

MINUTES OF A REGULAR CITY COUNCIL MEETING HELD WEDNESDAY, JULY 15, 2009 - 6:00 P.M. – ROCKVILLE CITY HALL.

The meeting was called to order by Mayor Jeff Hagen. Roll Call was taken and the following members were found to be present: Mayor Hagen, Council Members: Bill Becker, John Koerber, Susan Palmer, Jerry Schmitt, Randy Volkmuth & Duane Willenbring. Absent: None.

Staff members present were: Administrator/Clerk Rena Weber.

Others present were: Pat Grelson, Jim, Lonnie & Mike Voigt, David Shay, Linda Brown, Chuck Wocken, John Peck, Sharon Sponheim, Sgt. Jon Lentz, Mike Hofmann, Toni Honer, Rebecca Kissner, Ev Balko, & Tудie Hermanutz.

ADDITIONS TO THE AGENDA – Motion by Member Volkmuth, second by Member Palmer, to approve the additions to the agenda for discussion purposes.

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring
Motion passed on a 7 to 0 vote.

OPEN FORUM

None

CONSENT AGENDA

Motion by Member Palmer, second by Member Willenbring, to approve the consent agenda as presented:

- a) Approve minutes of 06/17/09
- b) Approve Treasurer's Report of 07/15/09
- c) Approve List of Bills and Additions of 06/18/09 – 07/15/09

Accounts Payable CK #011292 to 011390	\$720,040.88
Payroll CK #003492 to 003530	16,819.21
EFT#000227 to 000239	8,133.02
- d) Certify 2 unpaid utility bills to tax roll

Parcel 76.41741.0014	\$ 172.18
76.41741.0004	280.29

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring
Motion passed on a 7 to 0 vote.

BOARD/STAFF REPORTS

POLICE DEPARTMENT – Sgt. Jon Lentz was present at the meeting to report there were 42 contract hours during the month of June. Sgt. Lentz cited the activity.

Member Koerber voiced concern regarding the speeding on Lake Road. This is a real problem and they need someone patrolling it more. Some vehicles reach 50 - 60 miles per hour. There were almost two head on collisions recently (on the hill). Member Koerber would like to have an officer one hour per day patrol Lake Road. Also there should be "No Parking" on one side of the road.

Member Palmer suggested speed bumps be installed. Sgt. Lentz indicated the city would have to investigate this with the city attorney.

Member Koerber reported that he was at the Graniteman Triathlon event and that the Explorer's who did crowd control were well respected.

PLANNING COMMISSION – Planning Commission Chair Toni Honer reported on the following:

PUBIC HEARINGS

DOG ORDINANCE – Mayor Hagen announced that a public hearing would now convene to consider adoption of Ordinance No. 2009-59 –Regulating Dogs in the City of Rockville.

Rena Weber reported that the Planning Commission reviewed the comments submitted by Sara Grachek and they were incorporated in the updated ordinance. Rena Weber had also submitted the updated ordinance to Sgt. Lentz for his comments which are provided in the highlighted yellow portion of the document.

Toni Honer reported the Planning Commission agreed with the comments of Ms. Grachek and incorporated them. She informed the council that she received a few calls regarding Section 91.03 and that it should apply to the whole city. You may have dogs coming into the core city so they still are in the city.

Member Schmitt asked if the dog would be easier to handle with a collar on. Sgt. Lentz indicated they would be easier to handle, but that the Sheriff's Department can work with the ordinance as proposed. In regards to the concern in 91.09 of dog's that cannot be impounded, putting a dog down is the last step they take.

Motion by Member Volkmuth, second by Mayor Hagen, to close the public hearing at 6:14 p.m.

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

Member Palmer introduced the following ordinance and moved for its adoption:

ORDINANCE NO. 2009-59

AN ORDINANCE REGULATING DOGS IN THE CITY OF ROCKVILLE, MN

(A complete of the ordinance is hereby attached and marked Exhibit A)

The motion was duly seconded by Member Willenbring with the following vote being taken:

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

ORDINANCE NO. 2009-61 AMENDING REGULATIONS FOR WIND ENERGY CONVERSION SYSTEMS – Mayor Hagen announced that a public hearing would now be held to consider an amendment to the WECS ordinance.

Chair Honer reported that the Planning Commission reviewed the issue of storage of batteries and that this comes under the state electrical regulations and is not something the city needs to cover by ordinance.

In regards to the question raised by Member Palmer about the 5 acre rule and allowing WECS in the Shoreland by granting a CUP. This would still have to go through the process. You can't take away the right to apply for a CUP.

Member Willenbring indicated that if we do go ahead with not allowing WECS in the Shoreland then he would not be in favor of it.

Rena Weber explained that the current ordinance allows WECS in the Shoreland by applying for a CUP and the Planning Commission does not want to allow WECS in the Shoreland District at all so that would change Subdivision 4 District Regulations "Shoreland Residential Management R-1 to "Not permitted".

Toni Honer agreed that as to allowing wind towers in the Shoreland District the Planning Commission does not want to see it in the Shoreland area at all. They spent two years working on the Shoreland Ordinance.

Member Willenbring asked what encumbrance is this to developing?

Mayor Hagen responded that people feel wind turbines are an obtrusive or unsightly structured and should really be allowed in rural areas or in concentrated industrial areas.

Member Willenbring stated that we may be depriving people of their property rights.

Member Schmitt questioned if the ordinance allows for a vertical windmill? Toni indicated that she would have to see it first.

Mayor Hagen questioned the setback distance of 500'. Rena Weber reported this is shown on page 4 under Asterisk * The setback from any residential district shall not be less than 500'

Mayor Hagen indicated that this should say property line instead of residential district.

For the record this was the motion adopted on 5/20/09 - *Motion by Mayor Hagen, second by Member Palmer to approve the ordinance and to amend it to include a setback from non-permitted districts (R-1, R-2, B1, & B2, SRM) or where a conditional use permit is needed requires a 500' setback from the property line. Also, in general, a minimum of 5 acres is needed with CUP approval where it is not permitted in Residential areas. Further this should be sent back to the Planning Commission to research these two issues.*

Charles Grell – 21096 Fowler Road, stated that he knows the council is trying to do the best they can. He has studied this for the past three years. Houses will blow over before a tower will come down. A tower is designed to take on a 150 mph wind. That is the way they are designed. They just don't come down. They are engineered not to. There is 1/8 the concrete put in for a tower as opposed to a house. That means you could not put it on 5 acres.

Mayor Hagen indicated that there is also a concern of noise and the looks.

Charles Grell indicated at that point it becomes a personal issue. He is fighting for something the President is after. You pretty much have it down to making it hard to put one anywhere. The best wind is around a lake area. This is information he learned over the years. If his neighbors don't mind him putting one up then it should be okay. If not you are overstepping your bounds.

Mayor Hagen reported the city has to look at the land use aspect. How can we allow people to put up a wind tower and tell others they have to match their siding on their garage to their house. There is some consistency. We are trying to protect other people's rights too.

Charles Graft indicated that some day it is going to come down to not being able to breath.

Member Koerber indicated his wind turbine must be different from the one he has heard because he was 500 to 1000 feet away.

Tudie Hermanutz – 211 1st St. West agrees with Mr. Grell. 5 acres already covers anything that could be harmed, we don't have to restrict any more. Allow people to work on this.

Motion by Member Volkmuth, second by Member Willenbring, to close the public hearing at 6:37 p.m.

***AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring
Motion passed on a 7 to 0 vote.***

Rena Weber reported that Stearns County ordinance uses 200' or 1.1 the height of the tower whichever is greater.

Member Volkmuth stated he was okay with the way it is set up, but wants to see each application through a CUP. It has to be looked at with an open mind because this is the way of the future. It is a different avenue of energy.

Member Palmer stated the one of the concerns is noise and how will it be measured. Rena Weber reported that we go by State Rules 7030 and Stearns County has equipment that we can use.

Member Willenbring indicated that the noise decibels have to be decided in the design stage or it will be a real problem after it is up.

Chuck Grell indicated that the tower has to meet Stearns County standards first.

Member Palmer asked if the Planning Commission looked at allowing towers in the Shoreland District specifically.

Rena Weber reported that Stearns County allow wind turbines under 40 KW in the Shoreland.

Discussion was also held regarding the setback from dwelling not just structure.

Motion by Member Becker to amend the ordinance to NOT allow wind turbines in the Shoreland District.

Motion died for a lack of a second.

Member Palmer asked if the Planning Commission looked at what other cities/counties have done in the Shoreland. This needs to be done.

Member Becker stated that we spent a year & ½ on the Shoreland Ordinance. If we start allowing changes it is going to be weakened.

Member Volkmoth stated that not everybody is agreeing to it being so restrictive and we are not hurting the Shoreland.

It was determined to keep the ordinance the same.

KISSNER CONDITIONAL USE PERMIT: Planning Commission Chair Toni Honer reported the Planning Commission considered the request of Kevin H & Rebecca L Kissner for a **Conditional Use Permit** for New Single Family Dwelling Requirements. The address of the property is: 23301 93rd Ave. St. Cloud, MN 56301 with a legal description of: See below.

SECTION 24 Subdivision 3: Conditional Uses (17) reads:

1. New Single Family Dwellings as provided for below:
 - a. New single family dwellings at a maximum density of one per Forty (40) acres on platted lots recorded after April 16, 2003 and that meet minimum lot size requirements in this Ordinance as well as the requirements of Subdivision 6 of this Section 24.
 - b. With the exception of construction upon platted lots of record existing as of April 16, 2003, no more than four (4) conditional use permits for single family dwellings will be issued in any calendar year.

The request is to construct a single family dwelling in the **SP-1 SPECIAL PROTECTION DISTRICT**.

KISSNER STAFF REPORT 7/8/09

RE: SITE PLAN APPROVAL

76.41627.0014 Owners: Kevin H & Rebecca L Kissner
Property Address: 23301 93rd Ave, St. Cloud, MN 56301

RELEVANT INFORMATION

1. Property is zoned SP-1
2. Property is 40.02 acres approximately.
3. Kevin & Rebecca hope to build a single family dwelling with a barn attached to the house. This was approved by the building official already.
4. The parcel was not a lot of record on 4/16/03.
5. This is the first request for a CUP for 2009.
6. The neighboring feedlot has been identified.

RECOMMENDATION

1. Approve as presented.

Zoning Administrator Rena Weber reported the following written/oral report:

- ◆ The Building Official Ron Wasmund –“The owner of the land is looking to build a garage and horse stable with a living quarter attached. We can make it work from Building Code perspective but need to have the zoning reviewed before we go any further with a plan review.”
- ◆ Stearns County Environmental Greg Bechtold regarding the wetland impact-“2000 square feet of impact to a type 2 wetland is the maximum allowed in Stearns County without an approved Wetland Replacement Plan. If the driveway is less than 30-feet wide from toe of slope to toe of slope of the driveway and the driveway is installed as shown on the sketch, the wetland impact will be less than 200-square feet.”
- ◆ Stearns County Environmental Becky Von Holdt provided a map showing the feedlot-related setbacks.

The Planning Commission recommends approval of the request.

