



AGENDA OF THE  
REGULAR MEETING OF THE CITY COUNCIL  
CITY OF BIRCHWOOD VILLAGE  
207 BIRCHWOOD AVENUE  
WASHINGTON COUNTY, MINNESOTA  
JUNE 14, 2011  
7:00 P.M.

**CALL TO ORDER – PLEDGE OF ALLEGIANCE**

**APPROVE AGENDA**

**CITY BUSINESS – CONSENT CALENDAR**

1. Approval of the Minutes of the May 10, 2011 Regular Meeting (see exhibit)
2. Acceptance of Financial Report and Approval of Disbursements (see exhibit)
3. Approval of maintaining the statutory tort limits on the City's liability coverage (see exhibit)

**COMMUNITY EVENTS AND ANNOUNCEMENTS**

- a. National Health and Nutrition Examination Survey: Washington County selected as a survey location (see exhibit)
- b. Music in the Park – Next Concert June 19

**OPEN PUBLIC FORUM**

**CITY BUSINESS**

4. 7:20 Review of the Contract with Smith Appraisal Service (Sandstrom – see exhibit)  
Time Budget: 10 minutes
5. 7:30 Review of the Contract with KEJ Enterprises and Discussion of Amending Contract to include maintenance of Ash Easement (Powers – see exhibit)  
Time Budget: 10 minutes
6. 7:40 Presentation of the Fiscal Year 2010 Audit (Peggy Moeller - copy of audit previously distributed to City Council Members and available on the City's web site)  
Time Budget: 15 minutes
7. 7:55 RESOLUTION 2011-15 Model Performance Measures For Cities: Review and Consideration of Adoption (Powers – see exhibit)  
Time Budget: 10 minutes
8. 8:05 Resolution 2011-12/Ordinance 2011-03: Revision to Section 201 (City Water System) of the Birchwood City Code (Harper – see exhibit)
  - a. Public Hearing
  - b. Discussion and Consideration of ApprovalTime Budget: 10 minutes
9. 8:15 2011 Catch Basin Project: Review and Approval of Additional \$5,500.00 Expense (Elfering – see exhibit)  
Time Budget: 10 minutes

10. 8:25 Changing the name of lower Birch Street to Owl Street – Review of Anticipated Expenses and Draft Resolution/Ordinance and Scheduling a Public Hearing (Powers – see exhibit)  
Time Budget: 10 minutes
11. 8:35 Signs – Review of Cost Estimate and Consideration of 3-year Replacement Plan (Sampair – see exhibit)  
Time Budget: 10 minutes
12. 8:45 Home Occupation – 501 Wildwood Avenue – Planning Commission Recommendation (Powers – see discussion in Executive Summary)  
Time Budget: 15 minutes
13. 9:00 Complaint about 401 Wildwood Avenue (Mitchell – see exhibit)  
Time Budget: 10 minutes
14. 9:10 Cain Garage Rental: Request for Longer Contract (see exhibit)  
Time Budget: 10 minutes
15. 9:20 Budget Process Update (Harper – see exhibit)  
Time Budget: 5 minutes
16. 9:25 White Pine Lane Outlot – Removal of Trees & Brush (Powers)  
Time Budget: 10 minutes
17. 9:35 City Clerk’s Report
  - a. Review and Consideration of Bids for Computer Installation and Software Transfer (Powers –see exhibit)
  - b. City Hall Improvements: Planning Commission recommendation for a feasibility study
  - c. LMCIT Land Use Incentive
  - d. City Clerk away from office June 15-17 and July 11-15.Time Budget: 15 minutes
18. 9:50 Next Meeting – July 12, 2011 – Topics  
Time Budget: 10 minutes
19. 10:00 Cancellation of June 26, 2011 Regular Meeting  
Time Budget: 5 minutes
20. 10:05 ADJOURN



**CITY OF BIRCHWOOD VILLAGE**  
207 Birchwood Avenue  
Birchwood Village, MN 55110  
651-426-3403 tel  
651-426-7747 fax  
[birchwoodvillage@comcast.net](mailto:birchwoodvillage@comcast.net)

## **EXECUTIVE SUMMARY – JUNE 14, 2011 CITY COUNCIL MEETING**

*NOTE: This executive summary is provided to give a broader detail on the various agenda items. This summary is to be used as an adjunct to the agenda packet, and should not be considered a substitute for reading the agenda packet.*

**CONSENT AGENDA:** There are three items on the consent agenda, as follows:

1. Approval of the Minutes of the May 10, 2011 Regular Meeting.
2. Acceptance of the Financial Report & Approval of Disbursements.
3. Approval of maintaining the statutory tort limits on the City's general liability coverage. Minnesota Statutes Chapter 466.04 establishes statutory municipal tort limits are \$500,000.00 per person and \$1,500,000.00 per incident. This means that, regardless of the amount of individual loss, a claimant would not be able to claim more than \$500,000 on any claim to which the statutory tort limits apply. Statutory tort limits apply to torts (e. g. wrongful death, personal injury, negligence, dram shop, nuisance, trespass, etc.) and DO NOT apply to non-tort claims (e. g. breach of contract, eminent domain/condemnation, constitutional claims, or any federal claim based upon federal statute or the constitution).

*Staff recommends that the City DO NOT WAIVE the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.*

### **CITY BUSINESS:**

4. **REVIEW OF THE CONTRACT WITH SMITH APPRAISAL SERVICE:** In 2010, the City Council voted to discontinue using Washington County for the appraisal of real property in the City, and to use a private vendor (Smith Appraisal Service) for that service. On or about May 31, staff received a phone message from Kevin Corbid, Washington County Director of Property Records and Taxpayer Services, in regards to this matter. Corbid notified the state Department of Revenue (DOR) that the City was using a private vendor for appraisal services. The DOR representative asked Corbid whether the City was eligible to transition to a private vendor. Corbid asked staff to contact DOR, which it did. DOR sent the City an e-mail that details the situations in which the City could use a private vendor for appraisal services. (A copy of the e-mail is included in the agenda packet as an exhibit.) The e-mail was sent to City Attorney Kevin Sandstrom for review and comment on two issues. The first is whether DOR interpretation of statute was correct; the second is if DOR is correct, what does that do to the contract agreed upon between the City and Smith Appraisal. (A copy of the contract is included in the agenda packet as an exhibit.) Sandstrom will be at this meeting to advise the Council and respond to questions.
5. **REVIEW OF THE CONTRACT WITH KEJ ENTERPRISES AND DISCUSSION OF AMENDING THE CONTRACT TO INCLUDE MAINTENANCE OF THE ASH EASEMENT:** This matter came up in response to a concern from Council Member Harper that Ash easement wasn't being maintained. Staff investigated the matter, and found out that when the contract with KEJ Enterprises was drawn up, maintenance of Ash easement was excluded at Council

Member Carson's recommendation. Barb mentioned that a neighbor would maintain the easement. Subsequently, the neighbor decided against maintaining the easement; however, the contract with KEJ was not amended to add Ash easement as a maintenance item. (A copy of the KEJ contract is included with the agenda packet as an exhibit.)

**QUESTION: Should the contract with KEJ be amended to include maintenance of the Ash easement?**

6. PRESENTATION OF THE FISCAL YEAR 2010 AUDIT: Peggy Moeller of HLB Tautges Redpath, the firm that audited the City's 2010 financial transactions, will formally present the firm's findings at this time. As previously noted, the number of findings was dramatically reduced - from 27 in 2009 to 10 in 2010.

7. RESOLUTION 2011-15> MODEL PERFORMANCE MEASURES FOR CITIES: REVIEW AND CONSIDERATION OF ADOPTION: The City received correspondence from the Minnesota Office of the State Auditor advising of the work of the Minnesota Council on Local Results and innovation on established a set of performance measurements for cities to use to "aid residents, taxpayers, staff, and elected officials in determining the efficacy of the City in providing services. In addition, the City would be required to conduct resident surveys to measure public opinion of how well the City is providing certain services. In exchange for the City adopting these performance measurements, it would receive an additional 14 cents per capita in Local Government Aid (\$121.80) and be exempt from any state-mandated levy limits. In order to receive the per capita reimbursement in 2011, and levy limit exemption for calendar year 2012, the City will need to file **before July 1, 2011** its declaration that it has adopted the corresponding 10 performance measures developed by the Council on Local Results and Innovation; due to this timeline, a decision on whether to participate in this **voluntary** program needs to be made at this meeting. Staff developed a draft resolution for Council review and consideration in making a decision on this matter.

**QUESTION: Should the City Council approve Resolution 2011-15 and adopt the performance measure developed by the Minnesota Council on Local Results and Innovation?**

8. RESOLUTION 2011-12 and ORDINANCE 2011-03> REVISION TO SECTION 201 (CITY WATER SYSTEM) OF THE BIRCHWOOD CITY CODE – PUBLIC HEARING and DISCUSSION & CONSIDERATION OF APPROVAL: The Finance Committee has been reviewing the city fees as part of its overall review of municipal finances. Council Member Jane Harper, chair of the committee, submitted proposed changes to the Council at its May 10, 2010 regular meeting. A public hearing was held to give the public an opportunity to testify on the proposed changes. After the public hearing was closed, further deliberation on this subject was tabled pending review of an issue regarding billing practices for those properties with multiple households that are served by one service to the main. Council discussion on that matter prompted Council Member Harper to recommend additional language should be inserted into the draft ordinance clarifying that the water rates apply to each household. That change is noted on the exhibit. The consensus of the Council was that this change was substantive enough to warrant tabling consideration of approval of the ordinance change until the public had notice and an opportunity to be heard on it. Subsequently, this resolution and ordinance are on the agenda for this meeting for a public hearing, discussion, and consideration of approval.

**QUESTION: Should Section 201 of the Birchwood City Code be amended as presented in the submitted exhibits?**

9. 2011 CATCH BASIN PROJECT: REVIEW AND APPROVAL OF ADDITIONAL EXPENSE: City Engineer Kristie Elfering noted that, during the installation of the catchbasin in front of 267 Wildwood Avenue, it was discovered that the sanitary sewer service for the property was laid on an unexpected angle and actually was installed under the existing structure. (An e-mail detailing the particulars of the situation is included in the agenda packets as an exhibit.) Since the cost estimate upon which the Council relied in approving this project did not anticipate this situation, the Council will need to approve this additional expenditure. This additional expense is not eligible for partial reimbursement by the Rice Creek Watershed District as part of the grant.

Council Member Harper expressed a concern that the work was approved without Council approval, and thought that a special meeting of the Council should have been called to approve this expenditure. The Council may want to consider a policy that guides staff when presented with these types of situations.

**QUESTIONS:**

1. **Should the Council approve the additional \$5,500.00 expenditure?**
2. **Should the Council develop a policy to guide staff when presented with these types of situations?**

10. **CHANGING THE NAME OF LOWER BIRCH STREET TO OWL STREET – REVIEW OF ANTICIPATED EXPENSES AND DRAFT RESOLUTION & ORDINANCE AND SCHEDULING A PUBLIC HEARING:** At the February 8, 2011 Council meeting, Randy LaFoy addressed the Council on a request by himself and Bryan McGinnis to change the name of lower Birch Street (the part that connects to Wildwood Avenue) to Owl Street. LaFoy shared with the Council the fact that many motorists desiring to find an address on upper Birch Street (the part that connects to Birchwood Avenue) travel on Wildwood to lower Birch, only to find a dead end. The Council signaled it would be interested in the name change pending a determination of the cost. There also was some question about who should pay the costs of this change. The Council directed staff to investigate these costs and report back at the June meeting. The Council also directed staff to submit a draft resolution and ordinance for review and comment. Staff researched the costs of the change and determined that publication costs are \$77.82 for the ordinance and \$63.68 for the notice of public hearing. In addition, recording the street name change costs \$46.00. Staff did not investigate the cost of the actual signs themselves, since Randy LaFoy and John McGinniss offered to cover that cost themselves. (I believe if the City uses a vendor, the costs for the signs themselves are not that much – perhaps in the \$50-\$100 range.)

Before drafting the resolution and ordinance, staff consulted with the Washington County Surveyor's Office on how to portray the length of Birch Street subject to the change. The Surveyor's Office reviewed the descriptive text and said that was sufficiently descriptive for memorialization.

**QUESTIONS:**

1. **Are the costs for changing Birch Street to Owl Street acceptable to the City Council?**
2. **Should the City bear 100% of the cost of the change?**
3. **Should the City schedule a public hearing for July 12, 2011 on this matter?**

11. **SIGNS: REVIEW OF COST ESTIMATE AND REVIEW & CONSIDERATION OF A 3-YEAR REPLACEMENT PLAN:** At the May 10, 2011 Council meeting, the Council reviewed a memo from City Engineer Kristie Elfering addressing the cost of needed sign replacement throughout the City. The Council approved an expenditure not to exceed \$1,000.00 for the replacement of certain signs that were considered to be most needed. Since that time, Council Member Sampair and Elfering have worked on cost estimates for completing the sign replacement (beyond what was approved in May) over a 3-year time period. This would comply with the federal retroreflectivity mandate. The e-mail exchange between Sampair and Elfering is included in the agenda packet as an exhibit.

**QUESTION: Should the City Council adopt the recommendations of Council Member Sampair and City Engineer Elfering on this matter?**

12. **HOME OCCUPATION AT 501 WILDWOOD AVENUE - PLANNING COMMISSION RECOMMENDATION:** At the May 10, 2011 Council meeting, staff advised the Council on noise complaints emanating from 501 Wildwood Avenue. Subsequent investigation revealed that a cabinet-making home occupation was being conducted from the site. Given that "cabinet making" is not on the list of allowed home occupations, nor on the list of prohibited home occupations, the Council directed the Planning Commission to review the situation and make a recommendation on how to proceed.

