public claim that it was an attempt to handle the matter privately.

Concern 5 — Example set on his own septic non-compliance

G. The agenda item (a documented Township matter)

- **Document:** `PACKET 6-9-26 TB Meeting` — **p. 1**, Agenda Item **7.1 "7070 Fawn Lake Dr NE – Non-Compliant Septic"** (sub-items: 7.1.1 Zierke Soil Testing Documentation; 7.1.2 Rum River Consultants Communication).

H. The compliance finding

- **Document:** `PACKET 6-9-26 TB Meeting` — **p. 14** (Zierke Soil Testing, addressed to Joe Dolphy, April 17, 2024)
- **Key passage:** *"…your system is non-compliant due to a lack of vertical separation… This system is considered 'failing to protect groundwater'…"*

I. The timeline — clear notice, missed deadline, no response

- **Document:** `PACKET 6-9-26 TB Meeting` — **p. 15** (Rum River Consultants communication)

- **Key dates:** *"Noncompliance Report Date: April 17, 2024"*; *"Initial Notice Sent: May 3, 2024"*; *"Compliance Deadline: April 17, 2026"*; *"Follow-Up Notice Sent: October 6, 2025."*
- **Also:** *"To date, no response or corrective action has been received,"* with a recommendation to *"escalat[e] this matter to the Township Attorney or Code Enforcement."*

J. The recording of the discussion

- **Recording (public):** Linwood Township Town Board, June 9, 2026 — https://www.youtube.com/live/-62pPbwSRwc. The discussion of the 7070 Fawn Lake Dr NE non-compliant septic begins at approximately **12:30** in the recording.

This documents: Mr. Dolphy had a clear, written compliance timeline (a 24-month deadline) and two notices, and gave no response — yet objected to how the matter was handled rather than to his own non-compliance.

Suggested tab order for the packet

1. RFA (cover) + Attachment 1 (June 16 email to Mr. Dolphy)
2. **Concern 1** — docs A, B, C (highlighted minutes)
3. **Concern 2** — docs D, E, F (highlighted minutes)
4. **Concern 4** — recording citation (P&Z, June 16, 2026)
5. **Concern 5** — docs G, H, I (highlighted) + recording citation (Town Board, June 9, 2026)

roosters allowed. Joe D. said, if the Town Board Supervisors choose to have the P&Z work on an ordinance, the Town Board would need to request that.

Resignation Announcement
Tom Sausen announced his resignation, effective immediately from the P&Z Commission.

STAFF AND ZONING ADMINISTRATOR REPORTS AND COMMENTS
Emily and Claire sent written updates from MSA:

Sketch Plan Updates

- 7100 Fawn Lake Dr NE (B District) Planning staff approved the sketch plan and is currently waiting for applications for the administrative subdivision and rezone (the resulting residential property will need to be rezoned from B to R-1).
- Sunrise Rd/217th Ave NE (R-A District) Request for a minor subdivision. Planning staff have recommended moving forward with one option; as of February 13, no preliminary plat application has been received.

Variance Updates

- 22718 E Martin Lake Dr (R-1 District) Planning and Township staff held a pre-application meeting with the homeowner to discuss potential variances needed to replace a noncompliant septic system on a shoreland (riparian) parcel. The property owner is currently working to obtain an official survey to determine whether variance(s) will be necessary.
- 5310 239th Ave NE (R-A District) Applicants withdrew their variance application following planning staff's concerns about the economic reasoning for the variance.

Lot Line Adjustment Updates

- 24464 Lyons St NE (R-1 District) Planning and Township staff held a pre-application meeting with the applicants on January 24; as of February 13, no administrative subdivision or lot line adjustment applications have been received.

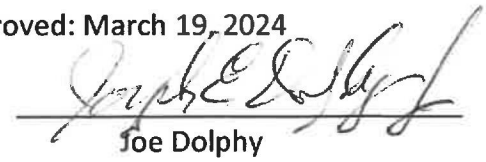
Carol Searing commented that there will be a public hearing in March for the ordinance amendments.

Motion by Nancy Matson, seconded by Tom Searing, to adjourn. All ayes, motion carried.

Meeting adjourned at 8:11 pm.

Respectfully submitted by Pam Matti, Deputy Clerk

Minutes Approved: March 19, 2024

Chairman: 
Joe Dolphy

LINWOOD TOWNSHIP

ANOKA COUNTY
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(651) 462-2812 • Fax (651) 462-0500
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Public Hearing Minutes
Application to Rezone 7100 Fawn Lake Dr NE
March 19, 2024

Commission members present:	Joe Dolphy, Jim Garrison, Lloyd Horton, Nancy Matson, Rory Paggen, Tom Pilla, Tom Searing
Commission members absent:	none
Town Board members present:	Carol Searing
Staff & Consultants present:	Emily Herold – MSA, Pam Matti – Deputy Clerk
Residents present:	Tom Murphy, Ken Kohel, Brian Milne, Christine Wilson, Todd Wilson, Michelle Brown, Carrie & Andy Luedtke, Dan Lillemo, Andy Dahlstrom, John Genser, Rubin Brown, Dustin, Susan Bautch, Brian Langlois, Sandy Lathrop, Ben Garbacz, Jonn Olson

Public Hearing opened at 7:24 PM
Nancy Matson read the Public Notice:
Notice is hereby given that a public hearing shall be held before the Linwood Township Planning and Zoning Commission on Tuesday March 19, 2024 at 7:00 PM at Linwood Township Town Hall, regarding the following matter:

7100 Fawn Lake Dr Rezone

To consider an application by Joseph Dolphy, Jr. for a proposed rezoning of 7100 Fawn Lake Dr NE (PID 28-34-22-42-0002) from Business (B) to Single-Family Residential (R-1). This will be contingent upon the approval of a concurrent administrative subdivision to separate the property's existing commercial and residential uses.

As such both written and oral comments will be heard at the Planning Commission meeting. A copy of the proposed amendments is available at the Town Hall during regular hours for the public's review.

Public Comment

Brian L. asked for clarification. Is this to rezone a home to R-1 from a Business? Joe D. stated he is just trying to separate his home property from the business property. To do an administrative subdivision on the property, he needs to have the house property rezoned. Dan L. asked about the road frontage along Fawn Lake. Emily H. commented that both properties would exceed the frontage requirement, as she is currently working on the administrative subdivision.

Motion by Nancy Matson, seconded by Tom Pilla, to close the Public Hearing. All ayes, motion carried.

Meeting adjourned at 7:30 pm.

Respectfully submitted by Pam Matti, Deputy Clerk

Minutes Approved: April 16, 2024

Vice Chairman: Thomas L Searing

Tom Searing

the existing residential areas of the town which are currently developing or are almost fully developed. The existing use of this portion of the property is residential and the proposed use with the zoning change would be residential.

3. The parcel would abut other R-1 parcels to the north and east.
4. The parcel meets minimum dimensional and frontage requirements for the R-1 district, including minimum lot size (2.5 acres), minimum lot width (150 feet), and minimum frontage (150 feet).
5. The conditions for which the change of zone is based are unique to the applicant's parcel and situation.
6. The proposed change of zone does not appear injurious to the use and enjoyment of properties in the immediate vicinity for uses already permitted. The proposed change appears harmonious with the established residential uses in the vicinity.
7. The change of zone is not anticipated to impede the normal and orderly development and improvement of surrounding property for uses predominant to the area.
8. The proposed use appears to meet all development standards of Linwood Township and does not appear incompatible with adjacent land uses.
9. It has been demonstrated that the granting of the change of zone will keep with the spirit and intent of the Zoning Ordinance and is consistent with the Comprehensive Plan.

Motion by Tom Pilla, seconded by Nancy Matson, to recommend to the Town Board approval of the rezoning request as written. All ayes, motion carried.

OLD BUSINESS
None

NEW BUSINESS
Linwood's Ordinance on non-domestic animals (chickens, roosters & other non-domestic animals)
Lloyd H. spoke about what currently exists in Linwood's Ordinance. Lloyd has researched our surrounding communities and noted what their ordinances state. Due to the number of resident complaints being received, P&Z is hoping to find some middle ground. As noted, roosters are required, if you wish to have chicks. Otherwise, roosters are not needed for egg laying.

Lloyd H. provided a draft proposal:
Sec. 30-703. - Non-domestic animals only permitted in certain districts.
Non-domestic animals other than deer, raccoons, chickens, and ducks cannot be kept or housed in the R-1 Single-Family Residential District; deer, raccoons, chickens, and ducks may be kept and housed in the R-1 Single-Family Residential District. Any non-domestic animal can be kept or housed in the other districts established by the town Code on lots or separate parcels of record of more than nine acres that are not part of a subdivision plat; such animals may be kept or housed in the other districts on lots or separate parcels of record of nine acres or less only if

3) Administrative Subdivision on 7100 Fawn Lake Dr NE – will need to update survey, waiting for DNR comments to come back. Still in process.

Motion by Tom Pilla, seconded by Jim Garrison, to adjourn. All ayes, motion carried.

Meeting adjourned at 8:45 pm.

Respectfully submitted by Pam Matti, Deputy Clerk

Minutes Approved: April 16, 2024

Chairman: Joe Dolphy

to make it clear that committee members must be "Linwood residents". The resident will be notified that he's not eligible to serve on PARCs.

Technology: Several computers were scheduled to be replaced this year. Supervisor Olson suggested that the computers being decommissioned be offered back to the public. Supervisor Olson moved to purchase three PCs for $5,269.99 and the Advanced Network Security at a cost of $324.00 per month. Supervisor Olson rescinded his motion. Supervisor Olson then moved to purchase three Dell computers, one Dell laptop, and the labor to set up at a cost of $5,269.99; Supervisor Luedtke seconded. All ayes; motion carried 4-0. The server will be replaced later this year when the warranty expires.

Supervisor Olson moved to purchase the Datto storage device for $399.50, the cloud backup for $149.00 per month, and set up costs; Supervisor Searing seconded. All ayes; motion carried 4-0.

Street Sweeping proposals: The Board received two proposals for street sweeping services. Supervisor Parker moved to hire DW Companies for $200.00 per hour for street sweeping; Supervisor Luedtke seconded. All ayes; motion passed 4-0.

Request to waive Park Dedication fee: The Board received a request to waive the Park Dedication fee for Joe Dolphy, Jr on the Administrative Subdivision lot split on his property at 7100 Fawn Lake Dr NE. Two uses currently exist on the property, residential and commercial. PARCs recommended waiving the fee. Supervisor Parker moved to waive the Park Dedication Fee for 7100 Fawn Lake Dr; Supervisor Searing seconded. Supervisors Parker, Searing, and Olson voted aye; Supervisor Luedtke voted nay. The motion passed 3-1.

Consent Agenda: Supervisor Searing moved to approve the Consent Agenda; Supervisor Parker seconded. All ayes; motion passed 4-0.

- ✓Approval of April 9, 2024 Town Board Meeting Minutes
- ✓Claims List for Approval - Claims #38159-38183 = $100,879.34
- ✓Regular Payroll – 4/12/24; Direct Deposits #21107-21122 & EFTs #21123-21125 = $23,394.52
- ✓Zoom Account annual renewal - $719.80

Adjournment: Supervisor Parker moved to adjourn; Supervisor Luedtke seconded. All voted in favor; the motion carried. The meeting adjourned at 8:41 p.m.

Approved on May 14, 2024

Michael Parker, Chairman

Attested:

Pamela Olson, Clerk

PAMELA J. OLSON
Clerk, Linwood Twp, Anoka County, MN
Notarial Officer (ex-officio notary public)
My term is indeterminate

- There are three line items in the budget that reference equipment repairs.
  - Parts budget is $10,000
  - Contractual maintenance, $10,000
    - Already spent $8,544 from vehicle maintenance and repairs, account number ending in 407.
  - Contractual equipment repairs and maintenance, $5,000
- When the invoices come in, payments will be split between accounts 407 and 221. After those payments, approximately $7,000 will remain.

Motion by Supervisor Olson to authorize work based on the estimate dated 8/11/25 in the amount of $3,607.90 with the understanding that is an estimate so the final cost may be higher or lower. The payment will be split between accounts ending in 407 and 221. Seconded by Supervisor Cole.
Discussion: resident Tony D inquired why the cost was so high. Supervisor Olson explained the cylinder needs to be replaced because it is not repairable.
All ayes, motion carried. (5-0)

PARKS

- Tennis Courts – Cole
  - Parkside evaluated the parks and provided a list of issues, some of which are urgent.
  - Resident Dot Forbord, 5465 237th Ave NE, stated that it was not the intention of the Parks Committee to have the court shut down. There are other local tennis courts that have comparable crack and they are still being used. The Parks Committee is exploring options to fill the cracks or cut out the portion that is significantly damaged, however, those are expensive repairs and not in the budget.
  - Supervisor Olson stated that at the last meeting, a Park Committee member stated that the cracks were so bad that someone could trip and injure themselves. Once the township is notified of a potential hazard, it must be addressed. He is seeking information from a road contractor who may have the ability to make the repairs. Once he has the information and quote, he will advise the Park Committee. The consensus of the Board was to post a sign at the courts that people play at their own risk until the cracks are repaired.

PLANNING & ZONING

- Request to Waive Parkland Dedication Fee – Administrative Subdivision 25-15-AS
  - The owner is asking for the $2,000 Park Dedication Fee to be waived as his property was split into two lots.
  - The Zoning Administrator recommends waiving the fee.
  - Dot Forbord stated the Parks Committee agreed that to split one lot into two lots it doesn't make sense for the owner to pay the fee. However, if in the future, the lots are split again, the owner would be required to pay the fee. They would

like to establish this as the norm, so people don't split their lots one at a time just to avoid paying the fee.
    - Supervisor Olson stated he agrees that $2,000 could be waived in this case. Further, the amount of $2,000 likely wasn't intended for Administrative Subdivisions, but for larger developments. He would like to send this issue to Planning & Zoning to consider the fee specifically for Administrative Subdivisions.
- ***Motion*** by Supervisor Luedtke to waive the Park Dedication Fee for Administrative Subdivision 25-15-AS for xxx Ryan Lake Drive NE. Supervisor Cole seconded. Discussion: Similar situations have come before the Board in the past and the Board has waived the fee, thus all agree it would be best to review and potentially edit the Park Dedication Fee for Administrative Subdivisions. Supervisor Millerbernd opposed. Supervisors Olson, Henrickson, Cole, and Luedtke voted in favor, motion carried. (4-1)

- Zoning Administrator Memo - Administrative Subdivision Application 25-15-AS
- Administrative Subdivision Parkland Dedication Fee/Parkland Dedication
- Zoning Administrator Memo – Administrative Process Change Request
- Administrative Subdivision Application
- Administrative Subdivision – Code of Ordinances Chapter 22 Article VI

The additional documentation included in the packet states that the Zoning Administrator recommends that the fees for Administrative Subdivisions be amended so this does not come before the board for each occasion when owners wish to subdivide their land from one to two lots.
Discussion included the concern about not having money for Parks, and waiving the fees. Resident Beth Riopel stepped forward to explain that this situation was discussed in the Park Committee Meeting and that other than waiving the fee, they don't have the authority to do anything else. It would be helpful when residents attend the Parks meetings for the Committee members to understand the options available.
In thinking about the options for developers, they can either pay the Park Dedication Fees or provide a lot to become a park; in the past, the Township accepted the lot rather than collecting the fees. As a result, the Township has too many parks which are expensive to maintain. It was recommended that Planning & Zoning review this Administrative Subdivision ordinance, schedule a Public Hearing, and then recommend a solution to the Board.
Administrative Subdivision's could be a split into two lots. Supervisor Cole stated he is concerned about making it complicated and keeping track of the splits.
Resident Mike Esberg, 9140 Ryan Lake Drive, owner of the property stated that with an Administrative Subdivision, it can only be split every five years.

UPCOMING MEETINGS
Cemetery – September 10, 2025 – 10:00AM
Town Board Workshop – 2025 & 2026 Budget – September 15, 2025 – 5:30PM

Motion by Nancy Matson to approve the Consent Agenda format at future meetings, seconded by Lloyd Horton. Jim Garrison, Lloyd Horton, Nancy Matson, Rory Paggen voted to approve the motion. Joe Dolphy opposed. Motion carried.
Motion by Nancy Matson to approve the September 21, 2025, Consent Agenda, seconded by Lloyd Horton. All ayes, motion carried.

Old Business
Accessory Building Ordinance Amendments with revisions from September 16, 2025 meeting. Dolphy stated that this revised ordinance should simplify the process for the office staff. This amendment only applies to R-1 and R-A accessory buildings.
Motion by Nancy Matson to accept the revisions and the corrections as indicated in red, Rory Pagen seconded. All ayes, motion carried. Public hearing will be held at the November meeting.

Administrative Subdivision Parkland Dedication Fee as discussed at the September 16, 2025 meeting
The revision was to reduce the fee from $2,000 to $500 per lot, and that was the only change.
Motion by Nancy Matson to accept the revision of the fee structure from $2,000 to $500 per lot, Jim Garrison seconded. All ayes, motion carried. Public hearing will be held at the November meeting.

New Business
Sign Ordinance: Size, districts, and Application and permitting

- The Zoning Administrator received an application for a temporary sign that didn't fit with any of the ordinances. Thus, she reviewed the ordinances and found some issues for discussion.
- The ordinance calls for an annual fee, but the application states it's a bi-annual fee.
- She noted that there are many signs in the township where the owner hasn't completed an application and received a permit. The ordinance was established in 2004, so some of the signs may pre-date that. The question is whether the Committee wants to recommend those businesses apply for a permit; Susan noted that would be an arduous process.
- The ordinance describes the policy for Commercial and Industrial, however, we do not have Industrial zoning in Linwood Township.
- The sign size on the owner's property is smaller than the sign size for off property.
- Resident Ed Kramer noted other towns don't have an annual fee, but they have an initial fee. Nancy Matson stated that in her opinion, if the sign is on your property, you shouldn't have to pay ongoing fees, but if off property, then you should pay an annual fee.
- The purpose of an application fee is to cover staff time to process the application and inspect the location of the sign to ensure it meets size and setback requirements.
- The Committee agreed, if the sign is not on the business owner's property, they would need to complete the application, pay the application fee, and a bi-annual fee.

LINWOOD TOWNSHIP

ANOKA COUNTY
22817 Typo Creek Drive N.E.
Stacy, Minnesota 55079
(651) 462-2812 • Fax (651) 462-0500
Email: info@linwoodtownship.org
Website: http://linwoodtownshipmn.gov

AGENDA
Town Board Meeting
Tuesday, June 9, 2026 - 6:30 pm
Town Hall Chambers

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PUBLIC FORUM

This is an opportunity for residents to present items to the Board that are not on the agenda. Each presentation is limited to three (3) minutes, and a maximum of fifteen minutes is set aside. If your item needs follow-up from the Township, Staff will arrange for that.

