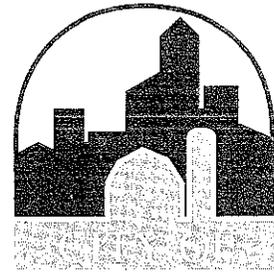


Council Meeting
Tuesday, May 18, 2010
City Council Chambers
7:30 p.m.
AGENDA



WINDOM

Call to Order

Pledge of Allegiance

1. Approval of Minutes
 - Council Minutes –May 4 & 10, 2010
2. Consent Agenda
 - Minutes
 - Telecommunication Commission – April 29, 2010
 - Tree Commission – May 5, 2010
 - Street Committee – May 6, 2010
 - EDA Commission – May 10, 2010
 - Park & Recreation Commission – May 10, 2010
 - Library Board – May 11, 2010
 - Planning Commission – May 11, 2010
 - Correspondence
 - Office of Governor Tim Pawlenty – LGA Reductions
3. Emergency Medical Service Proclamation
4. Department Heads
5. Public Comments
 - Cheryl Hanson – Windom Area Chamber of Commerce – Riverfest
 - Frank Dorpinghaus – Air, Water, Food Federal Regulations
6. License Applications
 - Temporary Liquor License – Windom Lions Club
 - Lawful Gambling Exempt Permit – Windom Area Chamber of Commerce
 - Amplification Equipment Permit
 - Windom Area Chamber of Commerce – Riverfest – June 12, 2010
 - Phat Pheasant Pub – Riverfest - June 11 & 12, 2010
7. Call for Public Hearing - Proposed Revisions to Business Subsidy Policy and Criteria
8. Call for Public Hearing – Proposed Adoption of a Tax Abatement Program for New Vision Cooperative
9. Donations
 - Friends of the Windom Library
 - The Art Group
10. Windom Area Hospital – Bond Maturity Call
11. Telecom – Assignment of Interest
12. Personnel Committee Recommendations
13. Regular Bills
14. Unfinished Business
15. New Business
16. Council Concerns
17. Adjourn



Council Meeting
Windom City Hall, Council Chamber
May 4, 2010
6:00 p.m.

1. Call to Order: The budget workshop meeting was called to order by Mayor Kruse at 6:00 p.m.

2. Roll Call: Mayor: Kirby Kruse

Council Members: Corey Maricle, Robert Messer, Bradley Powers and JoAnn Ray

Council Members Absent: Jean Fast

City Staff Present: Steve Nasby, City Administrator; Brigitte Olson, Assistant City Administrator; Bruce Caldwell, Street Superintendent; Marv Grunig, Electric Utility Manager; Mike Haugen, Water\Wastewater Superintendent and Jeremy Rolfes, Telecom

Public Present: Dirk Abraham

3. 2010 Budget – Mid-Year Revisions:

Kruse said that due to additional LGA budget cuts the City would be receiving \$102,370 less State aid than was anticipated in the 2010 budget. A memorandum from staff was included in the packet that outlined operational cuts, reductions in budgeted capital expenditures and other items for discussion to raise revenue.

Council reviewed the list of budget cuts and discussed ways to raise revenues to address the current LGA cuts and likely future losses of LGA. Consensuses by the Council to have staff continue to look at methods to raise revenue and research what other cities have done. Nasby asked that the Council also consider prioritizing services and plan for how the City would operate with 50% less LGA as the State is still in a deficit and the projections are for the State to have a \$6 billion deficit next year. Kruse suggested having a follow-up meeting on June 1st, prior to the regular City Council meeting, to discuss these issues.

Motion by Maricle, second by Ray, to approve the 2010 budget cuts outlined in the staff memorandum for operational and capital expenses and to use \$50,000 from reserves if necessary. Motion carried 4 – 0.

Kruse adjourned the budget workshop at 7:18 p.m.

Kruse called to order the regular City Council meeting at 7:30 p.m.

4. Pledge of Allegiance

5. Approval of Minutes:

Motion by Maricle second by Powers, to approve the City Council minutes from April 20, 2010. Motion carried 4 – 0.

6. Consent Agenda:

Kruse said that correspondence from the Good Samaritan Society and minutes were received from the following Boards\Commissions:

- Tree Commission – April 14, 2010
- Community Center Commission – April 26, 2010
- Utility Commission – April 28, 2010

Motion by Powers second by Ray, to approve the consent agenda. Motion passed 4–0.

7. Department Heads:

Marv Grunig, Electric Utility Manager, said that the Utility Commission had been working on cleaning up some housekeeping items. These included three items. First, adjusting the pre-payment amounts for rental units to minimize write-offs and cost to the electric utility customers. Second, calculating the costs for security lighting and insuring the fees for security lighting covered the actual costs. Last, reviewing the rate structure related to high demand customers. At their April 2010 meeting the Utility Commission discussed how demand charges are calculated, the rationale for demand charges and how a re-instated demand charge would impact existing industrial customers. Grunig said demand charges are needed to help the electric utility cover the capital and infrastructure expenses from building capacity to a customer's facility. If the industrial customer has a steady demand for power the utility's costs for infrastructure are recovered through the rates, but if a customer has only seasonal or occasional high demand then the utility does not recover these costs through the rate. An industrial demand charge was part of the Windom Electric Utility's rate structure up until 2004 when the City changed billing systems and this new system was unable to bill a demand charge. The City converted billing systems again in 2007, which is the system in use today. The current billing system has the capability to do demand charge billing. The Utility Commission's decision is to re-instate the demand charge for industrial customers that have a demand in excess of 75 Kw. The demand charge would impact three industrial customers and the resulting impact to two of these would be just about \$1\day.

Messer asked about the 11 month cycle for determining the demand. Grunig said that once an industrial customer goes over 75 Kw they are subject to the demand charge and the account is monitored for the next 11 months to determine the annual highest use, which sets the minimum demand charge at a base of 50% of the highest demand.

Mike Haugen, Water\Wastewater Superintendent, informed the Council and public that it is National Drinking Water Week and he thanked his staff for all of their work and dedication.

8. Windom United Service Annual Drive Donation – Windom Fire Department:

Nasby said there was a letter in the Council packets stating that the Windom United Drive had collected \$40.00 in donations that were earmarked for the Windom Fire Department.

Council member Powers introduced the Resolution No. 2010-11, entitled “AUTHORIZATION TO ACCEPT A DONATION FROM WINDOM UNITED SERVICE FOR THE WINDOM FIRE DEPARTMENT” and moved its adoption. The resolution was seconded by Ray and on roll call vote: Aye: Ray, Maricle, Messer and Powers. Nay: None. Absent: Fast. Resolution passed 4 – 0.

9. Southwest West Central Service Cooperative – Joint Powers Agreement:

Nasby said the City is part of the health insurance pool operated by the SW\WC Coop and this joint powers agreement is part of the City’s participation in this pool. Nasby said the changes in the agreement were underlined and the City Attorney had reviewed the document. Both Nasby and the City Attorney had noted new language in section 4.6 which provides the Service Coop Board the latitude to direct resources derived through fees to special needs or projects of individual members.

Motion by Maricle, seconded by Powers, to approve the proposed joint powers agreement between the City of Windom and the SW\WC Coop for participation in the health insurance pool. Motion carried 4 – 0.

10. Assistance to Firefighters Grant Applications:

Nasby said that there were two items. The match for both of these grant requests is 5%.

First, is a resolution of participation in a joint communications system between the cities in Cottonwood County and Cottonwood County. All radios have to be narrow-band compliant by 2013 and this grant application would request funding from the federal government for radios and related equipment needed to meet this 2013 mandate. This grant application was submitted last year, but was not funded. The participating parties recently agreed to re-submit the application. Windom would be the administrating entity.

Council member Messer introduced the Resolution No. 2010-12, entitled “A RESOLUTION APPROVING PARTICIPATION IN A COUNTYWIDE COMMUNICATION EQUIPMENT PROJECT AND SUBMISSION OF “ASSISTANCE TO FIREFIGHTERS” GRANT APPLICATION” and moved its adoption. The resolution was seconded by Powers and on roll call vote: Aye: Maricle, Messer, Powers and Ray. Nay: None. Absent: Fast. Resolution passed 4 – 0.

Nasby said the second item is a resolution approving the submission of a grant request to replace Unit #21, which is the pumper truck. This unit is due to be replaced in 2013. Last year the Fire Department had requested to replace Unit #20, which is the rescue truck, but the rescue truck is classified by the federal granting entity as a Tier II project so the odds of getting it funded were slight. Unit #21 needs to be replaced shortly and would qualify as a Tier I project so it has a better chance of getting funded. Unit #21 is used by both rural and city calls so the match would come from the entire fire district.

Council member Powers introduced the Resolution No. 2010-13, entitled “RESOLUTION SUPPORTING THE SUBMISSION OF A GRANT APPLICATION TO THE “ASSISTANCE TO FIREFIGHTERS” GRANT PROGRAM” and moved its adoption. The resolution was seconded by Maricle and on roll call vote: Aye: Messer, Powers, Ray and Maricle. Nay: None. Absent: Fast. Resolution passed 4 – 0.

11. Regular Bills:

Motion by Powers, seconded by Maricle, to approve the regular bills. Motion carried 4 – 0.

12. Unfinished Business:

None

13. New Business:

None

14. Council Concerns:

Kruse reminded the public about the retirement celebration for Donald Pabst at the Good Samaritan Center on May 21, 2010 from 2 – 3 p.m.

15. Adjourn:

Kruse adjourned the meeting by unanimous consent

Meeting adjourned at 7:53 p.m.

Kirby Kruse, Mayor

Attest: _____
Steve Nasby, City Administrator

Council Meeting
Windom City Hall, Council Chamber
May 10, 2010
4:30 p.m.

1. Call to Order: The Board of Review meeting was called to order by Mayor Kruse at 4:30 p.m.

2. Roll Call: Mayor: Kirby Kruse

Council Members: Jean Fast, Corey Maricle, Robert Messer and JoAnn Ray

Council Members Absent: Bradley Powers

City Staff Present: Steve Nasby, City Administrator and Brigitte Olson, Assistant City Administrator;

Public Present: Gayle Bondhus, County Assessor; Lisa Will, County Assessor's Office; Allen Coners, County Assessor's Office; Diane Kruger, Jim Englehorn and Robert Turner

3. Pledge of Allegiance

4. 2010 Board of Review:

Kruse said that the Board of Review process is established for property owners to request a review of the valuation of their properties for tax purposes. The County Assessor's Office performs this function for the City and they are present to provide information and answer questions.

Gayle Bondhus, County Assessor's Office, provided an overview of the process for persons requesting revisions to the property valuations. She said that the valuations are based on sales data from the prior year (October 1, 2008 to September 30, 2009). There were 44 residential sales and one commercial sale that were eligible to be used in calculating the valuation data.

Kruse opened the floor to any members of the public that wanted to discuss the valuation of their properties.

Parcel #25-820-0380 -- 931 3rd Avenue -- Diane Kruger

Kruger said that the value on this commercial building went up from \$55,300 to \$55,800 and due to the building's age, poor economy and no improvements the value should be going down.

Messer asked if the commercial sale was used to adjust the commercial property values. Bondhus said it was not since a single sale does not provide enough data.

Parcel #25-352-0760 -- 617 Prospect Avenue -- Diane Kruger

Kruger said she purchased the property for \$4,000 on a foreclosure and the valuation of \$9,700 was much too high. The property was in poor condition, has not been lived in or had heat for two years, has termite damage and there is no bathroom.

Ray arrived at 4:38 p.m.

Parcel #25-453-0060 -- 1310 20th Street -- Jim Englehorn

Englehorn said his purpose was to note his presence at the meeting for the record. His valuation was \$219,500 last year and the value was \$219,500 again this year. He felt the value should have gone down as the housing market has lost value.

Fast asked if housing values were down overall. Bondhus said that there is typically a depreciation factor that goes in that does lower the value if there are no other changes.

Messer asked Englehorn when the house was built. Englehorn said about 2000.

Kruse said that seeing no one else from the public wanting to address the Board of Review the Council could now consider any changes in valuations.

Parcel #25-352-0760 -- 617 Prospect Avenue -- Diane Kruger

Lisa Will said that the value of this property had been adjusted down from \$29,700 to \$9,700 due to the items listed by Kruger. Will handed out a list of three comparable properties and reviewed the method of valuation with the City Council.

Messer asked if the conditions of the comparable properties were similar. Will said they were close. Messer asked about the determination for depreciation. Bondhus said the depreciation is typically 1 to 1.5% on residential properties over the life of the structure. Older properties, approximately 50 years of economic age, are depreciated at 1.5% and newer properties at 1%. Messer asked if the property were only being used as storage if it would be valued lower. Bondhus said that farm buildings without heat and water are valued at \$1\square foot, but this property is in town in a residential area.

Motion by Messer to reduce the value on Parcel #25-352-0760 -- 617 Prospect Avenue by \$2,000. Motion died for lack of a second.

Motion by Maricle to leave the value on Parcel #25-352-0760 -- 617 Prospect Avenue at \$9,700. Motion died for lack of a second.

Motion by Messer, second by Maricle, to reduce the value on Parcel #25-352-0760 -- 617 Prospect Avenue by \$1,500. Motion carried 4 – 0 (Powers absent).

Parcel #25-820-0380 -- 931 3rd Avenue – Diane Kruger

Allen Coners said that the property had not been inspected this year and the value had been left as is from the prior year. The \$500 increase in the valuation was due to the conversion of data to a computer program that rounded the numbers in the formula differently.

Motion by Messer, second by Maricle, to reduce the value on Parcel #25-820-0380 -- 931 3rd Avenue to \$55,000 (\$41,800 on commercial portion and \$13,200 on residential portion). Motion carried 4 – 0 (Powers absent).

Parcel #25-453-0060 -- 1310 20th Street – Jim Englehorn

Bondhus said the value was the same as last year. The home is newer and the value went up by 1% and the depreciation formula dropped the value by 1% so this is why there was no overall change in the valuation.

Messer said he would like to lower the value by a few hundred dollars. Fast that would have little impact on the taxes paid. Bondhus confirmed the tax impact would be minimal.

Motion by Fast, second by Ray, to leave the value on Parcel #25-453-0060 -- 1310 20th Street at \$219,500. Motion carried 4 – 0 (Powers absent).

Robert Turner asked if he could address the City Council regarding his property valuation. Kruse invited Turner to present his information to the Council.

Parcel #25-025-3400 – 1415 1st Avenue – Robert Turner

Turner said the value on this property was raised by \$7,000. He knows a building by his sold recently, but this was a large increase. Bondhus said the property Mr. Turner is referencing sold for \$68,000 and had been assessed at \$44,000, but this sale did not impact the Turner property as the sale was not within the October 2008 – September 2009 time frame. She said that the value of steel commercial buildings was increased city-wide due to her office's research of sales data County-wide over the last 4-5 years. These buildings have been selling for prices much higher than the assessments.

Messer said that sales values could decrease too. Bondhus concurred that is possible too. Messer thought that the land values must be driving these sale prices as the buildings in this area small.

Fast said that commercial sales are slow and may not be showing the higher values.

Motion by Maricle, second by Ray, to leave the value on Parcel #25-025-3400 -- 1415 1st Avenue at \$41,300. Motion carried 4 – 0 (Powers absent).

Kruger thanked the City Council for their consideration.

Kruse asked Bondhus if they had additional information or items to present.

Bondhus said their office had three technical corrections of valuations to present as recommendations from her office.

Parcel #25-019-0402 – Tony & Denise Nichols

Bondhus said that there is a division of the property between commercial and residential and they are recommending that \$15,900 of value be changed from commercial classification to residential classification.

Motion by Messer, second by Fast, to change the classification of \$15,900 of valuation on Parcel #25-019-0402 from commercial to residential. Motion carried 4 – 0 (Powers absent).

Parcel #25-025-4100 – Dale & Kim Friesen

Bondhus said that an inspection of this property warranted a decrease in valuation from \$28,800 to \$26,600 due to the condition of the building.

Motion by Fast, second by Maricle, to reduce the value on Parcel #25-025-4100 -- from \$28,800 to \$26,600. Motion carried 4 – 0 (Powers absent).

Parcel #25-820-0061 – Alan Staples

Bondhus said that there was an error on the calculation of square footage and a formula calculation error. Their recommendation is to lower the value from \$128,600 to \$121,500.

Motion by Messer, second by Fast, to reduce the value on Parcel #25-820-0061 -- from \$128,600 to \$121,500. Motion carried 4 – 0 (Powers absent).

Bondhus said the overall property valuation for the City of Windom in 2010 was \$195,011,200 as compared to \$197,289,300 for 2009. This is a net loss of \$278,100. There was also a State law change for the valuations of group homes and they are now tax exempt, which lowered the City's property valuation by over \$200,000.

Messer asked if this change in tax law was the similar to the Good Samaritan Society campus. Bondhus said that at the Good Samaritan Society campus the nursing home is tax exempt but the apartment buildings are taxable.

Motion by Ray, second by Messer, to accept the balance of all the assessment valuations for the City of Windom. Motion carried 4 – 0 (Powers absent).

5. Unfinished Business:

None

6. New Business:

None

Telecommunication Commission Minutes
April 29th, 2010

1. Call to Order:

2. Roll Call:

Commission Members Present: Wendell Woodcock, Robert Messer, Corey Maricle, Forrest Fosheim

Commission Members Absent: Virgil Meier

City Staff Present: Dan Olsen, Londa Fosheim, Steve Nasby

Public Present: None

3. Stimulus Award Participation:

*Have not received letter awarding grant as of yet.

*RUS Historical Rep -- 7 Indian Tribes contesting grant, worried about burial grounds being disturbed.

*Windomnet would become wholesaler of the 8 towns for internet, cable & phone.

*The towns would set up a non for profit corporation -- Towns not putting in their own phone switch, using ours.

*196 miles of fiber to homes.

*Would put clause in contract "Most favored nation clause" for Windomnet.

Other:

*Have ordered more equipment for HD

*Working on adding more HD Channels

*Added more phone lines and services to Toro

*PM Windom still pending

4. Adjourn:

**CITY OF WINDOM TREE COMMISSION MEETING
MINUTES MAY 5, 2010**

1. Call to Order: The meeting was called to order by Chair Lindsey Cartwright at 5:16 p.m. in the council chambers at city hall.

2. Roll Call:

Commission Present:	Lindsey Cartwright, Deborah Polzin, Joanne Kaiser & Eldon Moon
Commission Absent:	Jason Vazquez
City Staff Present:	Bruce Caldwell City of Windom Tree Inspector
Council Liaisons:	Corey Maricle (absent)
Public:	Dave Bucklin

3. Approve Agenda
No agenda available to approve.

4. Approve Minutes, April 14, 2010
Motion by Eldon Moon, seconded by Joanne Kaiser
Motion Carried

5. Old Business
 - a. Secretary Position: Joanne Kaiser asked that she be removed and Deborah Polzin said she would agree to the position
Motion to approve Deborah Polzin to Secretary by Joanne Kaiser, seconded by Eldon Moon
Motion Carried

 - b. Rules and By-Laws Discussion:
First revision of by-laws undertaken. Commission asked to look at Mountain Lake's Ordinance No. 3-07 for possible policy input.

6. New Business
 - a. Terms of Board Members:
All terms shall run from January 1 to December 31. It was deemed beneficially to have staggered term limits.
1 year term: Joanne Kaiser and Deborah Polzin
2 year term: Eldon Moon
3 year term: Lindsey Cartwright and Jason Vazquez

 - b. Emerald Ash Borer workshop in Mankato on June 14
Bruce Caldwell discussed upcoming eab workshop at South Central College. Two workshops are scheduled, one in the morning and one in the afternoon. Interactive video conferencing is available.

7. Open Mike:

- a. Dave Bucklin discussed the possibility of a crew from MN Conservation Corp to help with a tree inventory in late summer or early fall. Replacement trees would be purchased from Bailey's Nurseries consisting of 10 gallon pots containing 6 to 8 foot trees. Possible sites for replacement trees were discussed.
- b. Bruce Caldwell informed the Commission of budget regulations. Costs to remove trees from city parks would come out of Park Department Budget. Cost to remove trees from city boulevards would come out of Street Department Tree Maintenance Budget.

8. Meeting Adjourned at 6:46 P.M.

Next Tree Commission Meeting June 2, 2010 at 5:15 p.m. Council Chambers

**STREET DEPARTMENT COMMITTEE
MINUTES MAY 6, 2010**

Call to Order: The meeting was called to order at 6:00 A.M. at City Hall
Members Attending: Committee Member: Brad Powers, JoAnn Ray
City Staff Present: Street Superintendent Bruce Caldwell, Steve Nasby City Administrator
& Representative Craig Mueller from Wenck Engineering
Public: None

1. 2009 Street Project Review & Warranty Items Caldwell & Mueller

Caldwell and Mueller shared with the committee all the warranty items they noted during the project inspection walkthrough on Wednesday April 28, 2010.

Items of Concern Below;

1. 1965 4th Avenue – Crack in driveway
2. Reseeding touchups throughout project
3. Remove silt fence on project
4. Crack across 3 panels north of the funeral home. These panels heaved this winter.
5. Two cracks in funeral home driveway affecting 4 panels.
6. Curb crack near funeral home.
7. Spalling and shrinkage crack (2 panels) south of Pflughaupt
8. Crack in southbound 4th Avenue panel across from 1761 4th Avenue (next to 30 mph sign)
9. 1724 4th Avenue – small crack north corner of driveway next to curb
10. Cracked curb on north radius of Langley Intersection.
11. 1713 Langley 2 panel shrinkage crack
12. 1717 Langley 2 panel shrinkage crack
13. Two cracks in valley gutter by Toro
14. Dress up of south side of Highway 71 ditch – Sykora Addition.

Items: 1, 2, 3, 5, 14 removal or repaired by contractor this year.

Item 4 will be discussed with contractor on who is responsible for the problem. The committee and Mueller discussed the possibility of installing a couple field tiles under the road surface to help relieve the moisture problem.

Items: 7, 11, 12 spalling areas to be removed & replaced this year, shrinkage cracks routed and sealed and monitored for another year.

Item 8 router and seal crack then monitor

Item 9 repair or remove the small area of concern

Item 6, 10 seal cracks

Item 13 hold off on complete repairs but should router & seal cracks in valley gutter then monitor it for one or two years as stated below.

Nasby and the committee discussed with Mueller about the possibility of keeping a retainage on the remaining contract with Hjerpe Construction so that we could monitor those areas a year or two in order to see they get worse. If the contractor would not agree to this then all the items would have to be repaired this year.

2. Fish Lake Sewer Project Request Street Shop Property Caldwell said the Fish Lake Sewer Project Coordinator Technician Kelly Graplar from the Iowa Lakes Regional Water Group contacted the city and asked if they could erect a small 8 ½ by 6 ½ foot building on the north side of the street department property. They would either lease the property or purchase a small piece. Caldwell said he had the street department north property line surveyed. That line is several feet south of the area they want to put their building. It appears the site they want to place this building is directly on top of the un-improved street (South First Street with a 70 foot right-of-way). The committee stated that further surveys need to be done by the Iowa Lakes Regional Water Group at their expense before the City give any approval to proceed with the placement of a building. When this has been completed the street committee will meet and review at that time

3. Meeting adjourned at 6:50 A.M.

**ECONOMIC DEVELOPMENT AUTHORITY OF WINDOM
MINUTES
MAY 10, 2010**

1. Call to Order: The meeting was called to order by President Slette at 12:04 p.m.
2. Roll Call & Guest Introductions:
EDAWN Commissioners: Trevor Slette, Juhl Erickson, Sally Larson, Bob Messer and Corey Maricle.

Also Present: EDA Staff – Aaron Backman, Executive Director, and Mary Hensen, Adm. Asst.; City Administrator Steve Nasby; Mayor Kirby Kruse; Lisa Fredin, WADC Liaison; Vay and Arleen Rodman; and Tom Serie of F & L Management & Development Inc.

3. Approval of Minutes:

Motion by Commissioner Erickson, seconded by Commissioner Larson, to approve the Minutes of the EDA Meeting held on April 12, 2010. Motion carried 4-0. (Commissioner Maricle arrived after this vote.)

4. Public Hearing – 12:05 P.M.

A. Sale of Land – Lot 9, Block 2, Riverbluff Estates Subdivision: President Slette opened the public hearing at 12:05 p.m. Notice of the public hearing was published in the April 28, 2010, Citizen. The Commissioners received copies of the Notice of Hearing, plat maps, and proposed Purchase Agreement. Director Backman reported that Vay Rodman and Arleen Rodman submitted a Purchase Agreement for Lot 9, Block 2, Riverbluff Estates Subdivision for a total purchase price of \$10,000. President Slette asked if there were any other questions or comments from anyone in the audience. No other comments were received from anyone present. All public testimony was completed. President Slette closed the public hearing and referred the matter to the EDA Board for consideration at 12:07 p.m.

- B. Follow-up Action to Public Hearing

1) Resolution No. 2010-02 (Sale of Land):

Resolution introduced and motion by Commissioner Messer, seconded by Commissioner Larson, to adopt EDA Resolution No. 2010-02, entitled “Resolution Approving Sale of Property Described as Lot 9, Block 2 of Riverbluff Estates Subdivision to the City of Windom, Cottonwood County, Minnesota”.

Upon roll call vote being taken, the following voted in favor thereof: Commissioners Larson, Messer, Erickson and Slette; the following voted against the same: None; the following were absent: Commissioner Maricle. (The Resolution was adopted.)

