

**Lanesboro City Council  
Regular Meeting Agenda  
Tuesday, January 3, 2023 at 6:00 p.m.  
Lanesboro Community Center, Meeting Room and Zoom**

\*Zoom is provided as a way to offer more accessibility to council and committee meetings.  
However, due to potential technical issues, full functionality is not guaranteed\*

Join Zoom Meeting: <https://us02web.zoom.us/j/83870537278?pwd=RjJLLzBGWEZrdVBjQ25DdmJjNktPZz09>

Dial by your location: 646 876 9923 US (New York), 301 715 8592, 669 900 6833,  
253 215 8782, 346 248 7799 , Meeting ID: 838 7053 7278 Passcode: 824666

**Elected Mayor and Council Members Oath of Office (5:45 p.m.)**

**Call the Regular Meeting to Order: (5 Min)**

- A. Agenda: Additions or Corrections
- B. Public Comments
- C. Approval of minutes:
  - 1. Minutes of the Regular Meeting, December 5, 2022
- D. Consent Agenda:
  - 1. Accounts Payable
  - 2. 2023 Rhubarb Run/Walk
  - 3. Resolution 2023-08 Authorizing New Member in Regional Safety Group
  - 4. Lanesboro Claydusters Gambling Permit Application
  - 5. Resolution 2023-01 Designating an Official Depository for City Funds
  - 6. Resolution 2023-02 Designating an Official Newspaper to Publish Ordinances and Other Matters as Required by Law
  - 7. Resolution 2023-03 Authorizing the Lanesboro Fire Relief Association for Lawful Gambling
  - 8. Resolution 2023-04 Authorizing Signature Authority for City Accounts
  - 9. Resolution 2023-05 Establishing Mileage Reimbursement Rate
  - 10. Resolution 2023-06 Appointing Trustees for the Lanesboro Firefighters Relief Association
  - 11. Resolution 2023-07 Appointing Fire Department Officers
  - 12. Resolution 2023-09 Accepting Donations
  - 13. 2022 Audit Engagement - Smith Schafer

**Project Reports: (6 Min)**

- A. Wastewater Treatment Facility, Pay Request #25
- B. Street and Utility Improvements, Pay Request #5

**Department Reports: (12 min)**

- A. Street
- B. Administration
- C. Ambulance
- D. Chamber of Commerce

**Agenda Request: (20 min)**

- A. Andy Bunge - Sidewalk on Beacon Street
- B. Joe Deden - Prairie Restoration on Parcel 190023000

**Continued Business: (15 Min)**

- A. Administrator/Clerk Job Description Update Review
- B. Fire Truck Purchase Agreement
- C. Walking Bridge to Little Norway Repairs

**New Business: (3 Min)**

- A. Appointment of Mayor Pro-Tempore for 2023
- B. Sewer Department Underbilling Collection

**Next Meeting: Monday, February 6, 2023 at 6:00 p.m.**

**Adjourn Regular Meeting**

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## Request for City Council Action

Agenda Date: January 3, 2023

Prepared By: Michele Peterson

### Elected Mayor and Council Members Oath of Office

### Minutes

Documentation (Y/N)

Y

- 1 Minutes of the December 5 Regular Meeting

Action: Approve the Minutes as presented

### Consent Agenda

Documentation (Y/N)

Y

- 1 Accounts Payable

Action: Approve the Accounts Payable for January 5, 2023

- 2 2023 Rhubarb Run / Walk

Y, email and application  
to DNR

Action: Approve the plans for the event as submitted by the coordinator. The City Council would need to approve of this event in order for the City's insurance to be utilized as a City event.

- 3 Resolution 2023-08 Authorizing New Member in Regional Safety Group

Y

Action: Approve the resolution authorizing Lanesboro to join the existing Safety Group. Originally I understood the total cost to be \$1485. However after further clarification our total cost for 2023 will be \$185.62. The total cost for a RSG for 2023 is \$1650, however LMC pays 55%, and then the member cities split the remaining total cost.

- 4 Lanesboro Claydusters Gambling Permit Application

Y

Action: Approve the Permit application as submitted. This will be a fundraising event for our local trap shooting team.

- 5 Resolution 2023-01 Designating an Official Depository for City Funds

Y

Action: Approve the resolution designating Merchants Bank

- 6 Resolution 2023-02 Designating an Official Newspaper to Publish Ordinances and Other matter As Required by Law

Y

Action: Approve the resolution designating the Fillmore County Journal

- 7 Resolution 2023-03 Authorizing the Lanesboro Fire Relief Association for Lawful Gambling

Y

Action: Approve the resolution as presented.

- 8 Resolution 2023-04 Authorizing Signature Authority for City Accounts

Y

Action: Approve the resolution as presented.

- 9 Resolution 2023-05 Establishing Mileage Reimbursement Rate

Y

Action: As of the posting of this packet the IRS has not yet released the 2023 Mileage reimbursement rate, which is historically what we have used to set this rate for Lanesboro. For this reason the amount is blank on the resolution within the packet. I will share the amount to be inserted into the resolution during the meeting. Approve resolution as amended.

- 10 Resolution 2023-06 Appointing Trustees for the Lanesboro Fire Fighters Relief Association

Y

Action: Approve the resolution as presented.

- |    |   |   |
|----|---|---|
| 11 | Resolution 2023-07 Appointing Fire Department Officers                              | Y |
|    | Action: Approve the resolution as presented.  |   |
| 12 | Resolution 2023-09 Accepting Donation   | Y |
|    | Action: Approve the resolution accepting a donation to the Park Department          |   |
| 13 | 2022 Audit Engagement - Smith Schafer   | Y |
|    | Action: Approve engaging with Smith Schafer to conduct the 2022 Audit for the City. |   |

<b>Project Reports</b>
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- |   |   |   |
|---|---|---|
| A | Pay Request #25, Wastewater Treatment Facility                              | Y |
|   | Action: Approve the Pay Request based on recommendation from City Engineer. |   |
| B | Pay Request #5, Street and Utility Improvements                             | Y |
|   | Action: Approve the Pay Request based on recommendation from City Engineer  |   |

<b>Department Reports</b>
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- |   |   |   |
|---|---|---|
| A | Street  | N |
|   | Action: No action, department update only.  |   |
| B | Administration  | N |
|   | Action: No action, department update only.  |   |
| C | Ambulance   | N |
|   | Action: No action, department update only.  |   |
| D | Chamber of Commerce   | N |
|   | Action: No action, department update only. Financial Information has been requested to be presented, no information has been recieved as of the posting of this packet. |   |

<b>Agenda Request</b>
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- |   |   |   |
|---|---|---|
| A | Andy Bunge - Sidewalk along Beacon Street   | Y |
|   | Action: Consider the discussion to add the sidewalk installation back into the street project for 2023.   |   |
| B | Joe Deden - Prairie Restoration   | Y |
|   | Action: Review the proposal from Mr. Deden regarding a planned burning of parcel 190023000 which is the City welcome sign on Hwy 16 near the Sales Barn. The proposal has also been submitted to Fire Chief Wagner for review - no concerns were noted. *Attorney O'Koren recommended a written agreement should the Council desire to consider the project. **Insurance noted the City's insurance would cover liability as long as it was a City directed project. Also included is a current plant list, along with proposed plantings and estimated costs associated with the project. Proposal is to search out grant funding to cover all expneses outside of staff time. |   |

<b>Continued Business</b>
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- |   |   |   |
|---|---|---|
| A | Administrator/Clerk Job Description Update Review   | Y |
|   | Action: Consider approval of updated job description. Current is also included in the packet for comparison purposes. This updated was requested to be completed per the annual Administrator/Clerk review meeting. |   |
| B | Fire Truck Purchase Agreement   | Y |

Action: \* Consider amendment suggested by Attorney O'Koren (highlighted in yellow) for approval of purchase agreement.

C Walking Bridge to Little Norway Repairs

Y

Action: As of the posting of this packet no estimates have been received. Supervisor David Haugen is planning to meet with a contractor this week to provide an estimate. Pictures are included in the packet for your reference. Consider repair estimates when available, discussion to be continued as part of a Council priority discussion prior to any decisions being made.

New Business
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A Appointment of Mayor Pro-Tempore for 2023

N

Action: Appointment of the Mayor Tempore for 2023. This person serves as the back up to the Mayor, should for any reason the Mayor not be able to fulfill duties on a temporary basis. Motion to appoint a Member to fulfill this duty for 2023.

B Sewer Department Underbilling Collection

Y

Action: An error in the billing software was recently discovered, due to this error there was approximately \$58,000 underbilled over the past 12 months. The Public Utility Commission approved collection of these funds, given a twelve month repayment period. Administration will create the billings and a letter notifying customers to be sent out to those accounts impacted by this error. A letter from the LMC as well as an excerpt from a memo from LMC, the full memo can be found in the shared folder for this meeting. Consider approval of collection of the underbilling as recommended by the Public Utility Commission. Steps have been taken to ensure an error such as this do not happen in the future.

**Lanesboro City Council  
Regular Meeting  
Monday, December 5, 2022**

**Meeting held in the Lanesboro Community Center Meeting Room and via Zoom**

**Present:** Jason Resseman, Mitchell Walbridge, Mindy Albrecht-Benson, Joe Goetzke, and Chase Bakke

**Absent:** None

**Visitors:** Brian Malm, Hannah Wingert, Bonita Underbakke, Darla Taylor, Deane Benson, Lester Dunn, Bonnie Handmacher, Gideon Prudoehl, Mark and Brenda Bonney.

**Regular Meeting:**

Mayor Resseman called the Regular Meeting to order at 5:00 p.m.

**A. Agenda:** Member Albrecht-Benson motioned to approve the agenda with the following amendments: Miscellaneous - Wastewater Treatment Facility review schedule and New Business - Fire truck purchase agreement. Member Goetzke seconded the motion. Motion carried with all in favor.

**B. Public Comments:** No comments were shared.

**C. Approval of Minutes:**

- ❖ Minutes of the Regular Meeting, November 7, 2022: Member Goetzke motioned to approve the minutes as presented. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
- ❖ Minutes of the Canvassing Board Meeting, November 15, 2022: Member Albrecht-Benson motioned to approve the minutes as presented. Member Walbridge seconded the motion. Motion carried with all in favor.

**D. Consent Agenda:**

1. Accounts Payable
2. CEDA Contract for 2023
3. Meeting Schedule for 2023
4. Chapter 112 Summary for Publishing
5. Resolution 2022-43 Accepting a Donation

Member Goetzke motioned to approve the Consent Agenda items as presented. Member Bakke seconded the motion. Motion carried with all in favor.

**E. Project Reports:**

**a. Wastewater Treatment Facility**

- i. **Pay Request #24:** City Engineer Brian Malm noted the project is nearly 90% complete; demolition of the old plant, landscaping, paving, and fencing remain unfinished at this time. Malm recommended payment in the amount of \$262,566.55. Mayor Resseman motioned to approve the request as submitted. Member Bakke seconded the motion. Motion carried with all in favor.

