

**Council Meeting**  
**Tuesday, September 7, 2010**  
**City Council Chambers**  
**7:30 p.m.**  
**AGENDA**



Call to Order

Pledge of Allegiance

1. Approval of Minutes
  - Council Minutes – August 17, 2010
2. Consent Agenda
  - Minutes
    - Telecom Commission – August 17, 2010
    - Utility Commission – August 25, 2010
    - Street Committee – August 31, 2010
    - Tree Commission – September 1, 2010
3. License Applications
  - Authorization to Dispense Intoxicating Liquor – Windom Eagles Club
  - Hy-Vee – Request to Transfer Tobacco License to New Location
4. Department Heads
5. Street Closure Request – Sept. 12, 2010 – 11<sup>th</sup> Street between 4<sup>th</sup> & 5<sup>th</sup> Avenues
6. Annual Firefighters Relief Association Report
7. Pay Equity Report
8. Preliminary 2011 Budget Levy
9. Establish 2011 Budget Hearing Dates
  - 7:00 p.m. -December 7, 2010 – 2011 City Budget Public Input
  - December 21, 2010 – Adoption of 2011 Budget and Levy
10. Regular Bills
11. Contractor Payments
  - Dallas Smith Construction – Arena - \$1,469.74
12. Unfinished Business
13. New Business
14. Council Concerns
15. Adjourn



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**Council Meeting  
Windom City Hall, Council Chamber  
August 17, 2010  
7:30 p.m.**

1. Call to Order: The meeting was called to order by Mayor Kruse at 7:30 p.m.

2. Roll Call: Mayor: Kirby Kruse

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

Council Members Absent: None

City Staff Present: Steve Nasby, City Administrator; Aaron Backman, EDA Executive Director; Al Baloun, Recreation Director; Tim Hacker, Interim Ambulance Director and Jeremy Rolfes, Telecom

Public Present: Dirk Abraham, Rahn Larsen, Jim Becker, Mike Pigman, Gerri Burmeister, Kim Armstorng, Mary Klosterbuer and Frank Dorpinghaus

3. Pledge of Allegiance

4. Approval of Minutes:

**Motion by Fast second by Ray, to approve the City Council minutes from August 3, 2010. Motion carried 5 – 0.**

5. Consent Agenda:

Kruse said that minutes were received from the following Boards\Commissions:

- Tree Commission – August 4, 2010
- Economic Development Authority – August 9, 2010
- Park & Recreation Commission – August 9, 2010
- Library Board – August 10, 2010

**Motion by Powers second by Maricle, to approve the consent agenda. Motion passed 5 – 0.**

6. Licenses:

Kruse said that there was a request for an exempt permit for the Windom Education and Collaborative Center (WECC) and a request returned after the deadline for an Authorization to Dispense Intoxicating Liquor.

**Motion by Messer, seconded by Ray, to approve the Exempt Permit for a raffle to be held by WECC. Motion carried 5 – 0.**

Nasby said the late request for an Authorization to Dispense Intoxicating Liquor by the Laker Grill is for an event at the Windom Community Center on September 4, 2010. The paperwork had been turned in prior to the deadline, but it was incomplete so it was returned to the Laker Grill. The owners of the Laker Grill were then on vacation so the completed paperwork was completed on August 16, 2010. Copies of the completed application were handed out.

**Motion by Fast, seconded by Powers, to consider the Authorization to Dispense Intoxicating Liquor from the Laker Grill. Motion carried 5 – 0.**

**Motion by Ray, seconded by Maricle, to approve the Authorization to Dispense Intoxicating Liquor for the Laker Grill on September 4, 2010 for an event at the Windom Community Center. Motion carried 5 – 0.**

7. Department Heads:

Aaron Backman, EDA Executive Director, noted that there had been previous discussion by the City Council and the EDA Commission regarding the tax forfeited property at 344 11<sup>th</sup> Street. Due to changes in State law that went into effect on July 1, 2010 the process and cost of acquiring the property were no longer in the best interests of the City or EDA. The resolution passed by the City Council declaring that there is no public interest in the property can now be forwarded to Cottonwood County.

8. 2009 – 2010 Windom Area Hospital Audit:

Gerri Burmeister, CEO, Kim Armstrong, CFO and Mary Klosterbuer, Board Chair introduced themselves. Armstrong said that the assets of the hospital are growing and the liabilities are decreasing and this has been consistent with the past three years. Operating revenues and expenses are shown on page four of the audit and a positive net margin was shown. The fluctuations in revenues and expenses are due to changes in patient volumes and types of services. Section 7 of the report shows the information in graphs and ratios. Windom is compared to similar sized facilities and to the “gold standard” established by LarsonAllen who are the auditors. The goal is to meet the gold standards and Windom is doing better than most similar sized hospitals and is closer to the gold standard ratios and measurements.

Burmeister said that national healthcare reform will continue to be challenging and there are mandated changes in electronic medical records that must be completed by 2015 and these compliances will be costly. The Medicare program is reducing costs and lowering reimbursements. The federal audits of accounts can go back seven years and reclaim costs if applicable. There are new requirements for doctors to have “direct supervision” on a number of procedures and this will add to medical expenses. Bad debt continues to be an issue and due to the poor economy people are not paying or they simply do not get medical treatment. The State GMAC program ended so there are not reimbursements for some very poor patients.

Messer asked about the GMAC program. Burmeister said that there no longer are State reimbursements and by law no patients may be turned away.

Klosterbuer said that the hospital paid off all of their bond debt on July 1, 2010 which is 13 years ahead of schedule and the Board is looking ahead to the master facilities plan. She noted that the hospital board has been working in a fiscally responsible manner and they will be pursuing capital projects on the master facility plan and working on physician recruitment.

Powers asked about the next capital project. Klosterbuer said the Board is still looking at the master facilities plan and discussing the needs and priorities.

9. Economic Development Authority – SCDP Short Form and TIF #1-11 Decertification:

Backman said that the City had received a grant from the Minnesota Department of Employment and Economic Development (DEED) for single-family housing rehabilitation. This project was a joint venture with the City of Mt. Lake. There is an opportunity to request additional DEED funds for these housing rehabilitation activities. The EDA is recommending that the City file a SCDP Short Form requesting these additional funds.

**Council member Messer introduced the Resolution No. 2010-30 entitled “RESOLUTION IN SUPPORT OF A SMALL CITIES DEVELOPMENT PROGRAM SORT-FORM APPLICATION” and moved its adoption. The resolution was seconded by Maricle and on roll call vote: Aye: Powers, Ray, Fast, Maricle and Messer. Nay: None. Absent: None. Resolution passed 5 – 0.**

A second item recommended by the EDA Commission was the decertification of TIF District #1-11. This was the property that was developed by Tod Quiring and subsequently sold to Alan Staples. State law dictates the length of TIF districts and this one expired on April 6, 2010.

**Council member Powers introduced the Resolution No. 2010-31 entitled “RESOLUTION APPROVING THE DECERTIFICATION OF TAX INCREMENT FINANCING DISTRICT NO. 1-11” and moved its adoption. The resolution was seconded by Messer and on roll call vote: Aye: Ray, Fast, Maricle, Messer and Powers. Nay: None. Absent: None. Resolution passed 5 – 0.**

10. Park & Recreation Commission Recommendation – Arena Concession Area:

Al Baloun, Recreation Director; Jim Becker, Windom Youth Hockey Association (WYHA) President, and Mike Pigman introduced themselves. Baloun said the hockey association and City had been working on new concession area for several years and \$20,000 in funding had been earmarked for this capital project at that time. The proposal is that the City provides funding to the hockey association for materials and construction costs and the hockey association will provide volunteer labor and project oversight. The Park & Recreation Commission had reviewed the proposal and recommended that up to \$20,000, with 10% retainage, be provided to the hockey association for this project.

Pigman and Baloun handed out an e-mail containing some of the preliminary costs estimated by the hockey association totaling \$21,219.

Messer asked about the anticipated expenses over the \$20,000 the City may be contributing. Pigman said that the hockey association could ask area groups such as the Arena Boosters for funds or the project could be trimmed back and some items purchased in the future as funding permitted.

Kruse asked about the users of the concessions area. Baloun said the Arena and the Windom Hockey Association are the predominate users. It may be used a few times a year either during the fair or by the Figure Skating group.

Powers asked if the project would be in compliance with all codes and requirements. Pigman said the plans would be submitted to the public health department for their approval and the plans would also meet all the building codes. He has been in contact with both the public health department and city building inspector.

**Motion by Messer, seconded by Ray, to approve up to \$20,000 to the Windom Youth Hockey Association, with 10% retainage, for the Arena concession area project. Motion carried 5 – 0.**

**Motion by Messer to waive City building permits fees. Motion died for lack of a second.**

11. Council Meeting Schedule – Time Change for November 2, 2010:

Nasby said that State law prohibits public meetings during the time election polls are open. The November 2, 2010 meeting is on Election Day so the meeting has to be moved to another date or start after the polls close.

**Motion by Ray, seconded by Maricle, to move the November 2, 2010 City Council meeting time to 8:05 p.m. Motion carried 5 – 0.**

12. Personnel Committee Recommendations:

Kruse asked Messer, as chair of the Personnel Committee to present the recommendations.

**Ambulance Director**

Messer said the Personnel Committee is recommending the appointment of Tim Hacker to Ambulance Director with a four month probationary period as Tim has been the interim Ambulance Director for the last couple of months.

Tim Hacker, acting Ambulance Director, said that he has big shoes to fill with the passing of Jim Skarphol. Jim had done most of the operational duties for the ambulance and the ambulance crew has been great at stepping up and getting the work done. He is willing to take on the position and the transition has been going well.

**Motion by Messer, seconded by Ray, to appoint Tim Hacker as the Windom Ambulance Director, subject to a four month probationary period. Motion carried 5 – 0.**

Powers and Messer agreed that the transition has been going well and thanked Hacker for his efforts.

**Supervisory Vacation Policy**

Messer said that the second recommendation is for a supervisory vacation policy change.

Maricle noted that the 2006 Personnel Policy and the 1996 Personnel Policy both stated that a maximum of 80 hours could be carried over and anything over that is forfeited. Kruse said that supervisory employees had been working to take vacation time, but vacation time had been allowed to accumulate over a number of years and this approach is a way to stop additional time from accumulating and fix the problem.

Maricle said that one employee has so much vacation time it would take 42 years for the new policy to get them down to zero hours. The last union agreement provided a three year timeframe for those employees to get vacation under the limits so he feels 42 years is excessive and paying out on this amount of time will be costly. He sees the accumulation of vacation time as double-dipping as an employee is paid for their work and then again for the vacation time. He would like to see the 40 hour annual reduction in the maximum accrual numbers higher.

Messer said the new policy was formulated with the Utility Commission to address the existing situation with accumulated vacation time.

Powers said the proposed policy stops the problem and starts getting it under control.

Maricle noted that if the supervisory employees do not have the ability to take vacation time now how are they going to take their annual vacation and use up the additional 40 hours they'd be required to take.

**Motion by Messer, seconded by Powers, to approve the new supervisory vacation policy as follows:**

*On January 1, 2011 the accrual of vacation hours is limited to the number of vacation hours each supervisory employee had on record as of January 1, 2010. Each employee's maximum accrual balance will be reduced by 40 hours per year until the employee's carryover is down to the 80 hour maximum stated in the Windom Personnel Policy.*

**Motion carried 4 – 1 (Maricle).**

**Emergency Equipment Use & Local Funeral Definition**

Messer said the City Council had recently amended the City policies for emergency equipment use. Clarification of the policy was requested. The Personnel Committee is recommending that the definition of "local funeral" be as within the Windom Fire District and communities with which Windom has a mutual aid agreement.

Regarding community celebrations the Personnel Committee is recommending that the Windom Fire Department is permitted to attend anniversary celebrations for exchange visits with the following communities: Comfrey, Welcome, Lake Crystal, Worthington, Okabena, St. James, Heron Lake, Darfur, Alpha, Ormsby, Sherburn, Storden and Mt. Lake.

**Motion by Messer, seconded by Fast, to approve the clarifications to the City policy on emergency equipment use and local funerals as presented. Motion carried 5 – 0.**

**Safety Shoe Policy**

Messer said that the Minnesota Municipal Utilities Association (MMUA), as the City's safety consultant, is recommending that the City of Windom require the use of OSHA approved safety shoes for its utilities department employees involved in construction or maintenance operations. The Personnel Committee is recommending that safety shoes be required and that a \$50.00 annual reimbursement be made to utility employees working in the field for the purchase of safety shoes meeting the specifications contained in OSHA – ANSI Standard 75. All purchases and payments will be subject to approval of the Department Head. Such payment shall be applied to the actual purchase price of no more than one pair of such safety shoes for each such employee during each calendar year beginning September 1, 2010. If safety shoes are damaged on the job, the Department Head may request an additional reimbursement for the replacement of safety shoes.

**Motion by Messer, seconded by Ray, to approve the safety shoe policy as presented. Motion carried 5 – 0.**

Powers noted that the reimbursement will require the employee to provide a receipt and documentation that the shoes meet OSHA specifications.

13. Regular Bills:

**Motion by Fast, seconded by Powers to approve the regular bills. Motion carried 5–0.**

Powers noted what appeared to be a duplicate payment to Verizon wireless. Nasby will check with staff and follow-up.

14. Contractor Payment:

Kruse noted the requested payment was for \$947.93 to M & R Paving as the final bill consisting of retainage for the Sykora project.

**Motion by Messer, seconded by Ray, to approve the contractor payment to M & R Paving in the amount of \$947.93. Motion carried 5 – 0.**

Kruse said that there was a requested payment for Wicks Construction as the final bill and retainage for the airport maintenance project in the amount of \$34,707.29.

Messer asked if this included the liquidated damages. Nasby said that it did and it is identified on the pay request.

**Motion by Powers, seconded by Fast, to approve the contractor payment to Wicks Construction in the amount of \$34,707.29. Motion carried 5 – 0.**

Kruse said that there were two bills from Wenck Associates pertaining to the airport projects. Nasby said one bill was for the maintenance project seal-coating and the other one was from the runway project where the City had withheld payment to insure enough monies were left to address the problems with the runway lights.

Messer asked if the problem had been fixed. Nasby said the City's electric department had done the work and purchased the necessary supplies. These costs were part of the project costs and there sufficient funds to cover the electric department expenses.

**Motion by Messer, seconded by Ray, to approve the contractor payment to Wenck Associates in the amount of \$1,505.00 for the seal-coat project. Motion carried 5 – 0.**

**Motion by Powers, seconded by Ray, to approve the contractor payment to Wenck Associates in the amount of \$7,078.90 for the runway project. Motion carried 5 – 0.**

15. Unfinished Business:

Kruse noted that Nasby had a budget item to discuss. Nasby asked if the City Council wanted to have a budget meeting prior to the setting of the preliminary levy. The City is subject to State imposed levy limits and the City's levy limit decreased from last year due to the drop in valuations in the community. As such, the primary opportunity to raise funds comes from the State's allowance for cities to levy back the Local Government Aids that

Preliminary

were lost. Last year the City Council included all of the lost LGA in the preliminary levy and then reduced the tax levy after it had gone through the budgeting process. If the City Council were to levy back all of the 2010 state aid cuts the preliminary levy would go up about 20%.

Consensus of the Council not to have a budget meeting prior to the setting of the preliminary levy.

**Motion by Messer, seconded by Powers, to include all of the lost state aid in the preliminary levy amount for consideration at the September 7, 2010 City Council meeting. Motion carried 5 – 0.**

16. New Business:

None

17. Council Concerns:

Powers said that he had done some research into complaints of trash and junk in the alleys. He there are some problem areas and is asking people to please clean up their properties.

18. Adjourn:

**Kruse adjourned the meeting by unanimous consent**

Meeting adjourned at 8:25 p.m.

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Kirby Kruse, Mayor

Attest: \_\_\_\_\_  
Steve Nasby, City Administrator

Telecommunications Commission  
Minutes  
August 17, 2010  
11:30 Am

1. Meeting was called to order by Chairman Woodcock at 11:30 AM

2. Roll Call

Cory Marical, Bob Messer, Forest Fosheim, Virgil Meir and Wendel Woodcock.

City Staff: Aron Backman, Steve Nasby Denise Nichols And Dan Olsen

3. Request for Free service for Blandin Denise Nichols

Denise gave a 15 minute explanation of the Blandin program and requested 75 reduced rate connections to the internet from the commission. Olsen stated that this would cause a strain on capital dollars without knowing where the connections are located. Discussion continues as to amount of expense associated with meeting Blandin grant. Olsen indicated that he thought he could make 25 connections work. Woodcock stated that 25 connections would be more manageable. Messer stated that he thought 25 connections at the reduced rate of \$10 a month for the Lite 756 package would be workable solution.

Motion by Messer to provide 12 connections per year for two years at a reduced rate of \$10 per month for High speed Lite. Service term to be one year.

Second my Meir Motion carried 5-0.

4. Request to negotiate with carrier: Brigitte Olsson

Brigitte was absent. Steve Nasby explained that a carrier is requesting to pay %50 of a bill from 2006. Carrier is asking for

reduced rate due to dispute in services rendered. Olsen stated this is common with carriers.

Motion by Meir to accept %50 payment of disputed bill Seconded by Woodcock. Motion passed 5-0

## 5. 2011 Budget

Olsen gave a brief overview of the budget including capital. Budget mirrors last years budget with minor changes. This budget does not include Stimulus project revenue. Stimulus revenue will be calculated when more details re available. The budget reflects a loss of \$31,000 for 2011. Capital dollars are not included in operations budget. Capital dollars excluding Stimulus project are \$12,000 for computer replacement and \$60,000 for High Definition Channels.