The Planning Commission met on June 7, 2011 and heard testimony from the cabinet maker (Roger Kropelnicki) as well as two neighbors on the nature of the home occupation. After public testimony ended, the Commission discussed this issue at considerable length. Commissioners Pratt and Winter were absent from the meeting.

Commissioner Felt cited the Comprehensive Plan statement that the first goal was to maintain a residential nature of the City, as well as the Land Use Plan component that prohibit commercial high density uses.

Commissioner Hankins cited the text of Section 306.070, paragraph 3E which states "no home occupation shall be noticeable from adjacent properties or right-of-way nor constitute a fire hazard to neighboring residences, adversely affect neighboring property values, or constitute a nuisance or otherwise be detrimental to the neighbors because of traffic, noise, glare, odor, electrical interference, magnetic interference, radio and television interference, laser beams, vibration, dust, and other nuisance or safety hazards or other factors found relevant by the city staff or city council."

Commissioner Danks stated that this was a hard one to decide, given that in "idyllic" Birchwood one does not expect to hear this type of noise. On the other hand, Commissioner Danks felt that a middle ground could be established through the conditional use process, and that by the placement of conditions on the use of the property for cabinet-making the City could address the issues raised by the neighbors with some degree of authority. If the conditions were not met, the use of the property for a cabinet-making home occupation would need to cease.

A motion was made by Commissioner Danks to recommend to the City Council that it allow cabinet shops to apply for a conditional use permit. The motion died for lack of a second.

A motion was made by Commissioner Hankins to recommend to the City Council that it consider commercial cabinet-making home occupations to be closer to the list of home occupations prohibited from obtaining a conditional use permit and to consider cabinet-making to be an "objectionable" activity prohibited from obtaining a conditional use permit. The motion was seconded by Commissioner Felt. The motion was adopted 2-1, with Commissioner Danks voting in the negative.

#### **QUESTIONS:**

- 1. Should the City Council adopt the recommendation of the Planning Commission?**
- 2. Does the fact that a mere quorum of the Planning Commission attended and voted on the issue impact the City Council's thinking on this matter?**

13. **COMPLAINT AT 401 WILDWOOD AVENUE:** At the May 10, 2011 Council meeting, the Council heard a complaint about the condition of the property at 401 Wildwood Avenue, including placement of personal property on the right of way of Park Avenue and objects in the back yard of 401 that are not allowed to be stored per the provisions of Section 615 of the Birchwood City Code. Mayor Mitchell investigated the complaint (per the authority of Subsection 040 of said Section 615) and filed a report on the results of his investigation. A copy of the report is included in this packet as an exhibit.

14. **CAIN GARAGE RENTAL: REQUEST FOR LONGER CONTRACT:** At the May 10, 2011 Council meeting, the Council reviewed two bids for rental of the garage across the street from Village Hall (known as the Cain garage). The minutes of that meeting reflect that the term of the lease was up to the Council to determine and awarded the lease to Kim Otness and Ken Kixmoeller for a five-month period of time at a pro-rated dollar amount of \$127.00. (The minutes for that meeting are included in the agenda packet as Item # 1 for Council approval tonight, Lines 104-112.) When staff notified Kim of these terms, she objected to the revised terms, stating "when we made our bid of \$305 it was for a one year period including the winter season. Kim further stated that she would like a lease term to end November 2012 so there was an assurance that she and Ken would have the garage available for

storage during the next winter season. I advised Kim that I would bring this matter up to the Council at this meeting.

**QUESTIONS:**

1. **Should the Council revisit this issue?**
2. **If the Council revisits this issue, should it grant the request of Kim Otness and Ken Kixmoeller to extend the length of the lease from November 1, 2011 to November 1, 2012?**
3. **If the Council agrees to extend the length of the lease, is the City obligated to readvertise the garage availability with the longer lease?**

15. **BUDGET PROCESS UPDATE:** Council Member Harper requested this item for discussion, and produced a budget spreadsheet for Council review and comment. The spreadsheet is included in the agenda packet as an exhibit.

16. **WHITE PINE LANE OUTLOT: REMOVAL OF TREES AND BRUSH:** The City owns an outlot between 9 and 11 White Pine Lane. Staff received a call from a resident on White Pine Lane stating that trees in the outlot are encroaching over her property line and requested the City trim the trees. Staff investigated the matter and advised the resident that she has the authority to trim any branches that overhang onto her property. The following week (the week of Memorial Day), the same resident informed staff that a large branch had been broken off one of the trees on the City's easement and had fallen on her fence and central air conditional unit and asked the City to remove the branch. Again, staff was unsure as to how to proceed on this matter. The first priority was to remove the branch and worry about cost later. Both John Lund and Steve Dean were not available to remove the tree at that time (the resident was insistent that it be removed RIGHT NOW), so the Clerk went out to the site and physically removed the branch from her property and placed it on the City's outlot. (My back thanks you!)

This episode raises several issues. The League of Minnesota Cities Insurance Trust (LMCIT) advised staff that the City was not obligated to remove the branch as a matter of law. LMCIT noted that the law would require the City to remove the branch if (a) the subject tree was diseased; (b) the City knew it was diseased; (c) the City has sufficient time to remove the diseased tree; and (d) the City failed to act to remove the diseased tree. This is different that the recent falling of a tree across Hall Avenue near Hall Court. In those cases, the City is obligated to remove the tree.

On the other hand, Council Member Harper tells me that the City has, in "past practice", removed branches in similar situations. Staff is uncertain if this past practice was established because the City wants to be a good neighbor or due to some notion that it was required to do so.

Another issue is the maintenance of the outlot in particular, and City-owned or controlled property in general. The subject outlot is severely overgrown with brush – see color pictures at the end of the Executive Summary.

I brought this matter to the attention of Steve Dean, and he agrees that these outlots should be cleared of growth that poses the potential of damage to adjacent property.

A third issue is making sure the growth that is being removed is definitely on City property. While it can be fairly certain that the fence is the property line of 9 White Pine Lane (or close to it), there is nothing similar demarking the 11 White Pine Lane property line. An option would be to discuss any proposed brush removal with the property owner at 11, identify the brush to be removed, and to get his/her agreement on it before proceeding.

**QUESTIONS:**

1. **Should the City Council reaffirm its past practice of being responsible for removing branches from trees on its property that fall onto private property?**
2. **Should the City Council approve the removal of brush and trees in this particular outlot?**
3. **Should the City Council investigate the costs of removing brush and trees on City property that can be reasonably determined to create a potential hazard to private property?**

17a. REVIEW AND CONSIDERATION OF BIDS FOR COMPUTER INSTALLATION AND SOFTWARE TRANSFER: At the April 26, 2011 Council Meeting, the Council awarded the contract for installation of the new City's computers and software & data transfer to PC Medic LLC of Monticello. After a contract was executed between PC Medic and the City, the vendor backed out the agreement.

Staff contacted the other two bidders – Compar of Minnetonka (from whom the City purchased the hardware) and Connor IT Solutions of Forest Lake – and each is willing to honor their quotes from April.

**QUESTION: To which vendor should the City award the contract for installation of the new City computers and data & software migration?**

17b. CITY HALL RENOVATION – FEASIBILITY STUDY: At the April 26, 2011 Council meeting, the Council directed the Planning Commission to review certain items related to ADA accessibility that were considered to be larger in scope and expense. The Council felt that the thoughts of the Commission, with its vast construction expertise, would result in better data and better recommendations.

The Commission took up this matter at its June 7, 2011 meeting. Staff advised the Commission on the particular issues relating to accessibility, as well as having the authority to perhaps make more global recommendations on the future of the City Hall structure. Staff finally advised the Commission that it would not necessarily need to meet again to make a formal recommendation to the Council on this matter, and that ideas and suggestions could be forwarded to staff for direction to the Council.

Commissioner Danks welcomed the opportunity to provide input on this matter, and while he could not make any particular recommendations at this time, he did recommend that if the City Council is considering entertaining any thoughts on abandoning and/or tearing down the existing structure that it get a feasibility study on potential re-adaptation of the existing structure to comply with ADA.

**QUESTION: Should the City Council consider the commissioning of a feasibility study on the re-adaptation of the City Hall structure for ADA compliance?**

17c. LMCIT LAND USE INCENTIVE: Last October, staff was informed about two new incentive programs offered by the League of Minnesota Cities Insurance Trust. One of them – involving sanitary sewers – the City already participates in. The second program has to do with land use claims. Information on the land use incentive is included in the agenda packet as an exhibit. Upon completion of the training by the minimum number of city officials, the City will earn a savings of as much as \$3,750.00 per land use claim. Cities that do not meet the requirements will pay a higher rate of land use costs. While the Minnesota Legislature passed legislation signed by Governor Dayton that re-establishes "sanity" to variance requests, the new law has not yet been tested in the courts. This incentive program would more than pay for itself with the first claim.

One important aspect of this training is that the City's costs are capped at \$180.00. This is an important consideration. As Council members, planning commissioners, and staff rotate in and out of assignment, each new person can take the training at no cost once the \$180.00 expenditure has been reached. Training is conducted via online module through the LMC City Learning Point system.



This is being brought to the Council's attention at this time because staff did not feel this matter warranted a special Planning Commission meeting to gauge their interest. This matter was brought up at the June 7, 2011 Planning Commission meeting, with all 3 commissioners in attendance interested in partaking of this training.

**QUESTION: Should the City authorize the expenditure of \$180.00 to take advantage of the LMCIT Land Use Incentive Program?**

17d. CLERK AWAY FROM CITY HALL THURSDAY, JUNE 16 AND THE WEEK OF JULY 11-15: The City Clerk will be attending the League of Minnesota Cities Annual Conference June 15-17 in Rochester, and the Minnesota Municipal Clerks Institute July 11-15 in Brooklyn Center. To replace Thursday open office hours, City Hall will be (well, was) open Tuesday, June 14, 2011 from 9:00-12:00. City Hall open office hours for the week of July 11-15 (Monday, July 11 and Thursday, July 14) should be staffed by the City Treasurer. As well, the City Treasurer should be available to take minutes at the July 12, 2011 Council meeting.

**ITEMS TAKEN OFF OF THIS AGENDA:** There are two items that were originally on this agenda, but have been removed. John Lund has not yet completed the cost estimate for City Hall repairs. He said the cost estimate would be ready for Council review at the July 12, 2011 meeting. Mark Greseth of 214 Wildwood Avenue indicated an interest in serving as one of Birchwood's representatives to the White Bear Lake Conservation District. Staff requested that he submit an e-mail of interest, along with a short bio. As of the time of this report, Mark had not submitted the requested information.



*View of outlet from White Pine Lane*



*View of trees and brush up against the fence*



*Example of overgrowth on the outlet*



*Ridge on south end of outlet. The other side of the ridge is in the City of Mahtomedi.*



*Storm drain on the Mahtomedi side of the ridge*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46

**CITY OF BIRCHWOOD VILLAGE  
REGULAR CITY COUNCIL MEETING  
May 10, 2011**

**MINUTES**

**MEMBERS PRESENT:** Mayor Alan Mitchell; Council Members Barb Carson, Jane Harper, Mark Peterson, and Tony Sampair

**STAFF PRESENT:** City Clerk Dale Powers and City Treasurer Cindie Reiter

**OTHERS PRESENT:** Karen Charpentier-Kropelnicki, City Engineer Kristie Elfering, Jim Greeley, Roger Kropelnicki, Randy LaFoy, John Lund, Bryan McGinniss, Troy Morehead, City Utility Billing Manager Shelly Rueckert, and Chad Woolhouse.

Mitchell called the regular meeting to order @ 7:00pm, and the Pledge of Allegiance was recited.

**AGENDA APPROVAL:** *Harper/Peterson unanimous to approve the agenda for the May 10, 2011 regular Meeting, as amended to remove the following items off of the Consent Calendar and place them under Regular Business:*

1. *Approval of the minutes of the April 12, 2011 Regular Meeting*
2. *Approval of the minutes of the April 26, 2011 Regular Meeting*
6. *Approval of expenditure not to exceed \$1,000.00 for the replacement of broken signage*
7. *Approval of expenditure not to exceed \$1,000.00 for repair of priority items in Village Hall*
8. *Approval of expenditure of \$200.00 for fireworks*
9. *Acceptance of the bid for the garage rental.*

**CONSENT CALENDAR:** *Mitchell/Sampair unanimous to approve the following consent calendar items:*

3. *Approval of Resolution 2011-08: A Resolution Establishing Limited Clean Up and Property Damage Protection for Sewer Back-Ups and Water Main Breaks for Water and Sewer Customers*
4. *Approval of the Disbursements Register as prepared by the City Treasurer and presented to the City Council on May 10, 2011, including Check #'s 26547-26548, 26572-26603, and Electronic Funds Transfers FED042011, MN042011, PERA033111 and PERA041511*
5. *Approval of \$410.00 expenditure for the City Clerk to attend Year Two of the Minnesota Municipal Clerks Institute July 11-15 in Brooklyn Center*

**APPROVAL OF MINUTES FROM THE APRIL 12, 2011 REGULAR MEETING:** Mitchell wanted the minutes to reflect at Line 78 that a public hearing was held and no comments were filed.

*Mitchell/Sampair unanimous to approve the minutes of the April 12, 2011 regular meeting as amended.*

47 **APPROVAL OF MINUTES FROM THE APRIL 26, 2011 REGULAR MEETING:** Mitchell wanted the minutes  
48 to reflect at Paragraph 72-78 that the contract for pothole repair was awarded to the low bidder.