5. CONSIDERATION AND APPROVAL OF AGENDA

6. CONSIDERATION AND APPROVAL OF CONSENT AGENDA

6.1 Approval of May 26, 2026 Meeting Minutes
6.2 Approval of May 26, 2026 Workshop Minutes
6.3 Approval of June 2, 2026 Workshop Minutes
6.4 Claims List for Approval: 39482-39499; Total: $58,877.69
6.5 Payroll for Approval: $10,242.17

7. NEW BUSINESS

7.1 7070 Fawn Lake Dr NE – Non-Compliant Septic – Mark Allseits
7.1.1 Zierke Soil Testing Documentation
7.1.2 Rum River Consultants Communication

7.2 P&Z Committee Terms – Supervisor Luedtke
7.2.1 Application for Commission – Joe Dolphy
7.2.2 Application for Commission – James Garrison
7.2.3 Application for Commission – Rory Pagen
7.2.4 Letter of Interest – Robert Kreft

ZIERKE SOIL TESTING

Joe Dolphy
7070 Fawn Lake Dr NE
Stacy, MN 55079

April 17th, 2024

Dear Joe Dolphy,

At your request, I have conducted a septic inspection to determine the compliance status of your septic system pursuant to Minnesota Rules Chapter 7080.1500.

The compliance test set out in 7080.1500 has three main inquiries: 1). Is the system functioning hydraulically (disposing of effluent in a manner that prevents it from coming in contact with people)? 2). Are the septic tanks water tight? 3). Does the system have sufficient vertical separation between the bottom of the septic system and restrictive layers (bedrock, standing water, seasonally wet layers, etc) to provide full treatment of effluent?

Based off of these criteria, your system is non-compliant due to a lack of vertical separation between the bottom of your drain field and indicators of seasonally wet soil (redoximorphic features). This system is considered "failing to protect groundwater" and is not considered an imminent threat to public health. I am required to provide copies of this report to you and to Linwood Township. You should contact them as to the next steps that will be required to bring the system into compliance.

Sincerely,

Benjamin Zierke

Benjamin Zierke
MPCA Lic 119, Cert 9594

ADDRESS:
28587 Jeffrey Ave
Chisago City, MN 55013

PHONE 651-249-1346
EMAIL benzierke@gmail.com

Hello Julie,

We have identified a property at 7070 Fawn Lake Dr NE in Linwood Township where the septic system remains noncompliant and has exceeded the deadline for corrective action as required by Linwood Township Code Section 28-92(i) and Minnesota Rules 7080.1500.

RRC issued two notices on behalf of the Township to the property owner outlining the violation and required timeline for compliance. To date, no response or corrective action has been received.

Note: Please note that Section 28-92(l) of the Township Code is not enforceable, as Minnesota Rules 7080.1500 establishes a 24 month compliance deadline for systems failing to protect groundwater. Local ordinances may be more restrictive, but not less restrictive, than state rules. As such, this provision is superseded by state code. This conflict is one of the reasons RRC and the Township have been discussing updates to the septic ordinance to align with current enforceable standards.

Due to the lack of response, RRC recommends escalating this matter to the Township Attorney or Code Enforcement for further action.

Property: 7070 Fawn Lake Dr NE
Status: Noncompliant
Noncompliance Report Date: April 17, 2024
Initial Notice Sent: May 3, 2024
Compliance Deadline: April 17, 2026
Follow-Up Notice Sent: October 6, 2025

All noncompliance reports and correspondence to date are attached for your review. Please let me know if you need any additional information. If possible, please also update us on how you intend to proceed with enforcement so we can update our records.

Best regards,

Carissa Kranz

Community Development Coordinator

Rum River Consultants
23340 Cree St NW

LINWOOD TOWNSHIP
ANOKA COUNTY
STATE OF MINNESOTA

RESOLUTION NO. 2026-07

A RESOLUTION AFFIRMING CONTINUED USE OF ELECTRONIC POLLPADS FOR STATE ELECTIONS, ACKNOWLEDGING THE STATUTORY FRAMEWORK GOVERNING THEIR USE, AND EXPRESSING THE TOWNSHIP'S DESIRE FOR LEGISLATIVE REFORM TO RESTORE LOCAL AUTONOMY

WHEREAS, Linwood Township adopted the use of an electronic voting system in 2018 when it approved and executed the Election Equipment Use Agreement with Anoka County for electronic pollpads; and

WHEREAS, The Township Attorney opines that Minn. Stat. § 206.58, subd. 1, as amended in 2023, provides that once a municipality has adopted an electronic voting system in one or more precincts, the municipality must continue to use an electronic voting system for state elections in those precincts; and

WHEREAS, the Township Attorney advises that this statutory continuation requirement removes municipal discretion to return to paper pollbooks for state elections once electronic pollpads have been used, regardless of whether a municipality or county later wishes to discontinue them; and

WHEREAS, the Township Attorney further advises that Minn. Stat. § 201.225, subd. 6 governs advance notice to the Secretary of State before first use of electronic rosters, but does not authorize a municipality to discontinue electronic pollpads after adoption and does not supersede the continuation requirement in Minn. Stat. § 206.58, subd. 1; and

WHEREAS, various advocacy materials circulated within Anoka County, including those provided to this Town Board by the Anoka County Election Integrity Team, have encouraged municipalities to discontinue electronic pollpads based on interpretations of Minn. Stat. § 201.225, subd. 6 that do not reflect the statutory framework governing electronic voting systems; and

WHEREAS, the Linwood Township Board has heard concerns from residents regarding electronic pollpads, including concerns related to transparency, public confidence, and election integrity, and the Board shares the public's interest in ensuring that elections are conducted with the highest standards of integrity and public trust; and

WHEREAS, the Township recognizes that under current law and direction from its Town Attorney, Anoka County, and the Secretary of State, it must continue to use electronic pollpads for state elections, but also recognizes that municipalities may reasonably desire greater local autonomy to determine whether electronic or paper pollbooks best serve their communities; and

WHEREAS, the Township believes that Minnesota District Court is the appropriate body to clarify the statutory framework governing electronic voting systems and the Minnesota Legislature is the appropriate body revise the statutory framework governing electronic voting systems, including Minn. Stat. § 206.58, subd. 1, to determine whether municipalities should have discretion to return to paper pollbooks if they conclude that doing so better promotes election integrity, transparency, and public confidence.

NOW, THEREFORE, BE IT RESOLVED that Linwood Township affirms that it will continue to use electronic pollpads for state elections at the advice of the Township Attorney, and acknowledges that the Town Attorney advises the Township lacks statutory authority to revert to paper pollbooks for state elections unless and until state law is amended.

BE IT FURTHER RESOLVED that Linwood Township respectfully requests that the Minnesota Legislature review and consider amending Minn. Stat. § 206.58, subd. 1 to clearly restore municipal autonomy over the choice of pollbook systems, including the ability to return to paper pollbooks if a municipality determines that doing so better serves its voters.

BE IT FINALLY RESOLVED that Linwood Township encourages residents, legislators, and county officials to engage in constructive dialogue regarding election administration, grounded in statutory authority, and to support legislative reforms that restore local control in municipal voting precincts.

Adopted this 23rd day of June, 2026, by the Linwood Township Board of Supervisors.

Approved: _____
Jonn Olson, Chair

Attested: _____
Julie Dahnke, Interim Clerk

LINWOOD TOWNSHIP

ANOKA COUNTY
22817 Typo Creek Drive N.E.
Stacy, Minnesota 55079
(651) 462-2812 • Fax (651) 462-0500
E-Mail: info@linwoodtownship.org
Website: http://linwoodtownshipmn.gov

APPLICATION FOR COMMISSIONS AND COMMITTEES

Please list Commission or Committee you are interested in Planning and Zoning

Personal Information

Name Joe Dolphy Sr Phone 651-308-0435

Address 7070 Fawn Lake Drive NE City Stacy

State MN Zip 55079 Email joedolphyjr@gmail.com

How long have you been a Linwood Township resident?

60 years

Why are you interested in being on the Commission/Committee?

I feel I can still contribute to the Future of Linwood Residents

Briefly describe your background experience/education relative to the Commission/Committee?

4 years on Linwood Town Board. 6 years as Chairman
32 years as a Linwood Firefighter.
?? years on Linwood PTZ Committee
Participated in several Building Committees Since 1985

What do you see as the primary function of the Commission/Committee?

Assisting in the long range and short range development of Linwood, and coordinating all departments, and Committees in Linwood to establish and maintain a Develoment Plan that will help keep Township Budgets Controlable in the Future.

What do you see in the future for Linwood Township?

Satisfying the needs of a Rural / Urban interface Communitee that we have become

Please describe any additional experience/skills relevant to the Commission/Committee:

I have owned and operated an Auto Repair Business for 50 years in Linwood and have seen Significant

Have you attended or viewed any Township meetings?

Yes !!!

Is there any reason you would not be able to attend regular scheduled meetings for the Commission/Committee? Vacations and Personal Reasons

Thank you for your interest in Linwood Township!

Please return this form/email to Linwood Town Hall by April 30

22817 Typo Creek Drive

Stacy, MN 55079

info@linwoodtownship.org

Joseph E Dooley Jr

LINWOOD TOWNSHIP

ANOKA COUNTY
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Stacy, Minnesota 55079
(651) 462-2812 • Fax (651) 462-0500
E-Mail: info@linwoodtownship.org
Website: http://linwoodtownshipmn.gov

APPLICATION FOR COMMISSIONS AND COMMITTEES

Please list Commission or Committee you are interested in Planning + Zoning

Personal Information

Name James Garrison Phone 651-462-4504

Address 22644 E Martin Lk Drive City Stacy

State MN Zip 55079 Email Jimgarrison@hotmail.com

How long have you been a Linwood Township resident?

33 years

Why are you interested in being on the Commission/Committee?

Yes

Briefly describe your background experience/education relative to the Commission/Committee?

Member for many years

What do you see as the primary function of the Commission/Committee?

Enforce Rules + Regulations

What do you see in the future for Linwood Township?

Positive

Please describe any additional experience/skills relevant to the Commission/Committee:

Member of Park + Rec

Have you attended or viewed any Township meetings?

Yes

Is there any reason you would not be able to attend regular scheduled meetings for the Commission/Committee?

NO

Thank you for your interest in Linwood Township!

Please return this form/email to Linwood Town Hall by April 30

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Website: http://linwoodtownshipmn.gov

APPLICATION FOR COMMISSIONS AND COMMITTEES

Please list Commission or Committee you are interested in PLANING AND ZONING

Personal Information

Name RORY PAGSEN Phone 763-688-3921

Address 23500 JAPURA ST NE City STACY

State MN. Zip 55079 Email RORY@JSSITEWORK.COM

How long have you been a Linwood Township resident?

57 YEARS

Why are you interested in being on the Commission/Committee?

TO HELP WITH THE DEVELOPING OF LINWOOD.

Briefly describe your background experience/education relative to the Commission/Committee?

CONSTRUCTION OFF ALL TYPES, HOME BUILDING TO EARTHWORK

What do you see as the primary function of the Commission/Committee?

TO HELP WITH THE DEVELOPING OF THE TOWNSHIP.

What do you see in the future for Linwood Township?

MORE DEVELOPING,

Please describe any additional experience/skills relevant to the Commission/Committee:

I HAVE OVER 35 YEARS IN CONSTRUCTING AND MANAGING LARGE DEVELOPMENTS

Have you attended or viewed any Township meetings?

YES

Is there any reason you would not be able to attend regular scheduled meetings for the Commission/Committee?

NO

Thank you for your interest in Linwood Township!

Please return this form/email to Linwood Town Hall by April 30

22817 Typo Creek Drive

Stacy, MN 55079

info@linwoodtownship.org

Linwood Township Board
22817 Typo Creek Drive NE
Stacy, MN 55079

Re: Letter of Interest – Planning and Zoning Committee

Dear Linwood Township Board Members,

I am writing to express my interest in serving on the Planning and Zoning Committee for Linwood Township. As a resident of Linwood since 2003, I have developed a strong connection to the community and a deep appreciation for the thoughtful planning and stewardship that contribute to its continued growth and character.

With over 30 years of professional experience in construction, permitting, and zoning, I bring a practical and well-rounded understanding of land use, regulatory processes, and development considerations. Throughout my career, I have worked closely with local governments, contractors, and property owners, giving me valuable insight into balancing responsible development with community needs and long-term planning goals.

I am particularly interested in contributing to decisions that preserve the integrity of Linwood while accommodating sustainable growth. My familiarity with township ordinances, permitting processes, and zoning regulations would allow me to actively and effectively participate in committee discussions and decision-making.

I would welcome the opportunity to serve the community in this capacity and contribute my experience and perspective to the Planning and Zoning Committee. Thank you for your time and consideration.

Sincerely,
Robert Kreft
651-746-4528
Bob@northlandlandscape.com

3-17-2026

REQUEST FOR ACTION

Date: 6/23/26
To: Linwood Town Board
From: Jonn Olson
Re: Updated Employee Handbook

Background
After several reviews, updates, new sections, and countless hours, a version of the Linwood Employee Handbook that everyone has had opportunities to review and provide feedback for, is ready for adoption.

There are some amendments that will need to be made periodically over the next several months to shore up some topics, but I believe this version is ready for adoption and a fantastic starting point for establishing a mutual understanding of employment with Linwood Township for all.

Recommendation
1. Motion to adopt version 1.0 of the Linwood Township Employee Handbook

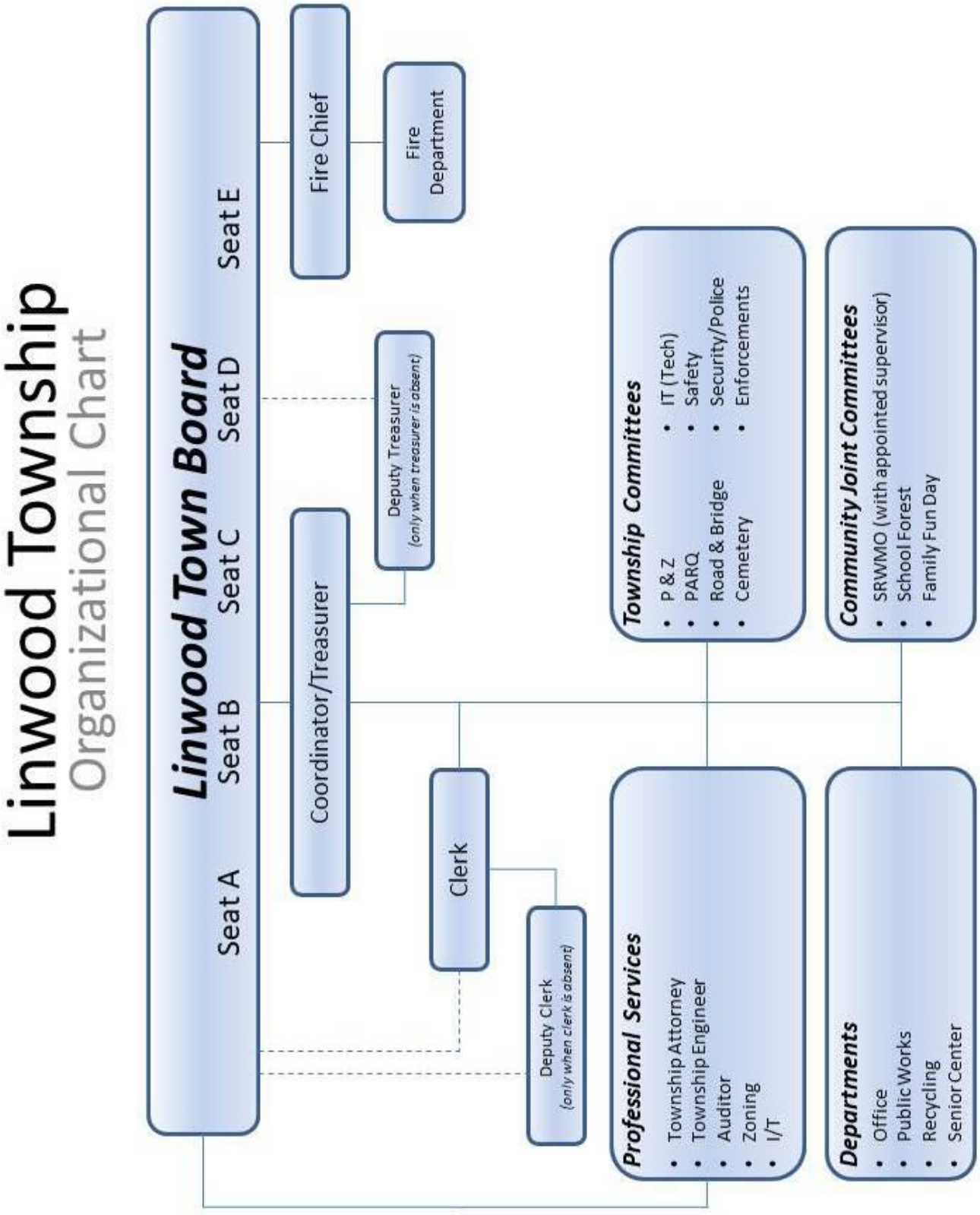
Financial Impact
None

Recommended Motion
Motion to adopt the Linwood Township Employee Handbook version 1.0 as presented.