Motion Woodcock to submit budget to City Council for approval Messer seconded. Motion passed 4-0

Motion to adjourn by Woodcock Second By Meir Motion passed 4-0

**UTILITY COMMISSION MINUTES**  
**City Hall, Council Chamber**  
**August 25, 2010**

**Call Meeting to Order:** The Utility Commission meeting was called to order at 10:00 a.m., on August 25, 2010 in the City Hall Council Chamber.

**Members Present:** Utility Commission Chairperson: Mike Schwalbach

Members Present: Keith Bloomgren, Chris Johnson

City Council Liaison: Jean Fast (Arrived at 10:30 p.m.)

Steve Nasby, City Administrator; Brigitte Olson, Assistant City Administrator; Marv Grunig, Electric Utility Manager and Mike Haugen, Water/Wastewater Superintendent

Others Present: Craig Mueller, Wenck Associates

APPROVE MINUTES

**Motion by Bloomgren, seconded by Johnson, to approve the July 28, 2010 minutes as presented. Motion carried 3-0.**

WATER WASTEWATER ITEMS

*Landfill:* Craig Mueller reviewed the summer sampling results performed on July 30, 2010 for the monitoring wells. Mueller said that the concentrations of vinyl chloride and cis 1-2-dichloroethene are reduced due to operation the aeration system on the recovery wells. MW-9B shows concentrations slightly higher than the minimum detection limit of <0.34 ug/l, RW-A is below detection limits, and MW5A, which is adjacent to the waste is also reduced. Mueller recommends to the Utility Commission to continue running the recovery well system for another quarter to protect the city well field.

*Highway 60 Watermain Relocation Project:* Mueller said that he had reworked the plans and specs for the highway 60 watermain relocation project so that the water lines will be shorter but now same lines will run underneath the buildings of H & W Motor and Three Sons. This will be a cost savings of \$1,850 to H & W Motors and \$1,325 to Three Sons.

**Motion by Johnson, seconded by Bloomgren to direct staff to send a letter to accept the project to Casey's, Freedom, Bob Hanson, H & W Motor, Three Sons, Carquest and Bob Christopherson. Motion carried 3-0.**

*Staffing – Replacement of Wastewater Collection System Operator:* Johnson updated the Utility Commission of the decision the Personnel Committee made to return the staffing

discussion back to the Utility Commission. (Johnson is a representative on that committee for the Utility Commission) The decision of the Personnel Committee was to bring refer the decision back to the Utility Commission. After a lengthy discussion it was determined that staff create a log for each employee, and to have all employees fill the sheet out daily, with the duties that were performed and the length of time taken for each duty, and the duties that were undone for each day. The Commission asked that these records all be kept by all Water and the Wastewater employees. Once a track record of these tasks is completed, to bring this back to the commission for further discussion at the next meeting.

*Other Water / Wastewater Items:* Haugen said that Geo Tech has been contracted to determine the extent of the contamination at the Towleron property. Their start date was approximately 30 days from August 5, 2010.

Haugen informed the Utility Commission that Jeff Christians has been hired to fill the vacancy for the Water Department. Christians has a Class D Wastewater License. He is starting at a Grade 7 Step 1.

Haugen said that they have three (3) water leaks; two of the services have been shut off as Western Community Action is trying to determine who will pay the cost for repairs.

Haugen informed the commission that the hydrant on the corner of 12<sup>th</sup> Avenue and 2<sup>nd</sup> Street on Highway 71 will be replaced when Svoboda Excavating is done with the Sogge Memorial Home Project.

### ELECTRIC ITEMS

*Windom's Renewable Energy Obligation:* Grunig said the Iberdrola Project has offered a contract for a fifteen (15) year rate, with no escalated cost over the term of the contract. The cost that was calculated for Windom would be at a cost comparable to the cost of Windom Utilities owing their own wind generation, and would help to fulfill Windom Utilities Renewable Energy Standard obligation (RES) of 25% for that time period. Grunig said that 40MW of the power from this project will be going to Missouri River, which at the present time gives more credibility to the project. During the lengthy discussion Grunig informed the Utility Commission on the pros and cons with several slide presentations for reaffirming or not to reaffirm its interest in the Iberdrola Wind Generation Project.

**Motion by Johnson, seconded by Bloomgren, to decline participation for the 1.4 MW in the Iberdrola project at the rate proposed for the fifteen (15) year contract. Motion carried 3-0.**

*Energy Conservation:* Grunig reviewed with the Commission a new Central Air Bonus Bucks package that would be an added rebate for customers that replace their central air conditioners between April 1, 2011 and June 30, 2011. These units would need to be replaced with units that have a SEER rating of 14.5 and higher to qualify. The units being replaced

would need to be at least 12 years and have been in working order at the end of the 2010 cooling season. Grunig said that there are a lot of central air conditioners in the City of Windom that are 12 plus years old and not very energy efficient. Grunig indicated that he would like to replace 60 units in 2011 at a cost of \$30,000.

The Utility Commission informed Grunig to continue exploring such a Central Air Bonus Bucks rebate is another energy conservation method.

*2010 CMMPA Regional Meeting in Mankato:* Grunig informed the Utility Commission that CMMPA's annual meeting date has been set for October 19<sup>th</sup> and October 21<sup>st</sup> in Mankato at 5:00 p.m. – 9:00 p.m. Grunig would like to request if the commission members are interested in attending this meeting that they consider the 21<sup>st</sup> of October, 2010 as there is a City Council meeting on the 19<sup>th</sup>.

*Other Electric Items:* Grunig said that the load for the Windom Utilities in July 2010 was the second largest purchase on record. He attributed that to the temperature and some recovery of the economy.

#### REGULAR BILLS

**Motion by Bloomgren, seconded by Johnson to approve payment of the bills to Wenck Associates Inc., in the amounts of \$264.00 and \$1,105.91. Motion carried 3-0.**

#### OLD BUSINESS

None.

#### NEW BUSINESS

The next meeting dates were tentatively set for October 13, 2010 and November 17, 2010 at 10:00 a.m.

On motion the meeting was adjourned at 12:25 p.m.

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Mike Schwalbach, Chairperson

Attest: \_\_\_\_\_  
Steve Nasby, City Administrator

**STREET DEPARTMENT COMMITTEE  
MINUTES AUGUST 31, 2010**

Call to Order: The meeting was called to order at 10:00 A.M. at City Hall

Members Attending: Committee Member: Attending - Brad Powers  
Absent – 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

Mueller shared with the group all the warranty items that have been completed and some that were held for further review. The Street Committee Group took a field trip to inspect the items below in order to make a decision what needs to be completed to finalize the project.

Items that need to be completed below:

- a. Funeral Home driveway panels – the two southern panels that were replaced this summer had rain damage following installation. These two panels have to be replaced.
- b. Shrinkage crack on 4<sup>th</sup> Avenue just south of Pflueghopt. This crack was sealed last fall but now it has extended into the adjacent panel. These three panels need to be replaced.
- c. 1713 Langley Avenue – 2 panel wide shrinkage crack. They need to be replaced.
- d. 1717 Langley Avenue – 2 panel wide shrinkage crack. Panels need to be replaced.
- e. Street Department staff will install a four inch field tile along the curb line on both side of 4<sup>th</sup> avenue north of the funeral home due to moisture issues. This is not a warranty item.

2. Street Closure Request

The Evangelical Free Church requested a street closure for their fall festival on 11<sup>th</sup> street from 4<sup>th</sup> avenue 5<sup>th</sup> avenue and the alley south of the church parking lot on September 12, 2010. Time of the Closure is 3:30 - 6:00 p.m. They stated if a property owner on the north side of 11<sup>th</sup> street needs to get through during the closure they would accommodate them according.

**Committee recommendation is to approve this request.**

3. Meeting was adjourned at 11:10 a.m.

**CITY OF WINDOM TREE COMMISSION MEETING  
MINUTES SEPTEMBER 1, 2010**

1. Call to Order: The meeting was called to order by Vice-Chair Eldon Moon at 5:21 p.m. in the council chambers at city hall.
  
2. Roll Call:

Commission Present:	Eldon Moon, Deborah Polzin, Joanne Kaiser
Commission Absent:	Lindsey Cartwright
City Staff Present:	Bruce Caldwell, City of Windom Tree Inspector
Council Liaisons:	Corey Maricle (absent)
Public:	Dave Bucklin
  
3. Agenda was available via email.
  
4. Minutes of August 4 meeting will need to be approved
  
5. Old Business
  - a. Tree inventory review: A major part of the tree inventory has been completed in the core part of Windom. It was determined there was no need to continue with the inventory unless someone has the time and inclination to do more.
  
  - b. Tree order: The trees ordered will be shipped in the spring of 2011. 28 trees were ordered: 3 Autumn Blaze maple, 2 Matador maple, 3 Sienna Glen maple, 6 hackberry, 4 honey locust, 6 Discovery elm and 4 linden.
  
  - c. Radio Spot: Lindsey Cartwright was working on this but unable to report to the committee
  
  - d. By-laws: The by-laws have been reviewed and completed. Lindsey Cartwright stated he would bring them to the city attorney for further review.
  
6. New Business
  - a. Tree pruning information: David Bucklin said he would work on an ad and brochure and get that information to the Citizen and on KDOM. It was noted that October and November are the best times to prune after the sap has descended to the roots. Bruce Caldwell will be attending a tree certification meeting where he hopes to acquire brochures dealing with tree care and pruning techniques.
  
  - b. Tree inventory dates: If anyone is interested in continuing the tree inventory, maps are available showing the areas to be counted.

7. Open mike: Bruce Caldwell suggested the need to review tree policy; items discussed were allowed species, correct spacing, spacing from hydrants, location in regards to overhead wires, etc. David Bucklin reminded the committee there is still time and resources to order more trees before the end of 2010. On Tuesday, September 14, from 10:00 to 3:00, the Cottonwood Soil and Water Conservation District is hosting a hosting a "Conservation Day – An Agriculture and Urban Focus' day at the Windom City Arena. The Tree Commission has been invited to set up a booth and explain our mission. Dave has a basswood and Celebration maple saplings to donate as prizes for a drawing. Joanne Kaiser said she would be interested in attending the booth part of that day. Also discussed was a nominal payment for any new tree planted in the boulevard as requested by a homeowner. A fee of \$25 was suggested. Dennis Johnson talked with Dave Bucklin about planting trees in the area of the plunge pool west of the bridge by Island Park. Trees at that location would benefit the river. Dave has written a grant asking for funds from the Clean Water Fund to purchase more trees as part of their urban projects.

**Motion by Joanne Kaiser, seconded by Eldon Moon.**

**Motion carried.**

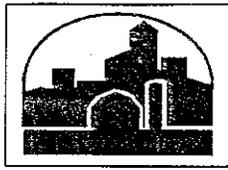
8. Meeting adjourned at 6:14 pm.

**Next Tree Commission Meeting October 6, 2010 at 5:15 p.m. at the Episcopal Church. Please remember to use the east back door.**

ATTEST:

Tree Commission President \_\_\_\_\_

Tree Commission Secretary \_\_\_\_\_



City of Windom  
Windom, Minnesota

Application

For Authorization to Dispense Intoxicating Liquor

To the Windom City Council :

The undersigned hereby applies for authorization to dispense intoxicating liquor on City owned property during a City sponsored event in the City of Windom in accordance with the information given below, City of Windom Code Chapter 5 and Minnesota Statute 340A.404:

Location of Event Windom Community Center

Date of Event 9-18-10

Hours 4:00 - 12:00

Type of Event Wedding Reception - Mattson

Eagles Club  
Name of Individual/Organization

[Signature]  
Licensee Officers Signature

821 4th Ave  
Street Address

Windom MN 56101  
City State

507-831-3891  
Telephone Number

Application  Approved  Disapproved  
this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

\_\_\_\_\_  
City Administrator

<b>License Fee - None \$0.00</b>	
<input checked="" type="checkbox"/>	Copy of On-sale license attached
<input checked="" type="checkbox"/>	Proof of insurance attached
<input checked="" type="checkbox"/>	City named as additional insured
<input checked="" type="checkbox"/>	Licensee has signed the Hold Harmless Agreement

**Hold Harmless and Indemnification Agreement**

IN CONSIDERATION OF authorization by the Windom City Council to dispense intoxicating liquor on City-owned property or during a City sponsored event, the undersigned licensee hereby agrees to hold harmless the City of Windom, its employees and its agents, from any and all claims for any damages whatsoever arising out of the licensee providing intoxicating liquor under said authorization on the 18 day of Sept, 2010. Further, the undersigned licensee agrees to indemnify the City of Windom for any such claims for damages whatsoever arising out of licensee's dispensing of said intoxicating liquor, including the reimbursement of the City of Windom's costs and disbursements, including reasonable attorneys' fees in defending any such action for claims and damages.

[Signature]  
Licensee Officers Signature

Aug 19 10  
Date



August 19, 2010

City of Windom  
Windom City Council  
PO Box 38  
Windom, MN 56101

To Whom It May Concern:

Hy-Vee, Inc. is requesting a transfer of our tobacco license from our existing Hy-Vee at 1855 1<sup>st</sup> Ave N to a newly acquired Sunshine store located at 192 10<sup>th</sup> St. We will close the existing Sunshine store on September 13<sup>th</sup> at 8pm. On September 17<sup>th</sup> we will open this location as our new Hy-Vee and close the store on 1<sup>st</sup> Ave N. Please let me know if you have any questions or need additional information.

Thank you,

Hy-Vee, Inc.

A handwritten signature in black ink, appearing to read "Jeff Pierce", is placed below the typed name.

Jeff Pierce  
Assistant Treasurer, Financial Reporting

JP:jms

Enclosure

**Calculation of Normal Cost**

	2010	2011	
Total Active Member Liabilities	667,832	729,520	
Total Deferred Member Liabilities	102,511	102,511	
Total Unpaid Installments	0	0	
Grand Total Special Fund Liability	A. 770,343	B. 832,031	
Normal Cost (Cell B minus Cell A)			C. 61,688

**Projection of Net Assets for Year Ending December 31, 2010**

Special Fund Assets at December 31, 2009 (RF-09 ending assets) 1 763,497

Projected Income for 2010

State Fire Aid (2009 aid may be increased by up to 3.5%)  
 Municipal / Independent Fire Dept. Contributions  
 Interest / Dividends  
 Appreciation / (Depreciation)  
 Member Dues (If deposited in Special Fund)  
 Other Revenues

D.	24,000
E.	5,000
F.	15,000
G.	55,000
H.	
I.	

Total Projected Income for 2010 (Add Lines D through I) 2 99,000

Projected Expenses for 2010

Service Pensions

Member Names:

JIM JOHNSON
MARK SCHENK
KENT KELLY

J. 85,828

Other Benefits

Administrative Expenses

K.	
L.	2,700

Total Projected Expenses for 2010 (Add Lines J through L) 3 88,528

Projected Net Assets at December 31, 2010 (Add Lines 1 and 2, subtract Line 3) 4 773,969

**Projection of Surplus or (Deficit) as of December 31, 2010**

Projected Assets (Line 4)  
 2010 Accrued Liability (Page 4, cell A)  
 Surplus or (Deficit) (Line 5 minus Line 6)

5	773,969
6	770,343
7	3,626

Calculation of Required Contribution

Year Incurred	Deficit Information - Original		Deficit Information - Adjusted		
	Original Amount	Amount Retired as of 12/31/2009	Original Amount	Amount Retired as of 12/31/2010	Amount Left to Retire 1/1/2011
2001					
2002					
2003					
2004					
2005					
2006					
2007					
2008					
2009					
2010					
Totals					

Normal Cost (Page 4, cell C)	8	61,688
Projected Administrative Expense	9	2,772
Amortization of Deficit (Total of Original Amount column x 0.10)	10	0
10% of Surplus (Line 7 x 0.10)	11	363
State Fire Aid	12	24,000
Member Dues	13	0
5% of Projected Assets at December 31, 2010 (Line 4 x 0.05)	14	38,698
<b>Required Contribution (Add Lines 8, 9 and 10, subtract Lines 11, 12, 13 and 14)</b>	15	<b>1,399</b>

Enter 2009 Admin Exp here:

**The required contribution must be made during 2011.**

This Schedule must be fully completed, certified by the relief association officers, forwarded to the municipal clerk/independent secretary on or before August 1, 2010 and submitted to the Office of the State Auditor to be eligible for state fire aid.

**Officer Certification**

We, the officers of the Windom Fire Relief Association, certify that this Schedule was prepared under Minn. Stat. § 69.772 and that the annual benefit level was established according to the average amount of available financing.

We further certify that based on the financial requirements of the Relief Association's Special Fund for the 2010 calendar year, the required 2011 contribution is \$1,399. If the bylaws of the Relief Association changed in 2010, we have attached a copy of the amendment or updated bylaws. We have also enclosed a copy of the municipal/board ratification of this amendment if required under Minn. Stat. § 69.772, subd. 6.

Signature of President	_____	NESTOR	PALM	_____	Date
		Name			
Signature of Secretary	_____	COREY	MARICLE	_____	Date
		Name			
Signature of Treasurer	_____	MIKE	HAUGEN	_____	Date
		Name			

**Municipal Clerk / Independent Secretary Certification**

I am the municipal clerk of \_\_\_\_\_ / secretary of the \_\_\_\_\_ independent nonprofit firefighting corporation. I received on \_\_\_\_\_, the completed Schedule from the Windom Fire Relief Association.

I have reviewed Line 15 of the Schedule. If Line 15 shows a required contribution, I certify that I will advise the governing municipal body or the independent nonprofit firefighting corporation of any required contribution at its next regularly scheduled meeting.

Signature of Municipal Clerk/Secretary of independent nonprofit firefighting corporation	_____	STEVE	NASBY	_____	Date
		Name			

(507) 831-6129  
Business Telephone

Please provide the telephone numbers for the work location(s) at which you conduct relief association business.  
**THIS INFORMATION IS PUBLIC; IT WILL BE AVAILABLE TO ANYONE ON REQUEST.**

Please retain a copy of the Schedule for your records, upload the form to the Office of the State Auditor's website, and submit the signature page to: Office of the State Auditor, Pension Division, 525 Park Street, Suite 500, Saint Paul, MN 55103. Fax: 651-282-5298. Telephone: 651-282-6110.