5. Public Hearing – 12:10 P.M.

A. Sale of Land – Lot 11, Block 2, Riverbluff Estates Subdivision: President Slette opened the public hearing at 12:10 p.m. Notice of the public hearing was published in the April 28, 2010, Citizen. The Commissioners received copies of the Notice of Hearing, plat maps, and proposed Purchase Agreement. Director Backman reported that Donald W. Kraft and Lois L. Kraft submitted a Purchase Agreement for Lot 11, Block 2, Riverbluff Estates Subdivision for a total purchase price of \$10,000. President Slette asked if there were any other questions or comments from anyone in the audience. No other comments were received from anyone present. All public testimony was completed. President Slette

closed the public hearing and referred the matter to the EDA Board for consideration at 12:12 p.m.

B. Follow-up Action to Public Hearing

1) Resolution No. 2010-03 (Re: Sale of Land):

Resolution introduced and motion by Commissioner Larson, seconded by Commissioner Erickson, to adopt EDA Resolution No. 2010-03, entitled “Resolution Approving Sale of Property Described as Lot 11, Block 2 of Riverbluff Estates Subdivision to the City of Windom, Cottonwood County, Minnesota”.

Upon roll call vote being taken, the following voted in favor thereof: Commissioners Slette, Erickson, Larson, and Messer; the following voted against the same: None; the following were absent: Commissioner Maricle. (The Resolution was adopted.)

6. ESSENTIAL FUNCTION BOND HOUSING PRESENTATION – TOM SERIE: Tom Serie of F & L Management & Development, Inc. of Luverne, Minnesota, contacted the EDA and requested an opportunity to make a presentation to the EDA Board concerning “Essential Function Bond Housing”. The Board received copies of a letter from Mr. Serie to the EDA dated April 12, 2010, together with an overview of Essential Function Bonds. The Essential Function Bonds (EFBs) are issued to finance the construction and substantial rehabilitation of affordable housing or other community facilities owned by state and local housing finance agencies. Mr. Serie’s construction company has constructed four-plexes in Comfrey, Springfield, Tracy, Luverne, and other communities in Southwest Minnesota. These are rental units that are principally occupied (>70%) by senior citizens who are seeking housing options that are smaller and require less maintenance. These properties are often owned by EDAs for a period of years and then sold to the private sector.

Mr. Serie distributed a fact sheet and additional information to the Board. Financing is handled through revenue bonds (General Obligation Bonds) or a taxable bond (“Build America Bonds”) through the stimulus package. The City is required to guarantee payment of principal and interest on the project. The City would also be required to execute a Maintenance Deficit Agreement whereby if the property’s rent does not equal the operations and maintenance expenses of the property, the City must loan money to pay these expenses. Mr. Serie advised the Board concerning the estimated construction costs (per square foot) for these buildings, which would be in addition to costs for land acquisition, infrastructure costs, and costs for placement of the bonds. He provided additional information concerning the size of the units and fees which would be charged by F & L Management and its subsidiary for their services. After further discussion, the Board took no action on this matter.

7. New Vision Project

- A. Update on Proposed Tax Abatement: Director Backman reported on his contacts with the business and County officials concerning potential tax abatement. This abatement relates to eligible demolition and site preparation costs for Phases I and II of the proposed project at the New Vision site at 125 16th Street. The Board received copies of estimated project costs prepared by New Vision Cooperative, together with itemizations of base values, tax and cash flow information, and a draft schedule prepared by Todd Hagen of Ehlers & Associates, Inc. Director Backman reviewed this information with the Board. There was a discussion concerning project costs, the estimated amounts of tax abatement based on the proportionate shares of the City and County, and the length of the term for the tax abatement. The Board received a copy of a proposed resolution. After further discussion, the following actions were taken.

- B. Call for Public Hearing on Modified Business Subsidy Policy and Criteria: The Business Subsidy Policy and Criteria for the EDA and the City need to be updated to reflect all recent legislative changes.

Motion by Commissioner Maricle, seconded by Commissioner Larson, authorizing the EDA Staff to work with Ehlers & Associates and Robert Dieke to prepare the required revisions to the business subsidy policy and criteria. Motion carried 5-0.

Motion by Commissioner Messer, seconded by Commissioner Maricle, calling for a public hearing before the EDA Board to be held on June 14, 2010, at 12:05 p.m. to consider adoption of a modified business subsidy policy and criteria for awarding business subsidies in accordance with Minnesota Statutes, Sections 116J.993 to 116J.995. Motion carried 5-0.

Motion by Commissioner Messer, seconded by Commissioner Larson, authorizing EDA Staff to cause notice of the hearing to be published as required by law and to retain a copy of the proposed policy and criteria in the EDA Office and available for inspection by the public. Motion carried 5-0.

- C. Review of Property Tax Abatement Program – New Development – Resolution No. 2010-04: Following review of the proposed Property Tax Abatement Program, the Board took the following action.

Resolution introduced and motion by Commissioner Larson, seconded by Commissioner Maricle, to adopt EDA Resolution No. 2010-04, entitled “Resolution Approving A Property Tax Abatement Program for New Vision Co-op”, with the following amendments to the Resolution: (1) The period of the abatement shall be five (5) years and shall apply to the taxes payable in the years 2012 through 2016, inclusive; and (2) Section 1.B. is amended to read: “The Abatement shall include 100% of the City’s and County’s share of the ad valorem property taxes generated by the Property which are attributable to the Project up to a future value.”

Upon roll call vote being taken, the following voted in favor thereof: Commissioners Messer, Larson, Erickson, Slette and Maricle; the following voted against the same: None; the following were absent: None. (The Resolution was adopted.)

- D. Request for Public Hearings by City and County on Proposed Tax Abatement Program: The Board included in EDA Resolution No. 2010-04 requests for the City of Windom and Cottonwood County to hold public hearings on the proposed tax abatement program for New Vision Co-op. By consensus, the Board authorized the EDA Staff to submit a request to the Windom City Council to call for a public hearing, to be held at its meeting on June 15, 2010, to consider the proposed adoption of a Tax Abatement Program for New Vision Cooperative. By consensus, the Board further authorized the EDA Staff to submit a request to the Cottonwood County Board of Commissioners to call for a public hearing, to be held at its meeting on June 22, 2010, to consider the proposed adoption of a Tax Abatement Program for New Vision Cooperative.

8. Small Cities Development Program

- A. Owner-Occupied Rehab Project Review: No projects were presented for review.

9. Prospect Update

- A. CVN Meeting – April 23, 2010: Director Backman attended the first CVN Meeting of

2010 which was held on April 23, 2010, in Bloomington. Eight businesses made presentations at the session. The Executive Director has been in contact with several of the companies.

10. Unfinished Business & 11. New Business: None.
12. Miscellaneous Information
 - A. Monthly Budget Recap: The Board received a copy of the monthly budget report for March, 2010.
 - B. River Bluff Townhomes – Monthly Financial Report: The Board received a copy of the financial report provided by Van Binsbergen & Associates for the period ending March 31, 2010.
13. Adjourn: By consensus, President Slette adjourned the meeting at 1:28 p.m.

Sally Larson, Secretary-Treasurer

Attest: _____
Aaron Backman, Executive Director

**PARK AND RECREATION COMMISSION MEETING
MINUTES MAY 10, 2010**

1. Call to Order: The meeting was called to order by Terry Fredin at 5:15p.m. in city hall.
2. Roll Call:

Commission Present:	Terry Fredin, Sherri Zimmerman, Kay Clark, & Jeff LaCanne
Commission Absent:	Angie Blanshan
City Staff Present:	Recreation Director Al Baloun & Park Director Bruce Caldwell
Council Liaisons:	Corey Maricle & JoAnn Ray
Public:	Jennifer Anderson from Studio One on 4 th Ave.
3. Approve Agenda
Motion by LaCanne, seconded by Clark to approve agenda
Motion Carried Unanimous
4. Approve Minutes, April 12, 2010
Motion by LaCanne, seconded by Clark
Motion Carried Unanimous
5. Park Superintendent-Bruce Caldwell
 - a. Park Bench Vandalism WRA: Caldwell reported that someone drove over one of the new park benches by the water tower a week ago. We are waiting for a reply from the manufacture to see if we can get replacement parts or if we have to buy a completely new bench. Cost of a new bench runs around \$850.00 and our insurance deductible is \$1000.00.
 - b. Vandalism Island Park Playground Structure Sometime last fall or early spring someone had broken one of the plastic pieces on a slide tube. A replacement has been ordered costing us \$339.23.
 - c. WRA Infield Maintenance for School Games Caldwell updated the Commission that he has been having problems due to the rainy weather on days when high school games are to be played. Caldwell said his staff preps the infields and chalks the lines before every school game which takes around two hours depending on conditions. Caldwell said he sent an email to Wayne Wormstadt and Sheryl Hanefeld at the school letting them know he is frustrated dealing with their decision making when weather is bad and the short time frame to get the fields ready to use if they are not cancelled. He asked why cancelations don't happen when weather is bad and forecast not to improve. On one occasion the school cancelled all the other athletic activities except for the non-conference softball game at the WRA. When we were contacted they were going to proceed with those games, one of our park staff went to the fields to get them ready and he told Caldwell the coach from the opposing team said to him "I can't understand why we playing in these conditions".
6. Studio One on 4th Ave – Jennifer Anderson Request

Mrs. Anderson asked the Commission if they would consider using her photography business this year. She handed out a price list for the recreation program. In the discussion they talked about using both vendors in town in which one would be used for the summer programs and the other for the fall activities. More information will follow at the next Park & Recreation meeting.

Continued next page

7. Recreation Director's Report- Al Baloun

1. Arena Entry Reconstruction- Baloun reported that bid forms were handed out to six local contractors. Hanefeld Construction and Dallas Smith Construction. The following are the three options that were bid:

Option 1- Front Entry Reconstruction and replacement of steel siding one color full length of the wall. No reinforcement behind steel.

Option 2-Front Entry Reconstruction and one piece of steel siding a dark color to be installed at 6' 8" and another piece of steel siding the current building color installed to installed top of exterior wall. No reinforcement behind steel.

Option 3- Option 1 or 2 with reinforcement of steel to bottom support beam behind siding (about 6'8").

(See attachment for Bids for Reconstruction)

Baloun discussed with commission member that he is currently working with Insurance adjuster, John Dejong, Allied Adjusters, to settle the claim. The insurance company wants to return the structure to its original state and not pay for reinforcement behind the steel. It would cost an additional \$10,000 to reinforce the steel. Baloun and Steve Nasby will be talking to the adjuster regarding the claim this week on a conference call. Baloun will contact commission members after the meeting as to what option the insurance company will pay for.

Motion by LaCanne, seconded by Clark to approve Dallas Smith as contractor for the Arena Entry Reconstruction and Siding Replacement. The option to used based on the agreement with the insurance company. Carried Unanimous.

2. Summer Recreation-

- a. Sign up registration night went good but Baloun said he would like to reduce the time for that event from 2 hours to 1 ½ next year. He also thanked Angie Blanshan for donating her time to help out with the event.
- b. Baloun stated that The Windom Girls Fastpitch Association is doing a pitching machine league for Girls in 2nd – 4th Grade. Kindergarteners and First graders are encouraged to participate in K-T Ball or T Ball. Any one interested in participating in this program should contact Paul Vessy.
- c. 30/60 league organization meeting will be held but Baloun is concerned that we will struggle to get enough players for three teams this years.
- d. Fundamentals – Maricle and other Commission members asked Baloun that he needs to talk to Jeff Huska about his staff and let them know that they need to teach more on fundamentals every single week during the program. Past years this has not been done and they all believe this is extremely important so all kids get the right training on how to play the different positions of the sport and not just play games.

8. Open Mike: none

9. Meeting Adjourned at 6.45 P.M.

Next Park & Recreation Meeting June 14, 2010 5:15 p.m. Council Chambers

**BIDS- LOBBY RECONSTRUCTION AND SIDING
OPTION ONE**

<u>CONTRACTOR</u>	<u>COST</u>
1 Hanefeld Construction	32,900.00
(-Materials via Lampert's)	<u>-16,472.65</u>
LABOR	\$16,427.35
2 Dallas Smith Construction (Labor Only)	\$ 9,800.00

OPTION TWO

<u>CONTRACTOR</u>	<u>COST</u>
1 Hanefeld Construction	\$34,150.00
(-Materials via Lampert's)	<u>-\$17,071.48</u>
LABOR	\$17,078.52
2 Dallas Smith Construction (Labor Only)	\$11,300.00

OPTION THREE

<u>CONTRACTOR</u>	<u>COST</u>
1 Hanefeld Construction	
A One Color	\$43,500.00
(-Materials via Lampert's)	<u>-\$23,016.77</u>
LABOR	\$20,483.23
B Two Color	\$44,700.00
(-Materials via Lampert's)	<u>-\$23,615.59</u>
LABOR	\$21,084t.41
2 Dallas Smith Construction (Labor Only)	\$14,800.00

Windom Library Board Meeting
Windom Library
May 11, 2010
5:05 p.m.

1. Call to order: The meeting was called to order by Jan Johnson at 5:05 p.m.

2. Roll Call: Members Present: Kathy Hiley, John Duscher, Jan Johnson, Beth Fleming, Mary Erickson and Anita Winkel

 Members Absent: Charles Reid

 Library Staff Present: Dawn Aamot

 City Council Member Present: None

3. Agenda and Minutes
Motion by Mary Erickson, seconded by John Duscher to approve the Agenda and the Minutes.

4. Financial Report:
Motion by John Duscher, seconded by Beth Fleming to approve the Financial Report.

5. Librarians Report:
Dawn reported that 3 new computers have been ordered. Two of them will replace the computers on the librarian's desks and one will be for public access.
Discussion was held regarding author, Brian Freeman's appearance at the Community Center on May 22nd at 7 pm. Dawn told the board that 2 book clubs are planning on attending.
Four sections of first grade will be visiting the library in May.
A high school student, whose senior project is inspiring young people to read, will be going with Dawn to the elementary classes to promote the summer reading program.
The Friends of the Library donated the funds for a family season pass to the swimming pool that will be given away in a drawing at the end of May.
Motion by Anita Winkel and seconded by Kathy Hiley to approve the librarian's report.

6. Old Business:
Dawn told the board that instead of transferring the "Art Group of the Library" checking the

account to the Friends of the Library, the funds in that account will go towards the purchase of 3 new computers on order. The Friends will make u the rest of the cost.

7. New Business:
None

8. New Book Suggestions:
The board presented their suggestions.

9. Adjourn:

Motion by John Duscher, seconded by Anita Winkel to adjourn.

Meeting adjourned at 5:19 p.m.

Respectfully submitted,

Kathy Hiley, recording secretary

MEMO TO FILE

**CITY OF WINDOM
PLANNING COMMISSION**

MAY 11, 2010

1. Call to Order: The meeting called to order at 7:01 p.m. by Chairman Gary Hunter.
2. Planning Commission Members Present: Gary Hunter, Marilyn Wahl, and Greg Holt.

Commissioners Absent: Lindsey Cartwright, Renee Giefer, Loie Grandprey, Tim Hacker,
and Greg Pfeffer.

Also Present: Council Liaison – Brad Powers; Planning/Zoning Staff-James Kartes (Zoning Administrator), Mary Hensen (Adm. Asst.); and Mark Marcy.

3. The Chairman announced that no quorum was present and therefore no action could be taken by the Planning Commission.
4. Public Hearing – 7:05 P.M.
 - A) Zoning Application – Mark & Donna Marcy
Conditional Use Permit – Accessory Buildings – 365 Sixth Avenue

At 7:05 p.m., Chairman Gary Hunter opened the public hearing and advised that no quorum was present and closed the public hearing.

5. Adjourn: At 7:05 p.m., the meeting was adjourned.

JK:mah



STATE OF MINNESOTA

Office of Governor Tim Pawlenty

130 State Capitol ♦ 75 Rev. Dr. Martin Luther King Jr. Boulevard ♦ Saint Paul, MN 55155

April 21, 2010

Mayor Kirby G. Kruse
City of Windom
Post Office Box 38
Windom, MN 56101

Dear Mayor Kruse,

The Governor has received the City of Windom's resolution regarding the local government aid (LGA) reductions proposed in his supplemental budget and has asked me to respond.

As you know, the Governor and the legislature have agreed to fiscal year 2010-2011 LGA reductions of \$105 million, which is approximately \$145 million less than what was proposed.

I sincerely apologize for the lateness of this response, which is solely my fault. Governor Pawlenty always values your input and appreciates hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "CJ DeLaForest".

Christopher J. DeLaForest
Director of Legislative and Cabinet Affairs

RESOLUTION #2010-

INTRODUCED:

SECONDED:

VOTED: **Aye:**
 Nay:
 Absent:

City of Windom 2010 EMS Week Proclamation

WHEREAS, emergency medical services are a vital public services; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

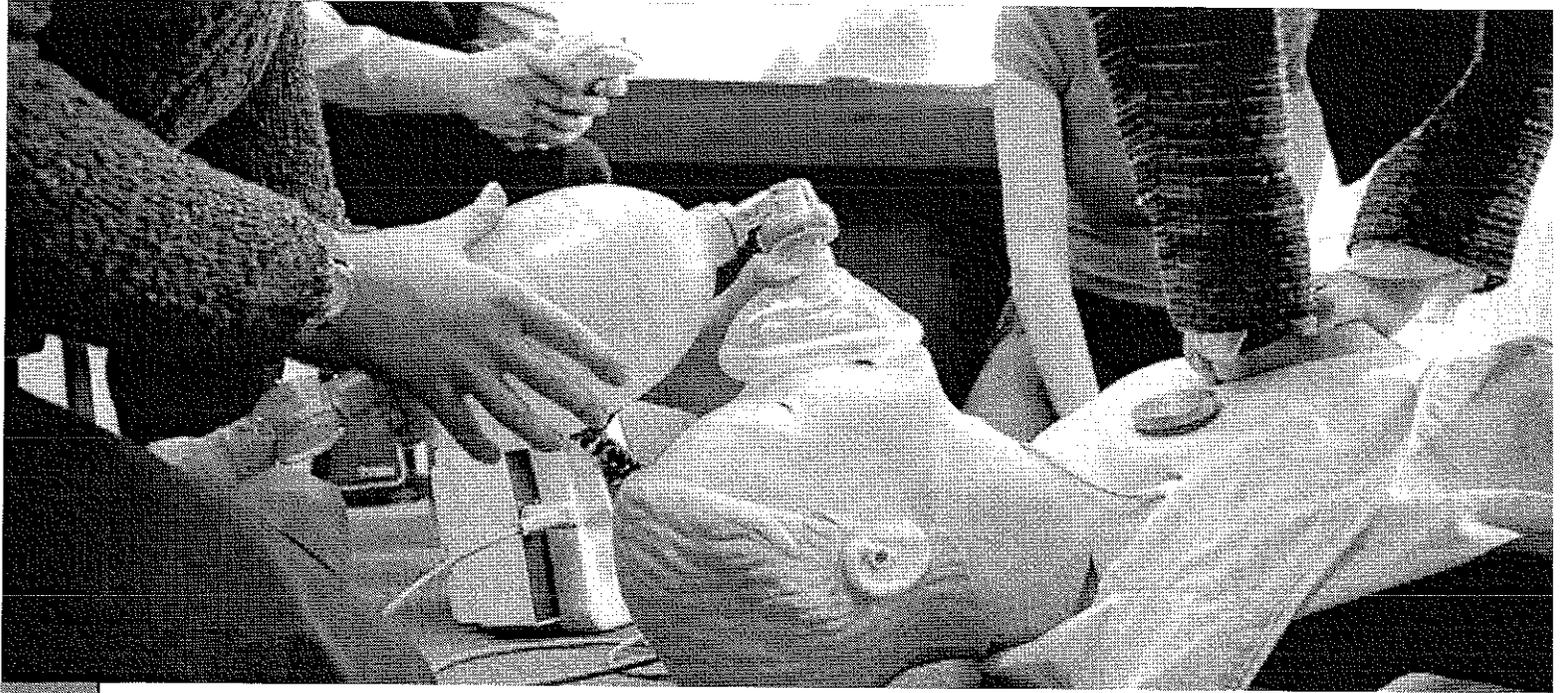
WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, that the City Council in recognition of this event does hereby proclaim the week of May 16-22, 2010, as **EMERGENCY MEDICAL SERVICES WEEK** with the theme, "*EMS: Anytime, Anywhere, We'll Be There.*" The Mayor and City Council encourage the community to observe this week with appropriate programs, ceremonies and activities.

Adopted by the Council this 18th day of May, 2010.

Kirby G. Kruse, Mayor

Attest: _____
Steven Nasby, City Administrator



50 Years and Millions of Trained Citizens Later... CPR Connects EMS to the Community

By Jenifer Goodwin



It was 1960. John F. Kennedy was running for president. Xerox introduced the first paper copy machine. Khrushchev pounded his shoe at the United Nations. And across the country, coronary artery disease had reached epidemic levels. Many men in their 50s and 60s were heart attacks waiting to happen. They smoked, didn't exercise and ate lots of red meat and foods high in saturated fats. (If you weren't around then, think "Mad Men.") Many had uncontrolled high blood pressure. Cholesterol-lowering statins had not yet arrived on the scene.

So it was fortuitous, and a bit ironic, that the year coronary artery disease peaked also marked the birth of modern CPR. Three investigators from Johns Hopkins Hospital

A New Concept

Drs. Safer, Jude and Kouwenhoven introduce the combination of rescue breathing and compressions that come to be known as CPR

Push for Standards

National Academy of Sciences convene an ad hoc conference on CPR to establish standardized training and performance standards

Medic 2 Transforms Seattle

Drs. Cobb and Copass initiate the world's first large-scale citizen training program making King County "the safest place to have sudden cardiac arrest"



1960

1966

1972

Annie, Annie—Are You OK?

The life-like manikin developed by Asmund Laerdal goes on to receive the kiss of life from millions



1969

First Save in Miami

Paramedics perform CPR and defibrillate a 60-year-old man, the first save for the fledgling program started by Dr. Eugene Nagel

1979

Just-in-Time CPR Training

Dispatchers provide CPR instructions to 911 callers under protocols developed by Dr. Jeff Clawson

in Maryland published a paper in the *Journal of the American Medical Association (JAMA)* describing a technique of using chest compressions to buy time for patients in cardiac arrest until a defibrillator arrives. Later that year, the technique, which they called heart-lung resuscitation, was combined with mouth-to-mouth ventilation and became known as CPR.

"Unless it happened in the emergency room, cardiac arrest was virtually 100 percent fatal," said Dr. Mickey Eisenberg, professor of medicine at the University of Washington in Seattle and medical director of King County Emergency Medical Services. "CPR changed that."

The year 2010 marks the 50th anniversary of the seminal paper in *JAMA* that launched one of the most significant and widely accessible lifesaving techniques ever developed. Since the advent of CPR, deaths from heart attack have fallen by two-thirds.

Eisenberg said much of that improvement is due to prevention—lower smoking rates along with better blood pressure, cholesterol and diabetes medications. Some is due to improved surgical procedures and cardiac care to treat those with coronary artery disease.

Some of the decrease in deaths from cardiac arrest is attributable to more widespread dissemination of CPR, first to physicians and nurses, later to EMS, and more recently, into communities, Eisenberg said.

Before the 1960s, reviving a stopped heart was solely the domain of surgeons, who could massage the heart through an open chest if they happened to be operating when the problem occurred. With external compressions and the development of more portable defibrillators, resuscitation began to be performed outside of hospitals in the 1970s.

Yet there continued to be resistance to sharing the technique with the general public. "There were a lot of skeptics at the time," said Eisenberg. "They said people couldn't do it properly or you can't teach people to do it in a few hours. Of course, the anxieties of the skeptic were never realized. In fact, people can learn it, and not only can they learn it in a few hours, all of the innovative methods to teach it have shown you can teach it in even less time than that."

In 1981, Eisenberg launched a program in King County

to teach 911 dispatchers to provide emergency CPR instructions over the telephone. After the program began, the rates of bystander CPR increased in the county from 35 to 40 percent to nearly 60 percent.

Today in King County, which includes 1.8 million people living in the city of Seattle and its suburbs, the EMS system saves more than 150 people each year. "Those are people who were literally brought back from the jaws of death," Eisenberg said.

Yet the work isn't done, according to Eisenberg. Though telephone instruction by 911 dispatchers is now standard, compliance isn't often tracked. More emphasis needs to be placed on ensuring it is actually getting done. "We feel very strongly this is a resource-light way to improve your cardiac arrest survival rates," Eisenberg said.

Still, on a national basis, less than 10 percent of those who go into ventricular fibrillation outside of the hospital survive and are discharged. Eisenberg says efforts should continue to ensure more members of the public know CPR. Though researchers will likely continue to develop better prevention and treatments for heart disease, it is the general public that holds the key to improving those survival rates, and they are who EMS needs to reach with the CPR message.

"The chain of survival starts with someone recognizing the problem, calling 911 and starting CPR," said Chris Chiamas, executive director of the Sudden Cardiac Arrest Association. "Without the public's knowledge of what to do, EMS is pretty limited in its ability to help cardiac arrest victims."

Studies have shown the chances of surviving cardiac arrest are roughly doubled for those who receive CPR prior to EMS arrival. If CPR is started right away, it extends the window in which the defibrillator can be effective from 4 to 6 minutes to 10 or 12 minutes.

