



**City Council – Meeting Agenda
July 14, 2020 – 5:30 P.M. – Foley City Hall**

1. Call the meeting to order.
2. Pledge of Allegiance.
3. Approve the agenda.
4. Consent Agenda:
 - Approve minutes of June 2, 2020.
 - Adopt Resolution #2020-12 Accepting Donation.
 - Approve Assessment Agreement with Kevin & Nelda Starr
 - Approve School Resource Officer Agreement with Foley Public Schools.
 - Adopt Resolution #2020-13 – Authorizing PSIG Application.
 - Approve Mr. Jim's for Outdoor Music until 12am on July 24, 2020.
 - Accept letter of retirement of firefighter Adam Orton.
 - Approve payment of bills.
5. Discussion on Refunding of 2011 & 2012 Bonds.
 - Review of Bond Sale Summary
 - Resolution #2020-15 – Providing for Issuance and Sale of \$2.281 GO Improvement Refunding Bonds, Series 2020A
6. Discussion on Orderly Annexation & Joint Planning Agreement with Gilmanton Township.
 - Update from Gilmanton Township Meeting on July 7th.
 - Consider Adoption of Agreement.
7. Discussion on Solar Moratorium Ordinance
8. Discussion on CARES Act Funds.
9. Scott Desmarais – 13042 65th Street NE – Golf Course Driving Range Complaint
10. Mayor's Comments & Open Forum
11. Department Reports:
 - City Attorney – Adam Ripple
 - Police Department –Katie McMillin
 - Update on nuisance/parking and storage ordinance enforcement
 - City Engineer – Jarod Griffith
 - Water Tower Touch-Up Quote
 - Public Works & Fire – Mark Pappenfus



**City Council – Meeting Agenda
July 14, 2020 – 5:30 P.M. – Foley City Hall**

- Administration – Sarah Brunn
 - Update on 2020 Elections and COVID-19 Procedures
 - Discussion on Maxine Olson Land for Sale (PID's 020037500 & 130004010)
 - Discussion on prosecution of building code violations.

12. Old Business

- Update on wastewater project.

13. New Business

- Any discussion on Livestock Ordinance #1125 – allowing for chickens?

14. If needed - Close the meeting per Minn. Stat. 13D.05 Subd. 3(c) 13D.05 – discussion on potential land price of PID's 020037500 & 130004010.

15. Adjourn

CITY OF FOLEY, MINNESOTA
CITY COUNCIL MEETING – June 2, 2020

The Foley City Council held a regular meeting on June 2, 2020, at 5:30 p.m. at the Foley City Hall.

Members Present: Mayor Gerard Bettendorf, Councilmembers Jeff Gondeck, Rosalie Musachio Gary Swanson and Jack Brosh.

Members Absent: None

The pledge of allegiance was recited.

Motion by Swanson, seconded by Gondeck, to approve the agenda. Motion carried, unanimous.

Consent Agenda

Motion by Gondeck, seconded by Musachio, to approve the consent agenda, which includes the following:

- Approve minutes of May 21, 2020.
- Adopt Resolution #2020-10 Appointing Election Judges.
- Approve COVID-10 Preparedness Plan.
- Approve art mural contract with Roberty McCoy.
- Approve payment of bills paid for by checks #52186-#52229.

Brosh asked about pool chemicals and Pappenfus indicated some maintenance is still needed. Motion carried, unanimous.

Public Hearing – Liquor Licenses

Mayor Bettendorf recessed the regular city council meeting at 5:31 p.m. to conduct the public hearing on the annual liquor licenses. No one spoke. Mayor Bettendorf reconvened the regular city council meeting at 5:32 p.m. Motion by Swanson, seconded by Gondeck, to approval the annual liquor licenses, contingent upon background checks and other license requirements being met. The list is as presented on the council agenda. Motion carried, unanimous.

Tobacco Licenses

The list of annual tobacco licenses was presented on the council agenda. Motion by Gondeck, seconded by Brosh, to approve the licenses. Motion carried, unanimous.

Update on MN Legislative Session

Senator Andrew Matthews was at the meeting to update the council on the legislative session. Matthews indicated Mekeland had a committee meeting conflict. Matthews updated the council on the work on the session with the bonding bill request. Matthews indicated Foley is competing with many other communities for wastewater money. Matthews indicated Foley was on the outside looking in and not sure why that was the case with the entire session. They were able to find \$3 million in their package with negotiating with the other representatives. This is \$7 million lower than requested of a total project cost of \$22 million. Matthews suggested starting the project and coming back for a future session. The senate bonding bill was not passed and they are hopeful it will be re-addressed in special session. Matthews indicated they will continue to push for some money. Matthews also gave an overview of the work the legislators are doing to help Minnesota small businesses re-open including a bill to allow businesses to develop a plan based on guidelines to re-open. This bill passed the Senate but not the House.

Gondeck asked Senator Matthews if he would vote for a \$1.5 billion dollar bonding bill if it had \$10 million in it for Foley's project and was made up mostly of infrastructure project. Matthews indicated assuming it was heavy with infrastructure – after seeing the final bill he said yes. Gondeck asked about how many were regional projects versus updating existing infrastructure were included in the proposal.

Brosh asked about the phased in plan and how we could possibly get any more money if the state ends up going in a deficit. Matthews indicated that is a concern and could result in more agency cuts. Musachio asked how a partial would work if the next bonding bill is in two years. Matthews indicated sometimes they don't pass but a lot of times they do. Musachio indicated how our project is critical and our town is hurting and we have already waited years. Bettendorf asked if all the destruction in the cities will impact what is in the bonding bill. Matthews indicated some reforms may be a bargaining chip in negotiating the bonding bill. Brosh asked about what would happen on June 12 – can the legislature remove the peacetime emergency order. Matthews gave an overview of the removal process.

Brunn asked about rewriting the language in the bonding bill so Foley has more options in the case the regionalization project falls through. Brunn also commented that our ponds are near the end of their life expectancy and may not have many years left. Brunn also indicated our largest private employer, a wet industry, is very dependent on Foley's wastewater improvements, along with the 2,700 people that live in this community.

Brosh asked about Becker project and the amount in the Senate bill. It was indicated the Becker project is in the Senate bill for their initial, full request of over \$24 million.

2019 Audit Report

Jon Archer, Schlenner & Wenner, was at the meeting to present the 2019 audit report. Archer gave an overview of the audit process that was done remotely and indicated an overall clean unmodified opinion. No material audit adjustments. Internal controls and preparation of financial statements were the only findings which are normal. For 2019, revenues were higher than budgeted, expenditures were also lower than expected. Fund balance was about 152% of annual budget. Cash increased slightly over the year. Archer gave an overview of the revenues, expenditures, and fund balance for the governmental funds. A cash trend analysis was reviewed and it was indicated the cash position is healthy in all the funds. The utility funds were reviewed and all net positions are healthy. Assets overall have increased as well as cash. Archer gave an overview of some potential concerns with COVID-19 and cities concerns with collecting property tax collections and assessments in the future. Next year's audit will look at some of these areas more closely. Motion by Musachio, seconded by Swanson, to accept the 2019 audit report. Motion carried, unanimous.

Mayor's Comments/Open Forum

Jakob Kounkel, Star Publications requested to speak to the council and issued an apology for a paraphrase he wrote in the paper from the last city council meeting. He indicated Gondeck was the lone vote against when it was actually Brosh.

Department Reports

Chief Katie McMillin gave an overview of the monthly law enforcement report. McMillin also indicated we are working through some revisions with the School Resource Officer (SRO) contract if

distance learning were to continue. Brosh asked about maintenance on the squad and response of city officers to areas in the county. Brosh also asked for an update on the graduation ceremony.

City Engineer Jon Halter presented the Highway 25 Trail Bids that were received. Helmin Construction was the low bid for \$109,000. The county board officially approved the bids and will hold the contract. Motion by Gondeck, seconded by Musachio, to approve the bid of Helmin Construction. Motion carried, unanimous. Halter also presented the water tower inspection report and suggestions on maintenance moving forward. Halter indicated the structure is a good shape, not much in the way of interior paint issues. The exterior had issues of fair to poor and recommends a full repainting of the exterior in the near future. Staff is requesting to get quotes on some painting and repair to the rust and spots and do a full tank repainting in a couple years. Pappenfus indicated we do need to move forward on some maintenance. The council decided to move forward with quotes and estimate spending about \$15,000.

Public Works Director Mark Pappenfus updated the council on activities of the department. Brosh asked about a bill for tiling. Pappenfus indicated all structures/equipment were washed and sanitized. Pappenfus asked for permission to help CARE for their produce events. The council indicated no concerns with helping with the additional food distribution.

Fire Chief Mark Pappenfus presented the turnout great quote. A donation has been received to cover the costs of this equipment. Motion by Gondeck, seconded by Musachio, to approve the quote for \$61,557.15 and purchase. Motion carried, unanimous. Pappenfus also requested permission to dispose of the fire helmets. Motion by Gondeck, seconded by Swanson, to approve the disposal as presented. Motion carried, unanimous. Pappenfus asked for clarification on holding fire meetings and will proceed and practice social distancing.

City Administrator Sarah Brunn updated the council on the art project. Brosh asked about the contributions. Brunn also requested the council to decide if they wanted to impose late fees on water/sewer bills after June 30. There was consensus to proceed with assessing the late fee and also scheduling a shut-off in July. Brunn also discussed re-opening of City Hall. The council would like to see City Hall do a slow re-opening and not do much advertising for a couple weeks. The council discussed the park bathrooms and decided to keep them locked.

Brunn also requested information on refunding the 2011 bonds. A decrease in interest and proceeding with private placement could save approximately \$60,000 over the remaining term of the bond. Brunn indicated another benefit to be that it would allow both banks in town to bid on it and be a business opportunity for them. The council would have to approve the final bid before proceeding. Brunn requested the council to approve an engagement letter if they wish to proceed. Motion by Gondeck, seconded by Swanson, to approve the engagement letter. Motion carried, unanimous.

New Business

Gondeck indicated he will help fix the squad armrest to save the city some money.

Bettendorf also asked about reducing liquor license fees. Motion by Swanson, seconded by Gondeck, to reduce the 2020-2021 license fee for on-sale liquor by \$400. Motion carried, unanimous.

The council reviewed the letter-to-the-editor going into the Benton County News regarding wastewater.

Motion by Gondeck, seconded by Swanson, to adjourn. Motion carried, unanimous.

Sarah A. Brunn, Administrator

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2020 - 12

A RESOLUTION ACCEPTING DONATION FOR FIRE DEPARTMENT

WHEREAS, the City of Foley encourages public donations to help defray the costs of the general public of providing services and improve the quality of life in Foley, and

WHEREAS, Bernadette J Stangler has offered to donate funds for the Foley Fire Department for fire equipment, and

WHEREAS, Minnesota Statutes 465.03 requires that all gifts and donations of real or personal property be accepted only with the adoption of a resolution approved by two-thirds of the members of the City Council;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Foley, Benton County, Minnesota, that this donation is hereby accepted for use by the City of Foley.

BE IT FURTHER RESOLVED that the City extends its sincere appreciation to Bernadette J Stangler for her generous donation.

PASSED AND ADOPTED by the City Council of the City of Foley, Minnesota, this 14th day of July 2020.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, City Administrator

**ASSESSMENT AGREEMENT
(City of Foley, Minnesota)**

THIS AGREEMENT is entered into effective July 14, 2020, between **Kevin Starr & Nelda Starr**, (the “**Owner**”) and the **CITY OF FOLEY**, a body politic in the state of Minnesota (the “**City**”).

RECITALS

- A. Owner owns the property at 321 Broadway Avenue N, legally described in **Exhibit A** (“**Property**”) where Owner operates an auto mechanic shop.
- B. An underground water leak occurred at the Property, requiring excavation and repair, and restoration of the surface has resulted in both City and Owner costs to repair.
- C. In light of the COVID-19 pandemic and the resulting economic impacts, Owner has requested the City to undertake the repair and assess the Owner for the costs of their share.

AGREEMENT

In consideration of the promises contained herein and for other good and valuable consideration, Owner agrees as follows:

1. Authority. Owner represents that Owner is the fee owner of the Property and has full authority to enter into this Agreement.
2. Restoration. The Owner grants the City to complete the surface restoration work and assess Owner for the costs.
3. Costs. Owner agrees that the Owner is responsible for restoring a portion of the surface which benefits the Property (the “**Costs**”). The Costs are estimated to be \$2,109.09, but the final amount of the Costs cannot be known until the restoration work is completed. Owner agrees that the Costs are fair and reasonable and the benefit to the Property for eliminating the Noncompliance exceeds the Costs.
4. Certification. City shall certify the Costs to the Benton County Auditor for assessment

beginning with property taxes payable in 2021.

5. Agreement to Pay Assessment. Owner agrees to pay the Costs as assessed to the Property by the City. The Costs will be payable in equal annual installments extending over a period of 2 years and shall bear interest at the rate of 2.0 percent per annum from the date the City passes a resolution accepting this Agreement. Interest shall not accrue until January 1, 2021, which shall be added to the first installment. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
6. Waiver of Assessment. Owner expressly waives:
 - a. Notice of an assessment hearing;
 - b. Objection to any irregularity or procedural defect with regard to said assessment;
 - c. Any claim that the amount to be levied against the Property is excessive; and
 - d. All rights of appeal in all courts.
7. Binding on Successors. This Agreement shall bind Owner and all the Owner's successors and assigns.
8. Recording. This Agreement may be recorded in the office of the Benton County Recorder and the recording fee shall be added to the Costs.

[Signature pages to follow]

OWNER

Kevin Starr

Nelda Starr

STATE OF MINNESOTA)
) SS
COUNTY OF _____)

On this ____ day of _____, 2020, before me, a Notary Public for this
County, personally appeared Kevin Starr.

Notary Public

STATE OF MINNESOTA)
) SS
COUNTY OF _____)

On this ____ day of _____, 2020, before me, a Notary Public for this
County, personally appeared Nelda Starr.

Notary Public

CITY OF FOLEY

By _____
Gerard L. Bettendorf, Its Mayor

By _____
Sarah A. Brunn, Its City Administrator

[illegible]

On this ____ day of _____, 2020, before me, a Notary Public for this County, personally appeared Gerard L. Bettendorf, to me personally known, who, being by me duly sworn did say that he is the Mayor of City of Foley, a Minnesota body politic named in the foregoing instrument, and that said instrument was signed on behalf of said City by authority of its City Council and acknowledged said instrument to be the free act and deed of said corporation.

Notary Public

[illegible]

On this ____ day of _____, 2020, before me, a Notary Public for this County, personally appeared Sarah A. Brunn, to me personally known, who, being by me duly sworn did say that she is the City Administrator of City of Foley, a Minnesota body politic named in the foregoing instrument, and that said instrument was signed on behalf of said City by authority of its City Council and acknowledged said instrument to be the free act and deed of said corporation.

Notary Public

THIS INSTRUMENT DRAFTED BY:

Rinke Noonan, Ltd. (AAR)
300 US Bank Plaza,
1015 West St. Germain Street
P.O. Box 1497
St. Cloud, MN 56302-1497
(320) 251-6700

EXHIBIT A
(Legal Description of the Property)

Lots 5, 6 and 7 of Block 4, Foley's First Addition to the Town, Benton County, Minnesota.

SCHOOL RESOURCE OFFICER AGREEMENT

This Agreement is made July 1, 2020, by and between FOLEY INDEPENDENT SCHOOL DISTRICT #51 ("DISTRICT") and the CITY OF FOLEY ("CITY") as follows:

WHEREAS, the DISTRICT agrees to purchase services from the CITY and the CITY agrees to provide and manage a School Resource Officer Program to and for the DISTRICT, consisting of not less than one full-time School Resource Officer (SRO), a vehicle, necessary supplies and equipment and DISTRICT agrees to reimburse the CITY for 50% of the officer's wages and benefits in providing said SRO Program; and

WHEREAS, the DISTRICT and the CITY desire to set forth in this Agreement the general terms and conditions of the services to be performed by the SRO in DISTRICT's facilities.

NOW, THEREFORE, the parties agree as follows:

1. Goals and Objectives

It is understood and agreed that DISTRICT and CITY officials share the following goals and objectives with regard to the SRO Program in the schools:

A. Education

- (1) Provide classroom support in the area of safety, distracted driving, chemical use, and law enforcement in the community.
- (2) Presentations to classrooms, faculty, administration, or other groups regarding criminal justice issues.
- (3) The SRO may collaborate with DARE program.

B. Information

- (1) Inform school personnel about community law enforcement trends.
- (2) Keep school officials informed about relevant changes in laws.
- (3) Provide school administrators with information on ongoing investigations that concern school issues or might affect decisions that administrators make.
- (4) Attend staff meetings as a support for school personnel when requested.
- (5) Collect relevant interaction data.

C. Prevention

- (1) Be present during non-structured student time: passing times, lunches, parking lots, assemblies, and student arrival and dismissal.
- (2) Support all buildings including Foley Elementary, Foley Intermediate, Foley High School, Alternative Learning Center, and Foley District Office. The SRO will also provide some services during summer school including patrol of grounds, assistance with students and attending meetings as needed.
- (3) The expectation is that the SRO will project a positive image of the law enforcement profession and build relationships with students and staff.