July 20, 2010

Steve Nasby  
City Administrator  
City of Windom  
P.O. Box 38  
444 - 9th Street  
Windom, MN 56101

Dear Mr. Nasby:

Thank you for submitting your pay equity report required by the Local Government Pay Equity Act M.S. 471.991 - 471.999 and Minnesota Rules Chapter 3920. Unfortunately, your jurisdiction did not meet certain requirements, resulting in a non-compliance ruling by Minnesota Management & Budget. However, the good news is that you have a grace period to meet the requirements and submit a new report prior to any penalties being assessed.

You have received this "First Notice of Non-Compliance" because your jurisdiction did not pass one or more of the compliance tests. The details enclosed are public information and must be supplied to anyone upon request. More information about compliance and reporting requirements are on our website at <http://www.mmb.state.mn.us/reporting-forms-instructions-software>. You may also call and request copies of these materials.

This first non-compliance ruling entitles you to two options:

1. Make any necessary salary adjustments and submit a new report within the grace period;
2. Request reconsideration. This option is for jurisdictions that need a longer grace period or believe the non-compliance ruling was made in error. A reconsideration request form is enclosed and must be submitted by the date written in on the top of the form.

Whether you choose Option 1 or Option 2, your jurisdiction must submit a new report including current salaries and other data. **It is very important that you respond on time for whichever option you choose. A "Second Notice of Non-Compliance" will result in penalties being assessed back to January 1, 2010.**

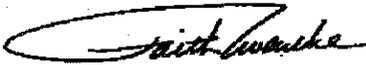
Page 2  
July 20, 2010

We are eager to help you achieve compliance, and urge you to contact us as soon as possible. Prior to officially filing your new report, you may submit the information for an informal "preliminary review." This may prevent a second non-compliance ruling and the penalties that would result. E-mail your preliminary report (see instructions in pay equity software at <http://www.mmb.state.mn.us/reporting-forms-instructions-software>).

If we do not receive a report from you by October 20, 2010, a second notice of non-compliance can be issued resulting in penalties being assessed from January 1, 2010 until compliance is achieved.

If you have any questions about this notice or pay equity requirements, please contact me at (651) 259-3761; (651) 282-2699 TTY.

Sincerely,



Faith Zwemke  
Pay Equity Coordinator

Attachments

FZ:car/L-out

# Option 1

## **Make Adjustments and Submit New Report within Grace Period**

July 20, 2010 Date of Non-compliance Notice.  
September 20, 2010 Date by which adjustments must be effective.  
October 20, 2010 Date by which new report must be submitted.

If the department's analysis of the new report shows the jurisdiction to be in compliance, no penalties will be assessed and a "Notice of Compliance" will be issued. However, if the analysis shows the jurisdiction to be out of compliance, penalties will be assessed back to January 1, 2010.

### **Reason for Non-compliance**

The non-compliance ruling is a result of your jurisdiction's failure to pass one or more of the following tests.

Completeness and Accuracy       Salary Range  
 Statistical Analysis                       Exceptional Service Pay  
 Alternative Analysis

### **Explanation of Salary Range Test**

The result of the salary range test for your jurisdiction is 78.76%. To pass this test, your score must be 80% or more.

A score below 80% means that the average number of years needed for female classes to reach maximum salary is more than 20% greater than the average number of years needed for male classes to reach maximum salary. To calculate your percentage, the average number of years required for male classes to reach maximum salary was divided by the average number of years required for female classes to reach maximum salary and multiplied by 100.

In your case, 12.54 divided by 15.92 x 100 = 78.76%.

The salary range test can be passed by improving your score to 80% or more. This can be accomplished by eliminating or narrowing the difference between the average number of years required to reach maximum salary for female classes and male classes. Reducing the average number of years for female classes, increasing the average number of years for male classes or some combination of the two will narrow or eliminate the difference in the number of years needed to reach maximum salary for male and female classes.

A complete explanation of how to calculate the salary range test is in the "Guide to Understanding Pay Equity Compliance and Computer Reports."

## Option 2

### Reconsideration

(use this form only if requesting reconsideration)

**Step 1: Return this form by August 20, 2010.**

*A request for reconsideration of your Pay Equity Implementation Report must be filed within 30 days of the "First Notice of Non-Compliance" received from Minnesota Management & Budget (MMB). In your case, this form must be filled out and received by the date above.*

\_\_\_\_\_ is requesting: (check whichever applies)  
(name of jurisdiction)

#### Reason for Requesting Reconsideration

- A longer grace period for submitting a new report than the one specified by MMB in the "First Notice of Non-Compliance". \_\_\_\_\_ is the new date requested for submitting a new report.
- A reversal of MMB's compliance determination.

**Step 2: Submit Supporting Documentation**

*All jurisdictions requesting reconsideration must provide written documentation to support their request. This documentation may either be attached to this form or sent in and postmarked within 60 days. In your case, this documentation must be received no later than September 20, 2010.*

**Our plan for achieving compliance, signed by our chief elected official, and documentation to support this reconsideration request:**

- are attached to this form.
- are not attached but will be sent and received by the date above.

*The signature below verifies that a copy of this form has been sent to each exclusive representative (if any) in the jurisdiction and will be posted for 90 days at the following location:*

\_\_\_\_\_  
Posting Location

\_\_\_\_\_  
Contact Person

\_\_\_\_\_  
Chief Elected Official

\_\_\_\_\_  
Name of Jurisdiction

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone

**Results of MMB's compliance review and materials submitted by the jurisdiction to support the reconsideration request are public data and available upon request. Comments concerning this reconsideration request may be submitted to Minnesota Management & Budget, Pay Equity Coordinator, 658 Cedar Street, St. Paul, MN 55155; (651) 259-3761.**

# Pay Equity Implementation Report

Send completed report to:

Pay Equity Coordinator  
Department of Employee Relations  
200 Centennial Building  
658 Cedar Street  
St. Paul, MN 55155-1603 (651) 259-3761 (Voice)  
(651) 282-2699 (TDD)

For Department Use Only

Postmark Date of Report

Jurisdiction ID Number

## Part A: Jurisdiction Identification

Jurisdiction: City of Windom  
PO Box 38  
444 9th Street  
Windom, MN 56101

Jurisdiction Type: CITY

Contact: City Administrator Steve Nasby  
Fax: 5078316127  
Email: snasby@windom-mn.com

Phone: (507) 831-6129

## Part B: Official Verification

1. The job evaluation system used measured skill, effort responsibility and working conditions and the same system was used for all classes of employees.

The system used was:

2. Health Insurance benefits for male and female classes of comparable value have been evaluated and:

and the maximum salaries reported include the monthly amount paid by the employer for health insurance

3.  Information in this report is complete and accurate.

4.  The report includes all classes of employees over which the jurisdiction has final budgetary approval authority.

5. No salary ranges/performance differences.

Leave blank unless BOTH of the following apply:

a. Jurisdiction does not have a salary range for any job class.

b. Upon request, jurisdiction will supply documentation showing that inequities between male and female classes are due to performance differences.

Note: Do not include any documentation regarding performance with this form.

6. An official notice has been posted at:

Windom City Hall

(prominent location)

informing employees that the Pay Equity Implementation Report has been filed and is available to employees upon request. A copy of the notice has been sent to each exclusive representative, if any, and also to the public library.

The report was approved by:

Windom City Council

(governing body)

Kirby G. Kruse

(chief elected official)

Mayor

(title)

- Checking this box indicates legal signature by above official.

Date Submitted

## Part C: Total Payroll

is the annual payroll for the calendar year just ended December 31.

Job Class Data Entry Verification List

City of Windom

Case: 2010 Pay Equity Data

Status:

LGID: 2

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo. Salary	Max Mo. Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
1	Admin/Assis/Receptionist	0	1	F	102	\$2,004.00	\$2,605.00	12.00	0	
2	Asst. Liquor Store Clerk	0	2	F	80	\$1,894.00	\$2,525.00	12.00	0	
3	Arena Main. Worker	2	0	M	80	\$1,894.00	\$2,525.00	12.00	0	
5	Housekeeping	1	3	F	116	\$1,695.00	\$3,520.00	16.00	0	
6	Medical Records Clerk	0	1	F	117	\$1,891.00	\$3,795.00	16.00	0	
7	Ward Secretary/Scheduling Secr	0	3	F	117	\$2,059.00	\$4,034.00	16.00	0	
8	Insurance Clerk/Data Processor	1	5	F	117	\$2,139.00	\$4,147.00	16.00	0	
9	Secretary/Clerk	0	3	F	117	\$2,114.00	\$3,709.00	12.00	0	
10	Laboratory/Radiology Clerk	0	1	F	117	\$2,140.00	\$4,147.00	16.00	0	
11	Administrative Assistant	0	1	F	117	\$2,324.00	\$4,409.00	16.00	0	
12	Nursing Aide	0	4	F	120	\$1,941.00	\$3,868.00	16.00	0	
13	Physical Therapy Aide	0	1	F	120	\$1,927.00	\$3,849.00	16.00	0	
14	Medical Assistant	0	1	F	120	\$2,165.00	\$4,182.00	16.00	0	
15	Admin. Assistant	0	2	F	123	\$2,222.00	\$3,880.00	12.00	0	
16	Purchasing/Stocking Assistant	0	2	F	127	\$1,948.00	\$3,877.00	16.00	0	
18	Dietary Cook	1	5	F	129	\$1,913.00	\$3,826.00	16.00	0	
19	Head Housekeeper	0	1	F	134	\$2,076.00	\$4,057.00	16.00	0	
20	Maint/Custodian	1	0	M	137	\$2,331.00	\$3,989.00	12.00	0	
21	Transcriptionist	0	3	F	138	\$2,132.00	\$4,149.00	16.00	0	
22	Coder	0	4	F	138	\$2,411.00	\$4,849.00	16.00	0	
23	Fitness Specialist	0	1	F	113	\$1,873.00	\$3,383.00	16.00	0	
24	Payroll Clerk	0	1	F	141	\$2,600.00	\$4,799.00	16.00	0	
25	Credit & Collections Clerk	0	1	F	141	\$2,229.00	\$4,052.00	16.00	0	
26	Operating Room Technician	1	1	B	141	\$2,724.00	\$4,974.00	16.00	0	
27	Equipment Operator	3	0	M	156	\$2,490.00	\$4,128.00	12.00	0	
28	Children's Library Dir.	0	1	F	162	\$2,490.00	\$3,168.00	12.00	0	
29	Sr Equip. Operator	1	0	M	165	\$2,546.00	\$4,303.00	12.00	0	
31	Library Director	0	1	F	166	\$2,582.00	\$3,385.00	12.00	0	
32	Information Systems Coordinato	0	1	F	166	\$4,232.00	\$7,105.00	16.00	0	
33	Office & Admin Spec Sr	0	1	F	169	\$2,546.00	\$4,303.00	12.00	0	

# Job Class Data Entry Verification List

City of Windom

Case: 2010 Pay Equity Data

LGID: 2

Status:

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo. Salary	Max Mo. Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
34	Inventory Clerk	0	1	F	169	\$2,546.00	\$4,303.00	12.00	0	0
35	Laboratory Tech-MT	0	6	F	169	\$3,515.00	\$6,090.00	16.00	0	0
36	Water/Wastewater I	4	0	M	171	\$2,546.00	\$4,303.00	12.00	0	0
37	Arena Coordinator	1	0	M	177	\$2,546.00	\$4,303.00	12.00	0	0
38	Senior Water/Wastewater	2	0	M	180	\$2,655.00	\$4,414.00	12.00	0	0
39	Asst. Liquor Store Mgr	1	0	M	180	\$2,655.00	\$4,414.00	12.00	0	0
41	Licensed Practical Nurse	0	2	F	204	\$2,738.00	\$4,995.00	16.00	0	0
42	Maintenance	1	0	M	206	\$2,634.00	\$4,866.00	16.00	0	0
43	Equipment Mechanic	1	0	M	208	\$2,655.00	\$4,658.00	12.00	0	0
44	Registered Radiology Technicia	2	2	B	209	\$4,003.00	\$6,779.00	16.00	0	0
46	Radiology Manager	0	1	F	214	\$5,107.00	\$8,341.00	16.00	0	0
47	Maintenance Manager	1	0	M	218	\$2,799.00	\$5,055.00	16.00	0	0
49	Police Officer	4	2	B	236	\$3,045.00	\$4,981.00	15.00	0	0
50	Director of Social Services	0	1	F	238	\$3,407.00	\$6,202.00	16.00	0	0
51	Materials Manager	0	1	F	238	\$3,391.00	\$5,644.00	16.00	0	0
52	Wellness Director	0	1	F	238	\$3,970.00	\$6,620.00	16.00	0	0
53	Patient Accounts Manager	0	1	F	238	\$3,735.00	\$6,402.00	16.00	0	0
54	Registered Nurse	0	24	F	238	\$4,977.00	\$7,850.00	20.00	0	0
55	Laboratory Director	0	1	F	240	\$4,187.00	\$7,041.00	16.00	0	0
56	Finance Assistant	0	1	F	250	\$3,308.00	\$5,258.00	12.00	0	0
57	Outside Plant Tech	2	0	M	250	\$3,308.00	\$5,258.00	12.00	0	0
58	HIM Director	0	1	F	252	\$3,636.00	\$6,261.00	16.00	0	0
59	Lineman	3	0	M	225	\$3,308.00	\$5,258.00	12.00	0	0
60	Human Resources/Marketing Co	0	1	F	275	\$3,721.00	\$6,272.00	16.00	0	0
61	Network Operations Center Dire	1	0	M	282	\$3,523.00	\$5,544.00	12.00	0	0
62	Line Crew Foreman	1	0	M	266	\$3,523.00	\$5,544.00	12.00	0	0
63	Comm. Ctr. Director	1	0	M	300	\$3,575.00	\$5,608.00	12.00	0	0
64	Park & Rec Director	1	0	M	300	\$3,575.00	\$5,608.00	12.00	0	0
65	Police Sergeant	1	0	M	342	\$3,575.00	\$5,608.00	12.00	0	0
66	Liquor Store Manager	1	0	M	291	\$3,684.00	\$5,750.00	12.00	0	0

Job Class Data Entry Verification List

City of Windom

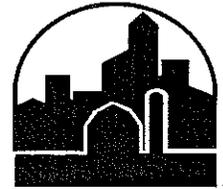
Case: 2010 Pay Equity Data

LGID: 2

Status:

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo. Salary	Max Mo. Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
67	Physical Therapist	0	2	F	323	\$5,107.00	\$8,341.00	16.00	0	0
68	Physical Therapy Manager	1	0	M	333	\$6,466.00	\$9,842.00	16.00	0	0
69	Street/Park Supervisor	1	0	M	301	\$4,715.00	\$7,093.00	12.00	0	0
70	Building Official	1	0	M	282	\$4,715.00	\$7,093.00	12.00	0	0
71	Economic Development Dir.	1	0	M	353	\$4,715.00	\$7,093.00	12.00	0	0
72	Water/Wastewater Sup.	1	0	M	291	\$4,715.00	\$7,093.00	12.00	0	0
73	Electrical Supervisor	1	0	M	353	\$4,715.00	\$7,093.00	12.00	0	0
74	Telecom Operations Manager	1	0	M	342	\$4,715.00	\$7,093.00	12.00	0	0
75	Chief of Police	1	0	M	353	\$4,715.00	\$7,093.00	12.00	0	0
76	Dietary Manager	0	1	F	358	\$2,903.00	\$5,227.00	16.00	0	0
77	Safety/Infection/Risk Manager	0	1	F	382	\$5,152.00	\$8,403.00	16.00	0	0
78	Deputy City Clerk	0	1	F	393	\$5,493.00	\$8,138.00	12.00	0	0
79	Chief Financial Officer	0	1	F	393	\$5,585.00	\$9,252.00	16.00	0	0
80	Operating Room Nursing Superv	0	1	F	406	\$5,591.00	\$9,022.00	16.00	0	0
81	Pharmacist	0	1	F	406	\$8,592.00	\$13,266.00	16.00	0	0
82	Director of Patient Care	0	1	F	516	\$6,899.00	\$10,868.00	16.00	0	0
83	City Clerk/Administrator	1	0	M	483	\$6,374.00	\$9,285.00	12.00	0	0
84	Performance Improvement	0	1	F	400	\$6,239.00	\$9,940.00	16.00	0	0
85	Physical Therapy Assistant	0	1	F	177	\$3,119.00	\$5,424.00	16.00	0	0
87	Outreach Coordinator	0	2	F	117	\$2,059.00	\$4,034.00	16.00	0	0

**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:** City Administrator  
**DATE:** September 3, 2010  
**RE:** 2011 Preliminary Levy

At the August 17, 2010 City Council meeting there was a brief discussion of the 2011 levy limit, Local Government Aid (LGA) and the upcoming 2011 budget.

The State imposed 2011 levy limit for the City of Windom is \$1,236,119. The State levy limit formula allows for inflation of 1.6784% and changes in market valuations, but it deducts the amount of “certified” LGA a city is to receive. Unfortunately, the “certified” amount of LGA is not what cities have received since the Governor and Legislature cut LGA in 2008, 2009, 2010 and 2011. Due to the formula adjustments for LGA and market valuations Windom’s State imposed levy limit of \$1,236,119 is slightly lower than the 2010 levy limit of \$1,241,985.

One of the special levies allowed by the State within the levy limit formula includes the ability for cities to recapture LGA and Mortgage Value Homestead Credit (HVHC). In 2010 the City of Windom lost \$321,001 in LGA and MVHC. This amount may be added to the 2011 levy limit of \$1,236,119. Another special levy provision allows cities to add General Obligation bond debt service as these are legal obligations.