49  
50 *Mitchell/Carson unanimous to approve the minutes of the April 12, 2011 regular meeting as amended.*

51  
52 **APPROVAL OF EXPENDITURE NOT TO EXCEED \$1,000.00 FOR THE REPLACEMENT OF BROKEN**  
53 **SIGNAGE:** Elfering reviewed with the Council her memo on sign replacement, and noted that at the last  
54 meeting the Council could replace signage that needed to be replaced for safety reasons within the  
55 \$1,000.00 previously budgeted for this purpose. Elfering recommended the following signage to be  
56 replaced at this time as (1) missing stop sign at Jay Street & Birchwood Avenue; (2) two nearly illegible  
57 "no parking" signs at the north end of the south section of Birchwood Avenue and by Hall's Marsh; and  
58 (3) missing street name signs at Oakhill Court & Oakridge Drive. Elfering also noted that the Council may  
59 want to consider additional signage needs such as several Ordinance 502 (Parking Regulations) signs  
60 that are missing or need to be replaced. Elfering related that if the "502" signs were placed at the street  
61 entrances to the City, the interior "502" signage could be removed. In addition, Elfering noted that the  
62 Sampair/Flick report mentioned the lack of a stop sign at Wildwood and Lake Avenues and, while that  
63 may be due to the steepness of the hill and issues with winter stopping, the Council may want to revisit  
64 that intersection and place a stop sign there. Sampair responded that there was a miscommunication on  
65 the missing signage at that intersection and that the "No Parking 50 feet" signs are missing at Wildwood  
66 and Lake.

67  
68 Harper asked whether the "502" signs could be ordered and stay within the \$1,000.00 budgeted for  
69 signs. Elfering responded that the "502" signs cost \$50.00 per sign and could be ordered within the  
70 stated budget amount.

71  
72 Mitchell asked whether the new signs will meet the new federal retroreflectivity standards. Elfering said  
73 that they would. Mitchell also asked whether there is an issue on what the "no parking" hours are.  
74 Elfering said that are discrepancies in what the "no parking" hours are depending on location in the City.  
75 Mitchell noted that has to be addressed at a future time.

76  
77 *Peterson/Sampair unanimous to approve the expenditure to replace the first four bulleted signs on*  
78 *Page 1 (Sign Posts 41, 40, 50, and 108); install three Ordinance 502 (Parking Regulation) signs - 1 at*  
79 *the east entrance of the City (Hall Avenue) and 2 at the west entrances of the City (Cedar Street and*  
80 *Birchwood Lane); and to remove the unnecessary Ordinance 502 signs at the interior locations of the*  
81 *City; to straighten the stop sign at Birchwood Avenue and Cedar Street, and to cap the expenditure at*  
82 *\$1,000.00.*

83  
84 **APPROVAL OF EXPENDITURE NOT TO EXCEED \$1,000.00 FOR REPAIR OF PRIORITY ITEMS AT VILLAGE**  
85 **HALL:** Mitchell wanted this item pulled off of the consent agenda to advise the Council and public that  
86 the City is going to authorize up to \$1,000.00 to get some of the urgent safety matters repaired in the  
87 Village Hall and as reported by White Bear Lake City Building Official Ben Eggan and as prioritized by the  
88 City Council at the April 26, 2011 regular meeting.

89  
90 *Sampair/Mitchell unanimous to approve up to \$1,000.00 to get some of the urgent matters repaired*  
91 *in the Village Hall as reported by Eggan and prioritized by the City Council.*

92  
93 **APPROVAL OF EXPENDITURE OF \$200.00 FOR FIREWORKS:** Mitchell noted that this is an item that the  
94 City has done every year and wanted to clarify where the money is coming from since it was not

95 budgeted for this year. Powers recommended that \$200.00 from the savings the City realized from  
96 purchasing the new computers could go towards this expenditure. **Harper** noted that the audit noted  
97 that the City needs to better document the times when it spends money that was not budgeted for and  
98 identify the accounts that are going to be amended.

99  
100 ***Harper/Peterson unanimous to approve an expenditure of \$200.00 to the White Bear Lake Fireworks***  
101 ***Fund as the City's contribution, with the money coming out of the savings the City realized from the***  
102 ***purchase of the new computers.***

103  
104 **APPROVAL OF THE BID FOR THE GARAGE RENTAL:** **Mitchell** noted that this item was pulled off of the  
105 consent calendar due to the presence of a second bid of \$55.00 from Randy LaFoy. The first bid is for  
106 \$305.00 from Kim Otness and Ken Kixmoeller. **Peterson** asked whether the term was for 6 months.  
107 Powers responded the term of the contract is at the discretion of the Council. **Harper** noted that it was  
108 the desire of the Council to have a one-year term November-November so people could use it for boat  
109 storage or fall clean-up and a five-month term would get the Council to that point.

110  
111 ***Peterson/Harper unanimous to accept the Otness/Kixmoeller bid, prorated 5 months from June***  
112 ***through October 2011 at a total rent of \$127.00 for the term.***

113  
114 **COMMUNITY EVENTS AND ANNOUNCEMENTS:** **Mitchell** noted that the annual Plant Exchange will be  
115 Saturday, May 21 at 10:00am at City Hall; the Birchwood All-City Garage Sale is Saturday, June 4; Music  
116 in the Park starts Sunday, June 5, and subsequent dates will be posted in the newsletter coming out in  
117 early June; the docks have been put out at the easements and if City residents want access to all 5  
118 docks, you can join the Birchwood Dock Association for \$35.00; and a big THANK YOU to the volunteers  
119 who've worked at Nordling Park. **Carson** wanted to thank Erica Peterson, John Lund, Cynthia Tomlinson,  
120 Steve Dean, and everyone who helped out at Nordling Park.

121  
122 **OPEN PUBLIC FORUM:** No one came forward and addressed the Council during Open Forum.

123  
124 **DEBT SERVICE SPECIAL ASSESSMENT INTEREST CALCULATION:** **Reiter** reviewed with the Council this  
125 issue, which was brought to the Council's attention at the April 12, 2011 meeting. **Reiter** noted that  
126 interest on the special assessments was inadvertently calculated twice, once by the City and once by the  
127 County. The Council discussed this situation in a general matter at its April 26, 2011 meeting and a  
128 consensus was developed for hearing back from **Reiter** on options for refunding the overcharge at this  
129 meeting. **Reiter** noted that the overcharge isn't actualized until the property owner pays the special  
130 assessment; until then it is only on paper. Consequently, **Reiter** recommends issuing a refund during the  
131 first quarter 2012 to those property owners whom the County verifies as having paid the overcharge  
132 during 2011 through their property taxes. Going forward, **Reiter** assured the Council that the  
133 assessment rolls would be corrected to eliminate the overcharge for assessments payable in 2012 and  
134 thereafter.

135  
136 ***Harper/Sampair unanimous to have staff send a letter to the affected residents explaining the***  
137 ***situation and that the City will be providing a reimbursement next year after it has been informed by***  
138 ***the County that the assessment has been paid.***

139  
140 **FISCAL YEAR 2010 AUDIT UPDATE:** **Mitchell** was to update the Council and public that the audit is  
141 complete and will be going to the Office of the State Auditor on May 16. **Mitchell** noted that he, **Harper**,  
142 and **Reiter** attended an exit interview with the audit firm to get an overview of the results. **Mitchell**

143 noted that the 2009 audit had 4 areas of material weakness and 23 significant deficiencies. The 2010  
144 audit has 2 areas of material weakness and 7 significant deficiencies. Peggy Moeller will be at the June  
145 14, 2011 Council meeting, and the audit will be posted on the website as soon as possible. Finally, the  
146 audit came in at the budgeted amount of \$15,000.00.

147

148 **Harper** noted that some of the findings are those that are a result of the City's staffing levels and the  
149 City couldn't afford to maintain staffing levels sufficient to eliminate those findings. **Harper** concluded  
150 that a lot of credit needs to go to the staff for working hard to address the issues from the previous  
151 audit.

152

153 **Carson** asked whether there will be an audit next year. **Mitchell** said that was discussed and that most  
154 likely there will not be an audit. **Harper** noted that is an area that will be reviewed at budget time, and it  
155 depends on whether the City continues to have a separate clerk and treasurer position or a combined  
156 position. **Harper** concluded that the City may choose to have an audit next year even if one is not  
157 required.

158

159 **RESOLUTION 2011-11 APPROVING ORDINANCE 2011-02: AN ORDINANCE TO REVISE SECTION 403**  
160 **(TREE DISEASES) OF THE BIRCHWOOD CITY CODE TO INCLUDE PROVISIONS REGARDING THE EMERALD**  
161 **ASH BORER AND TWO-LINE CHESTNUT BORER:** **Mitchell** opened the public hearing at 7:43pm and,  
162 hearing no requests to speak, closed the public hearing at 7:44pm.

163

164 **Mitchell** noted that by adoption of this ordinance amendment, the City would not be chopping down  
165 ash and trees right away, and said that the amendment gives the City the right to remove trees infected  
166 with these two pests.

167

168 ***Mitchell/Carson unanimous to approve Resolution 2011-11 Approving Ordinance 2011-02 and also to***  
169 ***approve publication of the ordinance summary in the White Bear Press.***

170

171 **RESOLUTION 2011-12 APPROVING ORDINANCE 2011-03: AN ORDINANCE TO REVISE SECTION 201**  
172 **(CITY WATER SYSTEM) OF THE BIRCHWOOD CITY CODE TO CLARIFY REPAIR AND MAINTENANCE**  
173 **RESPONSIBILITIES:** **Mitchell** opened the public hearing at 7:45pm and, hearing no requests to speak,  
174 closed the public hearing at 7:46pm.

175

176 **Harper** noted that Section 201.090 of the Code should be amended to state that water use rates are to  
177 be applied to each household, building, or structure served by the City water system, and then define  
178 what a household is. An item later on in tonight's agenda raises a question about two structures served  
179 by one connection with a "Y" – do they get billed twice? Section 201.080 clearly states that every  
180 household or final consumer must have its own meter. **Harper** recommends changing that language to  
181 be consistent with Section 201.090, to read "every household", to clarify the issue.

182

183 **Mitchell** stated that he is hesitant about changing the draft at this point in the process before having a  
184 discussion about the "Y" issue. **Harper** asked whether the agenda could be amended to discuss this  
185 matter after reviewing the "Y" issue later on. **Mitchell** said that there are historical precedents that need  
186 to be considered when contemplating changing the billing structure.

187

188 ***Harper/Carson unanimous to table this item until Item #20 ("Y" connection issue) is discussed.***

189

190 **RESOLUTION 2011-13 APPROVING ORDINANCE 2011-04: AN ORDINANCE TO REVISE SECTION 202**  
191 **(CITY PLUMBING & SEWERAGE SYSTEM) OF THE BIRCHWOOD CITY CODE TO CLARIFY REPAIR AND**  
192 **MAINTENANCE RESPONSIBILITIES:** Mitchell opened the public hearing at 7:52pm and, hearing no  
193 requests to speak, closed the public hearing at 7:53pm.

194  
195 Harper noted that these changes modernize the code based on the City Engineer's recommendations.  
196 The changes increased the value of work requiring a permit from \$500.00 to \$1,000.00; providing  
197 additional technical information; clarifying the responsible party for repair & maintenance of the service  
198 line from the main to the private structure; prohibiting discharge of water from hot tubs, swimming  
199 pools, sump pumps, and similar facilities; and clarify the definition of "building."

200  
201 ***Harper/Sampair unanimous to approve Resolution 2011-13 Approving Ordinance 2011-04 and also to***  
202 ***approve publication of the ordinance summary in the White Bear Press.***

203  
204 **DRAFT FUND BALANCE POLICY:** Mitchell opened the public hearing at 7:58pm and, hearing no requests  
205 to speak, closed the public hearing at 8:00pm.

206  
207 Harper noted that this policy governs and guides the City's fund accounting of the public's money;  
208 requires the City to maintain an unreserved fund balance between 40-50% of budgeted operating  
209 expenditures or 6 months operating revenue – whichever is greater; and establishes definitions for  
210 certain fund accounting terms. Harper further noted that due to word changes effective in 2012, this  
211 policy will need to be amended at the end of this year to incorporate those word changes.

212  
213 ***Harper/Peterson unanimous to approve the draft Fund Balance Policy as amended to change the***  
214 ***phrase "and in anticipation" to "or in anticipation" under the second guideline.***

215  
216 **OWL STREET:** Due to the absence of Randy LaFoy, the consensus of the Council was to table this matter  
217 until Randy arrives.

218  
219 ***Mitchell/Peterson unanimous to table the Owl Street discussion until Randy LaFoy arrives.***

220  
221 **MUSIC IN THE PARK:** Mitchell reviewed with the Council his memo on the Music in the Park series,  
222 where several issues were identified. Mitchell noted the first issue is expenses, and said he would like to  
223 either change his mind about refusing the mayor's salary and take it to use for the concert series, or  
224 preferably, that the Council act to direct that the \$1,500.00 mayor's salary be devoted to the concert  
225 series. Secondly, Mitchell wanted residents to have the right to have a glass of wine or beer during the  
226 concerts, and pointed out that the City Code allows alcohol on city land with approval. Mitchell also  
227 indicated that he would alert the White Bear Lake Police about the alcohol use if approved. Discussion  
228 occurred to make clear that no beer or wine would be sold and no hard liquor would be permitted.

229  
230 Harper asked whether the neighbors have been informed. Mitchell responded that while there has been  
231 informal notice given through word-of-mouth and announcements at Council meetings, no formal  
232 notice to the immediate neighbors had been given and that it would be a good idea to do so for those  
233 around the concert location near Dellwood Beach and the hockey rink.

234  
235 ***Carson/Peterson unanimous to authorize the \$1,500.00 to be used for the Mayor's salary toward***  
236 ***payment of expenses for the Music in the Park series.***

237

238 ***Sampair/Carson unanimous to authorize persons of legal age to possess and consume beer and wine***  
239 ***during the Sunday evening concerts during 2011, but only in the park where the concert is being held***  
240 ***and only during the hours of the concert, and provided further that no person shall offer for sale any***  
241 ***intoxicating liquor at such places and at such times.***

242

243 **Powers** advised the Council that if the City Hall is to be used as a backup location, the City will need to  
244 reserve the Hall for those dates and times. **Mitchell** responded that he did think about that, but he  
245 wasn't too concerned since the Hall isn't rented out that often on Sunday evenings. **Powers** mentioned  
246 that he will reserve the Hall for 6:00pm each listed Sunday on the schedule, and add additional Sundays  
247 when they are firmed up.