LINWOOD TOWNSHIP EMPLOYEE HANDBOOK



Article I. ORGANIZATIONAL CHART



Article II. TABLE OF CONTENTS

Article I. ORGANIZATIONAL CHART 2

Article II. TABLE OF CONTENTS 3

Article III. STATEMENT OF PURPOSE 8

Article IV. INTRODUCTION 8

Section 4.01 Purpose of Handbook 8

Section 4.02 Disclaimer 8

Section 4.03 Scope 9

Section 4.04 Management Rights 9

Section 4.05 Equal Employment Opportunity / Affirmative Action 9

Section 4.06 Authority to Work in the United States 10

Section 4.07 Data Practices Advisory 10

Article V. EMPLOYEE RECRUITMENT & SELECTION 10

Section 5.01 Scope 10

Section 5.02 Features of the Recruitment System 10

Section 5.03 Testing and Examinations 11

Section 5.04 Selection Process 11

Section 5.05 Background Checks 12

Section 5.06 Nepotism 12

Article VI. ORGANIZATION 12

Section 6.01 Job Descriptions 12

Section 6.02 Assigning and Scheduling Work 13

Section 6.03 Job Descriptions and Classifications 13

Article VII. WORK HOURS 13

Section 7.01 Workweek and Work Hours 13

Section 7.02 Meal Breaks and Rest Periods 13

Section 7.03 Adverse Weather Conditions 14

Article VIII. COMPENSATION AND EMPLOYMENT CLASSIFICATION 14

Section 8.01 Establishment 14

Section 8.02 Wage Disclosure 15
Section 8.03 Improper Deduction and Overpayment 15
Section 8.04 Time Reporting 16
Section 8.05 Overtime Pay 16
Section 8.06 Exempt Employees 17
Section 8.07 Non- Exempt Employees 17
Section 8.08 Employment Classes and Paid Volunteers 17
Section 8.09 Compensatory Time 17
Article IX. PERFORMANCE MANAGEMENT 18
Section 9.01 Performance Reviews 18
Section 9.02 Wage Reviews 19
Article X. DISCIPLINE 19
Section 10.01 General Policy 19
Section 10.02 No Contract Language Established 20
Section 10.03 Process 20
(a) Employee Complaint Procedure 20
(b) Confidentiality of Complaint Information 21
(c) Types of disciplinary actions 21
Article XI. RESPECTFUL WORKPLACE POLICY 22
Section 11.01 Applicability 22
Section 11.02 Abusive Customer Behavior 22
Section 11.03 Types of Disrespectful Behavior 23
Section 11.04 Employee Response to Disrespectful Workplace Behavior 24
Section 11.05 Response to Allegations of Disrespectful Workplace Behavior 25
Section 11.06 Special Reporting Requirements 26
Section 11.07 Confidentiality 26
Section 11.08 Retaliation 26
Article XII. WORK RULES AND CONDUCT 27
Section 12.01 Conduct as a Linwood Township Employee 27

Section 12.02 Attendance & Absence 27
Section 12.03 Use of Township Property 28
Section 12.04 Use of Technology 28
(a) Computer, E-mail, & Internet Usage 28
(b) Consequences of Policy Violations 29
(c) Electronic Communications 30
(d) Guidelines 30
Section 12.05 Conflict of Interest 30
Section 12.06 Non-Disclosure 32
Section 12.07 Falsification of Records 32
Section 12.08 Tobacco 32
Section 12.09 Outside Employment 32
Article XIII. DATA, COMMUNICATIONS, AND PRIVACY 33
Section 13.01 Data Practices 33
Section 13.02 Personnel File 33
Section 13.03 Official Communications 33
Section 13.04 Personal Communications and Use of Social Media 35
Article XIV. EMPLOYEE EDUCATION AND TRAINING 36
Section 14.01 Job-Related Training & Conferences 36
Section 14.02 Requests for Participation in Training & Conferences 37
Section 14.03 Travel and Meal Allowance 37
Article XV. DRIVING POLICY 37
Article XVI. WORKPLACE MODIFICATIONS 38
Section 16.01 Reasonable Accommodation for Disability 38
Section 16.02 Reasonable Accommodations Relating to Pregnancy 38
Section 16.03 Reasonable Accommodation for Religion 39
Article XVII. DRUG, ALCOHOL, AND CANNABIS-FREE WORKPLACE 39
Section 17.01 Use and Possession of Alcohol or Drug(s) 39
Section 17.02 While Impaired of Alcohol or Drug(s) or Cannabis 40

Section 17.03 Driving While Impaired 40
Section 17.04 Drug and Alcohol Testing Policy 40
Section 17.05 Criminal Controlled Substance Convictions 42
Section 17.06 Failure to Disclose Lawful Controlled Substance 42
Article XVIII. LEAVE POLICIES 43
Section 18.01 Vacation Leave 43
Section 18.02 Sick Leave 44
Section 18.03 Earned Sick and Safe Time (ESST) 45
Section 18.04 Holidays 48
Section 18.05 Funeral Leave 49
Section 18.06 Jury Duty 49
Section 18.07 Court Appearances 49
Section 18.08 Election/Voting 49
Section 18.09 Elected Official 50
Section 18.10 School Conference Leave 50
Section 18.11 Organ/Bone Marrow Donation Leave 50
Section 18.12 Military Service Leave 50
Section 18.13 Civil Air Patrol 51
Section 18.14 Family and Medical Leave 51
(a) Eligibility 51
(b) Types of Leave Covered 52
(c) Definitions 52
(d) Length and Amount of Leave 53
(e) How Leave May be Taken 53
(f) Notice 53
(g) Certification and Documentation Requirements 54
(h) Recertification 54
(i) Reinstatement 55
(j) Notice of Intent to Return from FMLA Leave 55

(k) Effect on Benefits 55
(l) Failure to Return to Work after FMLA 55
(m) Activities Prohibited During FMLA 56
(n) Seniority 56
(o) Use of Accrued Paid Leave or Compensatory Time during Family and Medical Leave . 56
(p) Additional Leave 56
(q) Worker's Compensation 57
Section 18.15 Parenting Leave 57
Section 18.16 Minnesota Paid Leave 57
(a) Employee Application and Eligibility 58
(b) Employee Notification Required 58
(c) Certification and Documentation Requirements 58
(d) Intermittent Leave 59
(e) Concurrent Leaves 59
(f) Supplemental Benefits 59
(g) Health Insurance 59
(h) MPL Fraud 59
Section 18.17 Regular Leave without Pay 59
Section 18.18 Administrative Leave 60
Article XIX. EMPLOYEE BENEFITS 60
Section 19.01 Retirement Plan 61
Section 19.02 Health Insurance 61
Section 19.03 Flexible Spending Account 61
Section 19.04 Health Savings Account 61
Section 19.05 Workers Compensation 62
Article XX. TERMINATION POLICIES 62
Section 20.01 Separation Procedures 62
Section 20.02 Resignation 62
Section 20.03 Layoff 62

Section 20.04 Termination of Health Benefits 62
Section 20.05 COBRA Benefits 62
Section 20.06 Termination of Medical Flexible Spending Plan 63
Article XXI. EXHIBITS 63
Article XXII. FILING AND AMENDMENTS 69

Article III. STATEMENT OF PURPOSE

The Linwood Town Board believes that its sole purpose is to serve the residents of Linwood Township. The Town Board of Township Supervisors understands that qualified, competent Employees are essential to providing key services for the benefit of the community. It is the policy of Linwood Township to treat Employees, and prospective Employees, in a manner consistent with all applicable employment laws and regulations.

Article IV. INTRODUCTION

Section 4.01 Purpose of Handbook

The purpose of these policies is to establish a uniform and equitable system of personnel administration for employees of Linwood Township. This personnel policy manual (collectively referred to as personnel policies) supersedes all previous personnel policies.

Section 4.02 Disclaimer

NOTHING IN THIS MANUAL OR ANY OTHER WRITTEN OR UNWRITTEN POLICIES, COURSE OF CONDUCT, OR PRACTICES OF LINWOOD TOWNSHIP CREATES, OR IS INTENDED TO CREATE, AN EXPRESS OR IMPLIED CONTRACT, COVENANT, PROMISE OR REPRESENTATION BETWEEN LINWOOD TOWNSHIP AND ITS EMPLOYEES.

LINWOOD TOWNSHIP MAY CHANGE OR ELIMINATE POLICIES, OR PORTIONS THEREOF, CONTAINED IN THIS MANUAL AT ITS DISCRETION AT ANY TIME, AND WITHOUT NOTICE.

THIS HANDBOOK DOES NOT VEST IN ANY EMPLOYEE A RIGHT, BENEFIT, OR PRIVILEGE WHICH CANNOT BE CHANGED OR ELIMINATED BY THE LINWOOD TOWN BOARD, IN ITS EXCLUSIVE DISCRETION, AT ANY TIME WITHOUT NOTICE TO EMPLOYEES.

EMPLOYMENT WITH LINWOOD TOWNSHIP IS AT WILL, EXCEPT AS OTHERWISE PROVIDED BY LAW OR CONTRACT. THIS MEANS THAT EMPLOYMENT MAY BE TERMINATED WITH OR WITHOUT CAUSE

AT ANY TIME AT THE OPTION OF EITHER THE EMPLOYEE OR LINWOOD TOWNSHIP. NO TOWNSHIP SUPERVISOR OR OTHER REPRESENTATIVE OF LINWOOD TOWNSHIP HAS AUTHORITY TO ENTER INTO ANY AGREEMENT TO THE CONTRARY UNLESS APPROVED BY THE LINWOOD TOWN BOARD.

Section 4.03 Scope

These policies apply to all employees of Linwood Township. At the discretion of the Town Board, a violation of any provision of these policies may result in disciplinary sanctions up to and including termination.

Section 4.04 Management Rights

The Linwood Town Board retains the full and unrestricted right to operate and manage all manpower, facilities, and equipment; to establish functions and programs, to set and amend budgets; to determine the utilization of technology; to establish and modify the organizational structure; to select, direct, and determine the number of personnel; to establish work schedules, shifts, and hours; to contract for goods or services; to make and enforce reasonable rules and regulations; to take any and all actions necessary to carry out the operations of the employer in situations involving a disaster or emergency; to hire, promote, assign, and transfer employees; to demote, suspend, discipline and terminate employees; to lay off employees; to assign duties, tasks, jobs, hours, shifts, and overtime to employees; and to perform any other managerial right.

Any term and condition of employment shall remain solely within the discretion of the Linwood Town Board to modify, establish or eliminate. The Board may delegate authority over specific terms or conditions of employment in writing; however, any such delegation remains subject to the Board's continuing authority and may be rescinded by the Board at any time.

Section 4.05 Equal Employment Opportunity / Affirmative Action

Linwood Township is committed to providing equal opportunity in all areas of employment, including but not limited to recruitment, hiring, demotion, promotion, transfer, recruitment, selection, lay-off, disciplinary action, termination, compensation and selection for training. Linwood Township will not discriminate against any employee or job applicant on the basis of race, color, creed, religion, national origin, ancestry, sex, sexual orientation, gender/identity expression, disability, age, marital status, genetic information, hair-based race traits, status with regard to public assistance, medical cannabis registry status, veteran status, familial status, membership on a local human rights commission, pregnancy, childbirth, or related medical conditions, reserve or National Guard status, military service, residentship, or any other basis protected by law, except where there is a bona fide occupational qualification.

Section 4.06 Authority to Work in the United States

Pursuant to the Immigration Reform and Control Act of 1986, all employees must complete Section 1 of Form I-9 no later than their first day of employment, and all employees must provide the Township with proof of their identity and authorization to work in the United States within three (3) days of beginning their employment. Re-verification of work authorization will occur when required by federal law.

Section 4.07 Data Practices Advisory

Employee records are maintained in a location designated by the Linwood Town Board. Personnel data is retained in personnel files, finance files, and benefit/medical files and are used to administer benefit programs, process payroll, complete state and federal reports, and document employee performance. These records are maintained in accordance with the Minnesota Data Practices Act, Minn. Stat. 13.43. Public and private classifications apply as defined by law.

Article V. EMPLOYEE RECRUITMENT & SELECTION

Section 5.01 Scope

The Town Board, or a designee formally delegated in writing, shall coordinate the hiring process for positions within the Township. While the hiring process may be coordinated by staff, the Town Board is responsible for the final hiring decision and must approve all hires to Township employment. All hires will be made according to merit and fitness related to the position being filled, consistent with the requirements of the Minnesota Veteran's Preference Act pursuant to Minn. Stat. 197.455. Qualified veterans and spouses entitled to statutory preference will receive such preference in the hiring process before final selection decisions are made.

Section 5.02 Features of the Recruitment System

The Linwood Town Board, or a designee formally delegated in writing, will determine if a vacancy will be filled through an open recruitment or by promotion, transfer or another appropriate method. This determination will be made on a case-by-case basis, although **most** vacancies will be filled through an open recruitment process.

Applications for employment will generally be submitted in accordance with instructions provided by the Linwood Township Board. In certain recruitment situations, the Town Board or its written designee may accept other materials in lieu of a formal application at its sole discretion. All candidates must complete and submit the required application materials by the posted deadline, to be considered for the position. The deadline for application may be extended by the Town Board

or its written designee. Unsolicited applications may not be considered or kept on file for future vacancies.

Position vacancies may be filled on an acting basis as needed. All acting appointments must be approved by the Town Board. Pay rate adjustments associated with an acting appointment, if any, will be determined by the Town Board. Acting appointments do not create any entitlement to permanent appointments.

Section 5.03 Testing and Examinations

Applicant qualifications will be evaluated in one or more of the following methods: training and experience rating; written test; oral test or interview; performance or demonstrative test; physical agility test; or another appropriate job-related exam. All testing and evaluation methods will be job-related and consistent with requirements of the position applied for.

Internal recruitment will be open to any Linwood Township employee who: (1) has successfully completed their probationary period; (2) meets the minimum qualifications for the vacant position; and (3) currently is and for the past year has been in good standing with Linwood Township. The Town Board, or its written designee, may waive the one-year-good-standing requirement at its sole discretion when appropriate.

The Linwood Town Board, or a designee formally delegated in writing, will establish minimum qualifications for each position with input from the Town Board. To be eligible to participate in the selection process, a candidate should meet the minimum qualifications.

All testing and selection procedures will be administered in a manner consistent with the Minnesota Veteran's Preference Act and all other applicable state and federal laws.

Section 5.04 Selection Process

The selection process will be conducted by the Town Board, or a designee formally delegated in writing, subject to final hiring approval of the Town Board. Any, all or none of the candidates may be interviewed.

The Linwood Town Board has the right to make the final hiring decision based on qualifications, abilities, experience and Township needs, consistent with the requirements of the Minnesota Veteran's Preference Act.

The process of hiring seasonal and temporary employees will follow the same recruitment and selection procedures used for regular employees. The Linwood Town Board, or a designee formally delegated in writing, will oversee the hiring process, and each seasonal or temporary appointment is subject to final approval by the Town Board. Except where prohibited by law, seasonal and temporary employees may be terminated through the same process used for regular employees,

with any termination subject to Town Board approval. Such season or temporary employment does not create any expectation of continued or permanent employment.

Section 5.05 Background Checks

All finalists for employment with Linwood Township will be subject to a background check to confirm information submitted as part of application materials and to assist in determining the candidate's suitability for the position. Background checks will be conducted in accordance with applicable state and federal laws, including any position-specific statutory requirements.

Section 5.06 Nepotism

Linwood Township seeks to maintain fairness, avoid conflicts of interest, and preserve public confidence in Township operations, and therefore restricts employment situations in which family relationships could compromise, or reasonably appear to compromise, the integrity of Township decision-making. The Township will not employ two members of the same immediate family in circumstances where one would supervise, evaluate, or otherwise influence the employment conditions of the other, where one would be responsible for auditing or reviewing the work of the other, where the relationship would create an actual or perceived conflict of interest, or where the confidentiality of Township information could reasonably be compromised. For purposes of this policy, immediate family includes individuals related by blood, marriage, or adoption, including spouses, domestic partners, parents, stepparents, children, stepchildren, siblings, stepsiblings, grandparents, grandchildren, and any individuals residing in the same household regardless of legal relationship. Applicants and employees must disclose any such relationship at the time of application or immediately upon the relationship arising, and failure to disclose may result in disciplinary action. The Town Board may approve an exception to this policy when it determines that adequate safeguards can be implemented to eliminate supervisory or auditing conflicts and that the employment relationship will not compromise Township operations or public trust. If a prohibited relationship arises during employment, the Town Board will determine appropriate action, which may include reassignment, restructuring of duties, or other measures to eliminate the conflict, and if no reasonable alternative exists, the Township may require one employee to resign.

Article VI. ORGANIZATION

Section 6.01 Job Descriptions

Linwood Township will maintain job descriptions for each regular position. New positions will be developed as needed but must be approved by the Town Board, prior to the position being filled.

A job description is prepared for each position within Linwood Township. Each job description will include: position title, department, Township Supervisor's title, FLSA status (exempt or nonexempt), primary objective of the position, essential functions of the position, examples of performance criteria, minimum requirements, desirable training and experience, Township Supervisory responsibilities (if any), and extent of Township Supervisory direction or guidance provided to position. Good attendance and compliance with work rules and policies, such as this handbook, are essential functions of all Linwood Township positions. Failure to adequately perform the duties outlined in an employee's job description, or failure to demonstrate the qualifications required for the position, may serve as grounds for a performance evaluation. Based on the outcome of that evaluation, the Township may impose corrective measures, up to and including termination, in accordance with applicable law and this handbook.

A current job description is provided to each new employee. The Town Board, or written designee, are responsible for revising job descriptions as necessary to ensure that the position's duties and responsibilities are accurately reflected. All revisions are reviewed and must be approved by the Town Board.

Section 6.02 Assigning and Scheduling Work

Assignment of work duties and scheduling work is the responsibility of the Town Board, or designee delegated to, by the Board in writing.

Section 6.03 Job Descriptions and Classifications

Assignment of job titles, establishment of minimum qualifications, and the maintenance of job descriptions and related records is the responsibility of the Town Board.

Article VII. WORK HOURS

Section 7.01 Workweek and Work Hours

Employee work schedules and opportunities to work remotely will be established by the Town Board. The regular workweek for most full-time employees is five eight-hour days in addition to a lunch period, Monday through Friday with normal Work Hours being 8am to 4:30pm, except as otherwise approved in writing by the Town Board in accordance with the customs and needs of the individual departments.

Section 7.02 Meal Breaks and Rest Periods

For nonexempt employees, a paid fifteen (15) minute paid break is allowed within each four (4) consecutive hours of work, and an unpaid thirty (30) minute lunch period is provided when an

employee works six (6) or more consecutive hours. It is essential for employees to take their breaks even during urgent work such as snow plowing.

Rest and meal breaks are not allowed to be accumulated, nor are they to be substituted for tardiness, "early outs" or longer meal periods.

Employees who are unable to take all of their meal or rest breaks to which they are entitled to in accordance with this policy or who have been prevented or discouraged from taking a break to which they are entitled under this policy should immediately notify the town's Coordinator.

Linwood Township will fully comply with Minn. Stat. 181.939 by providing reasonable break time each day to a nursing mother or lactating employee who needs to express breast milk. The break time will be paid unless you are expressing milk during a break that is not usually paid, such as a meal break. The break time, if possible, should run concurrently with any break/meal time period already provided to the employee. If you cannot use your break times for this purpose, please discuss your needs with the Town's Coordinator. The Township will assist employees in finding a private space where the employee can express milk. No retaliation or negative action will occur against a lactating employee for exercising their rights under this section. If you feel you have been retaliated against, you are expected to report it using the Reporting Policy in the Protected Class Harassment policy in this handbook. Additionally, you may have legal remedies under Minnesota law.

Section 7.03 Adverse Weather Conditions

Township facilities will generally be open during adverse weather. Due to individual circumstances, each Employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees who are not reporting to work or leaving early for reasons of personal safety will not receive compensation for hours not worked. In the event of adverse weather conditions, employees will be allowed to use accrued ESST/vacation time or compensatory time; or with the town's Coordinator or Town Board approval may modify their work schedule or make other reasonable schedule adjustments. Public Works employees will generally be required to report to work regardless of conditions.

Article VIII. COMPENSATION AND EMPLOYMENT CLASSIFICATION

Section 8.01 Establishment

Full-time employees of Linwood Township will be compensated according to schedules adopted by the Town Board. Expense reimbursements or travel expenses may be authorized by the town's

Coordinator or Town Board in addition to regular pay in accordance with Township policy, including but not limited to this handbook.