"The lessons of 1960s are as valid today as they were then," Eisenberg said. "CPR has to begin in the first minutes of a cardiac arrest and the defibrillator has to arrive at the scene as quickly as possible. If we can spread that message to every part of our society, and make defibrillators as common as smoke detectors, then you will have resuscitation rates of 60 to 70 percent." ■

First Conference for Citizen CPR

The precursor to Emergency Cardiovascular Care Update is held in Houston

1980



AHA Advisory Promotes Compression-Only CPR

2008



Golden Anniversary Celebrations Promote Citizen Involvement

Mass trainings and survivor gatherings culminate at ECCU 2010 in San Diego

2010



1984

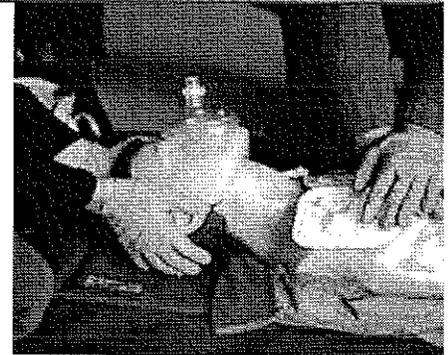
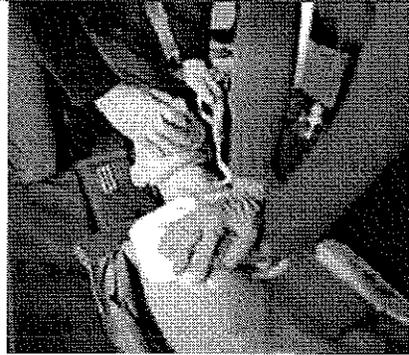
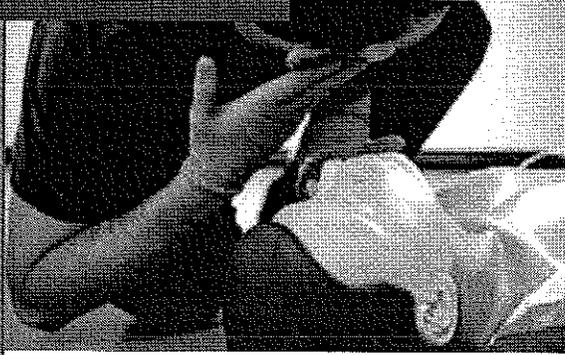
First AEDs Deployed

King County Washington launches first program to train and equip firefighters

2009

Mass Training Record Set

4,626 trained at Cowboys Stadium in Arlington, Texas



Celebrate CPR's Anniversary by Spreading the Word

By Jenifer Goodwin

The Golden Anniversary of CPR is a golden opportunity for EMS organizations to share the importance of learning the lifesaving technique with their communities.

Whether it's organizing a mass CPR event, bringing CPR into your local schools or teaching CPR at health fairs and other community events, EMS professionals have the expertise and the resources to take a leading role in educating the public about the importance of bystander CPR, according to Dr. Tom P. Aufderheide, president of the Citizen CPR Foundation and a professor of emergency medicine at the Medical College of Wisconsin in Milwaukee.

And while the public is key, so are hospitals. Optimizing cardiac arrest survival also requires having hospitals that can serve as cardiac resuscitation centers able to perform therapeutic hypothermia, and provide immediate cardiac catheterization and high-quality ICUs for neurological care, electrophysiology testing and implanted cardiac defibrillators.

In many ways, EMS is uniquely positioned between the two, Aufderheide said. With both medical expertise and community contacts, EMS responders can step up to be leaders in efforts to increase bystander CPR rates, place AEDs in public places and make sure patients are headed to the right facilities. "EMS can motivate all of these other aspects of the community, from bystander CPR to promoting optimal care," Aufderheide said.

EMS professionals can get more involved through national organizations, (see below) many of which have local chapters or are seeking to start more local chapters, dedicated to improving cardiac arrest survival.

The Sudden Cardiac Arrest Foundation's mission is to educate the public about sudden cardiac arrest and promote the importance of bystander CPR and AEDs in public buildings. The SCA Foundation also has the first national online survivor network, with members in nearly every state who participate in raising awareness and supporting others through

the healing process. Call (724) 934-0034 or email info@sca-aware.org for information. EMS professionals can visit the website for resources or to share their views and suggestions in the discussion forum. EMS professionals can also let survivors know about the National Survivor Network and work with local schools on a video contest to win an AED. This year's winner, a high school in Connecticut, worked with local EMS personnel on the video.

The Citizen CPR Foundation promotes community-wide programs to enhance bystander CPR and puts on a biannual conference during which resuscitation professionals—instructors, practitioners and researchers—come together for learning, inspiration and networking and to train more in bystander CPR. Call (703) 538-1791 or email eccu@citizenpr.org for more about getting involved.

The Sudden Cardiac Arrest Association is a patient-based advocacy organization that educates the public about sudden cardiac arrest and personal risk factors, and motivates the public to respond in case of a witnessed cardiac arrest. EMS professionals can volunteer as chapter leaders or assist in public awareness campaigns. Call (866) 972-SCAA or email info@suddencardiacarrest.org for more information. SCAA also has cardiac arrest and CPR fact sheets available on their website that can be used in developing your own educational materials.

The ACT Foundation endeavors to bring CPR training into high schools across Canada. ACT partners with local groups to raise funds for manikins, and with local EMS medical directors, who serve as medical directors for the high school programs. Since 1994, ACT has taught the four-hour Heart Savers CPR course to an estimated 1 million students. For information on getting involved or starting a similar program in your area, call Executive Director Sandra Clarke at (613) 729-3455 or email act@actfoundation.ca. ■

Date/Time receive 5/13/10 2:30 P.M.

Agenda Request Form

(This form can be used only once a month by the same individual(s). It is not a venue to bypass policies and procedures of city commissions and committees.)

Name: Cheryl Hanson Telephone No: 831-2752

Address: 90 Windom Area Chamber of Commerce
303 9th Street Windom MN 56101

Date of Council Meeting: May 18, 2010 (Agenda item must be turned into the city office by Friday noon preceding the Tuesday meeting.)

Subject: WINDOM Riverfest - Overview of activities, answer questions.

Have you brought this to the attention of the appropriate department head? Yes
Committee? _____

Hand-outs audio-visual materials (These must be simple and set up directly before you speak and taken down directly afterward): Riverfest Schedule of Events

This format gives citizens an opportunity to express concerns to the council without expectation of discussion or action. No more than two (2) people should speak on the same topic at one meeting. Remarks should not exceed five (5) minutes per person. They should be directed to the council as a whole and not to any individual member or department head.

Cheryl Hanson
Signature riverfest liaison

WINDOM RIVERFEST – “FIRED UP IN 2010”

Saturday, June 5

City-wide Garage Sales

Monday, June 7

Windom Area Hospital Foundation's Walking Taco Fund-Raiser

Women of Today's Riverfest Royalty Pageant

Friday, June 11

ECFE & ECI Family Concert by Entertainer Phil Baker

GCC Windom Ready Mix Soap Box Derby

Windom Ministerial Association's Concert featuring the Mike Kingery Family

See a Glow In the Dark Hot Air Balloon -- sponsored by Windom Fire Department
Fireworks

Saturday, June 12

Windom Area Hospital's Vickie Schendel Fun Run

Prudence Masonic Lodge Cribbage Tournament - Play begins at 8:30 a.m.

ZEDS' Sand Volleyball Tournament

Concessions

Craft Show

James W. Remund Memorial Tennis Tournament

Men's Slow Pitch Softball Tournament

Soccer Tournament

Cottonwood Co. Game & Fish League Fishing Tournament for Kids

Sons Of Norway Smorgasbord

Cannon Firing by Fulda Cannoneers

Windom Fire Department Games

Alternative Learning Center (ALC) Art in the Park Exhibit & Activities

Remote Controlled Model Airplane Float Fly

Turtle Races

Kiddie Parade -- Dress up as your favorite hero

Cookout

Entertainment by the BARC Band

Grande Parade

RIVERFEST IDOL TALENT CONTEST (Following Parade)

Phat Pheasant Outdoor Entertainment

Sunday, June 13

Kiwanis Pancake Breakfast

Men's Slow Pitch Softball Tournament

Katz 'n Trux Snipe & Show Classic Vehicle & Antique Tractor Show & Swap Meet

Kids Tractor Pedal Pull

Remote Controlled Model Airplane Float Fly

Sons of Norway Invite Everyone to Come and Enjoy a game of KUBBI

Antique Tractor Parade

Throughout Windom

BARC Auditorium

BARC Auditorium

Windom Area High School Gym

North 4th Ave. - near Hillside Greenhouse

Evangelical Free Church Worship Center

Near Windom Area High School

Near Windom Area High School

Start at Courthouse Square

Masonic Lodge

Cottonwood Lake

Downtown Windom

Downtown Windom

Witt Park

Windom Recreation Area

Windom Recreation Area

Cottonwood Lake

Cottonwood County Historical Society

Downtown Windom

Downtown Windom

Courthouse Square

Cottonwood Lake

Downtown Windom

Courthouse Square

Downtown Windom

Courthouse Square

Phat Pheasant Pub

Parade Route

Courthouse Square

Phat Pheasant Pub

The Eagles Club

Windom Recreation Area

Tegels Park – Cottonwood Lake

Tegels Park

Cottonwood Lake

Tegels Park

Cottonwood Lake Area

8:00 AM

5:00 PM

7:00 PM

6:00 PM

9:00 PM

7:30 PM

9:00 PM

Approximately 10:15 PM

7:45 AM to 10:00 AM

8:00 AM Registration

8:30 AM ALL DAY

9:00 AM ALL DAY

9:00 AM ALL DAY

9:00 AM Until finished

9:00 AM ALL DAY

10:00 AM Until finished

11:00 AM to 2:00 PM

NOON

NOON to 4:00 PM

NOON To 4:00 PM

12:30 PM to 5:00 PM

2:00 PM Until finished

4:00 PM Until finished

4:00 PM to 5:30 PM

4:30 PM to 5:15 PM

6:00 PM

APP 8:00 PM

9:00 PM

9:00 AM to 1:00 PM

9:00 AM ALL DAY

9:00 AM to 2:00 PM

NOON to 2:00 PM

NOON to 5:00 PM

1:00 PM To 3:00 PM

3:00 PM

All events are subject to change. For more information please call the Windom Area Chamber of Commerce at 507-831-2752.

Date/Time received: 5/13/10 3:45

Agenda Request Form

(This form can be used only once a month by the same individual(s). It is not a venue to bypass policies and procedures of city commissions and committees.)

Name: Frank Deringhaus Telephone No: 507 832-8184

Address: 573 Owevli Ave Window

Date of Council Meeting: 5-18-10 (Agenda item must be turned into the city office by Friday noon preceding the Tuesday meeting.)

Subject: Air, water, Food Federal Regulations

Have you brought this to the attention of the appropriate department head? NA
Committee? NA

Hand-outs, audio-visual materials (These must be simple and set up directly before you speak and taken down directly afterward): None

This format gives citizens an opportunity to express concerns to the council without expectation of discussion or action. No more than two (2) people should speak on the same topic at one meeting. Remarks should not exceed five (5) minutes per person. They should be directed to the council as a whole and not to any individual member or department head.

Frank Deringhaus
Signature



Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
 444 Cedar Street Suite 133, St. Paul, MN 55101-5133
 (651) 201-7507 Fax (651) 297-5259 TTY (651) 282-6555
 WWW.DPS.STATE.MN.US



CK # 2072
 #25.00
 #78325

**APPLICATION AND PERMIT
 FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION <i>WINDOM LIONS CLUB</i>		DATE ORGANIZED <i>4-14-71</i>	TAX EXEMPT NUMBER <i>E41-6175799</i>	
STREET ADDRESS <i>PO BOX 72</i>		CITY <i>WINDOM</i>	STATE <i>MN</i>	ZIP CODE <i>56101</i>
NAME OF PERSON MAKING APPLICATION <i>DAVE BROCKMAN</i>		BUSINESS PHONE <i>(507) 831-0336</i>	HOME PHONE <i>(507) 831-5435</i>	
DATES LIQUOR WILL BE SOLD <i>6-05-2010</i>		TYPE OF ORGANIZATION <input checked="" type="checkbox"/> CLUB <input type="checkbox"/> CHARITABLE <input type="checkbox"/> RELIGIOUS <input type="checkbox"/> OTHER NONPROFIT		
ORGANIZATION OFFICER'S NAME <i>DAVE CARROLL - PRES</i>		ADDRESS <i>46380 405th St. Windom, MN 56101</i>		
ORGANIZATION OFFICER'S NAME <i>STEVE NASBY - SEC</i>		ADDRESS <i>707 16th St. Windom, MN 56101</i>		
ORGANIZATION OFFICER'S NAME <i>DAVE BROCKMAN - TREAS.</i>		ADDRESS <i>837 Des Moines Dr Windom, MN 56101</i>		

Location license will be used. If an outdoor area, describe

WINDOM COMMUNITY CENTER

Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.

No

Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage.

HEANDRICKSON AGENCY, EDEN PRAIRIE \$1M/\$2M

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT

CITY/COUNTY _____

DATE APPROVED _____

CITY FEE AMOUNT _____

LICENSE DATES _____

DATE FEE PAID _____

SIGNATURE CITY CLERK OR COUNTY OFFICIAL _____

APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT _____

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the License for the event

Minnesota Lawful Gambling LG220 Application for Exempt Permit

An exempt permit may be issued to a nonprofit organization that:
 - conducts lawful gambling on five or fewer days, and
 - awards less than \$50,000 in prizes during a calendar year.

Application fee for each event If application postmarked or received:	
less than 30 days before the event \$100	more than 30 days before the event \$50

ORGANIZATION INFORMATION

Organization name: WINDOM AREA CHAMBER OF COMMERCE Check # _____ \$ _____
 Previous gambling permit number: X-05127

Type of nonprofit organization. Check one.
 Fraternal Religious Veterans Other nonprofit organization

Mailing address: 303 9TH STREET City: WINDOM State: MN Zip Code: 56101 County: Cottonwood

Name of chief executive officer (CEO): Cheryl Hanson Daytime phone number: 507-831-2752 Email address: windomchamber@windomnet.com

Attach a copy of ONE of the following for proof of nonprofit status. Check one.

- Do not attach a sales tax exempt status or federal ID employer numbers as they are not proof of nonprofit status.
- Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.
 Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155 Phone: 651-296-2803
 - IRS income tax exemption [501(c)] letter in your organization's name.
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.
 - IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)
 If your organization falls under a parent organization, attach copies of both of the following:
 a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 b. the charter or letter from your parent organization recognizing your organization as a subordinate.
 - IRS - proof previously submitted to Gambling Control Board
 If you previously submitted proof of nonprofit status from the IRS, no attachment is required.

GAMBLING PREMISES INFORMATION

Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place):
BUSINESS, ARTS & RECREATION CENTER

Address (do not use PO box): 1012 5TH AVENUE City: WINDOM Zip Code: 56101 County: Cottonwood

Date(s) of activity (for raffles, indicate the date of the drawing):
Sunday, June 20, 2010

Check the box or boxes that indicate the type of gambling activity your organization will conduct:
 Bingo* Raffles Paddlewheels* Pull-Tabs* Tipboards*

* Gambling equipment for pull-tabs, bingo paper, tipboards, and paddlewheels must be obtained from a distributor licensed by the Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

Also complete
Page 2 of this form.

Print Form

Reset Form

To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4076.

LOCAL UNIT OF GOVERNMENT ACKNOWLEDGMENT

If the gambling premises is within city limits, a city official must check the action that the city is taking on this application and sign the application.

The application is acknowledged with no waiting period.
 The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days (60 days for a 1st class city).
 The application is denied.

Print city name _____
 On behalf of the city, I acknowledge this application.

Signature of city official receiving application _____

Title _____ Date ____/____/____

If the gambling premises is located in a township, a county official must check the action that the county is taking on this application and sign the application. A township official is not required to sign the application.

The application is acknowledged with no waiting period.
 The application is acknowledged with a 30 day waiting period, and allows the Board to issue a permit after 30 days.
 The application is denied.

Print county name _____
 On behalf of the county, I acknowledge this application.
 Signature of county official receiving application _____

Title _____ Date ____/____/____

(Optional) TOWNSHIP: On behalf of the township, I acknowledge that the organization is applying for exempted gambling activity within township limits. [A township has no statutory authority to approve or deny an application [Minnesota Statute 349.166]]

Print township name _____

Signature of township official acknowledging application _____

Title _____ Date ____/____/____

CHIEF EXECUTIVE OFFICER'S SIGNATURE

The information provided in this application is complete and accurate to the best of my knowledge. I acknowledge that the financial report will be completed and returned to the Board within 30 days of the date of our gambling activity.

Chief executive officer's signature *Cheyl Hanson* Date 5-13-2010

Complete a separate application for each gambling activity:

- one day of gambling activity,
- two or more consecutive days of gambling activity,
- each day a raffle drawing is held

Send application with:

- a copy of your proof of nonprofit status, and
- application fee for each event.

Make check payable to "State of Minnesota."

To: Gambling Control Board
 1711 West County Road B, Suite 300 South
 Roseville, MN 55113

Financial report and recordkeeping required

A financial report form and instructions will be sent with your permit, or use the online fill-in form available at www.gcb.state.mn.us. Within 30 days of the activity date, complete and return the financial report form to the Gambling Control Board.

Questions?
 Call the Licensing Section of the Gambling Control Board at 651-639-4076.

This form will be made available in alternative format (i.e. large print, Braille) upon request.

Data privacy notice: The information requested on this form (and any attachments) will be used by the Gambling Control Board (Board) to determine your organization's qualifications to be involved in lawful gambling activities in Minnesota. Your organization has the right to refuse to supply the information requested; however, if your organization refuses to supply this information, the Board may not be able to determine your organization's qualifications and, as a consequence, may refuse to issue a permit. If you supply the information requested,

the Board will be able to process your organization's application. Your organization's name and address will be public information when received by the Board. All other information provided will be private data until the Board issues the permit. When the Board issues the permit, all information provided will become public. If the Board does not issue a permit, all information provided remains private, with the exception of your organization's name and address which will remain public. Private data are available to: Board members, Board staff whose work requires access to the

information; Minnesota's Department of Public Safety; Attorney General; Commissioners of Administration, Minnesota Management & Budget, and Revenue; Legislative Auditor, national and international gambling regulatory agencies; anyone pursuant to court order; other individuals and agencies specifically authorized by state or federal law to have access to the information; individuals and agencies for which law or legal order authorizes a new use or sharing of information after this Notice was given; and anyone with your written consent.



City of Windom Staff Report

To: Mayor and Windom City Council
From: Aaron Backman, EDA Executive Director
Date: May 13, 2010
Council Meeting Date: May 18, 2010
Item Title/Subject: **CALL FOR PUBLIC HEARING – REVISED BUSINESS
SUBSIDY POLICY & CRITERIA**

Background:

The EDA and the City adopted a revised Business Subsidy Policy and Criteria in 2004. Since that time the Minnesota Legislature has adopted changes which affect business subsidies. It is necessary that the City's current Business Subsidy Policy and Criteria be updated to reflect these legislative changes.

At its meeting on Monday, May 10, 2010, the EDA Board authorized EDA Staff to work with Ehlers & Associates and Robert Dieke to prepare the required revisions to the Business Subsidy Policy and Criteria. The EDA Board also called for a public hearing for Monday, June 14, 2010, to consider adoption of a modified Business Subsidy Policy and Criteria in accordance with Minnesota Statutes, Sections 116J.993 through 116J.995.

In addition to the EDA's adoption of a modified business subsidy policy and criteria, it is necessary that the City hold a public hearing on the proposed revisions to the policy and criteria. Attached is a proposed Resolution calling for a public hearing before the Windom City Council for the purpose of considering adoption of a modified Business Subsidy Policy and Criteria. The proposed revisions to the policy and criteria will be provided to the City Council in the packet for the June 15, 2010, City Council Meeting.

I will be present at the City Council Meeting on May 18, 2010, to answer any additional questions you may have concerning the scheduling of this public hearing.

Requested Action: Adopt the Resolution calling for a public hearing for the purpose of considering adoption of a modified Business Subsidy Policy and Criteria.

Respectfully submitted,

Aaron A. Backman, EDA Executive Director

AAB:mah
Attachments

RESOLUTION # 2010-

INTRODUCED:

SECONDED:

VOTED: Aye:
 Nay:
 Absent:

CITY OF WINDOM

RESOLUTION CALLING FOR A PUBLIC HEARING ON THE PROPOSED REVISIONS TO THE CITY'S BUSINESS SUBSIDY POLICY AND CRITERIA

WHEREAS, the State Legislature adopted Minnesota Statutes Sections 116J.993 through 116J.995 (the "Statute") governing business subsidies granted by cities; and

WHEREAS, the City of Windom (the "City") and the Economic Development Authority of Windom (the "EDA") are considered as "grantors" as defined in the Statute and each grantor is required to adopt a policy and a set of criteria for awarding business subsidies; and

WHEREAS, the City and the EDA each adopted a business subsidy policy and criteria in 1999 which have subsequently been amended in 2003 and 2004; and

WHEREAS, subsequent legislation has been adopted concerning business subsidy policies and criteria, and it is necessary that the City and EDA revise their business subsidy policy and criteria in accordance with this legislation.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Windom, Minnesota, as follows:

1. City Staff is authorized to work with Ehlers & Associates, Inc. and Bradley & Dieke on the preparation of a modified business subsidy policy and criteria in accordance with the Statute.

2. Public Hearing. A public hearing on the proposed revisions to the City's business subsidy policy and criteria shall be held on Tuesday, June 15, 2010, in the Windom City Hall Council Chambers during the regular City Council Meeting which begins at 7:30 p.m.

3. Notice of Public Hearing. The City Administrator is authorized and directed to cause notice of the hearing to be published once in the official newspaper of the City at least 10 days, but not more than 30 days, prior to June 15, 2010. The City Administrator is further authorized and directed to place a copy of the proposed revisions to the business subsidy policy and criteria on file in the Office of the Economic Development Authority of Windom at City Hall and to make such copy available for inspection by the public.

Adopted this 18th day of May, 2010.

Kirby G. Kruse, Mayor

ATTEST: _____
Steven Nasby, City Clerk/City Administrator



City of Windom Staff Report

To: Mayor and Windom City Council
From: Aaron Backman, EDA Executive Director
Date: May 14, 2010
Council Meeting Date: May 18, 2010
Item Title/Subject: **CALL FOR PUBLIC HEARING – ESTABLISHMENT OF TAX ABATEMENT PROGRAM AND AWARDED OF BUSINESS SUBSIDY**

Background:

The Windom EDA and the City received a request from New Vision Cooperative for the establishment of a Tax Abatement Program, pursuant to Minnesota Statutes Sections 469.1812 through 469.1815, concerning expanding its feed mill/elevator operations in Windom. (Attached are copies of a letter from New Vision Co-op to the EDA dated April 12, 2010, and an overview entitled the "New Vision Co-op Windom Elevator Project".)

New Vision Cooperative is planning to redevelop and expand its facilities at 125 16th Street in three phases. (Attached is a copy of an aerial map of the site.) Phases I and II are proposed for the tax abatement program. Phase I includes the removal of three steel grain bins and the grain dryer. Proposed new construction for Phase I includes a 245,000 bushel steel grain bin, a new truck sale, and a new grain dryer. Phase II construction includes excavation and the installation of another 245,000 bushel steel grain bin. The estimated costs for demolition and site preparation, together with the estimated costs for installation of the new bins and grain dryer, are listed on the attached recap ("Windom Site Development for 125 16th Street").

As background information, attached is a copy of a brief general summary of "Tax Abatement highlights" prepared by Ehlers & Associates, Inc. The proposed tax abatement for this project would cover only the additional taxes generated by the Phase I and II improvements and specifically the grain bins. It is estimated that the taxable values of the new grain bins will be \$641,900. (The grain dryer and connecting equipment are considered as personal property and are not included in the calculations of taxable property.) The property taxes which New Vision Cooperative is currently paying would not be affected by the proposed tax abatement.

Pursuant to Minnesota Statutes, only the demolition and site preparation costs would be eligible for tax abatement. (The costs for the new bins and equipment are not eligible for tax abatement.) It is estimated that the demolition and site preparation costs will be approximately \$70,000.

Attached are Base Values, Project Assumptions, Tax Calculations, and Abatement Projections prepared by Todd Hagen of Ehlers & Associates, Inc., the EDA's financial

advisor. It is estimated that based on the current project schedule and current tax rates, New Vision Cooperative would recoup the full \$70,000 in demolition and site preparation costs in six and one-half years. It is anticipated that New Vision Cooperative would recoup approximately \$52,000+ of such costs in five years depending on the time schedule for completion of Phase II of the project. These projections have been prepared based on approval of tax abatement by the City and County and exclusion of the School District in the calculations. The proportionate shares of abatement for the City and County have been calculated based on the percentage of the City's and County's shares of the tax rate. The City's tax rate is 78.3650% and the County's tax rate is 37.2310% of the combined tax rate. If Phase I is completed in 2010 and Phase II is completed in 2012, the estimated abatement for the City would be \$35,540 and the estimated abatement for the County would be \$16,885. If Phase II is completed in 2011, then the City's estimated abatement would be \$39,983 and the County's estimated abatement would be \$18,996. However, it should be noted that these projections are based on current tax rates. The tax rates can and probably will fluctuate over the next few years.

At its meeting on Monday, May 10, 2010, the EDA Board adopted Resolution No. 2010-04, entitled a "Resolution Approving a Property Tax Abatement Program for New Vision Co-op". (Attached is a copy of this resolution.) The suggested abatement period would cover five (5) years and would apply to the taxes payable in the years 2012 through 2016. The abatement would cover 100% of the city's and county's share of the property taxes generated by the new improvements for this period of time.