D. Intervention

- (1) Intervene violent behaviors by students.
- (2) Protect students and school staff from acts of violence.
- (3) Intervene with chemical use issues.
- (4) Provide support for weapons violations.
- (5) Provide support for intruder procedures.
- (6) Provide assistance with COVID-19 guidelines (from police/first responder perspective)
- (7) Provide assistance with lunches, materials and packets in a distance learning situation.
- (8) Provide assistance with SAT (Student Assessment Team).
- (9) Assist with welfare checks with those students not attending online.
- (10) Respond to anonymous tips located within the City Limits and contact and collaborate with agencies to respond outside city limits.

2. Employment and Assignment of the School Resource Officer

- A. The CITY agrees to employ a School Resource Officer (SRO) during the term of this Agreement subject to the following provisions:
 - (1) Compensation from the DISTRICT to the CITY in accordance with the terms of this Agreement to cover 50% of the costs of the SRO as provided in Exhibit A, which shall be annually updated by the CITY. Compensation shall be prorated for the initial term and any future partial term. Compensation shall be paid by the DISTRICT to the CITY in four (4) quarterly installments. The CITY will bill the DISTRICT at the completion of each quarter.

- (2) The CITY has a police officer available for deployment to DISTRICT. In the event of a reduction or restructuring of the police department's workforce which results in the reassignment of the SRO or the loss of this program, this Agreement shall be considered null and void after thirty (30) days written notice to the DISTRICT. Any prepaid compensation extending beyond the expiration of the 30-day notice will be refunded to DISTRICT by the CITY.
 - (3) The SRO shall be an employee of the CITY's Police Department and shall be under the administration, supervision, and control of the CITY, subject to the terms and conditions of this Agreement. The SRO shall be subject to all other personnel policies and practices of the Foley Police Department except as such policies or practices may have to be modified to comply with the terms and conditions of this Agreement.
- B. The CITY, in its sole discretion, shall have the power and authority to appoint, remove and discipline SROs. The SRO shall be assigned by the CITY to the DISTRICT. Specifically assigned tasks will determine where the SRO will report to on any given day, however, the SRO will be prepared to serve in any of the schools in the district as demands arise.
 - C. In the event that the SRO is absent from work, the SRO shall notify both the supervisor in the Foley Police Department and the Superintendent or the Superintendent's designee. A substitute officer shall not be provided during the short term absence of the SRO.
 - D. During the summer months and other periods when school is not in session, the SRO will be required to perform work outside of the DISTRICT as assigned by the CITY. The SRO will provide some support during summer school hours. The SRO will be allowed such reasonable time in the beginning of June to complete unfinished tasks and, at the end of August to prepare for the following school year.

3. Duty Hours

- A. An SRO shall be assigned to the school on a full-time basis. Specific SRO duty hours shall be set by mutual agreement between the DISTRICT and the CITY.
- B. It is understood and agreed that the time spent by the SRO attending court for juvenile and criminal cases arising from or out of the SRO's assignment as an SRO is encompassed by this Agreement.
- C. The SRO will only be called away from duties for the school district under emergency conditions, training, and short term policing needs of the City of Foley.

4. Duties of School Resource Officers

- A. The SRO shall assist the school administration in developing plans and strategies to prevent and minimize dangerous situations that may occur on campus, and also address other issues determined important by the school administration.
- B. The SRO shall present programs on various topics to students. Subjects shall include a basic understanding of law, role of law enforcement, drug awareness, distracted driving, sexual assault, anger management, and the mission of law enforcement.
- C. The SRO is encouraged to interact with students on an individual basis and in small groups.
- D. The SRO shall be available for conferences involving teachers, parents and faculty.
- E. The SRO shall be familiar with agencies and resources that offer assistance to youth and their families, and make referrals to agencies when necessary.
- F. The SRO shall take law enforcement action when necessary.
- G. The SRO shall communicate with school administration to make them aware of arrest or crime.
- H. The SRO shall notify the principal or their designee before removing a student from school.
- I. The SRO can take law enforcement action against intruders and unwanted guests who appear on school property.
- J. The SRO shall conduct investigations of crimes which occur at school and use other resources, if needed, for follow-up investigations.
- K. The SRO shall not be used as a school disciplinarian. If school administration believes an incident is a violation of the law, they may contact the SRO to see if law enforcement action is needed.
- L. The SRO shall follow the Foley Police Department's Standard Operating Procedures when confiscating drugs from students on school property.
- M. The SRO shall follow the guidelines of the Minnesota Statutes, case law, School Board Policy and the Foley Police Department's Standard Operating Procedures in regards to investigations, interviews and searches relating to juveniles.

5. Dress Code

- A. The SRO shall wear either a Foley Police Department issued uniform or other attire as mutually approved by the school administration and Police Chief.

6. Supplies and Equipment

- A. The CITY agrees to provide all necessary equipment and supplies for the SRO to function as a licensed peace officer including; a police vehicle and related equipment.
- B. The DISTRICT agrees to provide the SRO with the usual and customary office supplies and forms required in the performance of administrative duties. In addition, the SRO will be provided a private office within the school that is accessible by the students. The SRO shall also be provided a desk, telephone, computer and access to a printer and fax machine. The SRO shall also be provided with a lockable cabinet of space for securing evidence or other controlled materials.

7. Firearms

- A. The SRO shall at all times carry a duty firearm. No firearms shall be stored in the school. A duty rifle may be stored in the SRO's police vehicle

8. Investigations, Interrogations, Search and Arrest Procedures

- A. The SRO shall act in a professional manner at all times and will follow practices and procedures established by applicable local, state and federal laws concerning the interrogation, search and arrest of students or others suspected of committing criminal offenses or participating in other misconduct. Upon arrest of a student, the SRO shall notify school administration before removing any student from campus.

9. Information Exchange

- A. The SRO and DISTRICT shall cooperate in ensuring the privacy of students pursuant to MSA § 260B.171, Subd. 5(e) and all other applicable laws and regulations.
- B. School officials shall allow the SRO to inspect and copy any public records maintained by the school, including student directory information such as yearbooks.
- C. If some information in a student's cumulative record is needed in an emergency to protect the health or safety of the student or other individuals, school officials may disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety.

10. Term of Agreement

- A. The initial term of this Agreement shall end on July 1, 2019. The Agreement may be renewed and extended annually for additional and successive one-year terms unless notice of non-renewal is given by either party, in writing, prior to June 1st of the initial or any succeeding term.

11. Insurance and Indemnification

- A. The CITY and DISTRICT shall each purchase and maintain in full force and effect during the term of this Agreement, a general comprehensive liability insurance policy with coverage in any amount of not less than One Million Dollars (\$1,000,000) for any acts or omissions that occur or claims that are made during the term of the Agreement.
- B. Except for claims arising out of the willful or negligent act of the other party or its representatives, each party shall indemnify and defend the other party against all claims, expenses, and liabilities incurred, including reasonable attorney fees, related to claims for loss of life, personal injury, and damage to property arising out of any occurrence in, upon or at the School District properties in accordance with the execution of the School Resource Officers' duties under this contract.

12. Evaluation

- A. It is mutually agreed that the DISTRICT shall regularly communicate with the CITY on the effectiveness of the SRO Program and the performance of the SRO. It is further understood that the DISTRICT evaluation of the SRO is advisory only and that the CITY retains the final authority to evaluate the performance of the SRO.

{Signatures on following pages}

IN WITNESS WHEREOF, the parties hereto have caused this School Resource Officer Agreement to be executed the day and year first written above.

MAYOR, CITY OF FOLEY

By: _____

DISTRICT 51 SUPERINTENDENT

By: Paul Neulander

CITY ADMINISTRATOR, CITY OF FOLEY

By: _____

DISTRICT 51 BOARD CHAIRPERSON

By: Valeri Tami

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2020 - 13

A RESOLUTION AUTHORIZING THE CITY OF FOLEY TO SUBMIT A POINT SOURCE
IMPLEMENTATION GRANT APPLICATION TO THE MINNESOTA PUBLIC FACILITIES
AUTHORITY (PFA) AND TO AUTHORIZE CITY OFFICIALS TO EXECUTE A GRANT
AGREEMENT ON BEHALF OF THE CITY OF FOLEY FOR THE WASTEWATER
TREATMENT FACILITY IMPROVEMENT PROJECT

WHEREAS, the Point Source Implementation Program, established in Minnesota Statutes 446A.073, as amended provides funds for construction projects; and

WHEREAS the City of Foley is hereby applying to the Minnesota Public Facilities Authority for a funds to be used for eligible costs for the Wastewater Treatment Facility Improvement Project.

BE IT RESOLVED that the City of Foley has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation and maintenance of the project for its design life.

BE IT FURTHER RESOLVED, that upon approval of its application by the PFA, City of Foley may enter into an agreement with the PFA for the above referenced project, and that the City of Foley certifies that it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

NOW, THEREFORE BE IT FURTHER RESOLVED, that Sarah Brunn, City Administrator, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the above project on behalf of the City of Foley.

Adopted by the council, this 14th day of July, 2020.

Gerard L. Bettendorf, Mayor

ATTEST:

Sarah A. Brunn, Administrator

I CERTIFY THAT the above resolution was adopted by the City of Foley on July 14, 2020.

SIGNED:

Date: _____

WITNESSED:

Date: _____

Adam Orton
18955 145th St NE
Foreston, MN 56330

Foley Fire Department
81 Norman Ave S
Foley, MN. 56329

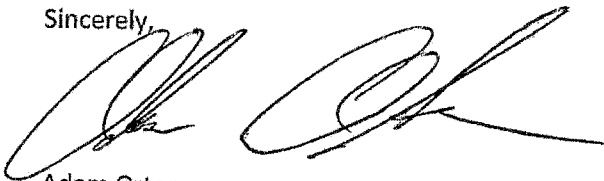
Dear Foley Fire Department:

It is with a heavy heart that I submit my retirement from the Foley Fire Department. The time I spent with the fire department has been one of the proudest moments of my life. I have been extremely blessed with working for a department with such a proud heritage. I consider all members of the department as an extension of my family. I want to express my greatest appreciation for allowing me to remain on the department for the extended period during the COVID situation.

My last day will be 7/6/2020

I wish the best of safety and health for all members past, current, and future for the Foley Fire Department.

Sincerely,

A handwritten signature in black ink, appearing to be 'Adam Orton', written over a horizontal line.

Adam Orton
Lieutenant

Bills List - July 14, 2020

Gross Salaries	Payroll - 6/5/20	\$	29,894.55
EFTPS	Federal Withholding	\$	5,349.42
MN Dept of Revenue	State Withholding	\$	1,082.39
State Treas. PERA	PERA	\$	5,887.65
Nationwide	Deferred Comp	\$	820.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	80.00
Further	HSA Contribution	\$	490.00
Gross Salaries	Payroll - 6/19/20	\$	29,976.20
EFTPS	Federal Withholding	\$	5,339.37
MN Dept of Revenue	State Withholding	\$	2,300.03
State Treas. PERA	PERA	\$	5,857.09
Nationwide	Deferred Comp	\$	820.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	80.00
Further	HSA Contribution	\$	490.00
Gross Salaries	Payroll - 7/3/20	\$	28,772.66
EFTPS	Federal Withholding	\$	5,240.60
MN Dept of Revenue	State Withholding	\$	1,028.50
State Treas. PERA	PERA	\$	5,455.14
Nationwide	Deferred Comp	\$	820.00
Pacific Life Ins	Deferred Comp/Roth IRA	\$	80.00
Further	HSA Contribution	\$	490.00
Gross Salaries - Fire & Council	Payroll - 7/3/20	\$	28,777.00
EFTPS	Federal Withholding	\$	4,902.92
MN Dept of Revenue	State Withholding	\$	300.00

Already Paid - 7/14/20

Benton County Highway Dept	PD Fuel	\$	461.12
Cloudnet	Server Fee	\$	10.00
First National Bank of Omaha	Credit Card Purchases	\$	378.36
Further	HSA Admin Fee & Employee HSA Contribution	\$	382.30
Gopher State One Call	Email Tickets	\$	28.35
Hawkins	Water & Sewer Chemicals	\$	4,080.85
HealthPartners	Employee Health Insurance	\$	8,882.20
Interstate All Battery Center	FD - CO Gas Monitor Battery	\$	6.90
MN Dept of Revenue	May 2020 Sales Tax Return	\$	2,158.00
MN Rural Water Association	2020 Membership	\$	300.00
Municipal Clerks & Finance Officer Assoc.	2020 Memberships - Brunn & Shaw	\$	90.00
RevTrak	Credit Card Processing Fee	\$	397.88
Schlenner & Wenner	2019 Audit and Prepped Financials	\$	19,080.00
SEH, Inc	Dewey, I&I, Trail, Water Tower, General Engineering	\$	16,105.81
Staples	Office Supplies	\$	88.99
Star Publications	May 2020 Publications	\$	1,068.00
Sun Life Assurance	Employee LTD Insurance	\$	194.48
US Able Life	Employee Life Insurance	\$	188.50
Verizon	PD, Public Works, FD Phones & Park Cameras	\$	333.97
Wex Bank	Public Works Fuel Purchases	\$	121.20
Xcel Energy	Utilities	\$	4,302.91

To Be Paid - 7/14/20

Adam Foss	Ordinance Compliance Lawn Mowing	\$	200.00
AllSpec Services	Building Inspection Services	\$	346.65
Arnold's Equipment	New Holland Repair	\$	34.00
Auto Value	Shop Maint, Grey Storage Repair, Sign Trailer	\$	90.53
Batteries Plus Bulbs	Generator, PW & FD Batteries	\$	319.82
Benton County Attorney	May & June Legal Fees	\$	1,100.00

Bond Trust Services Corp	2015 Bond Services Payments & Fees	\$	12,400.00
Central McGowan	PD Medical Supplies	\$	67.45
Cintas	Uniforms	\$	432.62
Cloudnet	Server Fee	\$	10.00
Coborn's	City Hall Office & Cleaning Supplies	\$	75.00
Core & Main	Cold Patch	\$	826.00
CORE Professional Services	Pre-Employment Screening - Kothman	\$	25.00
Delta Dental	Employee Dental Insurance	\$	1,026.20
East Central Energy	Utilities	\$	1,247.98
East Side Glass	Holdridge Park Repair	\$	1,032.00
Emergency Response Solutions	FD Equipment & Maint	\$	887.94
Ferguson Waterworks	Water Supplies	\$	1,941.41
Five Starr Auto Repair	New Holland Repair	\$	69.15
Flaherty & Hood	Waste Water Expansion - 2nd Half	\$	7,500.00
Foley Fuel & Lumber	Street, FD, Parks Supplies & Maint	\$	835.80
Foley Hardware Co	Parks, Street, Water, FD Repairs & Maint	\$	416.23
Frandsen Bank	2020 Safe Deposit Box	\$	15.00
Further	HSA Admin Charge	\$	32.30
Gilman Coop Creamery	Weed Spray	\$	211.36
Gopher State One Call	Email Tickets	\$	44.55
Handyman's Hardware	Lion's Park Shelter - CIP	\$	2,647.95
Hawkins	Water Chemicals	\$	1,911.65
HealthPartners	Employee Health Insurance	\$	8,882.20
Joshua Beutz Constructions	FD Window Replacement	\$	1,880.00
Knife River	2020 CIP Streets Overlay	\$	28,474.26
Locators & Supplies	Street Supplies	\$	217.12
Marco	Copier Lease	\$	594.01
MidCo	Internet & Phone Services	\$	717.60
Midway Iron & Metal	Bleacher Repair, 721 Loader Repair	\$	30.53
Mimbach Fleet	FD & Street Maint	\$	69.97
MN Department of Labor	Building Permit Surcharge	\$	98.75
Molitor Excavating	Water Curbbox, GU Repair, Hydrant Replacement	\$	6,070.00
Municipal Emergency Services	FD Battery	\$	47.97
Murphy Chevrolet	FD & PD Vehicle Repair	\$	542.57
New Frontier Services	Website Services	\$	62.50
Northland Trust Services	2018, 2011, 2012 Bond Services	\$	64,337.50
RevTak	June 2020 Credit Card Processing Charge	\$	712.24
Rinke-Noonan	General, Zoning, Orderly Annexation Legal	\$	1,624.00
RMB Environmental Laboratories	Sewer & Water Testing	\$	1,529.00
Robert McCoy	Arts Board Mural Down Payment	\$	4,500.00
Scott Grabinski & Son Excavating	Cement Replaced-Water Leak @ 136 Broadway N	\$	3,300.00
Shift Technologies	Antispam, Anti Virus, Laptop	\$	1,687.05
Star Publications	June 2020 Publications	\$	734.00
Titan Machinery - Rogers	Street Vehicle Repair	\$	272.59
Voss Lighting	Park Light Bulbs	\$	189.94
Watch Guard	PD Equipment	\$	30.00
Wex Bank	Credit Card Fuel Purchases	\$	1,004.92
William Longfellow Painting	FD & PW Overhead Doors Painted	\$	1,270.00
Ziegler, Inc.	Street Vehicle Repair	\$	140.78
		\$	387,759.43



City of Foley, Minnesota
\$2,281,000 General Obligation Improvement Refunding Bonds,
Series 2020A

Bond Sale Summary
July 14, 2020

PURPOSE: Current refund the City's General Obligation Improvement Bonds, Series 2011A and General Obligation Improvement Crossover Refunding Bonds, Series 2012A on August 18, 2020, and to pay the costs associated with the issuance of the Bonds.