***Member Palmer introduced the following resolution and moved for its adoption:
RESOLUTION NO. 2009-14***

RESOLUTION GRANTING A CONDITIONAL USE PERMIT

WHEREAS, a request has been received from Kevin H & Rebecca L Kissner for a conditional use permit to construct a single family dwelling in the SP-1 District, and;

WHEREAS, The address of the property is: 23301 93rd Avenue, St. Cloud, MN with a legal description of: That part of the East Half of the Southeast Quarter of Section 15, Township 123, Range 29, Stearns County, Minnesota, described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 88 degrees 28 minutes 52 seconds East, assumed bearing along the south line of said Southeast Quarter a distance of 298.08 feet to the east line of the West 298.00 feet of said Southeast Quarter; thence North 00 degrees 10 minutes 48 seconds West along said east line, a distance of 200.05 feet to the north line of South 200.00 feet of said southeast Quarter; thence North 88 degrees 28 minutes 52 seconds East along said north line, a distance of 1280.95 feet to the west line of the East 1100.00 feet of said East Half of the Southeast Quarter, also being the point of beginning; thence North 00 degrees 19 minutes 44 seconds East along said west line, a distance of 1762.55 feet to the centerline of Ahles Road (as traveled); thence South 86 degrees 37 minutes 03 seconds East along said centerline, a distance of 165.08 feet to the southwesterly line of a tract of land as described in document number 572899; thence South 47 degrees 01 minutes 16 seconds East along said southwesterly line, a distance of 799.15 feet to the southerly most corner of said tract; thence North 68 degrees 32 minutes 14 seconds East along the southeasterly line of said tract, a distance of 374.10 feet to the east line of said Southeast Quarter; thence South 00 degrees 19 minutes 44 seconds West; along said east line, a distance of 1515.81 feet to the southeast corner of said Southeast Quarter; thence South 88 degrees 28 minutes 52 seconds West along the south line of said Southeast Quarter, a distance of 824.43 feet to the west line of the East 824.00 feet of said Southeast Quarter; thence North 00 degrees 19 minutes 44 seconds East along said west line, a distance of 200.10 feet to the north line of the South 200.00 feet of said Southeast Quarter; thence South 88 degrees 28 minutes 52 seconds West along said north line a distance of 276.14 feet to the point of beginning.

WHEREAS, this request would not affect the wetland, and;

WHEREAS, proper notification and publication had been given, and;

WHEREAS, all persons were given an opportunity to be heard on said request.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, STEARNS COUNTY, MINNESOTA:

1. **Said request is hereby approved to allow the construction of a 4,788 square foot home with attached garage/horse barn in the SP-1 District making it the 1st single family dwelling permit granted for 2009. Said approval to construct said home is subject to proper septic system permits being obtained.**

2. **Said approval is not a burden on public facilities, is compatible with existing and planned adjacent uses, has no adverse affect on adjacent properties, the use is related to the needs of the city, is consistent with the Comprehensive Plan, is not a traffic hazard, there is adequate parking and loading, and;**

3. **The granting of the conditional use permit will not be detrimental to the public health, safety and general welfare of the City.**

The motion for the foregoing resolution was duly seconded by Member Koerber with the following vote being taken:

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

SHANNON WICKER – VARIANCE(S) REQUEST – Chair Honer reported that the Planning Commission was supposed to do a site visit at this residence last evening, but could not do that because of severe weather. This has been tabled until their 7/29/09 meeting.

FEEDLOT CHANGES – Chair Honer reported that Stearns County has proposed changes to their ordinance that will specifically address Rockville and St. Augusta. The Planning Commission is in agreement with the changes. The Planning Commission also discussed a concern of one of the members trying to obtain feedlot status without have to build a structure. Apparently the ordinance has changed and the commission would like to look into this a little more.

VOIGT'S MINOR SUBDIVISION REQUEST – Rena Weber reported the Planning Commission reviewed this request at the meeting on 7/14/09. Their charge was to review the subdivision request only and have recommended approval of such. The City Council received a memo from Igor Lenzner, city attorney, along with additional information regarding the apportionment of special assessments and this would need to be dealt with by the City Council.

Mayor Hagen asked if they complied with the requirements to which Rena Weber reported that the engineer had asked that a 12' drainage and utility easement be provided on the side and rear yard lot lines to which the Voigt's did present revised copies at the 7/14/09 meeting.

Member Palmer asked if the city bonded for the project then we need to require a bond.

Member Volkmuth stated that if they post a bond then he is okay with it. There is just too much out there in special assessments that it has to be addressed.

Mayor Hagen suggested that an appraiser look at this and come up with an apportionment amount.

David Shay, attorney on behalf of the Voigt's, was present at the meeting. He cited the following issues:

- The issue appears to be the special assessments
- The city has been concerned in the past
- The special assessments amount to \$420,000 to pay off plus interest
- They did not include an application for request for re-allocation of the special assessments
- They are asking the city to leave the assessments on the remainder of the 135 acres
- \$1,366,200 is the estimated market value of the property so if you split off 5 acres and improvements this leaves \$300,000. \$1,066,000 so the % of the special assessments to the property would be 39%
- That property is worth millions of dollars
- They are asking the council to leave the assessment on the undeveloped property. No way would there be this amount of assessment on 5 acres.
- The reason that Jim & Jacqueline are requesting the subdivision is that their home is on the five acres. The family members are in agreement with the subdivision.
- The position the city attorney has taken is that apportionment is an option not a requirement. MN statute says 429.071 Sub 3 "the council may upon application of the landowner" or on its own motion equitably apportion among the various lots or parcels in the tract all the installments of the assessment against the tract remaining unpaid. They have not applied for re-apportionment
- For the Voigt's to post a bond – that is a hardship from at least two areas
- The cost to pay for a premium on the bond, and he would need to know how many years the assessment is to run - 15 or more years (Rena Weber reported that Mr. Shay has a copy of the deferred assessment information of which the Voigt family has not signed the agreement).
- Regarding bond issues – Stearns County required the owner of a pit to post a bond. The owner would have had to pay an annual premium and when county thought about it they did not require it.

Member Volkmuth stated that he needs to see some sort of appraisal before any decision is made.

Member Palmer stated that this needs to be apportioned as we need to protect the city's interest. It does not say that it remain with the large parcel.

Member Volkmuth asked if the assessment is to remain on the 135 acres is the family in agreement.

David Shay stated the family is in agreement with putting the assessments on the remaining property.

Mayor Hagen stated that no payments have been made on the assessments and there has been a lack of follow through on a number of requests the council has had through the years. He feels it is good business practice to protect the assets of the city so we need to properly apportion it. He goes along with Randy to require an appraisal on the remaining acreage in hopes that it might convince the council to apportion at a different rate to the remaining acreage. He recommends not putting the Voigt's through that expense though.

Dave Shay asked the council to take that direction they need to provide guidance. A certain percent to be used in comparison to appraised value needs to be determined as long as it

does not exceed 40% of appraised value. They request not taking action on the apportionment tonight and permit the subdivision.

Member Palmer indicated that the city is acting as the banker and questioned are payments going to be made? She wants to know what the agreement will be.

Member Volkmuth indicated that one of the precursors is that we need the agreement signed on the deferral. It feels like a slap in the face so we need to sit down and come to an agreement on the whole thing. We may be looking at \$450,000 to \$500,000.

Mike Voigt wished to address the fact that they have not done anything to pay off any of the assessments. They swapped land with the city that was worth \$51,000 plus they took out a loan in the amount of \$50,000 with Ag Star to pay the city on something. They have spent that already. *(It should be noted the \$51,000 was for purchase of land where the city well is located and the \$50,000 was to pay legal and engineer bills in conjunction with the 7 lot split previously done.)*

Mayor Hagen clarified that they are not making the typical payments.

Member Palmer suggested the negotiating team or finance committee take a look at this.

Mayor Hagen asked if we could apportion the assessments without requiring a bond.

Member Palmer indicated that Igor's memo states that if the city bonded for the project then we need to require a bond.

Mayor Hagen stated that as a minimum of good faith they need to sign the deferral agreement.

Motion by Member Volkmuth, second by Mayor Hagen, to remand this to the Finance Committee and further to act on this request at the next council meeting on 7/29/09.

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

Finance Committee - It was determined that a meeting would be scheduled for 7/21/09 at 6 p.m.

Personnel & Public Works – It was determined that both meetings would be scheduled for 8/4/09 with the Personnel Committee starting at 6 p.m. and the Public Works thereafter or around 7:30 p.m.

A-10 DISTRICTS - Chair Toni Honer also reported that the A-10 designation as discussed at the joint meeting and she felt the city is waiting for residents to approach them about this distinction. The Planning Commission does not want to pick and choose where A-10 can be located.

60 DAY RULE – Chair Honer indicated that In regards to the 60 day rule the Planning Commission is very cognizant of the rule. They will have more meetings to meet the 60 day requirement in some cases. Rena Weber will call St. Cloud to learn of their issues along with Sauk Rapids. Rena will copy the council on the issues and what is learned.

OLD BUSINESS

RESOLUTION RE-AUTHORIZING THE SALE OF REFUNDING BONDS – Rena Weber reported that the revised ordinance addresses changing the date to 10/1/09 by which time staff can refinance the bonds. The original bond listed 7/1/09.

Member Volkmuth introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2009-13A

APPROVING THE ISSUANCE OF

\$1,675,000 G.O. WATER REFUNDING BONDS, SERIES 2009A;

COVENANTING AND OBLIGATING THE CITY TO BE BOUND BY AND TO USE

THE PROVISIONS OF MINNESOTA STATUTES, SECTION 446A.086

TO GUARANTEE THE PAYMENT OF THE PRINCIPAL AND INTEREST ON THE BONDS

BE IT RESOLVED by the City Council of the City of Rockville, State of Minnesota (herein, the "City"), as follows:

1. The City Council hereby finds and declares that it is necessary and expedient for the City to sell and issue its fully registered general obligation refunding bonds in the total aggregate principal amount of not to exceed \$1,675,000 (herein, the "Bonds"). The proceeds of the Bonds will be used, together with any additional funds of the City which are required for the refinancing of the \$915,000 GO Water Revenue Bonds, Series 2005B, the \$140,800 GO Disposal System Bond of 1997, the \$117,800 GO Disposal System Bond of 1998 and the \$608,500 GO Water Revenue Bond of 2001.
2. The City Council desired to proceed with the sale of the Bonds by direct negotiation and hereby authorizes David Drown Associates, Inc. (herein, "DDA") to negotiate on behalf of the City.
3. The Mayor and the City Administrator are hereby authorized to approve the sale of the Bonds in an aggregate principal amount of note to exceed \$1,675,000 and to execute a bond purchase agreement for the purchase of the Bonds provided the total net present value savings is at least three percent (3.0%) of refunded principal or \$50,000.
4. Upon approval of the sale of the Bonds by the Mayor and the City Administrator, the City Council will take action at its next regularly scheduled meeting thereafter to adopt the necessary approving resolutions as prepared by the City's bond counsel.
5. Minnesota Public Facilities Authority Credit Enhance Program
 - A. Form of Minnesota Public Facilities Authority (the "PFA") Credit Enhancement Program Agreement (the "Agreement"); and
 - B. Application for Participation in the PFA Credit Enhancement Program (the "Application").
 1. The Agreement and the Application are authorized and approved in substantially the forms presented to the Council. Submission of the Application to the PFA and payment of related fees are approved. The City hereby covenants and obligates itself to be bound by the provisions of Minnesota Statutes, Section 446A.086, as it may be amended from time to time. The City understands that as a result of its covenant to be bound by the provisions of Minnesota Statutes, Section 446A.086, the provisions of that section shall be binding as long as any Bonds of this issue remain outstanding.
 2. The City hereby covenants and obligates itself to notify the Minnesota Public Facilities Authority of a potential default in the payment of principal and interest on the Bonds and to use the provisions of Minnesota Statutes, Section 446A.086 to guarantee payment of the principal and interest on the Bonds when due. The City further covenants to deposit with the Bond Registrar or any successor paying agent three (3) days prior to the date on which a payment is due an amount sufficient to make that payment or to notify the Minnesota Public Facilities Authority that it will be unable to make all or a portion of that payment. The Bond Registrar for the Bonds is authorized and directed to notify the Minnesota Public Facilities Authority if it becomes aware of a potential default in the payment of principal or interest

on the Bonds or if, on the day two (2) business days prior to the payment is due on the Bonds, there are insufficient funds to make that payment on deposit with the Bond Registrar.