Compensation for part-time, seasonal, and temporary employees will be determined by the Town Board at the time of hire, or on an annual basis. Expense reimbursements or travel expenses may be authorized by the town's Coordinator or Town Board in addition to regular pay in accordance with Township policy, including but not limited to this handbook.

Section 8.02 Wage Disclosure

Under the Minnesota Wage Disclosure Protection Law, employees have the right to disclose the amount of their own wages to any person. In addition, the Minnesota Government Data Practices Act (Minn. Stat. 13.43) classifies certain wage information, such as an employee's actual gross salary and salary range, as public personnel data. In accordance with Minn. Stat. 181.102, employers may not:

- Require nondisclosure by an employee of his or her wages as a condition of employment.
- Require an employee to sign a waiver or other document which purports to deny an employee the right to disclose the employee's wages.
- Take any adverse employment action against an employee for disclosing the employee's own wages or for discussing another employee's wages which have been voluntarily disclosed by that employee.

Linwood Township cannot retaliate against an employee for asserting rights or remedies under Minn. Stat. 181.102, subd. 3. An employee's remedies under the Wage Disclosure Protection Law are to bring a civil action against the Township and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or (800) 342-5354.

Section 8.03 Improper Deduction and Overpayment

If an employee believes that an improper deduction or overpayment, or another type of error, has been made, he/she should immediately contact the town's Coordinator. If the Township determines it has made an improper deduction from a paycheck, it will reimburse the employee for the improper amount deducted and take good faith measures to prevent improper deductions from being made in the future.

In cases of improper overpayments, employees are required to promptly repay the Township in the amount of the overpayment. The employee can write a personal check or authorize a reduction in pay to cover their payment. The Township will not reduce an employee's pay without written authorization by the employee.

Once the overpayment has been recovered in full, the employees' year-to-date earnings and taxes will be adjusted, and the Township will receive the corresponding credit. When an overpayment occurs, the repayment must be made within the same tax year.

Section 8.04 Time Reporting

All Employees are required to record their daily work time by entering it into the designated time reporting system at the start and end of each workday.

Employees must report IN with the designated time reporting system prior to the start of their work shift and be ready to begin work at their work assignment at the starting time of the shift. Employees must report OUT with the designated time-reporting system at the end of their work shift.

Non-exempt employees must report OUT with the designated time reporting system for their unpaid 30-minute meal break and report IN with the designated time reporting system when the meal break ends. Employees are not required to report with the designated time reporting system for brief paid breaks, such as restroom breaks.

Employees who leave during the middle of their shift for approved leave and then return to work must report with the designated time-reporting system when they leave and again when they return to work.

The Town Board or town's Coordinator must authorize any overtime. Employees must report with the designated time reporting system when reporting for overtime if not a continuance to time already worked that day.

Any time system malfunctions must be reported immediately to the town's Coordinator.

Section 8.05 Overtime Pay

All non-exempt Employees will be compensated at the rate of time and one-half for all hours worked over 40 hours in one workweek. The workweek is considered to be Sunday through Saturday. Vacation, sick leave and paid holidays do not count toward hours worked. The Town Board or town's Coordinator must approve overtime hours in advance. Overtime earned will be paid on the next regularly scheduled payroll date.

Employees who are required to work on an actual holiday will receive premium pay at two times their regularly hour rate for the hours worked on the actual holiday. Employees who are required to work on an observed holiday may receive a different paid day off within a two-week pay period if desired and approved by the town's Coordinator.

Emergency Pay, at time and one half the employee's regular hour rate, will be paid for work performed outside the employee's regular work schedule when the employee is called in by a designated supervisor or the town's Coordinator. A minimum of one and one half (1.5) hours will be paid for emergency callouts. This premium does not apply to snowplowing performed outside of the regular work schedule.

Section 8.06 Exempt Employees

Employees that are excluded from the overtime pay requirements of the Fair Labor Standards Act. Exempt Employees are paid a salary and may be expected to work beyond their normal work hours whenever necessary to accomplish their work. Exempt Employees are not eligible to receive overtime compensation.

Section 8.07 Non- Exempt Employees

Non-Exempt Employees are those eligible for overtime pay of 1.5 times the regular hourly rate of pay for all hours worked over 40 hours in a work week. All overtime must be approved in advance by the town's Coordinator or employee's assigned supervisor. Employees should consult the town's Coordinator if they have questions regarding their classification as a non-exempt Employee.

Section 8.08 Employment Classes and Paid Volunteers

- Full-time Employees who work at least 40 hours per week on a regularly scheduled basis receive a Full-time classification.
- Part-time Employees work less than 40 hours per week on a regularly scheduled basis receive a Part-time classification.
- Temporary Employees may work either part-time or full-time but generally are scheduled to terminate by a certain date or upon completion of a specific project.
- On-call Employees are assigned to work on an intermittent and/or unpredictable basis.
- Probationary Employees are newly hired Employees who are on probation for the first 60 days, or other timeframe based on the terms of their employment. Employees accrue vacation and sick time during this probationary period and are available for use immediately upon employment commencement.
- Fire Fighters are considered paid volunteers and are paid monthly on an on-call basis.

Section 8.09 Compensatory Time

Compensatory time ("comp time") is available only to non-exempt employees as defined by the Fair Labor Standards Act (FLSA). Comp time may be earned in lieu of paid overtime when approved in advance by the employee's assigned supervisor or the town's Coordinator. Comp time will accrue at the rate of one and one half (1.5) hours for each overtime hour worked. The maximum

amount of compensatory time that may be accrued is forty (40) hours. Once an employee reaches the forty hour limit, any additional overtime hours worked will be paid at the applicable overtime rate.

Use of compensatory time must be scheduled and approved in advance by the employee's assigned supervisor or the town's Coordinator, taking into account the operational needs of the Township. The Township may direct an employee to use accrued compensatory time in order to manage accrual balances. Upon separation of employment, all accrued compensatory time will be paid out at the employee's regular hourly rate of pay in accordance with the FLSA. Compensatory time is not available to exempt employees.

Article IX. PERFORMANCE MANAGEMENT

Section 9.01 Performance Reviews

Linwood Township employees are essential to providing services to the public. To provide high quality, efficient and cost-effective services, the performance of employees is crucial. Therefore, Linwood Township is committed to a performance management system for its employees that communicates performance expectations for job duties and responsibilities, workplace standards and goals and objectives; identifies an employee's strengths and areas for improvement in meeting these expectations; and fosters an employee's job development. To meet this commitment, Linwood Township promotes the following:

1) Ongoing feedback from the town's Coordinator and/or employee's assigned supervisor;
2) Developing and rewarding good performance;
3) Formal personnel actions as necessary and consistent with the law to address performance problems through coaching, counseling, performance improvement plans and/or progressive discipline; and
4) An annual performance evaluation conducted consistently with the law that addresses prior and future performance of the employee. Such evaluations may also be conducted on an as needed basis based upon performance-related issues at the discretion of the town's Coordinator and/or town Board.

An objective performance review system will be established by the Town Board or designee for the purpose of periodically evaluating the performance of Township employees. The quality of an employee's past performance will be considered in personnel decisions such as promotions, transfers, demotions, terminations and, where applicable, individual salary adjustments.

Performance reviews will be discussed in closed session with the employee, unless the employee requests their evaluation be conduction in open session, thereby waiving the protections afforded

to the employee's personnel data as private data on individuals pursuant Minnesota Statutes 13.43, Subdivision 4. The Town Board shall identify the individual to be evaluated prior to closing a meeting. After a performance evaluation conducted in closed session, at its next open meeting, the Town Board shall summarize its general conclusions regarding the evaluation.

Performance reviews are to be scheduled on a regular basis, at least annually, but may be conducted on an as needed basis for performance-based issues. The performance evaluation form, with all required signatures, will be retained as part of the employee's personnel file. Pursuant to Minnesota Statutes 13D.05,

During the probationary period, informal performance meetings may occur frequently between the town's Coordinator and the employee. Conducting these informal performance meetings provides both the town's Coordinator and the employee with the opportunity to discuss what is expected, what is going well and not so well.

Signing of the performance review document by the employee acknowledges the review has been discussed with the town's Coordinator and/or designated Township Supervisor(s) and does not necessarily constitute agreement. Failure to sign the document by the employee will not delay processing.

Section 9.02 Wage Reviews

Employee wage reviews will be done once per year following the scheduled annual performance review. Individual wages will be reviewed, and adjustments will be made based on the performance review and overall job performance. Employees that are earning minimum wage may receive a wage adjustment other than at the annual wage review based on the new minimum wage mandates.

Additional wage reviews may be conducted if there is a change in an employee's job duties, responsibilities or taking on additional roles. These will be looked at on a case-by-case basis and brought to the Town Board for review by the town's Coordinator. This additional wage review may apply to a new hire that has not gone through the 60-day probationary period at the time of the annual wage reviews.

Article X. DISCIPLINE

Section 10.01 General Policy

The town's Coordinator and Town Board are responsible for maintaining compliance with Linwood Township standards of employee conduct established by this handbook. The objective of this handbook is to establish a standard disciplinary process for employees of Linwood Township.

Employees will be subject to disciplinary action for failure to fulfill their duties and responsibilities at the level required, including observance of work rules and standards of conduct and applicable Township policies. Failure to abide by the policies established in this handbook and the expectations set forth in an employee's job description may result in disciplinary sanctions, up to and including termination.

Section 10.02 No Contract Language Established

This policy is not to be construed as contractual terms and is intended to serve only as a guide for employment discipline.

Section 10.03 Process

Linwood Township may elect to use progressive discipline, a system of escalating responses intended to correct the negative behavior rather than to punish the employee. There may be circumstances that warrant deviation from the suggested order or where progressive discipline is not appropriate. Nothing in these Personnel Policies implies that any Township employee has a contractual right or guarantee (also known as a property right) to the job he/she performs.

Documentation of disciplinary action taken will be placed in the employee's personnel file with a copy provided to the employee.

(a) Employee Complaint Procedure

Employees who have workplace concerns or complaints that do not involve harassment, discrimination, or violations covered under the Respectful Workplace Policy may use the following complaint procedure:

Step 1 – Report to the Coordinator

The employee should first bring the complaint to the Coordinator, who serves as the employee's assigned supervisor. Upon receiving a complaint, the Coordinator will relay the information to the Town Attorney and to any third party HR service utilized by the Township, and will attempt to resolve the issue promptly.

Step 2 – Report to the Board Chair

If the complaint is not resolved at Step 1, or if the complaint involves the Coordinator, the employee may submit the complaint directly to the Town Board Chair. The Board Chair will review the matter and will keep the Town Attorney and any third party HR service informed throughout the process.

Step 3 – Appeal to the Town Board

If the matter remains unresolved after review by the Board Chair, the employee may request that the complaint be placed on a Town Board agenda for final consideration and determination.

(b) Confidentiality of Complaint Information

Complaints and allegations handled under this procedure will almost always involve private personnel data under the Minnesota Government Data Practices Act. Township employees and officials must not disclose or discuss such information publicly unless and until the Town Board makes a final determination resulting in public disciplinary data.

(c) Types of disciplinary actions

- Oral Reprimand

  An oral reprimand is a formal conversation between the town's Coordinator and/or designated supervisor and the employee identifying a performance or conduct concern, clarifying expectations, and outlining the steps needed to correct the issue. The town's Coordinator or designated supervisor should document that the conversation occurred, including the date, the concern discussed, and the expectations moving forward. Oral reprimands are typically used for first-time or minor issues where coaching is likely to resolve the problem.

- Written Reprimand

  A written reprimand is a formal written notice to the employee describing the performance or conduct issue, the expectations for improvement, and the consequences of failing to improve. The written reprimand becomes part of the employee's personnel file. This action is appropriate when prior coaching or oral reprimands have not resolved the issue, or when the conduct is more serious and requires a documented corrective plan.

- Suspension With or Without Pay

  A suspension temporarily removes the employee from the workplace due to serious misconduct or repeated performance issues. Suspensions may be with or without pay, depending on the circumstances and applicable law. The Township must clearly communicate the reason for the suspension, its duration, and the expectations for returning to work. Suspensions are typically used when the employee's presence at work is disruptive, when investigation is needed, or when the seriousness of the issue warrants a significant consequence.

- Demotion and/or Transfer

  A demotion or transfer may be used when an employee is unable to perform the essential duties of their current position, when performance has not improved despite prior

corrective action, or when the town's Coordinator and Town Board determines that reassignment is in the best interest of operations. A demotion may involve a change in job title, responsibilities, or pay. A transfer may involve reassignment to a different position or department. These actions should be used thoughtfully and only when they are a reasonable and lawful response to the performance or conduct issue.

- Salary Change

  A salary change may be imposed when performance deficiencies or misconduct justify a reduction in pay, or when a demotion results in placement at a lower pay grade. Any salary change must be approved by the Town Board and must comply with applicable law and the Township's compensation structure. This action is appropriate when other corrective measures have not been effective or when the seriousness of the issue warrants a financial consequence.

- Termination

  Termination is the separation of the employee from Township employment. It is used when misconduct or performance issues are severe, when prior corrective actions have not resulted in improvement, or when continued employment is no longer in the best interest of the Township. Termination decisions must comply with all applicable laws, including due-process requirements for public employees, and must be approved by the Town Board. Termination should be supported by clear documentation of the reasons for the decision.

Article XI. RESPECTFUL WORKPLACE POLICY

The intent of this policy is to provide general guidelines about the conduct that is and is not appropriate in the workplace. Linwood Township acknowledges that this policy cannot possibly predict all situations that might arise and recognizes that some employees are exposed to disrespectful behavior, and even violence, by the very nature of their jobs.

Section 11.01 Applicability

Maintaining a respectful work environment is a requirement of employment with Linwood Township. This policy is applicable to all Linwood Township personnel, including regular and temporary employees.

Section 11.02 Abusive Customer Behavior

While Linwood Township has a strong commitment to customer service, the Township does not expect that employees accept verbal abuse from any resident or customer. An employee may

request that the town's Coordinator or a supervisor intervene when a resident or customer is abusive, or they may defuse the situation themselves, including ending the contact.

If there is a concern over the possibility of physical violence, the town's Coordinator and a supervisor should be contacted immediately. When extreme conditions dictate, 911 may be called or the panic button may be used. Employees should remain in secure areas or leave the area immediately when violence is imminent unless their duties require them to remain. Employees must notify the town's Coordinator about the incident as soon as possible and the town's Coordinator shall immediately report the situation to the Town Board in writing.

Section 11.03 Types of Disrespectful Behavior

The following types of behaviors cause a disruption in the workplace, may result in disciplinary sanctions up to and including termination, and are, in many instances, unlawful:

1) Violent behavior:

Includes the use of physical force, harassment, bullying or intimidation.

2) Discriminatory behavior:

Includes inappropriate remarks about or conduct related to a person's race, color, creed, religion, national origin, disability, sex, marital status, age, sexual orientation, familial status, or status with regard to public assistance, veteran status, membership on a local human rights commission, pregnancy, childbirth, or related medication conditions, reserve or National Guard status, military service, residentship, or any other basis protected by law, except where there is a bona fide occupational qualification.

3) Offensive behavior:

May include such actions as: rudeness, angry outbursts, inappropriate humor, vulgar obscenities, name calling, disparaging language, or any other behavior regarded as offensive to a reasonable person based upon violent or discriminatory behavior as listed above. It is not possible to anticipate in this policy every example of offensive behavior. Accordingly, employees are encouraged to discuss with their fellow employees, town's Coordinator and/or designated supervisor what is regarded as offensive, taking into account the sensibilities of employees and the possibility of public reaction. Although the standard for how employees treat each other and the general public will be the same throughout the Township, there may be differences between work groups about what is appropriate in other circumstances unique to a work group. If an employee is unsure whether a particular behavior is appropriate, the employee should request clarification from the town's Coordinator.

4) Sexual harassment:

Can consist of a wide range of unwanted and unwelcome sexually directed behavior such as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submitting to the conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submitting to or rejecting the conduct is used as the basis for an employment decision affecting an individual's employment; or
- Such conduct has the purpose or results of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Sexual harassment includes, but is not limited to, the following:

- Unwelcome or unwanted sexual advances. This means stalking, patting, pinching, brushing up against, hugging, cornering, kissing, fondling or any other similar physical contact considered unacceptable by another individual.
- Verbal or written abuse, kidding, or comments that are sexually oriented and considered unacceptable by another individual. This includes comments about an individual's body or appearance where such comments go beyond mere courtesy, telling dirty jokes or any other tasteless, sexually oriented comments, innuendos or actions that offend others.
- Requests or demands for sexual favors. This includes subtle or obvious expectations, pressures, or requests for any type of sexual favor, along with an implied or specific promise of favorable treatment (or negative consequence) concerning one's current or future job.

Section 11.04 Employee Response to Disrespectful Workplace Behavior

Employees who believe that disrespectful behavior is occurring are encouraged to deal with the situation in one of the ways listed below. However, if the allegations involve violent behavior, sexual harassment, or discriminatory behavior, then the employee is responsible for taking one of the actions below. If employees see or overhear a violation of this policy, they are encouraged to follow the steps below.

1) Politely, but firmly, tell whoever is engaging in disrespectful behavior how you feel about their actions. Politely request the person to stop the behavior because you feel intimidated, offended, or uncomfortable. If practical, bring a witness with you for this discussion.
2) If you fear adverse consequences could result from telling the offender or if the matter is not resolved by direct contact, go to town's Coordinator and/or a designated supervisor. The town's Coordinator or designated supervisor to whom you speak is responsible for documenting the issues, reporting them to the Town Board, and for giving you a status report on the matter after your report.

