

Event: The OTWMD monthly board meeting

Location: Ottertail City Hall

Date: July 8, 2020

Time: 4:00pm

Officers present: Adm. Kvidt, Chairperson Johnson, Sec. Dean, Treas Wheeler

Board members present: Com. Bleichner, Com. Damrau, Com Jones

Board members absent: Com.Young, Com Erwin

Quorum: yes

Agenda:

- 1. Meeting:** Called to order by Chair Johnson at 4pm.
- 2. Ordinance Revisions:** Public hearing was held. Voting for the revisions:
Commissioners: Jones, Damrau, Dean, Wheeler,
Johnson and Bleichner. Revisions approved.
- 3. Minutes:** Minutes were sent by email prior to meeting.
Motion made to accept the minutes by Com. Bleichner;
2nd by Com. Jones. Motion passed.
- 4. Treasurer's Report:** Report was sent by email prior to meeting.
Motion made to accept the report by Com. Jones;
2nd by Com. Dean. Motion passed.
- 5. Pay Bills:** Bills were presented by Adm. Kvidt . Motion by Com. Wheeler
to pay the bills including the the pumping bill ; 2nd by
Com Jones. Motion passed.
- 6. User Fees:** time to evaluate them
- 7. Nelson Ford:** work in progress
- 8. Rearing Pond:** Motion to give Chairperson Johnson the authority to sign
West Central Initiative paperwork and send check to the DNR
by Com. Bleichner. 2nd by Com Damrau. Motion passed.
- 9. Stipends:** signatures required of Damrau and Erwin.
- 10. 27153 Holiday Road:** reimbursed in monthly bills.
- 11. 34362 Deer Lake Road:** District's responsibility
- 12. Manhole hooks:** ordered 2 and a prob rods.
- 13. Derrick Du:** hopefully in August.
- 14. MCIT:** refund

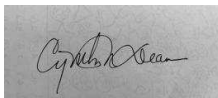
15. Audit: August meeting

16. Battle Lake Review: \$26.75 for the ad for ordinances.

17. Money Market transfers: to cover bills

Administrator's Report:

- 1. 36476 Augustana Drive: Passive; were billed for the replacements.**
- 2. 37217 Blarney Xing: repaired.**
- 3. 41063 Co Hwy 1: passive; failed compliance review; will need to update.**
- 4. 41190 Co Hwy 1: owner blockage.**
- 5. 41700 Co Hwy 1: alarm light issue.**
- 6. 42340 Co Hwy 1: Brogaards replaced pump 6/16/2020. 6/30/2020 alarm on again; not pumping; rechecked connections; is now working.**
- 7. 42940 Pleasure Park Rd: 3 floats and a fuse.**
- 8. 42838 Pleasure Park Rd: replaced fuse.**
- 9. 4th of July weekend: 39391 Clearmont Rd: GFI issue.
37201 Blarney Xing: inlet baffle plugged
42664 Pleasure Park Rd: replaced floats and fuse
35893, 35903, 35909 Co Hwy 72: pump out; Hawes pumped it
38516 Preserve Drive: GFI issue**
- 10. 31338 Oak Ridge Beach Rd: alarm light**
- 11. 28865 High Vista: mowed over cap**
- 12. Compliance inspection and soil verifications continue.**



Next meeting is Aug 12, 2020

Otter Tail Water Management District Monthly Meeting

Meeting Date: July 8th, 2020

Next Meeting Date: August 12th, 2020

Agenda:

1. Open Meeting
2. Approval of Minutes from Last Meeting
3. Treasurer Report
4. Pay Bills
5. Ordinance Revisions: Public Hearing
6. The board should start thinking about setting prices for the 2021 User Fee. We can have a final discussion in August. We need to turn this document into the County by October.
7. I have been working with Nelson Ford in Fergus Falls to purchase a new pick up. They are currently looking for new picks up as options and working on our trade in value with the current truck.
8. Rearing Pond Update: Nancy, Chad and I walked the property on 6/25/2020. Chad just wanted to see the property, so he has a better idea of how to handle the transfer process. The Rearing Pond Committee is in the process of getting all the paperwork ready for the transfer of money to the OTWMD. Then we can get a check to the DNR to purchase the property. The deadline to pay the DNR is August 20th, 2020.
9. Jill and Dave need to sign the commissioner stipend form from last month.
10. 27153 Holiday Road had called a pumper one weekend for a service call. They are on active maintenance and are wondering if they can be reimbursed. They have submitted the receipt from Gary's Septic Service to the office. The fee was \$160.00 for the pumping and the receipt stated they had roots in the outlet of the tank. How does the board want to handle this?
11. 34362 Deer Lake Road: This drainfield is no longer accepting water like it should be. The drainfield is probably at the very end of its life cycle. I have met Scott's Septic Service onsite and have him designing a new drainfield for the property. This is on active maintenance so will be taken care of by the OTWMD.
 - a. Have had to have this system pumped out twice in the last 1.5 months and it only sees use on weekends mainly.
 - b. Issued permit for this replacement system on 7/7/2020. Sent out for bids with a deadline of 7/24/2020 to get the bids in.
12. I ordered 2 manhole cover hooks and a new probe rod from Locators and Supplies in Fergus Falls. We did not have any backup ones and I will be checking with on-call personnel to make sure they have one of each.
13. Derrick Du and IOTanks update: I had a Zoom Meeting with Derrick on 7/1/2020. They plan on placing their first sensor in the tank last week and then having their first set of results by the end of July. They are hoping to have sensors ready for us to pilot in August. Their biggest concern right now is how they are going to mount the antenna for the cellular signal of sending data from the sensor to the computer. They are working on these issues now.
14. MCIT is refunding us \$649.00 for exceeding our payroll projection in 2019. This will be direct deposit.
15. Buzz Anderson is busy working on the yearly audit. He has all the materials and will hopefully present the audit to the board at next month's meeting.

16. The ad in the Battle Lake Review Paper for the public hearing notice cost \$26.75. The Battle Lake Review will bill us for this payment.
17. Transferred Money from the Money Market account to the individual checking accounts to cover bills for this Month:
 - a. General- \$20,00.00
 - b. Pumping- \$15,000.00
 - c. Tanks & Lines- \$5,000.00
 - d. Pumps & Controls- \$0.00

Administrator Report:

1. 36476 Augustana Drive: alarm light was on 6/29/2020. This is an active property. The homeowner had issues reaching the district because of our new number in the last year. So, they reached out to a board member. This is a passive property. I replaced all 3 floats and a fuse and charged them for the replacements.
2. 37217 Blarney Xing: Sunday night service call. Replaced all 3 floats and a fuse on Monday morning.
3. 41063 County Highway 1: failed a compliance inspection. This property is on passive maintenance. The tank failed inspection and the drainfield passed. The homeowner will need to update the tank to bring the system back into compliance.
4. 41190 County Highway 1: Service call on weekend 6/13/2020. Septic was backing up into the home. There was a blockage in the sewer line between the house and tank that had been removed by the homeowner.
5. 41700 County Highway 1: Alarm light was on 6/30/2020. This pump was just replaced and is working correctly. The alarm light is wired weirdly and needs to be adjusted/replaced. I will be working with Brogard Plumbing to get this issue resolved. Homeowner knows about this issue.
6. 42340 County Highway 1: Pump went out and was replaced on 6/16/2020. This was a newer style pump that we do not have in stock. Brogard Plumbing was hired to replace the pump.
 - a. 6/30/2020: alarm light was back on. I visited the property and found that the pump was not pumping. I checked all the connections and the pump started working correctly. I visited the property the next two days after, and the pump has been operating correctly ever since.
7. 42940 Pleasure Park Road: 6/28/2020 Sunday night service call. Replaced all three floats and a fuse Monday morning.
8. 42838 Pleasure Park Road: a neighbor mentioned when working on the above property that the alarm light was on at this property over the weekend as well. I visited the property and it is an empty lot with a trailer dump area. The power was off at the property and the alarm light was not on. I checked the fuse and it was discolored in the panel, so I replaced it. Have not received a call since about this property.
9. July 4th, Holiday Weekend Service Calls:
 - a. Thursday night 7/2/2020: 39391 Clearmont Road called about their alarm light being on. Visited the property later that night and the homeowner had reset his breaker and his GFI outlet and that seemed to resolve the issue. Was working correctly by the time I got there.
 - b. Friday 7/3/2020: 37201 Blarney Xing called about their septic backing up into their camper. I visited the property that morning and found roots and toilet paper plugging

the inlet baffle in the tank. Was about to clear this and system was operating correctly after doing so.

