



Meeting Agenda
Monday, August 7, 2017 (7:00 P.M.)
Please call 507-479-3219 if you are unable to attend.

- I. Call meeting to order (7:00 P.M.)**
- II. Agendas & Minutes:**
 1. Consider 8/7/2017 agenda
 2. Consider 7/10/2017 minutes
- III. Bills and Communications:**
 - A. **EDA Fund Balances**
 - B. **Periodic Financial Reports**
- IV. Monthly Reports/Updates:**
 1. Mayor's report
 2. Council liaison report (Mark Wentzlaff)
- V. Unfinished Business:**
 1. New businesses
 - i. Branton Wibsted
 2. Marketing lot by Lions Memorial Park
- VI. New Business:**
 1. Conservation Partners Legacy (CPL) Grant Program
- VII. Adjournment**



July 10, 2017
7:00 P.M.

I. CALL TO ORDER

Pursuant to due call and notice thereof, Green Isle EDA President Randal Bruegger called the Green Isle Economic Development Authority meeting to order at Green Isle City Hall at 7:00 P.M.

Members present: Randal Bruegger (President), Bert Panning, Scott Vos, Mark Miller, Mark Wentzlaff

Members absent: Brian Oelfke

Staff present: Amy Newsom (EDA Director)

Staff absent: None

Guests present: None

II. MINUTES & AGENDA – Motion by Vos, second by Miller to approve 6/5/2017 minutes, and to approve the 7/10/17 agenda with no additions, motion carried.

1. 6/5/2017 EDA minutes
2. 7/10/2017 EDA agenda

III. BILLS & COMMUNICATIONS

- A. EDA Fund Balances:
- B. Periodic Financial Reports:

IV. MONTHLY REPORTS/UPDATES

1. **Mayor's report** – Mayor Kreger reported that the City had lot 34.0037.000 surveyed by Avery Grochow at a cost of \$340.00. Kreger stated that the City was close to contacting a realtor to sell the lot.
2. **Council liaison report (Mark Wentzlaff):** Wentzlaff stated the Green Isle Lions would like to get going on their memorial project.

V. UNFINISHED BUSINESS

1. Commercial Lots Policy:

- a. Motion by Bruegger, second by Wentzloff to approve the commercial lots policy as presented, motion carried.

2. New businesses:

- a. Branton Wibsted inquiry. Board discussed their concerns over Wibsted's interest in the "best lot" in the industrial park and preferred storage units be placed on a different lot. Motion by Vos, second by Miller to direct Newsom to contact Wibsted and offer half of parcel 34.0158.070 at half the assessed value. Motion carried.
- b. Bryan Malz inquiry. Vos reported that the building is over budget and had no plans to move forward at this point.

VI. NEW BUSINESS

1. SMIF Small Town Grant

- a. Newsom reported on a new grant available from SMIF for cities under 5,000 for innovative community projects. The Board decided they did not have a project to apply for funds at this time.

2. 2017 Annual Report

- a. Newsom presented the Green Isle EDA with an annual report. Final report will be presented to EDA and City Council in January of 2018.

3. 2018 Budget

- a. Newsom presented the Board with a proposed budget of \$12,620. Motion by Bruegger, second by Vos to round the budget up to \$15,000 and include a line item for marketing. Motion carried.

4. Leading Sibley Together

- a. Newsom presented information on the 2017-2018 Sibley County leadership program and encouraged EDA members to apply.

VII. ADJOURNMENT: At 8:20 P.M.

Amy Newsom, EDA Director

Randal Bruegger, EDA President

Conservation Partners Legacy (CPL) Grant Program Payment Manual



The following payment procedures are based on state laws and regulations that guide the administration of the Conservation Partners Legacy (CPL) Grant Program. Viewing this document online allows for utilization of the website links. [Contact CPL staff](#) for assistance.

How to Receive Grant Funds

CPL is a reimbursable grant program. The grantee will pay invoices and then submit payment reimbursement requests to CPL staff. Reimbursement requests may be submitted as often as needed by the grantee. The grant contract must be executed before incurring any costs towards the project. Costs incurred before the execution date will not be eligible for reimbursement or for use as match.