FINANCE PLAN: The Bonds have been structured with even annual savings over 5 years for the 2012A portion and 8 years for the 2011A portion.

RATING: The Bonds are non-rated.

RESULTS:

- Bonds were purchased by Falcon National Bank, St. Cloud, MN.

	Final Results on
	<u>07/07/20</u>
Par Amount	\$ 2,281,000
Savings	\$ 103,088
Present Value Savings (%)	4.19%
Average Coupon	1.04%
True Interest Cost (TIC)	1.04%



EXHIBIT A - DEBT SERVICE SAVINGS

Total Savings

Date	Total P+I	Net New D/S	Old Net D/S	Savings
02/01/2021	382,656.62	382,312.16	398,117.50	15,805.34
02/01/2022	418,530.00	418,530.00	433,410.00	14,880.00
02/01/2023	414,530.00	414,530.00	429,990.00	15,460.00
02/01/2024	410,739.50	410,739.50	426,470.00	15,730.50
02/01/2025	416,949.00	416,949.00	432,275.00	15,326.00
02/01/2026	104,063.50	104,063.50	112,400.00	8,336.50
02/01/2027	104,713.50	104,713.50	113,400.00	8,686.50
02/01/2028	100,336.50	100,336.50	109,200.00	8,863.50
Total	\$2,352,518.62	\$2,352,174.16	\$2,455,262.50	\$103,088.34

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	99,401.22
Net PV Cashflow Savings @ 1.040%(Bond Yield).....	99,401.22
Contingency or Rounding Amount.....	344.46
Net Present Value Benefit	\$99,745.68
Net PV Benefit / \$2,380,401.22 PV Refunded Debt Service	4.190%
Net PV Benefit / \$2,260,000 Refunded Principal...	4.414%
Net PV Benefit / \$2,281,000 Refunding Principal..	4.373%

2011A Savings

Date	Total P+I	Net New D/S	Old Net D/S	Savings
02/01/2021	88,683.80	87,939.02	97,650.00	9,710.98
02/01/2022	104,498.50	104,498.50	113,175.00	8,676.50
02/01/2023	101,771.00	101,771.00	110,655.00	8,884.00
02/01/2024	98,868.50	98,868.50	108,135.00	9,266.50
02/01/2025	101,985.00	101,985.00	110,345.00	8,360.00
02/01/2026	104,063.50	104,063.50	112,400.00	8,336.50
02/01/2027	104,713.50	104,713.50	113,400.00	8,686.50
02/01/2028	100,336.50	100,336.50	109,200.00	8,863.50
Total	\$804,920.30	\$804,175.52	\$874,960.00	\$70,784.48

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	67,435.24
Net PV Cashflow Savings @ 1.040%(Bond Yield).....	67,435.24
Contingency or Rounding Amount.....	744.78
Net Present Value Benefit	\$68,180.02
Net PV Benefit / \$839,868.57 PV Refunded Debt Service	8.118%
Net PV Benefit / \$760,000 Refunded Principal...	8.971%
Net PV Benefit / \$768,000 Refunding Principal..	8.878%



2012A Savings

Date	Total P+I	Net New D/S	Old Net D/S	Savings
02/01/2021	293,972.82	294,373.14	300,467.50	6,094.36
02/01/2022	314,031.50	314,031.50	320,235.00	6,203.50
02/01/2023	312,759.00	312,759.00	319,335.00	6,576.00
02/01/2024	311,871.00	311,871.00	318,335.00	6,464.00
02/01/2025	314,964.00	314,964.00	321,930.00	6,966.00
Total	\$1,547,598.32	\$1,547,998.64	\$1,580,302.50	\$32,303.86

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings.....	31,965.98
Net PV Cashflow Savings @ 1.040%(Bond Yield).....	31,965.98
Contingency or Rounding Amount.....	(400.32)
Net Present Value Benefit	\$31,565.66
Net PV Benefit / \$1,540,532.65 PV Refunded Debt Service	2.049%
Net PV Benefit / \$1,500,000 Refunded Principal...	2.104%
Net PV Benefit / \$1,513,000 Refunding Principal..	2.086%



EXHIBIT B - SOURCES AND USES

	2011A	2012A	Issue Summary
Sources Of Funds			
Par Amount of Bonds	\$768,000.00	\$1,513,000.00	\$2,281,000.00
Total Sources	\$768,000.00	\$1,513,000.00	\$2,281,000.00
Uses Of Funds			
Costs of Issuance	6,060.50	11,939.50	18,000.00
Deposit to Current Refunding Fund	761,194.72	1,501,460.82	2,262,655.54
Rounding Amount	744.78	(400.32)	344.46
Total Uses	\$768,000.00	\$1,513,000.00	\$2,281,000.00



EXHIBIT C -DEBT SERVICE SCHEDULE

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/18/2020	-	-	-	-	-
02/01/2021	373,000.00	0.750%	9,656.62	382,656.62	382,656.62
08/01/2021	-	-	9,265.00	9,265.00	-
02/01/2022	400,000.00	0.750%	9,265.00	409,265.00	418,530.00
08/01/2022	-	-	7,765.00	7,765.00	-
02/01/2023	399,000.00	0.950%	7,765.00	406,765.00	414,530.00
08/01/2023	-	-	5,869.75	5,869.75	-
02/01/2024	399,000.00	0.950%	5,869.75	404,869.75	410,739.50
08/01/2024	-	-	3,974.50	3,974.50	-
02/01/2025	409,000.00	0.950%	3,974.50	412,974.50	416,949.00
08/01/2025	-	-	2,031.75	2,031.75	-
02/01/2026	100,000.00	1.350%	2,031.75	102,031.75	104,063.50
08/01/2026	-	-	1,356.75	1,356.75	-
02/01/2027	102,000.00	1.350%	1,356.75	103,356.75	104,713.50
08/01/2027	-	-	668.25	668.25	-
02/01/2028	99,000.00	1.350%	668.25	99,668.25	100,336.50
Total	\$2,281,000.00	-	\$71,518.62	\$2,352,518.62	-

Date And Term Structure

Dated	
Delivery Date	8/18/2020
First available call date	8/18/2020
Call Price	Any Date
	100.000%

Yield Statistics

Bond Year Dollars	
Average Life	\$6,868.79
Average Coupon	3.011 Years
	1.0412119%
Net Interest Cost (NIC)	
True Interest Cost (TIC)	1.0412119%
All Inclusive Cost (AIC)	1.0395519%
	1.3093007%



EXHIBIT D - PRICING SUMMARY

Maturity	Type of Bond	Coupon	Yield	Maturity Value	Price	Dollar Price
02/01/2022	Term 1 Coupon	0.750%	0.750%	773,000.00	100.000%	773,000.00
02/01/2025	Term 2 Coupon	0.950%	0.950%	1,207,000.00	100.000%	1,207,000.00
02/01/2028	Term 3 Coupon	1.350%	1.350%	301,000.00	100.000%	301,000.00
Total	-	-	-	\$2,281,000.00	-	\$2,281,000.00

Bid Information

Par Amount of Bonds	\$2,281,000.00
Gross Production	\$2,281,000.00
Bid (100.000%)	2,281,000.00
Total Purchase Price	\$2,281,000.00

PRELIMINARY BANK TERM SHEET

**City of Foley, Minnesota
General Obligation Improvement Refunding Bonds,
Series 2020A**

City of Foley: Foley, the County Seat of Benton County, is located in the central portion of Minnesota. The City lies approximately 13 miles northeast of St. Cloud, 14 miles southwest of Milaca and 75 miles northwest of the Twin Cities Metropolitan Area. Access is provided via State Highways 23 and 25 as well as County Roads 4 and 43. The City's 2010 Census population was 2,603.

Purchaser: To be determined

Issuer Contact: City of Foley, Minnesota
251 4th Ave. N.
P.O. Box 709
Foley, MN 56329
Sarah Brunn, City Administrator
Telephone: 320-968-7260
Email: sbrunn@ci.foley.mn.us

Placement Agent: Northland Securities, Minneapolis, Minnesota
George Eilertson, Managing Director
Telephone: 612-851-5906
geilertson@northlandsecurities.com
Carrie Fisher, Senior Closer
Telephone: 612-851-4970
cfisher@northlandsecurities.com

Bond Counsel: Taft Stettinius & Hollister LLP, Minneapolis, MN

Principal Amount: \$2,282,000

Purchase Price: \$2,282,000

Pricing Date: July 7, 2020

Award Meeting: July 14, 2020

Dated Date: August 18, 2020

Closing Date: August 18, 2020

Interest Due: February 1 and August 1, commencing February 1, 2021.

Term Bonds:

<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Par Amount</u>	<u>Average Life</u>
02/01/2022	%	\$773,000	0.969 years
02/01/2025	%	\$1,208,000	3.462 years
02/01/2028	%	\$301,000	6.449 years

6/15/2020

**Mandatory Sinking
Fund:**

<u>2022 Term Bond</u>		<u>2025 Term Bond</u>		<u>2028 Term Bond</u>	
2/1/21	\$374,000	2/1/23	\$399,000	2/1/26	\$100,000
2/1/22	\$399,000	2/1/24	\$399,000	2/1/27	\$102,000
		2/1/25	\$410,000	2/1/28	\$99,000

Optional Redemption: The Bonds are callable on any date.

Rating: Not Rated

Authority and Purpose: The Bonds are being issued pursuant to Minnesota Statutes, Chapters 429 and 475, as amended. Proceeds of the Bonds will be used to current refund the City's General Obligation Improvement Bonds, Series 2011A and General Obligation Improvement Crossover Refunding Bonds, Series 2012A on August 18, 2020 at a price of par plus accrued interest, and to pay costs associated with issuance of the Bonds.

Security: The Bonds are valid and binding general obligations of the City and are payable from special assessments against benefitted properties and ad valorem taxes. The full faith and credit of the City is also pledged to payment of the Bonds. In the event of any deficiency in the Debt Service Account established for the Bonds, the City has validly obligated itself to levy ad valorem taxes upon all of the taxable property within the City, without limitation of amount.

Bank Qualified: The Bonds will be designated as a bank qualified tax-exempt obligation.

No Continuing Disclosure The City will not enter into an undertaking to annually provide continuing disclosure information with respect to the Bonds.

Tax Exemption: In the opinion of Bond Counsel to be delivered at closing, interest on the Bonds is excluded from gross income for state of Minnesota and federal income tax purposes and is not an item of tax preference for purposes of the federal minimum tax.

Additional Provisions: The Bonds will be held with the Purchaser and not reoffered to the public.

The Bonds will be issued in \$1,000 denominations.

APPROVED ONLY FOR DISTRIBUTION TO FINANCIAL INSTITUTIONS. Information is based on sources considered to be reliable, but is not warranted by Northland Securities, Inc.

Northland Securities, Inc., 150 South 5th Street, Suite 3300, Minneapolis, MN 55402 800-851-2920

Member FINRA and SIPC | Registered with SEC and MSRB

NORTHLAND
SECURITIES

6/15/2020

One typewritten Bond per term Bond maturity will be printed.

Paying Agent:

City of Foley, Minnesota

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NORTHLAND
SECURITIES

6/15/2020

The Purchaser agrees to purchase the Bonds for the price shown on the first page of this Term Sheet and the interest rates provided below, and certifies to the City that it has knowledge and experience in financial and business matters, including the acquisition and holding of tax-exempt obligations, that it is capable of evaluating the merits and risks of purchasing the Bonds and is able to bear such risks and that it is buying the Bonds for its own account and not with a view to distribution of the Bonds.

Bank Proposed Interest Rates: 2022 Maturity: 0.75
2025 Maturity: 0.95
2028 Maturity: 1.35

Agreed and Acknowledged:

Falcon National Bank
(Bank Name)
Signature: [Signature]
Name: Joe Bahen
Title: Chief Financial Officer
Date: 7/7/2020

Note: The City will reserve the right to: (i) waive non-substantive informalities of any Proposal or of matters relating to the receipt of Proposals and award of the Bonds, (ii) reject all Proposals without cause, and (iii) reject any Proposal which the City determines to have failed to comply with the terms herein. In the event of a tie for the lowest rate proposed, the City reserves the right to accept the proposal of the bank of its choice among those who tie.

The foregoing offer is hereby accepted by the City Council of Foley, Minnesota at : .M. this 14th day of July, 2020.

By: _____
Mayor

By: _____
City Administrator

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NORTHLAND
SECURITIES

EXTRACT OF MINUTES OF A MEETING
OF THE CITY COUNCIL
CITY OF FOLEY, MINNESOTA

HELD: July 14, 2020

Pursuant to due call and notice thereof, a regular or special meeting of the City Council of the City of Foley, Benton County, Minnesota, was duly called and held at the City Hall on July 14, 2020, at 5:30 P.M., for the purpose, in part, of authorizing the issuance and the sale of \$2,281,000 General Obligation Improvement Refunding Bonds, Series 2020A.

The following members were present:

and the following were absent:

RESOLUTION NO. _____

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$2,281,000
GENERAL OBLIGATION IMPROVEMENT REFUNDING BONDS, SERIES 2020A,
PLEDGING FOR THE SECURITY THEREOF SPECIAL ASSESSMENTS AND
LEVYING A TAX FOR THE PAYMENT THEREOF

A. WHEREAS, the City Council of the City of Foley, Minnesota (the "City"), hereby determines and declares that it is necessary and expedient to provide moneys for a current refunding of the City's outstanding (i) 1,320,000 original principal amount of General Obligation Improvement Bonds, Series 2011A, dated November 1, 2011 (the "Prior 2011A Bonds") and (ii) \$2,875,000 original principal amount of General Obligation Improvement Crossover Refunding Bonds, Series 2012A, dated March 1, 2012 (the "Prior 2012A Bonds"); and

B. WHEREAS, the Prior 2011A Bonds are callable on February 1, 2019, and any date thereafter, at a price of par plus accrued interest, as provided in a resolution, adopted by the City Council October 18, 2011 authorizing the issuance of the Prior 2011A Bonds Note (the "Prior 2011A Resolution"); and

C. WHEREAS, the Prior 2012A Bonds are callable on February 1, 2020, and any date thereafter, at a price of par plus accrued interest, as provided in a resolution, adopted by the City Council February 21, 2012 authorizing the issuance of the Prior 2012A Bonds (the "Prior 2012A Resolution", and together with the Prior 2011A Bonds Resolution, the "Prior Resolutions"); and

D. WHEREAS, the current refunding on August 18, 2020 (the "Call Date") of (i) \$760,000 aggregate principal amount of the Prior 2011A Bonds maturing on and after February 1, 2021 (the "Refunded 2011A Bonds"); and (ii) \$1,500,000 aggregate principal amount of the Prior 2012A Bonds maturing or subject to mandatory redemption on and after February 1, 2021 (the "Refunded 2012A Bonds" and, together with the Refunded 2011A Bonds, the "Refunded Bonds"), is consistent with covenants made with the holders thereof, and is necessary and desirable for the reduction of debt service cost to the City; and

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

RESOLUTION 2020-11

ORDERLY ANNEXATION AND JOINT PLANNING AGREEMENT BETWEEN
GILMANTON TOWNSHIP AND THE CITY OF FOLEY

WHEREAS, the Town of Gilmanton (“Town”) and the City of Foley (“City”) have had discussions regarding the planning and development of lands adjacent to the City;

WHEREAS, the Town and City jointly agree that both intend to conserve agricultural lands and promote growth and development in appropriate areas only upon annexation to the City;

WHEREAS, the Town and City jointly enter into this agreement to establish an orderly annexation area and adopted land use controls;

WHEREAS, the Town and City jointly agree that lands within the orderly annexation area should be governed by the land use controls of the City instead of Benton County;

WHEREAS, the Town and City jointly enter into this agreement to establish a process for administering the City’s land use controls within the orderly annexation area;

WHEREAS, Minnesota Statutes § 414.0325 provides a procedure for the Town and City to agree on a process of orderly annexation of a designated area; and

WHEREAS, the orderly annexation area encompassed by the Agreement is relatively small, consisting of approximately 840 acres, as depicted in **Exhibit A** (“Orderly Annexation Area”) and legally described in **Exhibit B**;

WHEREAS, on June 23, 2020 a Notice of Intent to include property in an orderly annexation area was published pursuant to the requirements of Minnesota Statutes § 414.0325 Subd. 1b; and

WHEREAS, the City and Town have agreed to all the terms and conditions for the annexation of the Orderly Annexation Area and the City and Town agree that no alteration of the designated area is appropriate and no consideration by the Chief Administrative Law Judge is necessary. The Chief Administrative Law Judge may review and comment, but shall within thirty (30) days, order the annexation in accordance with the terms of the resolution.