3) In the case of violent behavior, all employees are required to report the incident immediately to town's Coordinator or a designated supervisor or law enforcement. Any employee who observes sexual harassment or discriminatory behavior, or receives any reliable information about such conduct, must report it within two business days to the town's Coordinator or designated supervisor

Section 11.05 Response to Allegations of Disrespectful Workplace Behavior

Employees who have a complaint of disrespectful workplace behavior will be taken seriously. In the case of sexual harassment or discriminatory behavior, the town's Coordinator or designated supervisor must report the allegations within two business days to the chairperson of the Town Board or designated supervisor(s) who will determine whether an investigation is warranted, preferably in consultation with the Town Attorney. The town's Coordinator or designated supervisor must act upon such a report even if requested otherwise by the victim. In situations other than sexual harassment and discriminatory behavior, the town's Coordinator will use the following guidelines when an allegation is reported:

1) If the nature of the allegations and the wishes of the victim warrant a simple intervention, the town's Coordinator may choose to handle the matter informally. The town's Coordinator may conduct a coaching session with the offender, explaining the impact of his/her actions and requiring that the conduct not reoccur. This approach is particularly appropriate when there is some ambiguity about whether the conduct was disrespectful.
2) If a formal investigation is warranted, the individual alleging a violation of this policy will be interviewed to discuss the nature of the allegations. The investigator will obtain the following description of the incident, including date, time and place:
    a. Corroborating evidence.
    b. A list of witnesses.
    c. Identification of the offender.
3) The town's Coordinator must notify the Town Board about the allegations. Along with noticing the allegations and the date of the disciplinary hearing, the town's Coordinator or Town Board shall provide the alleged policy violator with a Tennessen Warning. If termination may result in suspension, demotion, alteration in pay, or termination, the notice provided to the alleged policy violator should include notice of the alleged violator's right to hear from the alleged violator on why such sanctions are inappropriate prior to imposing disciplinary sanctions.
4) As soon as practical after receiving the written or verbal complaint, the alleged policy violator will be informed of the allegations and notified of a closed investigative disciplinary hearing to be held in accordance with Minnesota Statutes 13D.05, Subdivision 2(b). The

alleged policy violator retains the right to request such disciplinary hearing is held in open session, and in doing so waives the protections afforded to personnel data as private data on individuals pursuant to Minnesota Statutes 13.43, Subdivision 4. The alleged violator will have the opportunity to answer questions and respond to the allegations at the disciplinary hearing. During the disciplinary hearing, the Town Board will determine by majority vote whether or not discipline is warranted. Without determining which sanction is appropriate in closed session, the Board should determine whether disciplinary sanctions impacting the alleged violator's pay remain an option. If so, the Board should afford the alleged violator a final opportunity to state their case on why such discipline impacting their pay is not warranted, thereby satisfying the Loudermill hearing requirement established by Cleveland Board of Education v. Loudermill. The Town Board will not impose discipline in closed session, but rather open session pursuant to Minnesota Statutes 13D.05, Subdivision 2(b).

5) After adequate investigation and a disciplinary hearing, if the Town Board determined that discipline is warranted in closed session (unless already in open session at the request of the alleged policy violator), the Town Board will return to open session prior to deciding what disciplinary sanction is appropriate and imposing such sanction pursuant to Minnesota Statutes 13D.05, Subdivision 2(b).
6) The alleged violator and complainant will be advised of the findings and conclusions as soon as practicable and the extent permitted by law.

Section 11.06 Special Reporting Requirements

If the town's Coordinator or designated supervisor is perceived to be the cause of a disrespectful workplace behavior incident, a report will be made to the Town Attorney who will confer with the township's HR consultant. The Town Board Chairperson and/or the Town Board may be consulted regarding appropriate investigation and action.

Section 11.07 Confidentiality

A person reporting or witnessing a violation of this policy cannot be guaranteed anonymity. The person's name and statements may have to be provided to the alleged offender. All complaints and investigative materials will be contained in a file separate from the employee's personnel files involved. If disciplinary action does result from the investigation, the results of the disciplinary action will then become a part of the employee(s) personnel file(s).

Section 11.08 Retaliation

Consistent with the terms of applicable statutes and this handbook, the Town Board may discipline any individual who retaliates against any person who reports alleged violations of this policy. The Town Board may also discipline any individual who retaliates against any participant in an

investigation, proceeding, or hearing relating to the report of alleged violations. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Article XII. WORK RULES AND CONDUCT

Section 12.01 Conduct as a Linwood Township Employee

In accepting Linwood Township employment, employees become representatives of the Township and are responsible for assisting and serving the residents for whom they work. An employee's primary responsibility is to serve the residents. Employees should exhibit conduct that is ethical, professional, responsive, and of standards becoming of a Linwood Township employee. To achieve this goal, employees must adhere to established policies, rules, and procedures and follow the instructions of the town's Coordinator, designated supervisors and the Town Board.

The following are job requirements for every position at Linwood Township. All employees are expected to:

- Perform assigned duties to the best of their ability at all times.
- Render prompt and courteous service to the residents at all times.
- Read, understand and comply with the rules and regulations set forth in this employee handbook and in their respective job descriptions.
- Take direction from the town's Coordinator or designated supervisor.
- Conduct themselves with decorum toward both residents and staff and respond to inquiries and information requests with patience and every possible courtesy.
- Report all unsafe conditions to the town's Coordinator or designated Township Supervisor.
- Maintain good attendance.

Section 12.02 Attendance & Absence

The operations and standards of service in the organization require that employees be at work unless valid reasons warrant absence. For a team to function efficiently and effectively, employees must be on the job. Attendance is an essential function of every Township position. Employees who are going to be absent from work are required to notify the town's Coordinator as soon as possible in advance of the absence. In case of unexpected absence, employees should notify the town's Coordinator before the scheduled starting time. If the town's Coordinator is not available at the time, the employee should leave a message that includes a telephone number where he/she can be reached and/or contact any other individual who was designated by the town's Coordinator. Failure to use established reporting process will be grounds for disciplinary action consistent with what is permitted by law. Departments may establish more specific reporting procedures.

The employee must notify the town's Coordinator on each day of an absence extending beyond one (1) day unless arrangements otherwise have been made. Employees who are absent for three (3) days or more and who do not report the absence in accordance with this policy, will be considered to have abandoned their position and voluntarily resigned not in good standing. The Town Board may waive this rule if extenuating circumstances warranted such behavior. This policy does not preclude the Town Board from administering discipline for unexcused absences of less than three (3) days.

Section 12.03 Use of Township Property

Linwood Township will provide employees with the necessary equipment to do his/her job. None of this equipment should be used for personal use, nor removed from the physical confines of the Township, unless it is approved and the job specifically requires use of Township equipment outside the physical property of Linwood Township.

Employees are responsible for the safekeeping and care of all Township equipment. The duplication of keys owned by the Township is prohibited unless authorized by the Town Board. Any employee found having an unauthorized duplicate key will be subject to disciplinary action. Access codes and security cards will be assigned to each employee as needed. Sharing any access information may lead to disciplinary action, including termination of employment.

Computer equipment should not be used for personal purposes, and use may be monitored at the discretion of the Town Board. Installing programs on a Township computer is prohibited unless permitted by the Town Board.

All messages sent by or received on those systems are considered Township property. The Township reserves the right to access and to disclose the messages that are sent or received on the voice mail or e-mail systems.

Section 12.04 Use of Technology

(a) Computer, E-mail, & Internet Usage

The integrity of Linwood Township's computer facilities, including laptop computers, printers and all associated equipment, is critical to Linwood Township's mission in providing the highest quality service to its customers. Accordingly, all employees having access to Linwood Township's computer equipment are required to comply with this policy. Violations of any part of this policy may lead to disciplinary action up to and including termination of employment.

All equipment and technology are the property of Linwood Township and therefore employees should have no right or expectation of privacy. To ensure compliance with this policy, the Town Board and town's Coordinator reserve the right to monitor an employee's Internet traffic, and

retrieve and read any data composed, sent, or received through Linwood Township computers and stored in Linwood Township computer systems.

Computer, e-mail, and Internet access are provided by Linwood Township to assist employees in completing their work, improving their efficiency and obtaining work-related data and technology. The following guidelines have been established to help ensure responsible and productive computer usage.

The only software that is permitted on personal employee devices, including cellphones, is an employee's Linwood Township email account and town board approved time reporting application. Computers (including the e-mail system, Internet access, computer files, and software furnished to employees) are the property of Linwood Township and are intended for business use. As a result, employees have no right to privacy for any use to which they may put the computers (including the e-mail system, Internet access, computer files, and software furnished to employees) Linwood Township has provided. Similarly, Linwood Township reserves the right to monitor any and all use to which Linwood Township equipment, networks, or resources may be put, regardless of whether the use is personal in nature, or occurs during non-working time.

While computer usage (including e-mail and Internet access) is intended for job-related activities, incidental and occasional brief personal use may be permitted within reasonable limits. However, where possible, such use should be confined to non-working times such as lunch breaks, or before or after work, and should not interfere with an employee's performance of his or her job. Similarly, employees making personal use of computers should not download large files, access streaming audio or video, or visit social media sites or chat rooms. Employees who are found to have abused these privileges are subject to suspension of computer access privileges, and/or discipline, up to and including termination.

Employees are required to use Township computer systems when conducting Township-related business. Use of personal devices is not allowed, and any use of a personal device for Township-related business subjects your personal device to data practices requests and other requests of the Town Board for its government records. The only exception to this policy is the use of a personal cell phone to enter work time into the township's approved time reporting system.

(b) Consequences of Policy Violations

Abuse of computer, Internet and e-mail system access provided by Linwood Township will result in suspension of Internet/e-mail privileges, and/or disciplinary action, up to and including termination of employment. Employees may also be held personally liable for any violations of this policy. Employees should notify the town's Coordinator or designated supervisor(s) upon learning of violations of this policy.

(c) Electronic Communications

Linwood Township's employees communicate with each other and non-employees in a variety of ways including, but not limited to, e-mail and communication systems such as voice mail, and telephone or video conferencing. Linwood Township provides these systems for business use to employees during their employment. Excessive use of the electronic communication systems for personal business is not permitted, and personal use shall not occur during work time. Electronic communications systems are considered Linwood Township's property and constitute business records. These communications are not considered private and may be monitored, observed, tracked or otherwise accessed by Linwood Township at any time, with or without notice at the sole discretion of management in accordance with applicable laws. An employee's use of Linwood Township's communications system is considered consent to such monitoring or other access. Linwood Township reserves the right to override passwords or codes for Linwood Township business. Employees are expected to provide all passwords or codes upon request.

Electronic communications may be stored and otherwise used or forwarded as determined by Linwood Township. Linwood Township retains the sole right to implement and execute data retention and deletion systems.

Employees who misuse these systems, or allow others to, may be subject to disciplinary action, up to and including termination. Linwood Township assumes no liability, vicarious or otherwise, for any employee misuse of Linwood Township's electronic communication systems.

(d) Guidelines

All electronic communications should be kept professional in style and content. Data that is not public, including but not limited to private personnel data on others, confidential data, or attorney-client privilege correspondence, may not be sent through electronic communications systems outside that of Linwood Township's or to employees outside the scope of their employment.

Linwood Township's Equal Employment Opportunity and Respectful Workplace policies apply to all forms of communication, including the use of all electronic communication systems. The use of electronic communication systems to send data or other information that may violate these policies is prohibited.

Employees are not permitted to override Linwood Township personal passwords or other protective devices without authorization from the town's Coordinator.

Section 12.05 Conflict of Interest

The credibility of local government rests heavily upon the confidence that residents have in public officials and employees to render fair and impartial services to all residents without regard to

personal interest and/or political influence. Thus, employees must scrupulously avoid any activities that suggest a conflict of interest between their private interests and Township responsibilities.

This Policy seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what Township employees may do on the job and after hours, as described below:

1) Taking a second paid job that conflicts with the duties of your Township job is prohibited.
2) No Township employee shall engage in any work, employment or occupation outside his or her Township employment, which is detrimental to the service, which prevents or impedes the efficient performance of his or her duties in their Township employment, or which is in any way in conflict with their employment by the Township.

A Township employee may not accept other paid employment if the responsibilities of the second job are incompatible with his or her Township position. The Town Board specifically determines that this portion of the Policy does not apply to employees of the Linwood Township Fire Department who may also be members of other local community Fire Departments. Receiving pay from anyone other than the Township to work on a matter involving the Township is prohibited. Acting as agent for anyone other than the Township in a matter involving the Township is also prohibited whether or not you are paid.

Because the Township is entitled to the undivided loyalty of its employees, a Township employee may not be paid by other people and organizations in relation to a matter if the Township has an interest in the matter. In addition, a Township employee may not act on behalf of other people and organizations in which the Township has an interest. Acting as agent includes contacting the Township in person, by phone, or in writing; acting as a liaison; providing documents to the Township; preparing documents for submission to the Township on behalf of another and serving as spokesman.

The Town Board may impose reasonable conditions or limitations upon any outside work, employment or occupation or may order an employee to terminate such outside work if it is deemed in violation of this Policy. Any violation of any provision of this Policy may be deemed grounds for discharge or other disciplinary action.

If an employee has any questions about whether a conflict of interest exists, he/she should bring the issue before the Town Board for consultation and a potential decision on whether a conflict exists.

Section 12.06 Non-Disclosure

The protection of confidential information is vital to the interests and the success of Linwood Township. Such confidential information includes, but is not limited to, the following examples: Compensation data, computer processes, computer programs and codes, financial information.

All Employees may be required to sign a confidentiality agreement as a condition of employment. Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information. This provision does not apply to any data that is classified as public data under state law.

Section 12.07 Falsification of Records

Any employee who makes false statements or commits, or attempts to commit, fraud in an effort to prevent the impartial application of these policies will be subject to immediate disciplinary action up to and including termination and potential criminal prosecution.

Section 12.08 Tobacco

Linwood Township observes and supports the Minnesota Clean Indoor Air Act. All Linwood Township buildings and vehicles, in their entirety, shall be designated as tobacco free, meaning that any use of tobacco, smoking in any form through the use of tobacco products (pipes, cigars and cigarettes) or vaping with e-cigarettes is prohibited while in a Linwood Township facility or vehicle.

Smoking of any kind, including pipes, cigars, cigarettes, vaping with e-cigarettes and the use of chewing tobacco is prohibited for employees while on duty. Employees 21 and over are allowed to smoke only during their breaks and lunch, and only in areas designated for that purpose.

Section 12.09 Outside Employment

Employees generally are permitted to work another job if it does not interfere with their job performance or create a conflict of interest with Linwood Township. All employees, including part-time employees, must obtain prior approval from the Town Board before undertaking any outside employment or other work activity.

Employees with another job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work overtime or different hours. In addition, employees who have accepted outside employment may not use paid leave time to work on the outside job.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action up to and including termination.

Employees may not conduct outside work or use Linwood Township property, equipment or facilities in connection with outside work while on Linwood Township time.

Article XIII. DATA, COMMUNICATIONS, AND PRIVACY

Section 13.01 Data Practices

All data collected, received, or maintained by Linwood Township, including data collected, received, or maintained by Linwood Township employees are governed by the Minnesota Government Data Practices Act ("MGDPA"). All employees must exercise extreme care to maintain data in accordance with the provisions of that law. Employees **shall never** release any private, nonpublic, or confidential data to any non-Linwood Township employee (including, but not limited to, employee's families, friends, and spouse) or to any Linwood Township employee not officially concerned with the information.

If an employee is uncertain whether data is public or nonpublic, private or whether the data can be released, accessed or discussed, the employee **must** consult with the town's Coordinator or Clerk and the applicable policies and provisions of the MGDPA.

Employees are not permitted to create audio or video data in their capacity as a Linwood Township employee unless explicitly authorized to do so. Any audio or video data created must be turned over to the Linwood Township responsible authority as such data belongs to Linwood Township and Linwood Township has an obligation to retain such data under MGDPA.

An employee found to have violated the MGDPA or the provisions of this section may be subject to disciplinary action, up to and including immediate termination.

Section 13.02 Personnel File

The Township will maintain a personnel file on each employee. These files are maintained in accordance with the Minnesota Government Data Practices Act and other laws related to the collection and retention of information. Linwood Township will release copies of records in the personnel file only in accordance with the Minnesota Government Data Practices Act or other lawful authorities.

Section 13.03 Official Communications

All Linwood Township employees have a responsibility to help communicate accurate and timely information to the public about Linwood Township business in a professional manner. Requests for

private data or information outside of the scope of an individual's job duties should be routed to the appropriate department or to the data practices authority. Any employee who makes or notices a mistake in a communication should bring the error to the town's Coordinator. Regardless of whether the communication is in the employee's official Linwood Township role or in a personal capacity, employees must comply with all laws related to trademarks, copyright, software use, etc.

Except for routine events and basic information that is readily available to the public, all requests for interviews or information from the media are to be sent through the Town Board. No Linwood Township employee is authorized to speak on behalf of Linwood Township without prior authorization from the Town Board or its designee. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and web sites. When responding to media requests, employees should follow these steps:

1) If the request is for routine or public information (such as a meeting time or agenda) provide the information and notify the town's Coordinator of the request.
2) If the request is regarding information about Linwood Township personnel, potential litigation, controversial issues, an opinion on a Linwood Township matter, or if an employee is unsure if the request is a routine question, forward the request to the town's Coordinator. An appropriate response would be, I'm sorry, I don't have the full information regarding that issue. Let me take some basic information and submit your request to the appropriate person who will get back to you as soon as he/she can. Then ask the media representative's name, questions, deadline and contact information.

All news releases concerning Linwood Township personnel will be the responsibility of the Town Board.

When/if the Town Board authorizes a staff person to communicate on behalf of Linwood Township in interviews, publications, news releases, on social media sites, and related communications, employees must:

- Identify themselves as representing Linwood Township. Account names on social media sites must be clearly connected to Linwood Township and approved by the Town Board.
- Be respectful, professional, and truthful when providing information. In most cases, only factual information (not opinions or editorial comments) should be provided. Corrections must be made when needed.
- Generally, do not include personal opinions in official Linwood Township statements. One exception is communications related to promoting a Linwood Township service. Employees who have been approved to use social media sites on behalf of the Linwood Township should seek assistance from the Town Board on this topic.

- Employees need to notify and receive approval from the Town Board if they will be using their personal technology (cell phones, home computers, cameras, etc.) for Linwood Township business. Employees should be aware that the data transmitted or stored may be subject to the Minnesota Government Data Practices Act.

Section 13.04 Personal Communications and Use of Social Media

It is important for Linwood Township employees to remember that the personal communications of employees may reflect on Linwood Township, especially if employees are commenting on Linwood Township business. The following guidelines apply to personal communications including various forms such as social media (Facebook, X, blogs, YouTube, etc.), letters to the editor of newspapers, and personal endorsements

- Remember that what you write is public and will be so for a long time. It may also spread to large audiences. Use common sense when using email or social media sites. It is a good idea to refrain from sending or posting information or photos that you would not want your boss or other employees to read, or that you would be embarrassed to see in the newspaper. Keep in mind harassment, bullying, threats of violence, discrimination, or retaliation that would not be permissible in the workplace is not permissible between co-workers online, even if it is done after hours, from home and on home computers.
- Linwood Township expects its employees to be fair, courteous, truthful, and respectful towards Township Supervisors, co-workers, the public, and other people associated with Linwood Township. Avoid using statements, photographs, video or audio that is reasonably viewed as malicious, obscene, threatening, or intimidating, disparaging, or might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of sex, race, national origin, age, color, creed, religion, disability, marital status, familial status, veteran status, sexual orientation, status with regard to public assistance or membership or activity in a local commission.
- If you publish something related to Linwood Township business, identify yourself and use a disclaimer such as, I am an employee of Linwood Township. However, these are my own opinions and do not represent those of Linwood Township.
- Linwood Township resources, working time, or official Linwood Township positions cannot be used for personal profit or business interest, or to participate in personal political activity. For example, a fiscal clerk could not use Linwood Township's logo, email or working time to promote his/her side business as an accountant.
- Personal social media account names or email names should not be tied to Linwood Township.