248

249 **SUMMER PARKS HELP JOB DESCRIPTION AND AUTHORIZATION TO HIRE:** **Carson** shared with the  
250 Council that the Parks Committee has budgeted \$500.00 for a summer parks help to devote 45 hours for  
251 various maintenance and upkeep duties with the hockey rink and other park areas. None of the duties  
252 would require use of motorized equipment. **Carson** noted that a draft job description is on the back of  
253 the memo and thinks the draft is great, except that she would like the age lowered from 17 to 16.

254

255 **Mitchell** asked who would select the person hired for this job? **Carson** responded that the Council would  
256 make the decision at the July 2011 meeting. **Mitchell** asked who would this person report to? **Carson**  
257 responded that he/she would report to the City Clerk and the Chair of the Parks Committee. **Mitchell**  
258 asked if this person would need a contract? **Carson** responded that this position would be similar to the  
259 hockey rink attendants.

260

261 **Harper** noted that the City has a handyman (KEJ) and how does this relate to the handyman and the  
262 contract the City has with KEJ? **Carson** responded that this position would pay \$10.00 per hour, which is  
263 much less than what the City pays KEJ. **Harper** advised the Council that when the City budgets for next  
264 year, it needs to differentiate and better define the duties of the handy man, the lawn service, and the  
265 parks attendant.

266

267 ***Carson/Sampair unanimous to advertise for a park attendant at \$10.00 per hour for the summer of***  
268 ***2011, not to exceed 45 hours or \$450.00 pay.***

269

270 **HOME OCCUPATION AT 501 WILDWOOD AVENUE:** **Powers** reviewed with the Council his memo on this  
271 matter, and related that he had received any number of complaints about noise emanating from 501  
272 Wildwood Avenue. **Powers** investigated the complaint and determined that a cabinet-making business  
273 was being conducted from the garage of the residential property. **Powers** concluded his remarks by  
274 reviewing Section 306.070 of the City Code, which regulates home occupations. **Kropelnicki**, the  
275 cabinet-maker, addressed the Council and explained the nature of his cabinet-making activity and the  
276 hours that he works. **Charpentier-Kropelnicki** shared with the Council the fact that there have been  
277 complaints made about her and her husband in the past, most of which were unfounded. **Morehead**  
278 and **Woolhouse** each addressed the Council as neighbors of Kropelnicki and stated they have no issue  
279 with Kropelnicki's activity.

280

281 ***Harper/Sampair unanimous to forward this complaint to the Planning Commission for review and***  
282 ***recommendation to the Council.***

283

284 **CHANGING THE NAME OF LOWER BIRCH STREET TO OWL STREET:** **LaFoy** and **McGinniss** updated the  
285 Council on the previous discussion from earlier this year on the public safety issues resulting from Birch



286 Street not going through from Wildwood to Birchwood Avenues. If lower Birch Street was changed to  
287 Owl Street, a substantial number of these public safety issues would be obviated.

288

289 Council discussion centered on legal descriptions, right of way issues, who is responsible for the costs of  
290 the change, and where the dollars will be coming from. **Elfering** indicated that she has spoken to the  
291 County and that a precise legal description is not required, only a general description of where the  
292 street is located.

293

294 *Harper/Peterson unanimous to do what's necessary to change lower Birch Street to Owl Street, to*  
295 *include presentation to the Council of draft language on the proposed ordinance; presentation of a*  
296 *firmer cost estimate for the change; and a recommendation on where the dollars are going to come*  
297 *from to pay for the name change.*

298

299 **UTILITY BILLING: REVIEW OF SITUATIONS WHERE TWO RESIDENCES ARE SERVED BY A "Y" TO ONE**

300 **SERGVICE TO THE MAIN:** **Rueckert** mentioned that the issue is with sewer, and that Section 201 (City  
301 Water System) and Section 202 (City Plumbing & Sewerage System) treats this issue differently.

302 Whereas 201 states "every household or other final consumer" must have its own meter, 202 states  
303 that multiple connections are permitted only by special application to the City. **Rueckert** noted that with  
304 the change to a "base plus flow" billing structure, the issue may take care of itself because the City is  
305 capturing the usage in its billing when it wasn't before under the old billing system.

306

307 **Harper** asked for clarification on how many bills were being sent out and when. **Rueckert** responded  
308 that two bills were being sent out, then when Little Canada took over the billing it was reduced to one  
309 bill, then under the direction of former Mayor Mary Wingfield two bills were being sent out again.

310

311 **Mitchell** noted that he doesn't remember any complaints about the billing. McKenzie complained about  
312 the assessment rather than the billing and he doesn't see any difference. **Rueckert** noted that the  
313 assessment is about a fixed charge and the billing is for usage. Harper noted that the situation is clear  
314 and that McKenzie should receive two bills. **Mitchell** said the ordinance is not so clear when there is no  
315 information as to whether McKenzie has prior authorization for one bill. **Harper** challenges that  
316 conclusion due to the fact that a "mistake" was made when Little Canada was assigned the billing and  
317 that "mistake" is now being corrected. **Rueckert** responded by saying that McKenzie's argument is that  
318 since there is only one connection from the main to his property, he should pay only one sewer bill.  
319 **Sampair** noted that the ordinance revisions better clarify the situation.

320

321 **Harper** mentioned that while there is language in the Water Code on billing dispute resolutions, no such  
322 language exists in the Plumbing & Sewerage Code. **Harper** recommends incorporation of dispute  
323 resolution language in the Plumbing & Sewerage Code. **Mitchell** recommends adopting the changes to  
324 the Water Code and not to go out and install second meters at this time. **Harper** said that the Sewer  
325 Code clearly states that each premise is billed, and that the existing language has enough authority to  
326 bill for two residences.

327

328 The consensus of the Council was to direct staff to communicate with Mr. McKenzie the Council's  
329 decision on this matter and if he wants to further dispute the matter he can address the Council.

330

331 **RESOLUTION 2011-12 APPROVING ORDINANCE 2011-03: AN ORDINANCE TO REVISE SECTION 201**  
332 **(CITY WATER SYSTEM) OF THE BIRCHWOOD CITY CODE TO CLARIFY REPAIR AND MAINTENANCE**  
333 **RESPONSIBILITIES:**

334  
335  
336  
337  
338  
339  
340  
341  
342  
343  
344  
345  
346  
347  
348  
349  
350  
351  
352  
353  
354  
355  
356  
357  
358  
359  
360  
361  
362  
363  
364  
365  
366  
367  
368  
369  
370  
371  
372  
373  
374  
375  
376  
377  
378  
379  
380  
381

**Harper/Mitchell unanimous to take this matter off the table.**

**Harper** suggested that the revised Section 201 should have language in it as previously discussed to reinforce the requirement that the rates are to be applied to every household. As such, **Harper recommends** tabling further consideration of Resolution 2011-12 until the June meeting so that language can be incorporated into the draft. **Mitchell** recommends that a motion be adopted to amend the draft as suggested by Harper, then hold another public hearing in June on the amended draft.

**Harper/Sampair unanimous to amend Section 201.090 to add the following sentence: "A water use rate is hereby imposed upon each household served by the City water system." and to hold a public hearing at the June 14, 2011 Council meeting on the amended draft resolution and ordinance.**

**PARK AVENUE RIGHT OF WAY: Powers** informed the Council that he investigated a complaint about storage of personal property located in the right of way of Park Avenue and Lake Avenue in the vicinity of the northwest corner of Tight-Schmitz Park, and determined that the right of way was being encroached upon by the personal property. The complainant requested that I communicate with the property owner and tell him to move the property. **Powers** subsequently asked **Elfering** to visit the property to determine where the right of way line is along the west side of Park Avenue so he could inform the residents exactly where the line is between the City's right of way and their property. **Elfering** determined that the property line is 10 feet from the hydrant and 4 feet inside the fence line. **Elfering** shared with the Council an exhibit indicating the location of the tree line, the fence, and the right of way line.

**Greeley** addressed the Council and identified himself as the complainant. **Greeley** mentioned that this is an exterior storage issue as much as it is a right of way issue, and quoted from Section 615.010 of the City Code which addresses exterior storage on private property. **Greeley** believes the material stored is unsightly and an impediment to selling his property. In conclusion, **Greeley** indicated that the ordinance calls for the Mayor or another Councilmember to investigate the complaint. **Mitchell** responded that he will investigate the situation.

**Carson** left the meeting at 9:55pm.

**Sampair** shared a concern that if the City finds out that a fence or other structure is on the City's property, I'm not sure this can be easily dismissed that the City needs to address this issue. **Harper** said she brought this up in 2009 and perhaps the City needs to start surveying its open spaces, to insure that work the city is doing in the park is on the City's property. **Sampair** mentioned that he is concerned about access to the fire hydrant.

**NEXT MEETING – JUNE 14, 2011 – TOPICS: Mitchell** related that the following issues will be on the June 14, 2011 agenda: budget assignments; Parks Committee By-Laws Approval; Owl Street issues; Ordinance 201 (City Water System); and cost estimates for repair of City Hall (the major items).

**Mitchell** advised the Council and public that the May 24, 2011 meeting will be cancelled.

**Mitchell/Sampair unanimous to cancel the May 24, 2011 Council Meeting.**

**ADJOURN: Mitchell/Sampair unanimous to adjourn @10:04pm.**

382

383

384

385 Dale Powers

386 City Clerk

Birchwood Village  
6-14-11  
Treasurer's Report

To: City Council  
From: Cindie J Reiter, Treasurer

**Financial Report**

*Attached are the CTAS reports:*

The **DISBURSEMENTS REGISTER** is for those claims presented for payment this eve. Disbursement Register includes check numbers or EFT identifier.

The **Interim Financial Report** shows the year to date totals for each revenue and expense of each Fund. The report is presented by ACCOUNT code. Fund 100 is the operating fund for which property taxes are levied. Included this month is an Interim Report by OBJECT code, which provided individual elements of an Account Code -- see example of City Insurance of the Interim Report by Object Code, this may provide added information for the upcoming budgeting process.

In the disbursement section you will find a running total (YTD) and variance (remaining balance) of the budgeted amount for each category of expense\*.

The **Cash Balance Statement** are the beginning balance (same as: year-end results for 2010). This has now been audited -- see page 13 of 2010 HLB audit. The beginning balances are all cash balances -- which reside at US Bank (checking for operating funds & savings) and at Piper Jaffray (money market accounts for various fund reserves & savings)

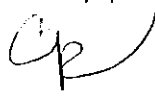
**Housekeeping Items-**

- Deposit date 2/16/2011 LC deposit -- Utility Billing (UB) Report shows \$416.47 -- actual deposit is \$74.84 (LC form fields not updated per Shelly) -- was adjusted in CTAS.

\*Check # FED032011 VOIDED (\$1209.19) and re-entered as FED32011 for \$1134.13. Check #26509 VOIDED for Xcel St Lights (two checks printed).

- Catchbasin Engineering Expense -- have now been re-coded to Fund 403, Capital Projects Catchbasin. This will help to identify expenses of the catchbasin project which will be presented to RC Watershed District for allowable grant expenses as is a cost-share grant.
- Checks #26656, 26657, 26658 VOIDED due to printer error.

Please call/email with any questions.

*Cindie J Reiter*   
Birchwood City Treasurer

**Special Assessment -- Pay 2011** Resolution of over calculation of interest for Pay 2011 is to refund all PAID debt service special assessment for Pay 2011. This refund will be sent to property owners after the county provides report of those properties paid for 2011. The report should be available in the first quarter 2012 -- refunds to be issued shortly after.