The City Council’s direction to staff was to set the 2011 preliminary levy at the maximum levy limit allowed by the State, levy for our General Obligation bond debt and recapture all of the lost 2010 LGA\HVMC.

\$1,236,119	2011 Levy Limit
\$ 305,270	General Obligation Bond debt service
\$ 321,001	Lost State Aid (2010 LGA & HVMC)
<u>\$ 3,500</u>	PERA (State increases in PERA contributions are eligible to levy)
<b>\$1,865,890</b>	<b>2011 Preliminary Levy</b>

The final 2010 property tax levy was \$1,564,129. As such, the preliminary 2011 tax levy shows an increase of 19.29%. Please note the recapture of lost State aid accounts for all of the property tax levy increase.

If you have any questions or need additional information please contact me at 831-6129.

# RESOLUTION #2010-

INTRODUCED:

SECONDED

VOTED: Aye:

Nay:

Absent:

## A RESOLUTION ADOPTING PROPOSED PROPERTY TAX LEVY

---

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDOM,  
COTTONWOOD COUNTY, MINNESOTA, AS FOLLOWS:**

1. That the following sums of money are hereby proposed to be levied for the current year, collectible in 2011, upon the taxable property in said City of Windom for the following purposes:

Levy Purpose	Levy After all Aids and Reserves
General	
Special Revenue	
Capital Outlay	
Debt Service	
PERA Rate Increase	
LGA Recapture	
<b>TOTALS</b>	<b>\$1,865,890.00</b>

**BE IT FURTHER RESOLVED AS FOLLOWS:**

1. The City Clerk is hereby instructed to transmit a certified copy of this resolution to the County Auditor of Cottonwood County, Minnesota.

Adopted this 7<sup>th</sup> day of September, 2010.

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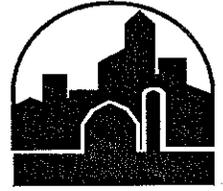
Kirby G. Kruse, Mayor

Attest:

---

Steven Nasby, City Administrator

# MEMORANDUM



**CITY OF WINDOM**  
444 9th Street  
Windom, MN 56101  
Phone: 507-831-6129  
Fax: 507-831-6127  
[www.windom-mn.com](http://www.windom-mn.com)

**TO:** City Council  
**FROM:** City Administrator  
**DATE:** September 3, 2010  
**RE:** Formal Budget Meetings for Public Input and Setting of Final 2011 Tax Levy

In addition to the upcoming 2011 budget workshops the City needs to set the dates for the formal public meetings on the 2011 budget and tax levy. Typically these actions are done at the regularly scheduled City Council meetings.

### **2011 City Budget Public Input**

On December 7, 2010 City Council meeting will include public input and discussion of the 2011 budget and be held at 7:00 p.m. at the City Hall, Council Chamber (444 9<sup>th</sup> Street).

### **Formal Adoption of 2011 Budget and Property Tax Levy**

On December 21, 2010 the City Council will consider the formal adoption of the 2011 budget and adoption of the final 2011 tax levy. This December 21, 2010 meeting would be held at the Windom Community Center (1750 Cottonwood Lake Drive) at 7:30 p.m.

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
STREET	MII LIFE	VEBA GRANT SHANE SOLETA	675.00
STREET	MN ENERGY RESOURCES	HEATING	33.16
		Total for Department 140	708.16*
RECREATION	COCA-COLA BOTTLING C	MERCHANDISE	1,309.73
		Total for Department 150	1,309.73*
		Total for Fund 01	2,017.89*
POOL	COCA-COLA BOTTLING C	MERCHANDISE	76.48
POOL	SALLY OLTMANN'S	EXPENSE FOR SPLASH BASH	236.59
POOL	SAMANTHA HARROLD	EXPENSE - SPLASH BASH	127.79
		Total for Department 175	440.86*
		Total for Fund 12	440.86*
AMBULANCE	LINDY'S COLLECTION S	SERVICE	200.00
AMBULANCE	Verizon Wireless	TELEPHONE	89.71
AMBULANCE	DAVID D DICK	REFUND	147.84
		Total for Department 176	437.55*
		Total for Fund 13	437.55*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	5,133.85
LIQUOR	COCA-COLA BOTTLING C	MERCHANDISE	435.15
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	2,172.10
		Total for Department 180	7,741.10*
		Total for Fund 60	7,741.10*
WATER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	126.57
		Total for Department 181	126.57*
		Total for Fund 61	126.57*
ELECTRIC	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	126.57
ELECTRIC	WINDOM EDUCATION & C	ENERGY CONSERVATION PROJ	325.00
		Total for Department 182	451.57*
		Total for Fund 62	451.57*
SEWER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	126.56
SEWER	MN ENERGY RESOURCES	HEATING	36.16
		Total for Department 183	162.72*
		Total for Fund 63	162.72*
ARENA	COCA-COLA BOTTLING C	MERCHANDISE	393.13
		Total for Department 184	393.13*
		Total for Fund 64	393.13*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ECONOMIC DEVELOPMENT	EHLERS & ASSOC., INC	SERVICE	712.50
		Total for Department 187	712.50*
		Total for Fund 67	712.50*
TELECOMMUNICATIONS	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	379.68
TELECOMMUNICATIONS	RFD TV	SUBSCRIBER	194.96
TELECOMMUNICATIONS	SHOWTIME NETWORKS IN	SUBSCRIBER	308.00
		Total for Department 199	882.64*
		Total for Fund 69	882.64*
		Grand Total	13,366.53*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
MAYOR & COUNCIL	SECR REV FUND/CITY O	SUPPLIES	6.50
	Total for Department 101		6.50*
ELECTIONS	SECR REV FUND/CITY O	SUPPLIES	13.09
	Total for Department 102		13.09*
CITY OFFICE	STEVE NASBY	EXPENSE	157.16
CITY OFFICE	BRIGITTE OLSON	EXPENSE	54.75
CITY OFFICE	SELECTACCOUNT	PARTICIPAN FEE	89.67
	Total for Department 103		301.58*
CITY HALL	ELECTRIC FUND	MAINTENANCE	21.34
CITY HALL	MN ENERGY RESOURCES	HEATING	18.17
	Total for Department 115		39.51*
POLICE	TODD HYATT	SUPPLIES	12.87
POLICE	FLEET SERVICES DIVIS	LEASE CAR	2,488.68
POLICE	UNICEL	TELEPHONE	189.45
	Total for Department 120		2,691.00*
FIRE DEPARTMENT	AMOCO OIL COMPANY	GAS	104.85
	Total for Department 125		104.85*
STREET	AMOCO OIL COMPANY	GAS	191.33
	Total for Department 140		191.33*
HEALTH & SANITATION	NEAL GRUNEWALD	COMPOST SITE MANAGER	128.00
	Total for Department 145		128.00*
	Total for Fund 01		3,475.86*
LIBRARY	MN ENERGY RESOURCES	HEATING	41.41
	Total for Department 171		41.41*
	Total for Fund 03		41.41*
	WENCK ASSOCIATES, IN AIRPORT PROJ 09		8,583.90
	WICKS CONSTRUCTION I 09 AIRPORT PROJECT		34,707.29
	Total for Department		43,291.19*
AIRPORT	MN DEPT OF ADMINISTR	TELEPHONE	45.68
	Total for Department 174		45.68*
	Total for Fund 11		43,336.87*
POOL	MN ENERGY RESOURCES	HEATING	893.18
	Total for Department 175		893.18*
	Total for Fund 12		893.18*
AMBULANCE	KATE AXFORD	EXPENSE	6.03

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
AMBULANCE	TIM HACKER	EXPENSE	5.46
AMBULANCE	ROBIN SHAW	EXPENSE	18.78
AMBULANCE	KIM POWERS	EXPENSE	40.62
AMBULANCE	PAULA RAVERTY	EXPENSE	21.81
AMBULANCE	EDNA ESPENSON	REFUND -	80.42
	Total for Department 176		173.12*
	Total for Fund 13		173.12*
MULTI-PURPOSE BUILDI	MN ENERGY RESOURCES	HEATING	76.54
	Total for Department 177		76.54*
	Total for Fund 14		76.54*
	MN DEPT OF EMPLY & E	LOAN REPAYMENT SPAP-99-\$	3,138.80
	Total for Department		3,138.80*
PM REVOLVING LOAN FU	MN DEPT OF EMPLY & E	LOAN REPAYMENT SPAP-99-\$	26.20
	Total for Department 172		26.20*
	Total for Fund 15		3,165.00*
SCDP	SW MN HOUSING PARTNE	DRAW #15	15,196.00
	Total for Department 163		15,196.00*
	Total for Fund 17		15,196.00*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	7,353.15
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	9,088.45
LIQUOR	A H HERMEL CANDY & T	MERCHANDISE	651.27
LIQUOR	JOHNSON BROS.	MERCHANDISE	2,384.03
LIQUOR	MN ENERGY RESOURCES	HEATING	46.12
LIQUOR	PHILLIPS WINE & SPIR	MERCHANDISE	948.38
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	80.00
LIQUOR	THE AMERICAN BOTTLIN	MERCHANDISE	148.10
	Total for Department 180		20,699.50*
	Total for Fund 60		20,699.50*
	RON'S ELECTRIC INC	MAINTENANCE	16,841.75
	Total for Department		16,841.75*
WATER	AMUNDSON DIG	MAINTENANCE	420.00
WATER	DATA-PAC MAILING SYS	MAIL METER RENTAL	52.25
WATER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	151.09
WATER	MN ENERGY RESOURCES	HEATING	403.58
WATER	RON'S ELECTRIC INC	MAINTENANCE	169.98
WATER	SECR REV FUND/CITY O	POSTAGE	9.80
	Total for Department 181		1,206.70*

CITY OF WINDOM  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Fund 61			18,048.45*
	SECR REV FUND/CITY O	UTILITY PRE PAYMENT REFU	625.00
	JANET PETERSON	REFUND - UTILITY PREPAYM	125.00
Total for Department			750.00*
ELECTRIC	AMOCO OIL COMPANY	GAS	286.13
ELECTRIC	DATA-PAC MAILING SYS	MAIL METER RENTAL	52.25
ELECTRIC	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	151.09
ELECTRIC	MN ENERGY RESOURCES	HEATING	18.17
ELECTRIC	BANK MIDWEST	ACH WITHDRAW-WRONG ACCT	61.30
ELECTRIC	BANK MIDWEST	NSF CHECK	159.47
Total for Department 182			728.41*
Total for Fund 62			1,478.41*
	M R PAVING & EXCAVAT	SYKORA ADD FINAL PAYMENT	947.93
Total for Department			947.93*
SEWER	AMOCO OIL COMPANY	GAS	152.73
SEWER	DATA-PAC MAILING SYS	MAIL METER RENTAL	52.25
SEWER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	151.09
SEWER	MN ENERGY RESOURCES	HEATING	31.64
Total for Department 183			387.71*
Total for Fund 63			1,335.64*
ARENA	AMOCO OIL COMPANY	GAS	143.34
ARENA	MN ENERGY RESOURCES	HEATING	73.17
Total for Department 184			216.51*
Total for Fund 64			216.51*
	ELECTRIC FUND	LOAN PAYMENT TO ELECTRIC	689.36
Total for Department			689.36*
ECONOMIC DEVELOPMENT	AARON BACKMAN	EXPENSE	70.00
ECONOMIC DEVELOPMENT	ELECTRIC FUND	LOAN PAYMENT TO ELECTRIC	260.13
ECONOMIC DEVELOPMENT	BRADY POWERS	MAINTENANCE	50.00
ECONOMIC DEVELOPMENT	SECR REV FUND/CITY O	SUPPLIES	7.00
Total for Department 187			387.13*
Total for Fund 67			1,076.49*
RIVERBLUFF ESTATES	BRADY POWERS	MOWING	120.00
Total for Department 166			120.00*
Total for Fund 68			120.00*
	INTERNAL REVENUE SER	EXCISE TAX POSTING	676.24

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
Total for Department			676.24*
TELECOMMUNICATIONS	DATA-PAC MAILING SYS	MAIL METER RENTAL	156.75
TELECOMMUNICATIONS	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	453.29
TELECOMMUNICATIONS	QWEST COMMUNICATIONS	LEXIS BILLING SYSTEM	350.74
TELECOMMUNICATIONS	MN ENERGY RESOURCES	HEATING	10.86
TELECOMMUNICATIONS	BANK MIDWEST	NSF CHECK	62.32
TELECOMMUNICATIONS	FIRE FIGHTER & DETEC	SERVICE	615.00
Total for Department 199			1,648.96*
Total for Fund 69			2,325.20*
	AFLAC	INSURANCE	397.84
	JOHNSON COUNTY COURT	PAYROLL DEDUCTION CDDM01	1,202.00
	MN BENEFIT ASSOCIATI	INSURANCE	114.18
Total for Department			1,714.02*
Total for Fund 70			1,714.02*
Grand Total			113,372.20*

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
ELECTIONS	CMRS - TMS	POSTAGE	37.84
		Total for Department 102	37.84*
CITY OFFICE	CMRS - TMS	POSTAGE	372.67
CITY OFFICE	MN NCPERS LIFE INSUR	INSURANCE	80.00
		Total for Department 103	452.67*
P & Z / BUILDING OFF	CMRS - TMS	POSTAGE	16.93
P & Z / BUILDING OFF	MN NCPERS LIFE INSUR	INSURANCE	24.00
		Total for Department 106	40.93*
CITY HALL	JOE'S LAWN CARE	MOW LAWN	40.00
		Total for Department 115	40.00*
POLICE	MN NCPERS LIFE INSUR	INSURANCE	128.00
		Total for Department 120	128.00*
FIRE DEPARTMENT	CMRS - TMS	POSTAGE	8.74
		Total for Department 125	8.74*
STREET	CMRS - TMS	POSTAGE	7.48
STREET	MN NCPERS LIFE INSUR	INSURANCE	112.00
		Total for Department 140	119.48*
RECREATION	CMRS - TMS	POSTAGE	.88
		Total for Department 150	.88*
PARKS	CMRS - TMS	POSTAGE	1.32
PARKS	MN NCPERS LIFE INSUR	INSURANCE	32.00
		Total for Department 165	33.32*
		Total for Fund 01	861.86*
AIRPORT	CMRS - TMS	POSTAGE	15.00
		Total for Department 174	15.00*
		Total for Fund 11	15.00*
POOL	CMRS - TMS	POSTAGE	72.50
		Total for Department 175	72.50*
		Total for Fund 12	72.50*
AMBULANCE	CMRS - TMS	POSTAGE	80.15
AMBULANCE	TINA P NEUFELD	REFUND - AMBULANCE	460.75
		Total for Department 176	540.90*
		Total for Fund 13	540.90*
MULTI-PURPOSE BUILDI	CMRS - TMS	POSTAGE	28.52
MULTI-PURPOSE BUILDI	MN NCPERS LIFE INSUR	INSURANCE	32.00

CITY OF WINDOM  
FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
		Total for Department 177	60.52*
		Total for Fund 14	60.52*
LIQUOR	BEVERAGE WHOLESALERS	MERCHANDISE	8,679.90
LIQUOR	CMRS - TMS	POSTAGE	4.40
LIQUOR	EXTREME BEVERAGE, LL	MERCHANDISE	315.00
LIQUOR	WIRTZ BEVERAGE MN WI	MERCHANDISE	2,715.79
LIQUOR	HAGEN DISTRIBUTING	MERCHANDISE	6,995.05
LIQUOR	JOHNSON BROS.	MERCHANDISE	2,982.57
LIQUOR	MN NCPERS LIFE INSUR	INSURANCE	32.00
LIQUOR	PEPSIAMERICAS	MERCHANDISE	164.60
LIQUOR	QUALITY WINE SPIRITS	MERCHANDISE	3,707.90
		Total for Department 180	25,597.21*
		Total for Fund 60	25,597.21*
WATER	BOND TRUST SERVICE C	2009B ADMIN FEE	225.00
WATER	CMRS - TMS	POSTAGE	83.11
WATER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	150.00
WATER	MN NCPERS LIFE INSUR	INSURANCE	24.00
		Total for Department 181	482.11*
		Total for Fund 61	482.11*
		OKAY CONSTRUCTION, L	POLE CHANGE OUT
		Total for Department	2,774.21*
ELECTRIC	AMUNDSON DIG	MAINTENANCE	403.99
ELECTRIC	CMRS - TMS	POSTAGE	112.81
ELECTRIC	MARV GRUNIG	EXPENSE	135.00
ELECTRIC	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	150.00
ELECTRIC	MN NCPERS LIFE INSUR	INSURANCE	96.00
ELECTRIC	KATHLEEN BAUMANN	ENERGY REBATE	25.00
ELECTRIC	GAIL BIKE	ENERGY REBATE	250.00
ELECTRIC	AVIS FETT	ENERGY REBATE	250.00
ELECTRIC	ANDREW HEWITT	ENERGY REBATE	50.00
ELECTRIC	GREGORY INGELS	ENERGY REBATE	100.00
ELECTRIC	BRYAN JOYCE	ENERGY REBATE	50.00
ELECTRIC	PAULA & RUSS KEPLER	ENERGY REBATE	25.00
ELECTRIC	MARK LILLEGAARD	ENERGY REBATE	250.00
ELECTRIC	JOHN MEYER	ENERGY REBATE	75.00
ELECTRIC	JERRY PARKER	ENERGY REBATE	130.00
ELECTRIC	DELORIS QUIRING	ENERGY REBATE	50.00
ELECTRIC	RALPH ROBINSON	ENERGY REBATE	10.00
ELECTRIC	MICHAEL THOMAS	ENERGY REBATE	50.00
		Total for Department 182	2,212.80*
		Total for Fund 62	4,987.01*

