## 115A.85 PROCEDURE.

- Subdivision 1. **Requirement.** A district or county with an approved designation plan shall proceed as provided in this section when designating facilities. A district need not repeat the designation procedures in this section to the extent that the procedures have been completed by each county having territory in the district or by a joint powers board composed of each county having territory in the district.
- Subd. 2. **Hearing.** (a) The district or county shall hold a public hearing to take testimony on the designation. Notice of the hearing must be:
- (1) published in a newspaper of general circulation in the area for two successive weeks ending at least 15 days before the date of the hearing; and
- (2) mailed to political subdivisions, processing and disposal facility operators, and licensed solid waste collectors who may be expected to use the facility.
  - (b) The notification must:
  - (1) describe the area in which the designation will apply and the plans for the use of the solid waste;
  - (2) specify the point or points of delivery of the solid waste;
  - (3) estimate the types and quantities of solid waste subject to the designation; and
  - (4) estimate the fee to be charged for the use of the facilities and for any products of the facilities.
- (c) A designation or contract for use is not invalid by reason of the failure of the district or county to provide written notice to an entity listed in this subdivision.
- Subd. 3. **Negotiated contracts for use.** During a period of 90 days following the hearing, the district or county shall negotiate with the persons entitled to written notice under subdivision 2 for the purpose of developing contractual agreements that will require use of the facilities proposed to be designated.
- Subd. 4. **Designation decision.** At the end of the 90-day contract negotiation period, the district or county may proceed to secure approval for and implement the designation as provided in section 115A.86.

**History:** 1984 c 644 s 40; 1989 c 325 s 13