Employees are prohibited from posting any information that might be considered confidential, proprietary, or a trade secret with respect to Linwood Township or any of our customers, clients, partners, or vendors. Unless such behavior is otherwise protected by law, employees should refrain from posting any information that is negative or disparaging regarding Linwood Township or any of our customers, clients, partners, or vendors. Similarly, employees should avoid making any posts that may reflect poorly (directly or indirectly) on the employee as a representative of Linwood Township.

Employees are also prohibited from providing references or endorsements of any kind regarding former or current Linwood Township employees. Any such references or endorsements should be given only with the express permission of the Town Board.

Article XIV. EMPLOYEE EDUCATION AND TRAINING

Linwood Township promotes staff development as an essential, ongoing function needed to maintain and improve cost effective quality service to residents. The purposes for staff development are to ensure that employees develop and maintain the knowledge and skills necessary for effective job performance and to provide employees with an opportunity for job enrichment and mobility.

Linwood Township will pay for the costs of an employee's participation in training and attendance at professional conferences, if attendance is approved by the Town Board in advance under the following criteria and procedures:

Section 14.01 Job-Related Training & Conferences

The subject of the training session or conference is directly job-related and relevant to the performance of the employee's work responsibilities. Responsibilities outlined in the job description, annual work program requirements and training goals and objectives that have been developed for the employee will be considered in determining if the request is job-related.

Courses taken by an employee to maintain licensing or other professional accreditation will not be eligible for payment under this policy unless the subject matter relates directly to the employee's duties, even though the employee may be required to maintain such licensing or accreditation as a condition of employment with Linwood Township.

The town's Coordinator and the Town Board are responsible for determining job-relatedness and approving or disapproving training and conference attendance.

Attendance at training or conferences out of state is approved only if the training or conference is not available locally. All requests for out-of-state travel are reviewed for approval/disapproval by the Town Board.

Section 14.02 Requests for Participation in Training & Conferences

The request for participation in a training session or conference must be submitted in writing to the town's Coordinator on the Training & Conference Request form. All requests must include an estimate of the total cost (training session, travel, meals, etc.), which budget item the expense will be allocated to, and a statement of how the education or training is related to the performance of the employees' work responsibilities with Linwood Township. The Town Board will approve all training and conferences.

Payment information such as invoices, billing statements, etc., regarding the conference or training, along with the appropriate form, should be forwarded to accounts payable (ap@linwoodtownship.org) for prompt payment.

Section 14.03 Travel and Meal Allowance

If employees are required to travel outside of the area in performance of their duties as a Linwood Township employee, they will receive reimbursement of expenses for meals, lodging and necessary expenses incurred. Reimbursement for all expenses including lodging and travel accommodation must be cost-effective and may require advance approval and specific documentation in accordance with policies/procedures.

Employees who find it necessary to use their private automobiles for Linwood Township travel and who do not receive a car allowance will be reimbursed at the current IRS rate.

Expenses for meals, including sales tax and gratuity, will be reimbursed according to this policy. No reimbursement will be made for alcoholic beverages.

In alignment with public sector best practices, meal reimbursements are limited to the U.S. General Services Administration (GSA) sliding scale for meals and incidental expenses (M&IE). These rates vary by geographic location and reflect the federal per diem guidelines by the GSA.

Federal Per Diem Rates by Location: https://www.gsa.gov/travel/plan-book/per-diem-rates

Article XV. DRIVING POLICY

This policy applies to all employees who drive a vehicle on Linwood Township business at least once per month, whether driving a Linwood Township-owned vehicle or their own personal vehicle. It also applies to employees who drive less frequently but whose ability to drive is essential

to their job due to the emergency nature of the job. Linwood Township expects all employees who are required to drive as part of their job to drive safely and legally, including always wearing a seat belt, while on Linwood Township business and to maintain a good driving record. If using a personal vehicle, Linwood Township expects the employee will carry all proper state-mandated insurance coverage.

Linwood Township may examine driving records once per year for all employees who are covered by this policy to determine compliance with this policy. Employees who lose their driver's license or receive restrictions on their license are required to notify the town's Coordinator on the first workday after any temporary, pending or permanent action is taken on their license and to keep the town's Coordinator informed of any changes thereafter. If the employee receives a ticket while on Linwood Township business, the employee is responsible for paying for the cost of the ticket and attending any hearings/meetings required, because of the ticket.

Linwood Township will determine appropriate action regarding employee driving behavior or records on a case-by-case basis.

Article XVI. WORKPLACE MODIFICATIONS

Section 16.01 Reasonable Accommodation for Disability

Linwood Township is committed to the fair and equal employment of people with disabilities. Reasonable accommodation is the key to this non-discrimination policy. While many individuals with disabilities can work without accommodation, other qualified applicants and employees face barriers to employment without the accommodation process. It is the policy of Linwood Township to reasonably accommodate qualified individuals with disabilities unless the accommodation would impose an undue hardship in accordance with the Minnesota Human Rights Act and the Americans with Disabilities Act. Accordingly, accommodations will be provided to qualified individuals with disabilities when such accommodations are directly related to performing the essential functions of a job, competing for a job, or to enjoy equal benefits and privileges of employment. This policy applies to all applicants, employees, and employees seeking promotional opportunities.

Section 16.02 Reasonable Accommodations Relating to Pregnancy

Linwood Township will attempt to provide a female employee who requests reasonable accommodations with the following for her health conditions related to her pregnancy or childbirth:

1) More frequent restroom, food, and water breaks.
2) Seating

3) Limits on lifting over 20 pounds and/or temporary transfer to a less strenuous or hazardous position, should one be available.

Additionally, Linwood Township will provide reasonable accommodations, including, but not limited to, temporary leaves of absence, modification in work schedule or job assignments, seating, more frequent or longer break periods and limits to heavy lifting to an employee for health conditions related to pregnancy or childbirth upon request, with the advice of a licensed health care provider or certified doula, unless the Township demonstrates the accommodation would impose an undue hardship on the operation of the employer's business.

Section 16.03 Reasonable Accommodation for Religion

Linwood Township respects the religious beliefs and practices of all employees and will make, upon request, accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship on Linwood Township's business.

An employee whose religious beliefs or practices conflicts with his/her job, work schedule, or with Linwood Township's policy or practice on dress and appearance, of with other aspects of employment and who seeks a religious accommodation must submit a written request for the accommodation to the town's Coordinator. The written request will include the type of religious conflict that exists and the employee's suggested accommodation.

The town's Coordinator will evaluate the request considering whether a work conflict exists due to a sincerely held religious belief or practice and whether an accommodation is available which is reasonable and which would not create an undue hardship on Linwood Township's business.

Article XVII. DRUG, ALCOHOL, AND CANNABIS-FREE WORKPLACE

Section 17.01 Use and Possession of Alcohol or Drug(s)

Employees are prohibited from the use, possession, transfer, transportation, manufacture, distribution, sale, purchase, solicitation to sell or purchase, or dispensation of alcohol, drugs, drug paraphernalia, or cannabis while: on duty; on Linwood Township premises; while operating any Linwood Township vehicle, machinery, or equipment; or when performing any Linwood Township business, except (1) pursuant to a valid medical prescription used as properly instructed; (2) the use of over-the-counter controlled substance used as intended by the manufacturer; or (3) when necessary for approved law enforcement activity.

Besides having a zero-tolerance policy for the use or possession of alcohol, illegal drugs, or misused prescription drugs on the worksite, we also prohibit the use, possession of, impairment by any cannabis or medical cannabis products (e.g., hash oils or pills) on the worksite by a person working as an employee at Linwood Township or while on call and subject to return to work. Having a medical marijuana card, patient registry number, and/or cannabis prescription from a physician does not allow anyone to use, possess, or be impaired by that drug while on the job or on call . And employees are subject to being disciplined, suspended, or terminated after testing positive for cannabis if the employee used, possessed, or was impaired by cannabis, including medical cannabis, while on the premises of the place of employment or during the hours of employment, including times at which an employee is on call .

If there is reason to suspect that the employee is working while under the influence of an illegal drug or alcohol, and the employer chooses to have the employee tested, the employee may be suspended (with or without pay) until the results of a drug and alcohol test are made available to the Town Board by the testing laboratory. Where drug or alcohol testing is part of a routine physical or random screening, there will be no adverse employment action taken until the test results are in.

Section 17.02 While Impaired of Alcohol or Drug(s) or Cannabis

Employees are prohibited from being under the influence of alcohol or drugs or cannabis when reporting for work; while on duty; is on Linwood Township's premises; while operating any Linwood Township vehicle, machinery, or equipment; or when performing any Linwood Township business; or while on call , except (1) pursuant to a valid medical prescription used as properly instructed; or (2) the use of over-the-counter controlled substance used as intended by the manufacturer.

Section 17.03 Driving While Impaired

A conviction of driving while impaired in a Linwood Township-owned vehicle at any time during business or non-business hours, or in an employee-owned vehicle while conducting Linwood Township business, may result in discipline, up to and including discharge.

Section 17.04 Drug and Alcohol Testing Policy

Linwood Township may require employees in safety-sensitive positions to undergo cannabis testing and drug and alcohol testing on a random selection basis as permitted by Minnesota Statutes 181.951, subdivision 4. Employees in all other positions will not be subject to random cannabis or drug and alcohol testing unless required by state or federal law. Employees who operate a motor vehicle that requires a Commercial Driver's License (CDL) are subject to all federal Department of Transportation (DOT) drug and alcohol testing requirements, including but not limited to pre-

employment testing, random testing, reasonable suspicion testing, post-accident testing, return-to-duty testing, and follow-up testing, as set forth in 49 C.F.R. Part 382 and related federal regulations. For CDL-required positions, federal law governs testing procedures, prohibited conduct, consequences of positive results, and reporting obligations, and these requirements apply in addition to the provisions of this Township policy.

The Township may require an employee to undergo cannabis testing or drug and alcohol testing when it has a reasonable suspicion that the employee is under the influence of drugs, cannabis, or alcohol; has violated the Township's written work rules prohibiting the use, possession, impairment, sale, or transfer of drugs, alcohol, cannabis flower, cannabis products, lower-potency hemp edibles, or hemp-derived consumer products while working, on Township premises, or operating Township vehicles, machinery, or equipment; has sustained a personal injury or caused another employee to sustain a personal injury; or has caused a work-related accident or was operating or assisting in the operation of machinery, equipment, or vehicles involved in a work-related accident. The Township may also require testing when an employee has been referred for a substance use disorder evaluation or treatment, or is participating in a treatment program under an employee benefit plan, in which case testing may occur without prior notice during the evaluation or treatment period and for up to two years following completion of the prescribed program.

An employee suspected of impairment will not be permitted to drive themselves to a testing facility. The Township will arrange transportation.

The Township has no legal duty to conduct drug, alcohol, or cannabis testing and will do so only as authorized by law and this policy. The Township will not require a job applicant to undergo cannabis testing as a condition of employment unless required by state or federal law and will not refuse to hire an applicant solely because a lawful test indicates the presence of cannabis. The Township will not request or require cannabis testing on an arbitrary or capricious basis. Cannabis testing conducted under this policy will comply with the safeguards and procedures in Minnesota Statutes 181.953 and 181.954. For positions identified in Minnesota Statutes 181.951, Subdivision 9, including safety-sensitive positions, peace officers, firefighters, positions providing face-to-face care to children, vulnerable adults, or patients, positions requiring a CDL, positions funded by federal grants, or any position for which state or federal law requires testing, cannabis and its metabolites are treated as drugs and subject to the full drug and alcohol testing requirements of Minnesota law.

All testing under this policy will be conducted by a laboratory authorized to perform such tests and that certifies compliance with Minnesota law. Individuals selected for testing must complete and sign a Pre-Testing Acknowledgment form provided by the Township attached to this employee handbook as Exhibit A. Any positive initial test result will be confirmed by a laboratory-

administered confirmatory test before being reported to the Township. Written notice of test results will be provided to the employee or applicant within three working days of the Township's receipt of the laboratory report. A copy of the written test result notification is attached to this handbook as Exhibit B. Employees and applicants may submit information to explain a test result or may request a confirmatory retest at their own expense within five working days of receiving notice of the result. Employees in safety-sensitive positions who test positive and request a retest may be suspended or transferred at the same rate of pay pending the outcome of the retest. A positive confirmatory test result for an applicant will result in immediate withdrawal of any pending job offer. For employees, a first positive confirmatory result will require successful completion of a substance use disorder counseling or rehabilitation program selected by the Township, at the employee's expense or through available benefit coverage. A second or subsequent positive confirmatory result will result in discipline or termination of employment, at the discretion of the Township Board. All tested employees are entitled to receive a copy of the laboratory documentation certifying the test results. For CDL-required employees, federal DOT consequences, including mandatory removal from safety-sensitive duties, reporting to the FMCSA Clearinghouse, and completion of the federal return-to-duty process, apply in addition to any Township disciplinary action.

Section 17.05 Criminal Controlled Substance Convictions

Any employee convicted of any criminal drug statute must notify the town's Coordinator in writing of such conviction no later than five days after such conviction. Within 30 days after receiving notice from an employee of a controlled substance-related conviction, Linwood Township will take appropriate personnel action against the employee up to and including discharge or require the employee to satisfactorily participate in a controlled substance abuse assistance or rehabilitation program as an alternative to discharge. In the event notice is not provided to the town's Coordinator and the employee is deemed to be incapable of working safely, the employee will not be permitted to work and will be subject to disciplinary action, including dismissal from employment. In accordance with the Federal Drug-Free Workplace Act of 1988, if Linwood Township receives federal grants or contracts of over $25,000, Linwood Township will notify the appropriate federal agency of such conviction within 10 days of receiving notice from the employee.

Section 17.06 Failure to Disclose Lawful Controlled Substance

Employees taking a lawful controlled substance, including prescription and over-the-counter controlled substances, which may impair their ability to perform their job responsibilities or pose a safety risk to themselves or others, must advise the town's Coordinator of this before beginning work. It is the employee's responsibility to seek out written information from his/her physician or pharmacist regarding medication and any job performance impairment and relay that information

to the town's Coordinator. In the event of such a disclosure, the employee will not be authorized to perform safety-sensitive functions.

Article XVIII. LEAVE POLICIES

Depending upon an employee's situation, more than one form of leave may apply during the same period of time. An employee will need to meet the requirements of each form of leave separately. Leave requests will be evaluated on a case-by-case basis.

Except as otherwise stated, all paid time off, taken under any of Linwood Township's leave programs, must be taken consecutively, with no intervening unpaid leave. Linwood Township will provide employees with time away from work as required by state or federal statutes, if there are requirements for such time off that are not described in the personnel policies

Linwood Township provides flexible paid time off from work that can be used for such needs as vacation, personal or family illness, doctor appointments, school, volunteerism, and other activities of the employee's choice. The Township's goal is to reduce unscheduled absences and the need for Township Supervisory oversight. A Time-Off Request Form is to be filled out by Employees and given to the town's Coordinator for advance approval. The forms are available in the main office.

Section 18.01 Vacation Leave

Vacation Leave Schedule

Years of Service	Biweekly Accrual (Days)	Annual Accrual (Days)
1–2 Years	0.385 days	10 days
2 Years	0.423 days	11 days
3 Years	0.462 days	12 days
4 Years	0.500 days	13 days
5 Years	0.577 days	15 days
10 Years	0.770 days	20 days

1) Eligibility

Full-time 40-hour per week employees will earn vacation leave in accordance with the above schedule. ~~Full-time Employees working a regular 32 to 40 hours per week will be pro-rated~~.

2) Accrual Rate

To determining an employee's vacation accrual rate, years of service will include all continuous time that the employee has worked at the Township (including authorized unpaid leave). Employees who are rehired after terminating Township employment will not receive credit for their prior service unless specifically negotiated at the time of hire.

3) Earnings and Use

An Employee will not earn any vacation leave for any pay period unless he/she is employed by the Township on the last scheduled workday of the pay period.

Requests for vacation must be received at least forty-eight (48) hours in advance of the requested time off. This notice may be waived at the discretion of the town's Coordinator. Vacation can be requested in increments as small as one hour up to the total amount of the accrued leave balance. Vacation leave is to be used only by the employee who accumulated it. It cannot be transferred to another employee. Employees may carry up to a maximum of 120 hours of vacation at any time including a carryover of vacation leave of a maximum of 120 hours. No vacation will be allowed to accrue in excess of this amount without the approval of the town's Coordinator and the Town Board. Vacation leave cannot be converted into cash payments except at termination.

4) Earned Sick and Safe Time (ESST)

Employees in Minnesota are entitled to earned sick and safe time (ESST), a form of paid leave. Pursuant to state law, employees must accrue at least one hour of ESST for every 30 hours they work, up to at least 48 hours in a year. Employers with existing paid leave policies do not need to offer additional paid leave time if their policy meets or exceeds the state law requirements for ESST.

Section 18.02 Sick Leave

Sick leave is authorized absence from work with pay, granted to full-time Employees. Sick leave is a privilege, not a right. Employees are to use this sick leave only when they are unable to work for medical reasons. Sick leave does not accrue during an unpaid leave of absence.

Full-time 40 per hours per week Employees will accumulate sick leave at a rate of nine (9) days per year (72 hours).

Sick leave may be used only for days when the Employee would otherwise have been at work. It cannot be used for scheduled days off.

Sick leave may be used as follows:

- When an Employee is unable to perform work duties due to illness or disability
- For medical, dental or other care provider appointments.
- When an Employee has been exposed to a contagious disease of such a nature that his/her presence at the work place could endanger the health of others.
- To care for the Employee's immediate family members who are injured or ill.

To be eligible for sick leave pay, the Employee will:

- Communicate with the town's Coordinator as soon as possible after the scheduled start of the work day, for each and every day absent;
- Submit a physician's statement upon request.

After an absence, a physician's statement may be required on the Employee's ability to return to work. Work restrictions must be stated clearly. Employees who have been asked to provide such a statement may not be allowed to return to work until they comply with this request.

Unused sick time will accrue until an Employee has a total of 90 days; further accrual will be suspended until the Employee has reduced the balance below the limit.

Sick leave will normally not be approved after an Employee gives notice that he or she will b terminating employment. Exceptions must be approved by the town's Coordinator or the Town Board.

Sick leave cannot be transferred from one Employee to another. Earned sick leave has no cash value upon termination or retirement.

Since the township's Sick Leave policy and benefits are greater than ESST, the township's Sick Leave policy will be followed.

Section 18.03 Earned Sick and Safe Time (ESST)

Earned Sick and Safe Time (ESST) is paid time off earned at one hour of earned sick and safe time for every 30 hours worked by an employee, up to a maximum of 48 hours per year. The hourly rate of ESST is the same hourly rate an employee earns from employment with the employer. This specific leave applies to all employees (including temporary and part-time employees) expected to work for at least 80 hours in a year for the employer.