CITY OF WINDOM  
 FM Entry - Invoice Payment - Department Report

Department	Vendor Name	Description	Amount
SEWER	BOND TRUST SERVICE C	2009B ADMIN FEE	225.00
SEWER	CMRS - TMS	POSTAGE	102.63
SEWER	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	150.00
SEWER	MN NCPERS LIFE INSUR	INSURANCE	72.00
		Total for Department 183	549.63*
		Total for Fund 63	549.63*
ARENA	CMRS - TMS	POSTAGE	11.04
ARENA	MN NCPERS LIFE INSUR	INSURANCE	32.00
ARENA	DALLAS SMITH CONSTRU	ARENA ENTRY	1,469.74
		Total for Department 184	1,512.78*
		Total for Fund 64	1,512.78*
ECONOMIC DEVELOPMENT	CMRS - TMS	POSTAGE	33.55
ECONOMIC DEVELOPMENT	CITIZEN PUBLISHING C	ADVERTISING	72.00
ECONOMIC DEVELOPMENT	MN NCPERS LIFE INSUR	INSURANCE	24.00
		Total for Department 187	129.55*
		Total for Fund 67	129.55*
TELECOMMUNICATIONS	AT & T	USAGE CHARGES	180.67
TELECOMMUNICATIONS	CMRS - TMS	POSTAGE	50.43
TELECOMMUNICATIONS	DISH NETWORK	SERVICE	3,400.00
TELECOMMUNICATIONS	E-911	MONTHLY 911 SERVICE	43.95
TELECOMMUNICATIONS	H P SUDS CLUB, LLC.	BILLING CONTRACT SERVICE	450.00
TELECOMMUNICATIONS	MN NCPERS LIFE INSUR	INSURANCE	64.00
TELECOMMUNICATIONS	QUEST	TELEPHONE	104.77
TELECOMMUNICATIONS	ONVOY, INC	SS7 SERVICE	1,324.13
TELECOMMUNICATIONS	ONVOY, INC	WHOLE 800 SWITCH	1,558.98
TELECOMMUNICATIONS	UNIVERSAL SERVICE AD	USER FEES	2,555.08
TELECOMMUNICATIONS	ZAYO BANDWIDTH	BANDWIDTH BILLING	5,761.96
		Total for Department 199	15,493.97*
		Total for Fund 69	15,493.97*
	MN NCPERS LIFE INSUR	INSURANCE	32.00
		Total for Department	32.00*
		Total for Fund 70	32.00*
		Grand Total	50,335.04*

**DALLAS SMITH CONSTRUCTION**

3336

41090 380th Street  
 Windom, MN 56101  
 (507) 831-5438

CUSTOMERS ORDER NO.	DATE ORDERED Aug 11/10
ORDER TAKEN BY	DATE PROMISED <input type="checkbox"/> A.M. <input type="checkbox"/> P.M.

BILL TO Windom City Arena	PHONE
ADDRESS Cottonwood County Fair Grounds	MECHANIC
CITY Windom MN 56101	HELPER
JOB NAME AND LOCATION	<input type="checkbox"/> DAY WORK <input type="checkbox"/> CONTRACT <input type="checkbox"/> EXTRA
DESCRIPTION OF WORK Arena - Entry Repave + Sub Wall Steel (Joist Wall)	

QUANT.	DESCRIPTION OF MATERIAL USED	PRICE	AMOUNT
	Balance Due	\$ 1469	24
	100% Complete on Steel Siding + Front Lobby		}
	64-184-44/4		
	8/27/10 AT		

HOURS	LABOR	AMOUNT	TOTAL MATERIALS
	MECHANICS @		TOTAL LABOR
	HELPERS @		
I hereby acknowledge the satisfactory completion of the above described work.		TOTAL LABOR	TAX \$ 74
SIGNATURE	DATE COMPLETED	TOTAL	1469

A SW MN HONOR FLIGHT FUND RAISER

1<sup>ST</sup> ANNUAL

MAYOR OBERLOH'S

GOLF OPEN

AT PRAIRIE VIEW GOLF LINKS

Saturday, Sept. 11, 2010

9:30 a.m. Shotgun Start

18 HOLES - 4 PERSON SCRAMBLE

\$50 PER PERSON

(INCLUDES GREEN FEE, CART RENTAL AND MEAL)

To register call: (507) 372-8670

HOLE CONTESTS

A GIFT BAG FOR EVERY GOLFER

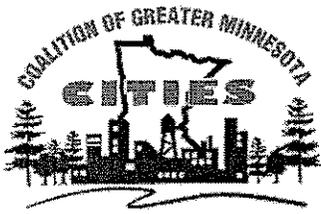
MULLIGANS AND SKINS AVAILABLE

BEVERAGE CART RAFFLE

GET YOUR TEAM TOGETHER AND SIGN UP TODAY

REGISTRATION ENDS ON SEPT. 7, 2010

We look forward to seeing you on the Links!



Coalition of Greater Minnesota Cities

# CGMC in Brief

September 2, 2010

Contact: Tim Flaherty

651-225-8840

## CGMC launches MyMNBudget.com, online tool for solving state deficit

Yesterday, CGMC launched its online state budget calculator, [MyMNBudget.com](http://MyMNBudget.com). For those of you who were not able to see the preview of this website at the CGMC summer conference, [MyMNBudget.com](http://MyMNBudget.com) provides a complete recreation of the state general fund and allows users to close the \$5.8 billion deficit through specific spending cuts and/or tax increases. Users are also provided with detailed descriptions of each state-funded program so that they know what the program does, how much funding it receives, and who the cuts would impact.

This project was released during a Capitol press conference led by Flaherty & Hood policy analyst Steve Peterson, who produced the website. Peterson was joined by Glencoe Mayor Randy Wilson and St. Paul Mayor Chris Coleman, who both emphasized the need for gubernatorial candidates to provide detailed budget proposals so that voters can make informed decisions. The full press release for this event can be viewed here: <http://bit.ly/c1A1jI>. CGMC thanks both mayors for speaking strongly in support of this project! The Pioneer Press also wrote an excellent editorial today on [MyMNBudget.com](http://MyMNBudget.com), which can be found at <http://bit.ly/cFn7fY>.

In the upcoming weeks, CGMC staff will be hitting the road to promote the budget tool in greater Minnesota communities. In the meantime, CGMC encourages members to visit [MyMNBudget.com](http://MyMNBudget.com) and share the site with your communities. It is important for Minnesotans to see that there are no easy solutions to what is a very complex problem at the state level, and consequently, Minnesotans shouldn't accept simplified answers from candidates.

## CGMC moderates forum for St. Cloud area candidates; more to follow

On Tuesday night, CGMC lobbyist Bradley Peterson moderated a forum for all 12 legislative candidates for state House and Senate seats in Districts 14 and 15. The event was held in conjunction with a regional meeting of central Minnesota cities. The state budget, LGA, bonding, and the nature of partisan politics were all up for discussion during the hour and a half event. A special thanks goes to the City of Waite Park for hosting the forum.

In general, the discussion largely broke along traditional partisan lines with most DFL candidates arguing that in order to provide services and keep property taxes under control, more state revenue would need to be raised. Most favored some sort of income tax increase on higher income earners. A gambling option based on a racino or state owned casino was also a popular option. The Republican candidates, on the other hand, argued that the deficit was really not as bad as the Pawlenty administration's forecasted number of



\$5.8 billion and that existing revenues should be sufficient to meet the state's needs.

Over the next two months, CGMC will be working with cities across the state to host legislative candidate forums. So far, there are forums scheduled in Dodge Center (September 21), Marshall (September 23), Hutchinson, (September 29), Alexandria (October 6), and Luverne (October 18). For more information on CGMC candidate forums contact J.D. Burton at [jdburton@flaherty-hood.com](mailto:jdburton@flaherty-hood.com).

### **Feds announce new housing program**

On August 25, the Department of Housing and Urban Development announced the availability of \$65 million in neighborhood planning and implementation grants under the new "Choice Neighborhoods" program. According to a HUD press release, the Choice program will provide grants to "housing authorities, local governments, nonprofit organizations, and for-profit developers that apply jointly with a public entity to extend neighborhood transformation efforts beyond public and/or assisted housing, to link housing revitalization with education reform and early childhood education." Applicants have until October 26, 2010, to apply. For more information, please visit [www.grants.gov](http://www.grants.gov), or contact J.D. Burton at [jdburton@flaherty-hood.com](mailto:jdburton@flaherty-hood.com).





## Cities, Services & Funding: Broader Thinking, Better Solutions

**The entire approach to city services and funding needs to be rethought;  
a broader discussion begins NOW.**

The League has launched a new effort that has the potential to help shape the future of Minnesota cities—the services you provide, how those services are delivered, and how they are paid for.

Fighting for more funding for LGA, for local option sales taxes, and for more local revenue options is no longer enough. We need to shape a new way forward for Minnesota's cities.

As part of this effort, the League commissioned a study to analyze what the future holds for city budgets if nothing changes.

- **Read about the results of the League-commissioned study** (*Link to: <http://www.lmc.org/page/1/city-budget-projections.jsp>*)

### **You can be part of the solution**

The point of this effort is to engage the city community, policymakers, and the general public in conversations about the financial conditions cities are facing now and in the years to come. You can help spread the word about this effort and determine where it heads in the future.

### ***Share these videos that build awareness***

The League has produced two videos that take this complex issue of the future of city funding and present it in entertaining and surprising ways. The videos are designed to reach those people who may not be aware of city service and funding issues and get them thinking and talking.

These videos can create buzz and awareness about the issues cities are facing; we believe they have the potential to be viewed far and wide among residents in our state in the weeks and months to come. You can help make this happen when you:

- **Watch the videos below** or on YouTube at **[www.youtube.com/outsidetheox](http://www.youtube.com/outsidetheox)** (*Link to: <http://www.youtube.com/outsidetheox>*)
- **Share the video links** with your friends, family, neighbors, legislators, and constituents using e-mail, social media, and your city website, newsletter, cable channel, or other city communications
- **Post your comments** related to the videos, city services, and funding for those services on:  
—Our blog site: **[www.outsidetheox.org](http://www.outsidetheox.org)** (*Link to: <http://www.outsidetheox.org>*)

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## Are state's budget answers hiding at the fairgrounds?

Solutions to cities' budget woes may well come from the grass roots, and the League of Cities hopes to find them.

By MARIA ELENA BACA, Star Tribune

Last update: August 31, 2010 - 12:07 AM

The League of Minnesota Cities is hoping a Plinko game at the State Fair can jump-start a discussion on how to fix the system for funding city services.

At the league's booth in the lower-level grandstand, visitors can play "Outside the Ox" -- a play on words that refers to state icon Babe the Blue Ox -- slipping a chip into a game board and watching it meander down to one of eight slots representing city services, from "Fire/Ambulance" to "Waste/Recycling."

**WHAT DO YOU VALUE?** As cities begin preparing their 2011 budgets, league officials hope to get people thinking about the municipal services they value. Over the next year, they want to talk about new ideas to

pay for the services people need and expect no matter where they live.

"We hope to engage as many people as deeply as possible," said league spokeswoman Mary-Margaret Zindren. "You have to get beyond the first answer to the question [whether people like paying taxes]."

"If it's not taxes, how will you pay for this?"

There's also the question of how costs are spread across the state, and whether residents of St. Paul, for instance, have an interest in the services -- paved streets, police, streetlights -- in places such as St. Francis or St. James. The league is encouraging all Minnesotans to share ideas at [www.outsidetheox.org/](http://www.outsidetheox.org/).

**FAIRGOERS PONDER:** At the fair last week, some people were already thinking.

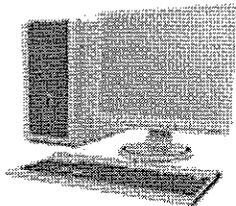
Nicole Montanez of Inver Grove Heights said she appreciates the fact that parks benefit from Minnesota Lottery proceeds, but also said that she thought families with kids in school should pay more taxes.

Still, she added, she'd be willing to increase taxes for better road upkeep, and she likes having trash and recycling pickup at her

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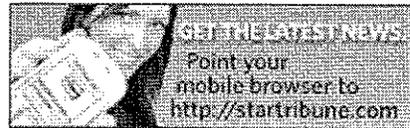
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home.

Frank Mabley said he values the services he gets in Shoreview.

"It seems that people are unwilling to pay for the things they want our governments to do, then they grouse about it when something goes wrong," he said. "I think people take a lot for granted."

**SHOULD USERS PAY?** Robin Hudson of Baldwin, Wis., said cities should consider user fees for parks and senior services.

"That's the fairest way to do it, so people who utilize it pay for it," she said.

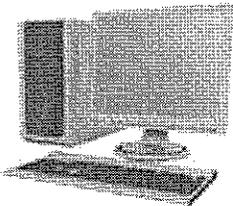
What if a family can't afford to balance rent payments with park admission fees? "It's not always instant gratification," she said. "That's true for everything."

Maria Elena Baca • 612-673-4409

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# TRICOUNTY NEWS

Today's date: September 2, 2010

## News

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## Classifieds

## Community News

### Senator Jim Vickerman receives CGMC Rural Leadership award

September 1, 2010



ST.  
PAUL

CGMC President Timothy Stand, Mayor of St. Peter, presents Senator Jim Vickerman with a rural leadership award at the Coalition of Greater Minnesota Cities conference.

ST. PAUL-Sen. Jim Vickerman was recognized by the Coalition of Greater Minnesota Cities (CGMC) August 19 at the Coalition's three-day summer conference in Winona, Minn., for his leadership on issues facing rural Minnesota. Sen. Vickerman, a Democrat from Tracy, is retiring after serving seven terms in the Minnesota Senate. The rural leadership award is given upon retirement to legislators who have demonstrated unfailing commitment and made extraordinary contributions to greater Minnesota during their legislative careers. As chair of the Agriculture and Veterans Committee, Sen. Vickerman is recognized as a national leader in agriculture, veterans, and rural issues. He is also credited with changing several of the land use and annexation laws in a positive direction. Sen. Vickerman, who came from a township and county board background, has always kept an open mind in regards to land use reform and the impact on cities, and has maintained his strong support for Local Government Aid. "We cannot say 'thank you' loud enough to Sen. Vickerman for his deep commitment to rural Minnesota," said CGMC President Timothy Stand, Mayor of St. Peter. "He is a very well respected member of the Minnesota Senate and has lead through example of bi-partisanship and moderate policy making. He will be greatly missed." CGMC is a nonprofit, nonpartisan advocacy organization representing 75 cities outside of the Twin Cities metropolitan area. The Coalition educates legislators about issues important to greater Minnesota.

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## Report links steep property tax hikes in St. Paul to cuts in state aid

By Bill Salisbury  
bsalisbury@pioneerpress.com

Updated: 08/31/2010 11:28:27 PM CDT

The purchasing power of the city of St. Paul's state aid has dropped 53 percent since 2002, according to a study released Tuesday by a progressive think tank.

Minneapolis' state aid declined 60 percent, adjusted for inflation, during that period, the Minnesota 2020 report stated.

Those cuts, combined with double-digit drops in per-pupil state aid to school districts, have contributed to a 69 percent increase in the average St. Paul homeowner's property taxes since 2002, the high-water mark for state aid to cities, the study found. Taxes on the average Minneapolis homestead rose 50 percent during that period.

Across Minnesota, property taxes have risen 27 percent in that eight-year period, the study said. That's the fastest rate of growth in a generation.

Homeowner property taxes have increased with particular speed — 38 percent in inflation-adjusted dollars since 2002. (Adjusting tax figures for inflation is a common practice, according to the state Revenue Department.)

Over that period, local property taxes have

increased by \$1.7 billion in inflation-adjusted dollars, the report said, while state aid to local governments has declined by \$2.6 billion.

Local property tax increases replaced about two-thirds of the state aid cuts, the study found. Local governments closed the remaining budget gaps by spending down reserves and cutting services.

State aid cuts resulting from Gov. Tim Pawlenty's "no new taxes" policy is the main cause of

statewide property tax increases, not higher spending by local governments, Jeff Van Wychen, the report's author, said in a news release.

"In fact, local governments have done a better job at belt tightening than the state. Since 2002, Minnesota cities have cut real per capita spending by 15 percent," Van Wychen said.

Pawlenty has argued that cities could have held down their property tax levies even more by using their rainy-day reserves, freezing employee pay and downsizing and streamlining municipal operations.

With his proposed 2011 city budget, St. Paul Mayor Chris Coleman — who had raised taxes for several years in a row, often criticizing Pawlenty's policies — took a different approach.

Coleman's proposed budget calls for no property tax increase but assumes that state aid pledged thus far will not be cut further. The political effect of such a move could be to parry any potential criticism of the Democrat as tax-happy. On the flip side, several members of the city council have expressed reservations about whether Coleman's budget will provide enough money if state aid is cut further.

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## Legislators Take Another Look at OLA Public Library Report

**While the report could set the stage for a broader discussion on how all library services are delivered and paid for, a lot of questions remain.**

*(Published Sep 1, 2010)*

On Aug. 23, an interim hearing by the **Cultural and Outdoor Resources Finance Division** (*Link to: <http://www.house.leg.state.mn.us/comm/committee.asp?comm=86121>*) took another look at a report on public libraries and heard testimony from a variety of sources on their lists of recommendations. The study was conducted by the non-partisan Office of Legislative Auditor (OLA) and the report was originally presented to the committee in April 2010.

- **Access the full 104-page report and a summary on the OLA website** (*Link to:*

*<http://www.auditor.leg.state.mn.us/ped/2010/libraries.htm>*)

Most of the committee's discussions at the recent hearing focused on the multi-type libraries. Members questioned whether the multistate model had outlived its time with the technologies that are available today, and whether some of those services should be provided by the state instead of delivered regionally.