3. The City further covenants to comply with all procedures now or hereafter established by the Department of Finance and Minnesota Public Facilities Authority pursuant to Minnesota Statutes, Section 446A.086, subdivision 3 and otherwise to take such actions as necessary to comply with that section. The Mayor and City Clerk are authorized to execute any applicable Minnesota Public Facilities Authority forms and to provide for the payment of the City's application fee of \$500 to the Authority, or will reimburse DDA for their payment of the fee on the City's behalf, which fee is required to be submitted with the executed forms.
6. DDA is authorized to prepare an Offering Memorandum related to the sale of the Bonds.
7. If the Mayor and City Administrator have not approved the sale of the bonds and executed the related bond purchase agreement by October 1, 2009 this resolution shall expire.

The motion for the foregoing resolution was duly seconded by Member Palmer with the following vote being taken:

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring
Motion passed on a 7 to 0 vote.

NEW BUSINESS

ROCKVILLE COUNTY PARK – NATURE PRESERVE – Chuck Wocken-Stearns County Park Director was present at the meeting to report on the master plan for the new county park.

Some things that will change and need approval are:

- Re-route Sauk River Road past Glacier Road – need to take a left turn into the road going into the park. There will be a parking area for people to stop and observe the eagles.
- Also they will re-configure County Road 139 – another left hand turn to Sauk River Road.
- This will be no expense to the city.
- Hunting – would be allowed as a management tool to keep deer herd down or allow handicapped hunting, youth hunting and turkey hunting

Hunting is not allowed in city parks or county parks so both entities would have to change their ordinances.

Other Amenities include:

- Fishing pier – handicapped accessible
- Horse and walking trails
- Eagle Nest site
- Shelter
- Camp site for canoeist
- Overnight campers would use a vault toilet.

There is an opportunity to expand but the County is not out actively seeking purchase of land.

Member Palmer questioned the timeline for development of the park. Chuck Wocken reported they some funding in a capital improvement bond to do parking and some soft surface trails, prairie restoration.

Member Palmer questioned in terms of moving the road would there be any city cost. Chuck Wocken indicated there would be none.

Member Willenbring asked have the residents on Glacier Road been attending the meetings. Will their speed have to slow down? It was reported that residents were at each of the meetings.

Member Willenbring inquired about duck hunting in the city and floating down the river. This would be a concern.

Member Willenbring asked how people would go from the County Park to Eagle Park. Chuck Wocken reported that people would walk across County Road 139 on-grade by the parking lot to Eagle Park.

Member Willenbring asked about extra police surveillance and who will bear the cost? Chuck Wocken stated that they have a Park Patrol and the Sheriff does provide response team so it would be their cost.

Member Willenbring asked would equestrian owners be allowed to camp. Chuck Wocken was not sure on this issue.

ADMINISTRATOR'S REPORT

REQUESTS FOR COUNCIL ACTION:

Please approve the transfer of the annual water fund payments to the debt service funds. This is done approximately halfway through the year so that any cash flow issues may be addressed prior to year end when the payments are due. See journal entry below:

Annual Transfer from Water Fund to Debt Service Fund 303 (GO Water Revenue Bond Fund)

E 601-49440-702 Transfer-Water Bond Pmt	(Debit)	\$41,225
G 601-10600 Cash Code	(Credit)	\$41,225
G 303-10600 Cash Code	(Debit)	\$41,225
R 303-47000-39203 Transfer From Other Fund	(Credit)	\$41,225

Annual Transfer from Water Fund to Debt Service Fund 306 (2005 PIP Add'l Project Payment)

E 601-49440-703 Transfer-PIP Add'l to Fund 306	(Debit)	\$12,728
G 601-10600 Cash Code	(Credit)	\$12,728
G 306-10600 Cash Code	(Debit)	\$12,728
R 306-47000-39203 Transfer from Other Fund	(Credit)	\$12,728

Motion by Member Volkmuth, second by Member Willenbring, to approve the transfer request as presented.

AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring

Motion passed on a 7 to 0 vote.

SAFE WATER FEE

1. Remove Safe Water Fee Reimbursement Expense Accounts & Budget Amounts:
601-49440-443 \$1600.00 Revised Budget Amount = \$0.00
2. Remove Safe Water Fee Reimbursement Revenue Accounts & Budget Amounts:
601-49440-36242 \$1500.00 Revised Budget Amount = \$0.00

The Safe Water Fee Reimbursement is not revenue for the city, instead of accounting for the Safe Water Fee collected from Water Sales as a Revenue and Expense, a Liability Account-**Safe Water Fee Payable-Dues to Other Govt** would be set up to correctly reflect the money collected by the city that is payable to the state of MN. Any monies currently in both the current revenue and expense accounts would be transferred balance sheet account G 601-20510 Safe Water Fee Payable - Due to Other Govt.

Motion by Member Volkmuth, second by Mayor Hagen, to approve the request as presented.

***AYES: Becker, Hagen, Koerber, Palmer, Schmitt, Volkmuth & Willenbring
Motion passed on a 7 to 0 vote.***

SEAL COATING BID – OVERAGE – Rick Hansen requested approval on: Overage cost of seal coating of \$3,774.11 from Caldwell Asphalt due to incorrect measurement of cul-de-sacs, Original estimate \$23,981.31 actual cost \$27,755.42.
Fund # 101-43100-317 (There is \$42,000 in the budget)

Member Willenbring voiced concern that one year ago this was done on another project and wondered if there is a pattern.

Mayor Hagen suggested the contractor measure the area to be seal coated. This will be added to the Public Works Committee agenda.

Motion by Member Palmer, second by Member Becker, to approve the request as presented.

AYES: Becker, Hagen, Koerber, Palmer, Schmitt & Volkmuth

NAYS: Willenbring

Motion passed on a 6 to 1 vote.

ADDITIONS TO THE AGENDA

FIRE RELIEF MUNICIPAL CONTRIBUTION – Rena Weber reported that the municipal contribution for 2010 is \$26,625 and that she, Mayor Hagen and Amy Goerger will attend the Fire Relief Assn. meeting on Monday night to discuss this. She would suggest a reduction of \$100 for a year or two, but the request must come from the Fire Relief Assn. members and further this should be done in a positive way. It was determined that this issue should be put on the Finance Committee agenda.

EDA – FIRE HALL – Rena Weber reported that the EDA is coming to an agreement with Shingobee Builders in rectifying the Fire Hall apparatus bay floor. It will be completely refinished with the EDA picking up a portion of the cost.

ROCORI TRAIL – Rena Weber reported that the Rocori Trail Committee would be meeting with a representative from BNSF on Wednesday, July 22, 2009 to discuss the possible abandonment of a portion of the railroad from Richmond to Cold Spring.

OPEN FORUM

Tudie Hermanutz –211 1st Street West thanked whoever got the railroad track repair done on County Road 139.

ADJOURNMENT – ***Motion by Member Volkmuth, second by Member Willenbring, to adjourn the meeting at 8:27 p.m. Motion carried unanimously.***

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

JEFF HAGEN
MAYOR

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ORDINANCE #2009-59
AN ORDINANCE REGULATING DOGS IN THE CITY OF ROCKVILLE, MINNESOTA

The City Council of the City of Rockville hereby ordains as follows:

Section 91.01: Definitions.

- A. **Owner.** Any person, group of persons, or legal entity owning, keeping, or harboring a dog or dogs.
- B. **Harborer.** The harborer of a dog shall be any person who has custody of any dog or permits a dog to be kept or to stay on or about the harborer's premises.
- C. **At Large.** A dog shall be termed at large when it is not under restraint, as defined herein.
- D. **Restraint.** A dog is under restraint if it is controlled by a leash not exceeding eight feet in length; or if it is within the boundaries of the owner's or harborer's premises.
- E. **Police.** The police officers of the City, or any person, firm, or agency hired or engaged by the City to assist the police in the performance of their duties.

Section 91.02: Identification. All dogs shall be either harnessed or collared with proof of up to date rabies vaccination attached or have the dog tattooed or micro chipped.

Section 91.03: Running at Large Prohibited within the City of Rockville. No dog shall be permitted to be at large within the city. All dogs shall be under restraint at all times. All dogs in the A-40 areas of the city must be under the control of the owner at all times.

Section 91.04: Confinement of certain animals. The owner or harborer shall confine within a building or secure enclosure any fierce, dangerous, or vicious dog, and not permit such animal out of such confinement unless and until it is securely muzzled and in control of a competent person.

Section 91.05: Animals creating nuisance prohibited. No person shall keep or harbor an animal that otherwise constitutes a nuisance, such as excessive barking, howling, or other disruptive behavior as defined in Ordinance No. 2003-09 Section 2.5.

Section 91.06: Impounding Animals. The police, or any other duly appointed person, may take and impound any animal which is not being kept, confined, or restrained in a manner consistent with the requirements of this regulation. Such police or person may enter upon private premises where it appears that there is a reasonable cause to believe that an animal is not being kept, confined, or restrained as herein required.

Section 91.07: Notice to owner. Immediately upon the impounding of an animal, the police shall make every reasonable effort to notify the owner or harborer of such impoundment, and of the conditions whereby the owner or harborer may regain custody of the animal. When possible, verbal notice shall be immediately confirmed in writing by the police.

Section 91.08: Reclaiming impounded animal. Any animal impounded hereunder may be reclaimed by the owner or harborer of same within five days after receiving notice of such impoundment, excluding Saturdays, Sundays and legal holidays.

Section 91.09: Dogs which cannot be impounded. If a dog is rabid, or otherwise diseased, vicious, or dangerous, and cannot be impounded after a reasonable effort or without serious risk to the impounder or others, such animal may be immediately killed by a licensed police officer only.

Section 91.10: Disposal of impounded dogs. If a dog taken up and impounded has not been reclaimed within the time provided herein, or if the owner cannot be located, then within five days, the dog will be disposed of.

Section 91.11: Rabies vaccination required, penalties for violation. It shall be unlawful for any person to own, possess, or harbor a dog within the city, if the dog has not had a vaccination for rabies within the time required under standard veterinary practices. A written waiver from a veterinarian accompanied by a rabies titer may be accepted as proof of vaccination when circumstances are indicated. Proof of rabies vaccination must be readily available upon request and up to date.