NOW, THEREFORE, for good and valuable consideration, and after a properly conducted joint public hearing by the Town and City, the Township Board of Supervisors of the Town of Gilmanton and the City Council of the City of Foley hereby resolve and agree as follows:

ORDERLY ANNEXATION AGREEMENT

1. **Designation.** The City and Town designate the real property the area described and depicted in Exhibit A (“Orderly Annexation Area”) as subject to orderly annexation pursuant to Minnesota Statute 414.0325. The Orderly Annexation Area consists of approximately 840, the population in the subject area is less than 75, and the land use type is agricultural.
2. **State Jurisdiction.** The Town and City, by approval and submission of this Agreement to the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings, confers jurisdiction upon the Chief Administrative Law Judge to accomplish orderly annexation in accordance with the terms of this Agreement.
3. **Rural Preservation Until Annexation.** The Town and City have identified the Orderly Annexation Area as areas that are about to become urban or suburban, and because the City anticipates being capable of providing services to this area within a reasonable time, the annexation would be in the best interest of the area if development occurs. In the interim, however, the intent of the Town and City is to maintain and preserve the current rural character of the Orderly Annexation Area until property is annexed into the City. This means allowing agricultural uses and homesteads at a density of one per forty acres and restricting subdivisions for building purposes that result in lots smaller than 40 acres. Nothing in this Amendment is intended to impair or restrict the rights of lots of record or legal nonconformities.
4. **Conditions for Annexation.** Property in the Orderly Annexation Area shall be annexed into the City when agreed to by two of the following three parties: the property owner, the City of Foley, or Gilmanton Township.
5. **Property Taxes.** The City and Town to the following property tax provisions:
 - a. **Rate.** The tax capacity rate applicable to property after annexation shall be increased in substantially equal proportions each year of a six-year period until it equals the tax capacity rate of the City. If any part of the annexed property becomes developed prior to the end of the six-year period, it shall be assessed at the City’s tax rate.
 - b. **Reimbursement.** The City agrees to reimburse the Town an amount equal to seven years’ of property taxes that would be received from annexed properties based on the rates and values at the time of annexation. Payment will be made in a lump sum within 6 months after the annexation is effective.
6. **Agreement Continuation.** The Agreement shall remain in full force and effect except as specifically amended in this Amendment.

JOINT PLANNING AGREEMENT

1. **Applicable Land Use Controls.** Zoning within the Orderly Annexation Area is currently administered by Benton County, utilizing the Benton County Zoning Ordinance. In order to eliminate authority for changes in applicable land use controls from residing with Benton County and outside of the control of either the Town or City, and to eliminate questions of applicability of past revisions of Benton County's Development Code, the Town and City agree to apply the City's zoning ordinance within the Orderly Annexation Area. The goal of land use controls is to preserve the Orderly Annexation Area as agricultural until development is appropriate, so no rezoning of property to a designation other than Agricultural within the Orderly Annexation shall occur prior to annexation.
2. **Zoning Designation.** All property within the Orderly Annexation Area is currently zoned Agricultural "A", Business "B", Business Enterprise "B-2", or Single Family Residence "R-2" under Benton County's designation, a copy of which is attached as **Exhibit C**. Upon execution of this agreement, the property within the Orderly Annexation shall be zoned A-1 Agricultural in accordance with the City's zoning ordinance. All existing legal uses in operation on August 4, 2020 shall be able to continue to operate as legal non-conformities.
3. **Administration of Land Use Controls.** The Town and City agree that land use controls within the Orderly Annexation Area shall be administered as follows:
 - a. **Joint Planning Board.** Pursuant to Minnesota Statutes §§ 414.0325 and 471.59, the Town and City hereby establish a Joint Planning Board to administer land use controls within the Joint Planning Area. The Joint Planning Board shall consist of two township supervisors and two city council members as appointed by their respective bodies. Town representatives shall chair and vice-chair the Joint Planning Board on even years and City representatives shall chair and vice-chair the Joint Planning Board on odd years. Meetings shall be called on an as-needed basis when zoning requests are received or when either the City or Town request a meeting.
 - b. **Staff.** City staff shall, at no cost to the Town, provide all administrative functions for the Joint Planning Board including the preparation of meeting minutes, serving as zoning administrator, and undertaking enforcement actions. The official City newspaper shall be the official newspaper of the Joint Planning Board for all meeting, public hearing, and other official notices.
 - c. **Land Use Permits and Variances.** Conditional and interim use permits and variance requests shall be submitted on the City's forms and processed by the Joint Planning Board in accordance with the City's zoning ordinance.
 - d. **Ordinance Revisions.** Any revisions to the City's Agriculture District zoning ordinance shall automatically apply to the Orderly Annexation Area unless specifically modified by the Joint Planning Board; this includes any interim ordinances. The City shall provide the Town will notice of any such revisions.

4. **Subdivision of Property.** It is the purpose of this Amendment to regulate subdivisions of land in a manner so as to protect the integrity of the agricultural nature of the Orderly Annexation Area. Such protection requires that any platting or subdivision of property be completed after the property has been annexed to the City, except in those rare circumstances where the Board determines:
- a. the subdivision will not increase the residential density of one single family dwelling per 40 acres;
 - b. the subdivision will not precipitate commercial or industrial development; and
 - c. the subdivision of land will not harm the continued vitality of the Orderly Annexation Area as a rural, agricultural area which will not be further developed until such time as is appropriate for annexation.
5. **Further Amendment.** Any amendment to the Agreement or this Amendment shall require a public hearing by the Joint Planning Board and approval by the Gilmanton Town Board and the Foley City Council.
6. **Effective Date.** This Amendment shall be effective immediately upon adoption of the Town Board and City Council.

Adopted by Town Board of Supervisors for the Town Gilmanton this 4th day of August, 2020.

By: _____
Town Board Chair

ATTEST:

By: _____
Town Clerk

Adopted by City Council for the City of Foley this 14th day of July, 2020.

By: _____
Mayor

ATTEST:

By: _____
City Administrator

EXHIBIT A

Depiction of Orderly Annexation Area



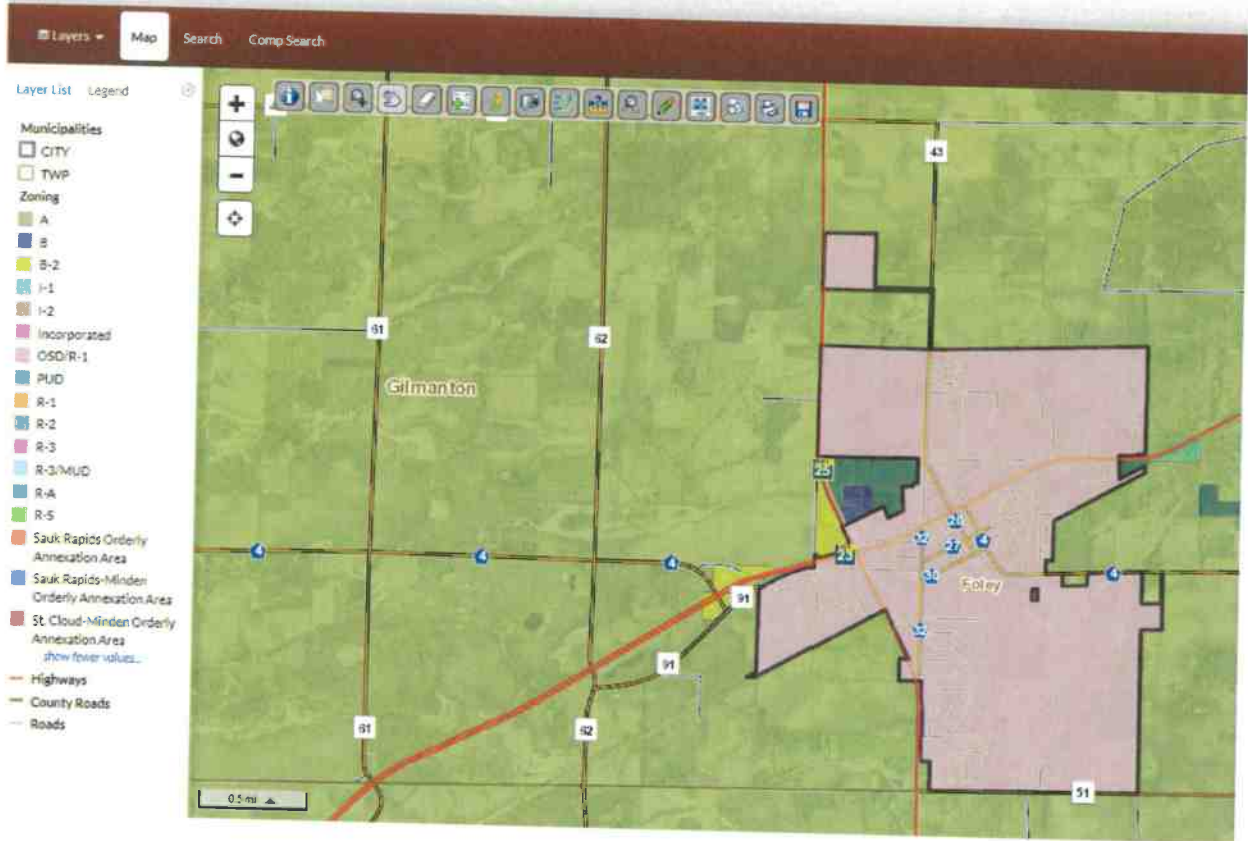
EXHIBIT B

Legal Description of Orderly Annexation Area

EXHIBIT C

County Zoning of Orderly Annexation Area

Beacon™ Benton County, MN



Frequently Asked Questions about the Proposed Orderly Annexation and Joint Planning Agreement with the City of Foley and Gilmanton Township

1. Why do we need an orderly annexation and joint planning agreement?

An agreement allows the City and Township to work together in how the City grows and the impact it has on the Township. It involves not only identifying potential growth areas but also with planning for future growth and ensuring development considers all potential concerns of the Township and City.

2. Does this mean the City of Foley will be annexing my property now and my taxes will go up?

The proposed agreement does not result in the annexation of any property in the proposed area. The proposed agreement indicates a preservation of rural area and annexing only to occur when development occurs or there is a need for city utilities. Specific terms in the agreement indicate that at least two of the following three parties must agree to the annexation: the property owner, City of Foley, or Gilmanton Township. Tax rates are unaffected by the establishment of the orderly annexation area. Only when an actual annexation occurs will the tax rate and taxing entity change.

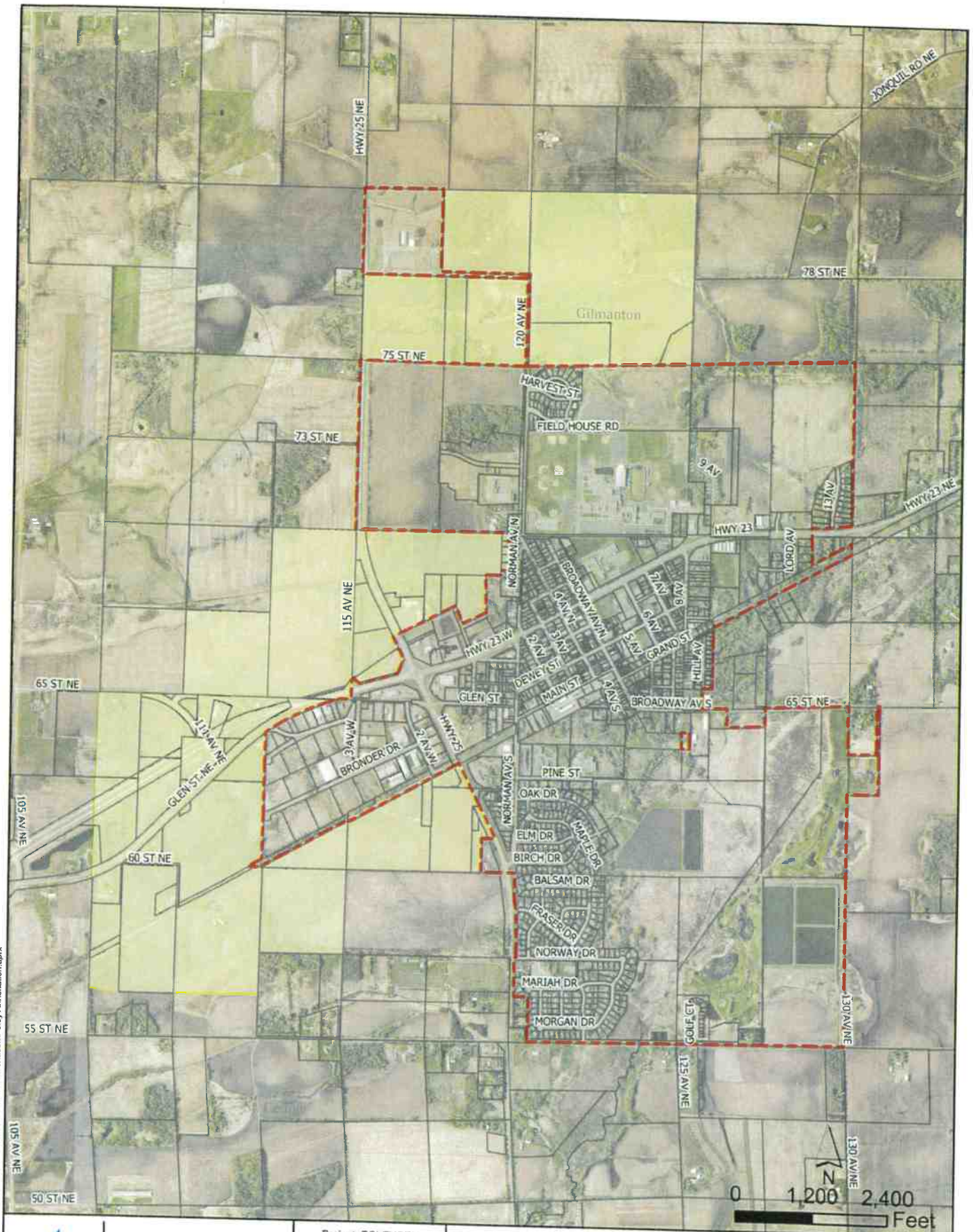
3. What does the Township gain by agreeing to annexation?

The City of Foley boundary is likely to grow and annexation can occur in different ways. In the past, annexation with Gilmanton Township occurred by ordinance and terms were handled on a case-by-case basis. An orderly annexation agreement identifies larger potential growth areas and terms to what triggers an annexation. It allows both the City and Township to proactively address annexation potential instead of passively waiting and reacting to growth. It also provides a plan on how the change occurs in the tax rate and also the reimbursement to the Township for lost taxes over a specified period of time. The basic intent of orderly annexation is to try and plan for the future to give all parties involved time to prepare and address concerns.

4. What's a joint planning board and who will be on it?

A joint planning board is being proposed to handle the planning and zoning in the orderly annexation area. It would be made up of 2 township representatives and 2 city council members. The intent of the board is to address all planning and zoning in the area to ensure that development is consistent to objectives of both entities.

Path: P:\FJ\Foley\common\Annexation\Foley Annexation.aprx



1200 25TH AVENUE SOUTH
P.O. BOX 1717
ST. CLOUD, MN 56302
PHONE: (320) 229-4300
www.sehinc.com

Project: FOLEYGEN
Print Date: 4/24/2020

ORDERLY ANNEXATION AREA

LOCATION MAP
Foley, Minnesota

Exhibit
A

This map is neither a legally recorded map nor a survey map and is not intended to be used as one. This map is a compilation of records, information, and data gathered from various sources listed on this map and is to be used for reference purposes only. SEH does not warrant that the Geographic Information System (GIS) Data used to prepare this map are vector line, and SEH does not represent that the GIS Data can be used for navigational, tracking, or any other purpose requiring exacting measurement of distance or direction or precision in the depiction of geographic features. The user of this map acknowledges that SEH shall not be liable for any damages which arise out of the user's access or use of data provided.

CITY OF FOLEY
COUNTY OF BENTON
STATE OF MINNESOTA

ORDINANCE NUMBER 452

**AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM ON
THE APPROVAL AND SITING OF SOLAR PROJECTS**

WHEREAS, the Foley City Council administers zoning within the City of Foley (the “City”);

WHEREAS, the Council may regulate land use as part of the City’s zoning authority;

WHEREAS, at least one solar project has been construction in close proximity to City limits, and the City is aware that additional solar projects are being contemplated in and around the City;

WHEREAS, the City is concerned that large solar projects inhibit the extension of public road and utilities, which constrain the growth and expansion of the City; and

WHEREAS, the City’s zoning ordinances related to solar projects need to be reevaluated in light of current trends involving solar projects and the impacts those might have on the growth and expansion of the City.

