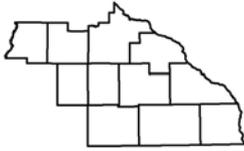


Southeast Minnesota Wastewater Initiative



In cooperation with: The Southeast Minnesota Water Resources Board, U of MN Extension Services, Minnesota Pollution Control Agency, Basin Alliance for the Lower Mississippi of Minnesota, and the Cannon River Watershed Partnership.

ESSD FAQs

Frequently Asked Questions about Environmental Subordinate Service Districts

Why do we need an ESSD?

Your community does not currently treat their wastewater properly. A task force has been formed to explore the possible paths of action. Before choosing the right method(s) of treatment (septic systems, community-wide collection and treatment, small clustered septic systems, etc.), the task force has determined that a legal entity, similar to a community co-op, must be formed to protect the interests of the community and its individuals. A legal entity is necessary when multiple homeowners face difficult decisions involving the future of their community. Because of the lot sizes and soil characteristics of your community, some people may have to seek alternative or community sewage treatment solutions. An official legal entity is also required any time public funding is a part of the project, as the funding sources need a responsible entity to send money to and to have a reasonable expectation that loans will be repaid.

Does everyone have to upgrade their septic systems?

No. Only homeowners that do not properly treat their wastewater will be expected to upgrade their septic systems. A map is attached that identifies the existing septic system situation for each property within the proposed district. Residents within municipalities pay for the water they use and for treatment of their wastewater. No matter where you live, wastewater treatment is not free.

Is this going to cost the community money?

Signing the petition will not cost you any money, but yes, eventually, the upgrade of sewage treatment facilities will cost the homeowner money. Signing the petition is the first step in a decision-making process that aims to *save* money by ensuring cost-effective decisions are made for those affected by the eventual upgrade of sewage treatment facilities. An ESSD is relatively inexpensive to form (less than \$1000 in publishing and Town Board meeting costs). All costs of the final project are paid by the members of the District, according to the individual homeowners' needs.

So am I signing a blank check by signing this petition?

No, by signing this petition you are asking your local leaders to help the community solve its wastewater issues. By forming your own district, the decision-making power about this issue actually stays within the community, an attractive alternative to facing potential enforcement action that may result in a different solution. This process is designed so that community members within the proposed district save money by making their own decisions about sewage treatment options, which professionals to work with and how to manage the system(s).

What does signing this petition mean?

By signing the ESSD petition, you are asking your Township Board to **consider** the formation of a legal district that can:

- acquire property and easements where necessary
- obtain and administer financing
- negotiate contractual agreements
- protect individual and community interests
- develop ordinances, rules and policies to protect the owner's rights

- budget and levy taxes to plan, build, manage and repair systems
- provide long-term management of the system(s)

While most homeowners would just as soon take care of these things by themselves, a legal and responsible entity is needed to work on behalf of the community when multiple landowners and properties are involved. The petition must state four things: 1) that the community members are asking for the District, 2) what the legal description of the proposed District is, 3) what the purpose of the District is, and 4) that the costs associated with the project will be paid for by the members of the District benefiting from the improvements.

Once the petition that is signed by at least 50% of the community is presented to the Township Board, the Board calls for a public hearing to consider the District's formation. All members of the District are notified by mail of the hearing date. The Town Board then votes on the formation and publishes the resolution establishing the formation of the District. A 60-day period is then open for reverse referendum, a method by which community members can stop the official formation of the District.

Who runs the District?

The ESSD is run by the local Township Board and is advised by a task force of community members, SE MN Wastewater Initiative and County Staff. The District is allowed to create its own rules for how the project progresses. All activities are open to the public and must benefit the members of the District.

Is there any way I can avoid being in the District?

Yes, if you have a septic system that is in compliance with your County ISTS ordinance, you do not have to become a part of the District.

Can I join the District later?

Yes, individuals or groups may join the district by petitioning the Town Board. In the case of District expansion, a public hearing is again required. Often, people with compliant systems join the District at a later date to benefit from the enhanced management of their system.

Is it in my best interest to sign this petition?

While only you can decide that for yourself, consider the formation of this District as a way of taking the decision-making powers into your own hands. By signing this petition, you are asking your community officials to act in your best interest, with your input. If a District cannot be formed because of a lack of community interest, County or State enforcement proceedings may begin. In that case, the decision-making opportunity is out of your hands.

Our property is owned by both my spouse and myself, do we both sign the petition?

Only official property owners, those with their name on the property's deed, can sign the petition. Many properties have numerous owners, in which case, yes, they can all sign the petition. Others have purchased their house on a Contract for Deed or are renters. In these cases, only the legal owner(s) can sign the petition. Much of the time, there are more property owners than homes in the District.

For additional questions, please contact:

Nick Haig
Community Sewage Treatment Facilitator
SE MN Wastewater Initiative
320 Third St. NW #9
Faribault, MN 55021
507-333-3871
nhaig@co.rice.mn.us