Grant Accounting and Record Retention

The grantee is responsible for maintaining fiscal controls and fund accounting procedures that are based on generally accepted accounting standards and principles. All grant records must be saved by the grantee for a minimum of six years following the final report. Records are subject to audit.

Accomplishment Reports

An [Annual Accomplishment Report](#) is due at the end of each calendar year. Reimbursement requests will not be approved if the grantee is missing an annual report. CPL staff will email all grantees each fall requesting the annual report. The reports can be saved and updated each year to make reporting easier. A [Final Accomplishment Report](#) is due with the final payment request.

Requesting Payment

All [payment forms](#) are available as fillable PDFs and email submission is preferred. The [Payment Request Form](#) is required with each reimbursement request. The first reimbursement request must also include the [Ecological and Restoration Management Plan](#). Please email this plan if possible. A [payment request checklist](#) is available to assist grantees.

Total reimbursement may not exceed the total grant amount. If bids come in higher than anticipated, CPL staff will consider a request for additional funds; however, budgets should be carefully planned and are expected to reflect accurate cost estimates. A formal grant contract amendment is required for any increase in the grant amount. If an amendment is allowed, it must be fully executed before additional costs can be incurred.

Final Payment and Holdback

The final reimbursement request must include the [Final Accomplishment Report](#). 5% of the grant amount will be held back until all match is met and the final report is submitted. All work must be completed prior to the grant contract expiration date. All final documents must be submitted by July 31 of the year the grant contract expires. No extensions are possible.

Timeline for Reimbursement

The state has up to 30 days to process payment requests once all required documentation is received. The fastest way to receive payments is by [signing up for Electronic Funds Transfers \(EFT\) using a state vendor number](#). This system allows grantees to review their payment information online.

Contractors

Contractors must be selected using the state's bidding process as outlined in the grant contract. Records of the bidding process must be retained in the grantee's file in case of audit. Contractors must follow all CPL requirements.

Prevailing Wage

It is the responsibility of the grant recipient or contractor to pay prevailing wages on construction projects to which state prevailing wage laws apply ([MN Statutes 177.42-177.44](#)). All laborers and mechanics employed by grant recipients and subcontractors funded in whole or in part with state funds included in this RFP shall be paid at least the prevailing wage rate as projects of a similar character in the locality. Examples of applicable projects include construction or maintenance of roads, buildings, bridges, dams, and utilities.

Additional information on prevailing wage requirements is available on the [Department of Labor and Industry \(DOLI\) website](#). Questions about the application of prevailing wage rates should be directed to DOLI at 651-284-5091. The Grant recipient is solely responsible for payment of all required prevailing wage rates.

Invoices

Invoices or receipts must be submitted with all payment requests. The invoice/receipt must be legible and include the following items:

- Name and address of the vendor
- Date of purchase or work
- Site where work was done, if applicable
- Description of items or work purchased
- Unit price and/or quantity of items or work purchased
- Separate line items with descriptions if invoice includes items or services not to be charged against the CPL grant (please highlight or identify the CPL line items)

Proof of Payment

Proof of payment should be submitted to CPL staff with each payment request. Proof of payment can be a copy of a cancelled check or a copy of the check to the vendor with a bank statement showing the check has cleared.

Payment for Services Rendered

Grantees with limited cash flow may request payment for services rendered. These requests must include the payment request form and all required documentation, except for proof of payment. Invoices or receipts are required to show that the work has been completed. The state will then pay the grantee so that the grantee can pay their contractor. Proof of payment must be submitted to CPL staff within 45 days of receiving payment from the state. Subsequent payment requests will not be approved until proof of payment is submitted, unless 45 days has not yet passed.

Match Requirements

A 10% match is required. Match may be in-kind or cash. Match cannot originate from state funds. The 5% grant holdback will apply until all required match is met. Grant funds may not be used as match for another program or project unless authorized in advance by CPL staff. All match must be documented. Invoices, receipts, time sheets, etc. are required for proof of match. Match funds are subject to audit.