As of 06/09/2011  
Fiscal Year:2011

<u>Name of Fund</u>	<u>Beginning Balance</u>	<u>Total Receipts</u>	<u>Total Disbursements</u>	<u>Ending Balance</u>
General Fund	\$545,704.05	\$19,629.15	\$188,896.91	\$376,436.29
Special Rev Projects	\$7,550.65	\$8,435.18	\$600.00	\$15,385.83
Sewer 2004 Bonds	\$0.00	\$853.14	\$2,511.47	(\$1,658.33)
Birchwood In Re-hab Bond	\$0.00	\$0.00	\$0.00	\$0.00
Sewer Re-hab 2008 Debt	\$0.00	\$1,232.58	\$3,994.31	(\$2,761.73)
Cap Project - PW	\$76,571.00	\$0.00	\$0.00	\$76,571.00
Capital Projects	\$30,527.99	\$579.00	\$0.00	\$31,106.99
Cap Proj - Catchbasin	\$0.00	\$0.00	\$3,605.00	(\$3,605.00)
Water Enterprise Fund	\$15,623.45	\$49,825.63	\$43,522.78	\$21,926.30
Sewer Enterprise Fund	\$171,160.41	\$29,856.81	\$32,108.87	\$168,908.35
<b>Total</b>	<b>\$847,137.55</b>	<b>\$110,411.49</b>	<b>\$275,239.34</b>	<b>\$682,309.70</b>

Fund Name: All Funds  
 Date Range: 05/11/2011 to 06/09/2011

<u>Date</u>	<u>Remitter</u>	<u>Description</u>	<u>Receipt #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
05/20/2011	REsidents - via LC	Utility Billing LC JE 38	494	\$487.02	601-34105 601-34115 601-34120 605-34110	\$226.03 \$4.48 \$9.03 \$247.48
05/23/2011	Weber, Herb	Bldg Permit #052461	480	\$191.00	100-32210	\$191.00
05/23/2011	Rossbach Construction	Bldg Permit #WB052410	481	\$362.88	100-32210	\$362.88
05/23/2011	Sela Roofing	Bldg Permit #052470	482	\$99.13	100-32210	\$99.13
05/23/2011	Champion Plumbing	Bldg Permit #WB052358	483	\$35.00	100-32210	\$35.00
05/23/2011	O'Dea Construction	Bldg Permit #WB052473	484	\$755.88	100-32210	\$755.88
05/23/2011	IRS - US Treasury	Refund fee Oct 2010	485	\$54.78	100-36240	\$54.78
05/24/2011	WA County - Courts	Fines - April 2011	489	\$40.00	100-35100	\$40.00
06/02/2011	James Barthel 469 Lake	Spec Assmt PIF 3003021130022	486	\$327.23	301-36110	\$327.23
06/02/2011	Pipeline Industries	Traffic Control signs for WWD res. service	487	\$175.00	100-36240	\$175.00
06/02/2011	John Hoffner Construction	Bldg Permit #WB052535	488	\$818.23	100-32210	\$818.23
06/02/2011	Residents - via LC	Utility Billing - LC JE3	495	\$283.04	601-34105 601-34115 601-34120 605-34110	\$107.10 \$4.65 \$4.50 \$166.79
06/06/2011	Anderson & Sons Cons	Bldg Permit #VWB052569	490	\$40.00	100-32210	\$40.00
06/06/2011	Schifsky 203 BWD	PIF SA PID#3003021210073	491	\$327.23	301-36110	\$327.23
06/06/2011	Belisle, Kim	Doc License #80	492	\$5.00	100-32240	\$5.00
06/06/2011	Glander, Mark	Dock Permit Fee 2011	493	\$200.00	210-32260	\$200.00

**Total For Period**

**\$4,201.42**

**Total Year To Date**

**\$110,411.49**

Fund Name: All Funds  
Date Range: 05/11/2011 to 06/14/2011

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
05/11/2011	Postmaster	Stamps - Supply & SA mailing	26606	\$88.00	100-41430-200	\$88.00
05/11/2011	Waste Management of WI-MN	Recycle - Apr 2011	26607	\$909.14	100-44100-305	\$909.14
05/11/2011	Qwest	Phone/Fax lines May 2011	26608	\$104.04	100-41940-321	\$104.04
05/11/2011	Xcel Energy	Street Lights Apr 2011	26609	\$1,223.93	100-43160-380	\$1,223.93
05/11/2011	Compar, Inc.	City Staff Computers	26610	\$1,953.38	100-41420-210	\$1,953.38
05/11/2011	Eckberg, Lammers, Briggs, Wolff	Legal Service - Apr 2010	26611	\$285.00	100-41600-300	\$285.00
05/11/2011	On-Site Sanitation Inc	Rental Unit - Park Apr 2011	26612	\$102.98	100-45200-305	\$102.98
05/13/2011	Payroll Period Ending 04/30/2011		26604	\$1,024.17	100-41400-100	\$1,024.17
05/13/2011	Payroll Period Ending 04/30/2011		26605	\$261.92	100-41400-100	\$261.92
05/23/2011	St Cloud State University	MMCI Insitute - Clerk Registration	26613	\$410.00	100-41400-310	\$410.00
05/23/2011	PERA	Staff Retirement PE 4/30/11	PERA043011	\$243.20	100-41400-120	\$130.61
					100-41400-121	\$112.59
05/24/2011	U S Bank	Debt Service Pymt - Interest	EFT052411	\$3,994.31	305-47100-610	\$3,994.31
05/31/2011	Payroll Period Ending 05/15/2011		26614	\$1,024.17	100-41400-100	\$1,024.17
05/31/2011	Payroll Period Ending 05/15/2011		26615	\$380.26	100-41400-100	\$380.26
06/02/2011	IRS - US Treasury	FED Taxes - May 2011	FED052011	\$902.70	100-41400-110	\$404.58
					100-41400-160	\$54.31
					100-41400-162	\$232.20
					100-41400-164	\$54.31
					100-41400-166	\$157.30
06/02/2011	MN Department of Revenue	State W/H May 2011	MN052011	\$204.55	100-41400-115	\$204.55
06/02/2011	PERA	Staff Retirement PE 5/15/11	PERA053011	\$262.42	100-41400-120	\$140.93
					100-41400-121	\$121.49
06/07/2011	IRS - US Treasury	FEDTaxes - Mar '11 (replc ck FED032011)	FED32011	\$1,134.13	100-41400-110	\$482.61
					100-41400-160	\$68.43
					100-41400-162	\$227.46
					100-41400-164	\$68.43
					100-41400-166	\$198.20
					100-45200-160	\$10.79
					100-45200-162	\$35.85
					100-45200-164	\$10.79
					100-45200-166	\$31.57

## City of Birchwood Village

## Disbursements Register

06/09/2011

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
06/09/2011	City of Birchwood Village	Petty Cash fund	26618	\$100.00	100-41420-200	\$100.00
06/09/2011	Press Publications	Ordinance Summary	26619	\$77.83	100-41130-351	\$77.83
06/09/2011	City of White Bear Lake Fire	Fire Srvc - Apr 2011	26620	\$7,375.42	100-42200-305	\$7,375.42
06/09/2011	City of White Bear Lake Police	Law Enforcement - Apr 2011	26621	\$1,673.16	100-42100-305	\$1,673.16
06/09/2011	Steve Dean	Fallen trees removal - Birch Easement	26622	\$428.50	100-43135-305	\$428.50
06/09/2011	TSE, INC	City Hall Cleaning 5/3/11	26623	\$20.45	100-41940-305	\$20.45
06/09/2011	League of MN Cities	Deductible - Claim Greeley Sampair	26624	\$250.00	100-41945-310	\$250.00
06/09/2011	City of White Bear Lake Public Work	Lift Stn Mntnc /Water Testing	26625	\$1,211.70	601-43180-305 605-43190-305	\$395.70 \$816.00
06/09/2011	Washington County	Special Assessment Billing	26626	\$594.00	100-41550-305	\$594.00
06/09/2011	Washington County	Assessment Service	26627	\$5,323.85	100-41550-305	\$5,323.85
06/09/2011	TA Schifsky & Sons, INC	Street Mntnc - asphalt	26628	\$64.50	100-43100-305	\$64.50
06/09/2011	Toshiba Business Solutions, USA Inc	Qtrly Mntnc Agreement Fee	26629	\$50.18	100-41420-305	\$50.18
06/09/2011	Xcel Energy	Park Electric May 2011	26630	\$9.95	100-45200-380	\$9.95
06/09/2011	Xcel Energy	City hall Electric May 2011	26631	\$219.11	100-41940-380	\$219.11
06/09/2011	MN Dept of Health Drinking Water	Water Supply Connection Srvc 2nd Qtr Fee	26632	\$562.00	601-43180-300	\$562.00
06/09/2011	League of MN Cities	Annual conference fee - clerk	26633	\$99.00	100-41400-310	\$99.00
06/09/2011	City of White Bear Lake Fire	Fire Srvc - May 2011	26634	\$1,673.16	100-42200-305	\$1,673.16
06/09/2011	City of White Bear Lake Police	Law Enforcement - May 2011	26635	\$7,375.42	100-42100-305	\$7,375.42
06/09/2011	Michael P Scanlan	Refund - Dock Assn Wait fee	26636	\$200.00	210-45100-810	\$200.00
06/09/2011	Steve Dean	Tennis Court - tree removal	26637	\$1,874.69	100-45200-305	\$1,874.69
06/09/2011	Safety Signs	Traffic Control Signs - WWD res. (reimb by contctr)	26638	\$175.00	100-42401-240	\$175.00
06/09/2011	Press Publications	Ordinance Publication (2x)	26639	\$212.25	100-41130-351 100-41130-351	\$99.05 \$113.20
06/09/2011	TSE, INC	City Hall Cleaning 5/17/11	26640	\$20.45	100-41940-305	\$20.45



## City of Birchwood Village

## Disbursements Register

06/09/2011

<u>Date</u>	<u>Vendor Name</u>	<u>Description</u>	<u>Check #</u>	<u>Total</u>	<u>Account #</u>	<u>Amount</u>
06/09/2011	Elfering & Associates	Eng Srvc & Catchbasin Proj- May 2011	26641	\$2,766.50	100-41650-300	\$754.50
					403-41650-300	\$2,012.00
06/09/2011	S&T Office Supplies	Fax Cartridges/Pen/Binder clips	26642	\$120.76	100-41420-200	\$120.76
06/09/2011	Xcel Energy	Lift Stns Electric June 2011	26643	\$590.76	605-43190-380	\$590.76
06/09/2011	Tom Lutmer	Mayor Pay - to Sunday Music Event	26644	\$100.00	100-45100-300	\$100.00
06/09/2011	Eckberg, Lammers, Briggs, Wolff	Legal Service - May 2011	26645	\$66.00	100-41600-300	\$66.00
06/09/2011	On-Site Sanitation Inc	Rental Unit - Park May 2011	26646	\$102.98	100-45200-305	\$102.98
06/09/2011	Metropolitan Council Env. Service	Wastewater Service July 2011	26647	\$3,676.74	605-43190-380	\$3,676.74
06/09/2011	White Bear Re	Tennis Crt Mtn (blow out court)	26648	\$206.64	100-45200-220	\$206.64
06/09/2011	City of Birchwood Village	City Hall - WAtEr/Sewer	26649	\$44.49	100-41940-380	\$44.49
06/09/2011	KEJ Enterprises	Mowing per contract Apr/May 2011	26650	\$640.00	100-45200-305	\$640.00
06/09/2011	KEJ Enterprises	St Sweeping per contract May 2011	26651	\$1,850.00	100-43100-305	\$1,850.00
06/09/2011	HLB TAuges Redpath, LTD	2011 Audit - final due	26652	\$1,428.00	100-41500-301	\$1,428.00
06/09/2011	Postmaster	Stamps - 200	26653	\$88.00	100-41430-200	\$88.00
06/09/2011	Gopher State One Call	Locates May 2011 (41 email)	26654	\$59.45	601-42800-305	\$29.73
					605-42800-305	\$29.72
06/09/2011	Ronnan, Kenny	Videographer - Service May 2011	26655	\$42.00	100-41950-305	\$42.00
06/09/2011	White Bear Lake Fireworks Fund	Annual Contribution - 2011	26659	\$200.00	100-41905-435	\$200.00
06/09/2011	Toshiba Business Solutions, USA Inc	Qtrly Mntnc Agreement Fee	26660	\$50.18	100-41420-305	\$50.18
06/09/2011	Waste Management of WI-MN	Recycle - May 2011	26661	\$909.14	100-44100-305	\$909.14
06/09/2011	Qwest	Phone/Fax lines June 2011	26662	\$107.83	100-41940-321	\$107.83
06/09/2011	Xcel Energy	Street Lights June 2011	26663	\$1,213.32	100-43160-380	\$1,213.32

**Total For Period****\$58,361.71****Total Year To Date****\$273,890.14**

*GENERAL FUND REPORT ONLY*

As of 12/31/2011

**General Fund**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
<b>Receipts:</b>			
General Property Taxes	\$0.00	\$3,248.19	\$3,248.19
Total Acct 310	\$0.00	\$3,248.19	\$3,248.19
Building Permits	\$0.00	\$3,177.00	\$3,177.00
Dog Licenses	\$0.00	\$25.00	\$25.00
Total Acct 322	\$0.00	\$3,202.00	\$3,202.00
Recycle Grant	\$0.00	\$1,678.00	\$1,678.00
Cable Comm. Grant	\$0.00	\$6,772.56	\$6,772.56
Total Acct 336	\$0.00	\$8,450.56	\$8,450.56
City Hall Rent	\$0.00	\$325.00	\$325.00
Total Acct 341	\$0.00	\$325.00	\$325.00
Fines	\$0.00	\$418.63	\$418.63
Total Acct 351	\$0.00	\$418.63	\$418.63
Miscellaneous	\$0.00	\$1,007.98	\$1,007.98
Total Acct 361	\$0.00	\$1,007.98	\$1,007.98
Interest Earnings	\$0.00	\$585.18	\$585.18
Contrib. & Donations-Private	\$0.00	\$600.00	\$600.00
Refunds and Reimbursements	\$0.00	\$1,791.61	\$1,791.61
Total Acct 362	\$0.00	\$2,976.79	\$2,976.79
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$19,629.15</b>	<b>\$19,629.15</b>
<b>Other Financing Sources:</b>			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
<b>Disbursements:</b>			
<b>Publishing</b>			
Printing and Binding	\$0.00	\$90.94	(\$90.94)
Legal Notice Publication	\$2,000.00	\$686.28	\$1,313.72
Total Acct 411	\$2,000.00	\$777.22	\$1,222.78
<b>City Council</b>			
Wages and Salaries	\$2,800.00	\$0.00	\$2,800.00
Total Acct 413	\$2,800.00	\$0.00	\$2,800.00
<b>Clerk - Treasurer</b>			
Wages and Salaries	\$52,855.00	\$16,154.75	\$36,700.25
Federal Tax - Employee	\$0.00	\$3,589.26	(\$3,589.26)
State Tax - Employee	\$0.00	\$1,539.93	(\$1,539.93)
Employer Cont.-Retirement	\$0.00	\$1,633.84	(\$1,633.84)
Retirement - Employee	\$0.00	\$1,399.14	(\$1,399.14)
Medicare - Employer	\$0.00	\$561.54	(\$561.54)
Social Security Employer	\$0.00	\$2,380.19	(\$2,380.19)
Medicare - Employee	\$0.00	\$561.54	(\$561.54)
Soc Security - Employee	\$0.00	\$1,991.70	(\$1,991.70)
Other Pay	\$0.00	\$54.71	(\$54.71)