The granting of a tax abatement is considered as a business subsidy and would also fall under the requirements of the State's business subsidy statutes (Minnesota Statutes Sections 116J.993 through 116J.995). A business subsidy agreement would be entered into between the City and New Vision Cooperative.

It is necessary to hold a public hearing to consider the adoption of the proposed Tax Abatement Program and a business subsidy agreement for New Vision Cooperative. Attached to this Memo is a proposed Resolution calling for this public hearing at the June 15, 2010, City Council Meeting. (The proposed business subsidy agreement and any additional documentation concerning the proposed tax abatement program will be included in the packet for the June 15th Meeting.)

A presentation concerning this tax abatement proposal was made to the Cottonwood County Commissioners on May 11, 2010. It is anticipated that the Commissioners will be setting a public hearing on the proposed tax abatement program for their June 22, 2010, meeting.

Tax abatement is used as a tool to encourage improvements to real estate which will increase the property tax base. The EDA believes that this five-year abatement will help expand the capacity of New Vision's operations in the City of Windom and thus benefit the City and surrounding area, and a significant sector of our local agricultural economy.

Should you have any questions concerning the proposed tax abatement, please do not hesitate to contact me.

I will also be present at the City Council Meeting on May 18, 2010, to answer any additional questions you may have concerning the scheduling of this public hearing.

Requested Action: Adopt the Resolution calling for a public hearing for the purpose of considering establishment of a tax abatement program for New Vision Cooperative and the awarding of a business subsidy.

Respectfully submitted,



Aaron A. Backman, EDA Executive Director

AAB:mah

Attachments

Beaver Creek
Brewster
Dundee
Heron Lake
Hills

(507) 673-2388
(507) 842-5944
(507) 468-2416
(507) 793-2301
(507) 962-3221



Hills Terminal
Jeffers
Mt. Lake
Reading
Windom
Worthington

(507) 962-3243
(507) 628-5566
(507) 427-2421
(507) 926-5185
(507) 831-2527
(507) 376-4113

From: P.O. Box 877 Worthington, MN 56187 (507)376-4113 Fax (507)376-6331

April 12, 2010

Economic Development Authority of Windom
444 9th Street
Windom, MN 56101

Dear Ladies and Gentlemen:

New Vision Coop's feed mill location at 125 16th Street manufactures feed and receives grain five days a week. This location has eight employees that receive, dry and ship grain and make and deliver feed.

New Vision Coop is going to upgrade the elevator operation at this location. Phase One of the project includes removal of three steel bins and the grain dryer. New construction consists of one steel grain bin and a grain dryer. The estimated cost of this project is \$ 1,130,000.00.

Phase Two will be new construction of an additional steel grain bin.

Phase Three will be new construction of a truck receiving pit and leg, an additional steel grain bin and a conveyor to the feed mill.

New Vision Coop is requesting the support of the Economic Authority of Windom for tax abatement on Phase One of the elevator project.

New Vision Coop is requesting the support of the Economic Authority of Windom for tax abatement or Tax Increment Financing on Phase Two and Phase Three.

A description of the development and cost estimates are attached.

Sincerely,

Steve Bousema - Chairman

Steve Bousema, Board Chairman, New Vision Coop

New Vision Coop Windom Elevator Project
May 2010

The Problems

1. All traffic relies on one scale.
2. Single leg-pit design is inadequate.
3. Dryer is too small.
4. Land area limits grain storage options

The Objectives

1. Improve traffic flow
2. Increase elevator throughput capacity.
3. Increase grain drying capacity.
4. Increase grain storage.

Timeline

Old bins removed (complete).

Old foundations removed (5-7 days).

Excavation & backfill (5-7 days).

Relocate gas line (In conjunction with excavation/backfill) Complete 6-1

Concrete (June 1st start; complete July 1st)

Feed Mill Scale (wk after July 4th. In service by July 15th.)

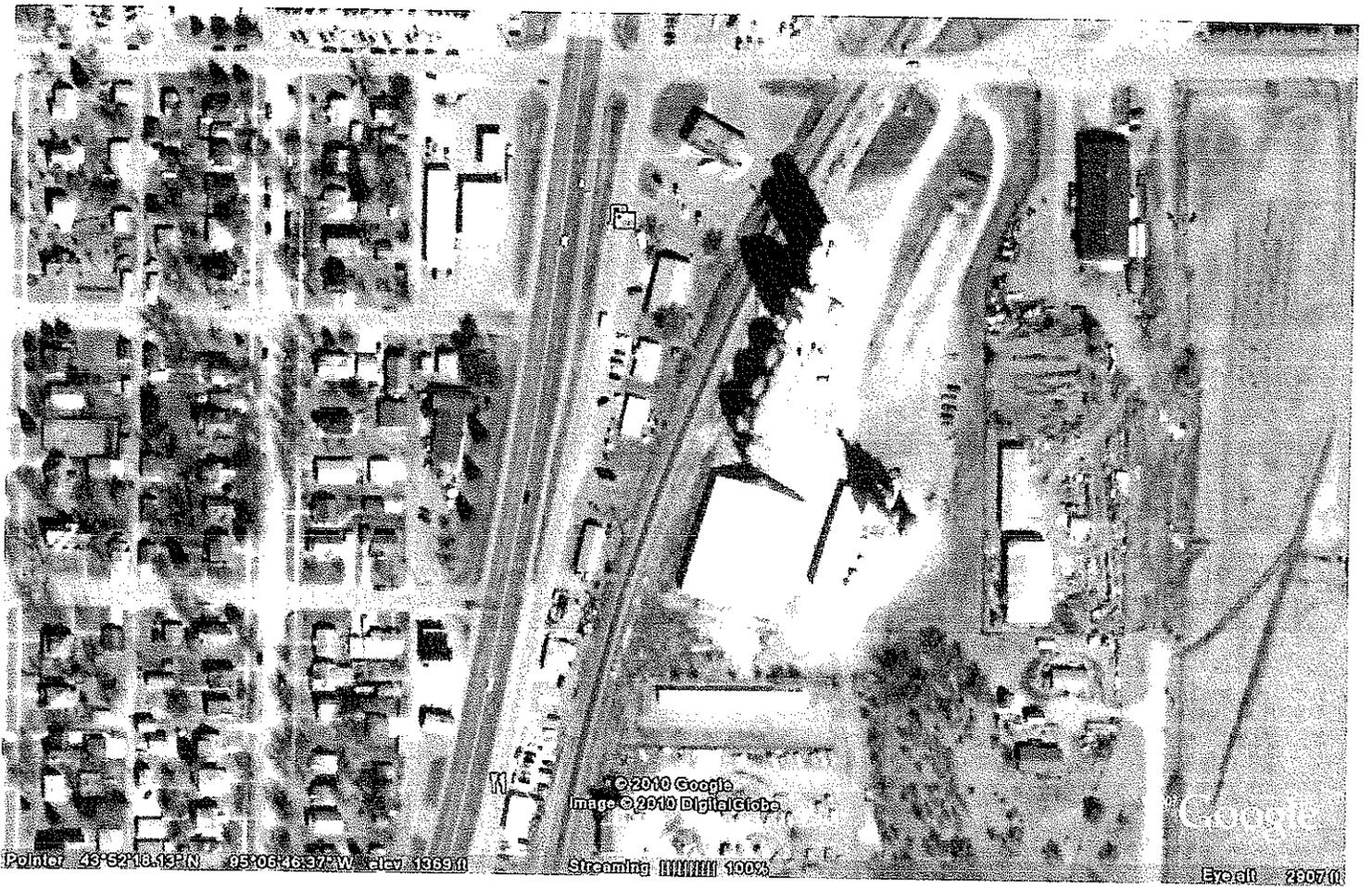
Dryer eta August 1, 2010. (Complete by August 15th.)

Bin erection (7-10 days)

Handling equipment (21 days)

Electrical (15-20 days)

Job Complete (Sept 25 target)



Windom Site Development for 125 16th Street

April 12, 2010

Phase I Timeline: In progress

Site Prep: Remove the three 42' diameter, 50,000 bushel steel bins & grain dryer.
Demolish/remove the cement foundations.
Excavate the existing soil and back fill with compacted, class five gravel.

New Construction: Pour a footing and foundation for a 60' diameter, 245,000 bushel steel bin.
Pour a footing and pad for a 4,700 bushel per hour dryer.

Cost Estimate

Demolition/Excavation	50,000
New Bin including fill/empty equipment	660,000
New Dryer	320,000
Electrical	100,000
Utilities (natural gas)	-0- <u>should be minor.</u>
Phase I Total Estimated Investment:	\$ 1,130,000.00

Phase II Timeline: Depends on crops, capital demands, financial support etc. Target by 2012.

New Construction: Pour a footing and foundation for a 60' diameter, steel 245,000 bushel bin.

Cost Estimate

Excavation	20,000
New Bin including fill/empty equipment	660,000
Electrical	<u>70,000</u>
Phase II Total Estimated Investment:	\$ 750,000.00

Phase III Timeline: Depends on crops, capital demands, financial support etc.

Site Prep: Demolish/remove existing bunker
Demolish/remove asphalt floor
Excavate the existing soil and back fill with compacted, class five gravel.

New Construction: Pour a footing and foundation for a 105' diameter, 690,000 bushel steel bin.
Truck unloading pit and leg for new bin.
Conveyor to feed mill

Cost Estimate

Demolition/Excavation	200,000
New Bin including fill/empty equipment	1,850,000
Electrical	<u>100,000</u>
Phase III Total Estimated Investment	\$ 2,150,000.00

Proposal

Phase I Tax Abatement

Phase II & Phase III, Tax abatement or TIF.

Tax Abatement

Minnesota Statutes 469.1812-469.1815 allow political subdivisions such as counties, cities, towns, and school districts to abate their share of all or a portion of a parcel's property taxes. Abatement is a tax rebate, not an exemption from paying taxes.

Neither a lengthy plan nor a full "but/for" finding is required by a governing body. However there are requirements that the resolution approving an abatement contain a cost/benefit analysis and must make general statements of finding for tax base, preservation, employment, public facilities, blight, and access to services. A public hearing must be held on the abatement with at least 10 days published notice. There are no qualified cost requirements and the taxpayer pays taxes on the abated property in the same manner it would if the taxes were not being abated. The county pays the abatement to the general fund of the political subdivision like any other budgeted item.

Abatement Highlights

- Each jurisdiction (city, county, and school) has the right but is not obligated to participate in the abatement.
- A school district may abate its entire tax capacity based levy but may not abate market value based levies.
- School boards can grant abatements and levy an additional property tax to cover the cost.
- The maximum abatement term is 15 years if the city or town, county, and school district all participate. If one or more entities decline the maximum term is 20 years for all participating entities, not just the requesting unit of government.
- Abatement bonds can be general obligation bonds, issued without an election, and are not subject to net debt.
- Taxes payable from the market value of a new or existing building, the value of land, and any fiscal disparities contributions of metro and taconite credit areas may be abated.
- Abatements can be authorized to finance public infrastructure regardless if the benefited infrastructure is on or adjacent to the parcel for which the tax is abated.
- Abatement does not require a property owner's consent.
- The maximum dollar amount an entity can abate per year for all profits is the greater of \$200,000 per year or 10% of its net tax capacity (a recent change).
- Abatement is calculated from a political subdivision's local tax rate multiplied by the net tax capacity of the parcel.

The tax abatement and tax increment processes cannot be used at the same time. Some jurisdictions have added abatement to the end of a tax increment financing district, after it has been decertified, to provide additional assistance to a development.

Because abatement is a "business subsidy" subject to Minnesota Statutes 116J.993-116J.995, it is recommended that it always be utilized in conjunction with a development agreement that clearly spells out a developer's responsibilities with respect to improvements and job and wage goals.



New Vision Cooperative - Phase 1 and 2

City of Windom, Minnesota

Grain Storage Facility Development

ASSUMPTIONS AND RATES

DistrictType:

First Year Construction or Inflation on Value
 Inflation Rate - Every Year
 Interest Rate
 Present Value Date
 First Period Ending
 Cashflow Assumes First Abatement
 Assumes Last Year of Abatement
 Fiscal Disparities Election (Inside, Outside or NA)
 Incremental or Total Fiscal Disparities
 Fiscal Disparities Contribution Ratio
 Fiscal Disparities Metro-Wide Tax Rate
 Term of City Abatement
 Term of County Abatement
 Term of School District Abatement
 School District No.
 Total Years of Abatement:

Abatement
 2010
 0.00%
 6.50%
 1-Feb-11
 1-Aug-11
 2012
 2016
 NA
 Incremental
 0.0000%
 0.0000%
 5
 5
 5
 177
 5

Current Total Local Tax Rate
 Current City Tax Rate
 Current County Tax Rate
 Current School District No. 177 Tax Rate
 Current County-wide Tax Rate
 State-wide Tax Rate (Comm./Ind. only used for total taxes)
 Market Value Tax Rate (Used for total taxes)
PROPERTY TAX CLASSES AND CLASS RATES
 Exempt Class Rate (Exempt)
 Commercial Industrial Preferred Class Rate (C/I Pref.)
 First \$150,000
 Over \$150,000
 Commercial Industrial Class Rate (C/I)
 Rental Housing Class Rate (Rental)
 Affordable Rental Housing Class Rate (Aff. Rental)
 Non-Homestead Residential (Non-H Res.)
 Homestead Residential Class Rate (Hmstd. Res.)
 First \$500,000
 Over \$500,000
 Agricultural Non-Homestead

137.0550%
 78.3650%
 37.2310%
 21.1350%
 0.3240%
 45.8810%
 0.39353%
 0.00%
 1.50%
 2.00%
 2.00%
 1.25%
 0.75%
 1.25%
 1.00%
 1.25%
 1.00%

BASE VALUE INFORMATION (Original Tax Capacity)

Map #	PID	Owner	Address	Land Market Value	Building Market Value	Total Market Value	Percentage of Value Used for District	Tax Year		Property Tax Class	Current Original Tax Capacity	Class After Conversion	After Conversion Orig. Tax Cap.	Area/Phase
								Original Market Value	Pay 2010					
1	25.231.0050			53,600	649,900	703,500	100%	703,500	Pay 2010	C/I Pref.	13,320	C/I Pref.	13,320	1
2	25.131.0040			4,600	0	4,600	100%	4,600	Pay 2010	C/I Pref.	89	C/I Pref.	69	1
								708,100			13,389		13,389	

Note:

1. Base values are for pay 2010.



EHLERS
 & ASSOCIATES INC

New Vision Cooperative - Phase 1 and 2

City of Windom, Minnesota
 Grain Storage Facility Development

PROJECT INFORMATION (Project Tax Capacity)

Area/Phase	New Use	Total Sq. Ft./Units	Market Value Sq. Ft./Units	Property Tax		Project Tax Capacity	Percentage Completed 2010	Percentage Completed 2011	Percentage Completed 2012	Percentage Completed 2013	First Year Full Taxes Payable
				Market Value	Class						
Existing	Industrial	1	703,500	C/I Pref.	13,320	100%	100%	100%	100%	2012	
1	Industrial	1	4,600	C/I Pref.	69	100%	100%	100%	100%	2012	
2	Industrial	1	320,950	C/I Pref.	5,669	100%	100%	100%	100%	2012	
TOTAL			1,350,000		24,727					2014	

Note:

1. Market values are based upon estimates from Company.

TAX CALCULATIONS

New Use	Total Tax Capacity	Local		Fiscal		State-wide		Market Value Taxes	Total Taxes	Taxes Per Sq. Ft./Unit
		Property Taxes	Disparities Taxes	Property Taxes	Disparities Taxes	Property Taxes	Disparities Taxes			
Industrial	13,320	18,266	0	6,111	0	2,768	18	27,136	27,135.66	
Industrial	69	95	0	32	0	18	144	144	144.33	
Industrial	5,669	7,770	0	2,601	0	1,263	1,263	11,634	11,633.68	
TOTAL	24,727	33,890	0	11,345	0	5,313		50,547	11,633.68	

Note:

1. Taxes and abatement will vary significantly from year to year depending upon values, rates, state law, fiscal disparities and other factors which cannot be predicted.

WHAT IS EXCLUDED FROM ABATEMENT?

Total Property Taxes	50,547
less State-wide Taxes	(11,345)
less Fiscal Disp. Adj.	0
less Market Value Taxes	(5,313)
less Small Taxing Jurisdiction Taxes	(80)
less Base Value Taxes	(18,307)
Annual Gross Maximum Tax Abatement	15,503



EHLERS
 & ASSOCIATES INC

New Vision Cooperative - Phase 1 and 2
City of Windom, Minnesota
Grain Storage Facility Development

Project Tax Capacity	Original Tax Capacity	Fiscal Disparities Incremental	Captured Tax Capacity	Combined City, County, & School Tax Rate	Maximum Annual Gross Tax Abatement	100% City		100% County		0% School		Semi-Annual Present Value	PERIOD ENDING Yrs.	Tax Year	Payment Date
						Semi Annual Gross Tax Abatement	Abatement w/ Tax Rate 78.3850%	Abatement w/ Tax Rate 37.2310%	Abatement w/ Tax Rate 21.1350%	Semi Annual Net Tax Abatement					
19,058	(13,389)	-	5,669	137%	7,751	3,876	2,221	1,055	-	-	-	2,977	0.5	2012	02/01/12
19,058	(13,389)	-	5,669	137%	7,751	3,876	2,221	1,055	-	-	-	5,860	1	2012	08/01/12
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	8,662	1.5	2013	02/01/13
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	11,357	2	2013	08/01/13
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	16,595	2.5	2014	02/01/14
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	21,869	3	2014	08/01/14
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	26,583	3.5	2015	02/01/15
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	31,342	4	2015	08/01/15
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	35,852	4.5	2016	02/01/16
24,727	(13,389)	-	11,338	137%	15,503	7,751	4,443	2,111	-	-	-	40,416	5	2016	08/01/16
Total				6.50%		62,010	35,540	16,885				52,425			02/01/17
						47,806	27,399	13,017				40,416			

ECONOMIC DEVELOPMENT AUTHORITY
OF WINDOM
STATE OF MINNESOTA

RESOLUTION NO. 2010-04

Commissioner Larson introduced the following Resolution and moved its adoption:

RESOLUTION APPROVING A PROPERTY TAX ABATEMENT
PROGRAM FOR NEW VISION CO-OP.

WHEREAS, New Vision Co-op (the "Company") has requested a property tax abatement (the "Abatement") in order to assist the Company to facilitate demolition and excavation costs associated with the construction of the following phased-in project located on PID numbers 25.231.0050 and 25.231.0040:

Phase 1: Includes removal of three steel grain bins with an assessed value for payable 2010 of \$42,665 and the grain dryer. New construction consists of one steel grain bin with an estimated assessed value of \$320,950 and a grain dryer. The estimated cost of this phase of the project is \$1,130,000; and

Phase 2: New construction of an additional steel grain bin with an estimated assessed value of \$320,050. The estimated cost of this phase of the project is \$750,000; and

WHEREAS, the City of Windom (the "City") is requested to hold a public hearing on the establishment of the Abatement on June 15, 2010, with said hearing to be preceded by at least 10 days, but not more than 30 days, prior published notice thereof; and

WHEREAS, the County of Cottonwood (the "County") is requested to hold a public hearing on June 22, 2010, on the establishment of the Abatement, with said hearing to be preceded by at least 10 days, but not more than 30 days, prior published notice thereof; and

WHEREAS, the Abatement is authorized under *Minnesota Statutes*, Sections 469.1812 through 469.1815 (the "Abatement Law"); and

WHEREAS, the Board of Commissioners (the "Board") of the Economic Development Authority of Windom ("EDA"), makes the following findings for the abatement:

1. The EDA expects the benefits to the City and County of the Abatement to at least equal the costs thereof.
2. Granting of the Abatement is in the public interest because it will increase or preserve the tax base of the City and County, help retain and expand commercial and industrial

enterprise in the City and County, and provide employment opportunities in the City and County.

3. The EDA expects the public benefits described in Paragraph 2. above to be derived from the Abatement.

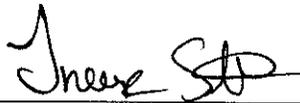
4. The Property is not located in a tax increment financing district.

5. In any year, the total amount of property taxes abated by the City and County by this and other resolutions does not exceed the greater of ten percent (10%) of the current levy or \$200,000, whichever is greater.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners (the "Board") of the Economic Development Authority of Windom, Cottonwood County, Minnesota, as follows:

1. The proposed Abatement is hereby approved. The terms of the abatement shall be as follows:
 - A. The Abatement shall be for the period of five (5) years and shall apply to the taxes payable in the years 2012 through 2016, inclusive.
 - B. The Abatement shall include 100% of the City's and County's share of the ad valorem property taxes generated by the Property which are attributable to the Project up to a future value.
 - C. The Abatement may not be modified or changed during the term set forth in Paragraph A. above, except with the prior written consent of the County and City.
 - D. The Abatement shall be subject to all the terms and limitations of the Abatement Law.
 - E. In order to be entitled to the Abatement, the Company shall not be in default to the City and County for any of its payment obligations respecting any taxes, assessments, utility charges or other governmental impositions.

ADOPTED this 10th day of May, 2010.



Trevor Slette, President

ATTEST:



Sally Larson, Secretary-Treasurer

The motion for the adoption of the foregoing Resolution was duly seconded by Commissioner
Maricle ; and upon vote being taken, the following voted in favor thereof:

Commissioners Messer, Larson, Erickson, Slette, and Maricle;

And the following voted against the same: None;

And the following were absent: None.

Whereupon, said Resolution was declared duly passed and adopted and signed by the President
and attested by the Secretary-Treasurer.

* * * * *

RESOLUTION # 2010-

INTRODUCED:

SECONDED:

VOTED: Aye:
 Nay:
 Absent:

CITY OF WINDOM

RESOLUTION CALLING FOR A PUBLIC HEARING ON THE
ESTABLISHMENT OF A TAX ABATEMENT PROGRAM
AND THE AWARDING OF A BUSINESS SUBSIDY

WHEREAS, the City of Windom (the "City") has received a request from New Vision Cooperative (the "Company") for the establishment of a Tax Abatement Program, pursuant to Minnesota Statutes Sections 469.1812 through 469.1815, concerning property located at 125 16th Street (Parcel Nos. 25.231.0050 and 25.231.0040); and

WHEREAS, the proposed tax abatement program would grant an abatement of the increase in property taxes caused by new development on the land, and this tax abatement would correspond with eligible demolition and site preparation costs pursuant to Minnesota Statutes; and

WHEREAS, the granting of an abatement is also subject to business subsidy laws as set forth in Minnesota Statutes Sections 116J.993 through 116J.995, inclusive as amended; and

WHEREAS, it is necessary to hold a public hearing on the proposed tax abatement program and the awarding of a business subsidy.

NOW, THEREFORE, BE IT RESOLVED by the City Council for the City of Windom, Minnesota, as follows:

1. Public Hearing. A public hearing to consider the proposed adoption of a Tax Abatement Program for New Vision Cooperative and the awarding of a business subsidy shall be held on Tuesday, June 15, 2010, in the Windom City Hall Council Chambers during the regular City Council Meeting which begins at 7:30 p.m.

2. Notice of Public Hearing. The City Administrator is authorized and directed to cause notice of the hearing to be published once in the official newspaper of the City at least 10 days, but not more than 30 days, prior to June 15, 2010. The City Administrator is further authorized and directed to place a copy of the proposed tax abatement program and supporting documentation on file in the Office of the Economic Development Authority of Windom at City Hall and to make such copy available for inspection by the public.

Adopted this 18th day of May, 2010.

Kirby G. Kruse, Mayor

ATTEST:

Steven Nasby, City Clerk/City Administrator

RESOLUTION #2010-

INTRODUCED:

SECONDED:

VOTED: **Aye:**
 Nay:
 Absent:

**AUTHORIZATION TO ACCEPT A DONATION FROM
THE FRIENDS OF THE WINDOM LIBRARY
TO THE WINDOM LIBRARY**

WHEREAS, Minnesota State Statute §465.03 requires that any city accepting a grant or gift of real or personal property shall accept such by resolution of the governing body expressing the terms prescribed by the donor; and

WHEREAS, the City of Windom has received a donation from the Friends of the Windom Library in the amount of \$469.98; and

WHEREAS, the donation requires that the funds be used towards the purchase of computers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, that the City Council accepts the donation in the amount of \$469.98, offered by the Friends of the Windom Library, to be used to purchase computers for the Windom Library.

Adopted by the Council this 18th day of May, 2010.

Attest: _____
 Steven Nasby, City Administrator

Kirby G. Kruse, Mayor

RESOLUTION #2010-

INTRODUCED:

SECONDED:

VOTED: Aye:
Nay:
Absent:

**AUTHORIZATION TO ACCEPT A DONATION FROM
THE ART GROUP
TO THE WINDOM LIBRARY**

WHEREAS, Minnesota State Statute §465.03 requires that any city accepting a grant or gift of real or personal property shall accept such by resolution of the governing body expressing the terms prescribed by the donor; and

WHEREAS, the City of Windom has received a donation from the Art Group in the amount of \$1,623.72; and

WHEREAS, the donation requires that the funds be used towards the purchase of computers.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF WINDOM, MINNESOTA, that the City Council accepts the donation in the amount of \$1,623.72, offered by the Art Group, to be used to purchase computers for the Windom Library.

Adopted by the Council this 18th day of May, 2010.

Kirby G. Kruse, Mayor

Attest: _____
Steven Nasby, City Administrator

RESOLUTION #2010-

INTRODUCED:

SECONDED:

VOTED: **Aye:**
 Nay:
 Absent:

RESOLUTION PROVIDING FOR THE REDEMPTION AND PAYMENT OF \$2,500,000 GROSS REVENUE HOSPITAL BONDS, SERIES 2003

BE IT RESOLVED by the City Council of the City of Windom, Cottonwood County, Minnesota (the "Issuer"), as follows:

Section 1. Recitals; Finding.