Cash Match

Cash match, either from the grantee organization or donated from another organization, can be documented by paying an invoice or a portion of an invoice for services or materials and providing proof of payment.

In-kind Match

In-kind match may include personnel costs, volunteer labor or services, donated supplies or services, or use of grantee-owned equipment.

Personnel Costs used toward match must be documented and should contain employee name, hourly wage, date and hours worked, and a brief description of work accomplished. Proof of the hourly wage is required. Pay stubs, verified HR accounting system records, or a signed letter from a supervisor verifying the wage may suffice as proof of wage.

All other in-kind match must be documented with hourly rate, date and hours of work, work accomplished, and signed by the project manager, land manager, or supervisor. The forms linked below are available to track these costs, but grantees may use their own tracking system as long as the required items are included.

Volunteer Labor

The [Volunteer Labor Worksheet](#) is used to individually document the volunteer's hours, date and description of work, and hourly rate. Beginning August 1, 2015, the standard hourly volunteer rate is \$20. Volunteers providing skilled labor or services may use current market wages if the grantee can

provide evidence of such rates. For work prior to August 1, 2015, hourly rates are \$12 for grant admin, \$13 for general labor, and \$15 for project management.

All volunteers working on state lands should work with the land manager to [register as DNR volunteers](#). The [Volunteer Labor Summary](#) form summarizes the individual volunteer labor worksheets to document the total hours and in-kind contribution of volunteer work.

Grantee Equipment Usage

The [Grantee Equipment Usage](#) form is used to document days, hours and description of work accomplished when grantee-owned equipment is used as in-kind match towards a project. Current market rates for renting similar equipment should be used and must be documented (i.e., a quote or price list from a retailer showing that rate).

Eligible Grant Costs

Only costs reflected in the approved Work Plan will be reimbursable. Minor changes may be accommodated if approved by CPL staff in advance. Costs may vary by up to 10% of the grant amount between budget lines. Variances greater than 10% must be approved by CPL staff in advance and may require a formal amendment. Eligible grant costs include the following:

- Materials and supplies specific to the project
- Contracting/professional services (excluding engineering and design)
- Equipment rental
- Travel costs limited to 1% of the grant amount, using the [approved mileage rate](#), for employees of the grantee organization only. Volunteers may track mileage for in-kind match
- Appraisals for acquisitions if conducted after the grant contract is executed
- Professional services associated with acquisitions

Personnel

Up to 7.5% of the grant amount may be used for personnel costs for project management and on-the-ground work. Of this amount, 2.5% may be used for grant administration. Only paid employees of the grantee organization may claim personnel costs. All others are considered volunteers and their time can be used only as in-kind match.

Personnel rates include hourly wage and fringe only (FICA/Medicare, retirement, and health insurance). Bonuses, overhead, and other indirect costs cannot be included in the hourly rate. Proof of wage is required. All personnel costs must be budgeted in the approved Work Plan. All personnel time must be documented with the name of employee, date of work, hours worked, brief description of work, and hourly rate. Personnel costs beyond 7.5% of the grant may be used for in-kind match.

Acquisition Payments

Advance payments may be requested once the closing date is scheduled. Advance payment requests must be submitted 30 days prior to the closing date. Shorter time periods will be accommodated when possible but cannot be guaranteed. The [Payment Request form](#) must be completed and submitted along with the appraisal review and purchase agreement.

The final acquisition documentation packet is due within 60 days after closing. The 5% holdback will apply until the project is complete, proof of payment is provided, and the [Final Report](#) and [acquisition packet](#) are submitted.

Pre-award Match Costs

Pre-award costs are costs incurred before the grant is executed. The following costs are the only eligible pre-award costs, and may be used for MATCH ONLY:

1. Engineering and design if completed within 18 months prior to the grant application submission date.
2. Insurance costs if grantee must obtain new or additional insurance to meet the grant requirements. Must be purchased after the grant is awarded but before the contract is executed in order to be used for match.
3. Appraisals for acquisitions completed within 12 months prior to the application submission date.