- c. Friday 7/3/2020: 42664 Pleasure Park Road called about their alarm light being on. I visited the property that afternoon and replaced the fuse in the alarm box. This got them through the weekend. I went back Monday 7/6/2020 and replaced all three floats that operate the pump in the lift station.
 - d. Saturday 7/4/2020: 35893,35903,35909 County Highway 72 called about their shared lift station alarm light being on. I visited the property that afternoon and found that the pump had quit working. I had Hawes Pumping pump the septic tanks and lift station. I will be working with Brogard Plumbing to get this pump replaced as soon as possible.
 - e. Sunday 7/5/2020: 38516 Preserve Drive called about an alarm light being on for a shared system between parcels 02000990824000,825000, 826000, 827000. I visited the property that morning and found that the GFI outlet needed to be reset. After resetting the outlet, I ran the lift station through a pumping cycle and it appeared to be working correctly at that time.
10. 31338 Oak Ridge Beach Road: Owner called about the alarm light coming on briefly on Sunday afternoon. Was on a short time then went off. Visited the property 7/7/2020 after receiving the call 7/6/2020 after hours. Everything seemed to be working as it should.
 11. 28865 Hi Vista Drive: Owner called about mowing over his 4-inch inspection caps on his drainfield. Visited the property 7/7/2020 and replaced the mowed over caps.
 12. There has been a steady amount of compliance inspections and soil verifications in the last couple of weeks.

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This ordinance documents updated on (approved date) will replace all past ordinances for the Otter Tail Water Management District.

**OTTER TAIL WATER MANAGEMENT DISTRICT
ORDINANCE NO. 1**

AN ORDINANCE REGULATING:

The Establishment of Charges for the Administration of the Wastewater Facilities {User and Debt Service Charges)

The Annual Review of Said Charges

OTTER TAIL WATER MANAGEMENT DISTRICT
COUNTY OF OTTER TAIL
STATE OF MINNESOTA

Be it ordered and enacted by the Board of the Otter Tail Water Management District, County of Otter Tail, State of Minnesota, as follows:

**CHAPTER 1
GENERAL PROVISIONS**

ARTICLE I. PURPOSE

Section 1 - This Ordinance sets forth the requirements for accruing revenues to enable the Otter Tail Water Management District to comply with State and Federal laws and to provide sufficient revenues to financially balance expenditures for the administration of all septic systems within the District.

Section 2 - This Ordinance provides that any user of the sewer utilities within the Otter Tail Water Management District shall be assessed annually in an equitable manner, fees for the amount of use that user makes of sewer utilities within the District.

Section 3 - This Ordinance shall apply to the Otter Tail Water Management District and to any persons outside the District who may be users of sewer utilities within the District by contract or agreement with the District.

Section 4 - Except as otherwise presented herein, the District Administrator shall implement and enforce the provisions of this Ordinance.

ARTICLE II. DEFINITIONS

Unless the context specifically indicates otherwise, the following terms as used in the Ordinance shall have the meanings hereinafter designated.

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"Biochemical Oxygen Demand" (BOD5) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five days at 20°C, expressed in milligrams per liter, as prescribed in "Standard Methods for the Examination of Water and Wastewater," current edition.

Would Like to Remove this definition. It is defined in Rules Chapter 7080 so doesn't need to be here since we adopted them.

"Board" means the Board of Commissioners, Otter Tail Water Management District.

Minnesota rule 7080 "Individual Subsurface Sewage Treatment Systems" as adopted and subsequently amended.

"Commercial User" means a user of the Otter Tail Water Management District sewer utilities discharging wastewater from a place of business which is distinct from a residential user but includes industrial wastewater. Amended Nov. 1, 2009

"Debt Service" means the annualized cost for capital expenditures by the District, said cost covering the principal and interest on outstanding District loans obtained for construction of new or expanded facilities. Debt service is distinct from annual administrative, maintenance, or replacement costs.

"Debt Service Charge" means the quarterly fee charged each user of the sewer utility to cover the District's debt service for that individual user.

"District Administrator" means District Administrator or his authorized agent or representative appointed by the Board of the Otter Tail Lake Water Management District to manage the affairs of the District in the best interests of the residents of the District.

"District" means the Otter Tail Water Management District.

"Maintenance" means all labor, equipment, materials, and power required to maintain the sewer utilities sufficient for continuous, reliable service to the District's users. Maintenance includes inspecting, pumping, repairing, replacing and overhauling of all parts of the septic system.

"National Pollutant Discharge Elimination System (NPDES) Permit". Any permit or requirements issued by the Minnesota Pollution Control Agency (MPCA) pursuant to the Federal Water Pollution Control Act, as amended (33 U.S.C. 1251 et seq.); for the purpose of regulating the discharge of sewage, industrial wastes, or other wastes under the authority of section 402 of the Act.

"Operation" means all labor, equipment, materials, and power required to operate the sewer utilities on a continuous basis.

"Permit" means a permit issued for new construction, replacement, repair, alteration or extension of an individual or shared sewage treatment system, including collector

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systems.

"Phosphorous" means the total phosphorous present in waste, whether soluble or insoluble, and whether organic or non-organic, as determined by the tests described in "Standard Methods for the Examination of Water and Wastewater," current edition.

Remove this definition is in 7080 as well.

"Replacement" means all labor, equipment, materials, and power required to replace worn or damaged equipment in the District's sewer utilities, as distinct from capital expenditures, which produce debt service. Replacement may also include planned capital expenditures when these expenditures do not constitute new or expanded wastewater facilities.

Remove defined in 7080

"Residential User" means a user whose primary purpose and use is for residential and living purposes and which discharges wastes carried in the amount of approximately 75 gallons per capita per day containing approximately 270 mg/L BOD5 , approximately 300 mg/L suspended solids, and approximately 16 mg/L phosphorous, consistent with that emanating from a typical household. Amended Nov. 1, 2009

"Sanitary Sewer" shall mean a sewer, which carries sanitary waste to which storm, surface and groundwater are not intentionally admitted.

"Sewage Treatment Area" means the area meeting or exceeding the onsite requirements of the Otter Tail Water Management District Ordinance for the purpose of soil treatment (drain field) areas and future additional sites."

"Sewer Service Charge" means the fee, charged each user of the utility, which is the sum of the user charge and debt service charge. Sewer System" or "system" means· all of the parts of an onsite sewage treatment system or cluster system not including the delivery system from the structure to the downstream side of the inlet baffle of the first tank.

"Sewer Utility" means a system of septic systems and wastewater treatment facilities administered and controlled by the District.

"Suspended Solid" (SS) means solids that either float on the surface of, or are in suspension in, waste and which are removable by laboratory filtration; the quantity being determined by a test as described in "Standard Methods for the Examination of Water and Wastewater," current edition.

Remove this is listed in Chapters 7083 Definitions.

"User Charge" (User Fee) means the proportionate annual fee charged each user of the sewer utility to cover all Operation, Maintenance and Equipment Replacement (OM&R) costs incurred by the District. For the purposes of this ordinance, OM&R will be distributed proportionately among all

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users on the Active Maintenance Program. In addition, all costs for the administration of the system will be distributed proportionately to all users on both Active and Passive Maintenance Programs.

"Users" means those places or establishments, which are connected to the sewer utility.

CHAPTER 2

REGULATIONS

ARTICLE 1. GENERAL CATEGORIES OF USERS

Section 1 - Users of the Otter Tail Water Management District sewer utility shall be considered to belong to one of two categories: Amended Nov. 1, 2009

(a) Permanent Residential User

(b) Commercial User

The allocation of users to categories for the purposes of Assessment of Sewer Use and Debt Service Charges shall be determined by the District Administrator subject to the review and ultimate determination by the Board. Allocation of a user to categories shall be based in part upon the substantive intent of the definitions of categories contained herein. Amended Nov. 1, 2009

Section 2 - A passive and active maintenance program shall be offered except to those properties connected to cluster systems will be on the active maintenance program for maintenance reasons.

For those properties on the passive maintenance program, the property owner shall be responsible for its operation and maintenance. This will include repairs to pumps, controls, tanks, sewers, drain fields, and the pumping of the sewage tanks. The property owner shall report to the District all problems and the steps taken to alleviate such problems. The District shall notify the passive system owner on a regularly scheduled basis by sending a letter to the passive system property owner recommending pumping when maintenance is due and shall monitor the actions taken by the property owner to maintain the system.

For those properties on the active maintenance program, the District shall be responsible for operating and monitoring the system. This will include all normal repairs to pumps, control, tanks, sewers, drain fields and tank pumping. Properties that are connected to a system with a lift station are responsible of the delivery of the effluent to the lift station. The owner of an active system shall be responsible for all costs incurred by the District for the enlargement or relocation of the system done for the convenience of the owner. The owner of an active system is responsible for the delivery system for the sewage, i.e., from the structure to the downstream side of the inlet baffle of the first tank. The property owner will be responsible for providing and paying for the electrical power for running the system. The property owner shall report all

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problems to the district who will arrange to alleviate the problems at no additional cost to the property owner. Damages caused by the abuse of the system by the property owner will be repaired by the District, but are the responsibility of the property owner, and shall be assessed against the property owner. The District will provide all normal scheduled maintenance and keep records. Freeze ups are the owner's responsibility.

Properties on active maintenance may not convert to passive maintenance at any time, including new owners of a property that is on the active maintenance at any time, including new owners of a property that is on the active maintenance program.