City of Birchwood Village Interim Financial Report by Object Code (YTD)

06/09/2011

Training	\$0.00	\$509.00	(\$509.00)
Mileage	\$0.00	\$15.81	(\$15.81)
Elections			
Repair & Maint. Supplies	\$470.00	\$0.00	\$470.00
Repair/Maint-Contractual	\$0.00	\$470.00	(\$470.00)
Office Supplies			
Office Supplies	\$0.00	\$1,356.66	(\$1,356.66)
Operating Supplies	\$0.00	\$7.99	(\$7.99)
Office Equipment	\$4,500.00	\$1,953.38	\$2,546.62
Contracted Services	\$0.00	\$168.84	(\$168.84)
Postage/Postal Permits			
Office Supplies	\$0.00	\$504.50	(\$504.50)
Total Acct 414	\$57,825.00	\$34,852.78	\$22,972.22
Financial Administration			
Auditing Services	\$16,000.00	\$15,143.25	\$856.75
Fees	\$0.00	\$136.70	(\$136.70)
Assessing			
Professional Services	\$5,200.00	\$0.00	\$5,200.00
Contracted Services	\$0.00	\$5,917.85	(\$5,917.85)
Total Acct 415	\$21,200.00	\$21,197.80	\$2.20
Legal Services			
Professional Services	\$8,000.00	\$3,424.14	\$4,575.86
Engineer Service			
Professional Services	\$6,000.00	\$2,883.00	\$3,117.00
Total Acct 416	\$14,000.00	\$6,307.14	\$7,692.86
Per Diem			
Other Pay	\$495.00	\$0.00	\$495.00
Total Acct 418	\$495.00	\$0.00	\$495.00
Grants			
Grants	\$0.00	\$200.00	(\$200.00)
City Training & Development			
Training	\$2,540.00	\$1,034.82	\$1,505.18
Transportation	\$900.00	\$0.00	\$900.00
Dues & Subscriptions	\$1,000.00	\$245.00	\$755.00
Grants	\$3,150.00	\$0.00	\$3,150.00
City Hall-Gov't Buildings			
Repair & Maint. Supplies	\$12,000.00	\$777.34	\$11,222.66
Contracted Services	\$0.00	\$257.15	(\$257.15)
Telephone	\$0.00	\$646.09	(\$646.09)
Utility Services	\$5,300.00	\$2,096.55	\$3,203.45
Repair/Maint-Contractual	\$0.00	\$325.00	(\$325.00)
* City Insurance			
Workers Compensation	\$0.00	\$311.00	(\$311.00)
Training	\$0.00	\$250.00	(\$250.00)
Insurance	\$7,600.00	\$0.00	\$7,600.00
Cable Eqpmnt and Service			
Contracted Services	\$0.00	\$563.50	(\$563.50)
Newsletter			
Contracted Services	\$0.00	\$100.00	(\$100.00)
Printing and Binding	\$1,000.00	\$0.00	\$1,000.00
Total Acct 419	\$33,490.00	\$6,806.45	\$26,683.55
Police			
Contracted Services	\$88,500.00	\$31,174.84	\$57,325.16
Total Acct 421	\$88,500.00	\$31,174.84	\$57,325.16
Fire			

*object code provides elements of acct code*

City of Birchwood Village Interim Financial Report by Object Code (YTD)

06/09/2011

Contracted Services	\$20,100.00	\$14,068.06	\$6,031.94
Total Acct 422	\$20,100.00	\$14,068.06	\$6,031.94
Building Inspection			
Small Tools & Minor Equip	\$0.00	\$175.00	(\$175.00)
Contracted Services	\$0.00	\$863.00	(\$863.00)
Fees	\$0.00	\$73.36	(\$73.36)
Total Acct 424	\$0.00	\$1,111.36	(\$1,111.36)
PUBLIC WORKS			
Improv Other than Bldg	\$3,000.00	\$0.00	\$3,000.00
Total Acct 430	\$3,000.00	\$0.00	\$3,000.00
Highways, Streets & Roadways			
Contracted Services	\$21,500.00	\$2,043.50	\$19,456.50
Ice and Snow Removal			
Contracted Services	\$0.00	\$10,093.73	(\$10,093.73)
Tree Care/Inspection			
Contracted Services	\$1,500.00	\$0.00	\$1,500.00
Tree Removal			
Contracted Services	\$4,000.00	\$1,499.75	\$2,500.25
Drainage - Structure Care			
Professional Services	\$0.00	\$1,997.00	(\$1,997.00)
Contracted Services	\$2,000.00	\$0.00	\$2,000.00
Legal Notice Publication	\$0.00	\$117.25	(\$117.25)
Street Signs			
Other Equipment	\$1,000.00	\$0.00	\$1,000.00
Street Lights			
Utility Services	\$13,800.00	\$7,353.17	\$6,446.83
Water Utility			
Refunds & Reimbursements	\$0.00	\$269.90	(\$269.90)
Sewer Utility			
Refunds & Reimbursements	\$0.00	\$269.90	(\$269.90)
Total Acct 431	\$43,800.00	\$23,644.20	\$20,155.80
Sanitation - Recycling			
Contracted Services	\$12,000.00	\$5,454.84	\$6,545.16
Total Acct 441	\$12,000.00	\$5,454.84	\$6,545.16
Lawn Care/Mntnc			
Contracted Services	\$7,000.00	\$0.00	\$7,000.00
Total Acct 450	\$7,000.00	\$0.00	\$7,000.00
Recreation			
Professional Services	\$1,500.00	\$100.00	\$1,400.00
Refunds & Reimbursements	\$0.00	\$200.00	(\$200.00)
Total Acct 451	\$1,500.00	\$300.00	\$1,200.00
Parks			
Wages and Salaries	\$0.00	\$4,254.66	(\$4,254.66)
Federal Tax - Employee	\$0.00	\$11.58	(\$11.58)
State Tax - Employee	\$0.00	\$15.66	(\$15.66)
Medicare - Employer	\$0.00	\$65.68	(\$65.68)
Social Security Employer	\$0.00	\$301.53	(\$301.53)
Medicare - Employee	\$0.00	\$65.68	(\$65.68)
Soc Security - Employee	\$0.00	\$190.58	(\$190.58)
Operating Supplies	\$13,000.00	\$632.32	\$12,367.68
Repair & Maint. Supplies	\$0.00	\$206.64	(\$206.64)
Contracted Services	\$0.00	\$3,029.59	(\$3,029.59)
Utility Services	\$0.00	\$755.05	(\$755.05)
Buildings & Structures	\$0.00	\$801.09	(\$801.09)

**City of Birchwood Village Interim Financial Report by Object Code (YTD)**

**06/09/2011**

Total Acct 452	\$13,000.00	\$10,330.06	\$2,669.94
CONSERVATION - NATURAL RESOURC			
Fees	\$1,609.00	\$0.00	\$1,609.00
Dues & Subscriptions	\$0.00	\$1,609.16	(\$1,609.16)
Total Acct 461	\$1,609.00	\$1,609.16	(\$0.16)
Unallocated Expenditures			
Operating Supplies	\$681.00	\$0.00	\$681.00
Total Acct 492	\$681.00	\$0.00	\$681.00
<b>Total Disbursements</b>	<b>\$323,000.00</b>	<b>\$157,633.91</b>	<b>\$165,366.09</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$31,263.00	
<b>Beginning Cash Balance</b>		<b>\$545,704.05</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>\$376,436.29</b>	

As of 12/31/2011

## General Fund

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
General Property Taxes	\$0.00	\$3,248.19	\$3,248.19
Total Acct 310	\$0.00	\$3,248.19	\$3,248.19
Building Permits	\$0.00	\$3,177.00	\$3,177.00
Dog Licenses	\$0.00	\$25.00	\$25.00
Total Acct 322	\$0.00	\$3,202.00	\$3,202.00
Recycle Grant	\$0.00	\$1,678.00	\$1,678.00
Cable Comm. Grant	\$0.00	\$6,772.56	\$6,772.56
Total Acct 336	\$0.00	\$8,450.56	\$8,450.56
City Hall Rent	\$0.00	\$325.00	\$325.00
Total Acct 341	\$0.00	\$325.00	\$325.00
Fines	\$0.00	\$418.63	\$418.63
Total Acct 351	\$0.00	\$418.63	\$418.63
Miscellaneous	\$0.00	\$1,007.98	\$1,007.98
Total Acct 361	\$0.00	\$1,007.98	\$1,007.98
Interest Earnings	\$0.00	\$585.18	\$585.18
Contrib. & Donations-Private	\$0.00	\$600.00	\$600.00
Refunds and Reimbursements	\$0.00	\$1,791.61	\$1,791.61
Total Acct 362	\$0.00	\$2,976.79	\$2,976.79
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$19,629.15</b>	<b>\$19,629.15</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Publishing	\$2,000.00	\$777.22	\$1,222.78
Total Acct 411	\$2,000.00	\$777.22	\$1,222.78
City Council	\$2,800.00	\$0.00	\$2,800.00
Total Acct 413	\$2,800.00	\$0.00	\$2,800.00
Clerk - Treasurer	\$52,855.00	\$30,391.41	\$22,463.59
Elections	\$470.00	\$470.00	\$0.00
Office Supplies	\$4,500.00	\$3,486.87	\$1,013.13
Postage/Postal Permits	\$0.00	\$504.50	(\$504.50)
Total Acct 414	\$57,825.00	\$34,852.78	\$22,972.22
Financial Administration	\$16,000.00	\$15,279.95	\$720.05
Assessing	\$5,200.00	\$5,917.85	(\$717.85)
Total Acct 415	\$21,200.00	\$21,197.80	\$2.20
Legal Services	\$8,000.00	\$3,424.14	\$4,575.86
Engineer Service	\$6,000.00	\$2,883.00	\$3,117.00
Total Acct 416	\$14,000.00	\$6,307.14	\$7,692.86

**City of Birchwood Villagegerim Financial Report by Account Number (YTD)**

**06/09/2011**

Per Diem	\$495.00	\$0.00	\$495.00
Total Acct 418	\$495.00	\$0.00	\$495.00
Grants	\$0.00	\$200.00	(\$200.00)
City Training & Development	\$7,590.00	\$1,279.82	\$6,310.18
City Hall-Gov't Buildings	\$17,300.00	\$4,102.13	\$13,197.87
City Insurance	\$7,600.00	\$561.00	\$7,039.00
Cable Eqpmt and Service	\$0.00	\$563.50	(\$563.50)
Newsletter	\$1,000.00	\$100.00	\$900.00
Total Acct 419	\$33,490.00	\$6,806.45	\$26,683.55
Police	\$88,500.00	\$31,174.84	\$57,325.16
Total Acct 421	\$88,500.00	\$31,174.84	\$57,325.16
Fire	\$20,100.00	\$14,068.06	\$6,031.94
Total Acct 422	\$20,100.00	\$14,068.06	\$6,031.94
Building Inspection	\$0.00	\$1,111.36	(\$1,111.36)
Total Acct 424	\$0.00	\$1,111.36	(\$1,111.36)
PUBLIC WORKS	\$3,000.00	\$0.00	\$3,000.00
Total Acct 430	\$3,000.00	\$0.00	\$3,000.00
Highways, Streets & Roadways	\$21,500.00	\$2,043.50	\$19,456.50
Ice and Snow Removal	\$0.00	\$10,093.73	(\$10,093.73)
Tree Care/Inspection	\$1,500.00	\$0.00	\$1,500.00
Tree Removal	\$4,000.00	\$1,499.75	\$2,500.25
Drainage - Structure Care	\$2,000.00	\$2,114.25	(\$114.25)
Street Signs	\$1,000.00	\$0.00	\$1,000.00
Street Lights	\$13,800.00	\$7,353.17	\$6,446.83
Water Utility	\$0.00	\$269.90	(\$269.90)
Sewer Utility	\$0.00	\$269.90	(\$269.90)
Total Acct 431	\$43,800.00	\$23,644.20	\$20,155.80
Sanitation - Recycling	\$12,000.00	\$5,454.84	\$6,545.16
Total Acct 441	\$12,000.00	\$5,454.84	\$6,545.16
Lawn Care/Mntnc	\$7,000.00	\$0.00	\$7,000.00
Total Acct 450	\$7,000.00	\$0.00	\$7,000.00
Recreation	\$1,500.00	\$300.00	\$1,200.00
Total Acct 451	\$1,500.00	\$300.00	\$1,200.00
Parks	\$13,000.00	\$10,330.06	\$2,669.94
Total Acct 452	\$13,000.00	\$10,330.06	\$2,669.94
CONSERVATION - NATURAL RESOURC	\$1,609.00	\$1,609.16	(\$0.16)
Total Acct 461	\$1,609.00	\$1,609.16	(\$0.16)
Unallocated Expenditures	\$681.00	\$0.00	\$681.00
Total Acct 492	\$681.00	\$0.00	\$681.00
<b>Total Disbursements</b>	<b>\$323,000.00</b>	<b>\$157,633.91</b>	<b>\$165,366.09</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$31,263.00	
<b>Beginning Cash Balance</b>		<b>\$545,704.05</b>	

Cash Balance as of 12/31/2011

\$376,436.29



As of 12/31/2011

**Special Rev Projects**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Dock Permit Fee	\$0.00	\$8,435.00	\$8,435.00
Total Acct 322	\$0.00	\$8,435.00	\$8,435.00
Interest Earnings	\$0.00	\$0.18	\$0.18
Total Acct 362	\$0.00	\$0.18	\$0.18
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$8,435.18</b>	<b>\$8,435.18</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Recreation	\$0.00	\$600.00	(\$600.00)
Total Acct 451	\$0.00	\$600.00	(\$600.00)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$600.00</b>	<b>(\$600.00)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$7,550.65</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>\$15,385.83</b>	