1.01 Under and pursuant to Minnesota Statutes, Chapters 447 and 475, the Issuer previously issued its \$2,500,000 Gross Revenue Hospital Bonds, Series 2003, dated September 1, 2003 (the "2003 Bonds"), of which \$1,925,000 in principal amount is prepayable on June 1, 2010, and any date thereafter.

1.02 The Issuer determines that it is necessary, expedient and in the best interest of the Issuer's residents that the Issuer pay the 2003 Bonds in full on July 1, 2010 (the "Redemption Date").

1.03 The proceeds of the 2003 Bonds have been fully expended for the purpose for which the 2003 Bonds were issued and no funds remain on deposit in the Hospital Fund (the "Fund") established in the resolution authorizing the issuance, sale and delivery of the 2003 Bonds adopted by the Issuer on August 5, 2003 (the "Prior Resolution"). The Fund is terminated.

Section 2. Redemption of 2003 Bonds.

2.01 It is found and determined that funds on deposit in the Bond Account in the Hospital Fund established for the 2003 Bonds in the Prior Resolution (the "Debt Service Fund") and other available funds of the Issuer will be sufficient to prepay all of the principal of and interest on the 2003 Bonds on the Redemption Date. The Administrator/Clerk/Treasurer is authorized and directed to transmit to U.S. Bank National Association, in St. Paul, Minnesota, the bond registrar for the 2003 Bonds (the "Registrar"), the amount sufficient to prepay all of the

principal of and interest on the 2003 Bonds on the Redemption Date in accordance with instructions from the Registrar.

2.02 The 2003 Bonds shall be redeemed and prepaid in accordance with their terms and in accordance with the terms and conditions set forth in the form of Notice of Call for Redemption attached hereto as Attachment A, which terms and conditions are approved and incorporated herein by reference. The Administrator/Clerk/Treasurer or his designee is authorized and directed to forthwith, no later than 35 days prior to the Redemption Date to send written notice of call to the Registrar.

2.03 When the principal of the 2003 Bonds and all interest thereon have been discharged as provided in this Section, all pledges, covenants and other rights granted by the Prior Resolution to the holders of the 2003 Bonds shall cease.

2.04 When the principal of the 2003 Bonds and all interest thereon have been discharged as provided in this Section, the accounts established in the Hospital Fund in Section 5.02 of the Prior Resolution shall be terminated and all moneys left on deposit therein may be appropriated to any other general purpose by the Issuer.

Adopted by the Council this 18th day of May, 2010.

Kirby G. Kruse, Mayor

Attest: Steven Nasby, City Administrator

ATTACHMENT A

NOTICE OF CALL FOR REDEMPTION \$2,500,000 Gross Revenue Hospital Bonds, Series 2003 dated September 1, 2003 City of Windom, Minnesota

NOTICE IS HEREBY GIVEN that, by order of the City Council of the City of Windom, Minnesota (the "Issuer"), there have been called for redemption and prepayment on July 1, 2010 ("Redemption Date") all outstanding bonds of the Issuer designated as the \$2,500,000 Gross Revenue Hospital Bonds, Series 2003, dated September 1, 2003, having stated maturity dates of June 1, 2011 through June 1, 2023, both inclusive, totaling \$1,925,000 in outstanding principal amount, and with the following CUSIP numbers:

Certificate No.	Maturity (June 1)	Amount*	Rate	CUSIP**
R-7	2011	\$110,000	4.50%	973456 AG 1
R-8	2012	\$115,000	4.65%	973456 AH 9
R-9	2013	\$120,000	4.80%	973456 AJ 5
R-10	2014	\$125,000	4.90%	973456 AK 2
R-11	2015	\$130,000	5.00%	973456 AL 0
R-12	2016	\$140,000	5.10%	973456 AM 8
R-13	2017	\$145,000	5.15%	973456 AN 6
R-14	2018	\$150,000	5.20%	973456 AP 1
R-15	2019	\$160,000	5.30%	973456 AQ 9
R-16	2020	\$170,000	5.35%	973456 AR 7
R-17	2021	\$180,000	5.40%	973456 AS 5
R-18	2022	\$185,000	5.45%	973456 AT 3
R-19	2023	\$195,000	5.50%	973456 AU 0

The Bonds are being called at a price of par plus accrued interest to the Redemption Date on which date all interest on said Bonds will cease to accrue. Holders of the Bonds called for redemption are requested to present their Bonds for payment at the office of U.S. Bank National Association, Corporate Trust Services, 60 Livingston Avenue, 3rd Floor, St. Paul, Minnesota 55107, on or before the Redemption Date.

Dated: May 18, 2010

BY ORDER OF THE CITY COUNCIL OF THE
CITY OF WINDOM, MINNESOTA

Important Notice: In compliance with the Economic Growth and Tax Relief Reconciliation Act of 2001, federal backup withholding tax will be withheld at the applicable backup withholding rate in effect at the time the payment by the redeeming institutions if they are not provided with your social security number or federal employer identification number, properly certified. This requirement is fulfilled by submitting a W-9 Form, which may be obtained at a bank or other financial institution.

* Indicates full call of stated maturity.

** Neither the Issuer nor the Fiscal Agent/Paying Agent shall be responsible for the selection of or use of the CUSIP number, and no representation is made as to its correctness indicated in the Notice of Call for Redemption. CUSIP numbers are included solely for the convenience of the Holders.



December 1, 2009

City of Windom
PO Box 38
443 10th Street
Windom, MN 56101

Re: Consent to Assignment

To Whom It May Concern:

Effective November 7, 2007, Zayo Group, LLC ("Zayo Group") completed its acquisition of Onvoy, Inc. and its related subsidiaries (collectively, "Onvoy") pursuant to a merger transaction whereby Onvoy became a wholly owned subsidiary of Zayo Group. As a result of the Onvoy-Zayo Group merger transaction, Zayo Group created three (3) distinct operating subsidiaries; Zayo Bandwidth, LLC ("Zayo Bandwidth"), Zayo Enterprise Networks, LLC ("ZEN"), and Onvoy Voice Services.

Onvoy and City of Windom are parties to that certain Fiber Lease dated 4/1/2008 ("Agreement"), pursuant to which City of Windom provides Dark Fiber Service, as further described below (the "Services"). As part of Zayo Group's efforts to allocate properly the Services to the appropriate affiliated entity, Zayo Group has made the decision to transfer the Services to Onvoy's affiliated/sister company, Zayo Bandwidth. Onvoy is requesting your consent to Onvoy's assignment of the Agreement to Zayo Bandwidth effective immediately. Zayo Bandwidth hereby accepts the assignment of the Agreement and the Services and agrees to be bound by the terms and conditions of the Agreement.

The below referenced Services should be noted as now being assigned to Zayo Bandwidth ("Assigned Services"): INT-0035847

In addition, please update your files to replace the notice address in the Agreement with the following:

Zayo Bandwidth, LLC
400 Centennial Pkwy, Suite 200
Louisville, CO 80027
Attn: General Counsel

Please kindly indicate your consent to the assignment above by signing below, returning a copy by fax or email, to my attention at (303) 604-6869 or znebergall@zayo.com and returning the original via regular mail to the address below. If you have any questions regarding this correspondence, please do not hesitate to contact me at (303) 381-3256 or by e-mail at znebergall@zayo.com.

CONFIDENTIAL INFORMATION: This information constitutes Customer Proprietary Network Information (CPNI) as defined by the Federal Communications Commission (FCC).

Zayo Bandwidth, LLC - 901 Front Street, Suite 200 - Louisville, CO 80027



Your prompt attention to this matter is greatly appreciated. We look forward to continuing our mutually beneficial relationship and thank you in advance for your assistance.

Sincerely,

Zach Nebergall
Director of Corporate Finance

City of Windom
Accepted and Agreed:

Signature and date

Zayo Bandwidth, LLC
Accepted and Agreed:

Signature and date

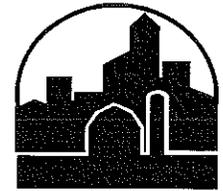
Orvoy, Inc.
Accepted and Agreed:

Signature and date
5/7/10

CONFIDENTIAL INFORMATION: This information constitutes Customer Proprietary Network Information (CPNI) as defined by the Federal Communications Commission (FCC).

Zayo Bandwidth, LLC ~ 901 Front Street, Suite 200 ~ Louisville, CO 80027

MEMORANDUM



CITY OF WINDOM
444 9th Street
Windom, MN 56101
Phone: 507-831-6129
Fax: 507-831-6127
www.windom-mn.com

TO: City Council
FROM: Personnel Committee
DATE: May 14, 2010
RE: Recommendations to City Council

On April 29th the Personnel Committee met to discuss a number of items. Below is a discussion of each of these items and the Personnel Committee’s recommendations to the City Council.

First, establish a wage scale for permanent, non-union, part-time employees. This includes employees at the Liquor Store and Library and is not intended to establish a wage scale for seasonal, part-time employees. The proposed wage scale is as follows:

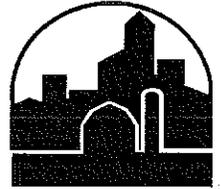
Beginning Pay	\$8.25\hour
6 months	\$8.50\hour
1 year	\$8.75\hour
2 years	\$9.50\hour
3 years	\$10.00\hour
4 years	\$10.50\hour
5 years +	\$11.00\hour

Second, re-hire a maintenance worker position (Grade 6) within the Street Department to fill a position being vacated due to a retirement. This position was discussed by the Street Committee and the Personnel Committee and both groups recommended that the position be re-filled. At the City Council’s budget work session on May 1 the City Council concurred and this position is currently being advertised.

Third, the Utility Commission recommended that a position within the Water Department be filled due to a vacancy being created by a retirement. The Personnel Committee discussed the recommendation and unanimously concurred with the Utility Commission that the position should be filled. The foreman’s position (Grade 8) in the Water Department was posted internally. If the foreman’s position is filled internally then a water operator’s position (Grade 7) will need to be advertised.

Last, updates and revisions to Windom’s Personnel Policy have been discussed by the Personnel Committee and their recommendations to the City Council are shown on the attached memorandum.

MEMORANDUM



CITY OF WINDOM
444 9th Street
Windom, MN 56101
Phone: 507-831-6129
Fax: 507-831-6127
www.windom-mn.com

TO: City Council
FROM: Personnel Committee
DATE: May 14, 2010
RE: Proposed Revisions to City of Windom Personnel Policy

The current Personnel Policy was adopted in October 2006 (amended in December 2006). Since that time there have been some items arise that could be clarified and there have been changes due to the new labor agreements with IBEW (May 2009) and LELS (Jan 2010). The following is a list of items for discussion:

Section 4 Labor Relations: Paragraph (a) Holidays

In the two new labor agreements the holiday structure was changed to eliminate the 4 hour holidays on Christmas Eve and New Years Eve. These were replaced by one 8 hour holiday on Christmas Eve.

Recommendation - Language in this section needs to be amended to reflect this change in holiday observance.

Section 5 Employee Relations and Conduct:

Paragraph (c) Licenses and Certifications/Notice Requirements/Insurability

If an employee's driver's license is suspended, revoked, or cancelled, it is the employee's responsibility to notify his/her supervisor at the beginning of the first work day after receiving notice of the action. Employees are prohibited from driving any City vehicle without the appropriate valid license.

Recommendation – The City's insurance and loss control is handled through City Hall. As such, language should be added to specify that the supervisor is also responsible to notify the City Administrator and/or Assistant City Administrator immediately if an employee's license is suspended, revoked or cancelled.

Section 10 Conflict of Interest: Paragraph (e) Use of Public Property

This section addresses the use of City property (including vehicles).

Recommendation – Amend this paragraph to allow for the reasonable use of emergency vehicles (police, fire or ambulance) in local funeral processions without cost to recognize the contribution to the public by any individual that has served the Windom area as a law enforcement officer, firefighter, EMT or first-responder.

Section 4 Labor Relations: Paragraph (a) Holidays

The Martin Luther King holiday was inadvertently left off the list of recognized holidays. This is a federal and state recognized holiday. By State law, the City is not permitted to conduct business this day. Current practice is to have the City offices closed on Martin Luther King Day.

Recommendation – Add the Martin Luther King holiday into the Personnel Policy.

Section 10 Conflict of Interest: Paragraph (e) Use of Public Property & Section 9 Safety

This section addresses the use of City property (including vehicles). The policy currently does not permit ride-alongs for non-City personnel. A request has been made to allow ride-alongs within the Fire Department and Ambulance Service.

Recommendation – Allow ride-alongs in Fire Department or Ambulance Service vehicles as follows.

1. Permit ride-alongs by members of the general public in Fire Department or Ambulance Service vehicles only on off-duty hours (non-emergency call outs).
2. Ride-alongs by eligible and qualified applicants for the Fire Department or Ambulance Service may be permitted while “on call\duty” on a case-by-case basis subject to written approval by the Mayor or City Administrator.

All ride-alongs must have written approval and comply with policy provisions, waivers and acknowledgements as established by the League of Minnesota Cities and be on-file with City Hall prior to riding along.

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
CITY OFFICE	LEAGUE OF MN. CITIES	REGISTRATION	295.00
CITY OFFICE	LEAGUE OF MN. CITIES	SUBSCRIPTION	52.90
CITY OFFICE	MII LIFE	VEBA	396.80
CITY OFFICE	MN NCPERS LIFE INSUR	INSURANCE	80.00
CITY OFFICE	CITY OF WORTHINGTON	1/3 WEB CONFERENCE	49.66
		Total for Department 103	874.36*
P & Z / BUILDING OFF	MII LIFE	VEBA	297.60
P & Z / BUILDING OFF	MN NCPERS LIFE INSUR	INSURANCE	24.00
		Total for Department 106	321.60*
CITY HALL	COTTONWOOD CO TREASU	TAXES	24.00
CITY HALL	SANDRA HERDER	CLEANING	367.35
CITY HALL	MELISSA PENAS	CLEANING	367.35
		Total for Department 115	758.70*
POLICE	KENT F. KELLY	EXPENSE	283.78
POLICE	MII LIFE	VEBA	2,253.60
POLICE	MN NCPERS LIFE INSUR	INSURANCE	128.00
POLICE	SECR REV FUND/CITY O	POSTAGE	2.07
		Total for Department 120	2,667.45*
FIRE DEPARTMENT	Verizon Wireless	TELEPHONE	44.86
		Total for Department 125	44.86*
STREET	AMUNDSON DIG	MAINTENANCE	561.09
STREET	COTTONWOOD CO TREASU	TAXES	24.00
STREET	MII LIFE	VEBA	1,510.88
STREET	MN NCPERS LIFE INSUR	INSURANCE	80.00
		Total for Department 140	2,175.97*
PARKS	COTTONWOOD CO TREASU	TAXES	42.00
PARKS	MII LIFE	VEBA	371.36
PARKS	MN NCPERS LIFE INSUR	INSURANCE	32.00
		Total for Department 165	445.36*
		Total for Fund 01	7,288.30*
LIBRARY	COTTONWOOD CO TREASU	TAXES	24.00
LIBRARY	SANDRA HERDER	CLEANING	367.35
LIBRARY	MELISSA PENAS	CLEANING	367.35
		Total for Department 171	758.70*
		Total for Fund 03	758.70*
AIRPORT	COTTONWOOD CO TREASU	TAXES	24.00
AIRPORT	RED ROCK RURAL WATER	WATER	23.50
AIRPORT	SO. CENTRAL ELECTRIC	POWER COST	572.61
		Total for Department 174	620.11*
		Total for Fund 11	620.11*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
AMBULANCE	BUCKWHEAT JOHNSON	EXPENSE	5.31
AMBULANCE	KIM POWERS	EXPENSE	9.36
AMBULANCE	ALLAN REMPEL	EXPENSE	46.51
	Total for Department 176		61.18*
	Total for Fund 13		61.18*
MULTI-PURPOSE BUILDI MII LIFE		VEBA	569.76
MULTI-PURPOSE BUILDI MN NCPERS LIFE INSUR		INSURANCE	32.00
MULTI-PURPOSE BUILDI RIVER BEND LIQUOR		MERCHANDISE	6.89
	Total for Department 177		608.65*
	Total for Fund 14		608.65*
	MN DEPT OF EMPLOY & E UNEMPLOYMENT		3,074.22
	Total for Department		3,074.22*
PM REVOLVING LOAN FU MN DEPT OF EMPLOY & E UNEMPLOYMENT			90.78
	Total for Department 172		90.78*
	Total for Fund 15		3,165.00*
SCDP	SW MN HOUSING PARTNE GRANT DRAW #5		3,213.00
	Total for Department 163		3,213.00*
	Total for Fund 17		3,213.00*
N IND PARK	SO. CENTRAL ELECTRIC POWER COST		33.38
	Total for Department 147		33.38*
	Total for Fund 18		33.38*
EDA LINDAMAN REV LOA U S BANK TRUST NATIO BOND PAYMENT (HOSPITAL B			431.25
	Total for Department 178		431.25*
	Total for Fund 31		431.25*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	2,955.34
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	11,345.10
LIQUOR	JOHNSON BROS.	MERCHANDISE	1,877.29
LIQUOR	MII LIFE	VEBA	742.72
LIQUOR	MN NCPERS LIFE INSUR	INSURANCE	32.00
LIQUOR	PHILLIPS WINE & SPIR	MERCHANDISE	1,319.79
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	80.00
LIQUOR	MN MUNICIPAL BEV ASS	REGISTRATION	339.00
	Total for Department 180		18,691.24*
	Total for Fund 60		18,691.24*
WATER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	150.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
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WATER	MII LIFE	VEBA	1,120.44
WATER	MN NCPERS LIFE INSUR	INSURANCE	40.00
WATER	SECR REV FUND/CITY O	POSTAGE	8.86
		Total for Department 181	1,319.30*
		Total for Fund 61	1,319.30*
	SECR REV FUND/CITY O	REFUND-UTILITY PREPAYMEN	500.00
	JESSIE ZIESKE	REFUND - UTILITY PREPAYM	300.00
		Total for Department	800.00*
ELECTRIC	COTTONWOOD CO TREASU	TAXES	24.00
ELECTRIC	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	150.00
ELECTRIC	MII LIFE	VEBA	2,099.72
ELECTRIC	MN NCPERS LIFE INSUR	INSURANCE	96.00
ELECTRIC	BRAD BUSSA	CLEANING	184.60
		Total for Department 182	2,554.32*
		Total for Fund 62	3,354.32*
SEWER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	150.00
SEWER	MII LIFE	VEBA	1,863.16
SEWER	MN NCPERS LIFE INSUR	INSURANCE	72.00
		Total for Department 183	2,085.16*
		Total for Fund 63	2,085.16*
ARENA	MII LIFE	VEBA	742.72
ARENA	MN NCPERS LIFE INSUR	INSURANCE	32.00
		Total for Department 184	774.72*
		Total for Fund 64	774.72*
	BANK MIDWEST	LOAN PAYMENT	1,292.19
		Total for Department	1,292.19*
ECONOMIC DEVELOPMENT	AARON BACKMAN	EXPENSE	77.50
ECONOMIC DEVELOPMENT	COTTONWOOD CO TREASU	TAXES	11,958.00
ECONOMIC DEVELOPMENT	WDR - DEPUTY REGISTR	LICENSE TABS	14.50
ECONOMIC DEVELOPMENT	MII LIFE	VEBA	470.56
ECONOMIC DEVELOPMENT	MN NCPERS LIFE INSUR	INSURANCE	24.00
ECONOMIC DEVELOPMENT	RON'S ELECTRIC INC	MAINTENANCE	198.28
ECONOMIC DEVELOPMENT	SECR REV FUND/CITY O	SUPPLIES	3.50
ECONOMIC DEVELOPMENT	BANK MIDWEST	LOAN PAYMENT	2,707.81
ECONOMIC DEVELOPMENT	EDAM	REGISTRATION	200.00
ECONOMIC DEVELOPMENT	MADDEN'S ON GULL LAK	REGISTRATION	498.96
		Total for Department 187	16,153.11*
		Total for Fund 67	17,445.30*

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
RIVERBLUFF ESTATES	BRADY POWERS	MOWING	165.00
	Total for Department 166		165.00*
	Total for Fund 68		165.00*
TELECOMMUNICATIONS	AT & T	USAGE CHARGES	169.47
TELECOMMUNICATIONS	B B C AMERICA	SUBSCRIBER	8.37
TELECOMMUNICATIONS	BIG TEN NETWORK	SUBSCRIBER	1,571.60
TELECOMMUNICATIONS	BLUEHIGHWAYS	SUBSCRIBER	40.86
TELECOMMUNICATIONS	CNN - TURNER NETWORK	SUBSCRIBER	801.96
TELECOMMUNICATIONS	JEFFREY DAHNA	INTERNET ACCESS	201.88
TELECOMMUNICATIONS	DHJV COMPANY LLC	SUBSCRIBER	8.17
TELECOMMUNICATIONS	DISCOVERY DIGITAL NE	SUBSCRIBER	45.71
TELECOMMUNICATIONS	DISH NETWORK	SERVICE	3,400.00
TELECOMMUNICATIONS	E-911	MONTHLY 911 SERVICE	43.95
TELECOMMUNICATIONS	FOX SPORTS	SUBSCRIBER	5,312.32
TELECOMMUNICATIONS	HOMETOWN SANITATION	HAUL GARBAGE	73.92
TELECOMMUNICATIONS	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	450.00
TELECOMMUNICATIONS	KARE	SUBSCRIBER	475.65
TELECOMMUNICATIONS	LIFETIME	SUBSCRIBER	676.81
TELECOMMUNICATIONS	LIFETIME MOVIE NETWO	SUBSCRIBER	30.00
TELECOMMUNICATIONS	Verizon Wireless	TELEPHONE	125.66
TELECOMMUNICATIONS	MII LIFE	VEBA	1,331.56
TELECOMMUNICATIONS	MN NCPERS LIFE INSUR	INSURANCE	64.00
TELECOMMUNICATIONS	QWEST COMMUNICATIONS	LEXIS BILLING SERVICE	175.37
TELECOMMUNICATIONS	ONVOY, INC	BANDWIDTH BILLING	1,348.18
TELECOMMUNICATIONS	SIJAMBO CAFE	EXPENSE	63.48
TELECOMMUNICATIONS	TBS - TURNER NETWORK	SUBSCRIBER	689.58
TELECOMMUNICATIONS	TCM - TURNER NETWORK	SUBSCRIBER	376.72
TELECOMMUNICATIONS	TNT - TURNER NETWORK	SUBSCRIBER	1,599.44
TELECOMMUNICATIONS	ZAYO BANDWIDTH	BANDWIDTH BILLING	5,409.77
	Total for Department 199		24,494.43*
	Total for Fund 69		24,494.43*
	MINNESOTA REVENUE	WAGE LEVY	257.12
	MN NCPERS LIFE INSUR	INSURANCE	32.00
	Total for Department		289.12*
	Total for Fund 70		289.12*
	Grand Total		84,798.16*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
CITY OFFICE	ELECTRIC FUND	UTILITY BILLING	175.68
CITY OFFICE	MII LIFE	VEBA	198.40
	Total for Department 103		374.08*
P & Z / BUILDING OFF	ELECTRIC FUND	MAINTENANCE	13.96
P & Z / BUILDING OFF	ELECTRIC FUND	UTILITY BILLING	66.12
P & Z / BUILDING OFF	MII LIFE	VEBA	148.80
P & Z / BUILDING OFF	VET'S WHOA N'GO	GAS	80.98
	Total for Department 106		309.86*
CITY HALL	ELECTRIC FUND	MAINTENANCE	9.51
CITY HALL	ELECTRIC FUND	UTILITY BILLING	514.54
CITY HALL	JOE'S LAWN CARE	MOW LAWN	40.00
	Total for Department 115		564.05*
POLICE	ELECTRIC FUND	UTILITY BILLING	73.92
POLICE	MII LIFE	VEBA	1,126.80
POLICE	VOYAGER FLEET SERVIC	GAS	42.63
	Total for Department 120		1,243.35*
FIRE DEPARTMENT	ELECTRIC FUND	UTILITY BILLING	26.31
FIRE DEPARTMENT	JAY GRANDPREY	EXPENSE	89.00
FIRE DEPARTMENT	DENISE NICHOLS	EXPENSE	70.00
FIRE DEPARTMENT	VET'S WHOA N'GO	GAS	227.46
	Total for Department 125		412.77*
STREET	ELECTRIC FUND	UTILITY BILLING	3,422.95
STREET	ERICKSON OIL CO	GAS	289.84
STREET	MII LIFE	VEBA	755.44
STREET	VET'S WHOA N'GO	GAS	138.09
STREET	VOYAGER FLEET SERVIC	GAS	102.45
	Total for Department 140		4,708.77*
RECREATION	FAIRMONT BASEBALL AS	LEAGUE FEE	200.00
	Total for Department 150		200.00*
PARKS	ELECTRIC FUND	UTILITY BILLING	138.29
PARKS	ERICKSON OIL CO	GAS	77.77
PARKS	MII LIFE	VEBA	185.68
PARKS	VOYAGER FLEET SERVIC	GAS	62.97
	Total for Department 165		464.71*
	Total for Fund 01		8,277.59*
LIBRARY	ELECTRIC FUND	UTILITY BILLING	268.27
	Total for Department 171		268.27*
	Total for Fund 03		268.27*
AIRPORT	ELECTRIC FUND	MAINTENANCE	38.03
	Total for Department 174		38.03*