The owner of a passive system may apply only convert to an active system. If a user wishes to apply for a change from passive to active the following requirements must be met before such change will be allowed:

The owner of a passive system may only convert to an active system if the septic system is updated. All new systems must be placed onto the active maintenance program.

1. Replace the below with the system must be updated.
2. All new systems installed are automatically placed onto active maintenance.

1. The system cannot be more than five (5) years old, or, if older, the change shall only be allowed at the discretion of the Board and only if the soil absorption area is replaced or added onto as required by the District and all septic tanks and lift tanks are found to be acceptable in compliance with the District codes upon inspection which includes being replaced or pumped as required by the District.

2. All costs of bringing the user's system into compliance, including any inspections if done by the District, with the District Code(s), including this Section, shall be the responsibility of the user requesting the change to active status.

3. Once the user's system has been brought into compliance, prorated costs for maintenance and repairs of a converted system shall be as follows or as amended by the District from time to time.

**Years on Active Property Owner Share Districts Share
Maintenance**

Less than 1 Year	100%	0%
1-2	90%	10%
2-3	80%	20%
3-4	70%	30%
4-5	60%	40%
5-6	50%	50%
6-7	40%	60%
7-8	30%	70%
8-9	20%	80%
9-10	10%	90%
Over 10	0%	100%

ARTICLE II. ASSESSMENT OF USER CHARGES

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Section 1 - Administration Fees

Each user in the district shall pay an administration fee determined by the Board annually and billed annually. The administration fee shall be the user's proportionate share of the district's annual administrative expense and shall be based upon all relevant factors including the user's category, type of system, number of units (such as cabins, campgrounds, sites) type of activity conducted on premise (such as residence, restaurant, resort) and any other factors determined relevant by the Board. The user fees for the district shall be available for inspection and review at the district office. Amended Nov. 1, 2009

Replace with: Each user in the district shall pay an administration fee determined by the Board annually and billed annually. The administration shall be the user's proportionate share of the district's annual administrative expense and shall be based upon all relevant factors including the user's category, type of system, number of units (such as cabins, campgrounds, sites) type of activity conducted on premise (such as residence, restaurant, resort) and any factors determined relevant by the Board. The user fee for the district shall be available for inspection and review at the district office. The user fees will be placed on each homeowner's property tax statement and will be paid along with the property taxes each year.

Section 2 - Sewer Use Charges

(a) Residential Users

The assessment of Sewer Use Charges attributable to each residential user of the sewer utility shall be based on the type of service provided, such as drain field, mound system, cluster system. A schedule of sewer use charges for types of residential systems shall be established annually by the Board. Amended Nov. 1, 2009

(b) Commercial Users

The assessment of Sewer Use Charges attributable to commercial users of the sewer utility shall be based upon the number of units connected and the type of service provided such as drain field, cluster, mound. Amended Nov. 1, 2009

Trailer homes or camper type trailers, which are parked in campgrounds on a permanent basis, shall be treated as seasonal residences with rates being charged accordingly to the campground owner.

ARTICLE III. ANNUAL REVIEW OF USER CHARGE SYSTEM

Section 1 - Annual Review

The user charges to be assessed sewer utility users, the total costs for administration, the type of use by users, and user classes shall be reviewed annually by the District. The District administrator shall submit to the Board a proposed user charge system for approval.

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Upon acceptance of the sewer utility budget by the Board, the Sewer Utility User Charge rates shall be established by Board Resolution.

The Sewer Utility User Charge rates shall be established to meet these general requirements:

- (a) Maintain the proportionate distribution of costs among users and user classes.
- (b) Generate sufficient revenue to pay the total administration costs necessary for proper supervision of the individual operation maintenance and replacement of the sewer utilities.
- (c) Allow sufficient funds to be accrued to allow for replacements and act as a reserve when needed.

Section 2 - Notification to Users

At least annually, following the approval of the user charges by the Board, each user shall be notified of the charges applicable to their property. Said notification shall be made in conjunction with a regular bill.

Replace with: At least annually, following the approval of the user charges by the Board, the website www.otwmd.org will be updated to notify the property owners in the district of the updated user fee prices for their properties.

ARTICLE IV. DEBT SERVICE CHARGES

The monthly debt service charge shall be computed using the actual costs of those systems and components installed for each individual user.

ARTICLE V. OPERATION AND MAINTENANCE

All systems shall be operated and maintained in good working order and in accordance with the ordinances of the District, Minnesota Rules Chapters 7080 through 7083, and the rules adopted by the Board.

A system shall be inspected if it is older than 5 years or is it has been 3 years or more since its last compliance inspection. The inspection shall be done by a licensed MPCA Designated Registered Professional Inspection Business. If a system is in compliance as indicated by the Certificate of Compliance issued by the Otter Tail Water Management District within the last 5 years, no inspection shall be required.

All systems shall be inspected on the following schedule: Seasonal residents to be inspected every three years; permanent residents to be inspected every two years; all businesses and institutions to be inspected every year; tanks to be pumped three to five years or as determined by inspections.

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Replace with: All systems on active maintenance will be pumped on a three-year rotating basis and by judgement of the district administrator. With roughly one-third of the district active systems will be pumped each year. At the time of the pumping the tank will be examined by the contracted pumper, along with the pump and float controls if they are present. Any issues will be brought to the attention of the district administrator for correction.

Those properties on passive maintenance shall have their systems inspected by the District. If inspection reveals needed maintenance, such shall be performed. Upon completion of inspection and proper maintenance, the owner of the property will have ten days to return a signed report by the inspector informing the District what was found and done. All costs of maintenance shall be borne by the passive property owner. If the owner of a passive maintenance system fails to have the system properly maintained, the District shall inspect and perform required maintenance. All costs of such maintenance shall be charged to the owner. If the owner fails to perform proper maintenance twice, then that property shall go on the active program and the property will be assessed accordingly. The District reserves the right to inspect and maintain at any time any sewer system under its jurisdiction.

Replace with: All systems on passive maintenance will have a pumping letter sent to them every three years on a rotating basis, recommending them to have their septic tanks pumped. One-third of the passive properties in the district will receive this letter each year. This letter can be returned to the district with the maintainer information and date the system was pumped for record keeping purposes. If pumping/inspection reveals needed maintenance, it is up to the homeowner to have that work done at their cost. If the district has to get the maintenance work done on a passive system, the homeowner will be charged by the district. The district reserves the right to inspect and maintain at any time any sewer system under its jurisdiction.

If a property discharges larger amounts of water or contaminants into the system than it was designed for, the owner shall pay all costs incurred to normalize the system. If additional discharge becomes normal and the system must be modified or extended, the owner shall pay all costs to expand or modify the system to meet District requirements for proper sewage treatment.

If a system is determined to be an imminent threat to public health, it must be abated within 30 days to stop the imminent threat to public health. This system must be updated within 10 months. If a system is failing to protect the groundwater, said system shall be brought into compliance within 10 months of said determination. If either of these scenarios occur during winter months they must be updated within the next 10 months or the construction season following the winter season it occurs in.

This amendment to Otter Tail Water Management District Ordinance No. 1 shall be in full force and effect from and after its passage and approval and publication as provided by law.

Remove this

ARTICLE 1. FEES

Section 1 - Purpose

CHAPTER 3

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USER FEES

It is the purpose of this chapter to provide for the recovery of costs from users of the District's wastewater disposal system for the implementation of the program established herein and to maintain a system of charges by which each user will pay for the costs associated with the amount of administration of the wastewater collection and treatment services received by the user. The applicable charges or fees shall be set forth in the District's Schedule of Charges and Fees to be prepared annually by the Otter Tail Water Management District Board.

Section 2 - Separate Account

All revenue generated by the user charges shall be maintained in an account separate from other municipal accounts and shall be used solely to defray the cost of operation and maintenance of the sewage utility.

CHAPTER 4 CONFLICT

All other Otter Tail Water Management District ordinances and parts of other District ordinances inconsistent or conflicting with any part of this Ordinance are hereby repealed to the extent of such inconsistency or conflict. The District reserves the right to amend this ordinance at any time if found necessary.

OTTER TAIL WATER MANAGEMENT DISTRICT ORDINANCE NO.2

AN ORDINANCE REGULATING:

The use and Maintenance of Septic Systems Within the Districts'
Private Sewage Disposal
The Installation and Connection of Building Sewers
The Discharge of Waste into the Districts' Septic Systems
The Provision of Penalties for Violation Thereof
The Levying of Charges for Wastewater Services (User Charges)

OTTER TAIL WATER MANAGEMENT DISTRICT (COUNTY OF OTTER TAIL) STATE OF MINNESOTA)

Be it ordered and enacted by the Board of the Otter Tail Water Management District, County of Otter Tail, State of Minnesota, as follows:

CHAPTER 1

SEWER USE ORDINANCE

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ARTICLE I. USE OF PUBLIC SEWERS REQUIRED

Section 1 - It shall be unlawful for any person to place, deposit, or permit to be deposited in any unsanitary manner on public or private property within the Sanitary District or in any area under the jurisdiction of the District, any human or animal excrement, garbage or other objectionable waste excepting that of livestock, pets or kennels approved by local zoning ordinances.

