***City of Bertha***

***Regular Meeting of the City of Bertha***

***Held at the Bertha Community Center***

***November 12, 2019***

***Members Present:*** Mayor K. Nelson, Members Olson, Captain, Bowman and D. Nelson

***Staff Present:*** Clerk Umland and Public Works Templin

***Guest Present:*** Russ Vandenheuvel, Pete Wallner, Marv Stokes, Ken Ashbaugh, Dennis Zimmerman,

 Dean & Donna Klebs, Trinity Gruenberg, Steven Peterson, Medley Shamp, Jenna Anderson, Tom Mayfield (National Healthcare Capital), Kim Aagard & Joel Beiswenger (Tri-County Hospital) Bryan Lashinski and Zach Johnson.

***Declaring a quorum, Mayor K. Nelson called the meeting to order at 6:00 p.m. and the citizens recited the Pledge of Allegiance.***

***3. Unscheduled Public Appearance:***

An opportunity for members of the public to address the City Council on items not on the current agenda. Items requiring Council action may be deferred to staff or committee for research and future agenda, if appropriate.

 There were no citizen concerns at this time.

***4. Communications Reports***

 ***A. Review the enterprise reports for October –*** no questions

 ***B. Fire/Ambulance Reports –*** Chief Wallner informed the council that Tyler Hoffman was accepted on the department at their last meeting.

 Zach Johnson, treasurer of the Bertha Fire Relief Association, requested that the annual benefit level be increased to $1.900.00, currently the level is $1,500.00. The auditor provided the department with a draft copy with benefit levels at $1,700, $1,800 and $1,900 for the council to review. The council will each be provided a draft copy prior to approval at the next meeting. Currently, firefighters accrued $1,500 a year toward their retirement fund, which can’t be withdrawn at all until 10 years of service, with full retirement being available at 20 years of service. At the end of a firefighter’s service, they can either take the retirement as a lump sum cash payout or roll it into their personal retirement account. The increase covers all of a current firefighter’s years of service, so if one was to retire at 20 years, they would receive 20 years of retirement at the last approved annual amount. Approval for the raise is needed because it provides a safety net for the fund. A city council can choose to approve or not approve a relief association’s proposed benefit change. In approving benefit levels, the city council assumes responsibility for ensuring the association special fund has sufficient assets to cover benefit levels. Ambulance Chief Vandenheuvel will form a committee to gather information for purchasing a new ambulance rig. Clerk Umland will contact Sourcewell and check into what they have available under contract purchasing for a new ambulance.

 ***C. Law Enforcement –*** Todd County Sheriff Department provided an October activity report that summarizes the calls received in his department during the month. The monthly report showed the following violations for Bertha: 1-alarm, 3-ambulance, 1-animal, 2-gas drive-offs, 1-public assist, 2-thefts/burglary, 1-traffic stops, 4-ordinance violations and 12- misc. calls.

 ***D. Public Works Report –*** Mr. Templin supplied the council with his October activity report that summarizes the work done in his department during the month. Mayor Nelson informed Mr. Templin that the shoulders on 1st Avenue NW need to be filled in. Mr. Templin stated that Wagner Construction responded that they have received the letter alerting them of the issue about the sanitary sewer on Hwy 24.

 ***E. Clerk’s Overview –*** for review of the monthly agenda

***5. Consider Business Items***

 ***A. Drug & Alcohol Policies –Consortium Agreement***

***RESOLUTION No. 2019-32***

***Member Bowman introduced the following resolution and moved its adoption:***

Resolution adopting the City of Bertha Drug & Alcohol Testing Policy for only employees that drive DOT permitted vehicles. A complete copy of the resolution is contained in the City Council minute book. Federal law requires the City to implement such a policy. To ensure this policy is clearly communicated to all drivers, in order to comply with applicable federal law, drivers are required to review this policy and sign the “Certificate of Receipt” portion which is filed in their personnel file.

The motion for the adoption of the foregoing resolution was duly seconded by member Deb Nelson, and the motion passed unanimously.

At the present time, the policy pertains only to the Public Works Supervisor. Now that the policy is adopted the city must join a drug & alcohol testing consortium substance abuse prevention program for commercial drivers. The consortium that the city will join is MMUA. The annual fee to be a member is $159.00. There is also a $50.00 one-time fee to join the Consortium. Also, an annual fee of $31.00 for individuals in the random testing pool. For future years, the $50.00 fee goes away.

 ***B. Tri-County Healthcare Project – Resolution 2019-37 See approval of this resolution following the closing of the public hearing.***

 ***C.*** Councilmember D. Nelson introduced the following resolution and moved for its adoption:

***Resolution 2019-36***

***A Resolution Revising change in Municipal Rates for Water/Sewer Enterprise Funds***

*The Bertha City Council authorizes the increase in water/sewer rates bi-monthly as follows:*

***Base Rate for Water $15.00***

 ***Base Rate for Sewer $35.00***

 ***Water per thousand gallons - $3.25***

 ***Sewer per thousand gallons of water used - $10.35***

 ***Public Authority – Irrigation rate - $1.75 per thousand gallons***

***The new rates will go into effect on the first billing of 2020 and continue until repealed.*** Member Captain seconded the foregoing resolution and the following vote was recorded. Ayes: All members

Whereupon the Mayor declared this resolution duly passed and adopted.