**b. 2022 Street & Utility Improvements:**

- i. **Pay Request #4:** City Engineer Brian Malm stated the project is nearly 50% complete. Due to weather conditions the project will be delayed until spring for paving and additional cement work, along with the completion of Kirkwood Street East for 2023. Malm recommended payment in the amount of \$433,768.58. Member Bakke motioned to approve the request as submitted. Member Albrecht-Benson seconded the motion. A question raised if the project would be able to begin in the spring of 2023 before the road restrictions have been lifted, Malm will look into it. Motion carried with all in favor.

**F. Department Reports:**

- a. **Presentation and Frequency of Department Reports for 2023:** Members noted a desire to have quarterly reports for all departments. Liaisons will be utilized for board and commission updates, with staff members completing updates for departments without boards.

**G. Continued Business:**

- a. **Ordinance 54.06 Public Utilities Fee Schedule:** Mayor Resseman motioned to approve the ordinance as presented. Member Walbridge seconded the motion. Motion carried with all in favor.
- b. **Ordinance 93.033 Permitting Restaurants to Operate on City Sidewalks:** Member Bakke motioned to approve the ordinance as presented. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
- c. **Walking Bridge to Little Norway Repairs:** Public Works Supervisor David Haugen has identified and photographed the areas of concern. He is working on attaining cost estimates for the Council's review. Mayor Resseman motioned to table the discussion. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
- d. **Safety Training for staff members:** Member Goetzke motioned to approve joining the Regional Safety Group through the League of MN Cities and MMUA for a total of \$1,485 for 2023 with no additional training sessions. Mayor Resseman seconded the motion. The training will be evaluated throughout the year to determine if additional training is desired. Motion carried with all in favor.

**H. New Business:**

- a. **Board and Commission Member Appointments for 2023:** Members discussed the opportunity to grow the EDA by appointing a second Council Member to the board. It was noted that this would be a possibility if another community member was willing to serve on the board.
  - i. **Resolution 2022-44 Heritage Preservation:** Member Goetzke motioned to approve the resolution as presented. Member Bakke seconded the motion. Motion carried with all in favor.
  - ii. **Resolution 2022-45 Public Utilities:** Member Bakke motioned to approve the resolution as presented. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
  - iii. **Resolution 2022-46 Park Board:** Member Walbridge motioned to approve the resolution as presented. Member Bakke seconded the motion. Motion carried with all in favor.

- iv. **Resolution 2022-47 EDA:** Member Albrecht-Benson motioned to approve the resolution as presented. Member Bakke seconded the motion. Motion carried with all in favor.
  - v. **Resolution 2022-48 Library Board:** Member Albrecht-Benson motioned to approve the resolution as presented. Member Bakke seconded the motion. Motion carried with all in favor.
- b. **Council Liaison Appointments for 2023:** Discussion was had on the role of the liaison, it was noted that according to ordinance and/or statute some appointments are for a voting member of the board while others are not. Non voting liaisons may attend public meetings in person or virtually. All liaisons for boards and commissions will report back to the Council with updates. For departments without a board or commission the staff member will provide the update. The following appointments were made:
  - i. **EDA:** Member Walbridge motioned to appoint Joe Goetzke to the EDA board. Member Bakke seconded the motion. Motion carried with all in favor.
  - ii. **Planning & Zoning:** Member Goetzke motioned to appoint Jason Resseman to the Planning & Zoning Board. Member Bakke seconded the motion. Motion carried with all in favor.
  - iii. **Park:** Mayor Resseman motioned to appoint Member Walbridge as the liaison to the Park Board. Member Bakke seconded the motion. Motion carried with all in favor.
  - iv. **Library:** Member Walbridge motioned to appoint Member Albrecht-Benson as the liaison to the Library Board. Member Bakke seconded the motion. Motion carried with all in favor.
  - v. **Public Utilities:** Mayor Resseman motioned to appoint Member Albrecht-Benson as the liaison to the Public Utilities Commission. Member Bakke seconded the motion. Motion carried with all in favor.
  - vi. **Heritage Preservation:** Mayor Resseman motioned to appoint Member Walbridge as a member and the liaison to the Heritage Preservation Commission. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
  - vii. **Fire:** Mayor Resseman motioned to appoint Member Bakke as the liaison to the Fire Department. Member Walbridge seconded the motion. Motion carried with all in favor.
  - viii. **Street:** Mayor Resseman motioned to appoint Member Bakke as the Street Department liaison. Member Goetzke seconded the motion. Motion carried with all in favor.
- c. **Settlement Agreement and Mutual Release, and Stipulation to Dismiss:** Attorney O’Koren provided the background and summary for the documents. Member Goetzke motioned to approve the Settlement Agreement and Mutual Release. Mayor Resseman seconded the motion. Motion carried with all in favor. Mayor Resseman motioned to approve the Stipulation to Dismiss. Member Bakke seconded the motion. Motion carried with all in favor.
- d. **City Administrator/Clerk Job Description Update:** Administrator Peterson submitted an updated version of the City Administrator/Clerk job description. Mayor Resseman motioned to table the discussion to allow time to review the changes. Member Goetzke seconded the motion. Peterson will provide the current job description to allow members an opportunity to compare the two. It was noted that the request to update

the job description came during the Administrator/Clerk annual review. Motion carried with all in favor.

- e. **Fire truck Purchase Agreement:** Member Goetzke motioned to approve the contract as presented. Mayor Reed seconded the motion. Discussion was had with concern to the delivery date, if the date was to be delayed further. Motion failed with none in favor. Mayor Resseman motioned to table the discussion to request feedback from the department as to their comfort with how far out the delivery date should go. Member Goetzke seconded the motion. Motion carried with all in favor.

**I. Miscellaneous:**

- a. **Wastewater Treatment Facility Review Schedule:** Members noted that Tuesday's at 3:00 p.m. would work for all. Administrator Peterson will work with staff and Engineer's to coordinate an exact date.

The regular meeting was recessed at 5:54 p.m.

**Truth in Taxation Public Hearing:** Mayor Resseman called the hearing to order at 6:00 p.m. Brenda Bonney shared that she had requested to be included into the rural taxing district, however was denied by the Planning & Zoning commission. Bonney then reviewed minutes from past meetings, as well as the ordinance creating the district; she requested additional information as to why they were denied. Mayor Resseman provided a summary of the discussion from the denial. Resseman then shared that they were able to petition the Council for a review of the decision as well as detachment. With no further comments the hearing was closed at 6:11 p.m.

The regular meeting was reopened at 6:11 p.m.

**J. New Business:**

- a. **Resolution 2022-42 Approving Final Budget and Tax Levy for 2023:** Member Goetzke motioned to approve the resolution as presented. Member Bakke seconded the motion. Member Albrecht-Benson noted concern for the increase to the levy. Motion carried with Mayor Resseman and Members Bakke, Walbridge, and Goetzke voting in favor. Member Albrecht-Benson voted against the motion.

**Next Meeting: Wednesday, January 3, 2023 6:00 p.m.**

**ADJOURN:** Member Goetzke motioned to adjourn the meeting at 6:16 p.m. Member Bakke seconded the motion. Motion carried with all in favor.

Respectfully Submitted,

Michele Peterson  
City Administrator/Clerk



## CITY OF LANESBORO

12/28/22 9:16 AM

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## Payments

Current Period: January 2023

## Payments Batch 01052023PAY

\$175,158.85

Refer	1158	MERCHANTS BANK	Ck# 090776E 1/1/2023		
Cash Payment	E 100-41500-437	Bank Fees			\$45.00
Invoice					
Transaction Date	12/16/2022	OPERATIONAL ACC	10100	Total	\$45.00
Refer	1159	US BANK			
Cash Payment	E 304-47000-610	Interest			\$510.00
Invoice	2156721				
Cash Payment	E 304-47000-610	Interest			\$1,950.00
Invoice	2156721				
Cash Payment	E 304-47000-601	Debt Srv Bond Principal			\$30,000.00
Invoice	2156721				
Transaction Date	12/16/2022	OPERATIONAL ACC	10100	Total	\$32,460.00
Refer	1160	NORTHLAND TRUST SERVICES IN			
Cash Payment	E 307-43100-600	Debt Srv Principal (GEN			\$130,000.00
Invoice					
Cash Payment	E 307-43100-610	Interest			\$10,775.00
Invoice					
Transaction Date	12/16/2022	OPERATIONAL ACC	10100	Total	\$140,775.00
Refer	1167	PRESTON AUTO PARTS			
Cash Payment	E 100-45200-210	Operating Supplies (GEN			\$31.96
Invoice	740659				
Transaction Date	12/23/2022	OPERATIONAL ACC	10100	Total	\$31.96
Refer	1168	MN ENERGY RESOURCES			
Cash Payment	E 220-42000-380	Utility Services (GENER			\$660.25
Invoice					
Cash Payment	E 100-43160-380	Utility Services (GENER			\$190.37
Invoice					
Cash Payment	E 100-45200-100	Wages and Salaries (GE			\$358.68
Invoice					
Cash Payment	E 100-43100-380	Utility Services (GENER			\$273.30
Invoice					
Transaction Date	12/27/2022	OPERATIONAL ACC	10100	Total	\$1,482.60
Refer	1169	ANCOM COMMUNICATIONS			
Cash Payment	E 220-42000-500	Capital Outlay (GENERA			\$364.29
Invoice	112280				
Transaction Date	12/27/2022	OPERATIONAL ACC	10100	Total	\$364.29

# CITY OF LANESBORO

12/28/22 9:16 AM

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## Payments

Current Period: January 2023

### Fund Summary

	10100 OPERATIONAL ACCOUNT	
100 GENERAL FUND		\$899.31
220 FIRE FUND		\$1,024.54
304 2010B		\$32,460.00
307 2017A AUBRUN/ZENITH		\$140,775.00
		<u>\$175,158.85</u>

Pre-Written Checks	\$45.00
Checks to be Generated by the Computer	<u>\$175,113.85</u>
Total	\$175,158.85



Michele Peterson &lt;mpeterson@lanesboro-mn.gov&gt;

**Request for Jan 2023 city council agenda**

1 message

**Sheila Frost** <sfrost400@gmail.com>

Tue, Dec 6, 2022 at 2:54 PM

To: Michele Peterson &lt;mpeterson@lanesboro-mn.gov&gt;

Hi Michele,

I am requesting an item for the January 2023 city councilman meeting. I would like the board to review and approve my request for a rhubarb run/walk on Saturday 6/3/2023.

This event will be very similar to previous rhubarb run/walks in past years.

There will be a registration fee of \$20.00.

Event is for all ages and abilities.

Race will be listed on mn.run site for pre registration.

Participants will be able to register morning of.

8:00-9:00 AM Registration.

RACE WILL START AT 9:00AM

Volunteers will participate in all stages of event.

Proceeds will go to Lanesboro Public Library.