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Fund 11			38.03*
AMBULANCE	ELECTRIC FUND	UTILITY BILLING	23.26
AMBULANCE	LONDA FOSHEIM	EXPENSE	12.40
AMBULANCE	VET'S WHOA N'GO	GAS	1,065.26
AMBULANCE	ROGER STRENGE	REFUND - AMBULANCE	69.25
Total for Department 176			1,170.17*
Total for Fund 13			1,170.17*
MULTI-PURPOSE BUILDI	ELECTRIC FUND	UTILITY BILLING	1,185.08
MULTI-PURPOSE BUILDI	MII LIFE	VEBA	284.88
MULTI-PURPOSE BUILDI	VOYAGER FLEET SERVIC	GAS	79.50
Total for Department 177			1,549.46*
Total for Fund 14			1,549.46*
MN DEPT OF EMPLY & E LOAN REPAYMENT SPAP-99-\$			3,074.22
Total for Department			3,074.22*
PM REVOLVING LOAN FU	MN DEPT OF EMPLY & E LOAN REPAYMENT SPAP-99-\$		90.78
Total for Department 172			90.78*
Total for Fund 15			3,165.00*
U S BANK TRUST NATIO BOND PAYMENT (HOSPITAL B			156,827.50
Total for Department			156,827.50*
Total for Fund 31			156,827.50*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	7,202.95
LIQUOR	ELECTRIC FUND	UTILITY BILLING	883.59
LIQUOR	WIRTZ BEVERAGE MN WI	MERCHANDISE	867.81
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	9,007.40
LIQUOR	JOHNSON BROS.	MERCHANDISE	1,115.87
LIQUOR	MII LIFE	VEBA	371.36
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	1,625.75
Total for Department 180			21,074.73*
Total for Fund 60			21,074.73*
WATER	ELECTRIC FUND	UTILITY BILLING	4,394.76
WATER	GOPHER STATE ONE CAL	LOCATES	9.43
WATER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	83.44
WATER	MIDWEST DATA, INC	UTILITY BILL - SERVICES	50.66
WATER	Verizon Wireless	TELEPHONE	74.64
WATER	MII LIFE	VEBA	560.22
WATER	VOYAGER FLEET SERVIC	GAS	536.88
Total for Department 181			5,710.03*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Fund 61			5,710.03*
	BORDER STATES ELECTR	IINVENTORY	943.08
Total for Department			943.08*
ELECTRIC	ELECTRIC FUND	UTILITY BILLING	270.05
ELECTRIC	ERICKSON OIL CO	GAS	75.50
ELECTRIC	GOPHER STATE ONE CAL	LOCATES	9.43
ELECTRIC	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	83.44
ELECTRIC	MIDWEST DATA, INC	UTILITY BILL - SERVICES	50.69
ELECTRIC	MII LIFE	VEBA	1,049.86
ELECTRIC	VET'S WHOA N'GO	GAS	34.48
ELECTRIC	VOYAGER FLEET SERVIC	GAS	161.42
Total for Department 182			1,734.87*
Total for Fund 62			2,677.95*
SEWER	ELECTRIC FUND	UTILITY BILLING	16,829.33
SEWER	ERICKSON OIL CO	GAS	41.29
SEWER	GOPHER STATE ONE CAL	LOCATES	9.43
SEWER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	83.44
SEWER	GLENN LUND	REGISTRATION FEE	20.00
SEWER	MIDWEST DATA, INC	UTILITY BILL - SERVICES	50.66
SEWER	Verizon Wireless	TELEPHONE	74.63
SEWER	MII LIFE	VEBA	931.58
SEWER	VOYAGER FLEET SERVIC	GAS	85.15
Total for Department 183			18,125.51*
Total for Fund 63			18,125.51*
ARENA	ELECTRIC FUND	UTILITY BILLING	3,921.72
ARENA	MII LIFE	VEBA	371.36
ARENA	VOYAGER FLEET SERVIC	GAS	148.04
Total for Department 184			4,441.12*
Total for Fund 64			4,441.12*
ECONOMIC DEVELOPMENT	ELECTRIC FUND	UTILITY BILLING	129.41
ECONOMIC DEVELOPMENT	MII LIFE	VEBA	235.28
Total for Department 187			364.69*
Total for Fund 67			364.69*
RIVERBLUFF ESTATES	UNITED PRAIRIE BANK	LOAN PAYMENT	620.78
Total for Department 166			620.78*
Total for Fund 68			620.78*
	MN 9-1-1 PROGRAM	911 SERVICE	987.84
Total for Department			987.84*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
TELECOMMUNICATIONS	BOND TRUST SERVICE C	2009B TEMP OBLIGATION EQ	19,690.00
TELECOMMUNICATIONS	BORDER STATES ELECTR	IINVENTORY	92.34
TELECOMMUNICATIONS	COMCAST MEDIA CENTER	SUBSCRIBER	16.25
TELECOMMUNICATIONS	ELECTRIC FUND	UTILITY BILLING	1,716.23
TELECOMMUNICATIONS	GOPHER STATE ONE CAL	LOCATES	28.26
TELECOMMUNICATIONS	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	250.31
TELECOMMUNICATIONS	MIDWEST DATA, INC	UTILITY BILL - SERVICES	151.98
TELECOMMUNICATIONS	MII LIFE	VEBA	665.78
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	SUBSCRIBER	21,426.25
TELECOMMUNICATIONS	QWEST COMMUNICATIONS	DIRECTORY LISTING	171.51
TELECOMMUNICATIONS	DAN OLSEN	EXPENSE	152.34
TELECOMMUNICATIONS	ONVOY, INC	BANDWIDTH BILLING	2,938.42
TELECOMMUNICATIONS	RFD TV	SUBSCRIBER	197.12
TELECOMMUNICATIONS	TOWER DISTRIBUTION C	SUBSCRIBER	218.11
TELECOMMUNICATIONS	VET'S WHOA N'GO	GAS	90.48
TELECOMMUNICATIONS	VOYAGER FLEET SERVIC	GAS	121.93
TELECOMMUNICATIONS	WOODSTOCK TELEPHONE	SERVICE	186.67
		Total for Department 199	48,113.98*
		Total for Fund 69	49,101.82*
	COLONIAL LIFE INSURA	INSURANCE	8.82
		Total for Department	8.82*
		Total for Fund 70	8.82*
		Grand Total	273,421.47*

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Ranges: Fund: (A)
 Dept Id: (A)
 Program: (A)
 Vendor #: (A)
 Invoice #: (A)
 Schedule Journal #: (R) 15360 - 15360
 Bank #: (A)

Options: Print Ranges/Options: Y # of copies: 1
 Page on Department: N

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	CITIZEN PUBLISHING C	ADVERTISING	99.60
MAYOR & COUNCIL	COTTONWOOD CTY RECOR	SERVICE	46.00
MAYOR & COUNCIL	GODFATHER'S PIZZA	EXPENSE	30.97
MAYOR & COUNCIL	MCDONALD & SCHRAMEL	LEGAL FEES	84.00
MAYOR & COUNCIL	DENISE NICHOLS	MILEAGE	314.00
	Total for Department 101		574.57*
CITY OFFICE	DAN'S OFFICE SUPPLY	SUPPLIES	56.87
CITY OFFICE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
CITY OFFICE	PITNEY BOWES	RENTAL CHARGES	7.44
CITY OFFICE	HARLAND TECHNOLOGY S	MAINTENANCE	26.61
	Total for Department 103		97.42*
P & Z / BUILDING OFF	DAN'S OFFICE SUPPLY	SUPPLIES	23.54
P & Z / BUILDING OFF	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
P & Z / BUILDING OFF	PITNEY BOWES	RENTAL CHARGES	7.44
	Total for Department 106		37.48*
LEGAL	MCDONALD & SCHRAMEL	LEGAL SUPPLIES	17.50
	Total for Department 110		17.50*
CITY HALL	AMERIGAS - WORTHINGT	WATER TREATMENT	23.46
CITY HALL	COTTONWOOD COUNTY SO	RECYCLING PICK UP	12.00
CITY HALL	CULLIGAN	SERVICE	62.50
CITY HALL	SUNSHINE FOODS	SUPPLIES	47.43
CITY HALL	HOMETOWN SANITATION	HAUL GARBAGE	85.04
CITY HALL	SCHWALBACH HARDWARE	MAINTENANCE	40.44
	Total for Department 115		270.87*
POLICE	BATTERIES PLUS	SUPPLIES	28.56
POLICE	DAN'S OFFICE SUPPLY	SUPPLIES	6.94
POLICE	MCDONALD & SCHRAMEL	LEGAL FEES	4,945.50
POLICE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	22.50
POLICE	PITNEY BOWES	RENTAL CHARGES	7.44
POLICE	SIRCHIE FINGER PRINT	SUPPLIES	113.30
	Total for Department 120		5,124.24*
FIRE DEPARTMENT	DAN'S OFFICE SUPPLY	SUPPLIES	42.07
FIRE DEPARTMENT	HEIMAN FIRE EQUIP. C	MAINTENANCE	100.45
FIRE DEPARTMENT	LUCAN COMMUNITY TV I	MAINTENANCE	352.69

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
FIRE DEPARTMENT	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
FIRE DEPARTMENT	RIVERSIDE LAUNDRY	SERVICE	625.22
FIRE DEPARTMENT	SCHWALBACH HARDWARE	MAINTENANCE	20.82
FIRE DEPARTMENT	WINDOM FARM SERVICE	MAINTENANCE	474.30
	Total for Department 125		1,622.05*
EMERGENCY MANAGEMENT	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	200.00
	Total for Department 130		200.00*
ANIMALS	COTTONWOOD-SLAYTON V	VETERINARY SERVICE	171.02
	Total for Department 135		171.02*
STREET	COTTONWOOD COUNTY LA	GARBAGE	40.00
STREET	DAN'S OFFICE SUPPLY	SUPPLIES	92.95
STREET	ENVIROSIDE	TESTING	600.00
STREET	FOX BROTHERS	MAINTENANCE	997.83
STREET	HOMETOWN SANITATION	HAUL GARBAGE	130.85
STREET	WINDOM AUTO VALU	MAINTENANCE	49.79
STREET	JIFFY-JR. PRODUCTS	SUPPLIES	145.38
STREET	LUCAN COMMUNITY TV I	MAINTENANCE	21.38
STREET	MCDONALD & SCHRAMEL	LEGAL FEES	52.50
STREET	MACQUEEN EQUIP. CO.	INCORRECT PAYMENT ON LAS	3,813.30
STREET	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
STREET	Verizon Wireless	TELEPHONE	86.48
STREET	MN ENERGY RESOURCES	HEATING	196.64
STREET	PITNEY BOWES	RENTAL CHARGES	7.44
STREET	PRAXAIR DISTRIBUTION	SERVICE	131.20
STREET	RUNNING'S SUPPLY	MAINTENANCE	146.47
STREET	SANFORD LABORATORIES	TESTING	35.54
STREET	SCHWALBACH HARDWARE	MAINTENANCE	271.94
STREET	WENCK ASSOCIATES, IN	SEAL COAT	520.90
STREET	COUNTRY PRIDE SERVIC	DISCOUNT FOR FUEL PER CO	-21.38
STREET	COUNTRY PRIDE SERVIC	MAINTENANCE	269.00
STREET	ZIEBKE LAND SURVEYIN	SERVICE	150.00
	Total for Department 140		7,744.71*
HEALTH & SANITATION	CITIZEN PUBLISHING C	ADVERTISING	601.20
	Total for Department 145		601.20*
RECREATION	CITIZEN PUBLISHING C	ADVERTISING	116.20
RECREATION	MN RECREATION & PARK	REGISTRATION	111.00
	Total for Department 150		227.20*
PARKS	COLE PAPER INC.	SUPPLIES	660.06
PARKS	DICKS WELDING	011654225	21.51
PARKS	GDF ENTERPRISES, INC	MAINTENANCE	26.16
PARKS	HOMETOWN SANITATION	HAUL GARBAGE	252.81
PARKS	WINDOM AUTO VALU	MAINTENANCE	2.23
PARKS	LAMPERTS YARDS, INC.	MAINTENANCE	174.90
PARKS	RUNNING'S SUPPLY	MAINTENANCE	186.33

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
PARKS	SCHWALBACH HARDWARE	MAINTENANCE	24.55
PARKS	COUNTRY PRIDE SERVIC	MAINTENANCE	2,275.63
	Total for Department 165		3,624.18*
	Total for Fund 01		20,312.44*
LIBRARY	BBC AUDIO	BOOKS	112.26
LIBRARY	GALE	BOOKS	348.04
LIBRARY	GUMDROP BOOKS	BOOKS	561.00
LIBRARY	INGRAM	BOOKS	938.70
LIBRARY	J & K WINDOWS	CLEANING	20.00
LIBRARY	MICROMARKETING	BOOKS & AUDIO	560.93
LIBRARY	PLUM CREEK LIBRARY	SUPPLIES	63.99
LIBRARY	RECORDED BOOKS, LLC	SUBSCRIPTION	257.40
LIBRARY	READERS SERVICE	BOOK	40.22
LIBRARY	SPORTS ILL FOR KIDS	SUBSCRIPTION	20.00
LIBRARY	WINDOM COMMUNITY EDU	AD	75.00
LIBRARY	MY HOME	SUBSCRIPTION	19.95
LIBRARY	TEEN VOGUE	SUBSCRIPTION	8.00
	Total for Department 171		3,025.49*
	Total for Fund 03		3,025.49*
AIRPORT	COOPER CROUSE - HIND	MAINTENANCE	575.00
AIRPORT	PITNEY BOWES	RENTAL CHARGES	7.44
AIRPORT	SCHWALBACH HARDWARE	MAINTENANCE	20.28
	Total for Department 174		602.72*
	Total for Fund 11		602.72*
POOL	HYDRO TECH SERVICE	MAINTENANCE	3,787.14
POOL	MN RECREATION & PARK	REGISTRATION	27.00
	Total for Department 175		3,814.14*
	Total for Fund 12		3,814.14*
AMBULANCE	BOUND TREE MEDICAL,	EQUIPMENT	189.29
AMBULANCE	CITIZEN PUBLISHING C	ADVERTISING	19.60
AMBULANCE	EMERGENCY MEDICAL PR	SUPPLIES	147.60
AMBULANCE	TIM HACKER	EXPENSE	53.00
AMBULANCE	HIGLEY FORD SALES	MAINTENANCE	651.04
AMBULANCE	KDOM RADIO	ADVERTISING	108.00
AMBULANCE	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
AMBULANCE	Verizon Wireless	TELEPHONE	89.93
AMBULANCE	MN EMERGENCY MED SER	FORMS	85.06
AMBULANCE	MN WEST COLLEGE - CA	REGISTRATION	150.00
AMBULANCE	PITNEY BOWES	RENTAL CHARGES	7.44
AMBULANCE	PRAXAIR DISTRIBUTION	SERVICE	401.10
AMBULANCE	SCHWALBACH HARDWARE	MAINTENANCE	7.47
AMBULANCE	WINDOM AREA HOSPITAL	SERVICE	4,608.88

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
		Total for Department 176	6,524.91*
		Total for Fund 13	6,524.91*
MULTI-PURPOSE BUILDI	CITIZEN PUBLISHING C	ADVERTISING	458.20
MULTI-PURPOSE BUILDI	SUNSHINE FOODS	SUPPLIES	12.25
MULTI-PURPOSE BUILDI	HOMETOWN SANITATION	HAUL GARBAGE	51.52
MULTI-PURPOSE BUILDI	KDOM RADIO	ADVERTISING	294.80
MULTI-PURPOSE BUILDI	Verizon Wireless	TELEPHONE	12.88
MULTI-PURPOSE BUILDI	PEPSIAMERICAS	MERCHANDISE	115.10
MULTI-PURPOSE BUILDI	SCHWALBACH HARDWARE	MAINTENANCE	74.12
MULTI-PURPOSE BUILDI	STONER INDUSTRIAL, I	SERVICE	84.22
MULTI-PURPOSE BUILDI	TOWN 'N COUNTRY	MAINTENANCE	70.00
MULTI-PURPOSE BUILDI	WERNER ELECTRIC	MAINTENANCE	201.88
		Total for Department 177	1,374.97*
		Total for Fund 14	1,374.97*
SCDP	SW MN HOUSING PARTNE	GRANT DRAW #6	25,601.00
		Total for Department 163	25,601.00*
		Total for Fund 17	25,601.00*
		WORTHINGTON GLASS IN DOOR REPLACEMENT	14,662.50
		Total for Department	14,662.50*
LIQUOR	ENVIROMASTER, INC.	SERVICE	79.08
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	3,389.10
LIQUOR	CULLIGAN	SERVICE	17.20
LIQUOR	GOPHER ALARMS	SERVICE	51.30
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	2,990.10
LIQUOR	A H HERMEL CANDY & T	MERCHANDISE	783.71
LIQUOR	HOMETOWN SANITATION	HAUL GARBAGE	48.06
LIQUOR	JOHNSON BROS.	MERCHANDISE	2,446.96
LIQUOR	PHILLIPS WINE & SPIR	MERCHANDISE	5,764.89
LIQUOR	PITNEY BOWES	RENTAL CHARGES	7.44
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	812.89
LIQUOR	HARLAND TECHNOLOGY S	MAINTENANCE	4.43
LIQUOR	S&K LINES	FREIGHT	723.85
LIQUOR	SCHWALBACH HARDWARE	MAINTENANCE	31.04
LIQUOR	THE AMERICAN BOTTLIN	MERCHANDISE	101.20
		Total for Department 180	17,251.25*
		Total for Fund 60	31,913.75*
	HD SUPPLY WATERWORKD	MAINTENANCE	208.31
		Total for Department	208.31*
WATER	AMERICAN PAYMENT CEN	SERVICE	16.50
WATER	AMUNDSON DIG	MAINTENANCE	75.00

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
WATER	BKC CONSTRUCTION INC	MAINTENANCE	2,693.75
WATER	HAWKINS, INC	CHEMICALS	3,033.54
WATER	WINDOM AUTO VALU	MAINTENANCE	144.27
WATER	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
WATER	MN VALLEY TESTING	TESTING	56.25
WATER	PITNEY BOWES	RENTAL CHARGES	7.46
WATER	RUNNING'S SUPPLY	MAINTENANCE	18.16
WATER	SANFORD LABORATORIES	TESTING	35.54
WATER	HARLAND TECHNOLOGY S	MAINTENANCE	2.21
WATER	SCHWALBACH HARDWARE	MAINTENANCE	40.93
	Total for Department 181		6,130.11*
	Total for Fund 61		6,338.42*
	B & B TRANSFORMER	INVENTORY	9,939.38
	BORDER STATES ELECTR	INVENTORY	304.72
	DAKOTA SUPPLY GROUP	MAINTENANCE	758.82
	DUECO, INC.	TRUCK	79,358.96
	RESCO	INVENTORY	1,799.78
	SCHWALBACH HARDWARE	MAINTENANCE	14.94
	SOLOMAN ELEC SUPPLY	MAINTENANCE	16,500.00
	WERNER ELECTRIC	MAINTENANCE	1,547.42
	WESCO DISTRIBUTION,	SUPPLIES	657.86
	STUART C IRBY CO	INVENTORY	29,708.22
	Total for Department		140,590.10*
ELECTRIC	AG BUILDER OF SOUTHE	MAINTENANCE	376.25
ELECTRIC	AMERICAN PAYMENT CEN	SERVICE	16.50
ELECTRIC	CENTRAL MINNESOTA MU	CIP SERVICES ASSESSMENT	5,112.00
ELECTRIC	CENTRAL MINNESOTA MU	MMTG TRANSMISSION / DUES	2,551.40
ELECTRIC	CITIZEN PUBLISHING C	ADVERTISING	161.96
ELECTRIC	CONDUX INTERNATIONAL	MAINTENANCE	402.52
ELECTRIC	COTTONWOOD COUNTY LA	GARBAGE	20.00
ELECTRIC	DAKOTA SUPPLY GROUP	MAINTENANCE	621.21
ELECTRIC	HOMETOWN SANITATION	HAUL GARBAGE	84.75
ELECTRIC	JERRY'S REPAIR	MAINTENANCE	75.00
ELECTRIC	KDOM RADIO	ADVERTISING	231.00
ELECTRIC	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
ELECTRIC	MISSOURI RIVER ENERG	INSPECTION	4,646.50
ELECTRIC	PITNEY BOWES	RENTAL CHARGES	7.46
ELECTRIC	RUNNING'S SUPPLY	MAINTENANCE	123.59
ELECTRIC	RUNNING'S SUPPLY	SHIPPING	99.80
ELECTRIC	HARLAND TECHNOLOGY S	MAINTENANCE	19.58
ELECTRIC	SCHWALBACH HARDWARE	MAINTENANCE	12.16
ELECTRIC	STONER INDUSTRIAL, I	SERVICE	68.20
ELECTRIC	UTILITIES PLUS ENERG	MAINTENANCE	268.00
ELECTRIC	WERNER ELECTRIC	MAINTENANCE	180.08
ELECTRIC	DEPARTMENT OF ENERGY	POWER COST	82,349.23
ELECTRIC	WINDOM AREA DEVELOPM	INDUSTRIAL DEVELOPMENT	1,200.00
ELECTRIC	WINDOM QUICK PRINT	SUPPLIES	264.73

CITY OF WINDOM
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ELECTRIC	BANK MIDWEST	NSF CHECK -	273.53
ELECTRIC	WORTHINGTON DAILY GL	ADVERTISING	154.60
ELECTRIC	ZIESKE LAND SURVEYIN	SERVICE	3,330.00
ELECTRIC	TRAFFIC CONTROL CORP	MAINTENANCE	324.90
ELECTRIC	ULINE	SUPPLIES	97.36
ELECTRIC	NEW ULM JUORNAL	AD	80.00
		Total for Department 182	103,158.81*
		Total for Fund 62	243,748.91*
SEWER	AMERICAN PAYMENT CEN	SERVICE	16.50
SEWER	DICKS WELDING	011654225	3.29
SEWER	MELVIN DUERKSEN	MAINTENANCE	1,413.66
SEWER	HAWKINS, INC	CHEMICALS	1,129.67
SEWER	HACH COMPANY	SUPPLIES	276.90
SEWER	HOMETOWN SANITATION	HAUL GARBAGE	85.04
SEWER	WINDOM AUTO VALU	MAINTENANCE	233.58
SEWER	JERRY'S REPAIR	MAINTENANCE	14.95
SEWER	JIFFY-JR. PRODUCTS	SUPPLIES	69.47
SEWER	LAMPERTS YARDS, INC.	MAINTENANCE	33.12
SEWER	MANKATO MOBIL RADIO	MAINTENANCE CONTRACT	6.50
SEWER	MN REVENUE	2009 ANNUAL PERMIT FEE	5,900.00
SEWER	MN VALLEY TESTING	TESTING	2,289.80
SEWER	MN ENERGY RESOURCES	HEATING	169.28
SEWER	PITNEY BOWES	RENTAL CHARGES	7.46
SEWER	PRITTS ELECTRIC MOTO	MAINTENANCE	152.56
SEWER	RUNNING'S SUPPLY	MAINTENANCE	46.34
SEWER	SANFORD LABORATORIES	TESTING	35.54
SEWER	HARLAND TECHNOLOGY S	MAINTENANCE	2.21
SEWER	SCHWALBACH HARDWARE	MAINTENANCE	244.98
SEWER	STAPLES OIL CO	FUEL	79.86
SEWER	SWANSON PROCESS SERV	MAINTENANCE	749.27
SEWER	FARM ASSOCIATES	MAINTENANCE	350.00
		Total for Department 183	13,309.98*
		Total for Fund 63	13,309.98*
ARENA	CITIZEN PUBLISHING C	ADVERTISING	108.94
ARENA	DICKS WELDING	011654225	477.78
ARENA	GCC ALLIANCE CONCRET	MAINTENANCE	907.46
ARENA	HOMETOWN SANITATION	HAUL GARBAGE	130.88
ARENA	WINDOM AUTO VALU	MAINTENANCE	15.36
ARENA	KDOM RADIO	ADVERTISING	74.00
ARENA	MESSER MACHINE & MFG	MAINTENANCE	25.76
ARENA	MN RECREATION & PARK	REGISTRATION	111.00
ARENA	PITNEY BOWES	RENTAL CHARGES	7.44
ARENA	RON'S ELECTRIC INC	MAINTENANCE	63.86
ARENA	HARLAND TECHNOLOGY S	MAINTENANCE	2.21
ARENA	SCHWALBACH HARDWARE	MAINTENANCE	236.58
ARENA	STONER INDUSTRIAL, I	SERVICE	9.55

CITY OF WINDOM
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ARENA	COUNTRY PRIDE SERVIC	MAINTENANCE	10.00
	Total for Department 184		2,180.82*
	Total for Fund 64		2,180.82*
ECONOMIC DEVELOPMENT	BRADLEY & DBIKE, P.A	PROFESSIONAL SERVICE	48.00
ECONOMIC DEVELOPMENT	CITIZEN PUBLISHING C	ADVERTISING	242.80
ECONOMIC DEVELOPMENT	DAN'S OFFICE SUPPLY	SUPPLIES	333.44
ECONOMIC DEVELOPMENT	PITNEY BOWES	RENTAL CHARGES	7.44
ECONOMIC DEVELOPMENT	HARLAND TECHNOLOGY S	MAINTENANCE	2.21
ECONOMIC DEVELOPMENT	CONSTRUCTION ENGINEE	SERVICE	1,750.00
	Total for Department 187		2,383.89*
	Total for Fund 67		2,383.89*
RIVERBLUFF ESTATES	MCDONALD & SCHRAMEL	LEGAL FEES	130.00
	Total for Department 166		130.00*
	Total for Fund 68		130.00*
TELECOMMUNICATIONS	ACTION BATTERY WHOLE	MAINTENANCE	1,705.81
TELECOMMUNICATIONS	AMERICAN PAYMENT CEN	SERVICE	49.50
TELECOMMUNICATIONS	BLACKBURN MFG. CO.	MAINTENANCE	150.52
TELECOMMUNICATIONS	BORDER STATES ELECTR	INVENTORY	124.51
TELECOMMUNICATIONS	DISH NETWORK	SERVICE	3,400.00
TELECOMMUNICATIONS	SUNSHINE FOODS	SUPPLIES	37.33
TELECOMMUNICATIONS	GRAYBAR ELECTRIC CO	MAINTENANCE	493.22
TELECOMMUNICATIONS	HOMETOWN SANITATION	HAUL GARBAGE	147.84
TELECOMMUNICATIONS	IMC NETWORKS CORP	MAINTENANCE	528.00
TELECOMMUNICATIONS	KDOM RADIO	ADVERTISING	92.00
TELECOMMUNICATIONS	MCDONALD & SCHRAMEL	LEGAL FEES	126.00
TELECOMMUNICATIONS	NATIONAL CABLE TV CO	MAINTENANCE	7,751.69
TELECOMMUNICATIONS	NEW STAR SALES & SER	COPIER MAINTENANCE	35.00
TELECOMMUNICATIONS	OLSEN THIELEN & CO.,	SERVICE	409.27
TELECOMMUNICATIONS	PITNEY BOWES	RENTAL CHARGES	22.38
TELECOMMUNICATIONS	RUNNING'S SUPPLY	MAINTENANCE	117.31
TELECOMMUNICATIONS	HARLAND TECHNOLOGY S	MAINTENANCE	29.25
TELECOMMUNICATIONS	SCHWALBACH HARDWARE	MAINTENANCE	68.88
TELECOMMUNICATIONS	SOUTHWEST/WEST CENTR	SERVICE	1,666.66
TELECOMMUNICATIONS	STONER INDUSTRIAL, I	SERVICE	38.26
	Total for Department 199		16,993.43*
	Total for Fund 69		16,993.43*
	Grand Total		378,254.87*

Denise Nichols

From: "Erin Flaherty" <enflaherty@flaherty-hood.com>
Sent: Friday, May 14, 2010 10:04 AM
Subject: Reminder: ACTION ALERT: Contact the Speaker and your House representative today

Good morning CGMC members,

We sent the action alert below late yesterday afternoon and are resending it this morning just as a reminder. We would like to thank those of you who have already contacted the Speaker and your House member. This contact with the legislature is critical as lawmakers craft their final budget deal. If you haven't contacted the Speaker and your House member yet, even just a short email stating your opposition to further city aid programs will go a long way.