Section 2 - It shall be unlawful to discharge to any drain or natural outlet within the District or in any area under the jurisdiction of the District, any sewage or other polluted waters except where suitable treatment has been provided in accordance with subsequent provisions of this Ordinance and the National Pollution Discharge Elimination System (NPDES) permit.

Section 3 - Except as hereinafter provided, it shall be unlawful to modify, construct, or maintain any subsurface sewage treatment system, or other facility intended or used for the disposal of sewage without approval of the District.

Section 4 - The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes situated within the District is hereby required at his/her expense to install suitable toilet facilities that satisfy both the District Rules and the Minnesota Plumbing Code, such facilities directly with the proper septic system in accordance with the provisions of this Ordinance, within ninety (90) days after date of written notice to do so.

A variance may be granted where a municipal or state recreation area has been established to provide just a place to launch boats, swim, ski or fish from if there is no place to construct a proper sewage disposal system. However, no camping or disposal of wastes or garbage shall be allowed in such an area.

Section 5 - No owner or other person acting with legal authority on behalf of an owner of a tract of land located in the District upon which a dwelling is located, or a tract of land upon which a structure is required to have an individual sewage treatment system is located, shall convey to another party said tract of land, unless all of the following requirements are met:

(a) A currently valid Compliance Inspection shall be submitted to the District with the property transfer. If a currently valid Compliance Inspection is not submitted to the District, the buyer shall provide a currently valid Compliance Inspection to the District within 30 days of the property transaction and is responsible for any required upgrade should the system be noncompliant. A valid Compliance Inspection is an inspection, conducted by an MPCA licensed inspector, which is three years old or less, indicating that the system is in compliance or is out of compliance.

(b) Failure to submit a currently valid Compliance Inspection for a property transfer shall result in enforcement by the District as detailed in CHAPTER 2, ARTICLE IV.

POWERS AND AUTHORITY OF ENFORCING AGENTS of this Ordinance.

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(c) A Compliance Inspection is not required to be filed with the District at the time of sale or transfer of property if any of the following conditions exist:

(1) The property to be transferred has no structures usable for human habitation.

(2) The property to be transferred has no buildings with plumbing fixtures; or

(3) The sale of land is exempt from the requirements that a Certificate of Real Estate Value be filed as described in Minnesota Statute §272.115, subd. I; or

(4) The system is in compliance as indicated by a Certificate of Compliance issued by the District in the last 5 years.

(d) If the sale or transfer of property occurs during the winter months of November through April, the buyer shall complete the Compliance Inspection, if necessary, by the following June 1st. The buyer shall ultimately be held responsible by the District if the septic system is noncompliant and not brought into compliance within the timeframe provided by the District or if a Compliance Inspection has not been completed."

ARTICLE II. PRIVATE SEWAGE DISPOSAL

Section 1 - Private sewage collection and disposal systems will not be permitted within the District limits except individual disposal systems so permitted may be permitted by special permit. Individual disposal systems so permitted shall comply with the requirements of Minnesota Rules Chapters 7080 through 7083 and their current and future amendments and any such rules adopted by the District or Otter Tail County which may be more restrictive than those required by Minnesota Rules Chapters 7080 through 7083."

Add in to this the district is not responsible for cost of having a grass cover over your newly installed system.

Section 2 - Except as herein provided, it shall be unlawful to discharge such wastes as prohibited by this Ordinance to a private sewage system.

Section 3 - Private sewage collection and disposal systems shall be operated and maintained according to the requirements of the District's NPDES permit, which is on file in the District Office.

Section 4 - The District shall be allowed access to septic tanks, septic tank effluent pump stations, drain fields and any other private on-site facilities for the purposes of inspection, operation, maintenance and repair of such facilities. The District shall establish charges for such District-performed work as is required for proper inspection, operation, maintenance and repair of on-site facilities in accordance with Chapter 2 of this Ordinance.

ARTICLE III. BUILDING SEWERS AND CONNECTIONS

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Section 1 - No unauthorized person shall uncover, make any connections with, or opening into, use, alter, or disturb any septic system or appurtenance thereof without first obtaining a written permit from the District or its authorized representative.

Section 2 - All disposals by any person into the septic system is unlawful except those discharges in compliance with Federal Standards promulgated pursuant to the Federal Act and more stringent State and local standards.

Section 3 - There shall be two (2) classes of building sewer permits: (a) for residential and (b) for commercial service. In any case, the owner or the owner's agent shall make application on a special form furnished by the District. The permit application shall be supplemented by any plans, specifications, or other information considered pertinent in the judgment of the District. Industry, as a condition of permit authorization, must provide information describing its wastewater constituents, characteristics, and type of activity.

Section 4 - A building sewer permit will only be issued and a sewer connection shall only be allowed if it can be demonstrated that sewerage facilities, including septic tanks, pump stations and drain fields have sufficient reserve capacity to adequately and efficiently handle the additional anticipated waste load.

Section 5 - All costs and expense incident to the installation and connection of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer.

Section 6 - A separate and independent building sewer shall be provided for every building, except that where one building stands at the rear of another on a single lot or on an interior lot and when no separate septic system is available or can be constructed to the rear building, the building sewer from the front building may be extended to the rear building, or except that where a group of buildings constitutes a commercial connection such as in the case of a motel, hotel, or resort wherein one connection to the septic system will be provided.

Section 7 - Old building sewers may be used to connect buildings only when they are found, on examination and testing by the District, to meet all requirements of this Ordinance.

Section 8 - The size, slope, alignment, materials of construction of a building sewer, and the methods to be used in excavating, placing of the pipe, jointing, testing, and backfilling the trench shall all conform to the requirements of the rules and regulations of the District. In the absence of code provisions or in amplification thereof, the materials and procedures set forth in appropriate specifications of the American Society of Testing Materials, State Plumbing Code, Water Pollution Control Federation Manual of Practice No. 9, the District Engineer's Specifications for Water and Sewer Main Construction in Minnesota shall apply.

Section 9 - Whenever possible, the building sewer shall be brought to the building at elevation below the basement floor. In all buildings in which any building drain is too low to permit gravity flow to the septic system, sanitary sewage carried by such building drain shall be lifted by a means, which is approved in accordance with Article III, Section 8, and discharged to the

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building sewer.

Section 10 - No person shall make connection of roof downspouts, exterior foundation drains, areaway drains, garage or other floor drains, or other sources of clear water surface runoff or groundwater to a building sewer or building drain, which in turn is connected directly or indirectly to a septic system.

Section 11 - The connection of the building sewer into the septic system shall conform to the requirements and applicable rules and regulations of the District, or the procedures set forth in appropriate specifications of the American Society of Testing Materials, State Plumbing Code, Water Pollution Control Federation Manual of Practice No. 9, and District Engineer's Specifications for Water and Sewer Main Construction in Minnesota. All such connections shall be made gastight and watertight.

Section 12 - All excavations for building sewer installations shall be adequately guarded by the owner or contractor with barricades and lights to protect the public from hazard. Streets, sidewalks, parkways, and other public property disturbed in the course of the work shall be restored in a manner satisfactory to the District.

Section 13 - All septic tanks must meet the requirements of Minn. R. 7080.1900 to 2030.

Section 14 - All drainfield material must be either chambers that are registered on the MPCA registered product list or the drainfield material shall consist of properly sized drainfield rock.

Section 15 - Permits: A fee shall be paid before issuance of a sewer permit, which will allow for two (2) trips to the construction site. Additional trips that are necessitated by improper elevations, separation distances or other variances will be charged against the owner or contractor in accordance with the schedule of fees and charges adopted by the Board.

Section 15 - The applicant shall submit a plan and drawing showing location, elevation of the bottom of the drain field, and separation distances from wells, buildings, lot lines and roads upon application for a permit. The plans shall give all information for sizing of the drain field and tank.

Add on to this: Before any permit can be issued for a septic system a pre site soils verification must be done with the district administrator and designer of the septic system. A soil log must be filled out and signed by both the district administrator and the designer before a permit for a septic system can be issued.

Section 16 - The contractor or owner shall notify the District two (2) weeks prior to actual construction. The contractor shall be responsible to ensure the more stringent provisions of either CHAPTER 7080 or the shoreline management ordinance of Otter Tail County, to maintain all the proper separation distances.

Edit this to say: The contractor or owner shall notify the district administrator the day prior to actual construction. The district administrator must approve the inspection time for all new system installations or repair work. The district administrator must inspect all new system

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installations before they can be covered up. The contractor shall be responsible to ensure the more stringent provisions of either Chapter 7080 or the shoreline management ordinance of Otter Tail County to maintain all the proper separation distances.

Section 17 - For the inspection of new or old systems under construction, the contractor shall not cover the bottom of the drain field until the agent of the District has determined elevation adequate. The contractor shall have a transit and range pole ready for use to expedite the inspection. The contractor shall not cover the tank until inspected.