Race/walk is a fun run. It will not be timed.

The bass pond parking lot will serve as registration site.

Run will start just west of the downtown Root River Trail bridge.

Participants will run/walk for 2.5 k, turn around and finish where they started.

Volunteers will be posted along the trail.

Rhubarb themed costumes will be encouraged.

Prizes will be awarded.

A request for DNR permission to use the Root River Trail for the event has been submitted to Sue Danielson. The DNR is waiting for insurance liability info before giving their final approval.

In past years the event attendees have participated in the Rhubarb Festival events at.

Tom Schramm and Tara at the library are supporting the race/walk.

I will not be able to attend the January meeting.

I hope i have included all necessary info. Please let me know if you needed further info.

Sheila Frost

Director of Rhubarb Run 2023

Sent from my iPad

# Special Event Permit Application

Return by \_\_\_\_\_

Date of Application: <u>10/29/2022</u> Applicant Name: <u>Sheila Frost</u>		Organization / Sponsor: <u>Lanesboro Public Library</u>	
Address: <u>202 Parkway</u>			
Individual Taxpayer Identification Number (TIN) available from IRS <u>                    </u> or Federal Employee Identification Number (FEIN) <u>                    </u> or License number (for individuals) <u>                    </u>			
Telephone: <u>                    </u> (home) <u>                    </u> (work) <u>                    </u> (cell) <u>                    </u> (fax)		DNR Facility to be Used:  <u>Root River bike Trail</u>	
Event Description: <u>5K fun run/walk to raise money for Lanesboro Public Library.</u>			
Estimated # of Participants: <u>50-100 (?)</u> Spectators: <u>?</u>	Entry Fees: <input checked="" type="radio"/> Yes <input type="radio"/> No	Amount of Fee: <u>\$ \$20.00</u>	
Permit Dates and Times: From: <u>9:00am</u> , <u>6/3/2023</u>		To: <u>C</u> , <u>                    </u>	
Do you anticipate any conflicts with existing rules of the DNR Unit that will be used; if so, list anticipated conflicts: <u>No</u>			
Will you provide any of the following for the event (please describe each checked item and how it will be provided on a separate page): <input type="checkbox"/> Food <input checked="" type="checkbox"/> Water <input checked="" type="checkbox"/> First Aid <input type="checkbox"/> Sanitary Facilities <input type="checkbox"/> Other			
List any special needs or requests you have for the DNR: <u>If there was a storm before the event, would the DNR remove fallen trees on the trail?</u>			

Will signs be posted during the event?		If Yes, what type of signs?	
<input checked="" type="radio"/> Yes		Directional signs along the trail. Put up/take down by volunteers	
<input type="radio"/> No			
Will there be hay, straw, mulch, or forage brought to the event by either participants or the host?		<input type="radio"/> Yes	<input checked="" type="radio"/> No
If Yes, is the material _____ ?		<input type="radio"/> Yes	<input type="radio"/> No
Will there be firewood or other natural wood brought to the event by either participants or the host?		<input type="radio"/> Yes	<input checked="" type="radio"/> No
If Yes, is the _____ ?		<input type="radio"/> Yes	<input type="radio"/> No
Is there adequate parking at the facility for this event?		<input checked="" type="radio"/> Yes	<input checked="" type="radio"/> No
Will the event be advertised?		<input checked="" type="radio"/> Yes	<input type="radio"/> No
If Yes, where: Online rhubarb festival site			
Will alcoholic beverages be sold or consumed?		<input type="radio"/> Yes	<input checked="" type="radio"/> No
Are any vendors expected?		<input type="radio"/> Yes	<input checked="" type="radio"/> No
<b>*Performance bond or liability insurance may be required depending on the nature of the event.</b>			
Please list any additional information you would like to tell us about the event:			
<p>Participants will register on line prior to the event. There will be same day registration also. Check in will be at Bass Pond parking lot at 8:00 am. Race begins at 9:00. Volunteers will be at the parking lot to register and assist race participants. This is a non competitive event. Runners will run/walk a total of 5K from the bass pond parking lot going west past the damn. At this point in time, I don't know exactly where the turn around point is on the trail. Their will be volunteers along the trail and at the turn around point to aid the participants. Volunteers will put up and take down directional signs before and after the race. We are expecting that this will be a family event with all levels of runners. We look forward to renewing the run after its absence for the last couple of years. This is scheduled to coincide with Rhubarb festival.</p>			

**CITY OF LANESBORO  
RESOLUTION NO. 2023-08**

**RESOLUTION AUTHORIZING NEW  
MEMBER IN REGIONAL SAFETY GROUP**

WHEREAS, Minnesota Statutes, Section 471.59 authorizes governmental units by agreement of their governing bodies to jointly or cooperatively exercise any power common to them; and

WHEREAS, the League of Minnesota Cities Insurance Trust has created the Regional Safety Group Initiative to offer training to cities/entities who form regional safety groups; and

WHEREAS, the City Council finds that it is in the best interest of the City of Lanesboro to join the Chatfield, Lewiston, Spring Valley Regional Safety Group (the "RSG") previously formed by an agreement of other cities (the "Establishing Agreement"); and

WHEREAS, the Establishing Agreement allows other cities to become members of the RSG upon adoption of a resolution agreeing to all terms of the Establishing Agreement,

NOW, THEREFORE, BE IT RESOLVED, the City of Lanesboro, Minnesota:

1. Authorizes Mayor Jason Resseman and City Administrator/Clerk Michele Peterson to sign this resolution evidencing the city/entity's intent to become a member of the RSG; and
2. The City agrees to be bound by all the terms of the Establishing Agreement.

IN WITNESS WHEREOF, the City, by action of its governing body, caused this Resolution to be approved on the 3 day of January, 2023.

By: \_\_\_\_\_  
Its Mayor Jason Resseman

And: \_\_\_\_\_  
Its City Administrator/Clerk Michele Peterson

**LG220 Application for Exempt Permit**

An exempt permit may be issued to a nonprofit organization that:

- conducts lawful gambling on five or fewer days, and
- awards less than \$50,000 in prizes during a calendar year.

If total raffle prize value for the calendar year will be \$1,500 or less, contact the Licensing Specialist assigned to your county by calling 651-539-1900.

**Application Fee (non-refundable)**

Applications are processed in the order received. If the application is postmarked or received 30 days or more before the event, the application fee is **\$100**; otherwise the fee is **\$150**.

Due to the high volume of exempt applications, payment of additional fees prior to 30 days before your event will not expedite service, nor are telephone requests for expedited service accepted.

**ORGANIZATION INFORMATION**

Organization Name: Lanesboro Claydusters

Previous Gambling Permit Number: X-\_\_\_\_\_

Minnesota Tax ID Number, if any: \_\_\_\_\_

Federal Employer ID Number (FEIN), if any: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: MN Zip: \_\_\_\_\_ County: Fillmore

Name of Chief Executive Officer (CEO): Kristen Asleson

CEO Daytime Phone: \_\_\_\_\_ CEO Email: \_\_\_\_\_  
(permit will be emailed to this email address unless otherwise indicated below)

Email permit to (if other than the CEO): \_\_\_\_\_

**NONPROFIT STATUS**

Type of Nonprofit Organization (check one):

☐ Fraternal

☐ Religious

☐ Veterans

☒ Other Nonprofit Organization

**Attach a copy of one of the following showing proof of nonprofit status:**

(DO NOT attach a sales tax exempt status or federal employer ID number, as they are not proof of nonprofit status.)

☒ **A current calendar year Certificate of Good Standing**  
Don't have a copy? Obtain this certificate from:

MN Secretary of State, Business Services Division  
60 Empire Drive, Suite 100  
St. Paul, MN 55103

Secretary of State website, phone numbers:

[www.sos.state.mn.us](http://www.sos.state.mn.us)

651-296-2803, or toll free 1-877-551-6767

☐ **IRS income tax exemption (501(c)) letter in your organization's name**  
Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS toll free at 1-877-829-5500.

☐ **IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**  
If your organization falls under a parent organization, attach copies of both of the following:

1. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling; and
2. the charter or letter from your parent organization recognizing your organization as a subordinate.

**GAMBLING PREMISES INFORMATION**

Name of premises where the gambling event will be conducted  
(for raffles, list the site where the drawing will take place): Lanesboro Community Center

Physical Address (do not use P.O. box): 202 Parkway Ave, Lanesboro, MN 55949

Check one:

☒ City: Lanesboro Zip: 55949 County: Fillmore

☐ Township: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Date(s) of activity (for raffles, indicate the date of the drawing): January 28, 2023

Check each type of gambling activity that your organization will conduct:

☒ Bingo

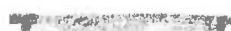
☐ Paddlewheels

☐ Pull-Tabs

☐ Tipboards

☒ Raffle

**Gambling equipment** for bingo paper, bingo boards, raffle boards, paddlewheels, pull-tabs, and tipboards must be obtained from a distributor licensed by the Minnesota Gambling Control Board. EXCEPTION: Bingo hard cards and bingo ball selection devices may be borrowed from another organization authorized to conduct bingo. To find a licensed distributor, go to [www.mn.gov/gcb](http://www.mn.gov/gcb) and click on **Distributors** under the **List of Licensees** tab, or call 651-539-1900.





**Lanesboro City Council**

**Resolution 2023-01  
Designating an Official Depository  
For City Funds**

WHEREAS, Minnesota Laws, ss 427.01-12, requires statutory cities to designate an official depository, for city funds,

AND WHEREAS, The City of Lanesboro is a statutory city,

AND WHEREAS, Merchants Bank, a corporation, is located within the corporate limits of the City of Lanesboro, and is insured by an agency of the federal government (FDIC),

AND WHEREAS, this designation is contingent upon Merchants Bank providing pledged securities and collateral to provide safety of all deposits as has been done in the past,

NOW, THEREFORE BE IT RESOLVED, that The City of Lanesboro designates Merchants Bank its official depository, for city funds for the year 2023.

Adopted by the council this 3rd day of January 2023.

\_\_\_\_\_  
Jason Resseman  
Mayor

Attest: \_\_\_\_\_  
Michele Peterson  
City Administrator

**Lanesboro City Council**

**Resolution 2023-02  
Designating an Official Newspaper  
To Publish Ordinances and Other Matters  
As Required by Law**

WHEREAS, Minnesota Laws, ss 412.831, "An act," requires statutory cities to designate a newspaper of general circulation as its official newspaper in which the city will publish ordinances and other matters as required by law,

AND WHEREAS, The City of Lanesboro is a statutory city,

AND WHEREAS, The Fillmore County Journal is a newspaper of general circulation,

NOW, THEREFORE BE IT RESOLVED, that The City of Lanesboro designates The Fillmore County Journal as its official newspaper to publish ordinances and other matters as required by law, for the year 2023.

Adopted by the council this 3rd day of January 2023.