Ineligible Costs

Costs that are not eligible for CPL funds or match contributions include capital equipment, overhead, indirect costs, education, interpretive signs, research, planning, fundraising, membership fees, office rental, office supplies, employee parking, lobbying or political contributions, computers, cell phones, late payment or finance charges, interest or investment charges, and any costs not budgeted in the approved Work Plan.

Conservation Partners Legacy Grant Program

Evaluation Criteria Table

Applications are scored based on the 6 criteria listed below, using only the information provided within the application. Applicants should be sure their applications contain enough information for reviewers to consider all 6 criteria. Information may be provided on the Project Summary page of the application, or specifically requested on the Project Information page.

1	Overall Project Value	
	Critical habitat corridor; habitat quality/quantity	Amount, quality, and/or connectivity of habitat restored, protected and/or enhanced
	Consistent with current conservation science	Project use of currently accepted science and methods, increased efficiency and life expectancy of work completed
	Sustainability	Overall life expectancy of project
	Use of native plants	Use of local ecotype, native vegetation in form of seed, seedlings, root stock, etc.
2	Applicant Performance	
	Encouragement of local conservation culture	Applicant's past activities with local community in regards to conservation
	Collaboration and local support	Applicant's current interaction with other groups or agencies; current application support by multiple entities
	Capacity to successfully complete work	Applicant's history of receiving and successfully completing conservation work and grants
3	Project Benefits	
	Multiple benefits	Multiple or diverse species benefits; project directly improves intended species, indirect benefit to others
	Habitat benefits	Multiple or diverse habitat benefits; project directly improves intended habitat, indirect benefit to others
4	Public Benefits	
	Adjacent to protected lands	Project site(s) proximity to current protected land (public or private)
	Public access	Project site(s) availability for hunting, fishing, and other wildlife-based recreation
5	Financial Assessment	
	Full funding of project	All costs are identified and accounted for; all partners have submitted letters committing funds
	Supplements existing funding	Project would not be completed without CPL funding; CPL does not replace traditional sources of funding
	Budget and cost effectiveness	Project is succinct- no unnecessary costs or work has been added; costs are relative to location of project
6	Urgency	
	Urgency	Funding importance at this time: species or opportunity potentially lost

Conservation Partners Legacy Grant Program

Expedited Conservation Projects (ECP) Activity List

Forest habitat:

- 1 Winter (thermal) cover
- 2 Tree planting
- 3 Promotion of natural regeneration
- 4 Bud capping
- 5 Rx burning within BMP prescription, including aerial support

Prairie habitat:

- 1 Establish new prairie/grassland
- 2 Seed purchase of native species
- 3 Rx burning within BMP prescription
- 4 Mowing/herbicide for invasives control in recently established grassland/prairie
- 5 Tree removal/woody encroachment management
- 6 Interseeding of monoculture/low biodiversity sites

Wetland/water habitat:

- 1 Water level control structures
- 2 Fish Barriers
- 3 Upland vegetation enhancement
- 4 Tile breaks/ditch blocks

Fish Game and Wildlife habitat:

- 1 Brushland shearing
- 2 Dam removal/modification
- 3 In-stream habitat modification
- 4 Trout stream restoration/habitat improvement
- 5 Site prep for habitat enhancement
- 6 All ECP activities from forest, prairie, wetland habitats