As of 12/31/2011

**Sewer 2004 Bonds**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$853.14	\$853.14
Total Acct 361	\$0.00	\$853.14	\$853.14
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$853.14</b>	<b>\$853.14</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Bond Payment	\$0.00	\$2,511.47	(\$2,511.47)
Total Acct 471	\$0.00	\$2,511.47	(\$2,511.47)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$2,511.47</b>	<b>(\$2,511.47)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>(\$1,658.33)</b>	

**City of Birchwood Village Financial Report by Account Number (YTD)**

**06/09/2011**

As of 12/31/2011

**Birchwood In Re-hab Bond**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>\$0.00</b>	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

06/09/2011

As of 12/31/2011

Sewer Re-hab 2008 Debt	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Re-hab A&B	\$0.00	\$244.76	\$244.76
Sewer Lift	\$0.00	\$987.82	\$987.82
Total Acct 361	\$0.00	\$1,232.58	\$1,232.58
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$1,232.58</b>	<b>\$1,232.58</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Bond Payment	\$0.00	\$3,994.31	(\$3,994.31)
Total Acct 471	\$0.00	\$3,994.31	(\$3,994.31)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$3,994.31</b>	<b>(\$3,994.31)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>(\$2,761.73)</b>	

As of 12/31/2011

Cap Project - PW

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$76,571.00</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>\$76,571.00</b>	

As of 12/31/2011

<b>Capital Projects</b>	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Interest Earnings	\$0.00	\$579.00	\$579.00
Total Acct 362	\$0.00	\$579.00	\$579.00
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$579.00</b>	<b>\$579.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$30,527.99</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>\$31,106.99</b>	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

06/09/2011

As of 12/31/2011

Cap Proj - Catchbasin

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$0.00	
Disbursements:			
Engineer Service	\$0.00	\$3,605.00	(\$3,605.00)
Total Acct 416	\$0.00	\$3,605.00	(\$3,605.00)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$3,605.00</b>	<b>(\$3,605.00)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$0.00</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>(\$3,605.00)</b>	

City of Birchwood Village Interim Financial Report by Account Number (YTD)

06/09/2011

As of 12/31/2011

**Water Enterprise Fund**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Water Fee	\$0.00	\$17,843.72	\$17,843.72
Penalty - Late Water/Sewer	\$0.00	\$781.34	\$781.34
State & Misc fees	\$0.00	\$822.29	\$822.29
Total Acct 341	\$0.00	\$19,447.35	\$19,447.35
Interest Earnings	\$0.00	\$378.28	\$378.28
Total Acct 362	\$0.00	\$378.28	\$378.28
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$19,825.63</b>	<b>\$19,825.63</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$30,000.00	
Disbursements:			
Engineer Service	\$0.00	\$472.00	(\$472.00)
Total Acct 416	\$0.00	\$472.00	(\$472.00)
Other Protection	\$0.00	\$126.38	(\$126.38)
Total Acct 428	\$0.00	\$126.38	(\$126.38)
Water Utility	\$0.00	\$20,816.38	(\$20,816.38)
Wtr/Swr Emergency	\$0.00	\$22,108.02	(\$22,108.02)
Total Acct 431	\$0.00	\$42,924.40	(\$42,924.40)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$43,522.78</b>	<b>(\$43,522.78)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$15,623.45</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>\$21,926.30</b>	



**City of Birchwood Village Financial Report by Account Number (YTD)**

**06/09/2011**

**As of 12/31/2011**

**Sewer Enterprise Fund**

	<u>Budget</u>	<u>Actual</u>	<u>Variance</u>
Receipts:			
Sewer Fee	\$0.00	\$28,072.15	\$28,072.15
Total Acct 341	\$0.00	\$28,072.15	\$28,072.15
Sewer Re-hab A&B	\$0.00	\$15.00	\$15.00
Total Acct 361	\$0.00	\$15.00	\$15.00
Interest Earnings	\$0.00	\$506.66	\$506.66
Total Acct 362	\$0.00	\$506.66	\$506.66
<b>Total Revenues</b>	<b>\$0.00</b>	<b>\$28,593.81</b>	<b>\$28,593.81</b>
Other Financing Sources:			
Sale of Investments		\$0.00	
Transfers from other Funds		\$1,263.00	
Disbursements:			
Other Protection	\$0.00	\$126.37	(\$126.37)
Total Acct 428	\$0.00	\$126.37	(\$126.37)
Wtr/Swr Emergency	\$0.00	\$937.19	(\$937.19)
Sewer Utility	\$0.00	\$31,045.31	(\$31,045.31)
Total Acct 431	\$0.00	\$31,982.50	(\$31,982.50)
<b>Total Disbursements</b>	<b>\$0.00</b>	<b>\$32,108.87</b>	<b>(\$32,108.87)</b>
Other Financing Uses:			
Purchase of Investments		\$0.00	
Transfers to other Funds		\$0.00	
<b>Beginning Cash Balance</b>		<b>\$171,160.41</b>	
<b>Cash Balance as of 12/31/2011</b>		<b>\$168,908.35</b>	

SECTION I: LIABILITY COVERAGE WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- o *If the city does not waive the statutory tort limits*, an individual claimant would be able to recover no more than \$500,000. on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.
- o *If the city waives the statutory tort limits and does not purchase excess liability coverage*, a single claimant could potentially recover up to \$1,500,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,500,000., regardless of the number of claimants.
- o *If the city waives the statutory tort limits and purchases excess liability coverage*, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

This decision must be made by the city council. **Cities purchasing coverage must complete and return this form to LMCIT before the effective date of the coverage.** For further information, contact LMCIT. You may also wish to discuss these issues with your city attorney.

\_\_\_\_\_ accepts liability coverage limits of \$\_\_\_\_\_ from the League of Minnesota Cities Insurance Trust (LMCIT).

Check one:

- The city **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minnesota Statutes 466.04.
- The city **WAIVES** the monetary limits on tort liability established by Minnesota Statutes 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of city council meeting \_\_\_\_\_

Signature \_\_\_\_\_ Position \_\_\_\_\_

*Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044*



May 10, 2011

The Honorable Alan Mitchell  
Mayor, City of Birchwood Village  
23 Oakridge Drive  
Birchwood Village, MN 55110

Dear Mayor Mitchell:

The National Center for Health Statistics, part of the Centers for Disease Control and Prevention, is conducting a major study of the health of persons living in the United States. Washington County, Minnesota has been selected once again as one of the survey locations during the current National Health and Nutrition Examination Survey (NHANES). The enclosed fact sheet describes the survey that will be used to gather information to assess the health and nutrition status of children and adults and their needs for health care.

During the past 50 years similar surveys have been successfully conducted on various segments of the U.S. population. They have provided us with important data on health conditions and concerns in this country. Data are collected through household interviews and standardized medical examinations in our mobile examination center.

Our personnel will be conducting the survey in Washington County from June 9, 2011 through August 23, 2011. A sample of about 453 people from Washington County will be asked to participate in the survey. Interviewers will be calling on designated households throughout the area. They will obtain the demographic information used to identify and select people for the examination.

We want you to be aware of our current activities so you will be better able to answer any inquiries you receive about the survey. We are informing the appropriate officials of the state and local governments, law enforcement agencies, and medical and dental societies. Before we begin operations, we will send you the addresses and telephone numbers of our field office and mobile examination center. If you have any questions, please feel free to call my office at 1-800-452-6115.

Thank you for your cooperation in this important national research effort.

Sincerely yours,

  
George W. Zipf  
Chief, Operations Branch  
Division of Health & Nutrition Examination Surveys

Enclosure



# National Health and Nutrition Examination Survey, 2011–2012

Overview



U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Centers for Disease Control and Prevention  
National Center for Health Statistics



## Introduction

---

The National Health and Nutrition Examination Survey (NHANES) is a program of studies designed to assess the health and nutritional status of adults and children in the United States. The survey is unique in that it combines interviews and physical examinations. NHANES is a major program of the National Center for Health Statistics (NCHS). NCHS is part of the Centers for Disease Control and Prevention (CDC) and has the responsibility for producing vital and health statistics for the Nation.

The NHANES program began in the early 1960s and has been conducted as a series of surveys focusing on different population groups or health topics. In 1999, the survey became a continuous program that has a changing focus on a variety of health and nutrition measurements to meet emerging needs. The survey examines a nationally representative sample of about 5,000 persons each year. These persons are located in counties across the country, 15 of which are visited each year.

The NHANES interview includes demographic, socioeconomic, dietary, and health-related questions. The examination component consists of medical, dental, and physiological measurements, as well as laboratory tests administered by highly trained medical personnel.

Findings from this survey will be used to determine the prevalence of major diseases and risk factors for diseases. Information will be used to assess nutritional status and its association with health promotion and disease prevention. NHANES findings are also the basis for national standards for such measurements as height, weight, and blood pressure. Data from this survey will be used in epidemiological studies and health sciences research, which help develop sound public health policy,

direct and design health programs and services, and expand the health knowledge for the Nation.

## Survey Content

As in past health examination surveys, data will be collected on the prevalence of chronic conditions in the population. Estimates for previously undiagnosed conditions, as well as those known to and reported by respondents, are produced through the survey. Such information is a particular strength of the NHANES program.

Risk factors, those aspects of a person's lifestyle, constitution, heredity, or environment that may increase the chances of developing a certain disease or condition, will be examined. Smoking, alcohol consumption, sexual practices, drug use, physical fitness and activity, weight, and dietary intake will be studied. Data on certain aspects of reproductive health, such as use of oral contraceptives and breastfeeding practices, will also be collected.

The diseases, medical conditions, and health indicators to be studied include:

- Anemia
- Body composition
- Cardiovascular disease
- Diabetes
- Environmental exposures
- Hearing loss
- Infectious diseases
- Kidney disease
- Nutrition
- Obesity
- Oral health
- Physical activity and physical functioning

- Reproductive history and sexual behavior
- Respiratory disease (asthma, chronic bronchitis, emphysema)
- Sexually transmitted diseases
- Taste and smell

The sample for the survey is selected to represent the U.S. population of all ages. To produce reliable statistics, NHANES over-samples persons 60 and older, African Americans, Asians, and Hispanics.

Since the United States has experienced dramatic growth in the number of older people during this century, the aging population has major implications for health care needs, public policy, and research priorities. NCHS is working with public health agencies to increase the knowledge of the health status of older Americans. NHANES has a primary role in this endeavor.

All participants visit the physician. Dietary interviews and body measurements are included for everyone. All but the very young have a blood sample taken and will see the dentist. Depending upon the age of the participant, the rest of the examination includes tests and procedures to assess the various aspects of health listed above. In general, the older the individual, the more extensive the examination.

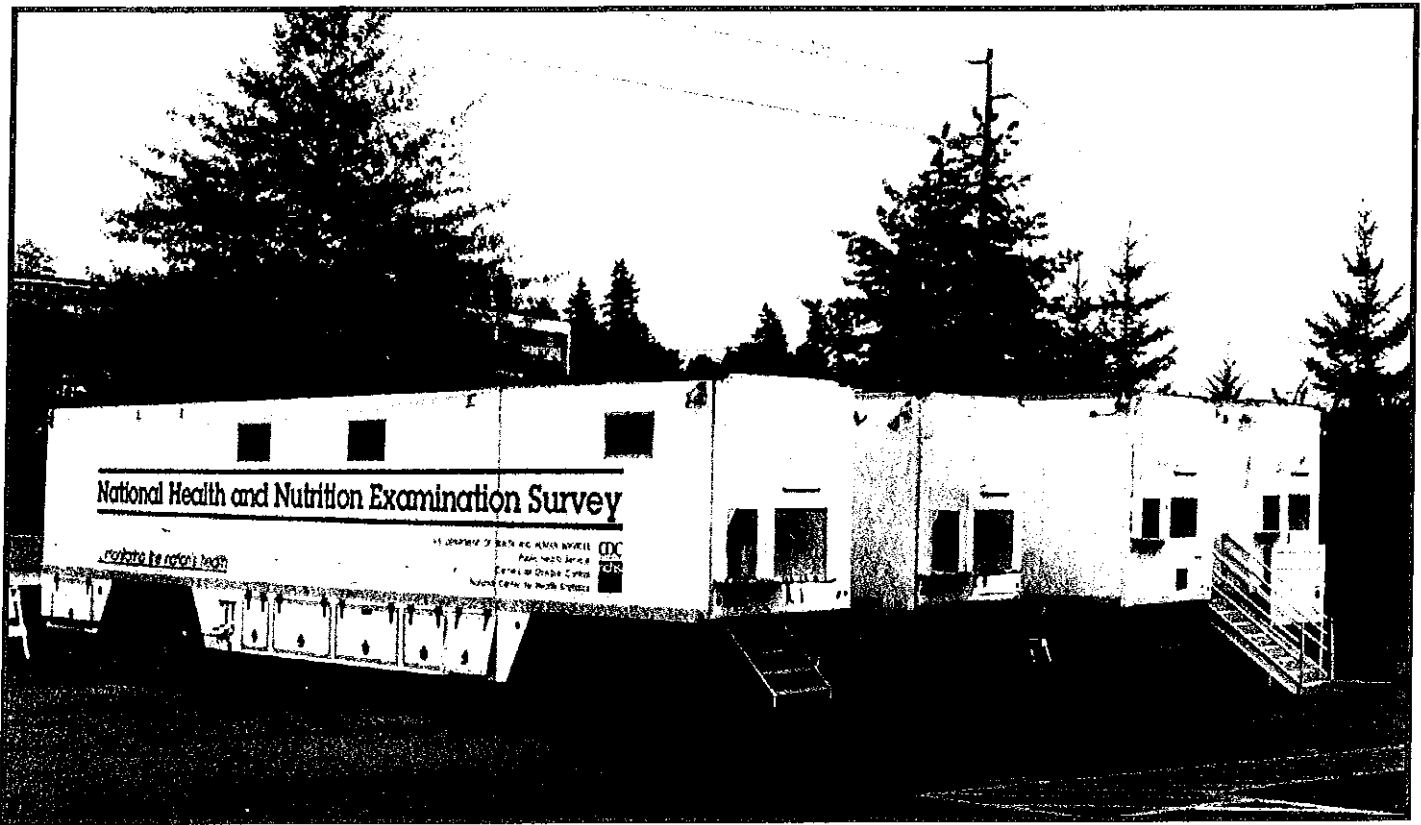
## Survey Operations

Health interviews are conducted in respondents' homes. Health measurements are performed in specially-designed and equipped mobile centers, which travel to locations throughout the country. The study team consists of a physician, a dentist, medical and health technicians, as well as dietary and health interviewers. Many of the study staff are bilingual (English/Spanish).