---

Jason Resseman  
Mayor

Attest: \_\_\_\_\_  
Michele Peterson  
City Administrator/Clerk

**Lanesboro City Council**

**Resolution 2023-03**

**AUTHORIZING THE LANESBORO FIRE DEPARTMENT RELIEF  
ASSOCIATION FOR LAWFUL GAMBLING**

WHEREAS, the City Council of Lanesboro has determined to allow lawful gambling by the Lanesboro Fire Department Relief Association at the following properties: The Root River Saloon located at 112 Coffee Street E in Lanesboro, Minnesota, the Lanesboro Golf Club located at 900 Parkway Avenue South in Lanesboro, Minnesota, and the High Court Pub located at 109 Parkway Avenue North in Lanesboro, Minnesota.

AND WHEREAS, the City Council of Lanesboro has recognized the request of the Lanesboro Fire Department for a resolution stating that they are authorized by the City.

AND WHEREAS, Michele Peterson, City Administrator/Clerk, shall authorize on behalf of the City, for which all correspondence shall be directed to her at the City Office at the following address: 202 Parkway Ave S., PO Box 333; Lanesboro, MN 55949.

AND WHEREAS, on Tuesday, January 3, 2023, the City Council unanimously agreed to authorize lawful gambling for the above named authorized organization.

Adopted by the council this 3rd day of January, 2023:

Attest:

Approved:

---

Michele Peterson  
City Administrator/Clerk

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Jason Resseman  
Mayor

Lanesboro City Council

**Resolution 2023-04**

**RESOLUTION AUTHORIZING SIGNATURE AUTHORITY FOR CITY ACCOUNTS**

WHEREAS, the City of Lanesboro has various bank accounts at Merchants Bank for the City of Lanesboro; and

WHEREAS, the City of Lanesboro needs to name the individuals who have signature authority for the various bank accounts; and

WHEREAS, authorized signatures can only be those individuals so named and approved by the Lanesboro City Council

NOW THEREFORE BE IT RESOLVED, that the Lanesboro City Council grants signature authority for the City bank accounts to the following and the checks require two signatures:

Mayor  
Administrator/Clerk  
Deputy Clerk

Jason Resseman  
Michele Peterson  
Darla Taylor

Adopted by the Lanesboro City Council this 3rd day of January 2023.

---

Jason Resseman, Mayor

---

Michele Peterson, City Administrator/Clerk

Lanesboro City Council

Resolution 2023-05

A RESOLUTION ESTABLISHING MILEAGE REIMBURSEMENT RATE

WHEREAS, the Lanesboro City Council recognizes that the City staff, and Council, Board, & Commission Members may from time to time be required to use their personal vehicles for City business,

WHEREAS, the Lanesboro City Council believes it is appropriate to reimburse for said mileage.

BE IT HEREBY RESOLVED THAT the City of Lanesboro will reimburse for mileage at the current rate of        cents per mile as established by the IRS with an effective date of January 1, 2023

RESOLVED AND ADOPTED this 3rd day of January 2023.

---

Jason Resseman, Mayor

Attest:

---

Michele Peterson, City Administrator/Clerk

Lanesboro City Council

Resolution 2023-06

ANNUAL DESIGNATION OF BOARD OF MUNICIPAL TRUSTEES OF THE LANESBORO  
FIREFIGHTERS RELIEF ASSOCIATION

This motion for designation of the board of municipal trustees for the Lanesboro Firefighters Relief Association for the 2023 calendar year came before the City Council at a regular council meeting on January 3rd, 2023.

WHEREAS, the By-Laws of The Lanesboro Firefighters' Relief Association as Amended provides as follows:

ARTICLE I.

Officers, Trustees and Committees

SECTION 1. BOARD OF TRUSTEES The board of trustees shall be composed of the president, vice-president, secretary/general treasurer (combined office), and special treasurer of (the retirement account only) and three general trustees elected for the stated term, at the same time and in the same manner as the officers of the Association, a Council Member, Clerk and the Chief of the fire department of the City of Lanesboro, Minnesota shall be ex officio members of the board of trustees and shall have the same rights, privileges, duties, and liabilities as the other members of the board of trustees.

NOW THEREFORE, for the calendar year 2023, the Lanesboro City Council appoints the following persons to be Municipal members of said board of trustees:

As City of Lanesboro Elected Municipal Official: Chase Bakke

As One Appointed or Elected Municipal Official: Michele Peterson

As the Fire Chief: Rob Wagner

This Motion was made by:

, and seconded by

The following voted in favor of the motion:

The following voted against the motion:

Whereupon said motion was adopted.

Passed by the City Council on January 3, 2023

LANESBORO CITY COUNCIL

BY:

Jason Resseman, Mayor \_\_\_\_\_

ATTEST:

Michele Peterson, City Administrator/Clerk \_\_\_\_\_

**Lanesboro City Council**

**Resolution 2023-07**

**Appointing Fire Department Officers**

WHEREAS, by Minnesota Statute, the cities appoint fire department officers for volunteer fire departments;

AND WHEREAS, the Lanesboro Fire Department firefighters are recommending to the City Council the following appointments for 2023;

Fire Chief:	Rob Wagner
1st Assistant Fire Chief:	Colin Bakke
2 <sup>nd</sup> Assistant Fire Chief	Matt Schnebly
3 <sup>rd</sup> Assistant Fire Chief	Mark Lawstuen
Training Officer	Jeff Norby
Secretary	Anthony Schwartz
Custodian	Anthony Schwartz
Custodian	Bryan Benson

NOW, THEREFORE BE IT RESOLVED that the City Council does appoint the Lanesboro Fire Department officers as recommended by the firefighters.

Adopted by the council this 3rd day of January 2023.

---

Jason Resseman  
Mayor

Attest: \_\_\_\_\_  
Michele Peterson  
City Administrator/Clerk

**CITY OF LANESBORO  
RESOLUTION NO. 2023-9**

**RESOLUTION ACCEPTING DONATIONS**

**WHEREAS,** The City of Lanesboro is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Section 465.03 for the benefit of its citizens, and is specifically authorized to accept gifts and bequests for the benefit of operational and recreational services pursuant to Minnesota Statutes Section 471.17; and

**WHEREAS,** the following persons and entities have offered to contribute the cash amounts set forth below to the City of Lanesboro for improvements to Sylvan Park:

<u>Name of Donor</u>	<u>Amount</u>
Marge Drake Memorial Funds	\$65.00

**WHEREAS,** all such donations have been contributed to assist the city in the establishment and operation of infrastructure either alone or in cooperation with others, as allowed by law; and

**WHEREAS,** The City Council finds that it is appropriate to accept the donations offered.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LANESBORO, MINNESOTA, AS FOLLOWS:**

1. The donations described above are accepted and shall be used towards improvements to Sylvan Park either alone or in cooperation with others, as allowed by law.
2. The City of Lanesboro is hereby directed to issue receipts to the donor acknowledging the city's receipt of the donor's donation.

Adopted by the City Council of the City of Lanesboro on January 3, 2023.

Approved:

\_\_\_\_\_  
Jason Resseman  
Mayor

Attested:

\_\_\_\_\_  
Michele Peterson  
City Administrator



December 20, 2022

Honorable Mayor and  
Members of the City Council  
City of Lanesboro, Minnesota  
202 Parkway Ave S  
Lanesboro, Minnesota

You have requested that we audit the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of City of Lanesboro, Minnesota, as of December 31, 2022 and for the year then ending, and the related notes, which collectively comprise City of Lanesboro, Minnesota's basic financial statements as listed in the table of contents. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter.

The objectives of our audit are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and in accordance with *Government Auditing Standards* will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

Accounting principles generally accepted in the United States of America, (U.S. GAAP), as promulgated by the Governmental Accounting Standards Board (GASB) require that certain required supplementary information (RSI), be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the GASB, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America, (U.S. GAAS). These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation, and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by U.S. GAAP. This RSI will be subjected to certain limited procedures but will not be audited:

1. Management's discussion and analysis
2. Schedule of funding progress for the retiree health plan
3. Schedule of City's Proportionate Share of Net Pension Liability
4. Schedule of City Contributions to Pension Plans

Supplementary information other than RSI will accompany City of Lanesboro, Minnesota's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and perform certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and additional procedures in accordance with U.S. GAAS. We intend to provide an opinion on the following supplementary information in relation to the basic financial statements as a whole:

1. Financial data included in the letter of transmittal and the management's discussion and analysis
2. The Combining and Individual Non-Major Fund financial statements and schedules
3. Supplemental financial and statistical information

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the basic financial statements:

1. Introductory section, including elected and appointed officials

### **Auditor Responsibilities**

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS) and *Government Auditing Standards*. As part of an audit in accordance with GAAS and *Government Auditing Standards* we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to evaluate whether effective internal control over financial reporting was maintained in all material respects. An integrated audit is not designed to detect error or fraud that is immaterial to the financial statements or deficiencies in internal control over financial reporting that, individually or in combination, are less severe than a material weakness. We are responsible for (1) the evaluation of the effectiveness of the entity's internal control over financial reporting using the same suitable and available criteria as used by management for its assessment and for the integration of the audit of internal control over financial reporting with the audit of financial statements, and (2) determining that the "as of date" specified in management's assessment about the effectiveness of internal control over financial reporting corresponds to the balance sheet date (or period ending date) of the period covered by the financial statements. We will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about City of Lanesboro, Minnesota's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or a material weakness may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards*.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

### **Compliance with Laws and Regulations**

As previously discussed, as part of obtaining reasonable assurance about whether the basic financial statements are free of material misstatement, we will perform tests of City of Lanesboro, Minnesota's compliance with the provisions of applicable laws, regulations, contracts, and agreements. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion.

### **Management Responsibilities**

Our audit will be conducted on the basis that management and, when appropriate, those charged with governance acknowledge and understand that they have responsibility:

- a. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
- b. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to error, fraudulent financial reporting, misappropriation of assets, or violations of laws, governmental regulations, grant agreements, or contractual agreements; and

### Management Responsibilities (Continued)

- c. To provide us with:
  - i. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements, such as records, documentation, and other matters;
  - ii. Additional information that we may request from management for the purpose of the audit;
  - iii. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence;
- d. For including the auditor's report in any document containing financial statements that indicates that such financial statements have been audited by the entity's auditor;
- e. For identifying and ensuring that the entity complies with the laws and regulations applicable to its activities;
- f. For adjusting the basic financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year under audit are immaterial, both individually and in the aggregate, to the basic financial statements as a whole; and
- g. For acceptance of nonattest services, including identifying the proper party to oversee nonattest work;
- h. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;
- i. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on the financials; and
- j. For the accuracy and completeness of all information provided.
- k. For the evaluation of the effectiveness of the entity's internal control over financial reporting using suitable and available criteria;
- l. For providing us with management's written assessment about the effectiveness of the entity's internal control over financial reporting; and
- m. For supporting management's assessment about the effectiveness of the entity's internal control over financial reporting with sufficient evaluations and documentation (e.g., policy or accounting manuals, narrative memoranda, flowcharts, decision tables, procedural write-ups, or completed questionnaires).