1) ESST Accrual

Full-time employees will accrue vacation, which can be used for ESST purposes, according to Section 15.2.2. Full-time employees will accumulate sick leave at a rate of 9 days per year. ~~Full-time Employees working a regular schedule 32 to 40 hours per week will be pro-rated.~~

All other employees that are expected to work at least 80 hours in a year and do not accrue vacation time will earn one (1) hour of ESST for every thirty (30) hours worked, up to a maximum of 48 hours per year. Such employees are eligible to carryover accrued but unused ESST into the following year, but the total amount of ESST shall not exceed 80 hours at any given time and has no cash value upon separation from employment and will not be paid out.

2) ESST Use

ESST may be used in the smallest increment tracked by the Township's payroll system (1 hour) as it is accrued for the following circumstances:

- Employees mental or physical illness, treatment or preventative care;
- A family member's mental or physical illness, treatment or preventative care;
- Absence due to domestic abuse, sexual assault or stalking of the employee or a family member;
- Employee's need to make arrangements for or attend funeral services or a memorial, or address financial or legal matters that arise after the death of a family member;
- Closure of the employee's workplace due to weather or public emergency or closure of a family member's school or care facility due to weather or public emergency unless the employee's work duties require the employee to respond to the public emergency or weather event or if the employee is a firefighter, police officer, 911 dispatcher, or holds a commercial driver's license; and
- When determined by a health authority or health care professional that the employee or family member is at risk of infecting others with a communicable disease.

For ESST purposes, "family members" include an employee's:

- Spouse or registered domestic partner
- Child, foster child, adult child, legal ward, child for whom the employee is legal guardian, or child to whom the employee stands or stood in local parents
- Sibling, step sibling or foster sibling
- Biological, adoptive or foster parent, stepparent or a person who stood in loco parentis when the employee was a minor child
- Grandchild, foster grandchild or step grandchild
- Grandparent or step grandparent
- A child of a sibling of the employee
- A sibling of the parent of the employee or
- A child-in-law or sibling-in-law
- Any of the above family members of a spouse or registered domestic partner

- Any other individual related by blood or whose close association with the employee is the equivalent of a family relationship
- Up to one individual annually designated by the employee

3) ESST Request Process

Employees must submit requests to use ESST to the town's Coordinator by the standard time-off request process, stating the general reason for the leave. When an employee uses ESST or vacation time for ESST-qualifying purposes for more than two consecutive days, Linwood Township may require appropriate supporting documentation, such as medical documentation supporting medical leave, court records or related documentation to support safety leave. If the employee is unable to secure the requested documentation, the employee may supply the employer with a written statement indicating the employee is using or used ESST for a qualifying purpose. The statement may be written in the employee's first language and does not need to be notarized or in any particular format. An employee may not be disciplined for failing to comply with the ESST notice requirement established in state law.

Requests that would result in a negative ESST balance will be denied. Employees will receive notification of the approval or denial of their ESST request via correspondence with the town's Coordinator.

4) Advance Notice for use of ESST

If the need for ESST is foreseeable, the employer requires seven days advance notice. However, if the need is unforeseeable, employees must provide notice of the need for ESST as soon as practicable. An employee's leave may not be denied, nor may the employee be disciplined for failing to comply with the ESST notice requirement established in state law.

5) Benefits and Return to Work Protections

During an employee's use of ESST, an employee will continue to receive the Township's insurance contribution as if they were working, and the employee will be responsible for any share of their insurance premiums.

An employee returning from time off using accrued ESST is entitled to return to their employment at the same rate of pay received when their leave began, plus any automatic pay adjustments that may have occurred during the employee's time off. Seniority during ESST absences will continue to accrue as if the employee has been continually employed.

Accrued but unused ESST will not be paid out to an employee at separation. When there is a separation from employment with the Township and the employee is rehired again within 180 days

of separation, previously accrued ESST that had not been used or paid out at separation will be reinstated. An employee is entitled to use and accrue ESST at the commencement of reemployment.

Section 18.04 Holidays

The Township observes the following official holidays for all regular full-time Employees. Each holiday will be paid for at the rate of eight (8) hours.

New Year's Day	January 1st
Martin Luther King Day	Third Monday in January
President's Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	June 19th
Independence Day	July 4th
Labor Day	First Monday in September
Veterans' Day	November 11th
Thanksgiving Day	Fourth Thursday in November
Day After Thanksgiving	Fourth Friday in November
Christmas Eve Day	December 24th
Christmas Day	December 25th

1) Floating Holiday

In addition to the recognized holidays listed, regular full-time Employees will receive eight (8) floating Holiday hours in each calendar year. To be eligible, Employees must complete 60 calendar days of service.

Employees wishing to take religious holidays may substitute a religious holiday for one of those listed above, with advanced approval from the town's Coordinator.

When a holiday falls on a Sunday, the following Monday will be the "observed" holiday, and when a holiday falls on a Saturday, the preceding Friday will be the "observed" holiday for Township operations/facilities that are closed on holidays.

Full-time Employees will receive regular pay for official holidays, provided they are on paid status on the last scheduled day prior to the holiday and first scheduled day immediately after the holiday. Any Employee on a leave of absence without pay from the Township is not eligible for holiday pay.

~~Employees working between 32 and 40 hours on a regular schedule will receive pro-rated holiday pay based on the number of hours the Employee would otherwise have worked that day.~~

Section 18.05 Funeral Leave

Regular Employees are entitled to three days of paid funeral leave per death of an immediate family member. Immediate family includes the employee's father, mother, life partner, child, sibling, grandparent or life partner's parent. The Employee may request up to an additional fourteen unpaid calendar days, which must be approved by the town's Coordinator. Your town's Coordinator must approve funeral leave for death of other than immediate family. Absence for such a death may be limited to two days per year, and employees may be able to use vacation time, ESST and/or have the time be unpaid.

Section 18.06 Jury Duty

Linwood Township supports Employees called to fulfill their civic duty to serve jury duty. Regular Employees should notify the town's Coordinator as soon as possible upon receiving the summons. Adequate proof of service must be provided to receive their regular pay during their absence for jury duty. The Employee's regular pay will be offset by the amount of compensation from the court. The Employee may retain mileage payments paid by the court for jury duty. If the Employee is released from jury duty with at least four hours remaining in their workday, they must report to work for the remainder of the day to receive their daily pay.

Section 18.07 Court Appearances

Employees will be paid their regular wage to testify in court for Linwood Township-related business. Any compensation received for court appearances (e.g. subpoena fees) arising out of or in connection with Township employment, minus mileage reimbursement, must be turned over to the Township.

The Township must allow a victim or witness, who is subpoenaed or requested by the prosecutor to attend court for the purpose of giving testimony to attend criminal proceedings related to the victim's case. Additionally, a victim of a violent crime, as well as the victim's spouse or immediate family member (immediate family member includes parent, spouse, child or sibling of the employee) may have reasonable time off from work to attend criminal proceedings related to the victim's case. An employee must give 48 hours' advance notice to the town's Coordinator of their need to be absent unless it is impracticable, or an emergency prevents them from doing so. The Township may request verification that supports the employee's reason for being absent from the workplace.

Section 18.08 Election/Voting

An Employee selected to serve as an election judge pursuant to Minnesota law, will be allowed time off without pay for purposes of serving as an election judge, provided that the Employee gives the Township at least ten (10) days written notice. All Employees eligible to vote at a State general

election, at an election to fill a vacancy in the office of United States Senator or Representative, or in a Presidential primary, will be allowed time off with pay to vote during the morning of election day. Employees wanting to take advantage of such leave are required to work with the town's Coordinator to avoid coverage issues.

Section 18.09 Elected Official

An employee elected to a public office is permitted time off from regular employment without pay to attend meetings required by reason of the public office.

Section 18.10 School Conference Leave

Any Employee who has worked half-time or more for more than twelve (12) consecutive months, may take unpaid leave for up to a total of sixteen (16) hours during any school year to attend school conferences or classroom activities related to the Employee's child (under 18 or under 20 and still attending secondary school), provided the conference or classroom activities cannot be scheduled during non-work hours. When the leave cannot be scheduled during non-work hours and the need for the leave is foreseeable, the employee must provide at least seven (7) days prior notice of the leave to the town's Coordinator and make a reasonable effort to schedule the leave so as not to disrupt the operations of the Township.

Section 18.11 Organ/Bone Marrow Donation Leave

Employees working an average of 20 or more hours per week may take paid leave, not to exceed 40 hours, unless agreed to by the Township, to undergo medical procedures to donate bone marrow.

The Township may require a physician's verification of the purpose and length of the leave requested to donate bone marrow.

Section 18.12 Military Service Leave

State and federal laws provide protections and benefits to Linwood Township employees who are called to military service, whether in the reserves or on active duty. Such employees are entitled to a leave of absence without loss of pay, seniority status, efficiency rating, or benefits for the time the employee is engaged in training or active service not exceeding a total of fifteen (15) days in any calendar year.

The leave of absence is only in the event the employee returns to employment with the Township as required upon being relieved from service, or is prevented from returning by physical or mental disability or other cause not the fault of the employee, or is required by the proper authority to continue in military or naval service beyond the fifteen (15) day paid leave of absence. Employees

on extended unpaid military leave will receive fifteen (15) days paid leave of absence in each calendar year, not to exceed five (5) years.

Where possible, notice is to be provided to the town's Coordinator at least ten (10) working days in advance of the requested leave. If an employee has not yet used his/her fifteen (15) days of paid leave when called to active duty, any unused paid time will be allowed for the active-duty time, prior to the unpaid leave of absence.

Employees returning from military service will be reemployed in the job that they would have attained had they not been absent from military service and with the same seniority, status and pay, as well as other rights and benefits determined by seniority. Unpaid military leave will be considered hours worked for the purpose of vacation leave and sick leave accruals.

Eligibility for continuation of insurance coverage for employees on military leave beyond fifteen (15) days will follow the same procedures as for any employee on unpaid leave of absence.

Section 18.13 Civil Air Patrol

The Township will grant employees unpaid leave of absence for time spent serving as a member of the Civil Air Patrol upon request and authority of the State or any of its political subdivisions, unless the absence would unduly disrupt the operations of the Township. Employees may choose to use vacation leave while on Civil Air Patrol Leave but are not required to do so.

Section 18.14 Family and Medical Leave

(a) Eligibility

To qualify to take family and medical leave (FMLA) under this policy, an employee must meet all the following conditions:

- Have worked for Linwood Township for 12 months (or 52 weeks) prior to the date the leave is to commence. The 12 months or 52 weeks need not have been consecutive; however, Linwood Township will not consider any service 7 years prior to the employee's most recent hire date.
- Have worked at least 1, 250 hours during the 12-month period prior to the date when the leave is requested to commence. The principles established under the Fair Labor Standards Act (FLSA) determine the number of hours worked by an employee. The FLSA does not include time spent on paid or unpaid leave as hours worked. Consequently, these hours of leave should not be counted in determining the 1,250 hours eligibility test for an employee under FMLA.

(b) Types of Leave Covered

Leave will be granted to all eligible employees (male and female) for any of the following reasons:

- The birth of a child, including prenatal care, or placement of a child with the employee for adoption or foster care;
- To care for a spouse, child or parent who has a serious health condition;
- Due to a serious health condition that makes the employee unable to perform the essential functions of the position; and
- A covered military member's active duty or call to duty or to care for a covered military member (Military Caregiver and Qualified Exigency Leave) (described below).

(c) Definitions

- "Caring" for a covered family member includes psychological as well as physical care. It also includes acquiring care and sharing care duties.
- An eligible "child" is defined as a person under 18 years of age (or a person incapable of self-care because of a physical or mental disability) who is a biological, adopted, foster, or stepchild, a ward of the employee, or a person with whom the employee is charged with a parent's rights, duties and responsibilities.
- Spouse does not include domestic partners or common-law spouses.
- An eligible "parent" includes a biological parent or a person who was charged with parental rights, duties and responsibilities over the employee when the employee was under the age of 18; parent doesn't include in-laws.
- Serious Health Condition as defined under the FMLA means an illness, injury, impairment, or physical or mental condition that involves one of the following:
    - Hospital Care: Any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
    - Pregnancy: Any period of incapacity due to pregnancy, prenatal medical care or childbirth;
    - Absence Plus Treatment: A period of incapacity of more than three consecutive calendar days that also involves continuing treatment by or under the supervision of a health care provider;
    - Chronic Conditions Requiring Treatments: An incapacity from a chronic condition which requires periodic visits for treatment by a health care provider, continues over an extended period of time and may cause episodic rather than a continuing period of incapacity;
    - Permanent/Long-Term Conditions Requiring Supervision;
    - Multiple Treatments: Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a

provider of health care services under orders of, or on referral by, a health care provider.

- Incapacity means inability to work, attend school or perform other regular daily activities.

(d) Length and Amount of Leave

The length of FMLA leave is not to exceed twelve (12) weeks in any twelve (12) month period. The leave year is calculated as a 12-month period counted forward from the first date of FMLA use.

The entitlement to FMLA leave for the birth or placement of a child for adoption expires twelve (12) months after the birth or placement of that child.

(e) How Leave May be Taken

FMLA leave may be taken in twelve (12) (or less) consecutive weeks, may be used intermittently (a day periodically when needed) or may be used to reduce the workweek or workday, resulting in a reduced hour schedule. In all cases, the leave may not exceed a total of twelve (12) work weeks.

Intermittent leave may be taken when medically necessary for the employee's serious health condition or to care for a seriously ill family member. Intermittent leave must be documented in the medical certification form as medically necessary.

If an employee is taking leave intermittently or leave on a reduced schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as to not disrupt Linwood Township's business.

In instances when intermittent or reduced schedule leave for the employee or employee's family member is foreseeable or is for planned medical treatment, including recovery from a serious health condition, Linwood Township may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule.

Intermittent/reduced scheduled leave may be taken to care for a newborn or newly placed adopted or foster care child only with Linwood Township's approval.

Minnesota Paid Family Medical Leave is to run concurrent with any other applicable state or federal leave, including federal FMLA.

(f) Notice

All employees requesting FMLA leave must provide written or verbal notice of the need for the leave to the town's Coordinator and/or designated supervisor(s).

When the need for the leave is foreseeable, the employee must give verbal or written notice to the town's Coordinator and/or designated supervisor(s) at least thirty (30) days prior to the date on which leave is to begin.

If thirty (30) days' notice cannot be given, the employee is required to give as much notice as practicable, including following required call-in procedures.

If an employee fails to give thirty (30) days' notice for a foreseeable leave with no reasonable explanation for the delay, the leave may be denied until thirty (30) days after the employee provides notice.

(g) Certification and Documentation Requirements

For leave due to an employee's serious health condition or a family member s, Linwood Township will require the completion of a Medical Certification form by an employee's attending physician or practitioner. The form must be submitted to the *Public Employer Administrator+or designee within fifteen (15) calendar days after requested. If the form is not submitted in a timely fashion, the employee must provide a reasonable explanation for the delay. Failure to provide medical certification may result in a denial or delay of the leave.

Linwood Township may require an employee to obtain a second opinion from a provider which Linwood Township selects. If necessary to resolve a conflict between the original certification and the second opinion, Linwood Township may require the opinion of a third doctor. This third opinion will be considered final. An employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinion.

When leave is due to an employee's own serious health condition, a fitness for duty certification (FFD) may be required before an employee can return to work. Failure to provide such certification in a timely manner may eliminate or delay an employee's right to reinstatement under the FMLA.

If an employee is using intermittent leave, and reasonable safety concerns exist regarding the employee's ability to perform his or her duties, an FFD certificate may be required as frequently as every thirty (30) days during periods when the employee has used intermittent leave.

(h) Recertification

Recertification of the need for leave may be required if the employee requests an extension of the original length approved by Linwood Township or if the circumstances regarding the leave have changed. Recertification may also be required if there is a question as to the validity of the certification or if the employee is unable to return to work due to serious health condition(s).

(i) Reinstatement

Employees returning from Family and Medical Leave will be reinstated in the same position or a position equivalent in pay, benefits and other terms and conditions of employment.

An employee's reinstatement rights are the same as they would have been had the employee not been on leave. Thus, if an employee's position would have been eliminated or an employee would have been terminated but for the leave, the employee would not have the right to be reinstated upon return from leave.

(j) Notice of Intent to Return from FMLA Leave

Linwood Township requires an employee on FMLA leave to report periodically on the employee's status and intent to return to work.

(k) Effect on Benefits

An employee granted leave under this policy will continue to be covered under Linwood Township's group health insurance plan under the same conditions and at the same level of Linwood Township contribution as would have been provided had they been continuously employed during the leave period. All paid benefits run concurrently with unpaid FMLA benefits.

The employee will be required to continue payment of the employee portion of group insurance coverage while on leave. If paid leave is being used during an FMLA leave, the employee's share of group health plan premiums must be paid by the method normally used during paid leave (usually payroll deduction). An employee on unpaid FMLA leave must make arrangements to pay the normal employee portion of the insurance premiums to maintain insurance coverage. Arrangements for payment of the employee's portion of premiums must be made by the employee with Linwood Township.

(l) Failure to Return to Work after FMLA

Under certain circumstances, if the employee does not return to work at the end of the FMLA leave for at least thirty (30) calendar days, Linwood Township may require the employee to repay the portion of the monthly cost paid by Linwood Township for group health plan benefits. Linwood Township may also require the employee to repay any amounts Linwood Township paid on the employee's behalf to maintain benefits other than group health plan benefits.

If an employee does not return to work following twelve (12) weeks of FMLA leave, the employee may be subject to COBRA continuation.

If the employee fails to pay Linwood Township a portion of the premiums for which he or she is responsible during the FMLA leave and the employee fails to return to work, coverage may end.

Loss of coverage for failure to pay premiums is not a qualifying event for purposes of continuation coverage under COBRA.

If the employee does not return from the FMLA leave and coverage ended sometime during the FMLA leave due to lack of payment, there is no COBRA election available. For COBRA to apply, the employee must have been covered on the day before the qualifying event. In this situation, the qualifying event would occur at the time the employee did not return from the leave.

(m) Activities Prohibited During FMLA

While on leave, an employee may not engage in activities (including employment) which have the same or similar requirements and essential functions of an employee's current position. While on leave, an employee may not engage in any activity that conflicts with the best interests of Linwood Township. Such conduct will result in disciplinary action up to and including termination of employment.

(n) Seniority

Seniority does not accrue during any period of unpaid FMLA except as allowed when the leave is covered by Worker's Compensation. However, seniority accrued prior to commencement of FMLA leave will not be lost.

(o) Use of Accrued Paid Leave or Compensatory Time during Family and Medical Leave

Prior to taking unpaid FMLA leave employees must use all accrued ESST, vacation time and compensatory time prior to taking an unpaid leave unless their medical condition/injury is covered by Worker's Compensation.

Any paid disability leave benefits available to employees for covered reasons, such as an employee's serious health condition or a covered family member's serious health condition, including workers compensation leave, to the extent that it qualifies, will run concurrently with FMLA.