***6. Consider the Consent Agenda – action required***

 ***Note: The Consent Agenda list those items of business which are considered to be routine which need no discussion. Consent items are acted upon by one motion. If discussion is desired by council, that item may be removed to an appropriate section of the regular agenda for discussion.***

Mayor K. Nelson asked if there were any additions, deletions, or corrections to be made to the Consent Agenda. Motion by D. Nelson, seconded by Member Bowman to approve the consent agenda as presented. Carried. The consent agenda included the following items:

1. Approval of the October 14, 2019 Regular Council Minutes
2. Approval of the October Disbursements & Authorize Issuance in accordance with the list provided including all electronic payments.
3. Review Bank Correspondence – Bank Statement & Investment Report
4. To approve Resolution 2019-27 designating Bertha Community Center as 2020 polling place for the City of Bertha. Legislative changes to Minnesota Statute 204B16 require all municipalities to designate polling places for each precinct by December 31st each year for the next calendar year.
5. Resolution 2019-33 appointing election judges for March 3, 2020, August 11, 2020 and the November 3, 2020 General Election and to authorize substitutions or additions to be made to the election judges staffing as deemed necessary.
6. Consider Resolution 2019-38 – the City Council hereby approves this resolution and does not waive the monetary tort limits on liability established by Minnesota Statutes, Section 466.04.

7. ***Committee Report***

 ***A.*** Mayor K. Nelson & Member D. Nelson will meet with the employees to discuss 2020 wages prior to the December meeting.

***8. Correspondence/Meeting/Conference***

 ***A.*** A thank-you note was received from Todd Soil & Water for donating $100.00 to go towards the Enviro-Fest held last fall.

The regular meeting was closed at 6:25 p.m. and the public hearing opened at 6:30 p.m.

Summary: The City of Bertha received a request from Tri-County Healthcare Hospital that the city issue revenue bonds, in one or more series, in an amount not to exceed $81,000,000 to finance the following: A. acquisition, construction and equipping an approximately 120,000 square foot critical access hospital and clinic facilities located at 63835 Highway 10, Wadena, MN; and the renovation of the existing hospital and clinic facilities located at 415 Jefferson Street, Wadena, MN. B. Refinancing the existing bonds. C. financing capitalized interest; and 4. Paying costs associated with the issuance of the Note.

Thomas Mayfield (representing NHC LLC) discussed bonding with Tri-County Healthcare. These bonds would be for the construction phase which will be completed by 2022. TCHC has a chance to finance their project and use the city as a conduit issuer to improve their interest rate. Under Minnesota Statutes, Chapter 462C the City has the authority to issue revenue bonds to finance the Tri-County Healthcare Project. The proceeds of the Bonds would be loaned by the City to Tri-County Healthcare to finance their project. Tri-County Healthcare will be required to pay all direct and indirect expenses and fees of the City and indemnify and hold the City harmless against any liability related to the issuance of the Bonds. In issuing the Bonds, the City would be acting as a “conduit” to permit the interest on the Bonds to be exempt from federal income taxation. The issuance by the City of revenue bonds of this type would not affect the credit rating of the City, and the Bonds will not count against the City’s debt limit. Conduit revenue bonds that count against the $10 million limit are for qualified 501(c) (3) organizations under Section 145 of the Internal Revenue Code issued for nonprofit organizations such as a hospital. The purpose of the public hearing was explained by Mr. Mayfield, the nature of the proposed Bonds was discussed, and all persons present who desired to do so were afforded an opportunity to express their views with respect to the proposal to issue the Bonds. The following citizens expressed their views and had questions for Mr. Mayfield to answer: Russ Vandenheuvel, Dean Klebs, Ken Nelson, Dennis Zimmerman and Steve Peterson.

Once Mr. Mayfield presentation was done, then Joel Betswinger gave a report on the status of the clinic. He stated, “We have to function as a business”. The clinic has seen decline in visits over the past few years. “We have a pretty simple goal. We want all our clinics to be successful. They want to provide health care and contribute to Bertha’s economy. Mayor Nelson gave a brief presentation about keeping the clinic open. We must encourage the community to support our clinic. This keeps the town going. It’s a reason to get people to come to town. He added a new hospital would benefit the people of the community for health care and for the members of the community that work there.

After all persons who wished to do so had the opportunity to state their views on the proposal, the Mayor declared the public hearing to be closed.

 The following resolution was introduced by Member D. Nelson and seconded by Member Bowman.

**Resolution 2019-37**

**Resolution Approving, on a Preliminary Basis,**

**Financing for a Project of Tri-County Hospital, D/B/A**

**Tri-County HealtCare**

 **All present voted in favor of the resolution, none in opposition thereto. The Mayor declared the resolution passed and adopted. The complete resolution is on file at the City Clerk’s office if wishing to review it.**

***9. Adjournment***

There was no further business to come before the City Council. Member D. Nelson moved; Member Bowman seconded the motion to adjourn. With all members present in favor, motion was carried. The meeting adjourned at 7:10 p.m. Carried.