Section 18 Sewer systems shall be identified by tracer wire pursuant to the rules adopted by the Water Management District

Section 19 - Sewer pipes shall be insulated pursuant to the rules of the Water Management District.

Section 20 - The soil absorption field shall be sized one bedroom larger than required by Chapter 7080 for all new construction and whenever an existing system is repaired or replaced.

Section 21 - A two chambered tank or two tanks in series shall be installed for all new systems. On existing systems, a second tank shall be added whenever a system is expanded or replaced. The tanks shall be sized one bedroom larger than required by Chapter 7080. Remove the one bedroom bigger sizing for tanks due to freezing concerns on seasonal properties. Add that all tanks must be concrete tanks unless the site does not allow for a tank delivery truck to reach the area of the system. In this situation a plastic tank may be used but needs to be approved by the district administrator prior to installation. All manholes over the inlet, outlet and compartment walls must have manholes brought to the surface for proper maintenance and inspection. All septic tanks must be installed on a firm and stable base.

Section 22 - Holding tanks, Seepage Pits, Drywells, or Leaching Pits are considered noncompliant and shall not be allowed. Allow holding tanks for non-dwelling structures. It is the responsibility of property owner to have holding tanks pumped by a licensed maintainer. The district is not responsible for the maintenance and replacement of holding tanks for non-dwellings. Holding tanks are not allowed for dwellings. Holding tanks must be a minimal size of 1500 gallons and be two compartments in the event that a drainfield is ever added in the future.

Section 23-The lift pump disconnect shall be a union type or O-ring coupler type. Solid pipes or fernco couplers are not allowed.

Section 24 - Mound systems must be constructed in such a manner that 40-inch separation exists between the restrictive layer and the bottom of the media."
Change this to be consistent with Chapter 7080 and Otter Tail County.

Section 25- Tanks shall not be installed in water. The tank shall be installed on a firm and stable base.

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Remove this line.

Section 26- All lift stations shall be constructed in a manner so that the electrical components associated there with are easily accessible.

Section 27- All lift stations shall be equipped with an electronic alarm device or an alarm device which will give both an audible and visual alert for easy and early detection.

Section 28 - All individual subsurface sewage treatment systems within the District must have at least three-foot vertical separation or a vertical separation in compliance with Minnesota Rule 7080.2350, subpart 2, Table XI. A 15 percent reduction is allowed, only for mound systems that were created with three feet of separation, to account for settling of sand or soil, normal variation of measurements, and interpretations of the limiting layer conditions. For purposes of this section the vertical separation measurement must be measured outside the area of the systems influence in an area of similar soil.

Section 29 - All system dwelling design flow calculations must comply with Classification I of the Table IV of Minnesota Rule 7080.1860.

Section 30 - All systems shall have a minimum flow rate for each separate building served by site system of 150 gallons per day.

Section 31 - The following setback distances apply:

(a.) SEWAGE TANK, SEALED/UNSEALED PRIVY, SOIL ABSORPTION AREA FROM THE ORDINARY IDGH WATER LEVEL AS DEFINED BY MINNESOTA RULE7080

LAKES RIVERS

General Development-----	50ft.	Urban & Tributaries-----	75ft.
Recreational Development-----	50ft.	Agricultural-----	75ft.
Natural Environment-----	150ft.	Transition -----	100ft.

For lots existing by virtue of a recorded plat or deed before October 15, 1971, or lots that have an existing dwelling, which have insufficient area to meet this setback, the setback from the Ordinary High Water Line shall be the greatest distance possible, by meeting all other setback requirements, and in no event less than 50ft. from the Ordinary High Water Line.

(b) SEWAGE TANK SEALED PRIVY MEASURING OBJECT DISTANCE

Water Well -----	50ft.
Buried Water Suction Pipe -----	50ft.
Buried Pipe Distributing Water Under Pressure-----	10ft.
Building -----	10ft.
Lot Line/Road Right-of-Way -----	10ft.

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(c) Soil Absorption Area or Unsealed Privy

MEASURING OBJECT DISTANCE

Water Well Less than 50ft. Deep and with less than 10 ft. of Impervious Material----	100 Ft.
Any Other Water Well or Buried Suction Pipe-----	50Ft.
Buried Pipe Distributing Water Under Pressure-----	10Ft.
Lot Line/Road Right-of-Way-----	10ft.
Building-Dwelling-----	20ft.
Building-Non-dwelling-----	10ft.
Ordinary High-Water Line, as defined by MN Rule 7080, Saturated Soil or Bedrock (Vertical) Except for Mound Systems-----	3Ft.

(d) The setback from a water well, sewage tanks, and soil absorption areas, maybe less than the established standards if a variance is obtained from the Minnesota Department of Health, in which case the setback shall be the distance established in the Minnesota Department of Health variance, a copy of which shall be filed with the District's office

(e) Subsurface systems may be installed less than 10ft. from a road right-of-way with written permission from the road authority, a copy of which shall be filed with the District's office. The lot line setback does not apply to systems serving multiple lots included within a shared Collector System.

(g) For lots existing by virtue of a recorded plat or deed before October 15, 1971, or on lots that have an existing dwelling, which have insufficient area to meet these setbacks, the setback from a building or a lot line for sewage tanks and soil absorption areas shall be the greatest distance possible. requirements and in no event less than 5 feet from the lot line.

Change to: The setback from a building or lot line for sewage tanks and the soil treatment and dispersal area shall be the greatest distance possible, by meeting all other setback requirements and in no case less than 50% of the setback distances listed for the building and lotline or road right-of-way setbacks listed above in Section 31. There is no 50% setback for well setback distances.

Section 32-Trenches and seepage beds in which the distribution media is in contact with any of the United States Department of Agriculture soil textures classified as sand or loamy sand or soils with a percolation rate of 0.1 to 5 minutes per inch must employ one or more of the following measures:

(a) employ pressure distribution according to Minnesota Rule 7080.2050, subpart 4; or

(b) divide the total dispersal area into multiple units that employ serial distribution, with each dispersal unit having no greater than 25% of the required bottom absorption area; or
Change this to 15% per state code and having to be as strict as Otter Tail County

(c) have a vertical separation distance of at least five feet.

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Section 33 - The cost for all compliance inspections shall be the responsibility of the user regardless of the vesting or possession."

This amendment to Otter Tail Water Management District Ordinance No. 2 shall be in full force and effect from and after its passage and approval and publication as provided by law.

Section 34- Compliance inspections on District cluster systems must be done by the District or an inspector that the District has hired. All costs for this inspection are paid by the property owner.

Section 35- All compliance inspections turned into the District must have the state compliance inspection forms filled out completely and submit a drawing of the property showing a bird's eye view of the entire property showing buildings, roads, the septic system and wells on the property.

Section 36- The District's inspection report created during the installation can take the place of the as-built drawing from the installers if it includes all the material listed in the as-built definition and is signed by the certified installer. This will be kept on record in the District records.

Section 37- System Abandonment: All systems with no future intent for use must be abandoned according to Minnesota Rules, Chapter 7080.2500.

Section 38- Periodically Saturated Soil Disagreements: If a documented discrepancy arises on the depth of the periodically saturated soil between licensed businesses for SSTS design or compliance purposed, all disputing parties must follow the procedure outlined in Minnesota Rules, Chapter 7082.0700, Subpart 5.

Section 39- Minimum Size, Soil Treatment Area: For new subdivision or lot approval testing, enough soil observations must be conducted to ensure that enough area exists for a primary and secondary soil treatment area, each of which is large enough for a Type 1 system for a five bedroom home to ensure long-term sewage treatment for each lot. On previously platted lots that have not been developed, enough area of suitable soil must be identified for two Type 1 soil treatment and dispersal areas. Percolation tests are not required for subdivision or lot approval testing unless the permeability cannot be estimated or there is reason to believe the soil is not original soil or has been disturbed.

Section 40- Systems in Floodplains: SSTS in floodplains must meet Minnesota Rules, Chapter 7080.2270.

Section 41- Design Review/ Permit Requirements

Subpart 1. No construction of a structure requiring sewage disposal shall be allowed by any local unit of government until a permit for the installation of an SSTS has been issued.

Subpart 2. Compliance Inspection of existing system: No additions, enlargements, improvements, or remodeling of a structure or alterations that would affect the water use, such as

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bedrooms, bathrooms, or additions to living space shall be allowed until the SSTS has been determined to be both adequate in size and compliant or a permit has been issued to upgrade or replace the SSTS to accommodate the addition.