NOW, THEREFORE, THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS:

1. The City has determined to undertake a study to consider: (1) the impact of solar project on the growth and development of the City; and (2) the land use impact of solar projects related to planning and development within the City.
2. The City is concerned that existing zoning regulations do not adequately contemplate solar projects which may be inconsistent with future development under the Comprehensive Plan and could disrupt the development of the City.
3. The City desires to impose a moratorium on solar projects in the City prohibiting solar projects, and therefore allowing the City to further study and consider the land use compatibility of solar projects with future planning and development in the City.
4. During the time of the study, it is necessary to protect the integrity of the Comprehensive Plan, existing land uses, existing property values, and the rights of existing property owners within the City.
5. An interim ordinance, pursuant to Minnesota Statutes § 462.355, is necessary to restrict potential solar projects from affecting the integrity of the Comprehensive Plan during the study period.

NOW, THEREFORE, pursuant to Minnesota Statutes § 462.355, the Foley City Council hereby ordains:

Section 1. Interim Ordinance.

1. **Definition.** For purposes of this Ordinance, “Solar Project” shall be defined as a solar array composed of multiple solar panels that convert sunlight to electricity, which is not directly connected to the energy needs for a principal, permitted use of the property.
2. **Temporary Restriction.** A moratorium prohibiting the construction, installation, replacement, or enlargement of Solar Projects is hereby established.
3. **Duration.** This moratorium shall be in effect for a period of one year, or until such earlier time as the Foley City Council determines the moratorium is no longer necessary.
4. **Effective Date.** This Ordinance shall be effective immediately upon its adoption.
5. **Validity.** Every section, provision, or part of this Ordinance is declared severable from every other section, provision, or part thereof to the extent that if any section, provision, or part of this Ordinance shall be held invalid by a court of competent jurisdiction, it shall not invalidate any other section, provision, or part thereof.
6. **Enforcement and Penalty.** The City may enforce this Ordinance by injunction or any other appropriate civil remedy in any court of competent jurisdiction. A violation of this Ordinance shall constitute a misdemeanor. Each day a violation occurs shall be considered a separate offense.

Section 2. Summary Publication.

At least four-fifths of the City Council’s members direct the Administrator to publish only the title and a summary of this Ordinance as follows:

“AN INTERIM ORDINANCE ESTABLISHING A MORATORIUM ON THE SITING OF SOLAR PROJECTS WITHIN THE CITY OF FOLEY. It is the intent and effect of this Ordinance to prohibit new solar projects until the City of Foley can study the effects of solar projects and ensure that solar projects do not restrict the ability of the City to grow and expand.”

A printed copy of the ordinance is available for inspection by any person during regular office hours at City Hall.

Adopted this 14th day of July, 2020.

ATTEST:

Gerard L. Bettendorf, Mayor

Sarah A. Brunn, Administrator

CARES Act Funding- What to Expect



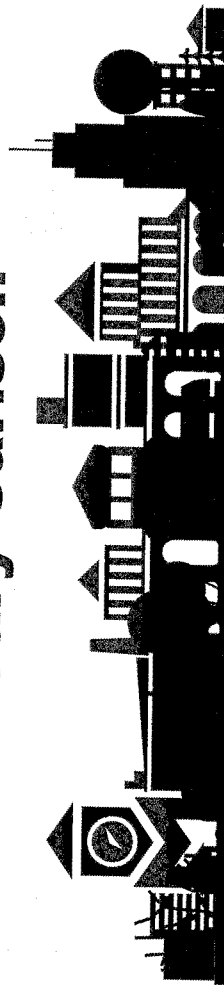
#WeGotThis Series

If you experience technical difficulties please contact GoTo Webinar support at 1 (833) 851-8340

Agenda

- Opening remarks from Gary Carlson
- Guidance and overview
- Moderated Q&A with speakers

Remarks from Gary Carlson



m MANAGEMENT
AND BUDGET

MIN COVID-19

Coronavirus Relief Fund (CRF) Distribution to
Local Governments
Reference and Guidance

CORONAVIRUS RELIEF FUND (CRF) GUIDANCE CONTENT AGENDA

01

INTRODUCTIONS &
FUND OVERVIEWS

02

REQUESTING &
ACCESSING FUNDS

03

REPORTING
DEMONSTRATION

CORONAVIRUS RELIEF FUND (CRF) GUIDANCE CONTENT AGENDA

01

INTRODUCTIONS &
FUND OVERVIEWS

02

REQUESTING &
ACCESSING FUNDS

03

REPORTING
DEMONSTRATION

- Local Government Support Team
- CARES ACT / CORONAVIRUS RELIEF FUND (CRF) OVERVIEW
- Eligible uses of CRF
- FEMA Match

Local Government Support



Association of Minnesota Counties

125 Charles Avenue
St. Paul, MN 55103-2108
Main Line/Switchboard: 651-224-3344
| Office Fax: 651-224-6540

Central Clearinghouse for
Frequently Asked Questions



League of Minnesota Cities

145 University Ave. W, Saint Paul, MN
55103-2044
Phone: (651) 281-1200 | Toll-Free:
(800) 925-1122

Central Clearinghouse for
Frequently Asked Questions



Minnesota Association of Townships

(800) 228-0296
info@mntownships.org
FAX: (763) 497-3361

Central Clearinghouse for
Frequently Asked Questions

**Disbursement and Certification
MN DEPARTMENT OF REVENUE**

CRF Fund Tracking and Reporting

MMB/MN COVID RESPONSE ACCOUNTABILITY OFFICE

MN COVID-19 RESPONSE ACCOUNTABILITY OFFICE - OVERVIEW

Consistent with the State of Minnesota COVID-19 response effort, MMB has established a temporary COVID-19 Response Accountability Office (Office) led by Amy Jorgenson.

The role of the Office, specific to local governments, is in relationship to the Coronavirus Relief Fund (CRF). The Office will play a key role in monitoring the state and local government expenditures and establishing reporting requirements. Materials have been compiled for local government reference and are available on the Office's COVID-19 Response Accountability Office website (<https://mn.gov/mmb/covid-19-response-accountability-office/>), and a portal will be created for report submission.

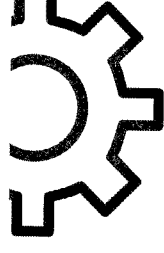
CARES ACT / CORONAVIRUS RELIEF FUND (CRF) OVERVIEW

COVID-19 ECONOMIC RELIEF

The Coronavirus Aid, Relief, and Economic Security (CARES) Act, passed on March 27th, provides over \$2 trillion in federal economic relief to protect the American people from the public health and economic impacts of COVID-19. The CARES Act provides assistance for American workers, families, and small businesses, and preserves jobs for American industries.

CORONAVIRUS RELIEF FUND (CRF)

Section 5001 of the CARES Act established the \$150 billion Coronavirus Relief Fund (CRF), providing payments to State, Local, and Tribal governments navigating the impact of the COVID-19 outbreak. The CARES Act sets criteria that expenses must meet to be eligible for CRF funding.



Qualifying Costs 1 - Necessary Expenditures

To qualify, expenses must satisfy three distinct elements.

1 NECESSARY EXPENDITURES

Necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19)

"NECESSARY": Expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

"DUE TO": Expenditures must be used for actions taken to respond to the public health emergency; including expenditures incurred to respond directly to the emergency, as well as expenditures incurred to respond to second-order effects, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

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Qualifying Costs 2 – Unaccounted-for Expenses

To qualify, expenses must satisfy three distinct elements.

Costs not accounted for in the budget most recently approved as of March 27, 2020

2 UNACCOUNTED-FOR EXPENSES

"NOT ACCOUNTED FOR": (a) the COST CANNOT LAWFULLY BE FUNDED using a line item, allotment, or allocation within that budget; or (b) the cost is for a **SUBSTANTIALLY DIFFERENT** use from any expected use of funds in such a line item, allotment, or allocation.

"MOST RECENTLY APPROVED" budget: the enacted budget for the relevant fiscal period for the particular government, without taking into account subsequent supplemental appropriations enacted or other budgetary adjustments made by that government in response to the COVID-19 public health emergency.

11



Qualifying Costs 3 – Incurred During Covered Period

To qualify, expenses must satisfy three distinct elements.

3 INCURRED DURING COVERED PERIOD

"INCURRED" - performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred.)

"COVERED PERIOD" for cities and townships: March 1, 2020 – November 15, 2020.
"COVERED PERIOD" for counties: March 1, 2020 - December 1, 2020.

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ELIGIBLE USES – MEDICAL EXPENSES

1

Medical Expenses

- COVID-19-related expenses of public hospitals, clinics, and similar facilities.
- Expenses of establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity, including related construction costs.
- Costs of providing COVID-19 testing, including serological testing.
- Emergency medical response expenses, including emergency medical transportation, related to COVID-19.
- Expenses for establishing and operating public telemedicine capabilities for COVID-19 related treatment.

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ELIGIBLE USES PUBLIC HEALTH (1 OF 2)

2

Public Health (1 of 2)

- Expenses for communication and enforcement of public health orders related to COVID-19.
- Expenses for acquisition and distribution of medical and protective supplies, including sanitizing products and personal protective equipment (PPE), for medical personnel, police officers, social workers, child protection services, and child welfare officers, direct service providers for older adults and individuals with disabilities in community settings, and other public health or safety workers connected to the COVID-19 public health emergency.

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ELIGIBLE USES PUBLIC HEALTH (2 OF 2)

2

Public Health (2 of 2)

- Disinfection of public areas and other facilities, *e.g.*, nursing homes.
- Technical assistance to local authorities or other entities on mitigation of COVID-19 related threats to public health and safety.
- Public safety measures undertaken in response to COVID-19.
- Expenses for quarantining individuals.
- Contact tracing.
- Recovery planning projects or operating a recovery coordination office.

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ELIGIBLE USES PAYROLL (1 OF 2)

3

Payroll Expenses (1 of 2)

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency, therefore a local government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.

- Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

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ELIGIBLE USES PAYROLL(2 OF 2)

3

Payroll Expenses (2 of 2)

- Examples of types of covered employees, or classes of employees, include:
- Public Safety, Public Health, Health Care, Human Services.
 - Similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
 - Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
 - Payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19 related school closures.
 - Increased workers' compensation cost to the government due to the COVID-19 public health emergency.

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ELIGIBLE USES PUBLIC HEALTH MEASURES(1 OF 2)

4

Public Health Measures (1 of 2)

- The following are eligible expenses **if to enable compliance with COVID-19 public health precautions**:
- Expenses for food delivery to residents, including, for example, senior citizens and other vulnerable populations.
 - Expenses to facilitate distance learning, including technological improvements, in connection with school closings.
 - Expenses to improve telework capabilities for public employees.
 - Expenses of providing paid sick and paid family and medical leave to public employees.

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ELIGIBLE USES PUBLIC HEALTH MEASURES (2 OF 2)

4

Public Health Measures (2 of 2)

- The following are eligible expenses **if to enable compliance with COVID-19 public health precautions**:
- Maintaining state prisons and county jails, including sanitation and improvement of social distancing measures.
 - Care for homeless populations provided to mitigate COVID-19 effects.
 - Ongoing expenses from decommissioned equipment placed back into use or an unplanned lease renewal in order to respond to the public health emergency to the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance.

19

ELIGIBLE USES ECONOMIC SUPPORT (1 OF 2)

5

Economic Support (1 of 2)

- Provision of grants to small businesses to reimburse the costs of business interruption caused by required closures.
- Local government payroll support program.
- Unemployment insurance costs related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.
- Consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense.
- Employment and training programs for employees who have been furloughed due to the public health emergency, if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

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ELIGIBLE USES ECONOMIC SUPPORT (2 OF 2)

5

Economic Support (2 of 2)

- Program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs.
- Grants to small businesses to reimburse the costs of business interruption caused by required closures.
 - Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need. A grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure.

6

Other

Any other COVID-19 related expenses reasonably necessary to the function of government that satisfy the Fund's eligibility criteria.

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TRANSFERRING FUNDS

Local governments may transfer CRF funds to other local units of government.

Local governments may also use Fund payments in the form of a grant or a short-term loan to support public or private business entities to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency.

If you transfer any funds to other local units of government, or award grants or loans to business entities, you must ensure they follow the same federal requirements you are subject to, and you are responsible for subrecipient monitoring regulations under Uniform Grant Guidance

If a local government has transferred funds to another entity, the Treasury Department would seek to recoup any funds used in a manner not consistent with the CARES Act from the government that received the CRF Fund payment directly from the State.

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INELIGIBLE COSTS

Expenses that **DO NOT** qualify for CRF:

INELIGIBLE COSTS

- Expenses for the State share of Medicaid.
- Replacement of lost revenues, including property tax relief.
- Payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency.
- Expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds.
- Reimbursement to donors for donated items or services.
- Workforce bonuses other than hazard pay or overtime.
- Severance pay or legal settlements
- Damages covered by insurance.
- Per capital payments to residents of a particular jurisdiction without an assessment of individual need

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USING CRF FOR FEMA, WORKERS' COMPENSATION AND OTHER COSTS

FEMA Public Assistance (PA) Funding Considerations:

Any local government receiving aid under this distribution is expected to pay the nonfederal share of federal disaster (FEMA) assistance due to the COVID-19 public health peacetime emergency. Treasury guidance states that CRF may be used to pay for the nonfederal share.

Workers' Compensation:

Increased workers' compensation cost to the government due to the COVID-19 public health emergency is an eligible expense. A local government receiving aid under this distribution shall use the funds, if necessary, to pay for COVID-19 workers' compensation costs expended between April 7, 2020 and December 1, 2020 for employees in job classifications entitled to the presumption established by Laws 2020, chapter 72, section 1.

Community Health Boards:

As stated in the certification materials, local governments should use the funds to support Community Health Board COVID-19 efforts.

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CORONAVIRUS RELIEF FUND (CRF) GUIDANCE CONTENT AGENDA

01 INTRODUCTIONS & FUND OVERVIEWS

02 REQUESTING & ACCESSING FUNDS

03 REPORTING DEMONSTRATION

- Registering to receive funds
- Fund Distribution Methodology

25

DISTRIBUTION METHODOLOGY

TIMELY ACTION REQUIRED

- Local Governments that **DO NOT** have a State of Minnesota State Wide Integrated Financial Tool (SWIFT) supplier ID will need to create one to receive a distribution of funds
- Local Governments that **DO NOT** have a DUNS number will need to obtain one and register in the System for Award Management (SAM) **within 30 days** of receipt of CRF funds from the State. This is a requirement so the Federal Government can track the distribution of federal funds.
- Instructions on how to create a SWIFT account, enroll in SAM, and obtain a DUNS number follow.

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DISTRIBUTION METHODOLOGY – CERTIFICATION: SWIFT USER ID (VENDOR #)

CERTIFICATION (AND DISBURSEMENT) REQUIRES SWIFT ID

PROCESS TO REQUEST A SWIFT ID:

[ONLY FOR LOCAL GOVERNMENTS THAT DO NOT HAVE A SWIFT SUPPLIER ID (VENDOR #)]
SWIFT Vendor Portal <https://mn.gov/mmb/accounting/swift/vendor-resources/>

The State's accounting system is called State Wide Integrated Financial Tools (SWIFT). Vendors interact with the State through the Supplier Portal, which is part of SWIFT. The Supplier Portal allows vendors to login and view payment detail as well as maintain address and contact information related to their vendor record.

Every individual and organization doing business with the State is considered a vendor. To view invoices or payments through the Supplier Portal, vendors must be registered with the State. If you are a new or prospective vendor, please navigate to the Supplier Portal Vendor Registration link to register as a vendor. Existing vendors can request a User ID to login to the Supplier Portal by clicking the [Create a New User ID link](#). When a vendor registration is approved or the new User ID is approved, a confirmation is sent to the email address entered during the registration/creation process. If you have a SWIFT ID and don't know it, you can contact efthelp@mmb.state.mn.us.

DISTRIBUTION METHODOLOGY – CERTIFICATION: SAM ACCOUNT AND DUNS

CERTIFICATION (AND DISBURSEMENT) REQUIRES A SAM USER ACCOUNT TO ENABLE TRACKING THE FLOW OF FUNDS. THIS NEEDS TO BE COMPLETED WITHIN 30 DAYS OF SUBMITTING THE CERTIFICATION. THE SAM USER ACCOUNT REQUIRES A DUN & BRADSTREET RECORD (DUNS #)

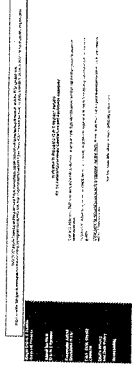
[ONLY FOR LOCAL GOVERNMENTS THAT DO NOT HAVE A SAM USER ACCOUNT]

PROCESS TO REQUEST A DUNS NUMBER

DUN & BRADSTREET [HTTPS://FEDGOV.DNB.COM/WEBFORM/](https://fedgov.dnb.com/webform/)

The System for Award Management (SAM) is an official website of the U.S. government. To register in SAM, at a minimum, you will need the following information:

- Your DUNS Number, Legal Business Name, and Physical Address from your Dun & Bradstreet (D&B) record.
- If you don't already have one, you can request a DUNS Number for FREE from D&B.
- Your Taxpayer Identification Number (TIN) and Taxpayer Name associated with your TIN. Review your tax documents from the IRS (such as a 1099 or W-2 form) to find your Taxpayer Name.
- Your bank's routing number, your bank account number, and your bank account type, i.e. checking or savings, to set up Electronic Funds Transfer (EFT).