With regard to the supplementary information referred to on previous page, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

As part of our audit process, we will request from management and, when appropriate, those charged with governance, written confirmation concerning representations made to us in connection with the audit.

### Nonattest Services

With respect to any nonattest services we will perform the following:

- Assist in preparing the financial statements and related notes of City of Lanesboro, Minnesota, in conformity with U.S. generally accepted accounting principles based on information provided by you.
- Maintain the capital asset depreciation schedules
- Recommend bookkeeping adjustments
- Assist entity in documenting their procedures related to implementation of ASC 842, Lease Accounting
- Provide other general consultation as requested by you from time to time

We will not assume management responsibilities on behalf of City of Lanesboro, Minnesota. However, we will provide advice and recommendations to assist management of City of Lanesboro, Minnesota in performing its responsibilities.

**Nonattest Services (Continued)**

*Government Auditing Standards* require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

City of Lanesboro, Minnesota's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the engagement are as follows:

- We will perform the services in accordance with applicable professional standards.
- This nonattest services are limited to the services previously outlined. Our firm, in its sole professional judgment, reserves the right to refuse to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries.

With regard to including the auditor's report in an exempt offering document, you agree that the aforementioned auditor's report, or reference to Smith, Schafer & Associates, LTD's, will not be included in any such offering document without our prior permission or consent. Any agreement to perform work in connection with an exempt offering document, including an agreement to provide permission or consent, will be a separate engagement.

With regard to an exempt offering document with which Smith, Schafer & Associates, LTD's is not involved, you agree to clearly indicate in the exempt offering document that Smith, Schafer & Associates, LTD's is not involved with the contents of such offering document.

**Reporting**

We will issue a written report upon completion of our audit of City of Lanesboro, Minnesota's basic financial statements. Our report will be addressed to the governing body of City of Lanesboro, Minnesota. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing of internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance will not be an objective of the audit and, therefore, no such opinion will be expressed.

**Other**

We understand that your employees will prepare all confirmations we request and will locate any documents or support for any other transactions we select for testing.

If you intend to publish or otherwise reproduce the basic financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

**Other (Continued)**

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

**Provisions of Engagement Administration, Timing and Fees**

During the course of the engagement, we may communicate with you or your personnel via fax or e-mail, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications.

Andrew Forliti is the engagement principal for the audit services specified in this letter. Their responsibilities include supervising the engagement team's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

The fee for the audit of the District's financial statements for the year ended December 31, 2022 will not exceed \$17,600, including expenses. The fee estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

During the course of the audit we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

It is our policy to keep records related to this engagement for seven years. However, Smith, Schafer & Associates, LTD does not keep any original client records, so we will return those, if any, to you at the completion of the services rendered under this engagement. When records are returned to you, it is your responsibility to retain and protect your records for possible future use, including potential examination by any government or regulatory agencies.

At the conclusion of our audit engagement, we will communicate to those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

The audit documentation for this engagement is the property of Smith, Schafer & Associates, LTD and constitutes confidential information. However, we may be requested to make certain audit documentation available to regulators pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Smith, Schafer & Associates, LTD's personnel.

**Provisions of Engagement Administration, Timing and Fees (Continued)**

Furthermore, upon request, we may provide copies of selected audit documentation to regulators. The regulators may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

By your signature below, you acknowledge and agree that upon expiration of the seven year period Smith, Schafer & Associates, LTD shall be free to destroy our records related to this engagement.


To ensure that Smith, Schafer & Associates, LTD's independence is not impaired under the AICPA *Code of Professional Conduct*, you agree to inform the engagement principal before entering into any substantive employment discussions with any of our personnel.

Any dispute (other than our efforts to collect an outstanding invoice) that may arise regarding the meaning, performance or enforcement of this engagement or any prior engagement that we have performed for you, will, prior to resorting to litigation, be submitted to mediation, and the parties will engage in the mediation process in good faith. Any mediation initiated as a result of this engagement shall be administered within Olmsted County, Minnesota, by a mutually agreed upon mediator, according to its mediation rules, and any ensuing litigation shall be conducted within said county, according to Minnesota law. The results of any such mediation shall be binding only upon agreement of each party to be bound. The parties participating in the mediation shall bear their own costs, except that any charges assessed by the mediation organization shall be shared equally by the participating parties.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Very truly yours,



Andrew Forliti, CPA  
SMITH, SCHAFFER & ASSOCIATES, LTD  
Principal

**RESPONSE:**

This letter correctly sets forth our understanding of City of Lanesboro, Minnesota.

Acknowledged and agreed on behalf of City of Lanesboro, Minnesota by:

By: \_\_\_\_\_

Title: \_\_\_\_\_



# KerberRose

Certified Public Accountants

## Report on the Firm's System of Quality Control

March 18, 2021

To the Shareholders of Smith, Schafer & Associates, Ltd.  
and the Peer Review Committee of the Minnesota Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Smith, Schafer & Associates, Ltd. (the firm) in effect for the year ended May 31, 2020. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary). The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

### Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

### Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

### Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act, audits of employee benefit plans, and an audit of a broker-dealer.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

### Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Smith, Schafer & Associates, Ltd. in effect for the year ended May 31, 2020, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Smith, Schafer & Associates, Ltd. has received a peer review rating of *pass*.

*Kerber Rose SC*  
KerberRose SC

115 E. Fifth Street, Shawano, WI 54166  
P: 715-526-9400  
[www.kerberrose.com](http://www.kerberrose.com)



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**BOLTON  
& MENK**

Real People. Real Solutions.

2900 43rd Street NW  
Suite 100  
Rochester, MN 55901

Ph: (507) 208-4332  
Fax: (507) 208-4155  
Bolton-Menk.com

VIA EMAIL

December 27, 2022

Michele Peterson  
City Administrator/Clerk  
City of Lanesboro  
202 Parkway Ave. S.  
Lanesboro, MN 55949

RE: Pay Request No. 25  
Wastewater Treatment Facility Improvements  
City of Lanesboro, Minnesota  
Project No.: M24.117418

Dear Ms. Peterson,

Enclosed is a copy of Pay Request No. 25 from Wapasha Construction, Inc. for \$44,989.62. I have reviewed this request and recommend payment to the contractor. This request should be included with the City's disbursement request to the Minnesota Public Facilities Authority (PFA). The work reflected on this request represents 89.1 percent of the work to be completed under this contract. Please process this request for payment.

If you have any questions, please do not hesitate to contact me.

Sincerely,

**BOLTON & MENK, INC.**

**Jake R. Pichelmann, P.E.**  
Environmental Project Manager

Enclosure

cc: Brian Malm – Bolton & Menk, Inc.  
Chelsea Alger – Bolton & Menk, Inc.  
File



25

To (Owner): City of Lanesboro, MN	Application Period:	12/01/22 - 12/31/22	Application Date:	12/20/2022
Project: Wastewater Treatment Facility	From (Contractor): Wapasha Construction Co.		Notice to Proceed Date:	10/15/2020
	Contract: General Contract		Via (Engineer): BOLTON & MENK, INC.	
Owner's Contract No.: N/A	Contractor's Project No.: 3615		Engineer's Project No.: M24.117418	

## Application for Payment

## Change Order Summary

Approved Change Orders		
Number	Additions	Deductions
	-	
	-	
TOTALS	\$0.00	\$0.00
NET CHANGE BY CHANGE ORDERS		
		\$0.00

- |  |                 |                 |
|--|-----------------|-----------------|
| 1. ORIGINAL CONTRACT PRICE   |                 | \$ 7,920,777.00 |
| 2. Net change by Change Orders   |                 | \$ 0.00         |
| 3. CURRENT CONTRACT PRICE (Line 1 ± 2)   |                 | \$ 7,920,777.00 |
| 4. TOTAL COMPLETED AND STORED TO DATE<br>(Column G on Progress Estimate)               |                 | \$ 7,054,779.28 |
| 5. RETAINAGE:  |                 |                 |
| a. 5 % x   | \$ 7,054,779.28 | Work Completed  |
| b. 5 % x   | \$ -            | Stored Material |
| c. Total Retainage (Line 5a + Line 5b)   |                 | 0.00            |
| 6. AMOUNT ELIGIBLE TO DATE (Line 4 - Line 5c)  |                 | \$ 352,738.96   |
| 7. LESS PREVIOUS PAYMENTS (Line 6 from prior Application)                              |                 | \$ 6,702,040.32 |
| 8. AMOUNT DUE THIS APPLICATION   |                 | \$ 6,657,050.70 |
| 9. BALANCE TO FINISH, PLUS RETAINAGE<br>(Column G on Progress Estimate + Line 5 above) |                 | \$ 44,989.62    |
|  |                 | \$ 1,218,736.68 |

## Contractor's Certification

The undersigned Contractor certifies that: (1) all previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with Work covered by prior Applications for Payment; (2) title of all Work, materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to Owner at time of payment free and clear of all Liens, security interests and encumbrances (except such as are covered by a Bond acceptable to Owner indemnifying Owner against any such Liens, security interest or encumbrances); and (3) all Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Payment of:

(Line 8 or other - attach explanation of other amount)	<b>\$44,989.62</b>
--	--------------------

is recommended by:

(Engineer)

(Date)

12-27-2022

Payment of:

**\$44,989.62**

(Line 8 or other - attach explanation of other amount)

is approved by:

(Owner)

(Date)

Approved by:

Funding Agency (if applicable)

(Date)

By: David L. Brown Date: 12/26/2022

**Contractor's Application for Payment**

<b>Owner:</b>	CITY OF LANESBORO	<b>Owner's Project No.:</b>	
<b>Engineer:</b>	BOLTON & MENK	<b>Engineer's Project No.:</b>	0H1.123756
<b>Contractor:</b>	GENERATION X CONSTRUCTION	<b>Agency's Project No.:</b>	
<b>Project:</b>	2022 STREET & UTILITY IMPROVEMENTS		
<b>Contract:</b>			
<b>Application No.:</b>	5	<b>Application Date:</b>	12/21/2022
<b>Application Period:</b>	From 11/24/2022	to	12/22/2022

1. Original Contract Price	\$	4,250,313.80
2. Net change by Change Orders	\$	
3. Current Contract Price (Line 1 + Line 2)	\$	4,250,313.80
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$	1,905,982.96
5. Retainage		
a. 5% X \$ 1,396,898.50 Work Completed	\$	69,844.93
b. 5% X \$ 509,084.46 Stored Materials	\$	25,454.22
c. Total Retainage (Line 5.a + Line 5.b)	\$	95,299.15
6. Amount eligible to date (Line 4 - Line 5.c)	\$	1,810,683.81
7. Less previous payments	\$	1,707,435.20
8. <b>Amount due this application</b>	\$	<b>103,248.61</b>
9. Balance to finish, including retainage (Line 3 - Line 4)	\$	2,344,330.84

**Contractor's Certification**

The undersigned Contractor certifies, to the best of its knowledge, the following:

- (1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
- (2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such liens, security interest, or encumbrances); and
- (3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

**Contractor:** Generation X Construction**Signature:** \_\_\_\_\_**Date:** \_\_\_\_\_**Name:** Ryan Oian**Title:** \_\_\_\_\_**Recommended by Engineer****Approved by Owner****By:** \_\_\_\_\_**By:** \_\_\_\_\_**Name:** Brian Malm, PE**Name:** Michele Peterson**Title:** City Engineer**Title:** City Administrator**Date:** \_\_\_\_\_**Date:** \_\_\_\_\_

# Request Agenda Item for Lanesboro City Council Meeting

Date Submitted 11 / 22 / 2022

Name Andrew Bunge

Address 1105 St. Paul St NW Preston, Mn.