Section 91.12: Biting dogs to be quarantined. Whenever a dog has bitten a person, the owner or custodian of such dog, having been so notified, either orally or in writing, shall immediately quarantine said dog or animal at the owner's home or other suitable place of confinement, as directed by the responsible officer of the city for a period of 14 days after the occurrence. During the quarantine period, the animal shall be securely confined in a building or in a yard enclosed by a fence so constructed that the animal cannot escape or otherwise leave said enclosure, and which will not permit other animals or persons to enter, for the purpose of preventing the animal from biting or otherwise coming in contact with persons or other animals. Upon a reasonable suspicion that the dog may be rabid, the dog shall be subjected to the necessary tests by a doctor of veterinary medicine for the purpose of determining if it is infected with rabies. The confinement, testing, treatment, in addition to all other expenses incurred as the result of a dog biting a person shall be the expense of the owner of said animal.

Section 91.13: Penalty. Any person who violates any provision of this ordinance is guilty of a petty misdemeanor of which the fine for the first time offender is \$25.00, \$50.00 for the second time in a 12 month period. The third fine would be an automatic court date.

PASSED THIS _____ DAY OF JULY, 2009.

ATTEST:

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

JEFF HAGEN
MAYOR

MINUTES OF A SPECIAL CITY COUNCIL MEETING HELD WEDNESDAY, JULY 29, 2009 - 6:00 P.M. – ROCKVILLE CITY HALL.

The meeting was called to order by Mayor Jeff Hagen. Roll Call was taken and the following members were found to be present: Mayor Hagen, Council Members: Bill Becker, John Koerber, Randy Volkmuth & Duane Willenbring. Absent: Susan Palmer & Jerry Schmitt.

Staff members present were: Administrator/Clerk Rena Weber and David Drown – Financial Consultant.

Others present: Sue Vieregge, Shannon & Bretta Wicker, Don Simon, Ev Balko & Stacy Clauson.

NEW BUSINESS

MUELLER/CENTRAL SPECIALTIES-CONDITIONAL/INTERIM USE PERMIT: Zoning Administrator Rena Weber reported the Planning Commission held a public hearing to consider the request of Gregory Mueller/Central Specialties for a Conditional/Interim Use Permit. The address of the property is: 25770 133rd Avenue, Cold Spring, MN with a legal description of: 150.34 A W2 NW 4 & W2SW 4 of Section 6, T123N, R29W in the City of Rockville, Stearns County, Minnesota.

AN CONDITIONAL/INTERIM USE PERMIT IS BEING REQUESTED AND IS GOVERNED BY THE FOLLOWING ZONING ORDINANCE REQUIREMENTS:
SECTION 9: GENERAL REQUIREMENTS: SUBDIVISION 13. MINING/EXTRACTIVE USES
SECTION 27: CONDITIONAL USE PERMITS
SECTION 28: INTERIM USE PERMITS

The request is to operate a temporary mining/extraction/crushing use in order to re-construct County Road 51.

Rena Weber presented the Interim Use Permit that was developed as part of the review and discussion. The Planning Commission had recommended approval pending the conditions be placed on the permit are met.

- Rena Weber requested council consideration on the following changes to the IUP:
- 1) Instead of the permit expiring one year from the date executed they would like to change the wording to "end of work season or no later than 11/1/10". Approved.
 - 2) (3) calls for a letter of credit in the amount of \$5,000. The contractor would like to provide a performance bond instead of a letter of credit. Approved.
Rena Weber reported that the city required a \$75,000 letter of credit for the Dan Hansen project, but that the Hansen permit is for 5 years and they would be accessing a city road.
 - 3) (7) Hours of operation allows for vehicles to warm up at 6:00 a.m. The contractor would like to include the word "equipment" with the word vehicle. Approved.
 - 4) (11) Fueling, fuel storage, and storage of equipment is limited to an area outside of the mine pit "or" on an area which has secondary containment for any spill or leak. The contractor would like "or" instead of "and". Approved.

Motion by Member Volkmuth, second by Member Willenbring, to approve the Interim Use Permit as amended and further that the \$5,000 performance bond is approved due to the fact that equipment will not be traveling on a city road for this operation.

(A copy of the IUP is hereby attached and marked Exhibit A).

AYES: Becker, Hagen, Koerber, Volkmuth & Willenbring

NAYS: None

Motion passed on a 5 to 0 vote.

WICKER VARIANCE(S) REQUEST: Zoning Administrator Rena Weber reported that the public hearing was continued for the request of Shannon & Bretta Wicker for a variance from Shoreland Requirements. The address of the property is: 21265 County Road 8 with a legal description of:

That part of Government Lot Three (3), of Section Twenty-nine (29), in Township One Hundred Twenty-three (123) North, of Range Twenty-nine (29) West, described as follows, to-wit: Commencing at a point 1305.50 feet North and 791.80 feet East of the Southwest corner of Government Lot 4 of said Section 29, Township and Range aforesaid; thence due North 100 feet; thence North 01 degrees 25 minutes West 30 feet to an Iron Monument in place, said point being the point of beginning of the tract herein described; thence continue North 01 degrees 25 minutes West 90 feet; thence Easterly and parallel with the South line of said Government Lot 3 to the shoreline of Grand Lake; thence Southerly along the shoreline of Grand Lake, a distance of 90 feet, more or less, to an Iron Monument; thence Westerly and parallel with the Southerly line of said Government Lot 3, 154.5 feet, more or less, to the point of beginning and there terminating, subject to existing highways, all being in Stearns County, Minnesota.

The request is to construct a 24' x 30' unattached garage in the R-1 – Shoreland District. Variances from the following were approved by the Planning Commission:

Add: *Setback from center line of County Road should be 100' (actual 89')*

- Setback requirements from principal structure (less than 10')
- Impervious surface (exceeds 12%)
- Height of structure (exceeds 8' sidewall)
- Total square footage of structure (exceeds 600 square feet allowance)
- Detached building to be located in rear yard (structure to be in line with house)

WICKER STAFF REPORT 7/8/09

Re: Variance Request(s)
76.41652.0000: Owners: Shannon & Bretta Wicker
Property Address: 21265 County Road 8

Variance(s) Requested:

1. Variance to construct a 24' x 30' unattached garage and to locate it in the front yard of property abutting Grand Lake – General Development Lake instead of the rear yard.
2. Said request is to also locate said structure 89 feet from the centerline of the roadway -- (should be 100') County Road 8
3. Structure to be located 5' from the principal structure (should be 10').
4. Height of Structure exceeds 8' sidewall
5. Total square footage of structure exceeds 600 square feet allowance by 120 square feet
6. Impervious Surface – Total lot area is 14,289 square feet of which 47.2% is covered already not including the paving blocks or deck. This amounts to 209 square feet for the paver patio and 204 square feet for the deck or $7,159 \div 14,289 = 50.1\%$.

Construction Requests:

1. Construct new unattached garage and match the existing residential structure.

Relevant Information:

1. This property is located within the 1000' Shoreland Overlay District.
2. Property contains 14,289 square feet more or less.
3. 7 notices of public hearing were sent out.
4. The Wicker's have documentation from Craig Theisen of Theisen Building Supplies as to why an attached garage would not be feasible.
5. The shed in the SW corner of the lot is proposed to be removed.

Recommendations:

1. This requires six variances on a non-conforming lot that was in place before the ordinance was adopted.
2. Staff has worked with the owners on possible ways to reduce the number of variances.

3. We looked at the land on the east side of County Road 8 as a possible place for a rain garden, however, that will not work – steep incline and not much room.

Rena Weber further reported that the Wicker's provided a certificate of survey to determine the actual amount of impervious surface. In addition the Wicker's will provide two alternative ways to reduce storm water run-off (4 rain barrels & infiltration trench to treat 1,417 gal of water.

Member Volkmuth introduced the following resolution and moved for its adoption:

RESOLUTION NO. 2009-15

A RESOLUTION APPROVING VARIANCES IN THE SHORELAND DISTRICT.

WHEREAS, A request has been received from Shannon & Bretta Wicker for variances from: Primary Structure Setback, Impervious Surface, Height of Structure, Total square footage, Location of Detached Building in the Rear Yard, and also Roadway Setback requirements to construct a 24' x 30' unattached garage in the Shore Impact Zone in the R-1 District, and;

WHEREAS, said structure will be placed 89' from roadway, locate said structure in the front yard, structure to exceed 8' sidewalls, exceeds 600 square foot allowance by 120 square feet, exceeds impervious surface at 50.1%, and located 5' from the primary structure, and;

WHEREAS, Proper notification and publication had been given, and;

WHEREAS, all persons were given an opportunity to be heard on said request.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ROCKVILLE, STEARNS COUNTY, MINNESOTA:

1. **Said request is hereby approved to construct the 24' x 30' unattached garage that will be placed 89' from roadway, locate said structure in the front yard, structure to exceed 8' sidewalls, exceeds 600 square foot allowance by 120 square feet, exceeds impervious surface at 50.1%, and located 5' from the primary structure.**
2. **Said approval will not create undue hardship, is a unique circumstance, and applies to the individual property.**
3. **That granting of the variance will not be detrimental to the public health, safety, comfort and general welfare of the City.**
4. **The siding and shingles shall match the main structure.**
5. **The drainage and mitigation plan as presented will be constructed and maintained.**

The motion for the foregoing resolution was duly seconded by Mayor Hagen with the following voting in favor:

AYES: Becker, Hagen, Koerber, Volkmuth & Willenbring

NAYS: None

Motion passed on a 5 to 0 vote.

VOIGT'S MINOR SUBDIVISION REQUEST – Rena Weber reported that she prepared a letter requesting the time extension on the Voigt minor subdivision request. The city is awaiting information from the Voigt family at this point.

Motion by Mayor Hagen, second by Member Volkmuth to approve the extension of time regarding the Voigt minor subdivision until 11/9/09.

AYES: Becker, Hagen, Koerber, Volkmuth & Willenbring

NAYS: None

Motion passed on a 5 to 0 vote.

REIF FAMILY WEDDING – FIREWORKS APPROVAL 8/8/09 – Rena Weber reported that the Reif Family is requesting approval of a fireworks permit on 8/8/09 – 4 p.m. for a wedding. All the necessary paperwork has been provided.

Motion by Member Volkmuth, second by Member Willenbring, to approve the request for a fireworks permit on 8/8/09 – Reif Family Wedding.

AYES: Becker, Hagen, Koerber, Volkmuth & Willenbring

NAYS: None

Motion passed on a 5 to 0 vote.

RESOLUTION RATIFYING \$1,650,000 SERIES 2009A G.O. WATER/SEWER BOND – David Drown was present at the meeting to review the final approval of the re-financing bond. David reported there would be \$68,000 savings total or just a little over 3%.

1,593,000 in bonds will be paid off

Transaction costs – paid out of the \$1,650,000

Member Willenbring asked if this will be kept separate – YES.

Member Volkmuth introduced the following resolution and moved for its adoption:

RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF \$1,650,000

GENERAL OBLIGATION WATER AND SEWER REFUNDING BONDS, SERIES 2009A, PLEDGING FOR THE SECURITY THEREOF NET REVENUES AND LEVYING A TAX FOR THE PAYMENT THEREOF

(A complete copy of the Resolution is hereby attached and marked Exhibit B)

The motion for the foregoing resolution was duly seconded by Mayor Hagen with the following vote being taken:

AYES: Becker, Hagen, Koerber, Volkmuth & Willenbring

NAYS: None

Motion passed on a 5 to 0 vote.

UPDATE – WECS ORDINANCE – Rena Weber reported that she checked the minutes from the 5/20/09 council meeting whereby the motion regarding the setback from property line was stated in the motion and it is 500' from the property line.