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DISTRIBUTION METHODOLOGY – CERTIFICATION: SAM ACCOUNT

PROCESS TO REQUEST A CREATE A SAM USER ACCOUNT

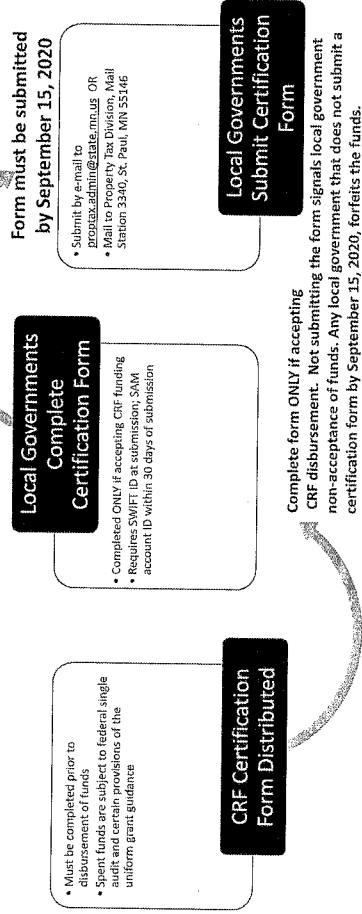
[ONLY FOR LOCAL GOVERNMENTS THAT DO NOT HAVE A SAM USER ACCOUNT]

SYSTEM FOR AWARD MANAGEMENT (SAM)

<https://sam.gov/SAM/pages/public/index.jsf>

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DISTRIBUTION METHODOLOGY – CERTIFICATION FOR DISBURSEMENT OF FUNDS



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DISTRIBUTION METHODOLOGY – DISTRIBUTION ALLOCATION

The Department of Revenue is tasked with the monetary distribution to local governments according to the determined formula based on per capita as defined in statute. A completed Revenue CRF Certification form must be received by September 15, 2020. After this time, the Department of Revenue will disburse funds.

Not submitting the form signals local government non-acceptance of funds

- Funds will be distributed by means of electronic funds transfer (EFT)
- Funds will be distributed by check via mail to local governments not equipped to receive EFT

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DISTRIBUTION METHODOLOGY – REPORTING (1 OF 4)

These distributions are federal funds (CFDA 20.019) that come with federal requirements. Both guidance and requirements continue to evolve and communications will be provided on any changes. **Key Points:**

- State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance
- Treasury Department would seek to recoup the funds used in a manner not consistent with section 601(d) of the Social Security Act
- Expenditures more than \$750,000 in federal funds in this calendar year require a single audit from the Office of the State Auditor or private CPA firm. The audit period for these funds will be calendar year 2020 and the audit will need to be completed by September 30, 2021 for fiscal year ending December 31, 2020

Document all your decisions in case you need to explain rationale to the auditors.

There is no such thing as overdocumentation!

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DISTRIBUTION METHODOLOGY – REPORTING (2 OF 4)

The MN COVID-19 Response Accountability Office plays a lead role in developing state agency and sub-recipients' (local governments) documentation and reporting requirements. Local governments (cities, counties, and townships) accepting CRF funds will be required to submit monthly, interim and final reports:

Monthly: Report the spend status of allotted Coronavirus Relief Funds awarded by Minnesota Management and Budget. This requires reporting the total spent to date and the total received by the agency.

IF ALL CRF FUNDS HAVE BEEN SPENT, THEN COMPLETE THE FINAL REPORT

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CORONAVIRUS RELIEF FUND (CRF) GUIDANCE CONTENT AGENDA

01 INTRODUCTIONS &
FUND OVERVIEWS

02 REQUESTING &
ACCESSING FUNDS

03 REPORTING
DEMONSTRATION

- Local Government Reporting Process Workflows

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DISTRIBUTION METHODOLOGY – REPORTING (3 OF 4)

Final: Report the spend status of allotted Coronavirus Relief Funds awarded by Minnesota Management and Budget. This requires reporting summary and detail information.

- Summary:** is the same as that for the monthly reporting on the total spent to date
- Detail:** Requires selection of the eligible CRF category, the amount spent and the date

IF ALL CRF FUNDS HAVE BEEN SPENT, THEN COMPLETE THE FINAL REPORT

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Sample Expenditure Report

Local Government Expenditure Monthly Report

* Required

1. Name of Local Government *

Enter your answer

2. SWIFT Supplier ID # *

Enter your answer

3. Name and Title of Person Filing Out Form *

Enter your answer

4. Phone Number of the person filing out the form *

Enter your answer

5. E-mail address of person filing out the form *

Enter your answer

6. What was the dollar amount of your local government's Coronavirus Relief Fund (CTDA# 2019) allocation from the State of Minnesota? *

This value must be a number

7. Of the amount in question #6, what is the total dollar amount you have spent to date (actual expenditures)? *

This value must be a number

8. What is the date you are submitting this report? *

Please input date in format of MM/YYYY

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DISTRIBUTION METHODOLOGY – REPORT SUBMISSION

The MN COVID-19 Response Accountability Office will create a portal to support an online, digital reporting process using Microsoft Forms and other methods. All information will be available on our website: <https://mn.gov/mmb/covid-19-response-accountability-office/>

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CORONAVIRUS RELIEF FUND (CRF) New Guidance Language (6-30-20)



Finally, the CARES Act provides that payments from the Fund may only be used to cover costs that were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (the “covered period”). Putting this requirement together with the other provisions discussed above, section 601(d) may be summarized as providing that a State, local, or tribal government may use payments from the Fund only to cover previously unbudgeted costs of necessary expenditures incurred due to the COVID–19 public health emergency during the covered period.

¹ The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

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References

1. Coronavirus Relief Fund, Guidance for State, Territorial, Local, and Tribal Governments, April 22, 2020 (updated June 30, 2020) (<https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>)
2. Coronavirus Relief Fund Frequently Asked Questions, Updated June 24, 2020 (<https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Frequently-Asked-Questions.pdf>)

CORONAVIRUS RELIEF FUND (CRF) New Guidance Language (6-30-20)



Initial guidance released on April 22, 2020, provided that the cost of an expenditure is incurred when the recipient has expended funds to cover the cost. Upon further consideration and informed by an understanding of State, local, and tribal government practices, Treasury is clarifying that for a cost to be considered to have been incurred, performance or delivery must occur during the covered period but payment of funds need not be made during that time (though it is generally expected that this will take place within 90 days of a cost being incurred). For instance, in the case of a lease of equipment or other property, irrespective of when payment occurs, the cost of a lease payment shall be considered to have been incurred for the period of the lease that is within the covered period, but not otherwise. Furthermore, in all cases it must be necessary that performance or delivery take place during the covered period. Thus the cost of a good or service received during the covered period will not be considered eligible under section 601(d) if there is no need for receipt until after the covered period has expired.

¹ The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

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CORONAVIRUS RELIEF FUND (CRF) New Guidance Language (6-30-20)



Goods delivered in the covered period need not be used during the covered period in all cases. For example, the cost of a good that must be delivered in December in order to be available for use in January could be covered using payments from the Fund. Additionally, the cost of goods purchased in bulk and delivered during the covered period may be covered using payments from the Fund if a portion of the goods is ordered for use in the covered period, the bulk purchase is consistent with the recipient's usual procurement policies and practices, and it is impractical to track and record when the items were used. A recipient may use payments from the Fund to purchase a durable good that is to be used during the current period and in subsequent periods if the acquisition in the covered period was necessary due to the public health emergency.

1 The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

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CORONAVIRUS RELIEF FUND (CRF) New Guidance Language (6-30-20)



This guidance applies in a like manner to costs of subrecipients. Thus, a grant or loan, for example, provided by a recipient using payments from the Fund must be used by the subrecipient only to purchase (or reimburse a purchase of) goods or services for which receipt both is needed within the covered period and occurs within the covered period. The direct recipient of payments from the Fund is ultimately responsible for compliance with this limitation on use of payments from the Fund.

1 The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

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CORONAVIRUS RELIEF FUND (CRF) New Guidance Language (6-30-20)



Given that it is not always possible to estimate with precision when a good or service will be needed, the touchstone in assessing the determination of need for a good or service during the covered period will be reasonableness at the time delivery or performance was sought, e.g., the time of entry into a procurement contract specifying a time for delivery. Similarly, in recognition of the likelihood of supply chain disruptions and increased demand for certain goods and services during the COVID-19 public health emergency, if a recipient enters into a contract requiring the delivery of goods or performance of services by December 30, 2020, the failure of a vendor to complete delivery or services by December 30, 2020, will not affect the ability of the recipient to use payments from the Fund to cover the cost of such goods or services if the delay is due to circumstances beyond the recipient's control.

1 The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020



The following [PowerPoint slides] answers to frequently asked questions supplement Treasury's Coronavirus Relief Fund Guidance for State, Territorial, Local, and Tribal Governments, dated April 22, 2020. Amounts paid from the Fund are subject to the restrictions outlined in the Guidance and set forth in section 601(d) of the Social Security Act, as added by section 5001 of the Coronavirus Aid, Relief, and Economic Security Act ("CARES Act").

1 The Guidance is available at <https://home.treasury.gov/system/files/136/Coronavirus-Relief-Fund-Guidance-for-State-Territorial-Local-and-Tribal-Governments.pdf>.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

1 ELIGIBLE EXPENDITURES

Are governments required to submit proposed expenditures to Treasury for approval?

No. Governments are responsible for making determinations as to what expenditures are necessary due to the public health emergency with respect to COVID-19 and do not need to submit any proposed expenditures to Treasury.

The Guidance says that funding can be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. How does a government determine whether payroll expenses for a given employee satisfy the "substantially dedicated" condition?

The Fund is designed to provide ready funding to address unforeseen financial needs and risks created by the COVID-19 public health emergency. For this reason, and as a matter of administrative convenience in light of the emergency nature of this program, a State, territorial, local, or Tribal government may presume that payroll costs for public health and public safety employees are payments for services substantially dedicated to mitigating or responding to the COVID-19 public health emergency, unless the chief executive (or equivalent) of the relevant government determines that specific circumstances indicate otherwise.



(Eligible Expenditures - continued - 1)

CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

The Guidance says that a cost was not accounted for in the most recently approved budget if the cost is for a substantially different use from any expected use of funds in such a line item, allotment, or allocation. What would qualify as a "substantially different use" for purposes of the Fund eligibility?

Costs incurred for a "substantially different use" include, but are not necessarily limited to, costs of personnel and services that were budgeted for in the most recently approved budget but which, due entirely to the COVID-19 public health emergency, have been diverted to substantially different functions. This would include, for example, the costs of redeploying corrections facility staff to enable compliance with COVID-19 public health precautions through work such as enhanced sanitation or enforcing social distancing measures; the costs of redeploying police to support management and enforcement of stay-at-home orders; or the costs of diverting educational support staff or faculty to develop online learning capabilities, such as through providing information technology support that is not part of the staff or faculty's ordinary responsibilities.

Note that a public function does not become a "substantially different use" merely because it is provided from a different location or through a different manner. For example, although developing online instruction capabilities may be a substantially different use of funds, online instruction itself is not a substantially different use of public funds than classroom instruction.

CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

May a State receiving a payment transfer funds to a local government?

Yes, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act. Such funds would be subject to recoupment by the Treasury Department if they have not been used in a manner consistent with section 601(d) of the Social Security Act.

May a unit of local government receiving a Fund payment transfer funds to another unit of government?

Yes. For example, a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its State, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, a transfer from a county to a constituent city would not be permissible if the funds were intended to be used simply to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify as an eligible expenditure.

Is a Fund payment recipient required to transfer funds to a smaller, constituent unit of government within its borders?

No. For example, a county recipient is not required to transfer funds to smaller cities within the county's borders.



(Eligible Expenditures - continued - 3)

CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

Are recipients required to use other federal funds or seek reimbursement under other federal programs before using Fund payments to satisfy eligible expenses?

No. Recipients may use Fund payments for any expenses eligible under section 601(d) of the Social Security Act outlined in the Guidance. Fund payments are not required to be used as the source of funding of last resort. However, as noted below, recipients may not use payments from the Fund to cover expenditures for which they will receive reimbursement.

Are there prohibitions on combining a transaction supported with Fund payments with other CARES Act funding or COVID-19 relief Federal funding?

Recipients will need to consider the applicable restrictions and limitations of such other sources of funding. In addition, expenses that have been or will be reimbursed under any federal program, such as the reimbursement by the federal government pursuant to the CARES Act of contributions by States to State unemployment funds, are not eligible uses of Fund payments.

Are States permitted to use Fund payments to support state unemployment insurance funds generally?

To the extent that the costs incurred by a state unemployment insurance fund are incurred due to the COVID-19 public health emergency, a State may use Fund payments to make payments to its respective state unemployment insurance fund, separate and apart from such State's obligation to the unemployment insurance fund as an employer. This will permit States to use Fund payments to prevent expenses related to the public health emergency from causing their state unemployment insurance funds to become insolvent.



(Eligible Expenditures - continued - 4)

CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

Are recipients permitted to use Fund payments to pay for unemployment insurance costs incurred by the recipient as an employer?

Yes, Fund payments may be used for unemployment insurance costs incurred by the recipient as an employer (for example, as a reimbursing employer) related to the COVID-19 public health emergency if such costs will not be reimbursed by the federal government pursuant to the CARES Act or otherwise.

The Guidance states that the Fund may support a "broad range of uses" including payroll expenses for several classes of employees whose services are "substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What are some examples of types of covered employees?

The Guidance provides examples of broad classes of employees whose payroll expenses would be eligible expenses under the Fund. These classes of employees include public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Payroll and benefit costs associated with public employees who could have been furloughed or otherwise laid off but who were instead repurposed to perform previously unbudgeted functions substantially dedicated to mitigating or responding to the COVID-19 public health emergency are also covered. Other eligible expenditures include payroll and benefit costs of educational support staff or faculty responsible for developing online learning capabilities necessary to continue educational instruction in response to COVID-19-related school closures. Please see the Guidance for a discussion of what is meant by an expense that was not accounted for in the budget most recently approved as of March 27, 2020.

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(Eligible Expenditures - continued - 5)

CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

In some cases, first responders and critical health care workers that contract COVID-19 are eligible for workers' compensation coverage. Is the cost of this expanded workers compensation coverage eligible?

Increased workers compensation cost to the government due to the COVID-19 public health emergency incurred during the period beginning March 1, 2020, and ending December 30, 2020, is an eligible expense.

If a recipient would have decommissioned equipment or not renewed a lease on particular office space or equipment but decides to continue to use the equipment or to renew the lease in order to respond to the public health emergency, are the costs associated with continuing to operate the equipment or the ongoing lease payments eligible expenses?

Yes. To the extent the expenses were previously unbudgeted and are otherwise consistent with section 601(d) of the Social Security Act outlined in the Guidance, such expenses would be eligible.

May recipients provide stipends to employees for eligible expenses (for example, a stipend to employees to improve telework capabilities) rather than require employees to incur the eligible cost and submit for reimbursement?

Expenditures paid for with payments from the Fund must be limited to those that are necessary due to the public health emergency. As such, unless the government were to determine that providing assistance in the form of a stipend is an administrative necessity, the government should provide such assistance on a reimbursement basis to ensure as much as possible that funds are used to cover only eligible expenses.

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(Eligible Expenditures - continued - 6)

CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

May Fund payments be used for COVID-19 public health emergency recovery planning?

Yes. Expenses associated with conducting a recovery planning project or operating a recovery coordination office would be eligible, if the expenses otherwise meet the criteria set forth in section 601(d) of the Social Security Act outlined in the Guidance.

Are expenses associated with contact tracing eligible?

Yes, expenses associated with contact tracing are eligible.

To what extent may a government use Fund payments to support the operations of private hospitals?

Governments may use Fund payments to support public or private hospitals to the extent that the costs are necessary expenditures incurred due to the COVID-19 public health emergency, but the form such assistance would take may differ. In particular, financial assistance to private hospitals could take the form of a grant or a short-term loan.

May payments from the Fund be used to assist individuals with enrolling in a government benefit program for those who have been laid off due to COVID-19 and thereby lost health insurance?

Yes. To the extent that the relevant government official determines that these expenses are necessary and they meet the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance, these expenses are eligible.

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(Eligible Expenditures - continued - 7)

CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

May recipients use Fund payments to facilitate livestock depopulation incurred by producers due to supply chain disruptions?

Yes, to the extent these efforts are deemed necessary for public health reasons or as a form of economic support as a result of the COVID-19 health emergency.

Would providing a consumer grant program to prevent eviction and assist in preventing homelessness be considered an eligible expense?