Email twinoakfarmse@hotmail.com Phone 507-251-7952

Topic SIDEWALK ON North side of retaining wall on Beacon St.

## Explain the topic in detail:

The original plan called for a 6' sidewalk between retaining wall and curb.  
This would allow people exiting their vehicle to safely walk east or west  
to their destination or to a desired crosswalk. The cottage house was informed  
by Jordan Panklin recently ~~informed us~~ that the sidewalk was taken out of the  
project scope. We would ask that for safety and maintenance reasons the  
sidewalk be reinstated for that portion.

## Why should this topic be considered?

For safety of people exiting their vehicles and walking.  
The sidewalk is preferred verses walking behind the vehicles on the  
street. The sidewalk was in the original design for good reason. The  
cottage house parking lot was decreased to accommodate the sidewalk.  
If any of our guests would park on Beacon St. they would access our  
Inn in a safer fashion.

## Pros to be considered:

1. Safety of pedestrians
2. maintenance of the area
3. It would give that area a completed finished look
4. This is what we expected based on design presented.

Cons to be considered:

1. NONE

2.

3.

4.

Suggest ideas of how this topic might be implemented:

By council action to reinstate the sidewalk project.

Who might be able to provide an alternative view point:

1.

2.

3.

4.

## Prairie Restoration of City of Lanesboro Parcel 190023000 - Hwy 16 Welcome Sign



*View looking to the east over the Welcome to Lanesboro sign. Notice thick impenetrable buckthorn on the left, cut up dead buckthorn (dry orange ends) and open slope on the right.*

According to the Fillmore County Biological Survey, The Vegetation of Fillmore County At The Time Of Public Survey (1853-1854), this parcel was once an oak savanna. (See attached document.) The prairie was maintained by occasional fires which the burr and white oaks survived because of their thicker bark. Remnant prairie plants still exist on the site. (Big bluestem, Indian grass, Johnson grass, bergamot, mullein in the first year alone. This would all be enhanced by a Spring prairie backfire.)

In the winter of 2022, I received permission from the City of Lanesboro to clear portions of the Elmwood right away and the east facing slope of parcel 190023000 adjoining our property to control the invasives and to reduce their fire hazard to our home. Dave Haugen has supervised my work.

This winter/spring (22/23), I would like to work more intensely on this parcel and because of the high visibility off Hwy 16 and Coffee Street, I would like to confirm my intent. I have asked Alex Gehrig, MN DNR Forester and Lanesboro Park Board member to examine the parcel for his input. I would like to work with the City of Lanesboro to restore this prairie over time.

I would like to continue to pile and burn invasives on site on the parcel either:

- 1) By myself
- 2) With help - Sentence to Service, MNCCC or other
- 3) With a volunteer crew - announcement by the city and my following up with anyone who expressed an interest in helping.

Next spring (2023), I would like to complete a controlled burn on the prairie, creating a 10 foot wide fire line on the crest of the hill and backfiring our way down the hill working in cooperation with the MN Highway Department, MN DNR, the Lanesboro Police and Fire Departments and volunteers. This would help set back the 1,000s of buckthorn seedlings that I expect to pop up next spring. This should probably be repeated for 3 to 5 years to control all emerging buckthorn seedlings. This prescribed burn would help re-establish any prairie plants on the site and favor newly seeded prairie plants.

I would like to work to seek funding to plant prairie seedling plugs (small plants) to establish a pollinator prairie on that eastern side slope.



## Prairie Restoration of City of Lanesboro Parcel 190023000 - Hwy 16 Welcome Sign

Once the work on parcel 190023000 is completed, I would also like to open up the old road portion of the Elmwood right away as a walking path.

I need to renew my burning permit for 2023 with the Lanesboro Fire Department which requires me to notify the Fillmore County Sheriff's Department whenever I am burning.

I look forward to working with the Lanesboro community to restore this parcel as an oak savanna and watching it evolve over the years. This newly restored prairie would be a wonderful background behind the Welcome to Lanesboro sign versus the buckthorn jungle that currently exists there!

Joe Deden

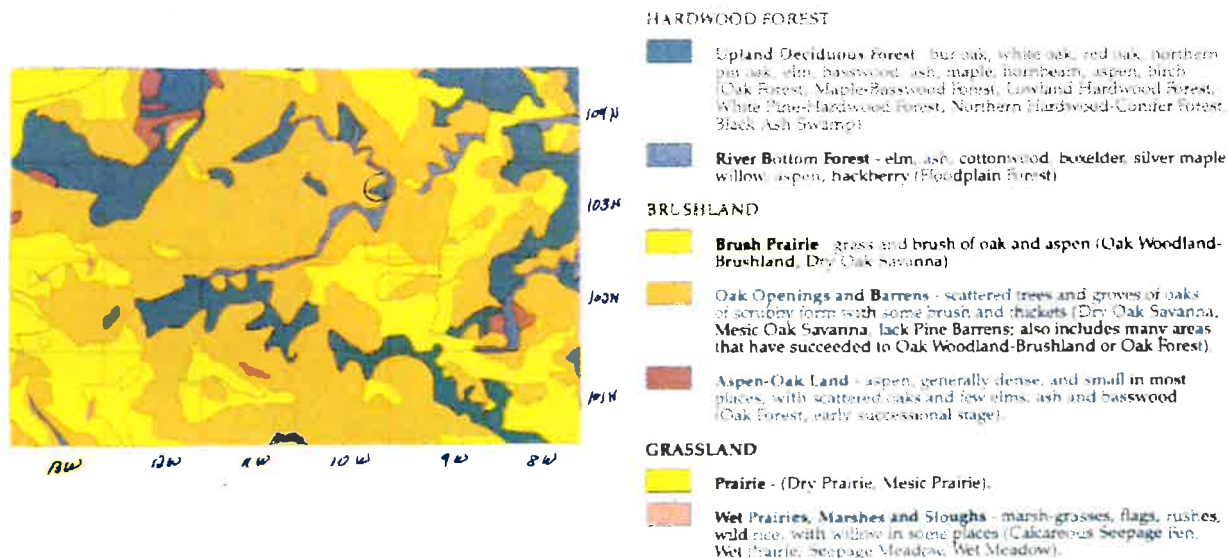
PS Our neighbors to the north both Jeff Ryan and Jeff and Mary St Mane have put considerable effort into controlling invasives on their property too over the past year.



Parcel 190023000 has a turquoise border.

## THE VEGETATION OF FILLMORE COUNTY AT THE TIME OF THE PUBLIC LAND SURVEY

This map shows the vegetation of Fillmore County as interpreted by Francis J. Marschner using Public Land Survey records from 1853-1854. The legend descriptions are slightly modified from Marschner's as appropriate for southeastern Minnesota. Extant natural community types corresponding to Marschner's categories are listed in parentheses.



The area of interest is circled in Section 103N, R10W.

### Potential Press Release - Prairie Restoration Project Behind Welcome to Lanesboro Sign Off Hwy 16

The City of Lanesboro and the adjoining property owners are interested in restoring the east facing slope above the Welcome to Lanesboro sign off Hwy 16 to an oak savanna. Encroaching invasives (buckthorn, honeysuckle and red cedar) need to be cut, piled and burned. Volunteer help is being sought to help pull cut up invasives into burn piles. The project is being coordinated by the City of Lanesboro (Michelle Peterson & Dave Haugen), Alex Gehrig, (MN DNR Forestry/Lanesboro Park Board) and adjoining landowners (Joe Deden). People who express an interest in volunteering would be notified when conditions are right to burn and can join if they are available to help at those times. Remnant prairie plants are present on the site, which would be reseeded with short prairie grasses and pollinator plants and flowers. A controlled burn would be conducted in the spring to control emerging invasives seedlings. Volunteers need to wear good boots with ankle support and gloves. If you are interested in volunteering, please let the City Administrator know a contact phone number.



Notice the thick buckthorn jungle behind the sign. Now imagine it as an oak savanna with pollinator prairie plants. Which do you think would be more welcoming?





Michele Peterson &lt;mpeterson@lanesboro-mn.gov&gt;

**RE: Project Proposal and Liability Question**

1 message

**Krage Agents** <agents@krageinsurance.com>

Tue, Dec 20, 2022 at 8:36 AM

To: Michele Peterson &lt;mpeterson@lanesboro-mn.gov&gt;

Good Morning Michele,

I have attached what I have learned from the attorney for the League:

**The city itself as well as city employees, officials and volunteers would be covered by the city's liability coverage.**

**As for Joe Deden, coverage would depend on the specific facts.**

**The LMCIT coverage document includes as a covered party, a: "Volunteer person or organization while acting on behalf of the city and subject to the city's direction and control."**

**As an initial matter, it's not clear to me whose property this is. If this is city owned property, I think it's more likely Mr. Deden is a city volunteer. In that case, it seems like Mr. Deden would be working on behalf of the city. The work would need to be subject to the city's direction and control. This doesn't mean the city has to be out there providing direct supervision for every task, but there does need to be some degree of control and oversight of the project as a whole.**

**If this is Mr. Deden's own property, then it seems pretty clear that he would not be acting on behalf of the city and he would not be covered by the city's liability coverage. While there might be some general benefit to the city in restoring the prairie and preventing the spread of buckthorn, Mr. Deden would be acting primarily on his own behalf.**

**There is a mention of clearing portions of a right-of-way, so I assume that to some degree there is work being done on public land. If this is public land, then it seems more likely Mr. Deden would be considered a city volunteer.**

**As for other volunteers who may assist Mr. Deden, the analysis is the same, i.e., are the volunteers working on behalf of the city and under the city's direction and control? If so, the volunteers are covered by the city's LMCIT liability coverage. Volunteers are also covered by the city's LCMIT volunteer accident coverage. Sentence to serve participants are covered by the State.**

**As for a controlled burn, the city's fire department will be covered by the city's liability coverage. If this is public property, I would not see a problem with the city providing this service. If it is private property, I think would need to charge for the service unless there is some public purpose served by providing the service free of charge.**

As for liability, there isn't much risk to the city if he is working on his own land. If Mr. Deden is working on city land and he is not a city volunteer, I'd require him to have his own liability insurance. LMCIT generally recommends a minimum of \$1,000,000 per occurrence with the city named as an additional insured.