ADJOURNMENT – *Motion by Member Becker, second by Member Volkmuth, to adjourn the meeting at 6:30 p.m. Motion carried unanimously.*

VERENA M. WEBER-CMC
ADMINISTRATOR/CLERK

JEFF HAGEN
MAYOR

STATE OF MINNESOTA
COUNTY OF STEARNS

INTERIM USE PERMIT
FILE NO. 09-01

Permittee: Gregory Mueller/Central Specialties – 25770 133rd Avenue, Cold Spring, MN 56320

Requested Use: To extract gravel and operate a bituminous hot mix asphalt plant for public road construction on 18 + Acres in an A-40 zoning district.

Description: The sand and gravel products that will be mined are Class V and rock; the equipment to be used will be a screen, crusher, and loader. No gravel washing activities will occur at this location.

**Applicable Ordinances/
Statutes:** Zoning Code, Ord. 2003-04, Sec. 9, Subd. 13 Mining/Extractive Uses
Zoning Code, Ord. 2003-04, Sec. 27 Conditional Use Permits,
Zoning Code, Ord. 2003-04, Sec. 28 Interim Use Permits

The above entitled matter was heard before the City Council of Rockville on the 29th day of July, 2009 for the following property:

PROPERTY ADDRESS: 25770 133rd Avenue, Cold Spring, MN 56320

PARCEL NO. 76.41609.0900

LEGAL DESCRIPTION: The Northeast Quarter of the Northeast Quarter (NE1/4NE1/4) and the East 35 acres of the Southeast Quarter of the Northeast Quarter (SE1/4NE1/4), all in Section One (1), Township One Hundred Twenty-three (123) North, Range Thirty (30) West; also commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter (NE1/4SE1/4) of Section One (1), running thence South 38 rods, thence West 21 rods, thence North 38 rods, and thence East 21 rods to the place of beginning, all in Township 123 North of Range 30 West; also the West One-half of the Northwest Quarter (W1/2NW1/4) and the West One-half of the Southwest Quarter (W1/2SW1/4) of Section Six (6), and the Southwest Quarter of the Northwest Quarter (SW1/4NW1/4) less West One-half (W1/2) acre thereof, and the Northwest Quarter of the Northwest Quarter (NW1/4NW1/4) all in Section 7, in Township 123 North of Range Twenty-nine (29) West, Stearns County, Minnesota.

IT IS ORDERED that Interim Use Permit No. 09-01 be granted subject to the following conditions:

1. The interim use permit will expire in 2010 at the end of the work season or no later than 11/1/10, subject to final review. Failure to meet any of the conditions of this agreement, or substantial change to the conditions in the neighboring properties, shall constitute grounds to terminate this permit after review by City Council. Permittee shall be given an opportunity to address the City Council prior to termination under this condition. Nothing in this condition shall limit the immediate termination of this permit for violation of any other condition.
2. No gravel washing occur on this or any site in Rockville without an interim use permit.
3. A letter of credit or performance bond approved by the City Attorney is provided in the amount of \$5,000. The letter of credit, or a replacement security approved by the City, shall remain in effect for the entire term of this permit. The amount and terms of this letter of credit shall be reviewed by the City Engineer and City Attorney during the annual review. Upon review, the terms of letter of credit must be revised as directed by the City Attorney in order to ensure the

ability of the City to draw upon the security. Compliance with all conditions of the Sec. 9, Subd. 13 of the Zoning Code, and all other City Ordinances.

4. Compliance with all County, State, and Federal laws and regulations, including, but not limited to, those governing public health and welfare, public and worker safety, water quality, air quality, noise pollution and waste disposal.
5. Right-of-entry is provided to the City of Rockville, and its agents, to inspect the site and determine compliance with all conditions imposed on the operation.
6. A copy of the restoration plan submitted to Stearns County to be provided.
7. Operation is limited to the hours of 7:00 a.m. to 10:00 p.m. with an allowance to warm up vehicles and equipment beginning at 6:00 a.m. The City reserves the right to amend the hours of operation to eliminate the allowance to warm-up, at any time, with two weeks notice.
8. Erosion control measures will be taken to minimize the damage to adjacent land and be done according to the Site Development and Reclamation Plan dated 7/1/09.
9. Prior to the termination of the of the interim use permit (for whatever reason), the site is reclaimed according to the Reclamation Plan dated 7/1/09.
10. Landscaping is installed to the outer rim of the mining area so there is no outside drainage entering the mine pit.
11. All fueling, fuel storage, maintenance, and storage of the mining equipment is limited to an area outside of the mine pit, or on an area which has secondary containment for any spill or leak.
12. No use of explosives which leave neither nitrate residue nor any residue which is a drinking water contaminant.

THIS INTERIM USE PERMIT SHALL TERMINATE UPON THE OCCURANCE OF ANY OF THE FOLLOWING EVENTS, WHICHEVER OCCURS FIRST: A. THE TERMINATION DATE: OR B. THE USE HAS BEEN DISCONTINUED FOR A MINIMUM PERIOD OF 90 DAYS.

Approved this 29th day of JULY, 2009

Affirmed:

Verena M. Weber
Verena Weber
Clerk/Administrator

CITY OF ROCKVILLE

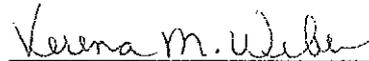
Jeff Hagen
Jeff Hagen
Mayor

STATE OF MINNESOTA)

COUNTY OF STEARNS) SS

I, Verena M. Weber, Administrator/Clerk of the City of Rockville, do hereby affirm that I have compared the foregoing document and Order granting the interim use permit with the Original City Council minutes thereof on file in my office, and have found the same to be a correct and true transcript of the permit thereof.

Dated this 29th day of July, 2009



Verena M. Weber-CMC
Administrator/Clerk

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

HELD: July 29, 2009

Pursuant to due call and notice thereof, a regular or special meeting of the City Council of the City of Rockville, Stearns County, Minnesota, was duly called and held at the City Hall on July 29, 2009, at 6:00 P.M., for the purpose, in part, of authorizing the issuance and awarding the sale of \$1,650,000 General Obligation Water and Sewer Refunding Bonds, Series 2009A.

The following members were present: Mayor Hagen, Council Members Becker, Koerber, Volkmuth and Willenbring

and the following were absent: Council Members Palmer and Schmitt

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

RESOLUTION NO. 2009-14

PROVIDING FOR THE ISSUANCE AND SALE OF \$1,650,000 GENERAL OBLIGATION WATER AND SEWER REFUNDING BONDS, SERIES 2009A, PLEDGING FOR THE SECURITY THEREOF NET REVENUES AND LEVYING A TAX FOR THE PAYMENT THEREOF

A. WHEREAS, the City Council of the City of Rockville, Minnesota (the "City"), hereby determines and declares that it is necessary and expedient to provide moneys for a current refunding of the City's (i) \$140,000 original principal amount of General Obligation Disposal System Bonds of 1997, dated December 31, 1997 (the "Prior 1997 Disposal System Bonds"); (ii) \$117,800 original principal amount of General Obligation Disposal System Bonds of 1998, dated June 30, 1998 (the "Prior 1998 Disposal System Bonds"); (iii) \$608,500 original principal amount of General Obligation Water Revenue Bond of 2001, dated June 27, 2001 (the "Prior 2001 System Bonds"); and (iv) \$915,000 original principal amount of General Obligation Water Revenue Bonds, Series 2005B, dated September 28, 2005 (the "Prior 2005B System Bonds"); and

B. WHEREAS, (i) \$105,000 aggregate principal amount of the Prior 1997 Disposal System Bonds is callable on August 20, 2009 (the "Call Date"), at a price of par plus accrued interest (the "Refunded 1997 Bonds"), as provided in the resolution adopted by the City Council on December 30, 1997, authorizing the issuance of the Prior 1997 Disposal System Bonds (the "Prior 1997 Resolution"); (ii) \$93,000 aggregate principal amount of the Prior 1998 Disposal System Bonds is callable on the Call Date at a price of par plus accrued interest (the "Refunded 1998 Bonds"), as provided in the resolution adopted by the City Council on June 3, 1998, authorizing the issuance of the Prior 1998 Disposal System Bonds (the "Prior 1998 Resolution"); (iii) \$510,000 aggregate principal amount of the Prior 2001 System Bonds is callable on the Call Date at a price of par plus accrued interest (the "Refunded 2001 Bonds"), as provided in the resolution adopted by the City Council on June 6, 2001, authorizing the issuance of the Prior 2001 System Bonds (the "Prior 2001 Resolution"); (iv) \$885,000 aggregate principal amount of

the Prior 2005B System Bonds is callable on the Call Date at a price of par plus accrued interest (the "Refunded 2005B Bonds"), as provided in the resolution adopted by the City Council on September 7, 2005, authorizing the issuance of the Prior 2005B System Bonds (the "Prior 2005 Resolution"); and

C. WHEREAS, the City owns and operates a municipal water system as a separate revenue producing public utility (the "System") and there are no outstanding obligations of the City, the interest and principal of which would constitute a prior lien upon the net revenues of the System; and

D. WHEREAS, the City Council hereby determines and declares that it is necessary and expedient to issue \$1,650,000 General Obligation Water and Sewer Refunding Bonds, Series 2009A (the "Bonds" or individually, a "Bond"), pursuant to Minnesota Statutes, Chapters 475 and 444 and Section 115.46, to provide moneys for the current refunding on the Call Date of the Refunded 1997 Bonds, the Refunded 1998 Bonds, the Refunded 2001 Bonds and the Refunded 2005B Bonds (together, the "Refunded Bonds"), which is consistent with covenants made with the holders of the Refunded Bonds, and is necessary and desirable for the reduction of debt service cost to the City; and

E. WHEREAS, the City has retained David Drown Associates, Inc. ("David Drown") as its independent financial advisor for the sale of the Bonds and was therefore authorized to sell the Bonds by private negotiation in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9); and

F. WHEREAS, it is in the best interests of the City that the Bonds be issued in book-entry form as hereinafter provided; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rockville, Minnesota, as follows:

1. Acceptance of Proposal. The proposal of Northland Securities, Inc., in Minneapolis, Minnesota (the "Purchaser"), to purchase the Bonds in accordance with the Terms of Offering, at the rates of interest hereinafter set forth, and to pay therefor the sum of \$1,639,217.35, plus interest accrued to settlement, is hereby found, determined and declared to be the most favorable proposal received and is hereby accepted, and the Bonds are hereby awarded to the Purchaser.

2. Bond Terms.

(a) Original Issue Date; Denominations; Maturities; Term Bond Option. The Bonds shall dated August 1, 2009, as the date of original issue, shall be issued forthwith on or after such date in fully registered form, shall be numbered from R-1 upward in the denomination of \$5,000 each or in any integral multiple thereof of a single maturity (the "Authorized Denominations") and shall mature on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2010	\$ 60,000	2020	\$40,000
2011	45,000	2021	40,000
2012	110,000	2022	40,000
2013	115,000	2023	45,000
2014	110,000	2024	45,000
2015	115,000	2025	45,000
2016	600,000	2026	50,000
2017	35,000	2027	40,000
2018	35,000	2028	45,000
2019	35,000		

As may be requested by the Purchaser, one or more term Bonds may be issued having mandatory sinking fund redemption and final maturity amounts conforming to the foregoing principal repayment schedule, and corresponding additions may be made to the provisions of the applicable Bond(s).