Yes, assuming that the recipient considers the grants to be a necessary expense incurred due to the COVID-19 public health emergency and the grants meet the other requirements for the use of Fund payments under section 601(d) of the Social Security Act outlined in the Guidance. As a general matter, providing assistance to recipients to enable them to meet property tax requirements would not be an eligible use of funds, but exceptions may be made in the case of assistance designed to prevent foreclosures.

May recipients create a "payroll support program" for public employees?

Use of payments from the Fund to cover payroll or benefits expenses of public employees are limited to those employees whose work duties are substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

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(Eligible Expenditures - continued - 8)



CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 9)

Updated as of June 24, 2020

May recipients use Fund payments to cover employment and training programs for employees that have been furloughed due to the public health emergency?

Yes, this would be an eligible expense if the government determined that the costs of such employment and training programs would be necessary due to the public health emergency.

May recipients use Fund payments to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 public health emergency?

Yes, if a government determines such assistance to be a necessary expenditure. Such assistance could include, for example, a program to assist individuals with payment of overdue rent or mortgage payments to avoid eviction or foreclosure or unforeseen financial costs for funerals and other emergency individual needs. Such assistance should be structured in a manner to ensure as much as possible, within the realm of what is administratively feasible, that such assistance is necessary.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 10)

Updated as of June 24, 2020

The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a "small business," and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 11)

Updated as of June 24, 2020

May Fund payments be used to assist impacted property owners with the payment of their property taxes?

Fund payments may not be used for government revenue replacement, including the provision of assistance to meet tax obligations.

May Fund payments be used to replace foregone utility fees? If not, can Fund payments be used as a direct subsidy payment to all utility account holders?

Fund payments may not be used for government revenue replacement, including the replacement of unpaid utility fees. Fund payments may be used for subsidy payments to electricity account holders to the extent that the subsidy payments are deemed by the recipient to be necessary expenditures incurred due to the COVID-19 public health emergency and meet the other criteria of section 601(d) of the Social Security Act outlined in the Guidance. For example, if determined to be a necessary expenditure, a government could provide grants to individuals facing economic hardship to allow them to pay their utility fees and thereby continue to receive essential services.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 12)

Updated as of June 24, 2020

Could Fund payments be used for capital improvement projects that broadly provide potential economic development in a community?

In general, no. If capital improvement projects are not necessary expenditures incurred due to the COVID-19 public health emergency, then Fund payments may not be used for such projects.

However, Fund payments may be used for the expenses of, for example, establishing temporary public medical facilities and other measures to increase COVID-19 treatment capacity or improve mitigation measures, including related construction costs.

The Guidance includes workforce bonuses as an example of ineligible expenses but provides that hazard pay would be eligible if otherwise determined to be a necessary expense. Is there a specific definition of "hazard pay"?

Hazard pay means additional pay for performing hazardous duty or work involving physical hardship, in each case that is related to COVID-19.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 13)

Updated as of June 24, 2020

The Guidance provides that ineligible expenditures include "if payroll or benefits expenses for employees whose work duties are not substantially dedicated to mitigating or responding to the COVID-19 public health emergency." Is this intended to relate only to public employees?

Yes. This particular nonexclusive example of an ineligible expenditure relates to public employees. A recipient would not be permitted to pay for payroll or benefit expenses of private employees and any financial assistance (such as grants or short-term loans) to private employers are not subject to the restriction that the private employers' employees must be substantially dedicated to mitigating or responding to the COVID-19 public health emergency.

May counties pre-pay with CARES Act funds for expenses such as a one or two-year facility lease, such as to house staff hired in response to COVID-19?

A government should not make prepayments on contracts using payments from the Fund to the extent that doing so would not be consistent with its ordinary course policies and procedures.

Must a stay-at-home order or other public health mandate be in effect in order for a government to provide assistance to small businesses using payments from the Fund?

No. The Guidance provides, as an example of an eligible use of payments from the Fund, expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. Such assistance may be provided using amounts received from the Fund in the absence of a requirement to close businesses if the relevant government determines that such expenditures are necessary in response to the public health emergency.



CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 14)

Updated as of June 24, 2020

Should States receiving a payment transfer funds to local governments that did not receive payments directly from Treasury?

Yes, provided that the transferred funds are used by the local government for eligible expenditures under the statute. To facilitate prompt distribution of Title V funds, the CARES Act authorized Treasury to make direct payments to local governments with populations in excess of 500,000, in amounts equal to 45% of the local government's per capita share of the statewide allocation. This statutory structure was based on a recognition that it is more administratively feasible to rely on States, rather than the federal government, to manage the transfer of funds to smaller local governments.

Consistent with the needs of all local governments for funding to address the public health emergency, States should transfer funds to local governments with populations of 500,000 or less, using as a benchmark the per capita allocation formula that governs payments to larger local governments. This approach will ensure equitable treatment among local governments of all sizes.

For example, a State received the minimum \$1.25 billion allocation and had one county with a population over 500,000 that received \$250 million directly. The State should distribute 45 percent of the \$1 billion it received, or \$450 million, to local governments within the State with a population of 500,000 or less.

May a State impose restrictions on transfers of funds to local governments?

Yes, to the extent that the restrictions facilitate the State's compliance with the requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance and other applicable requirements such as the Single Audit Act, discussed below. Other restrictions are not permissible.



CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 15)

Updated as of June 24, 2020

If a recipient must issue tax anticipation notes (TANs) to make up for tax due date deferrals or revenue shortfalls, are the expenses associated with the issuance eligible uses of Fund payments?

If a government determines that the issuance of TANs is necessary due to the COVID-19 public health emergency, the government may expend payments from the Fund on the accrued interest expense on TANs and unbudgeted administrative and transactional costs, such as necessary payments to advisors and underwriters, associated with the issuance of the TANs.

May recipients use Fund payments to expand rural broadband capacity to assist with distance learning and telework?

Such expenditures would only be permissible if they are necessary for the public health emergency. The cost of projects that would not be expected to increase capacity to a significant extent until the need for distance learning and telework have passed due to this public health emergency would not be necessary due to the public health emergency and thus would not be eligible uses of Fund payments.

Are costs associated with increased solid waste capacity an eligible use of payments from the Fund?

Yes, costs to address increase in solid waste as a result of the public health emergency, such as relates to the disposal of used personal protective equipment, would be an eligible expenditure.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 16)

Updated as of June 24, 2020

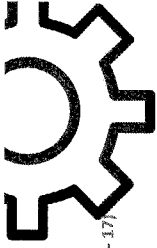
May payments from the Fund be used to cover across-the-board hazard pay for employees working during a state of emergency?

No. The Guidance says that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. Hazard pay is a form of payroll expense and is subject to this limitation, so Fund payments may only be used to cover hazard pay for such individuals.

May Fund payments be used for expenditures related to the administration of Fund payments by a State, territorial, local, or Tribal government?

Yes, if the administrative expenses represent an increase over previously budgeted amounts and are limited to what is necessary. For example, a State may expend Fund payments on necessary administrative expenses incurred with respect to a new grant program established to disburse amounts received from the Fund.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 17)

Updated as of June 24, 2020

May recipients use Fund payments to provide loans?

Yes, if the loans otherwise qualify as eligible expenditures under section 601(d) of the Social Security Act as implemented by the Guidance. Any amounts repaid by the borrower before December 30, 2020, must be either returned to Treasury upon receipt by the unit of government providing the loan or used for another expense that qualifies as an eligible expenditure under section 601(d) of the Social Security Act. Any amounts not repaid by the borrower until after December 30, 2020, must be returned to Treasury upon receipt by the unit of government lending the funds.

May Fund payments be used for expenditures necessary to prepare for a future COVID-19 outbreak?

Fund payments may be used only for expenditures necessary to address the current COVID-19 public health emergency. For example, a State may spend Fund payments to create a reserve of personal protective equipment or develop increased intensive care unit capacity to support regions in its

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 18)

Updated as of June 24, 2020

May funds be used to satisfy non-federal matching requirements under the Stafford Act?

Yes, payments from the Fund may be used to meet the non-federal matching requirements for Stafford Act assistance to the extent such matching requirements entail COVID-19-related costs that otherwise satisfy the Fund's eligibility criteria and the Stafford Act. Regardless of the use of Fund payments for such purposes, FEMA funding is still dependent on FEMA's determination of eligibility under the Stafford Act.

Must a State, local, or tribal government require applications to be submitted by businesses or individuals before providing assistance using payments from the Fund?

Governments have discretion to determine how to tailor assistance programs they establish in response to the COVID-19 public health emergency. However, such a program should be structured in such a manner as will ensure that such assistance is determined to be necessary in response to the COVID-19 public health emergency and otherwise satisfies the requirements of the CARES Act and other applicable law. For example, a per capita payment to residents of a particular jurisdiction without an assessment of individual need would not be an appropriate use of payments from the Fund.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 19)

Updated as of June 24, 2020

May Fund payments be provided to non-profits for distribution to individuals in need of financial assistance, such as rent relief?

Yes, non-profits may be used to distribute assistance. Regardless of how the assistance is structured, the financial assistance provided would have to be related to COVID-19.

May recipients use Fund payments to remarket the recipient's convention facilities and tourism industry?

Yes, if the costs of such remarketing satisfy the requirements of the CARES Act. Expenses incurred to publicize the resumption of activities and steps taken to ensure a safe experience may be needed due to the public health emergency. Expenses related to developing a long-term plan to reposition a recipient's convention and tourism industry and infrastructure would not be incurred due to the public health emergency and therefore may not be covered using payments from the Fund.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

(Eligible Expenditures - continued - 20)

Updated as of June 24, 2020

May a State provide assistance to farmers and meat processors to expand capacity, such to cover overtime for USDA meat inspectors?

If a State determines that expanding meat processing capacity, including by paying overtime to USDA meat inspectors, is a necessary expense incurred due to the public health emergency, such as if increased capacity is necessary to allow farmers and processors to donate meat to food banks, then such expenses are eligible expenses, provided that the expenses satisfy the other requirements set forth in section 601(d) of the Social Security Act outlined in the Guidance.

The guidance provides that funding may be used to meet payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency. May Fund payments be used to cover such an employee's entire payroll cost or just the portion of time spent on mitigating or responding to the COVID-19 public health emergency?

As a matter of administrative convenience, the entire payroll cost of an employee whose time is substantially dedicated to mitigating or responding to the COVID-19 public health emergency is eligible, provided that such payroll costs are incurred by December 30, 2020. An employer may also track time spent by employees related to COVID-19 and apply Fund payments on that basis but would need to do so consistently within the relevant agency or department.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

2 QUESTIONS RELATED TO ADMINISTRATION OF FUND PAYMENTS

Do governments have to return unspent funds to Treasury?

Yes. Section 601(f)(2) of the Social Security Act, as added by section 5001(a) of the CARES Act, provides for recoupment by the Department of the Treasury of amounts received from the Fund that have not been used in a manner consistent with section 601(d) of the Social Security Act. If a government has not used funds it has received to cover costs that were incurred by December 30, 2020, as required by the statute, those funds must be returned to the Department of the Treasury.

What records must be kept by governments receiving payment?

A government should keep records sufficient to demonstrate that the amount of Fund payments to the government has been used in accordance with section 601(d) of the Social Security Act.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

Are Fund payments to State, territorial, local, and tribal governments considered grants?

No. Fund payments made by Treasury to State, territorial, local, and Tribal governments are not considered to be grants but are "other financial assistance" under 2 C.F.R. § 200.40.

Are Fund payments considered federal financial assistance for purposes of the Single Audit Act?

Yes. Fund payments are considered to be federal financial assistance subject to the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. §§ 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

Are Fund payments subject to other requirements of the Uniform Guidance?

Fund payments are subject to the following requirements in the Uniform Guidance (2 C.F.R. Part 200): 2 C.F.R. § 200.303 regarding internal controls, 2 C.F.R. §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

Is there a Catalog of Federal Domestic Assistance (CFDA) number assigned to the Fund?

Yes. The CFDA number assigned to the Fund is 21.019.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

May recipients deposit Fund payments into interest bearing accounts?

Yes, provided that if recipients separately invest amounts received from the Fund, they must use the interest earned or other proceeds of these investments only to cover expenditures incurred in accordance with section 601(d) of the Social Security Act and the Guidance on eligible expenses. If a government deposits Fund payments in a government's general account, it may use those funds to meet immediate cash management needs provided that the full amount of the payment is used to cover necessary expenditures. Fund payments are not subject to the Cash Management Improvement Act of 1990, as amended.

May governments retain assets purchased with payments from the Fund?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds provided by section 601(d) of the Social Security Act.

What rules apply to the proceeds of disposition or sale of assets acquired using payments from the Fund?

If such assets are disposed of prior to December 30, 2020, the proceeds would be subject to the restrictions on the eligible use of payments from the Fund provided by section 601(d) of the Social Security Act.

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CORONAVIRUS RELIEF FUND (CRF) Frequently Asked Questions

Updated as of June 24, 2020

If a State transfers Fund payments to its political subdivisions, would the transferred funds count toward the subrecipients' total funding received from the federal government for purposes of the Single Audit Act?

Yes. The Fund payments to subrecipients would count toward the threshold of the Single Audit Act and 2 C.F.R. part 200, subpart F re: audit requirements. Subrecipients are subject to a single audit or program-specific audit pursuant to 2 C.F.R. § 200.501(a) when the subrecipients spend \$750,000 or more in federal awards during their fiscal year.

Are recipients permitted to use payments from the Fund to cover the expenses of an audit conducted under the Single Audit Act?

Yes, such expenses would be eligible expenditures, subject to the limitations set forth in 2 C.F.R. § 200.425.

If a government has transferred funds to another entity, from which entity would the Treasury Department seek to recoup the funds if they have not been used in a manner consistent with section 601(d) of the Social Security Act?

The Treasury Department would seek to recoup the funds from the government that received the payment directly from the Treasury Department. State, territorial, local, and Tribal governments receiving funds from Treasury should ensure that funds transferred to other entities, whether pursuant to a grant program or otherwise, are used in accordance with section 601(d) of the Social Security Act as implemented in the Guidance.

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Mark your calendars!

Wednesday, July 29
11 a.m. – 12 p.m.

Part 2 webinar on CARES Act Funding from MMB

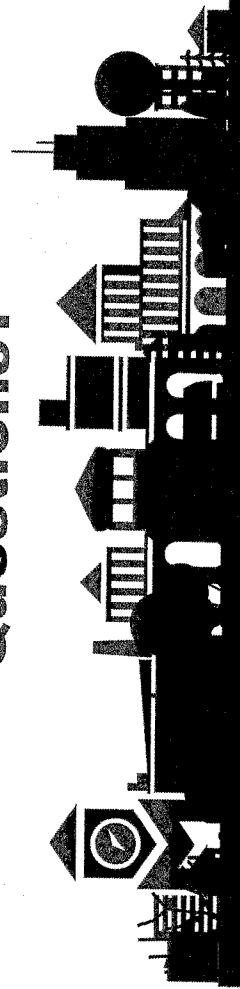


New League staff member

Lisa Sovo
Assistant Finance Director – Outreach
League of Minnesota Cities
lsova@lmc.org
651-281-1208



Questions?