Ultimately, I'd need more information. But to the extent this is a city project being done by city volunteers working under the city's direction and control, the volunteers are automatically covered by the city's liability coverage.

In any event, the city itself will always be covered if there is a claim against the city, regardless of who is doing the work.

If additional information is needed, please let me know.

Thank you and Happy Holidays!

Jamie Sveen

Krage Insurance Agency, INC

P 507-467-3309

FAX 507-467-2624

jamie@krageinsurance.com

**From:** Michele Peterson <mpeterson@lanesboro-mn.gov>

**Sent:** Friday, December 16, 2022 11:12 AM

**To:** Krage Agents <agents@krageinsurance.com>

**Subject:** Project Proposal and Liability Question

Jamie - I am hoping you can help me with a proposal that is going before the City Council on January 3. I have attached the presentation for your review. I have also asked the City Attorney for input, he noted a concern for liability should something go wrong with the burn. Specifically, would this be covered under the Cities insurance, is there an addendum that would need to be considered? Any other concerns you see in this type of project?

## Hwy 16 Oak Savanna Prairie Restoration - Lanesboro Parcel 190023000 - Behind the Welcome to Lanesboro Sign

Direct Seeding - March, 2023

Takes 3 to 5 years to mature

Shooting Star, Spring Grove, MN

<https://www.shootingstarnativeseed.com/>

Dry, Short Grass, Pollinator Package

**Six grasses, 31 pollinators - 2 acres**

**\$1,000**

Prairie plants or plugs - May/June 202 Flower the first year, immediate impact

Prairie Moon Nursery, Winona, MN

<https://www.prairiemoon.com/>

Prairie / Woodland Plants Identified Onsite

Year

1	Big Blue Stem Grass	2022
2	Indian Grass	2022
3	Canadian Rye Grass	2022
4	Bottle Brush Grass	2022
5	Sorghum	2022
6	Bergamot	2022
7	Black Eyed Susans	2022
8	Purple Cone Flower	2022
9	Mullein	2022
10	Bitter Wintercress	2022
11	Dame's Rocket	2022
12	Wild Carrot	2022
13	Hairy Wood Mint	2022
14	<b>Garlic Mustard (Invasive)</b>	2022
15	Stinging Nettle	2022
16	Tick Weed	2022
17	Tall Thistle	2022
18	<b>Musk Thistle (Invasive)</b>	2022
19	Jack In The Pulpit	2022

**Note:** a controlled burn controls woody invasives and releases dormant prairie seeds

	Plant	Quantity	Cost
1	Butterfly Milkweed	50	\$150
2	Rose Milkweed	50	\$140
3	Prairie Milkweed	50	\$180
4	Joe Pye Weed	50	\$150
5	Button Blazing Star	50	\$150
6	Meadow Blazing Star	50	\$150
7	Prairie Blazing Star	38	\$120
8	Cardinal Flower	50	\$150
9	Great Blue Lobelia	50	\$140
10	Yellow Cone Flower	50	\$140
11	Orange Cone Flower	50	\$140
12	New England Aster	50	\$140
13	Common Ironweed	38	\$120
14	Golden Alexanders	38	\$120
15	Rattlesnake Master	38	\$120
16	Hoary Vervain	38	\$120
17	Prairie Smoke	50	\$160
18	Shade Pollinator Kit	50	\$200

**Prairie Plants or Plugs Subtotal** **\$2,590**

Note: different pollinators are attracted to different plant species

Informational Signage QR Code / Website Information

A simple sign with a QR code would be erected onsite directing interested individuals to a page on the City of Lanesboro's website contains information and photos about the

**\$1,000**

**Unknowns**

Impact of deer browse

Impact of buckthorn and red cedar seedlings

Weather conditions (drought)

Working with the City Administrator, Joe will seek funding from outside sources. Joe will drive to both sites to pick up seeds or plants. City expenses would be limited to supervisory responsibilities.

**Hwy 16 Oak Savanna Prairie Restoration Total**

**\$4,590**

**DATE:** May 1995, reapproved September 2005  
**CLASS TITLE:** City Administrator/Clerk  
**WORKING TITLE:** City Administrator/Clerk  
**DEPARTMENT:** Administration  
**REPORTS TO:** City Council, Public Utilities Commission

**BASIC OBJECTIVES OF THE POSITION:**

Under limited supervision, operates and manages the city and public utilities. Establish and supervise policies both for employees and for the city in general. Offer technical assistance and advice to the council and PUC. Staff functions include budgeting, long range planning, employee performance, treasurer, administer licenses, ordinance enforcement, zoning, maintain all official documents and city seal. Maintain the city's appearance, utility operations, streets and public safety. Pay the bills and invest idle funds.

**MAJOR AREAS OF RESPONSIBILITY:**

1. Subject to the City Council regulations and applicable laws, the City Administrator shall direct the administration of municipal affairs.
2. Perform all functions of Clerk and Treasurer imposed by Minnesota Statutes and/or City Ordinances.
3. The City Administrator shall see that all laws, ordinances and resolutions of the City are enforced.
4. The City Administrator shall supervise the activities of all municipal department heads and personnel of the City in the administration of municipal policy. He/she shall conduct annual evaluations and review of work performance of all department heads. He/she shall interview and screen prospective City employees as permitted by law and shall make recommendations to the City Council/PUC before the appointment is made. He/she shall also make recommendations for terminating and suspending employees.
5. The City Administrator shall attend and participate in all meetings of the City Council, Park Board, Heritage Preservation Commission, Planning and Zoning Commission and Public Utilities Commission. He/she shall be responsible for the preparation of the Agendas and recommend to the Council and PUC such measures as deemed necessary for the welfare of the citizens and the efficient administration of the City. He/she shall attend other committees and commissions as he/she sees fit.
6. The City Administrator shall prepare an annual fiscal budget and capital improvement plan for the Council and PUC. He/she shall maintain financial guidelines for the municipality within the scope of the approved budget and capital program. He/she shall submit reports as necessary to the Council and PUC.
7. The City Administrator shall handle all personnel matters for the City in conjunction with policy established by the City Council/PUC. He/she shall negotiate terms and conditions of employee labor contracts for presentation to the City Council/PUC.
8. The City Administrator shall represent the City at official functions as directed by the City Council and maintain good public relations with the citizens of the community.
9. The City Administrator shall coordinate municipal programs and activities as directed by the City Council/PUC. He/she shall monitor all consultant and contract work performed for the city. He/she shall coordinate the activities of the city attorney.
10. The City Administrator shall be informed regarding federal, state and county programs which affect the municipality. He/she shall consult with officials of both public and private

agencies as may be required. He/she shall then issue administrative orders to carry out such policies and procedures consistent with state law, City Ordinance, and council policy.

11. The City Administrator shall inform the City Council/PUC on matters dealing with the administration of the City and prepare and submit to the Council/PUC for adoption an administrative code encompassing the details of administrative procedure within the City.

12. The City Administrator shall be bonded, at City expense, through a position bond which will indemnify the municipality.

13. He/she shall perform such other duties as may be prescribed by law or required of him/her by ordinance or resolutions adopted by the City Council.

14. The City Administrator shall prepare news releases, develop and discuss public relations material with all concerned as requested. He/she shall maintain good relations with the general public.

15. Planning and Zoning Administration and comprehensive planning for all areas of the city.

16. Emergency Manager for the City of Lanesboro.

17. Zoning Administrator for the City of Lanesboro.

#### **DESIRABLE BACKGROUND:**

This position is designed for someone with excellent skills in policy formulation, and execution, communications, personnel and money management. Some skills should have been obtained previously in developing work habits that equip the employee with the following abilities:

- Sense of devotion to job responsibilities.
- Ability to be organized.
- Ability to work well either alone or in a group.
- Ability to work with the public.
- Accounting.
- Budgeting.
- Personnel and zoning management.
- Ability to be flexible and manage several tasks at once.

#### **TRAINING AND EXPERIENCE:**

Graduation from accredited four year post-secondary school is desired. Degrees in Public Administration, Business, Management, Planning, Political Science or other are preferred. Previous fund and personnel management experience is desired.



# CITY OF LANESBORO

202 Parkway Ave. S • P.O. Box 333 • Lanesboro, MN 55949 • (507) 467-3722 Fax (507) 467-2557 • lanesboro@acegroup.cc

[www.lanesboro-mn.gov](http://www.lanesboro-mn.gov)

## **JOB DESCRIPTION - City Administrator/Clerk**

**Date Approved:**

**Headquarters – Department:** Administration

**Immediate Supervisor:** City Council and Public Utility Commission

### **NATURE OF WORK**

Performs complex professional work plans, organizes, coordinates and directs City Governmental and Public Utility Operations and related work as required. Work involves setting policies and goals under the direction of the City Council and Public Utility Commission. Organizational supervision is exercised over all City personnel. Work involves administering and coordinating a variety of municipal activities as provided for by Statute and authorized by the City Council and Public Utility Commission. Responsibilities include oversight over all municipal operations. Serves as City representative to Federal, State, County and other regulatory agencies and operates with considerable latitude for independent action. Activities include providing information to residents on City policy, plans and procedures.

### **TRAINING AND EXPERIENCE**

Requires knowledge of accepted principles and practices of municipal operations, as well as accounting and finance. Ability to analyze, interpret and prepare financial data and other reports. Technical knowledge of system, office, and other record keeping procedures, including proficiency on computer required. Must be able to lead others and develop talent. Must be able to communicate effectively both orally and in writing with the City Council, Public Utility Commission, department leaders, staff, and the general public.

### **REQUIRED EDUCATION**

A Bachelor's degree in public administration or business administration/management is strongly preferred, however an equivalent degree with applicable coursework may be considered. An Associates Degree and at least 5 years' experience in City Government may also be considered.

### **REQUIRED EXPERIENCE**

Preferred experience of at least (4) four years working in City Government, Business, Accounting or equivalent field as well as Supervisory experience. Knowledge of governmental operations including grant writing, land use, and comprehensive planning.