(b) Book Entry Only System. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or its successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds, and to this end:

(i) The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds; and for purposes of complying with this requirement under paragraphs 5 and 10 Authorized Denominations for any Bond shall be deemed to be limited during the Book Entry Only Period to the outstanding principal amount of that Bond.

(ii) Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Bond Registrar (as hereinafter defined) in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

(iii) With respect to the Bonds neither the City nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the City, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or

premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the City may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

(iv) The City and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to the Holder or the Holders of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

(v) Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in paragraph 10, references to the Nominee hereunder shall refer to such new Nominee.

(vi) So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or City, as the case may be, to the Depository as provided in the Letter of Representations to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

(vii) All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.

(viii) In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the City or Bond Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the City or the Bond Registrar may establish a special record date for such consent or other action. The City or the Bond Registrar shall,

to the extent possible, give the Depository notice of such special record date not less than fifteen calendar days in advance of such special record date to the extent possible.

(ix) Any successor Bond Registrar in its written acceptance of its duties under this Resolution and any paying agency/bond registrar agreement, shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

(x) In the case of a partial prepayment of a Bond, the Holder may, in lieu of surrendering the Bonds for a Bond of a lesser denomination as provided in paragraph 5 hereof, make a notation of the reduction in principal amount on the panel provided on the Bond stating the amount so redeemed.

(c) Termination of Book-Entry Only System. Discontinuance of a particular Depository's services and termination of the book-entry only system may be effected as follows:

(i) The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the City and discharging its responsibilities with respect thereto under applicable law. The City may terminate the services of the Depository with respect to the Bond if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the City or the Beneficial Owners.

(ii) Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository is willing to undertake the functions of the Depository hereunder can be found which, in the opinion of the City, is willing and able to assume such functions upon reasonable or customary terms, or if the City determines that it is in the best interests of the City or the Beneficial Owners of the Bond that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with paragraph 10. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with paragraph 10, the Bonds will be delivered to the Beneficial Owners.

(iii) Nothing in this subparagraph (c) shall limit or restrict the provisions of paragraph 10.

(d) Letter of Representations. The provisions in the Letter of Representations are incorporated herein by reference and made a part of the resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

3. Allocation of Bonds; Allocation of Prepayments to Portions of Debt Service. The aggregate principal amount of \$198,000 maturing in each of the years and amounts hereinafter set forth are issued to refund the Prior 1997 Disposal System Bonds and the Prior 1998 Disposal System Bonds (the "Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion").

The aggregate principal amount of \$1,395,000 maturing in each of the years and amounts hereinafter set forth are issued to refund the Prior 2001 System Bonds and the Prior 2005B System Bonds (the "Prior 2001 and Prior 2005B System Bonds Refunding Portion"):

<u>Year</u>	<u>Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion</u>	<u>Prior 2001 and Prior 2005B System Bonds Refunding Portion</u>
2010	\$7,000	\$ 27,000
2011	7,000	28,000
2012	8,000	89,000
2013	9,000	95,000
2014	9,000	96,000
2015	9,000	101,000
2016	9,000	588,000
2017	10,000	24,000
2018	11,000	25,000
2019	11,000	26,000
2020	12,000	27,000
2021	12,000	28,000
2022	12,000	30,000
2023	14,000	31,000
2024	14,000	33,000
2025	14,000	34,000
2026	16,000	36,000
2027	7,000	38,000
2028	7,000	39,000

The maturity schedule for the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds complies with Minnesota Statutes, Section 475.54, subdivision 17 in that the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds are payable primarily from a source other than ad valorem taxes and the City Council hereby estimates that the System net revenues, which is the primary source of payment for the the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds, is sufficient to pay, and by this Resolution is irrevocably appropriated to, the payment of the the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds.

If Bonds are prepaid, the prepayments shall be allocated to the portions of debt service (and hence allocated to the payment of Bonds treated as relating to a particular portion of debt service) as provided in this paragraph. If the source of prepayment is the general fund of the City, or other generally available source, the prepayment may be allocated to any of the portions of debt service in such amounts as the City shall determine. If the source of a prepayment is taxes pledged to the Prior 1997 Disposal System Bonds and the Prior 1998 Disposal System Bonds, the prepayment shall be allocated to the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of debt service. If the source of a prepayment is net revenues of the

System pledged to the Prior 2001 Bonds and the Prior 2005B Bonds, the prepayment shall be allocated to the Prior 2001 and the Prior 2005B System Bonds Refunding Portion of debt service.

4. Purpose; Refunding Findings. The Bonds shall provide funds for a current refunding of the Refunded Bonds (the "Refunding") and it is hereby found, determined and declared that the Refunding is pursuant to Minnesota Statutes, Section 475.67 and shall result in a reduction of debt service cost to the City.

5. Interest. The Bonds shall bear interest payable semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2010, calculated on the basis of a 360-day year of twelve 30-day months, at the respective rates per annum set forth opposite the maturity years as follows:

<u>Maturity Year</u>	<u>Interest Rate</u>	<u>Maturity Year</u>	<u>Interest Rate</u>
2010	2.00%	2020	3.90%
2011	2.00%	2021	3.90%
2012	2.00%	2022	3.90%
2013	2.00%	2023	4.15%
2014	3.00%	2024	4.15%
2015	2.50%	2025	4.15%
2016	3.00%	2026	4.35%
2017	3.45%	2027	4.35%
2018	3.45%	2028	4.35%
2019	3.45%		

6. Redemption. The Bonds maturing on February 1, 2018, and thereafter, shall be subject to redemption and prepayment at the option of the City on February 1, 2017, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the City; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected registered holder of the Bonds at least thirty days prior to the date fixed for redemption.

To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar prior to giving notice of redemption shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers so assigned to such Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of each such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If

a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the City or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the City and Bond Registrar duly executed by the Holder thereof or the Holder's attorney duly authorized in writing) and the City shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered

7. Bond Registrar. Northland Trust Services, Inc., in Minneapolis, Minnesota, is appointed to act as bond registrar and transfer agent with respect to the Bonds (the "Bond Registrar"), and shall do so unless and until a successor Bond Registrar is duly appointed, all pursuant to any contract the City and Bond Registrar shall execute which is consistent herewith. The Bond Registrar shall also serve as paying agent unless and until a successor paying agent is duly appointed. Principal and interest on the Bonds shall be paid to the registered holders (or record holders) of the Bonds in the manner set forth in the form of Bond and paragraph 12.

8. Form of Bond. The Bonds, together with the Bond Registrar's Certificate of Authentication, the form of Assignment and the registration information thereon, shall be in substantially the following form:

UNITED STATES OF AMERICA
STATE OF MINNESOTA
STEARNS COUNTY
CITY OF ROCKVILLE

MINNESOTA CREDIT ENHANCEMENT PROGRAM

R-_____ \$_____

GENERAL OBLIGATION WATER AND SEWER REFUNDING BONDS, SERIES 2009A

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1,	August 1, 2009	

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The City of Rockville, Stearns County, Minnesota (the "Issuer"), certifies that it is indebted and for value received promises to pay to the registered owner specified above, or registered assigns, in the manner hereinafter set forth, the principal amount specified above, on the maturity date specified above, unless called for of prior redemption, and to pay interest thereon semiannually on February 1 and August 1 of each year (each, an "Interest Payment Date"), commencing February 1, 2010, at the rate per annum specified above (calculated on the basis of a 360-day year of twelve 30-day months) until the principal sum is paid or has been provided for. This Bond will bear interest from the most recent Interest Payment Date to which

interest has been paid or, if no interest has been paid, from the date of original issue hereof. The principal of and premium, if any, on this Bond are payable upon presentation and surrender hereof at the principal office of Northland Trust Services, Inc., in Minneapolis, Minnesota (the "Bond Registrar"), acting as paying agent, or any successor paying agent duly appointed by the Issuer. Interest on this Bond will be paid on each Interest Payment Date by check or draft mailed to the person in whose name this Bond is registered (the "Holder" or "Bondholder") on the registration books of the Issuer maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any interest not so timely paid shall cease to be payable to the person who is the Holder hereof as of the Regular Record Date, and shall be payable to the person who is the Holder hereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given to Bondholders not less than ten days prior to the Special Record Date. The principal of and premium, if any, and interest on this Bond are payable in lawful money of the United States of America. So long as this Bond is registered in the name of the Depository or its Nominee as provided in the Resolution hereinafter described, and as those terms are defined therein, payment of principal of, premium, if any, and interest on this Bond and notice with respect thereto shall be made as provided in the Letter of Representations, as defined in the Resolution, and surrender of this Bond shall not be required for payment of the redemption price upon a partial redemption of this Bond. Until termination of the book-entry only system pursuant to the Resolution, Bonds may only be registered in the name of the Depository or its Nominee.

Optional Redemption. The Bonds of this issue (the "Bonds") maturing on February 1, 2018, and thereafter, are subject to redemption and prepayment at the option of the Issuer on February 1, 2017, and on any date thereafter at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and the principal amounts within each maturity to be redeemed shall be determined by the Issuer; and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar. Bonds or portions thereof called for redemption shall be due and payable on the redemption date, and interest thereon shall cease to accrue from and after the redemption date. Mailed notice of redemption shall be given to the paying agent and to each affected Holder of the Bonds at least thirty days prior to the date fixed for redemption.

Selection of Bonds for Redemption; Partial Redemption. To effect a partial redemption of Bonds having a common maturity date, the Bond Registrar shall assign to each Bond having a common maturity date a distinctive number for each \$5,000 of the principal amount of such Bond. The Bond Registrar shall then select by lot, using such method of selection as it shall deem proper in its discretion, from the numbers assigned to the Bonds, as many numbers as, at \$5,000 for each number, shall equal the principal amount of such Bonds to be redeemed. The Bonds to be redeemed shall be the Bonds to which were assigned numbers so selected; provided, however, that only so much of the principal amount of such Bond of a denomination of more than \$5,000 shall be redeemed as shall equal \$5,000 for each number assigned to it and so selected. If a Bond is to be redeemed only in part, it shall be surrendered to the Bond Registrar (with, if the Issuer or Bond Registrar so requires, a written instrument of transfer in form satisfactory to the Issuer and Bond Registrar duly executed by the Holder thereof or the Holder's

attorney duly authorized in writing) and the Issuer shall execute (if necessary) and the Bond Registrar shall authenticate and deliver to the Holder of the Bond, without service charge, a new Bond or Bonds having the same stated maturity and interest rate and of any Authorized Denomination or Denominations, as requested by the Holder, in aggregate principal amount equal to and in exchange for the unredeemed portion of the principal of the Bond so surrendered.

Prior to the date on which any Bond or Bonds are directed by the Issuer to be redeemed in advance of maturity, the Issuer will cause notice of the call thereof for redemption identifying the Bonds to be redeemed to be mailed to the Bond Registrar and all Bondholders, at the addresses shown on the Bond Register. All Bonds so called for redemption will cease to bear interest on the specified redemption date, provided funds for their redemption have been duly deposited

Issuance; Purpose; General Obligation. This Bond is one of an issue in the total principal amount of \$1,650,000 (the "Bonds"), all of like date of original issue and tenor, except as to number, maturity, interest rate, denomination and redemption privilege, issued pursuant to and in full conformity with the Constitution and laws of the State of Minnesota and pursuant to a resolution adopted by the City Council on July 29, 2009 (the "Resolution"), for the purpose of providing funds sufficient for a current refunding of certain outstanding general obligation bonds of the Issuer. This Bond is payable out of the Debt Service Account of the Issuer's General Obligation Water and Sewer Refunding Bonds, Series 2009A Fund. This Bond constitutes a general obligation of the Issuer, and to provide moneys for the prompt and full payment of its principal, premium, if any, and interest when the same become due, the full faith and credit and taxing powers of the Issuer have been and are hereby irrevocably pledged.