(p) Additional Leave

Employees who cannot return from an approved FMLA leave at the end of the approved leave period may request an extension (up to the maximum of twelve (12) weeks allowed under FMLA). If the twelve (12) FMLA weeks have already been used, the employee can request to go on a regular unpaid leave of absence. If approved, before unpaid leave begins the employee must use any accrued ESST, compensatory time, or vacation time that remains. If the leave is approved and unpaid, the employee will be required to pay the full cost of all group insurance, as provided under COBRA, to continue coverage.

If the unpaid leave of absence is not approved or the employee fails to request additional leave, the employee will be considered to have voluntarily resigned. If circumstances beyond the employee's control prevented the employee from requesting additional leave, a retroactive leave request may be allowed, subject to the Town Board's approval.

(q) Worker's Compensation

For an employee's hours compensated by Worker's Compensation, an employee may supplement the Worker's Compensation payments with a pro-rated portion of the employee's sick leave, vacation, or compensatory time so that the combination of the two will equal the employee's regular base pay.

Section 18.15 Parenting Leave

All employees are entitled to take unpaid pregnancy and/or parenting leave of absence under the Minnesota Parenting and Pregnancy Leave law. Female employees for prenatal care, or incapacity due to pregnancy, childbirth, or related health conditions as well as a biological or adoptive parent in conjunction with the birth or adoption of a child, are eligible for up to twelve (12) weeks of unpaid leave and must begin within twelve (12) months of the birth or adoption of the child. In the case where the child must remain in the hospital longer than the mother, the leave must begin within twelve (12) months after the child leaves the hospital. Employees should provide at least 30 days notice of the need for leave, unless the need for leave is unforeseeable, in which case the employee must provide notice as soon as practicable.

Employees are required to use vacation time and/or ESST during Parenting and Pregnancy Leave. The employee is entitled to return to work in the same position and at the same rate of pay the employee was receiving prior to commencement of the leave. Linwood Township's group health insurance plan coverage will remain available while the employee is on leave pursuant to the Pregnancy and Parenting Leave law, but the employee will be responsible for the cost of the employee portion of the premium.

Adoptive parents will be given the same opportunities for leave as biological parents. The leave must be for the purpose of arranging the child's placement or caring for the child after placement. Such leave must begin before or at the time of the child's placement in the adoptive home.

Section 18.16 Minnesota Paid Leave

This policy is established to comply with the Minnesota Paid Leave Law, which establishes a public insurance program administered by the Minnesota Department of Employment and Economic Development ("DEED"), providing eligible employees with paid leave for family and medical reasons beginning January 1, 2026 ("MPL"). The MPL program is funded by premium contributions

payable to the State of Minnesota and split between employers and employees pursuant to Minn. Stat. sec. 268B.14, subd. 3.

(a) Employee Application and Eligibility

All Township determinations related to MPL administration, coordination with other leave programs, and supplemental benefits will be made by the Town Board.

Linwood Township provides unemployment insurance coverage as required by applicable federal and state law. This coverage is intended to benefit qualified individuals who become unemployed through no fault of their own and to provide economic security for displaced employees in the event of a layoff due to lack of work. When an employee applies and is approved for unemployment insurance, the cost of this protection is paid by the Township.

All applications for unemployment insurance involving current or former employees of the Township will be reviewed by the Town Board, or its designated representative, which will evaluate the circumstances of separation and determine the Township's response. In the event a claim is appealed, the Board will review the matter and determine the Township's position and next steps at each stage of the appeal process, until a final determination is issued. The determination regarding an individual's eligibility for unemployment insurance benefits will be made by the Department of Employment and Economic Development (DEED).

(b) Employee Notification Required

Employees must provide Linwood Township with at least thirty (30) days notice before their MPL begins if the need for leave is foreseeable. If the leave is not foreseeable, employees must notify Linwood Township as soon as possible.

If the employee does not provide Linwood Township with at least thirty (30) days notice when the need for leave is foreseeable, the employee must explain why it was not possible or practicable upon request from Linwood Township.

In addition, employees are required to comply with any and all Linwood Township policies and procedures for requesting leave, including but not limited to policies regarding vacation and sick time use. Employees that fail to comply with relevant Linwood Township policies and procedures are subject to discipline, up to and including termination from employment.

(c) Certification and Documentation Requirements

Employees seeking MPL are required to provide a copy of their DEED certification of eligibility to the Paid Leave Administrator on the same day that it is provided to DEED.

(d) Intermittent Leave

Employees taking intermittent MPL are required to provide Linwood Township with a schedule of the workdays the employee needs off as soon as possible. Employees taking intermittent leave must make a reasonable effort to schedule the intermittent leave.

Employees may take intermittent leave in increments of one hour. If eligible for intermittent leave, Linwood Township allows a maximum of 480 hours of intermittent leave in any twelve (12) month period. After reaching the maximum amount of allowed intermittent leave, employees may request continuous MPL provided the continuous leave does not exceed the maximum amount of MPL allowed by law.

(e) Concurrent Leaves

Employees taking MPL, whether intermittently or continuously, that are concurrently eligible for pregnancy/parenting leave under Minnesota Statutes 181.941, federal FMLA, or any other applicable leave program to the fullest extent permitted by law, will are required to take such leaves to run concurrently with MPL.

(f) Supplemental Benefits

Employees are permitted to use their available vacation time as a supplemental benefit while on leave under MPL.

(g) Health Insurance

Employees taking MPL will continue to be covered under Linwood Township's group health insurance plan under the same conditions and at the same level of Linwood Township contributions as would have been provided had they been continuously employed during the leave period. Employees are responsible for their portion of premiums due on the coverage.

(h) MPL Fraud

An employee is guilty of theft if they obtain or attempt to obtain benefits to which the individual is not entitled. Reporting false information to DEED and/or Linwood Township will be cause for discipline, up to and including termination.

Section 18.17 Regular Leave without Pay

The town's Coordinator may authorize leave without pay for up to thirty (30) days. Leave without pay for greater periods shall be granted by the Town Board to a maximum of one (1) year.

Normally Employee benefits will not be earned by an Employee while on leave without pay. However, the Township's contribution toward health, dental and life insurance may be continued, if

approved by the Town Board, for leaves of up to ninety (90) days when the leave is for medical reasons and FMLA has been exhausted.

If an Employee is on a regular leave without pay and is not working any hours, the Employee will not accrue (or be paid for) holidays, sick leave, or vacation leave. Employees who are working reduced hours while on this type of leave will receive holiday pay on a prorated basis and will accrue sick leave and vacation leave based on actual hours worked.

Leave without pay-hours will not count toward seniority and all accrued vacation leave and compensatory time must normally be used before an unpaid leave of absence will be approved.

To qualify for leave without pay, an Employee need not have used all sick leave earned unless the leave is for medical reasons. (An Employee absent for Parenting Leave is not required to use sick leave.) Leave without pay for purposes other than medical leave or work-related injuries will be at the convenience of the Township.

Employees returning from a leave without pay for a reason other than a qualified Parenting Leave or FMLA, will be guaranteed return to the original position only for absences of thirty (30) calendar days or less.

Employees receiving leave without pay in excess of thirty (30) calendar days, for reasons other than qualified Parenting Leave or FMLA, are not guaranteed return to their original position. If their original position or a position of similar or lesser status is available, it may be offered at the discretion of the town's Coordinator, subject to approval of the Town Board.

Section 18.18 Administrative Leave

Under special circumstances, an Employee may be placed on an administrative leave pending the outcome of an internal or external investigation. The leave may be paid or unpaid, depending on the circumstances, as determined by the Town Board.

Article XIX. EMPLOYEE BENEFITS

Linwood Township offers a benefits program for its regular full-time Employees. This handbook contains descriptions of some of our current Employee benefits. Many of the Township's benefit plans are described in more formal plan documents and Township policies, available from the designated payroll representative. In the event of any inconsistencies between this handbook or any other oral or written description of benefits and a formal plan document, the formal plan document and Township Policy will govern.

Section 19.01 Retirement Plan

Regular Employees are required to contribute a set percentage of their wages to Public Employees Retirement Association ,PERA). Part-time Employees may be required to contribute to PERA if their employment extends beyond 186 calendar days or their wages will exceed $5100 per year. This amount is payroll deducted and tax deferred. Linwood Township also contributes a specified amount based on Employee's wages. See the Accounting Secretary for more details and a copy of the PERA booklet. Most Employees will also contribute to Social Security and Medicare, as required by the IRS.

Section 19.02 Health Insurance

Linwood Township makes group health benefits available to eligible Employees. Eligible Employees are full-time Employees who have worked for sixty (60) days. The Employee may be required to pay a portion of the insurance policy premium, which will be deducted from the Employee's payroll check. Employees may elect to pay additional costs for coverage for their spouse and/or dependents. The effective date of insurance for new hires will be the first of the month after the completion of sixty (60) calendar days of employment. Open enrollment is usually in November of each year, with an effective date of coverage of January 1 of the following year. All eligible Employees must either select coverage or waive coverage yearly. A waiver of coverage does not roll over from year to year.

Section 19.03 Flexible Spending Account

Linwood Township offers its Employees the opportunity to save tax dollars by participating in flexible spending accounts for medical expenses and/or dependent care. All Employees may enroll or waive their participation to coincide with their group health coverage dates. Annual Open Enrollment is usually in November each year. Employees may choose to have a designated amount of their salary deducted from their paycheck on a pre-tax basis for reimbursement of certain medical expenses, such as copays and deductibles, or dependent care expenses, such as day care and preschool programs.

Section 19.04 Health Savings Account

Employees with a high-deductible health insurance plan are allowed to take advantage of tax saving by depositing voluntary and/or employer contributions into their Health Savings Account. However, the combination of Employee and Township contributions cannot exceed the IRS limits. The money deposited, as well as the interest, is tax deferred. Employees can use the savings account to cover their current and future medical expenses that are not covered by the health plan.

Section 19.05 Workers Compensation

Linwood Township has Workers Compensation coverage. It is the Employee's responsibility to immediately notify the town's Coordinator ~~a Township Supervisor or Office Administrator~~ of any work-related injury, illness or incident. All workers' compensation benefits are governed by statute.

Article XX. TERMINATION POLICIES

Section 20.01 Separation Procedures

Before you leave your employment with Linwood Township, you must return all supplies, keys, identification cards, access cards and all other Township property. Any materials, files, documents, or other items collected or created by you in connection with your employment remain the property of the Township. Near the time of your departure, you may be asked to meet with the town's Coordinator to review separation procedures, ensure that all property has been returned. You will have an opportunity to ask questions regarding procedures and benefits at that time.

Section 20.02 Resignation

Resignation is voluntary. Although notice is not required, Linwood Township requests at least two weeks written resignation notice from all Employees. A resignation is deemed officially accepted by the board upon submission and receipt, and does not need to be approved at a board meeting.

Section 20.03 Layoff

From time to time, budgetary or operational considerations may make it necessary to reorganize, reduce work hours or lay off Township Employees. Determining the need for layoffs and the classifications of Employees to be laid off is within the sole discretion of the Linwood Town Board.

If you receive a notice of layoff, or if you have questions about layoffs, please contact the town's Coordinator.

Section 20.04 Termination of Health Benefits

Health Insurance benefits will terminate on the last day of the month following the event of termination (retirement, unpaid absence or FMLA exhausting). Note: Employee's last day worked must be in the month of coverage.

Section 20.05 COBRA Benefits

The Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives Employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the Township's health plan when a "qualifying event" would normally result in the loss of eligibility.

Some common qualifying events are resignation; termination of employment; death of an employee; a reduction in an employee's hours; leave of absence; divorce or legal separation; and a dependent child no longer meeting eligibility requirements. Under COBRA, the employee or beneficiary pays the full cost of coverage after a qualifying event at the Township's group rates plus an administration fee for continuation coverage. The Township provides each eligible employee with a written notice describing rights granted under COBRA when a qualifying event occurs. The notice contains important information about the rights and obligations of the employee and/or beneficiaries. Failure to **timely** comply with the notice may result in a loss of insurance coverage. It is imperative that each employee keep the Township appraised of the status of his/her family life and age of dependents.

Section 20.06 Termination of Medical Flexible Spending Plan

If an employee elects to continue participation in the Flexible Spending Plan, they may do so through the following options:

a) Accelerate Contributions - Employees may accelerate their contributions for the remainder of the plan year out of their last paycheck. This accelerated amount will be equal to the difference between their contributions to date and their annual election amount. Under this option an Employee will continue participation in the plan and may incur expenses at any time throughout the plan year (and grace period if applicable). All claims must be submitted prior to the end of the Claim Filing Period.

b) COBRA: Continue Payments After Tax - Participants who have claimed less than they have contributed to the FSA must be offered COBRA for their Health Care FSA. Employees may continue participation in the plan by making post tax contributions to their former employer for the remainder of the plan year. An Employee will continue participation in the plan until the end of the plan year or until said Employee fails to make the monthly contribution on the predetermined payment date. If an Employee fail to make a timely payment, said Employee may submit claims only for expenses incurred through their last active month of paid participation.

Article XXI. EXHIBITS

EXHIBIT A

PRE-TESTING ACKNOWLEDGMENT

In accordance with the requirements of Linwood Township, and in anticipation of the drug and alcohol test to which I am about to submit, I hereby acknowledge the following:

1) I have read and understand the Drug and Alcohol Testing Policy of Linwood Township, and am aware that it applies to any employee or applicant, including myself.

2) The following constitutes a complete list of any over-the-counter or prescription medications which I am currently taking or have taken within the past six weeks.

Medication	Date Taken	Time Taken

3) Other information which I consider relevant to the reliability of my drug test, or which could explain a positive result, is the following:

_____

Employee or Job Applicant

_____

Date:

EXHIBIT B

NOTICE OF THE RESULTS OF DRUG AND ALCOHOL TEST

DATE: _____

TO: _____

FROM: _____

On _____, 20____, you submitted to a test for the presence of drugs and alcohol, at the request of Linwood Township. The results of that test, which was performed in accordance with the Township's Drug and Alcohol Test Policy of _____ (the "Policy"), were as follows:

Positive/Negative (circle one)

You have the right to receive from Linwood Township a copy of the test results report from the laboratory which performed the test. In addition, if the results were positive, you now have the following rights under Minnesota law:

1) Within three (3) working days from the date of this Notice, you may submit to Linwood Township any additional information which you consider relevant to explain the positive result. This information must be submitted in writing to the Town Board.
2) Within five (5) working days from the date of this notice, you may submit to Linwood Township a request for a confirmatory retest of the original sample at your own expense. This request must be submitted in writing to the Township Board. If the confirmatory retest fails to confirm the initial positive results, no adverse action will be taken against you by Linwood Township on the basis of the positive results.
3) The only adverse personnel actions which may be taken against you by Linwood Township are as set forth in Section 14.4 of the Employee Handbook, Drug and Alcohol Testing Policy.

EXHIBIT C

REMOTE WORK POLICY

1) **Definitions.**
    a. Remote work means a work arrangement that allows an employee, as a term and condition of employment, to perform assigned duties at a location other than a Township worksite.
    b. Remote worker means an employee who has been approved to perform work on a regular or occasional basis at a remote work location.
    c. Remote work location means a worksite other than a Township facility, typically the employee's home.
    d. Core hours means the designated period of each workday during which the employee is expected to be working and available.
    e. Assigned Supervisor means the Town Board-designated supervisor responsible for overseeing the employee's work, performance, and compliance with Township policies.
2) **General Policy.**

    Remote work may be permitted by Linwood Township only when doing so meets the operational needs of the Township and when the duties of the position can be effectively performed at a location other than a Township worksite. Remote work is a term and condition of employment and must be addressed in the job posting and position description; not all positions are eligible for remote work. Employees must be approved for remote work by the Town Board in writing, and any such approval may be modified or revoked by majority vote of the Board. Nothing in this policy limits or supersedes the Township's obligations under the Americans with Disabilities Act (ADA) or the Minnesota Human Rights Act (MHRA). Requests for reasonable accommodation, including requests that may involve remote work, will be evaluated under applicable law through the Township's established accommodation process. This policy governs day-to-day remote work arrangements and does not apply to legally required accommodations, which are addressed separately as required by law.

3) **Eligibility and Expectations.**

    Employees must be approved for remote work by the Town Board in writing, and any such approval may be modified or revoked by majority vote of the Board. Employees approved for remote work remain responsible for performing all duties, responsibilities, and obligations of their position, and are subject to the same performance expectations, work rules, and disciplinary standards as employees working onsite. Remote work hours are regular work hours

and may not be used for personal activities, including dependent care, and employees must follow Township leave procedures when time away from work is needed. Remote workers must maintain a work schedule approved by their assigned Supervisor, remain reachable during scheduled hours, and notify their assigned Supervisor if they leave the remote work location or are unable to work due to illness, vacation, or equipment failure.

4) **Work Location and Equipment.**

Employees are responsible for establishing and maintaining a safe and appropriate remote work location and for all costs associated with that location, including furniture, utilities, internet service, and insurance, except for Township-owned equipment provided for business use. The Township is not responsible for loss or damage to employee-owned equipment used for remote work. In-person business meetings may not be held in remote work locations.

5) **Data Privacy and Security.**

Remote workers must protect the privacy and security of all Township data and ensure that confidential information is safeguarded at the remote work location and during transport. All Township-owned property, documents, and information used for remote work must be returned upon separation from employment.

6) **Town's Coordinator Responsibilities and Township Authority.**

The town's Coordinator and/or designated supervisor(s) are responsible for establishing communication expectations, monitoring performance, and ensuring compliance with applicable state and federal employment laws, including the Fair Labor Standards Act. The Town Board reserves the right to modify or revoke remote work arrangements at any time based on operational needs, performance concerns, or other legitimate business reasons.

EXHIBIT D

LINWOOD TOWNSHIP EMPLOYEE HANDBOOK ACKNOWLEDGMENT

By signing below, I

1) Acknowledge that:
    a. I received the Linwood Township Employee Handbook
    b. It is my responsibility to have read and understood these Personnel Policies.
    c. The Linwood Township Employee Handbook is intended only as a general reference, and not as a full statement of the Town's procedures or a legal contract.
    d. The Linwood Township Employee Handbook supersedes and replaces any other existing policies or procedure handbook, manual or the like.
2) Agree to:
    a. Keep the Linwood Township Employee Handbook and any updates in my possession during my employment and to update it whenever provided with materials to do so.
    b. Return it to the Town upon my separation from employment.

Date: _____

Employee Signature: _____

Employee Printed Name: _____

Article XXII. FILING AND AMENDMENTS

Description of Change(s):	

Signature	Date	Title

Description of Change(s):	

Signature	Date	Title

Description of Change(s):	

Signature	Date	Title

Description of Change(s):	

Signature	Date	Title

Description of Change(s):	

Signature	Date	Title

Description of Change(s):	

Signature	Date	Title

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Signature	Date	Title

Description of Change(s):	

Signature	Date	Title