Thank you for your efforts,

Erin Flaherty
 Communications Specialist

Flaherty & Hood, P.A.
 525 Park Street, Suite 470
 St. Paul, MN 55103
 Phone: 651-225-8840
 Direct: 651-259-1917
 Fax: 651-225-9088
enflaherty@flaherty-hood.com
www.flaherty-hood.com

From: Erin Flaherty
Sent: Thursday, May 13, 2010 4:07 PM
Subject: ACTION ALERT: Contact the Speaker and your House representative today

ACTION ALERT

Budget discussions are expected to continue through the evening as the legislature inches closer to a final plan. One concept being discussed amongst legislators is paying back last session's education shift (\$1.7 billion) by ratifying the governor's unallotments and making these cuts permanent. This would result in a significant loss of LGA that would reduce the base funding for years to come.

It is critical that you email Speaker of the House Margaret Anderson Kelliher and your House representative immediately, even if you only have time to send one or two sentences. Here are some talking points to consider:

- You strongly oppose further cuts to LGA and MVC. Cities have already taken a 29% reduction in state funding for 2010 and have played more than their fair share in helping the state solve its budget deficit.
- Deeper cuts in LGA will result in sharp property tax increases and dramatic cuts in essential services across the state. Give examples of the services in your city that are on the chopping block—including jobs that may be cut—and explain how property taxpayers will be affected.
- Because greater Minnesota receives 65% of the LGA program's funding, property taxpayers in rural Minnesota will be forced to play a disproportionate role in paying off the statewide education shift if LGA is cut to repay these funds.

Please contact the Speaker and your House representative by email:

Speaker Margaret Anderson Kelliher: rep.margaret.kelliher@house.mn
 House member email addresses can be found here: <http://www.house.leg.state.mn.us/members/hmem.asp>

If you are unable to contact these individuals this evening, we will send a reminder email tomorrow morning.

Thank you,

Erin Flaherty
Communications Specialist

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Governor's Budget Veto Means Continued Uncertainty for Cities

Governor continues to refuse new taxes and insist on more spending cuts to balance the budget.
(Published May 12, 2010)

After working all weekend on a solution to the state's budget deficit, the House and Senate on May 10 approved a controversial amended bill. As expected, Gov. Pawlenty issued his veto of the bill the next morning. As this point, it does not appear the Legislature will attempt a veto override.

The bill, **HF 2037** (Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF2037&ssn=0&y=2009), would have simultaneously balanced the remaining state budget deficit and addressed the uncertainty surrounding Gov. Pawlenty's unallotments. The uncertainty came as a result of the May 5 **Minnesota Supreme Court decision** (Link to: <http://www.lmc.org/page/1/unallot-ctdecision.jsp>) that overturned the governor's unallotment of a \$5 million nutrition program, but did not address the balance of his unallotments.

The vetoed bill would have essentially ratified the unallotments in the governor's 2009 \$2.7 billion budget-balancing plan, and it would have created a new fourth-tier income tax bracket to help erase the state's immediate and long-term projected deficits. The bill passed by narrow majorities—34 to 33 in the Senate and 71 to 63 in the House. Based on these vote tallies, a successful override of the veto appears unlikely.

Local government cuts in the bill

For cities, the bill included a legislative ratification of the 2009 and 2010 unallotment of city aid cuts, but did not impose additional cuts to city programs beyond the governor's original 2010 unallotment of \$128 million and the first supplemental budget cut of \$52.5 million. The legislative ratification of the unallotment cuts would have removed the cloud of uncertainty surrounding the unallotments due to the Supreme Court decision and would have presumably eliminated the potential for further litigation over the unallotments by other affected groups.

As unveiled on May 8 at the Senate **Finance Committee** (Link to: http://www.senate.leg.state.mn.us/committees/committee_bio.php?cmte_id=1007&ls=86) meeting, the bill addressed roughly \$1.8 billion of the needed \$2.8 billion in state budget adjustments. Although a ratification of the unallotment cuts to county program aid were included in the delete-all amendment to the bill, noticeably absent was any language addressing the city cuts. The League and other city representatives were concerned that the bill might be amended with even deeper cuts to cities, but after discussions with key legislators, it was clear that the plan would go no further than ratifying the 2009 and 2010 unallotment reductions.

The proposed tax increase

The controversial income tax revenue increase included in the bill was in part designed to address the uncertainty surrounding the congressional extension of a \$408 million federal funding increase for Minnesota's cost of Medicaid, but also intended to begin addressing the state's long-term budget imbalance. According to the spreadsheet released with the bill, the income tax increase would have generated \$434 million in revenue for the balance of the current fiscal year and roughly \$595 million for

the 2012-2013 biennium. The state is currently projected to have a \$5.8 billion deficit for the next biennium.

The bill also included several state tax cash flow adjustments requested by the governor that would have provided the state with accelerated property tax and sales tax receipts. Although these provisions did not provide additional resources to directly address the state deficit, the timing of the revenues would have helped the state avoid short-term borrowing to cover state spending requirements.

A few days to work it out

With the veto by the governor over the income tax increase, it is unclear how the Legislature will proceed. In addition to the possibility of a veto override, the Legislature would appear to have two additional options—repackage the bill to remove the income tax increase and replace it with roughly \$400 million in additional spending reductions, or replace it with \$400 million in accounting shifts and payment delays.

With less than a week remaining in the 2010 legislative session, action on the state deficit and ramifications of the Supreme Court decision on unallotment will have to occur quickly. The League will provide immediate updates on any important developments that impact cities.

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*)

Your LMC Resource

Contact Gary Carlson

IGR Director

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gcarlson@lmc.org (*Link to: <mailto:gcarlson@lmc.org>*)

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Conference Committee Finalizes Omnibus Pension Bill

The legislation intends to provide financial sustainability to public employee pension plans.

(Published May 12, 2010)

The conference committee on the omnibus pension bill completed its work on May 10, reconciling the differences between the original House and Senate versions of the bill. The conference committee report, which contains sustainability provisions for the Public Employees Retirement Association (PERA), will now be sent back to the House and Senate for final approval. At this time, it is not clear whether Gov. Pawlenty will sign the bill.

Officially, the conference committee report is **SF 2918** (*Link to:*

https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF2918&ssn=0&y=2010) (**Sen. Don Betzold** (*Link to:*

http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1006&ls=), DFL-Fridley). The House version is **HF 3281**

(*Link to:* https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF3281&ssn=0&y=0&ls=86) (**Rep. Mary**

Murphy (*Link to:* <http://www.house.leg.state.mn.us/members/members.asp?id=10444>), DFL-Hermantown).

The conference committee report includes the pension sustainability provisions not only for the PERA General Plan and the PERA Police and Fire (P&F) Plan, but also for the Teachers Retirement Association (TRA) and the Minnesota State Retirement System (MSRS). The sustainability provisions for all three plans are based on recommendations from their respective boards of directors.

PERA provisions

The conference committee report attempts to ensure stability of benefits for retirees and active employees through a series of shared sacrifices that will impact employers, employees, and retirees. The PERA sustainability provisions include a contribution increase for employees in the General Plan of 0.25 percent from the employer and 0.25 percent from the employee effective on Jan. 1, 2011, and a reduction in the annual pension benefit adjustment to General Plan retirees to 1 percent from the current 2.5 percent.

For the PERA P&F Plan, the conference committee report includes a contribution increase of 0.3 percent from the employer and 0.2 percent from the employee effective on Jan. 1, 2011, while the annual pension benefit adjustment is limited to 1 percent for two years and then is adjusted according to the consumer price index, with a limit of no more than 1.5 percent per year.

The conference committee report also increases the pension vesting requirement in the PERA General Plan to five years from three years, while the vesting requirement in the P&F plan would be increased to 10 years from three years in a phased-in schedule. Other changes in the PERA recommendations would decrease interest paid to certain employees who leave public service and either withdraw contributions or leave funds in the pension system.

Consolidation with MERF

The conference committee report includes a set of changes to consolidate the administration of the

Minneapolis Employees Retirement Fund (MERF) with the PERA General Plan. The administrative consolidation will not impact the funding of the PERA General Plan, and the financial obligations of the MERF plan would be covered largely through increased contributions from Minneapolis, other employers with MERF participants, and the state. The report includes an annual state contribution increase of \$13.75 million for fiscal year (FY) 2012 and FY 2013, which would increase to \$15 million beginning in FY 2014.

The state contribution to MERF would be fixed and any additional needed future contribution increase would be borne by the employers. The MERF system, which has been closed to new employees since July 1, 1978, actually includes employees of the City of Minneapolis, the Minneapolis School District, Hennepin County, the Metropolitan Council, the Metropolitan Airports Commission, and the Minnesota State Colleges and Universities system.

Feasibility study for defined contribution system

Prior to the conference committee, **Rep. Mary Kiffmeyer** (*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=15302>*) (R-Big Lake) successfully offered an amendment that would require the pension fund administrators to study the feasibility of moving to a defined contribution system for all new hires in the three major state plans. The study became a point of contention during the conference committee. Representatives from the American Federation of State, County and Municipal Employees testified in opposition to the study, stating that the current defined-benefit system is a contract with employees and should remain a feature of public employment.

After more than an hour of discussion, a modified version of the defined contribution study language was included in the conference committee report at the recommendation of **Rep. Steve Smith** (*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=10624>*) (R-Mound), who indicated that the study was supported by many House Republicans, and it could address concerns about the need for more reform in the state's pension systems.

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*)

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Eminent Domain Changes Signed into Law

The League successfully worked with authors to prevent impacts on municipal public service corporations.

(Published May 12, 2010)

A bill to clarify the eminent domain authority of public service corporations has been signed into law. Gov. Pawlenty signed **Chapter 288** ([Link to: https://www.revisor.mn.gov/laws/?id=288&doctype=Chapter&year=2010&type=0](https://www.revisor.mn.gov/laws/?id=288&doctype=Chapter&year=2010&type=0)) (**Rep. David Bly** ([Link to: http://www.house.leg.state.mn.us/members/members.asp?id=15260](http://www.house.leg.state.mn.us/members/members.asp?id=15260)), DFL-Northfield/**Sen. Kevin Dahle** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1160&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1160&ls=)), DFL-Northfield) on April 30, and it went into effect on May 1.

The final law, amended by the authors to address concerns raised by the League, says that high-voltage transmission lines and ancillary substations and petroleum or natural gas pipelines and their ancillary compressor or pumping stations must use the 2006 version of property assessment and acquisition to use eminent domain to gain easements. The new requirements would no longer apply to municipal water, sewer, wastewater, and stormwater utilities, municipal airports, watershed districts, drainage authorities, cable and other telecommunication utilities, and distribution level electric and gas infrastructure.

The Public Utilities Commission must also consider using existing high-voltage routes on routes parallel to existing highway rights of way and must explain why such options were not chosen if they are not used.

Background

When state statutes related to eminent domain were changed in 2006, an intentional exemption to some of those far more restrictive requirements was allowed for public service corporations, which includes any municipal utilities, as well as all manner of electric and gas companies. The exemptions were left because the projects undertaken by public service corporations were determined to have projects so clearly tied to "public purpose" that their continued access to a thorough, but streamlined eminent domain proceeding was appropriate.

The original versions of HF 1182/SF 1112 proposed to completely remove those exemptions, which could dramatically increase costs for all easements needed by municipal utilities. In many cases, the extension of city utilities affected are required for public health or environmental purposes and may even be mandated by state or federal law and are clearly being done for public purpose. The League and the Minnesota Municipal Utility Association asked that any changes made to existing law be targeted at the high-voltage transmission lines and pipelines that are causing controversy, rather than completely removing the entire public service corporation exemption.

In 2009, in response to controversy related to a high voltage power line siting, *Minnesota Statutes, section 117.189* ([Link to: https://www.revisor.mn.gov/statutes/?id=117.189](https://www.revisor.mn.gov/statutes/?id=117.189)) was amended to increase the limit of reimbursement to a property owner for assessment to \$1,500. If high-voltage transmission lines are involved, the limit is raised to \$3,000. Other exemptions to the new more restrictive eminent domain

procedure for public service corporations were left intact.

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>*)

Your LMC Resource

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Tax Bills Head into Conference Committee

Policy-oriented bills could become the vehicle for an end-of-session
(Published May 12, 2010)

On May 10, the House and Senate finally appointed members of the conference committee to negotiate omnibus tax bills—**HF 3729** (*Link to: https://www.revisor.mn.gov/revisor/pages/search_statistics?b=House&f=HF3729&ssn=0&y=2009*) (**Rep. Ann Lenczewski** (*Link to: <http://www.house.mn.gov/members/members.asp?id=1003>*), DFL-Bloomington)/**SF 3327** (*Link to: https://www.revisor.mn.gov/revisor/pages/search_statistics?b=Senate&f=SF3327&ssn=0&y=0&ls=86*) (**Sen. Tom Bakk** (*Link to: http://www.senate.leg.state.mn.us/members/mem_id=1003&ls=*), DFL-Cook).

The House members are:

- Rep. Lenczewski, chair of the House Taxes Committee
- **Rep. Paul Marquart** (*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=1003>*), chair of the House Property and Local Sales Tax Division
- **Rep. Lyle Koenen** (*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=1003>*)
- **Rep. Diane Loeffler** (*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=1003>*)
- **Rep. Dean Urdahl** (*Link to: <http://www.house.leg.state.mn.us/members/members.asp?id=1003>*)

The Senate members are:

- Sen. Bakk, chair of the Senate Taxes Committee

- **Sen. Rod Skoe** (*Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_* chair of the Senate Property Tax Division)
- **Sen. Mee Moua** (*Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?men*)
- **Sen. Ann Rest** (*Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_*)
- **Sen. David Senjem** (*Link to: http://www.senate.leg.state.mn.us/members/member_bio.php* Senate Minority Leader).

The committee was scheduled to begin their work on May 11.

The majority of the omnibus tax committee appointees have served on other tax committees. The notable exception is Rep. Urdahl, who does not currently serve on the Property and Local Sales Tax Division. Urdahl did not appear on the list of criteria for appointment to the conference committee.

While neither tax bill currently contains overly controversial policies, the Senate bill does include several local spending reductions, the House has not supported and, as a result, the work of this conference committee is delayed until the weekend of May 15. House and Senate leaders have stated that they will complete their work by midnight on May 12. However, League staff confirmed that the tax conference committee—which is traditionally one of the last committees to complete its work.

- **Read about the city-related provisions in the House version** (*Link to: <http://www.lmc.org/page/1/houseomnibustax.jsp>*)
- **Read about the city-related provisions in the Senate version** (*Link to: <http://www.lmc.org/page/1/senateomnibustax.jsp>*)

Read the current issue of the Cities Bulletin (*Link to: <http://www.lmc.org/page/1/citiesbulletin.jsp>*)

Your LMC Resource

Contact Jennifer O'Rourke

IGR Representative

(651) 281-1261 or (800) 925-1122

jorourke@lmc.org *(Link to: <mailto:jorourke@lmc.org>)*

Contact Gary Carlson

IGR Director

(651) 281-1255 or (800) 925-1122

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First Collaboration Bill on Its Way to the Governor

Multiple efforts affecting cities are still in play at the Capitol and could provide several venues for streamlining, collaboration, and redesign discussions.

(Published May 12, 2010)

The conference committee report on **SF 2511** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF2511&ssn=0&y=2010](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF2511&ssn=0&y=2010)) (**Sen. Ann Rest** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1051&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1051&ls=)), DFL-New Hope) is on its way to Gov. Pawlenty and is expected to receive his signature soon.

Commonly referred to as the Swails-McFarland bill (**HF 2840** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF2840&ssn=0&y=0&ls=86](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF2840&ssn=0&y=0&ls=86))), the legislation creates the Collaborative Governance Council. The League and other major statewide groups will be responsible for appointment of a representative to the council, which will start its work before the end of July. The council has a list of duties, including reviewing the statutes for obstacles to collaboration, increasing the use of technology and collaboration, and coming up with model forms for joint powers agreements. Interestingly, legislative representation was removed from the bill in order to keep the cost of the council to a bare minimum.

Other collaboration bills also still alive

Similar bills are tracking still in the Legislature. On May 10 in the House **Finance Committee** ([Link to: http://www.house.leg.state.mn.us/comm/committee.asp?comm=86106](http://www.house.leg.state.mn.us/comm/committee.asp?comm=86106)), the meat of **HF 2227** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF2227&ssn=0&y=2009](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=House&f=HF2227&ssn=0&y=2009)) (**Rep. Paul Marquart** ([Link to: http://www.house.leg.state.mn.us/members/members.asp?id=10401](http://www.house.leg.state.mn.us/members/members.asp?id=10401)), DFL-Dilworth) which resurrects the Minnesota Innovation and Research Council, was added to **SF 3134** ([Link to: https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF3134&ssn=0&y=2010](https://www.revisor.mn.gov/revisor/pages/search_status/status_detail.php?b=Senate&f=SF3134&ssn=0&y=2010)) (**Sen. Don Betzold** ([Link to: http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1006&ls=](http://www.senate.leg.state.mn.us/members/member_bio.php?mem_id=1006&ls=)), DFL-Fridley). SF 3134 is the omnibus state departments bill. Much of HF 2227 comes from the Redesign Caucus work that Rep. Marquart headed up this spring.

Additionally, Rep. Marquart has added amendments to both his omnibus tax bill and the education bill that direct working groups to add accountability measures and possible sharing of services among cities and school districts.

Read the current issue of the Cities Bulletin ([Link to: http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp](http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp))

Your LMC Resource

Contact Jennifer O'Rourke
IGR Representative



Emerald Ash Borer Community Preparedness Workshops

The Minnesota Department of Agriculture, Minnesota Department of Natural Resources, and the University of Minnesota are hosting workshops throughout the state in June to help Minnesota's communities prepare for the invasion of emerald ash borer (EAB). EAB is a devastating wood-boring tree pest that has already killed millions of trees in the United States.

The goal of the workshops is to provide community leaders (administrators, clerks, planners, foresters, or anyone else responsible for planning and preparing for EAB) with the information and resources they will need to prepare EAB community preparedness and response plans. Participants will learn about:

- Guidelines for managing EAB.
- Tools to help calculate the costs of EAB in a community.
- Guidelines and tools for tree inventories and tree replacement.
- Quarantine information.
- Wood utilization ideas and management.
- Outreach materials that are available for use.

The workshop schedule is as follows:

- June 3—Inver Grove Heights, Thief River Falls, Rochester
- June 8—Duluth, Marshall
- June 9—St. Cloud, International Falls, Grand Rapids
- June 14—Fergus Falls, North Mankato, Grand Marais

The workshops are free of charge, but space is limited, so please register early. Pre-registration will be accepted until May 27 or until workshop capacity has been reached, whichever comes first.

Support for these workshops is provided from the Outdoor Heritage Fund, a part of the Clean Water, Land and Legacy Amendment, as appropriated in Minnesota Laws 2009, chapter 172.

Learn more and register on the Department of Agriculture website *(Link to:*

<http://www.mda.state.mn.us/en/grants/grants/fprappropriation/eabworkshops.aspx>)

Read the current issue of the Cities Bulletin *(Link to: <http://www.lmc.org/page/1/cities-bulletin-newsletter.jsp>)*

For More Information

Contact the Minnesota Department of Agriculture
(651) 201-6245 or (888) 545-6684

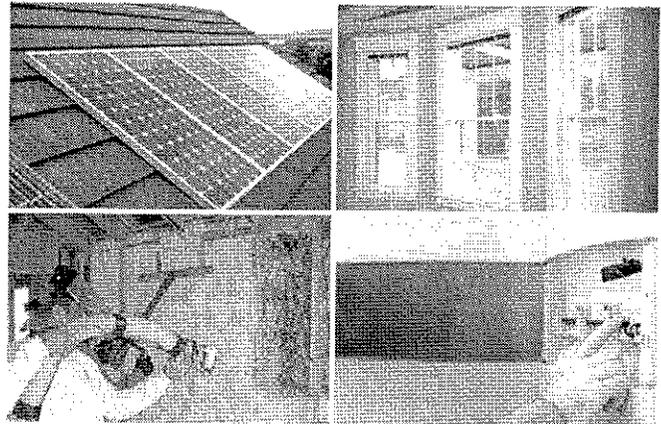
LEGISLATIVE NEWS

PACE loan program equips cities with tools to finance clean energy improvements

A jobs bill (H.F. 2695) recently enacted by the Minnesota legislature and signed by the governor offers cities and other local governments a unique opportunity to help citizens make their homes and businesses more energy efficient, and at the same time, encourage small scale renewable energy. Under the bill, local governments can establish programs to finance certain energy improvements to qualifying residents to pay for energy improvements to their property. A city or other local government unit may now issue revenue bonds to pay for loans to owners of residential, commercial, or industrial buildings that can benefit from installing energy improvements. The energy improvement can consist of renovating or retrofitting a building to improve energy efficiency, installing electric circuitry, or installing a renewable energy system. To qualify, an energy audit or renewable energy system feasibility study must be conducted and must demonstrate that the property could benefit from installing

energy improvements. The loans are secured with liens against the property and collect repayments as a special assessment against the property.

This type of program, sometimes referred to as a "PACE" (Property Assessed Clean Energy) program, is gaining in national popularity. Improving energy efficiency and the use of renewable energy are seen as central to battling climate change. A PACE program allows cities to take a concrete step toward battling climate change concern as well as strengthening the local economy through retrofitting and installations. A PACE pro-



Above: Home and business owners installing renewable energy systems or pursuing energy efficiency renovations could benefit from PACE program loans.

gram offers advantages to homeowners as well, including a loan that transfers when the property is sold, which allows investment in improvements that pay back over a longer time frame. The interest payment is also tax deductible, although the principal payment is not.

For more information, contact Elizabeth Wefel at ewefel@flaherty-hood.com.

Persistence, creativity pay off in jobs bill for CGMC land use provision



Included in the jobs bill with the PACE program is an item proposed last year by the Coalition of Greater Minnesota Cities (CGMC), a Flaherty & Hood client, in a bill intended to improve land use and planning (H.F. 1035/S.F. 913).

In examining the challenges related to encouraging redevelopment inside cities, Flaherty & Hood senior policy analyst **Steve Peterson** and attorney/lobbyist **Bradley Peterson** hatched an idea for a new type of Tax Increment Financing

(TIF) district known as a compact development district. The compact development district allows cities to create a 25-year district so long as 70 percent of the proposed district is currently occupied by buildings and that the new structure is at least three times the square footage of the existing building. Increments from the district can be used for land acquisition, site preparation costs such as demolition and removal of existing structures, and installation of infrastructure to serve the district excluding the costs of roads, parking facilities, or other amenities designed to serve private passenger motor vehicles.