Denominations; Exchange; Resolution. The Bonds are issuable solely in fully registered form in Authorized Denominations (as defined in the Resolution) and are exchangeable for fully registered Bonds of other Authorized Denominations in equal aggregate principal amounts at the principal office of the Bond Registrar, but only in the manner and subject to the limitations provided in the Resolution. Reference is hereby made to the Resolution for a description of the rights and duties of the Bond Registrar. Copies of the Resolution are on file in the principal office of the Bond Registrar.

Transfer. This Bond is transferable by the Holder in person or by the Holder's attorney duly authorized in writing at the principal office of the Bond Registrar upon presentation and surrender hereof to the Bond Registrar, all subject to the terms and conditions provided in the Resolution and to reasonable regulations of the Issuer contained in any agreement with the Bond Registrar. Thereupon the Issuer shall execute and the Bond Registrar shall authenticate and deliver, in exchange for this Bond, one or more new fully registered Bonds in the name of the transferee (but not registered in blank or to "bearer" or similar designation), of an Authorized Denomination or Denominations, in aggregate principal amount equal to the principal amount of this Bond, of the same maturity and bearing interest at the same rate.

Fees upon Transfer or Loss. The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of this Bond and any legal or unusual costs regarding transfers and lost Bonds.

Treatment of Registered Owners. The Issuer and Bond Registrar may treat the person in whose name this Bond is registered as the owner hereof for the purpose of receiving payment as herein provided and for all other purposes, whether or not this Bond shall be overdue, and neither the Issuer nor the Bond Registrar shall be affected by notice to the contrary.

Authentication. This Bond shall not be valid or become obligatory for any purpose or be entitled to any security unless the Certificate of Authentication hereon shall have been executed by the Bond Registrar.

Qualified Tax-Exempt Obligation. This Bond has been designated by the Issuer as a "qualified tax-exempt obligation" for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota to be done, to happen and to be performed, precedent to and in the issuance of this Bond, have been done, have happened and have been performed, in regular and due form, time and manner as required by law, and that this Bond, together with all other debts of the Issuer outstanding on the date of original issue hereof and the date of its issuance and delivery to the original purchaser, does not exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF, the City of Rockville, Stearns County, Minnesota, by its City Council has caused this Bond to be executed on its behalf by the facsimile signatures of its Mayor and its Administrator-Clerk, the corporate seal of the Issuer having been intentionally omitted as permitted by law.

Date of Registration:

Registrable by: NORTHLAND TRUST SERVICES, INC.

BOND REGISTRAR'S
CERTIFICATE OF
AUTHENTICATION

Payable at: NORTHLAND TRUST SERVICES, INC.

CITY OF ROCKVILLE,
STEARNS COUNTY, MINNESOTA

This Bond is one of the Bonds described in the Resolution mentioned within.

Northland Trust Services, Inc.,
Minneapolis, Minnesota,
Bond Registrar

/s/ Facsimile

Mayor

/s/ Facsimile

Administrator-Clerk

By _____
Authorized Signature

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, shall be construed as though they were written out in full according to applicable laws or regulations:

- TEN COM - as tenants in common
- TEN ENT - as tenants by the entireties
- JT TEN - as joint tenants with right of survivorship and not as tenants in common
- UTMA - _____ as custodian for _____
 (Cust) _____ (Minor)
 under the _____ Uniform Transfers to Minors Act
 (State)

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and does hereby irrevocably constitute and appoint _____ attorney to transfer the Bond on the books kept for the registration thereof, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

Signature(s) must be guaranteed by a national bank or trust company or by a brokerage firm having a membership in one of the major stock exchanges or any other "Eligible Guarantor Institution" as defined in 17 CFR 240.17 Ad-15(a)(2).

The Bond Registrar will not effect transfer of this Bond unless the information concerning the transferee requested below is provided.

Name and Address: _____

PREPAYMENT SCHEDULE

This Bond has been prepaid in part on the date(s) and in the amount(s) as follows:

<u>DATE</u>	<u>AMOUNT</u>	<u>AUTHORIZED SIGNATURE OF HOLDER</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

9. Execution. The Bonds shall be in typewritten form, shall be executed on behalf of the City by the signatures of its Mayor and Administrator-Clerk and be sealed with the seal of the City; provided, as permitted by law, both signatures may be photocopied facsimiles and the corporate seal has been omitted. In the event of disability or resignation or other absence of either officer, the Bonds may be signed by the manual or facsimile signature of the officer who may act on behalf of the absent or disabled officer. In case either officer whose signature or facsimile of whose signature shall appear on the Bonds shall cease to be such officer before the delivery of the Bonds, the signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery.

10. Authentication. No Bond shall be valid or obligatory for any purpose or be entitled to any security or benefit under this resolution unless a Certificate of Authentication on such Bond, substantially in the form hereinabove set forth, shall have been duly executed by an authorized representative of the Bond Registrar. Certificates of Authentication on different Bonds need not be signed by the same person. The Bond Registrar shall authenticate the signatures of officers of the City on each Bond by execution of the Certificate of Authentication on the Bond and by inserting as the date of registration in the space provided the date on which the Bond is authenticated, except that for purposes of delivering the original Bonds to the Purchaser, the Bond Registrar shall insert as a date of registration the date of original issue of August 1, 2009. The Certificate of Authentication so executed on each Bond shall be conclusive evidence that it has been authenticated and delivered under this resolution.

11. Registration; Transfer; Exchange. The City will cause to be kept at the principal office of the Bond Registrar a bond register in which, subject to such reasonable regulations as the Bond Registrar may prescribe, the Bond Registrar shall provide for the registration of Bonds and the registration of transfers of Bonds entitled to be registered or transferred as herein provided.

Upon surrender for transfer of any Bond at the principal office of the Bond Registrar, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration (as provided in paragraph 9) of, and deliver, in the name of the designated transferee or transferees, one or more new Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount, having the same stated maturity and interest rate, as requested by the transferor; provided, however, that no Bond may be registered in blank or in the name of "bearer" or similar designation.

At the option of the Holder, Bonds may be exchanged for Bonds of any Authorized Denomination or Denominations of a like aggregate principal amount and stated maturity, upon surrender of the Bonds to be exchanged at the principal office of the Bond Registrar. Whenever any Bonds are so surrendered for exchange, the City shall execute (if necessary), and the Bond Registrar shall authenticate, insert the date of registration of, and deliver the Bonds which the Holder making the exchange is entitled to receive.

All Bonds surrendered upon any exchange or transfer provided for in this resolution shall be promptly canceled by the Bond Registrar and thereafter disposed of as directed by the City.

All Bonds delivered in exchange for or upon transfer of Bonds shall be valid general obligations of the City evidencing the same debt, and entitled to the same benefits under this resolution, as the Bonds surrendered for such exchange or transfer.

Every Bond presented or surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, in form satisfactory to the Bond Registrar, duly executed by the Holder thereof or his, her or its attorney duly authorized in writing.

The Bond Registrar may require payment of a sum sufficient to cover any tax or other governmental charge payable in connection with the transfer or exchange of any Bond and any legal or unusual costs regarding transfers and lost Bonds.

Transfers shall also be subject to reasonable regulations of the City contained in any agreement with the Bond Registrar, including regulations which permit the Bond Registrar to close its transfer books between record dates and payment dates. The Administrator-Clerk is hereby authorized to negotiate and execute the terms of said agreement.

12. Rights Upon Transfer or Exchange. Each Bond delivered upon transfer of or in exchange for or in lieu of any other Bond shall carry all the rights to interest accrued and unpaid, and to accrue, which were carried by such other Bond.

13. Interest Payment; Record Date. Interest on any Bond shall be paid on each Interest Payment Date by check or draft mailed to the person in whose name the Bond is registered (the "Holder") on the registration books of the City maintained by the Bond Registrar and at the address appearing thereon at the close of business on the fifteenth day of the calendar month next preceding such Interest Payment Date (the "Regular Record Date"). Any such interest not so timely paid shall cease to be payable to the person who is the Holder thereof as of the Regular Record Date, and shall be payable to the person who is the Holder thereof at the close of business on a date (the "Special Record Date") fixed by the Bond Registrar whenever money becomes available for payment of the defaulted interest. Notice of the Special Record Date shall be given by the Bond Registrar to the Holders not less than ten days prior to the Special Record Date.

14. Treatment of Registered Owner. The City and Bond Registrar may treat the person in whose name any Bond is registered as the owner of such Bond for the purpose of receiving payment of principal of and premium, if any, and interest (subject to the payment provisions in paragraph 12) on, such Bond and for all other purposes whatsoever whether or not such Bond shall be overdue, and neither the City nor the Bond Registrar shall be affected by notice to the contrary.

15. Delivery; Application of Proceeds. The Bonds when so prepared and executed shall be delivered by the Administrator-Clerk to the Purchaser upon receipt of the purchase price, and the Purchaser shall not be obliged to see to the proper application thereof.

16. Funds and Accounts. There is hereby created a special fund to be designated the "General Obligation Water and Sewer Refunding Bonds, Series 2009A Fund" (the "Fund") to be administered and maintained by the Administrator-Clerk as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. The Operation

and Maintenance Account heretofore established by the City for the System shall continue to be maintained in the manner heretofore provided by the City. All moneys remaining after paying or providing for the items set forth in the resolution establishing the Operation and Maintenance Account shall constitute or are referred to as "net revenues". There shall be maintained in the Fund the following separate accounts to which shall be credited and debited all income and disbursements of the System as hereinafter set forth. The Finance Director and all officials and employees of the City concerned therewith shall establish and maintain financial records of the receipts and disbursements of the System in accordance with this resolution. In such records there shall be established accounts or accounts shall continue to be maintained as the case may be, of the Fund for the purposes and in the amounts as follows:

(a) Payment Accounts. The following deposits shall be made from Bond proceeds:

(i) \$108,239.54 in proceeds of the sale of the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds shall be deposited in the General Obligation Disposal System Bond of 1997 Debt Service Account heretofore created by the Prior 1997 Resolution for the Prior 1997 Disposal System Bonds (the "Prior 1997 Disposal System Bonds Payment Account");

(ii) \$95,795.73 in proceeds of the sale of the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds shall be deposited in the General Obligation Disposal System Bond of 1998 Debt Service Account heretofore created by the Prior 1998 Resolution for the Prior 1998 Disposal System Bonds (the "Prior 1998 Disposal System Bonds Payment Account");

(iii) \$525,331.44 in proceeds of the sale of the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds shall be deposited in the General Obligation Water Revenue Bond of 2001 Debt Service Account heretofore created by the Prior 2001 Resolution for the Prior 2001 System Bonds (the "Prior 2001 System Bonds Payment Account"); and

(iv) \$886,669.49 in proceeds of the sale of the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds shall be deposited in the General Obligation Water Revenue Bond of 2005B Debt Service Account heretofore created by the Prior 2005 Resolution for the Prior 2005B System Bonds (the "Prior 2005B System Bonds Payment Account").