FOREST Habitat ECP Activity List Definitions and Details

#	Activity	Definitions	Requirements	Included treatments/costs	Excluded costs
1	Winter (thermal) cover	Planting woody vegetation (native trees, bushes, shrubs) for the purpose of providing overwinter cover for native animal species		Planting tree/woody vegetation, herbicide, mowing, tree mats/stake, seedlings/bare root stock	Non-native species, equipment purchase (including mowers, chainsaws, heavy equipment)
2	Tree planting/seeding purchase	Planting and purchase of native tree species for reasons other than replanting of clear cut timber harvest		trees, seedlings, contractor costs, equipment rental, herbicide, tree mats/stakes	Equipment purchase (including hand tools, saws, attachments for heavy equipment), PPE
3	Promotion of natural regeneration	Activities that promote natural regeneration within native stand types with defined fish and/or wildlife habitat benefit		Mowing, shearing, herbicide, hand/mechanical release, thinning, contractor costs, equipment rental	Equipment purchase (including mowers, chainsaws, heavy equipment)
4	Bud capping	Protecting young conifer buds overwinter from deer browse with defined fish and/or wildlife habitat benefit		Papers, clips, contractor costs, equipment rental	Equipment purchase
5	Rx burning within BMP prescription, including aerial support	Burning of understory to remove heavy fuels, improve stand health and promote regeneration of young successional forest species with defined fish and/or wildlife habitat benefit		Burn break installation, contractor costs, burn fuel (minimal cost), pre-burn site prep, equipment rental, non-state aerial contractor for current planned burn	Agency staff time, equipment purchase, PPE, burn equipment (sprayers, drip torches, slip-on units), herbicide, chainsaws, vehicles

PRAIRIE Habitat ECP Activity List Definitions and Details

#	Activity	Definitions	Requirements	Included treatments/costs	Excluded costs
1	Establish new prairie/grassland by planting seeding of native species within BMP prescription	Restoring native grassland species (including forbs) in a suitable area currently void of or covered in non-native vegetation	DNR lands require approved and adopted Restoration Plan; must be submitted with application	Mowing, herbicide, seed purchase, equipment rental, contractor costs for seeding	Burn costs, equipment (seeder, packer, tractor, ATV, sprayer, etc.)
2	Seed purchase of native species	Purchase of native, local ecotype grassland seed and forbs from a local contractor to be planted by land manager before end of grant period		Purchase of seed to provide current agencies/staff opportunity to complete a restoration or enhancement	Non-native vegetation, woody vegetation, trees
3	Rx burning within BMP prescription	Burning to restore native grassland/prairie species as prescribed by current BMP		Mowing burn breaks, contractor costs, burn fuel (minimal cost)	PPE, burn equipment (sprayers, drip torches, slip-on units), herbicide, chainsaws, vehicles
4	Mowing/herbicide for invasives control in recently established grassland/prairie	Invasive control within newly planted or newly established grassland/prairie sites (within 3 years), including both cutting and spraying to eliminate invasive species		Herbicide, equipment rental, contractor costs for spraying/mowing	Equipment purchase (including mower attachments, replacement parts for existing equipment, mowing units, sprayers, sprayer parts, etc.), PPE
5	Tree removal/woody encroachment management	Removal of individual trees or woody encroachment within grassland/prairie sites		Herbicide, equipment rental, contractor costs for removal	Chainsaws, pruner, brush saw, sprayer, PPE, seed/seedlings
6	Interseeding of monoculture/low biodiversity sites	Increasing the biodiversity of an existing grassland site by adding additional grassland species and forbs		Contractor costs for seeding, seed purchase, equipment rental	Equipment purchase (seeder, packer, ATV, tractor, etc.), management activities (mowing, herbicide, etc.)

WETLAND/WATER Habitat ECP Activity List Definitions and Details

#	Activity	Definitions	Requirements	Included treatments/costs	Excluded costs
1	Water control structures	Installation of a structure to control the level of water, necessary due to altered hydrology of a shallow lake or wetland system	Engineering, survey and design and construction estimates must be complete and submitted with application	Fixed crest, variable crest structures, contractor costs, equipment rental, materials, site clean-up, associated upland or lowland restoration	Access or conservation easement acquisition, engineering and design, survey work
2	Fish Barriers	Barriers places on larger or shallow lake systems to prevent the spread of aquatic invasive species	Engineering, survey and design and construction estimates must be complete and submitted with application	Contractor costs, equipment rental, materials, site clean-up, associated upland or lowland restoration	Fish removal (commercial or chemical), access or conservation easement acquisition, engineering and design, survey work
3	Upland vegetation enhancement	Enhancement or restoration of uplands associated with existing wetlands or water systems that have been degraded		Invasives control, Rx burning, herbicide, tree removal, seeding, equipment rental, contractor costs	PPE, burn equipment (sprayers, drip torches, slip-on units), chainsaws, vehicles, pruner, brush saw, Rip-rap, access or conservation easement acquisition, engineering and design, survey work
4	Tile breaks/ditch blocks	Decommissioning installed water drainage systems by tile break or removal		equipment rental, contractor costs, re-meandering of ditch channels	Tile system improvements, access or conservation easement acquisition, engineering and design, survey work

