

**PUBLIC NOTICE**

**LE SUEUR COUNTY RESOLUTION  
ACCEPTING SUBORDINATE SERVICE DISTRICT  
PETITION AND ORDERING THE ESTABLISHMENT OF  
THE WEST JEFFERSON SANITARY SEWER  
SUBORDINATE SERVICE DISTRICT**

**WHEREAS**, Le Sueur County established the German Jefferson Lakes Area Sanitary District (the "Existing District"), a subordinate service district pursuant to Minnesota Statutes § 375B, on November 16, 2004; and

**WHEREAS**, the original purpose of the Existing District was to establish a system for the collection, conveyance and treatment of wastewater; and

**WHEREAS**, ultimately, a wastewater system was not created and the Existing District instead implemented a mandatory septic inspection and continuous compliance program; and

**WHEREAS**, the residents around West Jefferson Lake commissioned a Wastewater Facility Plan dated May 25, 2016 (the "Facility Plan"), prepared by Bolton & Menk, Inc. to explore the potential for the provision of sanitary sewer service around West Jefferson Lake; and

**WHEREAS**, the Facility Plan calls for the construction of a pressurized sanitary sewer around West Jefferson Lake, serving up to 140 connections (the "Sanitary Sewer System") to convey wastewater to the City of Cleveland's wastewater treatment facility; and

**WHEREAS**, the City of Cleveland, in a draft joint powers agreement, has indicated a willingness to accept the additional wastewater and administer the Sanitary Sewer System if a new subordinate service district ("West Jefferson Sewer Service District") is created pursuant to Minnesota Statutes § 375B in order to construct and own the Sanitary Sewer System around West Jefferson Lake; and

**WHEREAS**, the creation of the West Jefferson Sewer Service District will require that properties served by the Sanitary Sewer System be removed from the Existing District; and

**WHEREAS**, a significant portion of the cost of the Sanitary Sewer System may be financed through outside funding; and

**WHEREAS**, Le Sueur County supports voluntary efforts to improve wastewater management within the County, including the formation of subordinate service districts when requested by property owners; and

**WHEREAS**, Le Sueur County supports the voluntary construction of necessary wastewater improvements when those costs are covered by outside sources, the property owners benefitting from such improvements, or any combination of the two; and

**WHEREAS**, Le Sueur County desires to facilitate the voluntary formation of the West Jefferson Sewer Service District around West Jefferson Lake and the construction of the Sanitary Sewer System, if requested through the petition process provided in Minnesota Statutes § 375B.05; and

**WHEREAS**, in order to facilitate an efficient and expedited petition process for the voluntary formation of the West Jefferson Sewer Service District, the County prepared an example petition form and expressed certain policy positions for the establishment of the West Jefferson Sewer Service District; and

**WHEREAS**, the County has received a petition and set a public hearing as required by Minnesota Statutes § 375B.

**NOW THEREFORE**, the Le Sueur County Board of Commissioners hereby adopts the following findings of fact:

**FINDINGS OF FACT**

A. The County received a petition from owners of 110 properties. Copies of the petitions are shown in Exhibit A (the "Petition").

B. County staff have reviewed and verified the Petition.

C. The County conducted a public hearing on January 17, 2017, at 10:00 a.m., at the Le Sueur County Courthouse at 88 S. Park Avenue, Le Center, as required by Minnesota Statutes § 375B.05, Subd. 2. A copy of the hearing notice is shown in Exhibit B.

D. The County solicited comments from the public regarding

of the West Jefferson Sewer Service District.

E. The consensus of those present at the public hearing was that the County should (1) pass a resolution establishing the subordinate service district; (2) execute an interconnection agreement with the City of Cleveland for wastewater treatment; and (3) continue to pursue additional outside funding for the project. Sufficient public support and utility exists within the geographic boundaries of the proposed West Jefferson Sewer Service District.

**FURTHER**, the Le Sueur County Board of Commissioners acknowledges and accepts the Petition requesting the creation of a new subordinate service district.

**FURTHER**, the Le Sueur County Board of Commissioners hereby resolves as follows:

1. The West Jefferson Sewer Service District is hereby established.

2. The West Jefferson Sewer Service District shall be 100% voluntary.

3. The West Jefferson Sewer Service District shall include the properties listed in Exhibit C and as depicted in the map in Exhibit D.

4. The service provided by the West Jefferson Sewer Service District shall consist of the construction and administration of a residential wastewater system of sewers, force mains, lift stations, grinder pumps, and meters.

5. The service provided by the West Jefferson Sewer Service District will be financed by taxes, uniform assessment of all construction costs of the Sanitary Sewer System against benefitted properties, and service charges originating within the subordinate service district, as well as federal, state, and local grants or loans.

6. County staff is directed to negotiate an interconnection agreement with the City of Cleveland for wastewater treatment and present a final draft to the Le Sueur County Board of Commissioners at a future date for approval.

7. County staff is directed to prepare an ordinance for the West Jefferson Sewer Service District that:

- a. Establish methods for setting fees;
- b. Determines levels, methods and costs of operational oversight;
- c. Sets performance standards in accordance with an interconnection agreement with the City of Cleveland; and
- d. Determines responsibilities and obligations of the citizen participants, and the West Jefferson Subordinate Service District.

A final draft of the ordinance shall be presented to the Le Sueur County Board of Commissioners at a public hearing for approval.

8. The West Jefferson Sewer Service District shall be supervised by the County Administrator in conjunction with the County Department of Environmental Services, but administration of the Sanitary Sewer System shall be conducted pursuant to an interconnection agreement with the City of Cleveland.

9. County staff is directed to immediately publish a copy of this resolution, without copies of the exhibits, once in the official newspaper; the public may contact the County Department of Environmental Services for copies of the exhibits.

Dated this 17th day of January, 2017.

Chairperson, Le Sueur County Board of Commissioners

**ATTEST:**

Le Sueur County Administrator

- Exhibit A (Copies of Signed Petition Forms)
- Exhibit B (Copy of hearing notice for January 17, 2017 public hearing)
- Exhibit C (Legal Description of Properties in West Jefferson Sewer Service District)
- Exhibit D (Map of Properties in West Jefferson Sewer Service District)

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PLEASE PRINT NAME AND ADDRESS OF THE PERSON WHO HAS BEEN NOTIFIED BY MAIL TO SIGN THE PETITION