## WORK PERFORMED AND AREAS OF RESPONSIBILITY

### **1. Performs Various Administrative Functions to Assure Continuity of Operations**

- a. Oversees and coordinates the administration of City and Utility departments, including personnel, equipment, and facilities to ensure adequate service is provided to the City's citizens.
- b. Develops, administers, and enforces City policies and procedures, administrative rules, and drafts City ordinances for City Council and Public Utility Commission approval.
- c. Prepares and analyzes bids for products and services, selects firms or individuals. Provides and executes contracts. Oversees and manages the work of consultants and contractors.
- d. Creates and applies fiscal and internal audit controls and procedures for departments.
- e. Maintains communication with the City Council, Public Utility Commission, and other related Boards by providing relevant ongoing fiscal information.
- f. Arranges and publishes notices of meetings and hearings as required. Provides proper notice to all affected parties and records minutes of proceedings.
- g. Is responsible for City Seal and executes, along with the Mayor, all legal papers on behalf of the City. Assists independent auditors with an audit of City financial records.
- h. Leads and directs staff, including assigning and prioritizing workload, evaluating performance, training, and approving time off.
- i. Develops and maintains a record retention schedule for public records. City Council designee for personnel records per State data privacy.
- j. Directs all municipal elections, including ballot preparation and receipt of candidate filings. Prepares polling place, posts, and publishes election notices, administers oaths of office, and maintains election records.
- k. Research information for implementing laws and rules on developing programs and policies on own or directed by the City Council. Maintains Ordinances and Policies for City and Public Utility Commission and circulates amendments to subscribers.
- l. Attends seminars and meetings on subjects of importance to the City and represents the City with other governmental agencies and offices.
- m. Coordinates special projects.

### **2. Responsible for Systems and Procedures Activities**

- a. Acts as Secretary for City Council, Public Utility Commission, Planning & Zoning Commission, and Heritage Preservation Commission by preparing meeting agenda packets and recording meeting minutes. Transmits communications to affected individuals to ensure proper information flow.
- b. Oversees applications and approval for various licenses and special permits. Oversees liquor license paperwork upon Council approval. Processes and reviews Improvement and Zoning permits.
- c. Establishes policies, procedures, and forms for the office.

at approval  
of Council →

- d. Coordinates yearly budget and levy certification and activity in accordance with accepted standards. Prepares Truth in Taxation, Budget Hearing and Board of Review paperwork for City Council and residents.

**3. Performs Miscellaneous Clerical Activities**

- a. Types correspondence, reports, letters, and ordinances on behalf of the City Council and Public Utility Commission.
- b. Greets the public and determines the nature of business, provides information, researches files, and responds to complaints.

**4. Performs all other like or lesser job-related duties as necessary or assigned.**

**RESPONSIBILITY FOR GOOD WILL AND PUBLIC RELATIONS**

Daily contact both over the phone and one-on-one with customers, government agencies, financial institutions, and staff. Considerable ability to positively or negatively impact goodwill. Must be able to deal with irate individuals in a fair and courteous manner. Works closely with department heads, communicates City and Public Utility Commission policy and City Council and Public Utility Commission intentions with regularity, requiring good communication skills and tact. Produces documents, manuscripts and flyers for the public, requiring accuracy and creativity. Expected to promote positive public relations and good will by providing a high-quality service and by assisting residents where possible.





## USED FIRE APPARATUS PURCHASE AGREEMENT

This Agreement ("Agreement") is made this 2nd day of December 2022, by and between Fire Safety USA, Inc., a Minnesota corporation, 3253 19<sup>th</sup> Street NW, Rochester, MN, 55901, (hereinafter "Company") and City of Lanesboro, MN (hereinafter "Buyer").

**1.) Purchase:** The Company agrees to sell, and the Buyer agrees to purchase, a used fire truck as described below (collectively the "Apparatus") and deliver the same as hereinafter provided, all in accordance with the terms and conditions of this Agreement.

**2.) Purchase Price:**

Used 2009 Pierce PUC Pumper VIN #4PICV01H79A009781 traded in from Eagan, MN: \$200,000.00 total Buyer agrees to pay a total purchase price of Two Hundred Thousand Dollars. Unless otherwise specified, this Purchase Price is exclusive of all Federal, State or local taxes of any nature. Any such taxes are the sole responsibility of the Buyer unless specifically added to the Purchase Price, at which time they will be paid by the Company; provided, however, if the Buyer claims the Order is exempt from any tax, Buyer agrees to furnish the applicable exemption certificate to the Company and to hold the Company harmless from any damage which may result from the Company ultimately having any such tax assessed against it. Purchase Price Includes delivery and PDI pre-delivery truck inspection.

**3. Delivery and Acceptance.** Company shall make the Apparatus available to Buyer for pick-up on or before September 01, 2024. Once made available, Buyer shall pick up the Apparatus at Company's Rochester facility located at 3253 19<sup>th</sup> Street NW, Rochester, Minnesota 55901. If the Apparatus is not available for pick-up on or before September 01, 2024, Buyer may, in its sole and absolute discretion, terminate this Agreement by sending written notice to Company. Any down payment provided from Buyer to Company shall be immediately returned to Buyer, including the 3% interest savings contemplated immediately prior to this paragraph. Notwithstanding the foregoing paragraph, Buyer may waive any termination provision contained in this Agreement in their absolute and sole discretion.

### **PAYMENTS**

Buyer agrees that the terms of payment shall include full payment at the time of delivery and acceptance of the apparatus.

Buyer can optionally provide a down payment and earn 3% interest savings per day that the down payment is deposited.

CUSTOMER SHALL MAKE ALL PAYMENTS, INCLUDING DEPOSITS AND PARTIAL PAYMENTS, TO THE COMPANY ONLY. ALL CHECKS SHALL BE MADE PAYABLE TO FIRE SAFETY USA, INC. NO OTHER PAYEE SHALL BE NAMED.

**3.) Delivery and Acceptance.** The Buyer has agreed to pick up the vehicle at our Rochester facility. Estimated delivery is September 2024.

**4.) AS-IS Used Fire Truck.** This is a used fire truck being sold as-is with no expressed warranties from the Company. The company shall provide a full pre-delivery inspection and confirm the mechanics of the vehicle are operational.

5.) **Title:** The Company and Buyer agree that the Manufacturer's Certificate of Origin shall remain with the Company until the Buyer has accepted the Apparatus and the Company has been paid in full. Upon acceptance of the Apparatus, the Company shall convey the Apparatus to Buyer by Warranty Bill of Sale, and responsibility for title application, ownership and risk of loss shall pass from Company to Buyer.

6.) **Indemnification.** Company shall indemnify and hold the Buyer harmless from any and all claims, liability, loss, damage, reasonable attorney's fees or expenses arising from or related to any failure by Company to fully perform its obligations under the Agreement, unless such claims, liability, loss, damage, reasonable attorney's fees or expenses arise from the misconduct of the Buyer, its officers or employees. The Buyer shall: (1) promptly notify Company of any claim for which indemnification may be sought; (2) cooperate fully in the defense of such claim; and (3) permit Company to settle or compromise such claim on terms and conditions that in good faith it determines to be appropriate.

7.) **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the state of Minnesota.

8.) **Assignment.** This Agreement may not be assigned by Company without prior written consent of the Buyer. This Agreement may be freely assigned by the Buyer.

9.) **Severability.** Should a court of law determine that any clause or section of this Agreement is invalid, all other clauses or sections shall remain in effect.

10.) **Waiver of Jury Trial:** The parties to this Agreement agree that any dispute arising hereunder, if brought before a court having proper jurisdiction, shall be adjudicated in a bench trial and the parties expressly waive any right to have such matter(s) tried before a jury.

11.) **Entire Agreement:** This Agreement, including its attachments and exhibits, constitutes the entire understanding between the parties relating to the subject matter contained herein and supersedes all prior discussions and Agreements. No agent or representative of the Company has authority to make any representations, statements, warranties or Agreements not herein expressed and all modifications or amendments of this Agreement, including its attachments and exhibits, must be in writing signed by an authorized representative of each of the parties hereto.

IN WITNESS WHEREOF, the Company and the Buyer have caused this Agreement to be executed by their duly authorized representatives as of the date set forth by each.

**BUYER: COMPANY:**

**City of Lanesboro, MN Fire Safety USA, Inc.**

By: \_\_\_\_\_

By: \_\_\_\_\_

Ryan Clarey

Title: \_\_\_\_\_ Title: Co-Owner

Date: \_\_\_\_\_ Date: \_\_\_\_\_











Michele Peterson &lt;mpeterson@lanesboro-mn.gov&gt;

**Fwd: Fw: Research Question Submission**

1 message

**Michele Peterson** <mpeterson@lanesboro-mn.gov>  
To: Michele Peterson <mpeterson@lanesboro-mn.gov>

Wed, Dec 28, 2022 at 11:17 AM

Cities do have the authority in law to recover undercharges due to mistakes in billing. From the LMC Memo Securing Payment of Utility Charges:

1. If a municipally owned and operated utility undercharges its consumers, state law may allow the utility to seek recovery of underpayments for the last six years (there is a six-year statute of limitations per Minnesota Statute 541.05).
2. Municipal gas and electric utilities have specific statutory authority to collect undercharges, given a specific process is followed. By its terms this statute does not apply to municipal water utilizes, but could be considered by the city if it wants to pursue the unpaid water charges.

So yes, there seems be legal authority to collect the undercharges – however, there may be other considerations such as offering payment plans or providing notice of the amount due, as it will not likely be popular with city residents.

I hope this information is helpful. Please let me know if I can provide any further assistance.

**Lexi Wentworth | Staff Attorney**

## RELEVANT LINKS:

Minn. Stat. § 471.381, subd. 1.

City of Hopkins: "Auto Pay Your Utility Bill."

Minn. Stat. § 471.381, subd. 2.

- Budget billing plans.
- Automatic payment of utility bills deducted, with permission, from consumer bank accounts, known as automated clearing house or ACH payments.
- Utility payments made with credit cards.

Best practice suggests developing policies and procedures for billing options and procedures that best fit local concerns. Many Minnesota cities post abbreviated policy and procedure statements on the city website. More information is often made available through direct contact, by phone or email, with city utility departments.

### D. Mistakes in billing

In general, even where a meter is inaccurate or defective, a city utility may recoup the undercharges.

If a municipally owned and operated utility undercharges its consumers, state law may allow the utility to seek recovery of underpayments for the last six years.

State law specifically addresses undercharges for municipal gas and electric utilities. The utility must offer a payment agreement to customers who have been undercharged but the customer did nothing to cause the undercharge. The agreement must cover a period equal to the time over which the undercharge occurred or a different time period that is mutually agreeable to the customer and the utility. No interest or delinquency fee may be charged under the agreement.

If the city discovers that it overcharged a consumer for utility service, the city must return the excess payment with interest.

The state auditor recommends that city utilities adopt a written policy that identifies when an employee must obtain a supervisor's authorization to adjust or write-off uncollectible amounts. The written policy should identify the appropriate level of management approval required for a proposed adjustment or write-off. The policy should contain sufficient controls to prevent an employee from unilaterally adjusting or writing off accounts.

Minn. Stat. § 541.05.

*Northern States Power Co. v. Lyon Food Products, Inc.*, 229 N.W.2d 521 (Minn. 1975) cited with approval by *Goddard v. Public Service Co.*, 43 Colo. App. 77, (Colo. Ct. App. 1979).

Minn. Stat. § 216B.098, subd. 4.

*Knutson Hotel Corp. v. Moorhead*, 84 N.W.2d 626 (Minn. 1957).

Avoiding Pitfalls – Policy for Account Adjustments and Write-offs. Office of the State Auditor, E-Update, (July 17, 2015).