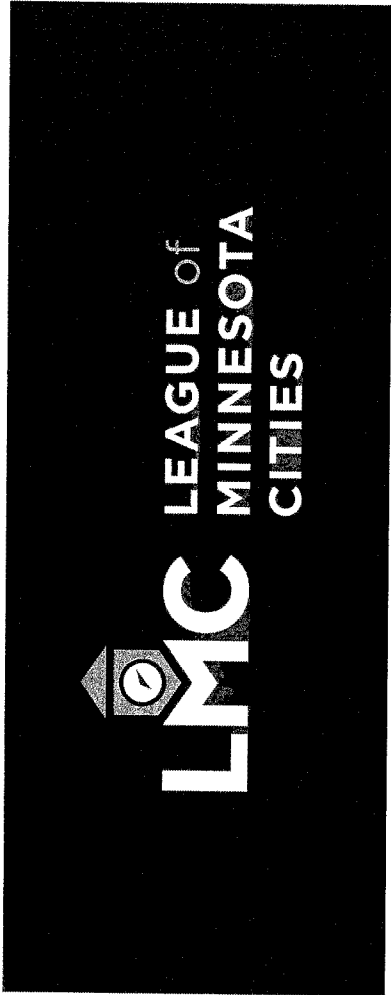
Contact Information

Amy Jorgenson
Enterprise Director of Internal Controls
Minnesota Management and Budget (MMB)
amy.jorgenson@state.mn.us

Gary Carlson
Intergovernmental Relations Director
League of Minnesota Cities
gcarlson@lmc.org

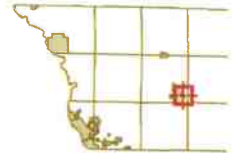
Research Department
League of Minnesota Cities
<https://www.lmc.org/contact/submit-a-question/>
651-281-1200

You can find a recording of this webinar here: <http://lmc.org/caresact1>





Overview



Legend

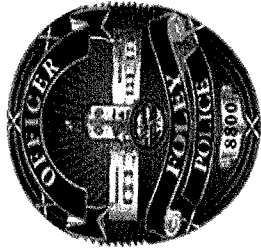
- Parcels
- Highways
- County Roads
- Roads

Parcel ID	020053901	Alternate ID	n/a
Sec/Twp/Rng	36-037-029	Class	201 - RESIDENTIAL
Property Address	13042 65TH ST NE	Acreage	7.75
	FOLEY	Owner Address	SCOTT G DESMARAIS
			13042 65TH ST NE
			FOLEY, MN 56329
District	GILMANTON TOWNSHIP		
Brief Tax Description	Sect-36 Twp-037 Range-029 7.75 AC W 450 FT OF N 750 FT OF NW1/4 NE1/4 SUBJ TO HWY EASMNT		
	(Note: Not to be used on legal documents)		



Date created: 7/10/2020
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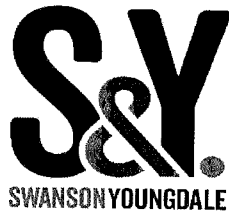


Foley Police Department

Calls for Service - 2020

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total
Driving Conduct	21	16	16	7	17	25							
Equipment Vio.	28	34	19	8	7	16							
Speed	12	22	23	10	19	32							
DWI/DUI	0	0	1	1	0	0							
DAR/S/C	2	6	0	2	1	5							
# Citations Issued	*4	*14	*6	*11	*6	*23							
Accidents	4	2	2	1	3	2							
Hit and Run	0	1	1	1	1	0							
Gas Drive Offs	3	2	0	1	2	2							
Thefts	7	6	2	7	6	5							
Controlled Substance	0	1	1	0	0	0							
Suspicious Activity	15	21	23	28	25	26							
Burglaries/Robbery	1	1	1	0	0	0							
Medicals/Welfare	26	21	18	29	19	18							
Assaults/Domestic	6	4	4	8	9	3							
Harassment	3	2	3	1	3	9							
CDP/Vandalism	3	0	0	3	4	1							
Animal Complaints	2	3	5	7	7	12							
City Ordinance	5	4	4	6	31	35							
Parking Tickets	23	18	1	0	0	0							
Disturbing the Peace	4	4	3	7	8	9							
Gun Permits	3	4	4	3	3	7							
Warrant Arrests	2	1	1	0	0	0							
Civil	5	4	4	5	5	4							
Lockout	2	3	4	3	5	4							
Assist other Agencies	18	27	14	17	12	16							
Special Events	2	5	7	12	16	9							
Misc.	58	65	71	56	64	63							
TZD Hours	0 Hours	6 Hours	6 Hours	0 Hours	0 Hours	5 Hours							
Total:	255	277	232	223	267	303							

Misc Includes: Alarms, Extra Patrols, House watches, Matter of Info, etc.



Swanson & Youngdale, Inc.
6565 West 23rd Street
Minneapolis, Minnesota 55426-0070

Phone: 952.545.2541
Fax: 952.545.4435

June 22, 2020

Patrick Skodje
Short Elliott Hendrickson, Inc.
3535 Vadnais Center Dr
St. Paul, MN 55110

Water Tower Touch-up
Foley, MN

Amount: \$11,985

Work to Include:

- Touch-up of the riser pipe rust, one location approximately 4' x 4'
- An eight (8) hour touch-up allowance for bolts and miscellaneous spots

Does not Include:

- 1 Temporary heat, climate control or weather protection
- 2 Working nights, weekends or holidays
- 3 Abrasive blasting surfaces prior to painting
- 4 DBE participation
- 5 Performance and Payment Bonds

Notes:

- 1 Testing and disposal of possible hazardous waste shall be done by the Owner
- 2 This proposal is based on performing a SSPC-SP 11 Power Tool Cleaning and applying an Epoxy/ Acrylic coating system
- 3 This proposal is based on using a 125' JLG for accessing work areas

If you have any questions regarding this matter, please feel free to contact me.

Joe Dagenais
joe.dagenais@syinc.us
612-919-0500



An Equal Opportunity Employer/Contractor

Polling Place Guidelines in the COVID-19 Pandemic

General Best Practices:

All election judges should:

- Practice social distancing as much as possible by staying at least six feet away from each other and voters
 - Frequently wash and sanitize their hands, following CDC handwashing guidelines
 - Wear cloth face coverings, covering their nose and mouth
 - Frequently disinfect surfaces that election judges and voters come in contact with, using CDC and EPA approved disinfectants.
- In election judge training, promote certain behavioral norms, such as social distancing, cleaning, disinfection, and hand hygiene. Include instructions to wipe down door knobs, push plates, and other non-election specific surfaces
 - Provide detailed guidance and templates to show election judges where to set up polling place equipment
 - Election judges should clean equipment within full view of voters to maintain public confidence
 - Ensure that any changes to operations do not limit accessibility to voters with disabilities

Station and Scenario-Specific Guidelines:

- The greeter judge may need to help manage lines outside of the polling place
- Prepare the greeter judge to set expectations for voters in regards to wait times, social distancing guidelines, and available safety items
- When able, registration judges should only examine proof of residence materials visually, without physically touching the voter's documents
- If using pollbooks, encourage election judges to use and frequently sanitize the stylus
- Create a 'neutral zone' for passing materials. Voters and election judges can pass voter receipts and documents back and forth by placing them on a table, and then backing away as the other person approaches to retrieve them
- When election judges assist a voter with marking their ballot, they should attempt to social distance while maintaining voter privacy. They can view the ballot together in larger print on the assistive voting device, or work with the voter from across a table that is away from the main traffic of voters.
- The use of hand sanitizer is encouraged, but check that your hands are dry before handling ballots. Hand sanitizer can wet and damage ballots, which could possibly render them unreadable

Polling Place Guidelines in the COVID-19 Pandemic

Polling Place Layout and Sanitation:

- Hand sanitizer should be available at the entrance and exit of the polling place room
- Disposable face coverings for voters who arrived unequipped but are willing to wear one should be made available near the entrance
- Post the new COVID-19 "Health and Safety" polling place poster
- Spacious, well-ventilated rooms make for the safest polling locations. If possible, have windows and doors open to increase outdoor air flow in the polling place
- Disinfect surfaces between use, especially voting booths, assistive voting devices, tables, and pens. The best method to disinfect surfaces depends on the surface and the disinfectant used, and may require gloves
- Use tape to mark spots on the floor for voters to stand in line, and at stations, which are at least six feet apart
- Clearly mark points of entry and exit to prevent bottlenecks, and provide signage or physical markers to ensure voters move in one direction through the polling place
- Ensure that distancing is maintained outside of the facility as well if voters are queueing up outside
- To encourage social distancing, put two tables between the voters and the check-in and ballot judges. This creates a wider space between the election judge and voter which prevents voters from unintentionally stepping to close to the judge.
- Spread voting booths as far apart as possible
- On common contact surfaces, such as voting booths, overflow tables, and assistive voting devices place a laminated sheet of paper with text similar to: "This surface has been sanitized and is ready for use, please flip this sheet over when you leave." Once flipped over, the other side says: "This surface needs to be sanitized before use." This is to help election judges track what needs to be sanitized and when
- Ask voters to discard used pens into a clearly marked bin, and sanitize them before next use
- Cut "I Voted" stickers and spread them out on a table for voters to pick up on their own
- Consider putting a wipe-able cover on touch screen electronics, or regularly changed plastic wrap



Overview



Legend

- Parcels
- Highways
- County Roads
- Roads
- National Wetland Inventory**
 - Artificially Flooded
 - Shallow Open Water Community
 - Coniferous Bog
 - Coniferous Wetland
 - Coniferous Wetland/Shrub Wetland
 - Coniferous Wetland/Wet Meadow
 - Deep Marsh
 - Hardwood Wetland
 - Hardwood Wetland/Coniferous Wetland
 - Hardwood Wetland/Seasonal Flooded Basin
 - Hardwood Wetland/Shallow Marsh
 - Hardwood Wetland/Shrub Wetland
 - Hardwood Wetland/Wet Meadow
 - Non-Vegetated Aquatic Community
 - Open Bog
 - Seasonally Flooded Basin
 - Shallow Marsh
 - Shallow Open Water Community

owned by Maxine Olson
Asking \$119,900
14.02 acres

Floodplain + wetland identified
by pink/red

Section 1125 – Livestock

Section 1125:00. Livestock Not Permitted: No person shall keep livestock in the corporate limits of this municipality. Violations of this section shall be a misdemeanor.

Section 1125:02. Definitions. As used in this section the following words shall have the meanings set forth hereafter:

Subd. 1. “Person” shall include an individual, whether singular or plural, male or female, a partnership, a joint venture, a corporation or other association, and the agent thereof.

Subd. 2. “Keep” means to have in possession or control whether as owner or as agent or employee for the owner. In the context of this section, the time or duration of keeping shall have no relation to the definition of “keep,” that is, whether said livestock is being raised over a period of time or merely brought into the city temporarily until shipped to another destination. “Keep” does not include:

- (a) the riding of livestock in the city, although it does include the holding of livestock in the city for riding, such as riding stables, whether or not for hire;
- (b) the importing of livestock into the city for slaughter by a slaughtering house in the city on the day of importing;
- (c) the importing of livestock into the city on a truck or trailer if said livestock is not removed from such truck or trailer, except that transfer of livestock on the day of importing directly from one vehicle to another vehicle shall be permitted;
- (d) licensed special events; or
- (e) the provision of veterinary services.

Subd. 3. “City” means the City of Foley.

Subd. 4. “Livestock” means horses; mules; donkeys; buffalo; cattle; swine; sheep; goats; elk; llama; fowl including pigeons, ducks, geese, turkeys, and chickens; or other farm animals. “Livestock” shall include animals raised for fur. “Livestock” shall include the singular as well as the plural.

Section 1125:04. Owner or Lessee Responsible. The Owner or lessee or person in lawful possession of the real estate in the City shall be responsible for compliance with this section.

Section 1125:06. Existing Licensed Livestock. Existing licensed livestock kept within the City at the effective date of this ordinance shall be removed within a reasonable period of amortization. The amortization period in which existing livestock must be removed, shall be five years from the effective date of this ordinance. As existing livestock are removed during the amortization period, they cannot be replaced.

Section 1125:08

Section 1125:08. Misdemeanor. Any person who violates any provisions of this Ordinance shall be guilty of a misdemeanor.

Section 1125 of the 1974 Code of Ordinances was amended by Interim Ordinance Number 388, passed and adopted July 6, 2010.

Section 1125 of the 1974 Code of Ordinances was repealed and replaced in its entirety by Ordinance Number 389, passed and adopted September 7, 2010.

TO: FOLEY CITY COUNCIL
FROM: SARAH BRUNN, CITY ADMINISTRATOR
SUBJECT: 07-14-2020 - COUNCIL MEETING – 5:30PM
DATE: JULY 10, 2020

This meeting will be held at Foley City Hall. Social distancing will be practiced.

Consent Agenda

We have developed an assessment agreement for Five Starr Auto (Kevin & Nelda Starr) which is on the consent agenda. The City had a water leak that required repair. The City, in making repairs disturbed a portion of the blacktop and will be required to pay for that portion of the repair. However, in disturbing that portion it made a repair for a larger area needed as the responsibility of the property owner. The Starr's would like to make sure the entire section is completed but due to financial hardship during COVID-19 asked the City for options in getting it done. They have agreed to a short assessment agreement for their costs to give them more time to pay. The total dollar amount is \$2,109.09 and will be collected over two years. If the council approves this agreement we will move forward with the entire repair to the blacktop in front of their building.

The School Resource Officer Agreement is on the consent agenda. The cost share will remain at 50/50 and the only changes to the agreement are related to the duties of SRO in the event of distance learning and also providing some services during summer school to try and keep connected to students during those months. The school board has already approved the agreement.

A resolution authorizing the application for Point Source Implementation Grant funds is in your packet. I am working with our engineers from Bolton & Menk on the other application materials. We are hopeful to receive a good source of funding from this program for the wastewater project.

Mr. Jim's is requesting to hold live music on Friday, July 24th until 12am. They have already been licensed for expanded outdoor seating. The music would go beyond the noise ordinance of 10:30pm so it needs council approval to proceed.

Bond Refunding

I had requested to proceed with bids on a private placement and refunding of bonds at the last meeting. We were hoping to move forward with at least the 2011 Bonds if the quotes were good. We actually received a quote from Falcon Bank to include both the 2011 and 2012 bonds. Instead of estimated savings of \$60,000 we are now projected to save over \$100,000. Frandsen Bank was contacted but did not submit a bid. George Eilertson from Northland will be at the meeting to present the information and will ask the council to move forward with a resolution authorizing the refunding. The full resolution is still with the bond counsel so only the first page is included in your packet. The summary sale and bid for the bonds is in your packet. Once the full resolution is ready, I will forward to you electronically and make sure hard copies are at the meeting.

Discussion on Orderly Annexation/Joint Planning Agreement

Some of the council was at the Township meeting that was held on Tuesday. We can discuss the meeting and also the proposed agreement at the council meeting. The council can also allow anyone at the meeting to speak on the matter if they so choose. The Benton County Department of Development Director, Roxanne Achmann, may also be in attendance at the meeting. The county has been very supportive in us trying to achieve this agreement with Gilmanton Township. The council could move forward with the agreement in hopes that the Township may pass it at their next meeting on August 4th.

Discussion on Solar Moratorium

A draft solar moratorium ordinance is on your agenda. Staff is recommending this due to an increase in solar activity/inquiries. I will be bringing this item up at the planning commission meeting on Monday as well. To remind you, a moratorium only freezes activity, to allow time for the City to study and make any desired changes to the ordinances.

Discussion on CARES Act Funding

We received just over \$200,000 in CARES money. I have already completed the state certification and the funds were in our account earlier this week. I have attached slides from a webinar I participated in which outlines what the funds can and cannot be used for. I can summarize some of those items for you at the meeting. We are all still learning all the details and will be getting more information from the League in the coming weeks. The council will need to decide how they wish to spend this money. Department heads will be meeting prior to the council meeting to discuss different options.

Scott Desmarais – Golf Course Driving Range Complaint

This was a request to be added to the agenda in regards to golf balls that go onto Mr. Desmarais's property from the driving range. We did have a similar complaint last year from a resident on Golf Court and our attorney indicated this was a civil matter between the parties. The City Attorney will be at the meeting on Tuesday should the council have questions for him.

Update on Nuisance/Parking and Storage Enforcement

Chief McMillin will provide an update on letters and activity with ordinance enforcement. The council will need to decide whether they wish to proceed with prosecution on any properties.

2020 Elections and COVID-19 Procedures

In your packet is a document outlining specific COVID-19 procedures for elections. I have been working with the county on making sure we implement these items. The most difficult item is the social distancing requirements and how we line up people to vote. The library has since re-opened and the City Hall counter is also in the way of the line. The county has indicated we should consider closing both City Hall and the library the day of the election because we are not supposed to have other traffic interfering or coming closer than 6 feet within people standing in line or exiting the polling place. We would still keep the City Hall accessible by phone/email during office hours and the library could offer curbside pickup that day. I will be requesting the council consider this action at the meeting.

We also had to purchase new voting booths as our existing ones do not provide adequate spacing in between. We also will need to put up plexiglass barriers in some areas. If the council authorizes the closing of the city hall gate, we will try to repurpose those barriers for the election rather than having to purchase additional. We will also have other expenditures and I'm working with the county on who will be providing what.

Maxine Olson Property

In your packet is a map with listing price noted. I have been contacted on if the City would be interested in putting in an offer, it has been listed for over a year. You will see a creek runs through the property. Staff hasn't found any specific need for the property other than if the council would someday want to put a trail through it to connect to the strip mall area. If there is any interest and the council would like to discuss further, we can go into closed session to discuss an offer at the end of the meeting.

Discussion on prosecution of building code violations

I have a property on John Street that we have discussed prior that has still not obtained proper permits for work that was done. We have sent them numerous letters and the building official has tried to reach them many times. I'll need to direction from the council on how they wish to proceed.

Wastewater Project

A special session is likely to begin on Monday. I will have a better update for the council at the meeting on our status within the bonding bill.

Chickens Ordinance

I received a request for the council to re-consider the ban on chickens. We had a request from a property owner along Norman Avenue N. The livestock ordinance is included in your packet.

Highway 23 – 2020 Project

I encourage the council to check the city website for a link to the Highway 23 project page. They have posted more information, including a video simulating the roundabout. Since a community meeting was not able to be held, they are encouraging the public to view the materials and submit any questions or comments to Russell @ MnDOT- contact information is on the website.

Upcoming Reminders:

July 13, 2020 – Planning Commission Meeting

July 14, 2020 – Council Meeting

July 28, 2020 – City Council Filings Open – 2 councilmember seats/1 mayor seat

August 4, 2020 – Council Meeting @ 5:30pm

August 4, 2020 – Gilmanton Township Meeting @ 7:30pm

August 10, 2020 – Planning Commission Meeting

August 11, 2020 – State Primary Election

August 18, 2020 - City Budget Workshop – 5:30pm