Subpart 3. Permit required: A construction permit for an SSTS is required in the following instances:

- A. All new installation of sewage tanks, soil dispersal and treatment areas, and components thereof
- B. All repair, remediation or rejuvenation, extension, replacement or modification of existing systems and components
- C. Any change in use of facility served by an SSTS where waste strength or flow is to increase as determined by the Otter Tail Water Management District or a licensed designer
- D. A system being abandoned so the structure can be connected to a municipal sewage treatment facility

Subpart 4. Permit Application: Permit Applications shall be made on forms provided by the Otter Tail Water Management District and shall contain data, including, but not limited to, the following to be considered a completed permit application:

- A. Correct legal description of the property, including property identification number
- B. Site plan, with setbacks indicated, showing the location of all proposed and existing structures, property lines, water supply well within 100 feet, terrain features, such as bluff lines, water bodies or water ways, buried utilities, easements, and other unique features of the site
- C. Design calculations using the forms furnished by the University of Minnesota or similar forms indicating all necessary information
- D. Soil test data, including soil boring logs, percolation test data with field notes (where required) and location and identification of test area
- E. Plans and details of the proposed installation of work, including final design
- F. A declaration of the number of bedrooms by the owner or owner's agent must be on the management plan
- G. For other than dwellings, calculated or measured water use rates, occupancy and occupant load
- H. Where deemed necessary, a property survey may be required identifying corners and lines and other items such as elevations, contour lines, ordinary high-water levels, and ten year and one-hundred-year flood elevations as applicable
- I. Evidence of compliance with state or other jurisdiction regulations where applicable
- J. A management plan for the proposed system, as described in Minnesota Rules, Chapter 7082.0600

Subpart 5. Requirements for Permit Issuance: No permit will be issued until a detailed system design is submitted for the current proposed construction, including site plan, a management plan, current soil observations by a licensed designer and a verification soil observation log conducted by Otter Tail Water Management District staff.

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Subpart 6. Permit Time Limit: Permits shall be valid upon issuance and shall continue for a period of one year. After one year, the permit may be renewed if no changes are proposed for an additional 12 months. If a permit is past its expiration date, the permit will be nullified, and a new permit application must be submitted to the department for review and approval.

Subpart 7. Permit Revocation: Permits issued under this ordinance may be revoked upon written notice by the Otter Tail Water Management District when such permit has been issued based on erroneous or inaccurate data supplied by the applicant or erroneous interpretation of the law by the Otter Tail Water Management District.

Section 42- Operating Permits

Subpart 1. Operating permits are required for:

- A. Type 4 systems.
- B. Type 5 systems.
- C. All new MSTs.

Subpart 2. Operating permits will be issued by the Otter Tail Water Management District.

Subpart 3. Operating permits may include:

- A. Maintenance requirements, including frequency of maintenance
- B. Operation requirements
- C. Monitoring requirements
- D. A requirement that the permittee notify the Otter Tail Water Management District when permit requirements are not met. Corrective actions must be taken as directed by the Otter Tail Water Management District
- E. Disclosure of the location and condition of the additional soil treatment and dispersal system
- F. Any other requirement determined by Otter Tail Water Management District necessary to ensure that public health and environment are being adequately protected.

Subpart 4. Operating permits

SSTS for which an operating permit has been issued, must be operated in accordance with the operating permit.

ARTICLE IV. USE OF THE SEPTIC SYSTEM

Section 1 - No person shall discharge, or cause to be discharged, any storm water, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, furnace condensate, or unpolluted industrial process waters to any septic system.

Section 2 - Storm water and all other unpolluted drainage shall be discharged to a drainage ditch, or other natural outlet approved by the District. Industrial cooling water or unpolluted process waters may be discharged on approval of the District, to a drainage ditch or natural outlet.

Section 3 - All wastes to be discharged to septic systems shall be no more concentrated than normal domestic concentration.

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Section 4 - No person shall discharge or cause to be discharged any of the following described waters or wastes to any septic systems:

(a) Any gasoline, benzene, naphtha, fuel oil or other flammable or explosive liquid, solid, or gas.

(b) Any waters or wastes containing toxic or poisonous solids, liquids, or gases in sufficient quantity, either singly or by interaction with other wastes, to injure or interfere with any sewage treatment process, constitute a hazard to humans or animals, create a public nuisance, or create any hazard in the receiving waters of the septic system.

(c) Any waters or wastes having a pH lower than 5.5 or having any other corrosive property capable of causing damage or hazard to structures, equipment, and people.

(d) Solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers, or other interference with the proper operation of the septic system such as, but not limited to ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, unground garbage, whole blood, paunch manure, hair and fleshing, entrails and paper dishes, cups, milk containers, large quantities of milk, and related items, either whole or ground by garbage grinders.

(e) Fish remains including scales, heads, fins and innards.

(f) Where a fish-cleaning house is connected to the system, a trap shall be installed in the septic system in front of the septic tank to trap any substance, which may cause an obstruction.

Maintenance of this trap shall be the sole responsibility of the owner.

Ammend section 4 above to read: All property owners shall discharge only standard residential strength waste into a residential septic system. This waste cannot be deemed harmful to the septic system.

- a. (f) Where a fish-cleaning house is connected to the system, a trap shall be installed in the septic system in front of the septic tank to trap any substance, which may cause an obstruction. Maintenance of this trap shall be the sole responsibility of the owner.

Section 5 - No person shall discharge or cause to be discharged the following described substances, materials, waters, or wastes if it appears likely in the opinion of the District that such wastes can harm either the septic systems, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming the opinion as to the acceptability of these wastes, the District will consider such factors as the quantities of subject wastes in relation to capacity of the septic system, and maximum limits established by regulatory agencies. The substances prohibited are:

(a) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit (150°F) (65°C).

(b) Any waters or wastes containing toxic or poisonous materials; or oils, whether emulsified or not, in excess of one hundred (100) mg/L or containing substances which may solidify, become

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viscous or vaporize at temperatures between thirty-two (32°) and one hundred fifty degrees Fahrenheit (150°F) (0° and 65°C).

(c) Any garbage that has not been properly shredded. The installation and operation of any garbage grinder equipped with a motor of three fourths (3/4) horsepower or greater shall be subject to the review and approval of the District.

(d) Any waters or wastes containing strong acid, iron pickling wastes, or concentrated plating solutions whether neutralized or not.

(e) Any waters or wastes containing iron, chromium, copper, zinc, or similar objectionable or toxic substances; to such a degree that any such material received in the composite sewage in the septic system exceeds the limits established by the District for such materials.

(f) Any soaps or detergents having phosphorus content greater than 0.5 percent of elemental phosphorus may not be used or sold within the District.

(g) Any waters or wastes containing phenols or other taste or odor producing substances, in such concentrations exceeding limits which may be established by the District as necessary after treatment of the composite sewage, to meet the requirements of State, Federal or other public agencies of jurisdiction for such discharge to the receiving waters.

(h) Any radioactive wastes or isotopes of such half-life or concentration as may exceed limits established by the District in compliance with applicable State or Federal regulations.

(I) Any waters or wastes having a pH in excess of 9.5.

(j) Any mercury or any of its compounds in excess of 0.0005 mg/Las Hg at any time except as permitted by the District in compliance with applicable State and Federal regulations.

(k) Any cyanide in excess of 0.025 mg/L at any time except as permitted by the District in compliance with applicable State and Federal regulations.

(l) Materials, which exert or cause:

(1) Unusual concentrations of inert suspended solids (such as, but not limited to Fullers earth, lime slurries, and lime residues) or of dissolved solids (such as, but not limited to sodium chloride and sodium sulfate).

(2) Excessive discoloration (such as, but not limited to dye wastes and vegetable tanning solutions).

(3) Unusual BOD, chemical oxygen demand in such quantities as to constitute a significant load on the septic system.

(4) Unusual volume of flow or concentrations of wastes constituting slugs.

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(m) Waters or wastes containing substances which are not amenable to treatment or reduction by the sewage treatment processes employed, or are amenable to treatment only to such degree that the sewage treatment system effluent cannot meet the requirements of agencies having jurisdiction over discharge to the receiving waters.

Delete the above and replace with: No person shall discharge or cause to be discharged substances, materials, waters, or wastes that appear likely to harm either the septic systems, sewage treatment process, or equipment; have an adverse effect on the receiving stream; or can otherwise endanger life, limb, public property, or constitute a nuisance. In forming the opinion as to the acceptability of these wastes, the District will consider such factors as the quantities of subject wastes in relation to capacity of the septic system, and maximum limits established by regulatory agencies.

Section 6 - Each residential household, commercial complex, or commercial business shall pay to the District the established user charge amount set for the proper administration of the sewage system by the District. Any building which is privately owned, whether occupied or not, shall be subject to this payment. Any established multi-dwelling shall make payment in the amount established by the user charge system. The payment shall be made unless the sewer service is disconnected at the request of the property owner. The owner shall pay the costs of such disconnection.

Section 7 - Each residential household, commercial complex, or commercial business on the passive maintenance program shall be responsible for all costs of operation and maintenance or repair of any building sewers, service lines, septic tanks, holding tanks, pumps, valves, pressure lines, mounds, single and common drain fields, fences, cluster system tanks, drain field sites, and other appurtenances that are part of that user's system. All maintenance and repair, work anticipated or completed shall be reported to the administrator.

ARTICLE V. PROTECTION OF SEWAGE WORKS FROM DAMAGE

Section 1 - No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, or tamper with any structure, appurtenance, or equipment which is a part of the sewage works. Any person violating this provision shall be subject to immediate arrest under charges of trespass pursuant to M.S.A. 609.60 or criminal damage to property under M.S.A. 609.595 or both.