FISH GAME and WILDLIFE Habitat ECP Activity List Definitions and Details

#	Activity	Definitions	Requirements	Included treatments/costs	Excluded costs
1	Brushland shearing/mowing/chopping	Use of heavy equipment during ground stable conditions to remove over mature trees and brush at ground level to allow for regeneration		Shearing, mowing, chopping, hydro-ax, follow-up site burning, contractor costs	Equipment purchase
2	Dam removal/modification	The removal of an existing dam within a public waterway, or installation of a dam modification or nature-like fishway to allow for fish and other aquatic species to pass the current barrier	Engineering, survey and design and construction estimates must be complete and submitted with application	Dam removal and weir placement, nature-like fishway, rock arch rapids, rapids construction, contractor costs, equipment rental, materials, site cleanup, river/stream channel modification or re-meandering	Equipment purchase, barrier/structure replacement or maintenance, fish ladders, fish elevators, engineering and design, survey work, access or conservation easement acquisition
3	In-stream habitat modification	Restoring or enhancing degraded or missing in-stream habitat or access to habitat to provide spawning, resting, feeding areas for aquatic species	Engineering, survey and design and construction estimates must be complete and submitted with application	Structure placement, spawning area restoration, natural bank stabilization, log jam removal, equipment rental, contractor costs	Rip-rap, access or conservation easement acquisition, engineering and design, survey work,
4	Trout stream restoration/habitat improvement	Restoring or enhancing degraded or missing in-stream habitat or enhancements to upland/lowlands to provide spawning, resting, feeding areas and for trout species	Engineering, survey and design and construction estimates must be complete and submitted with application	Beaver dam removal, equipment rental, contractor costs, structure placement, spawning area restoration, upland restoration	Rip-rap, access or conservation easement acquisition, engineering and design, survey work,
5	Site prep for habitat enhancement	Use of heavy equipment to remove current site vegetation, including grasses, brush and/or trees, to allow for future enhancement work on the landscape		Shearing, mowing, chopping, hydro-ax, burning, contractor costs, equipment rental, invasives control, herbicide	Equipment purchase (including mowers, chainsaws, heavy equipment and attachments for heavy equipment), non-native species
	All ECP activities from forest, prairie, wetland habitats				

Conservation Partners Legacy Grant Program Insurance Requirements

Grantees are required to carry insurance that meets or exceeds the requirements of the landowner whose land they will be working on. Insurance requirements for working on State lands are listed below. For all other lands, grantees should discuss insurance with the landowner/ land manager during their project meeting and follow their requirements. Proof of insurance will be required prior to a grant being encumbered. The cost of insurance is eligible for pre-award match if it is directly related to the project. Grant funds may not be used to pay for insurance. *Applicants should investigate the cost of insurance before submitting an application.*

1. General Insurance Requirements

- a. The grantee must submit a copy of the Certificate of Insurance to the Grant Program Staff before the grant agreement is executed. The industry standard Accord form is the typical Certificate of Insurance provided.
- b. All policies and certificates shall provide that the policies shall remain in force and effect throughout the term of the service being provided.
- c. Policy shall provide the State of Minnesota with thirty (30) days advance written notice of cancellation.
- d. The policy shall be primary insurance available to the State of Minnesota with respect to any claim arising out of providing service to the State.
- e. The State of Minnesota must be endorsed as an additional insured on the general liability coverage, addressed as follows:

**State of Minnesota
500 Lafayette Road
St. Paul, MN 55155**

- f. It is strongly recommended that all contractors meet the same insurance requirements as the grantee. Contractors must file evidence of insurance with the grantee.
- g. If Grantee is self-insured, a Certificate of Self-Insurance must be attached.
- h. The Insurance Companies must have an "AM Best" rating of A- (minus), Financial Size Category (FSC) VII or better, and be authorized to do business in the State of Minnesota.
- i. The Grantee's insurance company waives its right to assert the immunity of the State as a defense to any claims made under said insurance.

The grantee shall maintain insurance to cover claims which may arise from operations under this contract, whether such operations are by grantee or contractor or by anyone directly or indirectly employed under the grant.

An Umbrella or Excess Liability insurance policy may be used to supplement the grantee's policy limit to satisfy the full policy limits required by the contract.

2. Workers' Compensation Insurance

- a. Statutory Compensation Coverage
- b. Coverage B – Employer's Liability with limits of not less than:
 - i. \$100,000 Bodily Injury by Disease per Employee
 - ii. \$500,000 Bodily Injury by Disease Aggregate
 - iii. \$100,000 Bodily Injury by Accident

The grantee and subcontractors, if any, must provide Workers' Compensation insurance for all employees, in accordance with the statutory requirements of the State of Minnesota, including Coverage B, Employer's Liability.

If MN Statutes 176.041 exempts Grantee from Workers' Compensation insurance or if the Grantee has no employees in the State of Minnesota, Grantee must provide a written statement, signed by the authorized signer of the contract, stating the qualifying exemption that excludes Grantee from MN Workers' Compensation requirements.

The statement must also include "If during the course of the contract the Grantee becomes eligible for Workers' Compensation, the Grantee will comply with the Workers' Compensation Insurance requirements and provide the State of Minnesota with a certificate of insurance."

3. Automobile Liability Insurance

Minimum Limits of Liability:

- a. Passenger vehicle such as car, van or pickup truck: Minnesota State No-fault
- b. If vehicle is towing anything or is a commercial vehicle, the combined single limit shall be the same as required under the General Liability Insurance, below.
- c. Coverages required:
 - i. Any Auto
 - ii. All Owned Auto
 - iii. Scheduled Auto
 - iv. Hired Auto
 - v. Non-owned Auto
- d. The grantee and any contractors shall maintain insurance to cover liability arising out of the operations, use, or maintenance of all owned, non-owned and hired automobiles. Evidence of contractor insurance shall be filed with the grantee.

4. Pollution Insurance

- a. **Required Automobile Insurance when hauling hazardous substances, materials, or pollutants:**

The following endorsement to the Vendor's/Contractor's Auto policy is required to cover liabilities, i.e., clean up monitoring, testing, stemming from pollutant discharge, release, spills, while being transported if an accident occurs:

- i. CA 9948 – Pollution Liability – Broadened Coverage Endorsement (or equivalent), and
- ii. MCS 90 Endorsement (based on commodity transported and the type of vehicle transporting it):
 - o For-hire (in Interstate or foreign commerce) with a gross vehicle weight rating of 10,000 or more pounds – Commodity Transported – Property (nonhazardous)
 - o For-hire and private (in Interstate, foreign, or intrastate commerce) with a gross vehicle weight rating of 10,000 or more pounds – Commodity Transported – Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks or hopper-type vehicles with capacities in excess of 3,500 water gallons or in bulk.
 - o For-hire and private (in Interstate or foreign commerce, in any quantity; or in Intrastate commerce) with a gross vehicle weight