One key point made by legislators and testifiers was that job seekers often use library resources (such as computers) to find and apply for jobs. In many instances, libraries are open on evenings and weekends when the traditional workforce centers are closed. Legislators were quick to point out that the House Higher Education & Workforce Development Finance committee should be made aware that these job seekers' needs are being met outside the traditional workforce centers model for future funding purposes.

Those testifying agreed that a biennial "State of the State for Public Libraries Report" would be a useful tool for legislators and policymakers at the Capitol. At the end of the hearing, the League of MN Cities was asked to testify and answer questions about the maintenance-of-effort (MOE) funding levels, and how library services (e.g., hours and staffing) were affected throughout the state.

While the report could set the stage for a broader discussion on how all library services are delivered and paid for, there are a lot of questions that remain for the time being. The House Cultural and Outdoor Resources Finance Division is chaired by **Rep. Mary Murphy** (*Link to:*

*<http://www.house.leg.state.mn.us/members/members.asp?district=06B>*) (DFL-Hermantown), a strong library supporter who has been key in brokering MOE mandate relief over the last few sessions. The House committee structure could look much different next legislative session; the Senate does not have the same committee, as library services are dealt with in its education committees.

## Background

The library study came about partially because of the discussions in 2009 over mandated MOE funding issues. Those discussions in legislative committees helped point out some of the funding inequities around the state. Along with looking at the funding aspects, the OLA delved into how services are delivered and came up with the following recommendations:

- To reduce duplication and enhance coordination, the Legislature should eliminate multi-type library cooperation systems and move their function and funding to the regional public library systems.
- State Library Services should work more closely with regional public library systems to help identify and address critical needs and issues that have statewide implications.
- The Legislature should require the state librarian to issue a biennial “State of the State for Public Libraries Report” to the appropriate legislative committees by Jan. 1 of each odd-numbered year.
- State Library Services should develop a process to verify local government spending for MOE certification using the best data available from the Office of the State Auditor and the Department of Education’s annual public libraries survey.

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

## Your LMC Resource

### Contact Jennifer O'Rourke

IGR Representative

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

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

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## Upcoming Events

### REGISTER NOW FOR THESE LEAGUE EVENTS:

- **2010 LMC Regional Meetings**

Sept. 22—Crookston  
Sept. 23—Dalton  
Sept. 29—Mountain Iron  
Sept. 30—Walker  
Oct. 6—Eyota  
Oct. 7—Montgomery  
Oct. 13—Walnut Grove  
Oct. 14—Grove City  
Nov. 17—Brooklyn Park

**Read more and register for the 2010 Regional Meeting near you** (*Link to:*

<http://www.lmc.org/page/1/regionalmtgs10.jsp>)

- **Office Ergonomics: Fitting Jobs to Staff...Not Fitting Staff to Jobs**

Sept. 29—Chatfield  
Oct. 6—Crosby  
Oct. 7—Monticello

**Read more and register for Office Ergonomics: Fitting Jobs to Staff...Not Fitting Staff to Jobs**

(*Link to:* <http://www.lmc.org/page/1/2010LMCITTFallWorkshops-Ergonomics.jsp>)

- **Police & Our Changing Communities**

Oct. 6—Windom  
Oct. 7—Morristown  
Nov. 4—Crookston

**Read more and register for Police & Our Changing Communities** (*Link to:*

<http://www.lmc.org/page/1/2010LMCITTFallWorkshop-Police.jsp>)

- **Slips, Trips, Falls & Vehicle Safety**

Oct. 13—Bagley  
Oct. 14—Long Prairie  
Oct. 20—Mendota Heights  
Oct. 21—Waseca

**Read more and register for Slips, Trips, Falls & Vehicle Safety** (*Link to:*

<http://www.lmc.org/page/1/2010LMCITTFallWorkshops-SlipsTripsVehicleSafety.jsp>)

- **HR & Safety Issues for Municipal Liquor Stores**

Oct. 14—Cromwell

**Read more and register for HR & Safety Issues for Municipal Liquor Stores** *(Link to:**http://www.lmc.org/page/1/2010LMCITFallWorkshop-LiquorStores.jsp)***• Public Works Policies for Street Maintenance & Snowplowing***Oct. 21—Morton***Read more and register for Public Works Policies for Street Maintenance & Snowplowing** *(Link**to: http://www.lmc.org/page/1/2010LMCITFallWorkshops-Plowing.jsp)***SAVE THE DATE FOR THESE LEAGUE EVENTS:****• 2011 Leadership Conference for Newly Elected Officials***Jan. 7-8—Nisswa**Jan. 28-29—Mankato**Feb. 25-26—Brooklyn Center***• 2011 Leadership Conference for Experienced Officials***Jan. 7-8—Nisswa**Feb. 25-26—Brooklyn Center***• 2011 Safety & Loss Control Workshops***March 29—Mahnomen**March 30—Alexandria**April 7—Biwabik**April 13—Marshall**April 14—Mankato**April 19—Rochester**April 21—Brooklyn Park**April 26—St. Cloud**April 28—St. Paul***Read about events the League is co-sponsoring** *(Link to: http://www.lmc.org/page/1/cosponsored-events.jsp)***Read about events sponsored by other organizations** *(Link to: http://www.lmc.org/page/1/other-events.jsp)***Your LMC Resource**

Training & Conferences staff are available to answer your questions about League events.

**Connect with Training & Conferences staff** *(Link to: http://www.lmc.org/page/1/league-staff.jsp)*

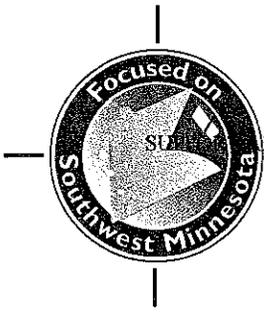
*choose "Conferences" under "Department"*

**LMC Annual Conference and Marketplace: Dates & Places**

- *June 15-17, 2011—Rochester*

- *June 20-22, 2012—Duluth*
- *June 19-21, 2013—St. Paul*

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# Southwest Regional Development Commission

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Gary Sorenson, Chairman

David Benson, Vice-Chairman

Larry Hansen, Treasurer

Lyle Ten Haken, Secretary

August 24, 2010

MEMO TO: Region 8 City Clerks/Administrators

MEMO FM: Rhonda Wynia, SRDC Administrative Specialist

MEMO RE: SRDC Annual Report

Enclosed please find the SRDC's Annual Report for Fiscal Year 2010.  
Please share the enclosed with your Mayor/Council Members at your next  
City Council meeting.

Thank you and if questions please feel free to contact the SRDC Offices at  
507/836-1644.

# SOUTHWEST REGIONAL DEVELOPMENT COMMISSION

*Providing professional expertise and leadership to enhance regional opportunities*

## FY 2010 Annual Report



September 1, 2010

### SRDC Completes New CEDS

As an Economic Development District designated by the U.S. Department of Commerce, Economic Development Administration, (EDA) the SRDC is required to prepare a regional Comprehensive Economic Development Strategy or CEDS.

Beginning in early 2009 the SRDC began meeting with its CEDS Strategy Committee to review the current economic conditions of the region and develop future strategies. The CEDS Strategy Committee is made up of representatives of the private and public sectors representing a wide variety of economic interests within the region ranging from renewable energy to tourism and entrepreneurship.

The areas identified by the Committee as areas of concern for the region were:

Affordable Housing; Reliable Transportation Systems; Community Preparedness for Minority Influx; Daycare Shortages; Negative Regional Perspective/Perception; Infrastructure; Knowledge of Opportunities and; Lack of Knowledge of Training that Businesses can take Advantage of.

The Committee also identified areas for opportunities within the region: Arts and Culture; ARRA Funding; Housing; Quality of Life; Educational System; Work Ethic and; Minority Culture.

The SRDC will continue to work with its regional partners throughout the coming years to address the needs and areas of opportunities identified in the CEDS. Such partners as the SW Economic Development Professionals, Agricultural Utilization Research Institute, the Rural Minnesota Energy Board and others, bring a wealth of knowledge and expertise to the area and will be vital to the success of the CEDS.

For more information on the CEDS, contact Jay Trusty or Nan Larson. The full CEDS is available at [www.swrdc.org](http://www.swrdc.org).

#### Inside this issue:

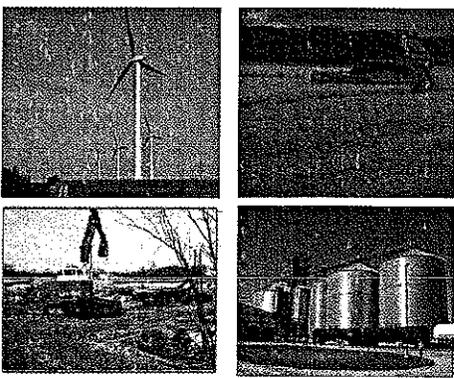
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**Southwest Regional Development Commission**

*"Providing professional expertise and leadership to enhance regional opportunities"*

**COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY (CEDS) 2010-2013**



## FY 2010 Annual Report



*“Communities without broadband infrastructure are at a fundamental disadvantage for economic development.”*

### SRDC Partners on Rural Broadband Initiative

John Shepard, AICP

Just five years ago, most Americans accessed the internet on dial-up modems. Today, about 2/3 of the nation uses broadband service—high speed internet that lets you download and upload photos and video and use specialized applications as well as surfing the web.

As rural electric and telephone cooperatives lit up the countryside in the last century, new broadband infrastructure efforts are lighting up the future of rural America. Broadband infrastructure is being used to level the playing field in applications like Telemedicine, online education, eCommerce, Social Media and “Lone Eagles”—professionals who can conduct business from anywhere and choose to live in Rural America.

Communities without

broadband infrastructure are at a fundamental disadvantage for economic development. It's not just in town, but also a real need on the farm. The 2007 USDA Census of Agriculture found that about 2/3 of farms in the region were accessing the internet, a figure higher than the state-wide average for farms.

Southwest Regional Development Commission is participating in the Blandin Foundation's Minnesota Intelligent Rural Communities (MIRC) coalition, a project that brings a network of resources to rural Minnesota. Blandin's Broadband Initiative provides financial and technical support to rural communities across the state. University of Minnesota Extension is also reaching out to rural businesses to help them use the internet to create new jobs.

For agricultural producers, this project may not directly affect broadband access at your farm. However, it is intended to benefit the region in two direct ways.

First, providing opportunities to create new jobs may help your kids, or even yourselves, stay in Rural Minnesota. More and more farm families have to have off-farm employment to survive, not to mention providing options for spouses.

Second, creating additional demand for broadband will help providers offer the latest and greatest telecommunications services that you do directly need—from video cattle auctions to simple social media.

When we help each other out in rural Minnesota, everybody wins.

### Call Center CY 2009 Statistics

Gail Radke



**1-800-333-2433**

[www.MinnesotaHelp.info](http://www.MinnesotaHelp.info)

The Slayton office of the Minnesota River Area Agency on Aging®, Inc. provides services to seniors and their caregivers via the Senior LinkAge Line®. The statistics for CY 2009 were:  
 Contacts In 11,559  
 Contacts Out 18,134  
 Unduplicated Clients 7,234

In-Person Assistance provided

to 299 individuals.

RxConnect™ Packets- 2668 packets were sent out

General Characteristics: Most seniors/beneficiaries calling are living in their own home and are married or living with a partner. Most caregivers are adult children, are not living with their care receiver and

have a power of attorney. Their care receivers are not identified as having memory loss.

For more information contact Aging Program Staff; Robin Weis, Gail Radke, Linda Tobias, Julie Stewart, Nicole Brandt and Katie Gillette.

## Wind Development & Roads Planning

Annette Bair

In 2008 The SRDC and SW CERT sponsored and facilitated a workshop in Windom – Wind Development, Roads, Bridges and Land Use. The workshop was focused on broadening the awareness of wind development sharing experiences county staff experience with wind farm development – both the good and not so good. As a result of the workshop, the county engineers identified the desire to work toward a uniform approach to development and a subcommittee of County Engineers in Southern Minnesota, MnDOT District permitting staff and SRDC Staff gathered to research and identify best practices. The

project was larger than first anticipated and a problem statement was submitted to the Local Road and Research Board (LRRB) to develop a guidance matrix, and tools such as a method to calculate the road life consumed on paved roads by large traffic generators, sample permits, and development agreements.

Some of the issues that were occurring included: Application of road and access permits days before equipment came to deliver. Problems arose regarding spacing of driveways to turbines, drainage, road widening, dust, bridges capable of handling the equipment, traffic control, signage, no one individual in

charge of the development project if there were problems, documentation of the condition of the roads before construction to address repair needs post construction, and others.

While we await the finalization of the matrix and tools – soon to be posted on the web, we have seen more wind developers come to county staff earlier in the development process, which increases communication and planning for the project. We see this as a win-win project, the county staff will know what to expect when a development comes to their county and the developers will be able to plan for transportation needs.



*“the county engineers identified the desire to work toward a uniform approach to development”*

## Worthington EDA Grant Awarded

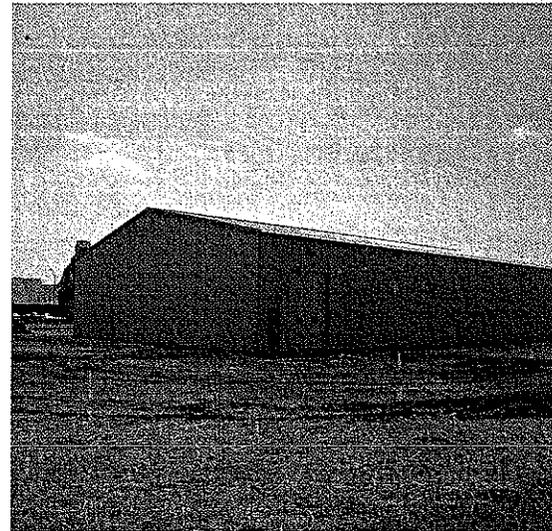
Nan Larson

Economic Development Staff Nan Larson worked with the City of Worthington and Worthington Regional Economic Development Corporation to prepare a U.S. Department of Commerce Economic Development Administration (EDA) application over the past year. The application was for partial funding for the development of a bioscience testing and training center with a business incubator. Resources for the businesses will also be co-located at the facility, or have a visiting presence. Area businesses will be able to utilize the testing and training

facility for workforce development as well as testing of their products. The hope is that businesses incubated in the facility will graduate to having a full-fledged business in the adjacent bioscience business park.

In June 2010, EDA announced the approval of the grant for approximately \$770,000. The total project cost is estimated at over \$3,000,000. The State of Minnesota also contributed to the project.

Please contact Nan Larson for further information.



# FY 2010 Annual Report

## SRDC Staff Honored



SRDC staff were acknowledged for their contributions to the Commission at the Commissions Annual Meeting held Thursday, July 8, 2010 at the Worthington Campus of Minnesota West Community and Technical College. Pictured are Development Planner John Shepard and Information and Assistance Specialist Julie Stewart receiving certificates from SRDC Chair Gary Sorenson for five years of dedicated service to the Commission.



Below, Deputy Director Nan Larson receives from Chair Gary Sorenson and Executive Director Jay Trusty one of three awards for the SRDC Project of the Year. This year's Project of the Year was awarded to the Worthington Bio-science Testing/Training Center and Incubator Project. Co-winners of the award were the City of Worthington and the Worthington Regional Economic Development Corporation.



Pictured above from left, Call Center staff Nicole Brandt, Katie Gillette, Julie Stewart and Linda Tobias were presented with Certificates for completion of the Boston University Aging Certificate Program. Program participants complete coursework in; A Guide to the Aging Network, Geriatric Assessment, Mental Health and Aging Issues, Substance Abuse among Older Adults, Legal Issues in Aging , A Team Approach: Working Across Disciplines, Medications and Aging, and Nutrition and Older Adults. The coursework is completed online and is a requirement for staff that work with the elderly via MinnesotaHelp.info



	<b>FY10 Final Budget</b>	<b>Year End Projections</b>
Taxes	281,000.00	292,227
Contract for Services	191,297.00	182,725
MN/DOT	50,000.00	50,000
Transit Office	10,934.00	10,505
Economic Development Adm	64,817.00	64,817
MNRAAA-Federal-Adm/Pdc	56,749.00	66,950
MNRAAA-Match	0.00	3,784
MNRAAA-Federal-I&A	153,456.00	177,713
MNRAAA-State-I&A	156,095.00	128,837
Eldercare Dev. Partnership	38,024.00	38,024
CERTS Funds	83,336.00	66,446
Dept.Public Safety-Hazard	65,106.00	48,432
Interest & Miscellaneous	13,490.00	17,649
Reserves-Equipment/Building	26,025.00	31,742
<b>Total Revenues</b>	<b>1,190,329.00</b>	<b>1,179,851</b>
Committee Expenses	41,600.00	35,901
Salaries & Fringe	885,721.00	895,301
Travel	60,505.00	49,755
Office Space Costs/Bldg Updates	47,145.00	48,064
Postage	11,460.00	8,972
Communications	8,960.00	5,547
Printing/Publication	14,530.00	3,803
Supplies	15,700.00	12,597
Insurance	3,600.00	3,586
Depreciation-Equipment	16,805.00	17,069
Computer Expenses	10,230.00	9,246
Professional Services	57,866.00	40,557
Program Match	8,146.00	22,338
Other	8,854.00	8,523
CERTS seed grants	20,000.00	15,150
Equipment	23,000.00	27,595
Debt Service-Prin&Int	11,800.00	11,800
Building Lease Payment	10,167.00	10,167
<b>Total Expenditures</b>	<b>1,256,089.00</b>	<b>1,225,971</b>
<b>Revenues Over (Under) Expenditures</b>	<b>(65,760.00)</b>	<b>(46,120)</b>

**Southwest Regional  
Development  
Commission  
FY 2011 Budget**  
July 1, 2010—June 30, 2011

<b>Revenues</b>	<b>FY2011 BUDGET</b>
Tax Levy	290000
MNRAAA-Adm/Pdc/CDSMP Funds	77120
MNRAAA-Information & Assistance Funds-Federal	163662
MNRAAA-Information & Assistance Funds-State	240150
MNRAAA-Eldercare Development Partnership-EDP	34476
Economic Development Administration	64628
MN Department of Transportation	50000
MN Department of Transportation-Transit Office	2316
Dept. Public Safety-Hazard Mitigation	18636
CERTS Funds-U of MN-Xcel RDF	83336
ARRA-Blandin-MIRC Broadband	12500
Current Contracts	205580
MNRAAA Consortium Match	10877
Interest Earned & Miscellaneous	10100
Reserves used for Equipment/Building Purchases	36780
<b>Total Revenues</b>	<b>1300161</b>
<b>Expenditures</b>	
Committee Expense	40200
Salaries & Fringe	985231
Staff Travel	60970
Office Space	44182
Postage	11100
Communications	8160
Print/Publication	6060
Supplies-Mtg/Wkshp Expenses	14700
Insurance	3624
Depreciation (Non-building)	20846
Audits	5400
Computer	11332
Equipment	36780
Other	8975
Consultant/Contracted Services/Legal	46476
MNRAAA, Inc. match	36529
Certs seed grants	20000
Debt Service-Principal & Interest	11800
Office Building Principal Payment	10737
<b>Total Expenditures</b>	<b>1383102</b>
<b>Overall Balance</b>	<b>-82941</b>
<b>Anticipated Reserve Changes by Category</b>	
Incr/(Decr) in Equipment Reserve	-15934
Incr/(Decr) in Building Reserve	12600
Incr/(Decr) in Human Service Project Dedicated Funds	-90
Incr/(Decr) in Commission Enhancement Dedicated Funds	-140
<b>Incr/(Decr) in Unrestricted Reserve</b>	<b>-79377</b>
Reserve for FY10/FY11 <b>bond payments</b> 6/30 estimates	210765
Tax Revenue (Bond) - 1 year	232080
Allowance for delinquencies (2.5%)(4%)	-9283
Bond Payment -August, 2009/August, 2010	-7990
Bond Payment-February, 2010/February, 2011	-212990
Reserve for Future Bond Payments 6/30/10	212582



# FY 2010 Annual Report

## FY2010 PROJECT REVIEWS

During Fiscal Year 2010 the Southwest Regional Development Commission reviewed 22 projects from within the Region to avoid duplication and insure wise use of public funds. If you are interested in receiving a complete listing of the project reviews for FY10, please contact the SRDC office.