Section 2 - In the event of a violation or a threatened violation of this Ordinance, the District, in addition to other remedies may institute appropriate actions or proceedings to prevent, restrain, correct, or abate such violation or threatened violations, and it shall be the duty of the attorney for the District to institute such action. This will include, but not be limited to, actions for injunctive relief before a court of competent jurisdiction.

Section 3 - Any taxpayer or taxpayers of the District may institute mandamus proceedings in District Court to compel specific performance by the proper officer or officers of any duty required by this Ordinance.

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ARTICLE VI. WASTEWATER BACK-UPS

Section 1 - All building drains that have back-up problems shall have a backwater valve installed at the owner's expense and it shall be the owner's responsibility to see that the backwater valve is kept clean and workable. The District will assume no liability for any damages resulting from backup.

CHAPTER 2

WASTEWATER SERVICE CHARGES

ARTICLE 1. GENERAL PROVISIONS

Section 1 - Rates: The wastewater service charges for the administration of the wastewater facilities by the District shall be established by ordinance and audited annually.

Section 2 - Bills: The rates or charges for active maintenance service shall be billed annually. Charges for passive maintenance service, the administrative fee, shall be payable annually. The owner of the premises, the occupant thereof and the user of the service shall be jointly liable to pay for the service to such premises and the service is furnished to the premises by the District only upon the condition that the owner of the premises, occupant, and user of the services are jointly liable to the District. The District shall send out bills for sewer service on March 1st of each year.

- A penalty fee shall be applied to all delinquent bills as determined by the District.

Section 3 - Delinquent Bills: If the charges for such services are not paid within 60 days after the rendition of the bill for such services, such services may be discontinued without further notice and shall not be reinstated until all claims are settled.

Section 4 - Lien-Notice of Delinquency: Whenever a bill for sewer service remains unpaid for 90 days after it has been rendered, the District shall file with the County Auditor a statement of unpaid charges for collection as other taxes are collected. This statement shall contain the legal description of the premises served, the amount of the unpaid bill, and a notice that the District claims this amount for unpaid charges as well as for all charges subsequent to the period covered by the bill. If the user whose bill is unpaid is not the owner of the premises and the District has notice of this notice shall be mailed to the owner of the premises if the District knows his address, whenever such bill remains unpaid for the period of thirty (30) days after it has been rendered.

Replace section 2-4 with: Bills- The rates or charges for active maintenance service shall be billed annually. Charges for passive maintenance service, the administrative fee, shall be payable annually. The owner of the premises, the occupant thereof and the user of the service shall be jointly liable to pay for the service to such premises and the service is furnished to the premises by the District only upon the condition that the owner of the premises, occupant, and user of services are jointly liable to the District. The District will send the user fee charges to the Otter Tail County Auditor's Office in October of the prior year to the billing year to be placed on the property taxes for the users in the District. The user fee will be paid at the same time the property

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taxes are paid by the property owners. Otter Tail County will then send the user fee portion to the District for dispersal into the proper accounts. (Can get rid of section 3 and 4 due to no longer have delinquent fees this way.)

Section 5 - Revenues: All revenues and moneys derived from the operation of the sewerage system shall be deposited in the sewerage account of the sewerage fund. All such revenues and monies shall be held by the District separate and apart from their private funds and separate and apart from all other funds of the District. The District shall receive all such revenues from the sewerage system and all other funds and monies incident to the operation of such system as the same may be delivered to them and deposit the same in the account of the fund designated as the "District's Fund." Such fund shall be administered in every respect in the manner provided by statute.

Section 6 - Accounts: The District shall establish a proper system of accounts and shall keep proper books, records, and accounts in which complete and correct entries shall be made of all transactions relative to the sewerage system, and at regular annual intervals shall cause to be made an audit by an independent auditing concern of the books to show the receipts and disbursements of the sewerage system. In addition to the customary operating statements, an annual audit report shall also reflect the revenues and administrative expenses of the wastewater facilities to indicate that sewer service charges under the wastewater cost recovery system and capital amounts required to be recovered do in fact meet these regulations. In this regard, the financial information to be shown in the audit report shall include the following:

- (a) Data showing total number of systems in operation for the current fiscal year.
- (b) Billing data to show total number of users billed.
- (c) Debt service for the next succeeding fiscal year.

Section 7 - Notice of Rates: A certified copy of this article properly certified by the Clerk-Treasurer shall be filed in the office of the County Recorder of Otter Tail County and shall be deemed notice to all owners of real estate of the charges of the sewerage system of the District on their properties.

Section 8 - Access to Records: The U.S. Environmental Protection Agency or its authorized representative shall have access to any books, documents, papers and records of the District which are applicable to the District system of service charges for the purpose of making audit, examination, excerpts and transactions thereof to ensure compliance with the terms of the Special and General Conditions to any Federal Grant.

ARTICLE II. EFFECTIVE DATE OF RATES

The rates and service charges adopted in accordance with Article I shall be effective for the fiscal year following the year they are adopted.

ARTICLE III. VALIDITY

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If any section, paragraph, clause, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Ordinance.

ARTICLE IV. POWERS AND AUTHORITY OF ENFORCING AGENTS

The District shall be permitted access to all properties in the District as may be necessary for the inspection, maintenance and repair, observation, measurement, sampling, and testing, in accordance with provisions of these regulations. Any person found to be violating any provisions of this Ordinance #1 & #2, shall be served by the District with written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Any person who shall continue any violation beyond the time limit shall be guilty of violation of the ordinance and shall be subject to the following enforcement remedies:

- 1- Disconnection from the system.
- 2- Enjoined from use of the system.
- 3- Compelled to correct the system or the District will take action to correct the violation and assess the costs against the property.
- 4- Fined a civil fee in accordance with the schedule of fees and charges adopted by the Board.
- 5- If the violation constitutes a violation of a criminal statute, the matter may be referred to a prosecuting authority. Any person who shall continue any violation beyond the time limit shall be guilty of violation of the service contract and shall be summarily disconnected from the septic system. Such disconnection and reconnection would be at the total expense of the customer.

Where acids and chemicals damaging to septic systems and treatment processes are released to the sewer causing rapid deterioration of these structures or interfering with proper treatment of sewage, the District is authorized to immediately terminate services by such measures as are necessary to protect the facilities.

ARTICLE V. VARIANCE PROCEDURE

Section 1 - Appeal Board

- (a) The Otter Tail Water Management District Board of Directors shall, hear and decide appeals and requests for variances from the requirements of this Ordinance.
- (b) The Board shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the administrator in the enforcement or administration of this Ordinance.

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(c) Those aggrieved by the decision of the Board or any taxpayer may appeal such decision to the County District Court, as provided by Minnesota Statutes within 30 days after service of the decision.

Section 2 - Variances from Standards

In any case where, upon application of any responsible parties to the Otter Tail Water Management Board of Directors, it appears, that by reason of exceptional circumstances, the strict enforcement of any provision of the standards would cause unnecessary hardship or that strict conformity with the standards would be unreasonable, impractical or not feasible under the circumstances, the Otter Tail Water Management District Board of Directors may permit a variance there from upon such conditions as it may prescribe consistent with the general purposes of this Ordinance and the intent of this and all other applicable State and local regulations, provided that:

(a) The condition causing the hardship is unique to that property.

(b) The variance is proved necessary in order to secure for the applicant a right or rights that are enjoyed by other owners in the same area or district.

(c) The granting of the variance will not be contrary to the public interest or damaging to the rights of other persons or to property values in the neighborhood.

(d) The granting of the variance will not be contrary to management policies of the area or district.

(e) No variance shall be granted simply because there are no objections or because those who do not object outnumber those who do, nor for any other reason than a proved hardship.

(f) A copy of all variances granted shall be forwarded to the Commissioner of Natural Resources within ten (10) days of such action.

(g) The applicant for a variance shall file his application in the office of the District not less than seventeen (17) days prior to the next scheduled meeting of the Otter Tail Water Management District Board of Directors and pay a fee as indicated on fee schedule when the application is filed.

(h) Property owners within five hundred (500) feet of the property in question and the Commissioner of Natural Resources shall be given not less than fourteen (14) days written notice of the date the Otter Tail Water Management Board of Directors will consider the application, although failure of any property owner to receive such notification shall not invalidate the proceedings. Written notice shall be given the governing body of any city or village the incorporated limits of which lie within two (2) miles of the proposed variance. Written notice shall also be given to the Town Board of the township wherein the variance is proposed.

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(i) A scale drawing plat plan of the land showing the location of any proposed structure and existing structures located on the property shall accompany each application for variance. The plat plan shall indicate all structures, side yard, road setbacks, and lake setback distances in feet and the payment of a fee as determined in the fee schedule.

(j) The Otter Tail Water Management District Board of Directors shall consider the application at its next regular meeting after compliance with the provisions of notice above specified.

(k) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.

ARTICLE VI. ORDINANCE IN FORCE

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

Adopted on motion of _____

Supported by _____ by the following vote:

Ayes

Nays:

Adopted:

Published:

Otter Tail Water Management District

27234 368TH A VE.