- rating of 10,000 or more pounds – Commodity Transported – Oil listed in 49 CFR 172.101; hazardous waste, hazardous materials and substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101.
 - For-hire and private (in Interstate or foreign commerce, in any quantity) with a gross vehicle weight rating of less than 10,000 pounds – Commodity Transported – Any quantity of Division 1.1, 1.2, or 1.3 material, any quantity of a Division 2.3, Hazard A, or Division 6.1, Packing Group 1, Hazard A material; or highway route controlled quantities of a Class 7 material as defined in 49 CFR 173.403.
- **Requires Full Pollution Insurance:**
 - i. Aerial applications of pesticides - if a vehicle is required to carry pesticides to the airplane, they will need additional automobile endorsement: CA 9948 Endorsement – Pollution Liability – Broadened coverage
 - ii. Old Riverboat at Itasca due to potential risk if vessel were to sink.
- **Requires only \$500,000 Pollution Insurance:**
 - i. Broadcast ground spraying of pesticides with the use of a:
 - skidder
 - tractor
 - dozer
 - ATV
- **May Waive Pollution Insurance:**
 - i. Pesticide cut-stump applications
 - ii. Ground spot spraying
 - iii. Spraying individual plants
 - iv. Backpack spraying
 - Spraying of animal browse repellents: Animal browse repellents are considered by MN Department of Agriculture as a pesticide but most use non-chemical means of repelling with application on individual plants.

5. General Liability Insurance

Minimum Limits of Liability:

- a. \$1,500,000 - Per Occurrence
- b. \$1,500,000 - Annual Aggregate
- c. Coverages required:
 - Premises and Operations Bodily Injury and Property Damage
 - Personal & Advertising Injury
 - Blanket Contractual
 - Products and Completed Operations
 - State of Minnesota and its agencies, officers, and employees (State) endorsed as an Additional Insured
 - Other (Note: please list, i.e., pollution liability, water or aircraft, chemical liability)
 - Aircraft liability limits - \$1,500,000 single limit for each occurrence for bodily injury and property damage combined and \$100,000 single limit for each occurrence for aircraft passenger liability.
- d. Contractor's Pollution Liability (or equivalent) required for any project with herbicide application or chemical treatment; coverage endorsed on another form of liability coverage, such as general liability or professional errors and omissions policy.
 - i. Pollution Insurance **minimum** amounts are as follows:

- \$2,000,000 per claim
- \$2,000,000 Annual Aggregate
- ii. The following coverages shall be included:
 - Policy will include non-owned disposal site Pollution Liability
 - Policy will not include a lead exclusion

It is a requirement of the State that coverage for the period of the Contract will be maintained for a period of no less than three (3) years for claims-made coverage or (1) year for occurrence coverage, after the expiration of the Contract.

Name the State, its officers and employees, and CPV members, their officers and employees, as additional insureds with respect to services provided, except with respect to an equivalent (to Contractor's pollution) pollution liability coverage **endorsed on a professional errors and omissions policy** as approved by the State.

6. Insurance May Be Modified Under the Following Conditions

a. Government Agencies and Utility Companies

Insurance may be waived on all contractual services performed by government agencies and utility companies provided the following clause is included on all contracts over \$500. "Each party agrees that it will be responsible for its own acts and omissions and the results thereof to the extent authorized by law and will not be responsible for the acts of the other party and results thereof. The State's liability will be governed by the provisions of the Minnesota Tort Claims Act, Minnesota Statutes, Section 3.736, and other applicable law."

b. Other Modifications

i. Work involving only hand or small power equipment:

- Insurance Required: Workers' compensation and minimum state no-fault auto insurance.
- This includes projects that are labor intensive with no equipment involved except transportation of crews or hand equipment.
- Possible activities: Site cleanup, seed harvest, hand planting of trees, shrubs or other plants, hand timber stand work, bud capping, hand herbicide application.
- Beaver trapping

ii. Remote area work:

- Remote area defined: Areas where public contact is unlikely, no generally traveled public roads are adjacent to the area, and no recreation area or area where members of the public would be is adjacent to the area. The State Land Manager must confirm that the project site and/or timing of the work qualify it as a remote area.
- Insurance Required: Workers' compensation and minimum state no-fault auto insurance
- Possible activities: Farming operation work such as mowing, plowing, shearing, disking, and mechanical tree planting.