## Audited Governmental Activities for the Year Ended June 30, 2009

### Revenues

Program Revenues	
Charges for Services & Other	263,757
Operating Grants	667,794
General Revenues	
Property Taxes—General	283,297
Property Taxes—Debt Service	233,966
Interest Revenues	<u>106,105</u>
<b>Total Revenues</b>	<b><u>1,554,919</u></b>

### Expenses

Government Activities	<u>1,327,293</u>
<b>Total Expenses</b>	<b><u>1,327,293</u></b>
<b>Change in Net Assets</b>	<b>227,626</b>
<b>Beginning Net Assets</b>	<b><u>1,778,222</u></b>
<b>Ending Net Assets</b>	<b><u>2,005,848</u></b>

The FY 2009 Audit was conducted by Richard W. Holmberg, LTD, Certified Public Accountant, Marshall, Minnesota. The auditor's report expresses an unqualified opinion on the General Purpose Financial Statements of the Southwest Regional Development Commission.

## FISCAL YEAR 2010 SOUTHWEST REGIONAL DEVELOPMENT COMMISSION MEMBERS

Rocky Kolar*	Cottonwood County Municipalities
Darrell Holmberg	Cottonwood County Town Boards
Gary Sorenson**	Cottonwood Co Commissioners
Darrel Hage*	Jackson County Municipalities
Richard Peterson	Jackson County Town Boards
Dave Henkels	Jackson County Commissioners
Darrel Denny	Lincoln County Municipalities
Eloise Hauschild	Lincoln County Town Boards
Larry Hansen**	Lincoln County Commissioners
Cynde Livingston	Lyon County Municipalities
Lori Grant	Lyon County Town Boards
Bob Fenske*	Lyon Co Commissioners
Miron Carney	Murray County Municipalities
Charles V. Swan	Murray County Town Boards
Bill Sauer*	Murray County Commissioners
Vacant	Nobles County Municipalities
Paul Langseth	Nobles County Town Boards
David Benson**	Nobles County Commissioners
Les Nath	Pipestone County Municipalities
Wally Bucher	Pipestone County Town Boards
Marv Tinklenberg*	Pipestone County Commissioners
Vacant	Redwood County Municipalities
Werner Fischer*	Redwood County Town Boards
Gary Dahms	Redwood Co Commissioners
Fabian Deutsch	Rock County Municipalities
Steve Top	Rock County Town Boards
Robert Jarchow*	Rock County Commissioners
Bob Byrnes**	City of Marshall
Lyle TenHaken**	City of Worthington
Dan Zimansky*	Region Eight School Boards
Vacant	Region Eight School Boards
Adolfo Avila	Region Eight Cultural Diversity
Linda Halbur	SW Center for Independent Living
Sandy Demuth	SW MN Private Industry Council
Richard Shrubbs	Southwest MN Higher Education
Craig Myers	Health & Human Services

\* Indicates Current & FY2010 Executive Comm. Members

\*\* Indicates Current SRDC Board Members

Thank You to the following SRDC Commissioners whose terms expired in FY2010: Mary Meneely, Chad Cummings, Marlo Sander, Dan Snobl and Harry L. Hansen.

# Southwest Regional Development Commission

2401 Broadway Avenue  
Slayton, MN 56172

Phone: 507-836-8547  
Fax: 507-836-8866  
E-mail: [srdc@swrdc.org](mailto:srdc@swrdc.org)



Rear two rows from left;  
Helen Brinks, Linda Tobias,  
Gail Radke, Katie  
Gillette, Rhonda Wynia,  
Nan Larson, Doreen  
Veenhuis, Jay Trusty, Julie  
Stewart. Front row from  
left; Robin Weis, Annette  
Bair, Nicole Brandt, Dianne  
Crowley. Not Pictured;  
John Shepard, Kathy  
Schreiber.



## CURRENT SRDC STAFF MEMBERS

<u>Name</u>	<u>Title</u>	<u>Email</u>	<u>Phone No.</u>
Jay Trusty -----	Executive Director	<a href="mailto:execdir@swrdc.org">execdir@swrdc.org</a>	836-1636
Nan Larson -----	Deputy Director	<a href="mailto:nanlarson@swrdc.org">nanlarson@swrdc.org</a>	836-1638
Annette Bair -----	Physical Development Director	<a href="mailto:phydev@swrdc.org">phydev@swrdc.org</a>	836-1631
Dianne Crowley -----	Finance Director	<a href="mailto:dcrowley@swrdc.org">dcrowley@swrdc.org</a>	836-1634
John Shepard, AICP -----	Development Planner	<a href="mailto:jshepard@swrdc.org">jshepard@swrdc.org</a>	836-1633
Rhonda Wynia -----	Administrative Specialist	<a href="mailto:rwynia@swrdc.org">rwynia@swrdc.org</a>	836-1644
Helen Brinks -----	Account Specialist	<a href="mailto:hbrinks@swrdc.org">hbrinks@swrdc.org</a>	836-1646
Kathy Schreiber -----	Administrative Assistant II	<a href="mailto:srdc@swrdc.org">srdc@swrdc.org</a>	836-1640
Doreen Veenhuis -----	Administrative Assistant I	<a href="mailto:doreenv@swrdc.org">doreenv@swrdc.org</a>	836-1645

## CURRENT MNRAAA STAFF MEMBERS

<u>Name</u>	<u>Title</u>	<u>Email</u>	<u>Phone No.</u>
Robin Weis -----	Aging Program Director	<a href="mailto:srlinkage@swrdc.org">srlinkage@swrdc.org</a>	836-1642
Gail Radke -----	Senior Outreach Specialist	<a href="mailto:gailr@swrdc.org">gailr@swrdc.org</a>	836-1632
Nicole Brandt -----	Development Planner I	<a href="mailto:nicole@swrdc.org">nicole@swrdc.org</a>	Ext. 82020**
Linda Tobias -----	Information & Referral Specialist III	<a href="mailto:lindat@swrdc.org">lindat@swrdc.org</a>	Ext. 82012**
Julie Stewart -----	Information & Referral Specialist II	<a href="mailto:julies@swrdc.org">julies@swrdc.org</a>	Ext. 82008**
Katie Gillette -----	Information & Referral Specialist II	<a href="mailto:katrina@swrdc.org">katrina@swrdc.org</a>	Ext. 82022**

\*\*In order to contact these staff members please dial 1-800-333-2433  
and then when prompted type in their extension number.



## Coalition building pays off for MARP



Building relationships with legislators and key stakeholders before issues arise makes achieving success easier down the road. This summer, the Minnesota Association of Rehabilitation Providers (MARP) successfully fended off potentially devastating rule changes through quick action, strong analytical and communication efforts, and teamwork.



In late May, the Department of Labor and Industry announced that it was amending the rules governing Qualified Rehabilitation Consultants (QRCs). The proposed changes would have interfered with QRCs' ability to serve injured workers and likely would have driven many QRCs out of the profession. As soon as the rule changes were announced, MARP worked with Flaherty & Hood attorney/lobbyist **Elizabeth Wefel** and lobbyist **Nancy Larson** to develop and implement a multi-pronged plan that stopped the rule-making process.

The Flaherty & Hood team analyzed the rules and researched the likely outcomes of the proposal. Working with a MARP steering committee, Flaherty & Hood reached out to the entire MARP membership, non-member QRCs, and other stakeholders who would ultimately be affected by the rules, including physicians, trial lawyers, unions, businesses, and injured workers. In communicating with these groups, Wefel and Larson explained the rules' potential impact and the process for objecting to the rules. In addition, the Flaherty & Hood team communicated MARP's concerns with the proposed amendments and the rule-making process to key legislators who deal with workers'

Building relationships with legislators and key stakeholders before issues arise makes achieving success easier down the road.

compensation issues.

MARP submitted an official comment written by Flaherty & Hood that detailed the issues with the rule-making process and the proposed amendments, and suggested better ways to address any perceived problems. In addition, close to one hundred MARP members and other stakeholders stepped forward and submitted comments as well. The legislators wrote a letter directly to the Commissioner of Labor, Steve Sviggum, asking that he suspend the rule-making process. The Minnesota Chamber of Commerce and the AFL-CIO also reached out to the governor and his staff asking that they intervene.

These joint efforts ultimately proved successful. On the same day that the Department of Labor and Industry (DOLI) was scheduled to deliver the revised rules to the Office of Administrative Hearings to prepare for a hearing, the DOLI announced that it was not proceeding with the rule-making process. The long-term relationships that MARP and Flaherty & Hood pursued clearly paid off with this excellent result.

For more information, contact Elizabeth Wefel at [eawefel@flaherty-hood.com](mailto:eawefel@flaherty-hood.com) or Nancy Larson at [nal Larson@flaherty-hood.com](mailto:nal Larson@flaherty-hood.com).

## LEGISLATIVE NEWS

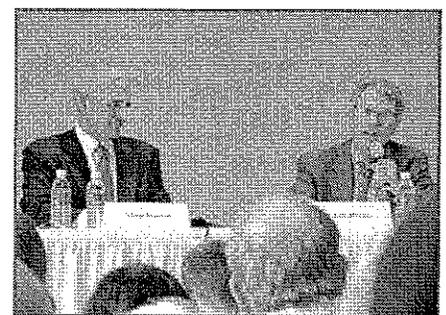
Gubernatorial, state auditor candidates talk rural issues at CGMC summer conference



Improving the state-local relationship sparked constructive debate amongst the candidates for governor and state auditor who joined the Coalition of Greater Minnesota Cities (CGMC) in Winona August 19. The candidate forums, held during CGMC's annual summer conference and coordinated by attorney/lobbyist **Bradley Peterson**, featured gubernatorial candidates Mark Dayton and Tom Horner (Rep. Tom Emmer declined his invitation due to scheduling conflicts), and state auditor candidates Rebecca Otto and Pat Anderson. Star Tribune political editor Pat Lopez moderated the governor's debate and asked

pointed questions on issues ranging from Local Government Aid, health care, transportation, and the state budget deficit. The CGMC candidate forums received statewide media attention and had members buzzing about the upcoming elections.

The summer conference, a three-day event hosted by a CGMC member city, also included a legislative awards dinner at which the Coalition honors legislators and individual CGMC members who made significant contributions to advancing rural issues at the Capitol in the preceding session. In addition to award presentations, this year's dinner featured keynote speaker Kerri Miller of Minnesota Public Radio, who gave members pointers on improving their media relations. Members were also impressed with their host, the City of Winona, for organizing a night out at the Minnesota Marine Art Museum and a tour of municipal projects. The



Gubernatorial candidates Mark Dayton and Tom Horner at the CGMC forum.

staff at Flaherty & Hood looks forward to coordinating the upcoming fall conference in Alexandria and next year's summer conference in Grand Rapids.

For more information, contact Bradley Peterson at [bmpeterson@flaherty-hood.com](mailto:bmpeterson@flaherty-hood.com).

## LEGAL NEWS

Flaherty & Hood wins bargaining grievance arbitration for city



Flaherty & Hood senior attorney **Brandon Fitzsimmons** successfully represented the City of Owatonna in a recent disciplinary grievance arbitration before the State of Minnesota, Bureau of Mediation Services (BMS) pursuant to the Public Employment Labor Relations Act (PELRA). This arbitration arose from a grievance filed by Teamsters Local No. 320, the union for sergeants in the city's police department, challenging the city's demotion of a sergeant to the position of police officer due to the employee's repeated poor performance over the course of the previous four years.

At the arbitration hearing, the city presented evidence and arguments supporting its claims that the demoted employee repeatedly failed to perform the duties and assume the responsibilities of his supervisory position. The union argued that the city put the employee in a position to fail, and failed to provide adequate direction and support to the employee. Arbitrator Charlotte Neigh, however, found that the city had established that it had attempted to guide and assist the employee in performing the required tasks of his position. Arbitrator Neigh issued an award denying the union's grievance in its entirety. This award is available at <http://bit.ly/cUrSh5>.

For more information, contact **Brandon Fitzsimmons** at [bmfitzsimmons@flaherty-hood.com](mailto:bmfitzsimmons@flaherty-hood.com).

City of Albert Lea challenging exorbitant electric rate hike



The City of Albert Lea has hired Flaherty & Hood to challenge Alliant Energy's (also known as Interstate Power and Light) recently proposed 22 percent Minnesota electric rate increase. During the worst economic climate in more than 70 years, this rate increase will amount to a more than \$200,000 yearly impact on the City of Albert Lea's budget. State law allows Alliant Energy to raise rates on an interim basis before the Minnesota Public Utilities Commission (MPUC) determines whether the rate increase is necessary, and as such, many communities in southern Minnesota are already feeling the impact of this massive increase in their electric bills. The rate increase will be effective permanently after the MPUC rules on the case during the summer of 2011. Attorneys **Joe Sullivan** and **Steve Nyhus** are planning a comprehensive legal and media strategy to pressure the MPUC to significantly lower or eliminate the rate increase.

For more information, contact **Joe Sullivan** at [jsullivan@flaherty-hood.com](mailto:jsullivan@flaherty-hood.com) or **Steve Nyhus** at [swnyhus@flaherty-hood.com](mailto:swnyhus@flaherty-hood.com).

MESERB board lays out plan for 2010-2011 fiscal year

The Minnesota Environmental Science and Economic Review Board (MESERB), a joint powers board dedicated to ensuring wastewater treatment regulations are reasonable and based on sound science, held its

annual meeting in St. Cloud on May 20. A highlight of the meeting was a presentation from Minnesota Pollution Control Agency biologist Mark Ferrey about endocrine disrupting compounds being found in Minnesota's lakes and rivers. These compounds can be found in medications, plastics, personal care products, and even your morning coffee. The environmental impacts of these compounds are still poorly understood, but they seem to be showing up everywhere. MESERB's members are eager to learn more about these compounds and see what they can do to protect Minnesota's waters.

MESERB board members also approved the following 2010-2011 work plan:

- Propose numeric nutrient standards for rivers and streams
- Propose changes to environmental laboratory regulations
- Monitor the progress of the phosphorus/turbidity TMDL for Lake Pepin
- Propose changes to Minnesota's water quality anti-degradation rules
- Propose rules to regulate pollutant trading
- Provide input on EPA proposals regarding nutrient and ammonia standards and wet-weather bypass events.

Flaherty & Hood serves as general counsel for MESERB, with technical consulting assistance from Hall & Associates. Since 1996, MESERB has worked on wastewater regulatory and legal issues on behalf of local governments, including its 36 local government unit members and five non-voting associates.

For more information, contact **Steve Nyhus** at [swnyhus@flaherty-hood.com](mailto:swnyhus@flaherty-hood.com).

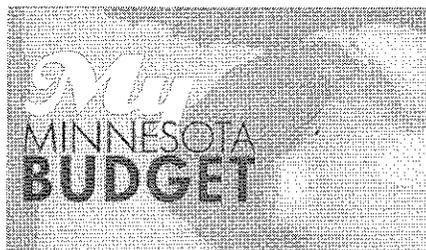
## MEDIA NEWS

Website gives users the tools to fix Minnesota's budget deficit



In an effort to push gubernatorial candidates to release detailed plans to close the state's \$5.8 billion deficit, the Coalition of Greater Minnesota

Cities (CGMC) has created an online tool that empowers everyday Minnesotans with the means to create their own budget solutions. Produced by Flaherty & Hood senior policy analyst **Steve Peterson**, MyMNBudget.com exhaustively recreates the entire state budget and allows users the ability to cut spending on programs they feel are over-funded and



increase spending on programs they value. Users can also choose to increase specific taxes in order to generate new revenues.