An advanced computer system using high-end servers, desktop PCs, and wide-area networking collect and process all of the NHANES data, nearly eliminating the need for paper forms and manual coding operations. This system allows interviewers to use notebook computers with electronic pens. The staff at the mobile center can automatically transmit data into data bases through such devices as digital scales and stadiometers. Touch-sensitive computer screens let respondents enter their own responses to certain sensitive questions in complete privacy. Survey information is available to NCHS staff within 24 hours of collection, which enhances the capability of collecting quality data and increases the speed with which results are released to the public.

In each location, local health and government officials are notified of the upcoming survey. Households in the study area receive a letter from the NCHS Director to introduce the survey. Local media may feature stories about the survey.

NHANES is designed to facilitate and encourage participation. Transportation is provided to and from the mobile center if necessary. Participants receive compensation and a report of medical findings is given to each participant. All information collected in the survey is kept strictly confidential. Privacy is protected by public laws.



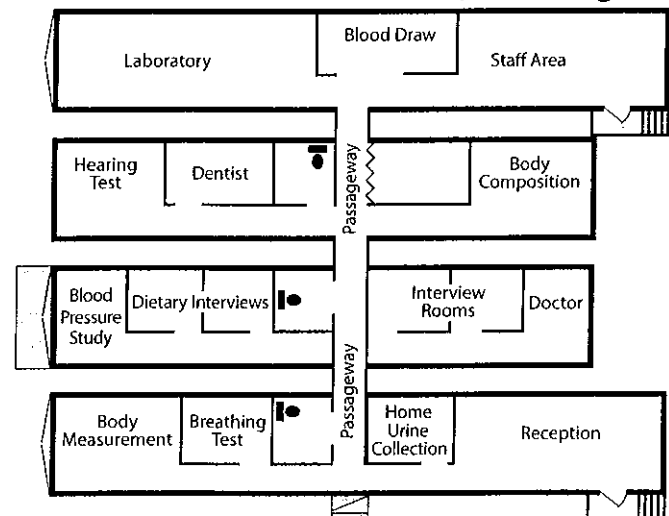
## Uses of the Data

Information from NHANES is made available through an extensive series of publications and articles in scientific and technical journals. For data users and researchers throughout the world, survey data are available on the internet.

Research organizations, universities, health care providers, and educators benefit from survey information. Primary data users are federal agencies that collaborated in the design and development of the survey. The National Institutes of Health, the Food and Drug Administration, and CDC are among the agencies that rely upon NHANES to provide data essential for the implementation and evaluation of program activities. The U.S. Department of Agriculture and NCHS cooperate in planning and reporting dietary and nutrition information from the survey. NHANES' partnership with the U.S. Environ-

mental Protection Agency allows continued study of the many important environmental influences on our health.

Mobile Examination Center (MEC) Diagram



NHANES' record of important accomplishments is made possible by the thousands of Americans who have participated.

- Past surveys have provided data to create the growth charts used nationally by pediatricians to evaluate children's growth. The charts have been adapted and adopted worldwide as a reference standard—and have recently been updated using the latest NHANES figures.
- Blood lead data were instrumental in developing policy to eliminate lead from gasoline and in food and soft drink cans. Recent survey data indicate the policy has been even more effective than originally envisioned, with a decline in elevated blood lead levels of more than 70% since the 1970s.
- Overweight prevalence figures have led to the proliferation of programs emphasizing diet and exercise, stimulated additional research, and provided a means to track trends in obesity.
- Data have continued to indicate that undiagnosed diabetes is a significant problem in the United States. Efforts by government and private agencies to increase public awareness, especially among minority populations, have been intensified.

These are just a few examples of what survey findings have meant. The current program promises continuing contributions and some new initiatives.

- Information collected in this survey will help the Food and Drug Administration decide if there is a need to change vitamin and mineral fortification regulations for the Nation's food supply.
- National programs to reduce hypertension and cholesterol levels continue to depend on NHANES data to steer education and preven-

tion programs toward those at risk and to measure success in curtailing risk factors associated with heart disease, the Nation's number one cause of death.

- Measures of lung function will further our understanding of respiratory disease and better describe the burden of asthma in the United States.

Because NHANES is now an ongoing program, the information collected contributes to annual estimates in topic areas included in the survey. For small population groups and less prevalent conditions and diseases, data must be accumulated over several years to provide adequate estimates. The new continuous design also allows increased flexibility in survey content.

Results of NHANES benefit people in the United States in important ways. Facts about the distribution of health problems and risk factors in the population give researchers important clues to the causes of disease. Information collected from the current survey is compared with information collected in previous surveys. This allows health planners to detect the extent various health problems and risk factors have changed in the U.S. population over time. By identifying the health care needs of the population, government agencies and private sector organizations can establish policies and plan research, education, and health promotion programs that help improve present health status and will prevent future health problems.



For more information about the National Center for Health Statistics contact:

National Center for Health Statistics  
Information Dissemination Staff  
3311 Toledo Road, Room 5320  
Hyattsville, MD 20782

Telephone: 1-800-232-4636

E-mail: [cdcinfo@cdc.gov](mailto:cdcinfo@cdc.gov)

Internet: <http://www.cdc.gov/nchs>

For more information about the National Health and Nutrition Examination Survey  
you may visit the NHANES web site at: <http://www.cdc.gov/nhanes>

4

**SmartZone Communications Center**

bwclerk@comcast.net

± Font size ±

---

## Local Assessor Reinstatements

---

**From :** Deb Volkert (MDOR) <deb.volkert@state.mn.us> Tue May 24 2011 5:11:28 PM  
**Subject :** Local Assessor Reinstatements  
**To :** bwclerk@comcast.net

Mr. Powers,

Here is the explanation of local assessor reinstatements as we discussed on the phone earlier this afternoon:

### Local Assessor Reinstatement (05/24/2011)

A vacancy in the office of a local assessor that occurs after June 1, 1995, and that lasts for 90 days or more, results in the office being terminated (273.05).

If the office of a local assessor was terminated for the above reason, it can be reinstated, with the approval of the commissioner and subject to several limitations, under the provisions in Minn. Stat. § 270C.99.

However, in order for the commissioner to grant the reinstatement of the office of local assessor that was terminated for a 90-day-plus vacancy, under the provisions of Minn. Stat. § 270C.99, the commissioner must first make certain factual determinations.

First, under Minn. Stat. § 270C.99, the commissioner can only grant approval to reinstate the office of local assessor if the county is not under the "true county" system.

Second, the commissioner must determine that the local unit is authorized to have its own assessor, either because of: (i) a "yes" election that the unit made in the 1970's; or, (ii) because of a reinstatement approved by the commissioner after the '70's but before June 2, 1995, under the provisions of the now-repealed § 270.494.

If the office is one that can be reinstated, as explained in the prior three paragraphs, the commissioner must make a determination of whether or not it is reasonable and in the public interest to grant approval for the reinstatement. The commissioner must make that determination based on the facts and the laws that the commissioner is aware of at the time of the decision.

.....  
MINNESOTA • REVENUE

Deb Volkert  
Assistant Director

**AGREEMENT TO PROVIDE MUNICIPAL APPRAISAL SERVICES  
FOR THE CITY OF BIRCHWOOD VILLAGE  
WASHINGTON COUNTY, MINNESOTA**

**and  
TODD W. SMITH D/B/A SMITH APPRAISAL SERVICE**

This AGREEMENT is made this 29th day of August, 2010, by and between the City of Birchwood Village, Minnesota ("City"), and Todd Walter Smith d/b/a Smith Appraisal Service ("Smith").

WHEREAS Smith is a Certified Residential Assessor licensed by the State of Minnesota Board of Assessors, with license number 1857; and

WHEREAS the City has 426 parcels of property subject to tax assessment;

WHEREAS the City desires to contract with Smith for municipal assessment services and to be appointed and act as the City Assessor;

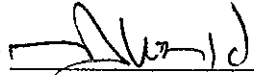
NOW, THEREFORE, the City and Smith hereby agree as follows:

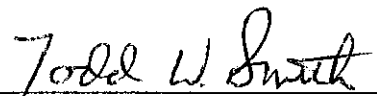
1. Smith is appointed to the position of City Assessor for the City and shall perform all assessment services required by state statute and the City.
2. Smith is deemed to be an independent contractor for the purposes of this appointment. Smith agrees that he is not an employee of City. City will NOT withhold any taxes, social security, FICA, or any other withholdings from its payments to Smith. Smith shall be solely responsible for calculating and paying all state and federal income taxes, social security, FICA, and any other taxes or withholdings. City shall NOT pay, and Smith shall NOT be entitled to any health insurance, life insurance, pensions, retirement accounts, or any other fringe benefits not enumerated herein.
3. Smith's appointment shall commence on July 1, 2011, and shall run for a term of five (5) years until June 30, 2016.
4. Smith shall be compensated by the City at a rate of \$11.50 per parcel, for a total annual contact price of \$4,899.00. Each subsequent contract year, the City shall pay Smith no more than the original contract price plus any cost of living adjustment as determined by the percent change in the level of the Consumer Price Index for all urban consumers (CPI-U). Other increases shall not accrue unless mutually agreed upon by the parties.
5. Smith's services shall be billed quarterly starting October 1, 2011. Smith agrees to submit an invoice requesting payment at least 30 days before the due date of the upcoming payment, and agrees to include an activity report with each invoice to inform the City of his activities.
6. Smith shall maintain Errors & Omissions insurance in the amount of \$1.0 million, as well as appropriate vehicle and property insurance policies. Smith shall provide to the City copies of proof of insurance. Smith shall direct the insurance companies providing these coverages to remit any and all changes to these policies to the City.
7. Smith agrees to provide the contracted services in accordance with commonly accepted appraisal standards and will maintain appropriate licensures and certifications with the State of Minnesota. Failure to maintain said license shall immediately void this Agreement.


8. Smith represents that he is knowledgeable about Washington County's mass appraisal systems, shall provide his services in a competent manner, and agrees that failure to comply or complete said assessment according to Washington County requirements will void this Agreement.
9. Smith will be responsible for physically inspecting and determining the valuation of every parcel of assessable property in the City. Said inspections are to be conducted on a five-year rotation, with 20% of the properties physically inspected in any one year.
10. Smith shall not assign or delegate contracted work to another assessor, employee, or subcontractor without prior approval of the City, except that clerical work that does not require a Minnesota Certified Residential Assessor license may be performed by an employee of Smith.
11. Smith agrees, as part of this Agreement, to attend and conduct the annual Board of Appeal meeting; conduct property reviews recommended by the Board of Appeal; attend the annual County Board of Equalization meeting; testify on behalf of the City at court appearances, hearings or judicial or quasi-judicial procedures; and any other such activity required to accurately assess all of the parcels within the City of Birchwood Village. Such services shall be included in the annual fee noted above.
12. This Agreement may be terminated with cause by either party upon sixty (60) days written notice.
13. The City may immediately terminate this agreement with Smith in the event Smith fails to properly perform the required functions under this Agreement, or engages in malpractice, theft, illegal activity, or other misconduct relating to the performance of his duties. Smith may terminate this agreement with the City in the event the City fails to timely pay Smith for his services as set forth herein.
14. The prevailing party in any dispute arising under this agreement shall be entitled to recover all costs, including reasonable attorneys' fees, incurred in resolving such dispute.
15. This written agreement constitutes the entire agreement between the parties and may only be modified in a writing signed by both parties. This Agreement shall be construed under the laws of the State of Minnesota.

**City of Birchwood Village:**

**Todd W. Smith  
d/b/a Smith Appraisal Service:**

Mayor:  10/11/10  
Mary Wingfield

  
Todd Smith

Clerk:  10-11-10  
Dale Powers

# PROPOSAL

## KEJ Enterprises

611 Florence Ave  
Mahtomedi, Minn 55115  
(651) 775-0843 FAX (651) 695-3785 Ken Johnson

TO **City of Birchwood**  
207 Birchwood Ave  
Birchwood, Minn 55110  
(651) 426-3403

We hereby submit specifications and estimates for;

Mowing of Tighe-Schmitz park/ baseball field **every week** for 7 months from approximately April 15<sup>th</sup> 2011 thru Nov 15<sup>th</sup> 2011.

Mowing of Wildwood Ave center island, city hall, tennis court area, Birch, Elm, Kay and Dellwood easements **every other week** from April 15<sup>th</sup> thru Nov 15<sup>th</sup>.

Spring and fall clean-ups at above areas.

Above duties will be billed at \$4480.00 payable in 7 monthly payments of \$640.00.

Additional park work (weed spraying, tree removal/trimming, ect..) will be billed out at \$45.00 per hr and will be at the request of City Hall, City Clerk or Barb Carson (park commissioner).

Payment to be made as follows;

Billed end of month, payment due by 15<sup>th</sup> of month

**Acceptance of Proposal:** The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature [Handwritten Signature] 11/11/10 city (manager)

Per Council Action  
11/4/10

Signature [Handwritten Signature] KEJ ENTERPRISES contractor

Date \_\_\_\_\_