Battle Lake, MN 56515

Phone (218) 864-5533 Jan. 1,2017

BASIC RULES GOVERNING THE OPERATIONS OF SEPTIC SYSTEMS IN THE OTTER TAIL WATER MANAGEMENT DISTRICT

In addition to specific responsibilities as outlined within the ordinances. an owner of property in the District is responsible for the following regarding their system.

Section 1- Maintenance and Operation

An owner of property within the District is responsible for.

1. Insuring that there are no leaky water fixtures on their property leaking water into the system. (10-08-03)Ordinance#1-Chapter.2- Article I. -Sect2.

2. Ensure lift stations are cleaned at the same time the tank is pumped. (10-08-03) Ordinance #1-Chapter 2- Article I-sect.2.

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- 3.** Ensure that the septic system is properly protected from freeze ups with proper covering, insulation & drainage. The related costs are the responsibility of the owner (10-08-03) Ordinance#1-Chapter 2-Article I-Sect2
- 4.** Ensuring that any additive added to the system shall not damage the system and not negatively affect the operation of the system or the integrity of the system. (10-08-03) Ordinance#1-Chapter#2-Article1-Sect2.
- 5.** Ensure regular pumping of septic tanks shall involve removal of the manhole cover. (10-08-03) Ordinance#1-Chapter.2-Article I-Sect2.
- 6.** Ensuring all underground components of the septic system shall be protected from any source of compaction including vehicular traffic, parking walk paths, kennels, etc. { 10- 08-03) Ordinance#2-Chapter 1-Article II-Sect 1
- 7.** Ensure a grass cover is maintained over the system. (10-08-03) Ordinance#2-Chapter 1-Art.11-Sect 1
- 8.** Ensuring water usage on the premise does not exceed the design capacity of the septic system. (10-08-03) Ordinance#2-Chapter 1, Article III Sect2.
- 9.** Ensuring that clear water generated by devices and appliances such as high efficiency furnaces, air exchangers, dehumidifiers, etc. that discharge clear water, shall not be discharged into the system. (10-08-03) Ordinance#2-Chapter 1, Art. IV Sect. 1.
- 10.** Ensuring hot tubs, spas, pools or similar fixtures are not discharged or drained into the system. 10-08-03) Ordinance#2-Chapter 1, Article IV-Sect5.
- 11.** Ensure inspection caps of septic tanks shall be kept visible & accessible. (10-08-03) Minnesota Chapter 7080.0175

Section 2-System Construction

- 1.** Ensure that a permit is obtained for any work or change to a septic system. Any type of work or change to the septic system shall require a permit (10-08-03) Ordinance#-2- Chapter 1-Article III-Sect 1.
- 2.** Insure that only designated registered professionals (DRP) licensed by the state of Minnesota shall perform work on septic systems in the District (10-08-03) Ordinance#2-Chapter 1-Article II -Sect-1.
- 3** Ensure trenches shall be installed in a serial distribution configuration. (10-08-03) Ordinance #2-Chapter 1 Article III -Sect 8.
- 4** Ensure drain field media shall consist of only properly sized rock and no other material. (10-08-03) Ordinance#2-Chapter 1-Article III -Sect 8.

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5 Mound systems must be constructed in such a manner that a 40-inch separation exists between the restrictive layer and the bottom of the media distribution layer. (11-01-09)

6 Ensure that when a new system is installed or major repairs are made to a system, tracer wire shall be installed in the system so that all components of the system can be identified and located. The tracer wire shall be a **#12 THNN solid wire**. It shall run from the dwelling along the pipe to the tank, continuing to the drop boxes, across or around all portions of the drain field. It shall be terminated at a clean out by the structure and in an inspection pipe in the drain field. The ends of the wire shall be protected from corrosion & damage. (10-08-03) Ordinance#2-Chapter 1 Article 111-Sect-18.

7 Ensure that where new construction or repairs to a system involve the replacement of pipe under compacted areas, such as roadways, paths kennels, etc., insulated sewer pipes shall be used and cost of which shall be the responsibility of the owner. (10-08-03) Ordinance#2- Chapter 1- Article III -Sect 19.

8 Tanks shall not be installed in water. The tank shall be installed on firm and stable base. (11-01-09)

9 Tank maintenance covers & risers shall be insulated. (11-01-09)

10 All double compartment tanks shall have both compartments baffled. The discharge opening between compartments shall be no larger than 4" in diameter. The invert of the opening shall be at the static water level of the 1st compartment 11-01-09)

11 Inspection pipes to baffles in tanks must be installed in such a fashion so they can be viewed at the surface without removing any material or dirt. (11-1-09)

12 All tanks must be concrete. (11-01-09)

13 All lift stations shall be constructed in a manner so that the electrical components associated there with are easily accessible. They shall be equipped with an alarm device. which will give both an audible and visual alert. The control panel post shall extend at least 3 feet above ground. (11-01-09)

14 The intake of all lift pumps on new construction must be elevated eight inches from the bottom of the pump tank. (11-01-09)

15 The lift pump disconnect shall be a union type or a-ring coupler type. Solid pipes or femco couplers are not allowed. (11-01-09)

16 Construction of new systems may only be completed during the normal construction period, between April 15th and November 15th of each year, unless permission is received from the district (11-01-09)

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Section 3

Costs

1. Costs for the damages to the system by the owner's negligence or failure to follow these rules shall be the responsibility of the owner. (11-12-03)
2. Any costs or expenses incurred by the District by violation of the above rules or ordinances by the owner (or his agent), must be paid to the District by the owner. (11-12-03)
3. Any costs incurred by the District to obtain an easement for the proper installation of a septic system shall be the responsibility of the owner. (12-10-03)

Otter Tail Water Management District

Treasurer's Report

6/30/2020

Checking Accounts	General Acct 4118	Tank/Line 7802	Pmps/Cntrls 7829	Pumping 7810	Money Mkt 490	Totals
Beginning balance June 1, 2020	\$16,792.04	\$952.85	\$5,404.27	\$3,438.66	\$152,294.44	\$178,882.26
Interest income for month	\$2.78	\$1.39	\$1.04	\$2.48	\$201.64	\$209.33
Receipts for month	\$179,670.60	\$0.00	\$0.00	\$0.00	\$0.00	\$179,670.60
Internal transfers	\$0.00	\$11,000.00	\$0.00	\$20,000.00	\$177,120.60	\$208,120.60
	\$196,465.42	\$11,954.24	\$5,405.31	\$23,441.14	\$329,616.68	\$566,882.79
June disbursements	\$11,176.51	\$10,068.30	\$656.23	\$18,750.00	\$0.00	\$40,651.04
Internal transfers	\$177,120.60	\$0.00	\$0.00	\$0.00	\$31,000.00	\$208,120.60
Ending balance June 30, 2020	\$8,168.31	\$1,885.94	\$4,749.08	\$4,691.14	\$298,616.68	\$318,111.15

Disbursements for month

12 checks	\$7,398.03	Gen Acct
9 ACH pymnts	\$3,778.48	Gen Acct
7 checks	\$10,068.30	Tank/Line
3 checks	\$656.23	Pumps/Controls
1 checks	\$18,750.00	Pumping

CD Summary

CD #	Int rate	Time period	Gen Acct	Tank/Line	Pmps/Cntrls	Pumping	Maturity Date
285	2.01%	18 Month		\$10,704.54			2/27/2021
286	2.01%	18 Month		\$10,704.54			2/27/2021
287	2.01%	18 Month		\$10,704.54			2/27/2021
288	2.01%	18 Month		\$10,704.54			2/27/2021
526	1.44%	12 Month				\$15,713.17	1/29/2021
527	1.44%	12 Month				\$10,475.43	1/29/2021
528	1.44%	12 Month		\$10,475.43			1/29/2021
529	1.44%	12 Month		\$10,475.43			1/29/2021
530	1.95%	24 Month		\$10,658.22			1/29/2022
531	1.95%	24 Month		\$10,658.22			1/29/2022
532	1.95%	24 Month		\$10,658.22			1/29/2022
533	1.95%	24 Month		\$10,658.22			1/29/2022
534	2.01%	24 Month		\$31,974.67			1/29/2022
535	2.01%	24 Month		\$31,974.67			1/29/2022
536	1.95%	24 Month			\$10,658.22		1/29/2022
537	1.95%	24 Month			\$10,658.22		1/29/2022
453	1.05%	6 Month			\$35,530.61		7/31/2020
454	1.05%	6 Month		\$55,833.81			7/31/2020
728	1.81%	12 Month			\$74,088.81		12/16/2020

CD TOTALS		\$226,185.05	\$204,358.38	\$51,992.07	\$482,535.50
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ACCOUNT TOTALS	\$8,168.31	\$228,070.99	\$209,107.46	\$56,683.21	\$298,616.68	\$800,646.65
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TOTAL CASH ON HAND	\$800,646.65
6/30/2020	

6/30/2019	\$728,096.73
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