In addition to helping users work through the state budget, the MyMNBudget.com also provides valuable information about different state-funded programs. Users are en-

couraged to read these program descriptions carefully so that budget decisions are fully informed. CGMC launched the site earlier this week during a press conference with Glencoe Mayor Randy Wilson and St. Paul Mayor Chris Coleman, who both made the case that if average Minnesotans can make a detailed, dollar-for-dollar budget solution, candidates for governor should be able to as well.

For more information, contact **Steve Peterson** at [smpeterson@flaherty-hood.com](mailto:smpeterson@flaherty-hood.com).

**MEDIA NEWS CONT.**

**ALASD public outreach campaign gets a boost from Flaherty & Hood**



The Alexandria Lake Area Sanitary District (ALASD), a regional sanitary sewer district, is working with Flaherty & Hood to create a public outreach campaign to educate customers about an ongoing MPCA water clean-up process that may impact the cost of wastewater treatment services and may not produce the state's desired results.



Currently, the Minnesota Pollution Control Agency (MPCA) is developing a Total Maximum Daily Load (TMDL) clean-up plan that will aim to reduce nutrients—particularly phosphorus—in Lake Winona. Lake Winona's shallow waters, lack of submersed aquatic



vegetation, and rough fish population contribute to less than ideal conditions that keep phosphorus-laden sediments suspended in the water.

To inform ALASD customers about the clean-up plan and possible outcomes, Flaherty & Hood attorney **Steve Nyhus** and senior media advisor **Glen Fladeboe** have partnered with ALASD staff to create a multi-pronged communications plan, which includes meeting with local media, distributing informational handouts, and hosting an open house to address customer concerns. Flaherty & Hood communications specialist **Erin Flaherty** also redesigned ALASD's website at [www.ALASDistrict.org](http://www.ALASDistrict.org) in order to incorporate new messaging and improve the site's usability. Already, ALASD is gaining positive press coverage and achieving improved customer relations.

*For more information, contact Steve Nyhus at [swnyhus@flaherty-hood.com](mailto:swnyhus@flaherty-hood.com), Glen Fladeboe at [gdfladeboe@flaherty-hood.com](mailto:gdfladeboe@flaherty-hood.com), or Erin Flaherty at [enflaherty@flaherty-hood.com](mailto:enflaherty@flaherty-hood.com).*

**STATE NEWS**

**Education and certification**



**Chris Hood**, attorney and shareholder with Flaherty & Hood, attended the Minnesota Association of City Attorneys Legislative Update on June 17.

The event focused on the impact of legislative and judicial actions occurring earlier in the year that may impact city attorney offices. Hood serves as city attorney for the cities of Grand Marais, Northfield, Sartell, and Park Rapids, and is special counsel for numerous cities throughout the state.

*Contact Chris at [cmhood@flaherty-hood.com](mailto:cmhood@flaherty-hood.com).*



Flaherty & Hood attorney **Robert Scott** attended the Upper Midwest Employment Law Institute Education Conference on May 24-25 in St. Paul. This conference is widely attended by public and private labor and employment law practitioners throughout the region and provides educational opportunities on a variety of labor and employment subjects impacting cities, including updates on the Americans with Disabilities Act, the Family and Medical

Leave Act and other state and federal regulations and case law, developments in public labor negotiations, discipline and discharge issues, local government personnel cost savings strategies, and data practices issues in employment settings.

*Contact Robert at [rtscott@flaherty-hood.com](mailto:rtscott@flaherty-hood.com).*

**Appointments, awards, and accolades**



**J.D. Burton**, attorney/lobbyist with Flaherty & Hood, was invited to participate in a series of working group meetings designed to craft selection criteria for highway interchange projects throughout the state. The Transportation Economic Development working group is comprised of officials from MnDOT, DEED, and transportation organizations tasked with providing input and guidance to the agencies as they develop a second round of interchange funding. The interchange funding, totaling \$70 million, will be split evenly between greater Minnesota and the Metro Area. MnDOT and DEED plan on announcing final interchange solicitation criteria and schedules for funding in September.

*Contact J.D. at [jdburton@flaherty-hood.com](mailto:jdburton@flaherty-hood.com).*

**HEIM 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 @  
[www.flaherty-hood.com](http://www.flaherty-hood.com)

And while you're at it, visit the other sites we manage for clients!

- [www.GreaterMNCities.org](http://www.GreaterMNCities.org)
- [www.MyMNBudget.com](http://www.MyMNBudget.com)
- [www.ThankLGA.org](http://www.ThankLGA.org)
- [www.GMETrust.org](http://www.GMETrust.org)
- [www.ExpandRochester.com](http://www.ExpandRochester.com)
- [www.ALASDistrict.org](http://www.ALASDistrict.org)
- [www.USHighway14.com](http://www.USHighway14.com)
- [www.MESERB.org](http://www.MESERB.org)

## NEWS YOU CAN USE

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

The Minnesota Court of Appeals held that a city did not strictly comply with statutory notice requirements for a special assessment; therefore, the city lacked jurisdiction to adopt the assessment. Since the special assessment had not been adopted, the property owner's 30-day period to appeal the assessment had not yet begun to run. *Sykes v. City of Rochester*, A09-1696 and A09-1697 (Minn. Ct. App. August 3, 2010)

The Minnesota Supreme Court held that so long as a county responds within 60 days to deny a zoning request, failure to state the reasons for the denial in writing does not mean the zoning request is approved. However, failure to provide written reasons for the denial does present a *prima facie* case that the denial may have been arbitrary. Minn. Stat. § 15.99 requires the reasons for denial to be put in writing, but does not assign a specific penalty for failure to do so. *Johnson v. Cook County*, A08-1501 (Minn. July 29, 2010)

The Minnesota Supreme Court held that neither the Eagan Economic Development Authority's redevelopment plan nor its tax increment financing plan—both applicable to the Cedar Grove redevelopment area—required the authority to enter into a binding development agreement before using eminent domain to acquire properties within the redevelopment area. *Eagan Economic Development Authority v. U-Haul Company of Minnesota et al.*, A08-767 (Minn. July 29, 2010)

The Minnesota Supreme Court held that a township erred in selecting an alternative cartway route that did not provide meaningful access to the petitioner's land. The land in question is at the top of a steep bluff and the cartway was granted at the bottom of the bluff. The Court further held that a township must grant the petitioner's requested cartway route unless the township determines that an alternative route will be less disruptive and damaging to neighbors, and that the alternative route is in the public's best interest. *Kennedy v. Pepin Township of Wabasha County*, A08-1921 (Minn. July 15, 2010)

The Minnesota Court of Appeals held that the statutory dedication of a roadway under the Minnesota's user statute (Minn. Stat. § 160.05) is a form of adverse possession. Therefore, "adverse possession" of roadways cannot apply to registered (Torrens) properties because the Torrens Act prohibits adverse possession. *Hebert v. City of Fifty Lakes*, A09-1414 (Minn. Ct. App. July 13, 2010)

The Minnesota Court of Appeals held that once a municipality has adopted and begun to enforce the Minnesota State Building Code, the Minnesota Department of Labor and Industry may order a county to cease enforcement of the Code in that municipality. Counties are responsible for Code enforcement except where a municipality has adopted the Code and taken on enforcement responsibility. A county may, however, continue to administer and enforce shoreland management controls within the municipality. *In the Matter of the Administrative Order Issued to Wright County*, A09-1773 (Minn. Ct. App. July 6, 2010)

The U.S. District Court for the District of Minnesota denied a motion by Twin Cities Pride for a temporary restraining order to prevent the Minneapolis Park and Recreation Board from allowing an evangelical Christian with anti-gay sentiments to speak and distribute literature at the 2010 Pride Festival. The Court held that although Twin Cities Pride could lawfully deny the individual's request for an exhibitor's booth at the event, enlisting the Board's help to prevent the individual from speaking or displaying signage at the event would have required restrictions on the individual's First Amendment rights that would be content-based and not narrowly tailored to a significant governmental interest. Loring Park (where the Festival was held) is a public forum. "notwithstanding [the Board's] issuance of a permit to Twin Cities Pride." *Twin Cities Pride v. Minneapolis Park and Recreation Board*, Civ. No. 10-2579 (D. Minn. June 25, 2010)

The Minnesota Supreme Court held that although the City of Minnetonka was within its rights to grant a variance for expansion of a non-conforming garage, the City had applied the wrong standard; a variance may be granted only if the applicant has established that the property in question cannot be put to any reasonable use without the variance. *Krummenacher v. City of Minnetonka*, A08-1988 (Minn. June 24, 2010)



Coalition of Greater Minnesota Cities

# CGMC in Brief

August 26, 2010

Contact: Tim Flaherty  
651-225-8840

## 2010 Summer conference wrap-up

Another successful summer conference concluded last Friday in Winona. CGMC would like to thank the City of Winona for being such a gracious host! We are also excited to announce that next year's summer conference will be held in Grand Rapids! Dates are yet to be set, but typically the conference is set for the last week in July or first week in August, so tentatively mark your calendars!

CGMC would also like to thank our conference sponsors for their generous support. Sponsors include the 4M Fund, Bolton & Menk, Bonestroo, Missouri River Energy Services, and Northland Securities. Please visit the CGMC website at [www.greatermncities.org](http://www.greatermncities.org) to see ads for each sponsor.

In business-related news, the membership voted to keep the 2011 assessments frozen at the 2010 level (which were also frozen at the 2009 level). The 2011 budget will be set at the same amount used for 2010. The membership also approved entering into another two-year contract with Flaherty & Hood and continuing membership in the Greater Minnesota Environmental Trust. For 2011, CGMC's officers include President Rick Wolff, mayor of Hibbing, 1<sup>st</sup> Vice President Gary Zellmer, mayor of North Mankato, 2<sup>nd</sup> Vice President Nancy Carroll, mayor of Park Rapids, Treasurer Scott Hutchins, Moorhead Community Services Director, Secretary Ron Johnson, Bemidji Councilmember, and Past President Tim Strand, mayor of St. Peter. We look forward to a productive 2011!

## Grant will help local governments hire or rehire firefighters

On August 17, the Department of Homeland Security and FEMA announced the availability of \$420 million in grants to local units of governments to hire or rehire firefighters. The Staffing for Adequate Fire and Emergency Response (SAFER) grant program goal is available "to assist local fire departments with staffing and deployment capabilities so they may respond to emergencies whenever they occur, assuring their communities have adequate protection from fire and fire-related hazards." The Department anticipates awarding 400 grants, which may support the hiring of firefighters and the recruitment and retention of volunteer firefighters. The closing date for applications is September 17, 2010. For more information, please contact J.D. Burton at [jdburton@flaherty-hood.com](mailto:jdburton@flaherty-hood.com).



**Complete Streets  
toolkit available for  
local governments**

The Complete Streets act, which passed this spring and took effect August 1, requires the Minnesota Department of Transportation to consider the safety of all users, not just drivers, when designing roads and highways. The law only applies to MnDOT funded roads. Local governments are encouraged to enact their own complete streets policies. The Minnesota Complete Streets Coalition has published a guidebook to help local governments create this type of policy. It can be found at [www.mncompletestreets.org](http://www.mncompletestreets.org).

**MPCA offering  
energy and waste  
reduction  
assistance**

If your city is looking for ways to reduce energy costs, take advantage of a free program coordinated by the Minnesota Pollution Control Agency, the Retired Engineers Technical Assistance Program (RETAP). Through this program, a team will perform an on-site visit of your facility and identify changes that can save you money. RETAP members will also work with cities to help identify ways to lower their carbon footprint through their Climate Change Corps program. Learn more about both initiatives at <http://bit.ly/cExr5c>.





## **Federal State Aid Law May Have Positive Effect on MN Cities**

**The new law injects money into the state of Minnesota, meaning December unallotment may be less likely.**

*(Published Aug 18, 2010)*

President Obama signed the Education, Jobs and Medicaid Assistance Act into law on Aug. 10. It provides states with \$16.1 billion to cover an increased federal share of the cost of Medicaid and also provides \$10 billion in funding for states to create or retain education-related jobs.

Under the original federal stimulus package enacted in February 2009, the federal Medicaid Assistance Percentage, or FMAP, was increased by 6.2 percentage points. The increased FMAP was scheduled to expire on Dec. 31, 2010. The new law will continue the additional federal Medicaid assistance for six months, but will phase the increased level of assistance downward.

For the second quarter of the federal fiscal year (January to March 2011), the federal Medicaid matching rate would be extended at a 3.2 percent rate. For the third quarter (April to June 2011), the increase in the federal Medicaid matching rate would be decreased to a 1.2 percent rate.

### **Minnesota's share**

For Minnesota, the extension of the increased federal contribution to Medicaid will reduce state overall state expenditures by an estimated \$263 million. Of that amount, roughly \$240 million will benefit the state's general fund. Minnesota will also receive an estimated \$167 million for education funding that is intended to preserve education-related jobs. However, due to an education "maintenance-of-effort" requirement, these additional federal funds will not benefit the state's general fund but instead must be used to augment state spending on K-12 and higher education expenditures.

To cover a portion of the \$26 billion cost, the new law includes roughly \$7.5 billion in spending "rescissions," predominantly from federal programs that received funding that cannot be used before spending authority expires as well as programs that no longer require funding or are expected to have excess funding beyond that now needed to cover program costs. More than \$2 billion of that amount are rescissions from programs originally included in the American Recovery and Reinvestment Act of 2009.

The additional federal Medicaid funding provided to Minnesota under the Education, Jobs and Medicaid Assistance Act will almost certainly reduce the chances that the December state budget forecast will project another deficit for the balance of the state's 2010-2011 biennium, which will end on June 30, 2011. Given the razor-thin positive margin in the state's general fund budget, the new federal law would also appear to reduce the probability of an additional round of unallotment reductions to city aid and credit programs in December.

**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

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

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

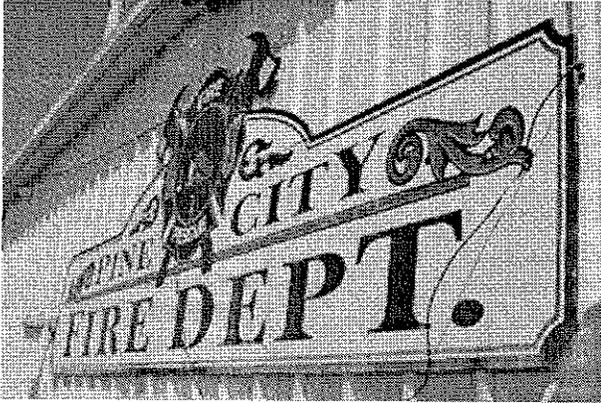
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8/18/10



## City sends fire hall to voters

By Mike Gainor



Pine City council members voted 3-2 at a special meeting on Aug. 9 to approve a \$1.65 million bond referendum request in November for a new Pine City Fire Hall. Pine City residents will vote on the referendum in the general election on Nov. 2.

The meeting was held at the current Pine City Fire Hall, with Pine City firefighters present to offer their opinions.

The current Pine City Fire Hall is aging, leaking, has mold problems, lacks space for equipment, and is not up to code, firefighters said at the meeting.

Council Member Paul Miller expressed concerns that the current fire hall would not make it through the winter, due to various structural problems with the pole-barn type building.

Preliminary plans for the new project were described as "bare-bones" by Council Member Bob Salonek, when compared to earlier proposed fire hall projects.

He presented a rough plan for a 13,000 foot building, and compared it to a similar project being carried out in Almelund. He said the Almelund project was being done for about \$1.25 million.

Salonek said the Almelund project was concrete-block, but not unattractive. "This is all decorative, split-face concrete block that's insulated," he said.

Council members discussed the bond referendum for a \$3.6 million fire hall that failed in 2007. At that time, 462 voters rejected the 17,500 square foot fire hall plan, and 178 voted in favor.



"It failed big time," said Mayor Jane Robbins.

"That was a Taj Mahal," said Council Member Paul Janssen.

For the 2007 \$3.6 million fire hall, the tax impact for a \$100,000 residential property would have been \$125.30 per year.

Miller estimated that the tax impact for the \$1.65 million bond would be around \$50 per year for a \$100,000 residential property.

Robbins, Miller and Scholin voted in favor of putting the \$1.65 million bond referendum on the ballot. Council Members Salonek and Janssen voted against, saying that the city should ask for only \$1.5 million from voters.

## Local News

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### Truman fire hall bids OK'd

Kylie Saari — Staff Writer

POSTED: August 19, 2010

TRUMAN - With a pledge to cover the difference between voter-approved bonds and actual project cost, Truman firefighters and City Council members have reached a deal, and the council has approved bids on a fire hall addition.

In May voters approved \$550,000 to complete the project, which will expand the fire hall to include more truck parking, meeting space and a kitchen.

Dave Gosewisch, construction manager for the project, met with council Wednesday to review bids. He estimates the project will run Truman residents about \$572,998, or \$23,000 more than the bonds.

Firefighters in attendance pledged to pay the difference from money the group has been raising over the last 10 years. They have an estimated \$100,000 available and, according to firefighter Elliot Belgard, they are not done raising funds.

The building the city is constructing will be an exterior shell - it will have electrical and plumbing, but will not be finished on the interior. While negotiating the size and shape of the building, firefighters told the council they are ready and willing to complete the interior using their own money and labor.

Fire-fighters estimate the cost to complete the building will run nearly \$30,000, although council members have indicated they believe it will be much higher.

Before approving the motion to accept the bids and begin construction, Mayor John Sherman elicited a promise from firefighters to sign a pledge that funds from the fire department would be transferred to city accounts, since the city is responsible for paying all the bills on the project.

Firefighters enthusiastically agreed.

Gosewisch says work on the foundation for the addition will begin in the next few weeks.

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