When originally introduced in 2009, this provision found its way into the Senate omnibus tax bill, but was met with a cool reception from House conferees. With the jobs crisis growing this year and the need for creative solutions, this provision was re-introduced in 2010 in the original versions of both the House and Senate jobs bills. For cities, the biggest obstacle to taking advantage of this opportunity will be planning projects and authorizing TIF districts before the provision expires on June 30, 2012.

For more information, contact Bradley Peterson at bmpeterson@flaherty-hood.com.

In difficult bonding bill year, Flaherty & Hood successfully advances client projects



Greater Minnesota Business Development Public Infrastructure Grant. On behalf of the Coalition of Greater Minnesota Cities (CGMC), attorney/lobbyist **J.D. Burton** secured \$8.5 million for the Greater Minnesota Business Development Public Infrastructure grant program, an economic development tool that helps outstate cities attract and retain local jobs by providing up to 50 percent of needed capital improvement costs. Burton's efforts also helped protect the grant from an expansion to the metro area, which would have weakened the program's impact.

For more information, contact J.D. Burton at jdburton@flaherty-hood.com.

Red River Flood Recovery. In addition to lobbying for CGMC, **J.D. Burton** helped secure nearly \$22 million in bonding funds to help address infrastructure challenges related to on-going flood recovery in Moorhead and the Red River Valley.

For more information, contact J.D. Burton at jdburton@flaherty-hood.com.



Civic Centers. Working closely with Mankato area legislators, the City of Mankato, and the local chamber of commerce, Greater Mankato Growth, Inc., attorney/lobbyist **Elizabeth Wefel** helped secure \$12 million for improvements and upgrades to the Mankato Civic Center. Likewise, attorney/lobbyist **Bradley Peterson** worked closely with the City of Rochester and its leg-

islative delegation to secure \$28 million for a major overhaul of the Mayo Civic Center in Rochester. This expansion would have significantly expanded the facility and positioned it to bring in high tech, bio-medical, and health related conferences from across the nation. In addition to traditional lobbying, Flaherty & Hood also helped the city develop a website to promote its efforts. Unfortunately both civic center projects—along with a similar project in St. Cloud and several other local government-sponsored projects—fell victim to the governor's veto pen.

For more information, contact Elizabeth Wefel at ewefel@flaherty-hood.com or Bradley Peterson at bmpeterson@flaherty-hood.com.

Parks and Trails. Along with advancing the city's civic center project, **Bradley Peterson** also assisted the City of Rochester in securing \$1 million for land acquisition for trail development to connect the city's trail system with the state Douglas Trail. This funding was not vetoed and will be heading Rochester's way to improve transportation and trail connectivity in the region.

For more information, contact Bradley Peterson at bmpeterson@flaherty-hood.com.

MN Senate to President Obama: Federal government must act on Highway 14 funding

As part of the U.S. Highway 14 Partnership's efforts to fund the highway's four-lane expansion between Rochester and Mankato, attorney/lobbyist **J.D. Burton** helped secure a letter written by the state Senate transportation committee to President Obama. The letter voices support for a federal surface

transportation bill to provide resources for the southern Minnesota project. The committee's letter reflects the legislature's concern that Highway 14 remains an unfinished and deadly highway. Calling Highway 14 "an important safety project," the committee urged President Obama to support increased federal funding for transportation projects, particularly through the passage of a surface transportation bill.

The committee's letter is notable both in its rarity (the committee as a body normally does not send letters to the president in support of an individual state project), and in the fact that only one of the signatories—Sen. Mike Parry (R-Owatonna)—is a Highway 14 legislator. The genesis of the letter came from a Senate transportation committee meeting, at which members considered S.F. 2794/Sheran, a bill to complete the Highway 14 expansion project. During that discussion, several members expressed their concern that Highway 14 is taking too long to complete and should be a high priority for the state.

For more information, contact J.D. Burton at jdburton@flaherty-hood.com.

CGMC Labor & Employee Relations Seminars

Sign up today for CGMC's annual seminars that explore labor and employee relations management strategies.

- New Ulm: May 27, 9:30 a.m. to 4:00 p.m.
- Park Rapids: June 10, 9:30 a.m. to 4:00 p.m.
- Non-CGMC members welcome!

Visit www.greatermncities.org for more information!

LEGAL NEWS

Labor and employee relations seminars to address cost-saving measures



With cities examining their budgets line-by-line for efficiencies, the Coalition of Greater Minnesota Cities' (CGMC) Labor and Employee Relations Committee will hold seminars May 27 in New Ulm and June 10 in Park Rapids to discuss practical solutions for reducing labor- and employee-related costs. Flaherty & Hood attorneys **Chris Hood**, **Brandon Fitzsimmons**, **Robert Scott**, and **Tim Flaherty** will



participate as speakers. Seminar topics include using seasonal, temporary, and other non-regular employees; contracting services; evaluating

employee performance; handling personnel data; dealing with employees and unions in tough times; and discussing new legislation that impacts local governments. City officials who are not CGMC members are welcome to attend the seminars. Registration materials are available at www.greatermncities.org.

For more information, contact Chris Hood at cmhood@flaherty-hood.com.

Health care reform to impact employers

The recently enacted federal health care reform laws will have monetary, labor negotia-

tion, and legal impacts on employers. Though many of the provisions in the Patient Protection and Affordable Care Act (Pub. L. No. 111-148), as amended by the Health Care and Education Reconciliation Act of 2010 (Pub. L. No. 111-152), will take effect in 2014 or later, some provisions will become effective in 2010 and 2011. As such, employers will need to prepare now to handle the laws' impacts.

For more information, contact Brandon Fitzsimmons at bmfitzsimmons@flaherty-hood.com.

MEDIA NEWS

Website redesign boosts MESERB's online presence



This February, Flaherty & Hood guided the Minnesota Environmental Science and Economic Review Board (MESERB) through the launch of its improved website. Created with technical expertise from communications specialist **Erin Flaherty** and content support from senior attorney **Steve**

Nyhus, MESERB's general counsel, the new website provides comprehensive information about the organization's services and history, links to governmental agencies and non-governmental organizations, a members-only section, and an interactive events calendar and news feed. Visit the new site at www.meserb.org.

For more information contact Erin Flaherty at enflaherty@flaherty-hood.com or Steve Nyhus at swnyhus@flaherty-hood.com.

STATE NEWS

Education and certification

Shareholder/Attorney **Chris Hood** attended the Minnesota Association of City Attorneys Education Conference in February. The conference is widely attended by city attorneys throughout the state and provides educational opportunities on a variety of subjects impacting cities including appropriate uses of conditional and interim use permits, development of joint powers and subdivision agreements, and development of social media policies impacting public employees and elected officials' use of blogs, Facebook, Twitter, and other social media.

Contact Chris at cmhood@flaherty-hood.com.

Senior attorney **Brandon Fitzsimmons** attended the Public Sector Labor and Employment Law 2010 CLE in February. This Minnesota-specific CLE examined topics such as the legal, arbitral, and practical ramifications of personnel budget-cutting measures, social media in the workplace, and the Veterans Preference Act.

Contact Brandon at bmfitzsimmons@flaherty-hood.com.

Senior attorney **Steve Nyhus** presented a session at "Water Quality Laws and Regulations," a seminar sponsored by Half Moon Seminars, LLC in Eagan on April 8. He also presented a session at the 6th Annual Environmental Institute, sponsored by Minnesota CLE, on April 22. Both of Steve's sessions provided an overview of key concepts and jurisdictional issues in the Clean Water Act, pitfalls in municipal and industrial National Pollutant Discharge Elimination System (NPDES) permitting, and the impact of impaired waters and Total Maximum Daily Loads.

Contact Steve at swnyhus@flaherty-hood.com.

Appointments, awards, and accolades

Senior attorney **Steve Nyhus** serves on the advisory board of the Penny Program, named for former congressman Tim Penny and his late wife Barbara, which provides fellowships and scholarships to students in the Minnesota State Colleges and Universities pursuing public or community service internships. During the current semester, Steve has served as a mentor to a St. Cloud State University student who received a \$2,500 Penny fellowship and is currently interning with Sen. Mee Moua (DFL-St. Paul).

Contact Steve at swnyhus@flaherty-hood.com.

FIRM INFO

Attorneys and Staff

- Timothy P. Flaherty..... Shareholder
- Christopher M. Hood..... Shareholder
- Steven W. Nyhus..... Sr. Attorney
- Brandon M. Fitzsimmons..... Sr. Attorney
- Robert T. Scott..... Sr. Attorney
- Joseph K. Sullivan..... Sr. Attorney
- Bradley M. Peterson..... Sr. Attorney
- Elizabeth A. Wefel..... Sr. Attorney
- J.D. Burton..... Assoc. Attorney
- Steve M. Peterson..... Sr. Policy Analyst
- Nancy A. Larson..... Sr. Legislative Associate
- Glen D. Fladeboe..... Sr. Media Advisor
- Erin N. Flaherty..... Communications Specialist
- Colleen F. Millard..... Office Administrator
- Bonnie M. Oaks..... Legal Secretary

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Visit Flaherty & Hood online at
www.flaherty-hood.com

NEWS YOU CAN USE

Click the red links to learn more about recent case decisions of interest.

In an unpublished opinion, the Minnesota Court of Appeals struck down a City of St. Paul resolution ordering demolition of a building, finding the resolution arbitrary and capricious because the City had not conducted a follow-up inspection to ensure its earlier "nuisance" determination was still valid. Further, the Court opined that the City Council had not properly considered a packet of information presented by the property owner at the city council hearing, the only evidence of which was

a videotape of the hearing. *Vue v. City of St. Paul*, A09-531 (Minn. Ct. App. April 13, 2010) (unpublished opinion).

The Minnesota Supreme Court held that two Minnesota statutes designed to protect the Lower St. Croix River did not, either expressly or by implication, give the Minnesota Department of Natural Resources the authority to overrule a city's decision granting a zoning variance for construction of a 10,000 square foot residence near a bluff area. *In the Matter of the Denial of Certification of the Variance Granted to Robert W. Hubbard by the City of Lakeland*, A07-1932 & A07-2006 (Minn. February 11, 2010).



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Uncertainty is the only certainty

As the Legislature enters the final 10 days of the 2010 legislative session, the only thing certain about the upcoming week is that days will be long and schedules will be unpredictable. With work on major omnibus bills such as taxes, education, health and human services, and pensions still unfinished, it appears the Capitol will be a busy place well into Friday evening and possibly through the weekend.

Matters have been further complicated by the state Supreme Court's decision to uphold the lower court's ruling on the governor's use of unallotment, and the subsequent executive order from Governor Pawlenty directing emergency cash management planning by state agencies.

Expect negotiations between legislative leaders and the governor to intensify in the coming days as pressure to meet the Constitutional May 17 deadline builds. The League will make every effort to keep members informed of developments through listserv messages and next week's *Cities Bulletin*. Intergovernmental relations staff will also monitor e-mail and voice mail over the weekend and will be glad to respond to any member inquiries about the status of pending legislation.

Questions? Contact Anne Finn at 651-281-1263 or afinn@lmc.org.

Governor issues executive order on emergency cash management

On Friday, Governor Pawlenty signed an emergency executive order 10-7 directing the Commissioner of Management and Budget to

develop an emergency cash management plan that will prioritize core government services in light of the state's budget and cash flow problems. The order was released in the wake of the Supreme Court decision that overturned his 2009 budget-balancing unallotment plan and, according to the governor, it is a precautionary financial planning exercise.

The emergency executive order directs the commissioner to immediately prepare and review the state's operational plans for the "identification of core government functions which would be funded on a funds-available basis should the current fiscal crisis result in appropriated and allotted spending obligations continuing to exceed funding available in the State general fund."

The resolution offers a number of rationales for the emergency cash management order including a finding that "individuals and organizations seeking the restoration of government funding affected by the 2009 unallotment actions have threatened to seek litigation for a restoration of the unallotted funds in light of the Supreme Court's ruling in *Brayton v. Pawlenty*." (E.g., Common Cause and the League of Women Voters have asked the governor to "voluntarily" restore the Political Campaign Refund unallotments).

The resolution concludes that potential restoration of the previously-reduced allotments would result in payment obligations for the current fiscal biennium greatly in excess of the State of Minnesota's ability to pay for them, and would place the State of Minnesota in a position of "facing an imminent and severe cash flow crisis."



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The effect of the emergency executive order on city programs, including local government aid (LGA) and market value homestead credit (MVHC) is not entirely clear. Those programs are standing state appropriations and therefore might not be subject to a “core functions” appropriations analysis. In any case, the League will be analyzing the emergency executive order, including the determination of “core governmental functions” for the potential impact on city appropriations.

Questions? Contact Gary Carlson at 651-281-1255 or gcarlson@lmc.org.

Unallotment decision raises more state budget concerns

In the wake of the Wednesday release of the Minnesota Supreme Court decision that reversed the governor’s 2009 use of unallotment to balance the state budget, the governor and legislators are now scrambling to address the remaining immediate deficit of roughly \$536 million and the potential for additional financial upheaval that could result from additional legal challenges to the unallotments.

Last July, the governor announced a package of \$2.7 billion in cuts and shifts of state expenditures. Roughly \$2.5 billion of that package of budget changes were accomplished through the governor’s unallotment authority. The majority of the unallotment, or roughly \$1.8 billion, was achieved by shifting K-12 school aids, credits and the recognition of school property tax levies.

In the 4-3 decision, the Minnesota Supreme Court ruled against Governor Pawlenty in the *Brayton et al. v. Tim Pawlenty et al*

unallotment lawsuit. The Court found that the governor exceeded his budget unallotment authority last summer when he made cuts to the Minnesota Supplemental Aid Special Diet program.

While the Supreme Court decision only directly affects the cuts to special dietary program, the conclusion of the court appears to create political and legal uncertainty about the validity of the remainder of last summer’s unallotment decision—including the \$192 million of local government aid (LGA) and market value homestead credit (MVHC) cuts effectuated last July and January for the 2009 and 2010 aid and credit distributions to cities.

The governor and legislative leaders met twice on Thursday to begin discussions about how to resolve the uncertainty created by the Supreme Court decision as well as the challenge of resolving the remainder of the underlying projected budget deficit. The governor has called on legislators to legislatively ratify the unallotments in order to remove the uncertainty created by the Supreme Court decision. In early March, legislation was introduced by Rep. Pat Garofalo (R-Farmington) and Sen. David Hann (R-Eden Prairie) to ratify those unallotments, HF 3278/SF 3085. Legislative ratification would eliminate uncertainty of additional litigation that could force the state to repay unallotted funds.

Late Thursday, there were rumors circulating that legislators might try to compile a package that would include a ratification of the unallotment reductions with additional measures to address the remaining immediate \$536 million deficit. We expect negotiations to continue throughout the weekend.



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Before the Supreme Court decision, the League Board declined to initiate direct legal action challenging the LGA and MVHC cuts but did direct the League to participate in the Brayton case by filing a joint amicus curiae brief with the cities of Minneapolis and St. Paul, the Coalition of Greater Minnesota Cities, Metro Cities, and the Minnesota Association of Small Cities. The Board's decision was based in part on the fact that the state is experiencing a severe budget deficit and that a successful legal challenge would not guarantee that funds would be available to restore LGA and MVHC cuts nor would a successful challenge compel the state to raise revenues to cover the restored cuts.

In light of the Supreme Court decision, cities and other entities affected by the unallotments could probably successfully argue to have past cuts restored and proposed future cuts not implemented. However, the underlying state budget deficit continues to exist and even if such a suit were successful, it would only create a larger deficit for the governor and Legislature to resolve—creating additional uncertainty as to whether cities would do any better under some alternative budget balancing plan.

League staff will continue to monitor discussions on this subject over the coming days and there will be discussions with the League Board of Directors about the implications of the ruling for cities.

Questions? Contact Gary Carlson at 651-281-1255 or gcarlson@lmc.org.

Metro water fees removed from House bill

A proposal by Rep. Jean Wagenius (DFL-Minneapolis) to have the Department of Natural Resources (DNR) develop an automated and integrated groundwater mapping and monitoring system in the 11-county metropolitan area has moved forward as part of a House environmental funding package, but without increasing water appropriation fees on permitted groundwater users.

The initial legislation provided \$5 million of state clean water legacy funds and \$4.2 million in new groundwater fees (a new annual fee of \$8 per million gallons on groundwater appropriations by cities, industry, and agricultural businesses collected for four years) in the metro area.

The fees in the proposed legislation were reduced to \$6 per million gallons in 2015 at the request of the League, as the system would require only \$800,000 per year in ongoing funding to maintain the wells and equipment and continue to manage and process the data. The fees would go into a new dedicated DNR account for use only for approved groundwater programs within that agency. Cities have long requested such an account. Current groundwater fees go to the state general fund.

The Senate acted earlier this session to approve starting this project, but chose to use only the clean water fund. The House bill has now been amended to do the same thing, allocating \$5 million of state funding. The fee is no longer proposed in either the House or Senate versions of the legislation. The House bill, HF 3790, includes the project in Article 2, section 3. The



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Senate version can be found in Article 2, section 4 of [SF 3275](#).

A copy of the DNR report laying out the monitoring plan and its rationale can be found at the following site: [DNR report \(pdf\)](#)

Please watch LMC publications for future updates on environmental budget discussions.

Questions? Contact Craig Johnson at 651-281-1259 or cjohnson@lmc.org.

First collaboration bill on its way to the governor

The conference committee report on [SF 2511](#) ([Sen. Ann Rest](#), DFL-New Hope) is on its way to Governor Pawlenty and is expected to receive his signature. Commonly referred to as the Swails-McFarland bill ([HF 2840](#)), the legislation creates the Collaborative Governance Council. The League and other major statewide groups are responsible for appointment of a representative to the council, which will start its work before the end of July 2010. The council has a list of duties, including reviewing the statutes for obstacles to collaboration, increasing the use of technology and collaboration, and coming up with model forms for joint power agreements.

Interestingly, legislative representation was removed from the bill in order to keep the cost of the council to a bare minimum.

In the last few weeks, there have been a number of other collaborative and streamlining models coming forward in legislation. Another major effort that appears to be on track for passage is [HF 2227](#) ([Rep. Paul Marquart](#), DFL-Dilworth), which resurrects the Minnesota Innovation and Research Council. [HF 2227](#) is

moving through the committee process on Friday. Overall, that bill is supposed to take a broader look, possibly at state government too. Additionally, Rep. Marquart added amendments to both his omnibus tax bill and the education bill that direct working groups to add accountability measures and possible sharing of services among cities and school districts.

League staff will provide a longer summary of the various bills in next week's *Cities Bulletin*.

Questions? Contact Jennifer O'Rourke at 651-281-1261 or jorourke@lmc.org.



Coalition of Greater Minnesota Cities

CGMC in Brief

May 7, 2010

Contact: Tim Flaherty
651-225-8840

CGMC to state leaders: Balance budget without further cuts to LGA

In an eventful week in St. Paul, the governor announced his plan to cut \$536 million in state spending, the state Supreme Court ruled in the unallotment case, and the CGMC Board of Directors met to plan our next steps. Below is a summary of these events with important information for all CGMC members.

Governor proposes additional cuts to LGA

On Tuesday, Governor Pawlenty released a plan to balance the state's budget based on the belief that \$400 million in anticipated federal money will not be delivered to the state before the session adjourns. The governor's plan would reduce state expenditures by a total of \$536 million. For cities, the governor's cuts mean an additional \$87.5 to \$102.5 million reduction on top of \$52.5 million cut by the legislature earlier in the session. If enacted, this will make the session's final cut to LGA/MVC \$15 to \$30 million more than the governor's original budget recommendations, a total cut between \$140 and \$155 million. This, of course, is on top of the \$128 million unallotment for 2010. For a city-by-city run reflecting the new range of cuts, visit <http://bit.ly/9NhpzA>. At the press conference, the governor also threatened to use his unallotment authority to enforce his budget cuts (which, noted in the Supreme Court ruling below, would not be legal). CGMC responded to the governor's plan by issuing an action alert to mayors and managers, which asked cities to contact their legislators immediately and voice opposition to the latest round of cuts.

State Supreme Court rules governor's use of unallotment illegal

On Wednesday, the Minnesota Supreme Court issued a 4-3 decision in favor of the plaintiffs in the unallotment lawsuit. The majority opinion found that Governor Pawlenty violated the unallotment statute, but the court did not rule on the constitutionality of the statute. While relief will only be granted to the plaintiffs seeking restoration of funding for a nutrition program, other groups impacted by unallotment could request the same relief in district court. The most notable part of the ruling concludes that the legislature intended that the unallotment statute would serve only the narrow purpose of addressing unanticipated deficits occurring after a balanced budget had been enacted. Since a balanced budget was never in place last session—nor is one currently—the governor does not have the authority to unallot until the legislature and governor agree to a balanced budget and subsequent revenue receipts return to the state below their anticipated level.

CGMC Board chooses not to sue state for unallotted LGA, tells legislature to protect funding from further cuts

On Thursday, the CGMC Board of Directors and the Property Tax & LGA Committee met in St. Paul to discuss recent events at the Capitol and how CGMC should respond. The Board voted not to sue the state for the LGA payments unallotted at the end of the 2009 session, as the state potentially faces over a \$3 billion deficit and would likely cut any LGA returned to cities through a lawsuit. Instead, because LGA has been cut disproportionately deeper than other



programs, CGMC will urge legislators to protect LGA from further cuts this session. CGMC Board members, along with St. Paul Mayor Chris Coleman and Minneapolis Mayor R.T. Rybak, sent this message to legislators and the governor during an afternoon press conference, which received strong statewide coverage.

Moving Forward

Even though the governor's authority to unallot has been greatly limited, he can still veto all of the legislature's bills and force a government shutdown. In fact, the governor's administration is meeting today to prepare for such an event (read more from the AP at <http://bit.ly/btxiz2>). The upcoming week will be critical to the LGA program and its ability to weather the budget storm, so please contact your legislators immediately and urge them to craft a balanced budget solution that does not include deeper cuts to LGA. As always, CGMC will keep you updated with the latest news from St. Paul

CGMC Board meets with Dayton, Horner

At Thursday's CGMC Board meeting, members heard from gubernatorial candidates Mark Dayton (DFL) and Tom Horner (I) about their visions for the state. Below are brief summaries of their discussions with Board members.

Former Senator Mark Dayton identified creating new jobs and finding new revenue as the key pieces to solving the state's budget deficit. His choice for new revenue would be increasing the income tax on the wealthiest Minnesotans. By raising new revenue, Dayton said that funding would be available to protect LGA. Dayton also would relieve local mandates to help relieve financial burdens on cities. On land use and annexation, Dayton, who has just completed a tour of all 87 counties in the state, asserted that the state may be too diverse for a statewide policy that governs development. Dayton identified local leaders as the best individuals for making decisions that affect local development and would give them more flexibility. While he was hesitant to support statewide land use and annexation policies, he expressed support for regional planning. On economic development, Dayton pointed to several programs in other states that Minnesota could adopt. He would support a more comprehensive bonding bill to create construction jobs and would pursue statewide broadband and cell phone coverage.

Tom Horner, a public relations professional and political consultant who also served in former Sen. Dave Durenberger's office, explained that his approach to solving the state's budget deficit would include broadening the budget-balancing tools. In addition to spending cuts, Horner is in favor of expanding the state sales tax and lowering the overall rate. He would also ease the corporate tax environment in hopes of attracting new businesses and jobs. Although he acknowledged that all residents in the state deserve a certain level of "excellence in services" and some communities may not be able to provide that level without state aid, Horner would not commit to protecting LGA in its current form because he believes that, since it is not favored by the political battleground suburbs, the program has a short political life. He suggested that the program be restructured and rebranded with a new name. On land use and annexation, Horner said he is concerned about urban sprawl and favors stronger regional planning. When considering economic development initiatives, Horner supports programs like the greater Minnesota Business Development Public Infrastructure grant that help local units of government attract businesses, rather than programs like JOBZ that subsidize businesses. He also supports statewide broadband coverage.



House tax committee removes extension of local option sales tax moratorium

On Monday, the House tax committee introduced its omnibus tax bill, which included a provision to extend the moratorium on local option sales taxes for another two years. This broadly worded moratorium could have prevented cities from even making the request for an extension of an expiring tax. At the hearing on the bill Monday, CGMC lobbyist Bradley Peterson and representatives from several CGMC cities, including Hutchinson Mayor Steve Cook and Marshall City Manager Ben Martig along with officials from Owatonna and Rochester, spoke against the moratorium. During the hearing, Rep. Tina Liebling (DFL-Rochester) brought an amendment to remove the moratorium language. The amendment failed on an 11 to 12 vote. Rep. Lyle Koenen (DFL-Clara City) then brought an amendment to exempt Hutchinson from the moratorium. This amendment passed. In response, Rep. Laura Brod (R-New Prague) brought a motion to reconsider the original Liebling amendment to remove the moratorium. The amendment passed this time with bipartisan support from rural, metro, and suburban legislatures who recognized that in these economic times, cities need options to address the financial challenges they face. Please contact Bradley Peterson at 651-259-1911 or bmpeterson@flaherty-hood.com with questions.

Transit funding oversight provision passes in House

A transit “clean-up” bill, drafted with input by the CGMC, passed the House on Wednesday. The legislation (H.F. 3486) was included in the House transportation policy omnibus bill, which now moves to a conference committee.

The legislation would require MnDOT to develop a greater Minnesota transit investment plan that would identify the operating and capital costs necessary to meet 100% of greater Minnesota transit and projected bus service hours, and move the department toward meeting those costs and goals. The legislation would also shine greater light on MnDOT’s federal funding accounting processes, and potentially preclude MnDOT from shifting greater Minnesota transit operating dollars to the Met Council.