The deposits into the Prior 1997 Disposal System Bonds Payment Account, the Prior 1998 Disposal System Bonds Payment Account, the Prior 2001 System Bonds Payment Account and the Prior 2005B System Bonds Payment Account (together, the "Payment Accounts"), together with all other funds held therein, are sufficient to prepay the Refunded Bonds on the Call Date and to pay costs of issuing the Bonds.

(b) Debt Service Account. There shall be maintained the following separate subaccounts in the Debt Service Account to be designated the "Disposal System Debt Service Subaccount" and the "System Debt Service Subaccount". There are hereby irrevocably

appropriated and pledged to, and there shall be credited to the separate subaccounts of the Debt Service Account:

(i) Disposal System Debt Service Subaccount. To the Disposal System Debt Service Subaccount there is hereby pledged and irrevocably appropriated and there shall be credited: (1) a proportionate share of any accrued interest received upon delivery of the Bonds; (2) collections of all taxes heretofore or hereafter levied for the payment of the Prior 1997 Disposal System Bonds and the Prior 1998 Disposal System Bonds and interest thereon which are not needed to pay the Prior 1997 Disposal System Bonds and the Prior 1998 Disposal System Bonds as a result of the Refunding; (3) all investment earnings on funds in the Disposal System Debt Service Subaccount; and (4) any and all other moneys which are properly available and are appropriated by the governing body of the City to the Disposal System Debt Service Subaccount. The amount of any surplus remaining in the Disposal System Debt Service Subaccount when Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds and interest thereon are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4. The amount of any surplus remaining in the Disposal System Debt Service Subaccount when the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4.

(ii) System Debt Service Subaccount. To the System Debt Service Subaccount there is hereby pledged and irrevocably appropriated and there shall be credited: (1) the net revenues of the System not otherwise pledged and applied to the payment of other obligations of the City, in an amount, together with other funds which may herein or hereafter from time to time be irrevocably appropriated to the account sufficient to meet the requirements of Minnesota Statutes, Section 475.61 for the payment of the principal and interest of the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds; (2) a proportionate share of any accrued interest received upon delivery of the Bonds; (3) any collections of all taxes which may hereafter be levied in the event the net revenues of the System and other funds herein pledged to the payment of the principal and interest on the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds are insufficient therefor; (4) any balances remaining after the Call Date in the Debt Service Account of the General Obligation Water Revenue Bond of 2001 Debt Service Account heretofore created by the Prior 2001 Resolution for the Prior 2001 System Bonds and in the Debt Service Account of the General Obligation Water Revenue Bonds, Series 2005B Debt Service Account heretofore created by the Prior 2005B Resolution for the Prior 2005B System Bonds; (5) all investment earnings on funds in the System Debt Service Subaccount; and (6) any and all other moneys which are properly available and are appropriated by the governing body of the City to the System Debt Service Subaccount. The amount of any surplus remaining in the System Debt Service Subaccount when the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds are paid shall be used consistent with Minnesota Statutes, Section 475.61, Subdivision 4.

The moneys in the Debt Service Account shall be used solely to pay the principal of and interest on the Bonds or any other bonds hereafter issued and made payable from the Fund. No

portion of the proceeds of the Bonds shall be used directly or indirectly to acquire higher yielding investments or to replace funds which were used directly or indirectly to acquire higher yielding investments, except (1) for a reasonable temporary period until such proceeds are needed for the purpose for which the Bonds were issued, and (2) in addition to the above, in an amount not greater than the lesser of five percent of the proceeds of the Bonds or \$100,000. To this effect, any proceeds of the Bonds and any sums from time to time held in the Fund (or any other City account which will be used to pay principal and interest to become due on the Bonds) in excess of amounts which under the applicable federal arbitrage regulations may be invested without regard as to yield shall not be invested in excess of the applicable yield restrictions imposed by the arbitrage regulations on such investments after taking into account any applicable "temporary periods" or "minor portion" made available under the federal arbitrage regulations. In addition, the proceeds of the Bonds and money in the Fund shall not be invested in obligations or deposits issued by, guaranteed by or insured by the United States or any agency or instrumentality thereof if and to the extent that such investment would cause the Bonds to be "federally guaranteed" within the meaning of Section 149(b) of the federal Internal Revenue Code of 1986, as amended (the "Code").

17. Covenants Relating to the Prior Disposal System Bonds Refunding Portion of the Bonds.

(a) Tax Levy; Coverage Test; Cancellation of Certain Tax Levies. To provide moneys for payment of the principal and interest on the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds, there is hereby levied upon all of the taxable property in the City a direct annual ad valorem tax which shall be spread upon the tax rolls and collected with and as part of other general property taxes in the City for the years and in the amounts as follows:

<u>Years of Tax Levy</u>	<u>Years of Tax Collection</u>	<u>Amounts</u>
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See attached schedule

The tax levies are such that if collected in full they, together with any other revenues herein pledged for the payment of the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds, will produce at least five percent in excess of the amount needed to meet when due the principal and interest payments on the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds. The tax levies shall be irrevocable so long as any of the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds are outstanding and unpaid, provided that the City reserves the right and power to reduce the levies in the manner and to the extent permitted by Minnesota Statutes, Section 475.61, Subdivision 3.

Upon payment of the Prior 1997 Disposal System Bonds and Prior 1998 Disposal System Bonds, the taxes levied in the Prior 1997 Resolution and the Prior 1998 Resolution authorizing the issuance of the Prior 1997 Disposal System Bonds and Prior 1998 Disposal System Bonds for the years 2009 to 2026 shall be canceled.

(b) General Obligation Pledge. For the prompt and full payment of the principal and interest on the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the balance in the Disposal System Debt Service Subaccount is ever insufficient to pay all principal and interest then due on the Prior 1997 and Prior 1998 Disposal System Bonds Refunding Portion of the Bonds and any other bonds payable therefrom, the deficiency shall be promptly paid out of any other funds of the City which are available for such purpose, and such other funds may be reimbursed with or without interest from the Improvement Debt Service Subaccount when a sufficient balance is available therein.

18. Covenants Relating to the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds.

(a) Sufficiency of Net Revenues; Coverage Test. It is hereby found, determined and declared that the net revenues of the System are sufficient to pay one hundred five percent of the principal of and interest on the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds and the net revenues of the System are hereby pledged to the payment of the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds, but solely to the extent required to meet, together with other pledged sums, the principal and interest requirements of the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds. Nothing contained herein shall be deemed to preclude the City from making further pledges and appropriations of the net revenues of the System for the payment of other or additional obligations of the City, provided that it has first been determined by the City Council that the estimated net revenues of the System will be sufficient in addition to all other sources, for the payment of the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds and such additional obligations and any such pledge and appropriation of the net revenues may be made superior or subordinate to, or on a parity with the pledge and appropriation herein.

(b) Covenant to Maintain Rates and Charges. In accordance with Minnesota Statutes, Section 444.075, the City hereby covenants and agrees with the Holders of the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds that it will impose and collect charges for the service, use, availability and connection to the System at the times and in the amounts required to produce net revenues adequate to pay all principal and interest when due on the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds. Minnesota Statutes, Section 444.075, Subdivision 2, provides as follows: "Real estate tax revenues should be used only, and then on a temporary basis, to pay general or special obligations when the other revenues are insufficient to meet the obligations".

(c) Excess Net Revenues. Net revenues in excess of those required for the foregoing may be used for any proper purpose.

(d) General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds as the same respectively become due, the full faith, credit and taxing powers of the City shall be and are hereby irrevocably pledged. If the balance in the System Debt Service Subaccount is ever insufficient to pay all principal and interest then due on the Prior 2001 and Prior 2005B System Bonds Refunding Portion of the Bonds payable therefrom, the deficiency shall be

promptly paid out of any other accounts of the City which are available for such purpose, and such other funds may be reimbursed without interest from the System Debt Service Subaccount when a sufficient balance is available therein.

19. State Credit Enhancement Program. The City hereby ratifies and confirms its covenants in the resolution duly adopted on May 13, 2009, obligating itself to notify the Commissioner of Finance of the State of Minnesota of a potential default in payment of the Bonds and to use the provisions of Minnesota Statutes, Section 446A.086 to guarantee the payment of principal and interest on the Bonds. The Mayor and Administrator-Clerk are hereby authorized and directed to enter into an agreement with the Bond Registrar, who is the paying agent for the Bonds, or any department of the State of Minnesota required by the provisions of Minnesota Statutes, Section 446A.086

20. Defeasance. When all Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution to the registered Holders of the Bonds shall, to the extent permitted by law, cease. The City may discharge its obligations with respect to any Bonds which are due on any date by irrevocably depositing with the Bond Registrar on or before that date a sum sufficient for the payment thereof in full; or if any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Bond Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit. The City may also discharge its obligations with respect to any prepayable Bonds called for redemption on any date when they are prepayable according to their terms, by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full, provided that notice of redemption thereof has been duly given. The City may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a suitable banking institution qualified by law as an escrow agent for this purpose, cash or securities described in Minnesota Statutes, Section 475.67, Subdivision 8, bearing interest payable at such times and at such rates and maturing on such dates as shall be required, without regard to sale and/or reinvestment, to pay all amounts to become due thereon to maturity or, if notice of redemption as herein required has been duly provided for, to such earlier redemption date.

21. Redemption of Refunded Bonds. The actions taken on the City's behalf by David Drown in notifying the holder of the Prior 1997 Disposal System Bonds, the Prior 1998 Disposal System Bonds and the Prior 2001 System Bonds, the United States of America, Department of Agriculture, Waite Park, Minnesota, Rural Development Office, about the prepayment of the Refunded 1997 Bonds, the Refunded 1998 Bonds and the Refunded 2001 Bonds on the Call Date are hereby approved. The Administrator-Clerk is hereby authorized and directed to give mailed notice of redemption prior to the Call Date, to the paying agent for the Prior 2005B Bonds, in substantially the form attached hereto as Exhibit A and the Refunded 2005B System Bonds shall be redeemed and prepaid on the Call Date in accordance with the terms and conditions set forth in the Notice of Call for Redemption, which terms and conditions are hereby approved and incorporated herein by reference.

22. Prior Bonds: Security and Prepayment. Until retirement of the Prior Bonds, all provisions theretofore made for the security thereof shall be observed by the City and all of its officers and agents.

23. Supplemental Resolution. The Prior Resolutions are hereby supplemented to the extent necessary to give effect to the provisions hereof.

24. Certificate of Registration. The Administrator-Clerk is hereby directed to file a certified copy of this resolution with the County Auditor of Stearns County, Minnesota, together with such other information as the County Auditor shall require, and to obtain the County Auditor's Certificate that the Bonds have been entered in the County Auditor's Bond Register and that the tax levy required by law has been made.

25. Records and Certificates. The officers of the City are hereby authorized and directed to prepare and furnish to the Purchaser, and to the attorneys approving the legality of the issuance of the Bonds, certified copies of all proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other affidavits, certificates and information as are required to show the facts relating to the legality and marketability of the Bonds as the same appear from the books and records under their custody and control or as otherwise known to them, and all such certified copies, certificates and affidavits, including any re furnished, shall be deemed representations of the City as to the facts recited therein.

26. Negative Covenant as to Use of Proceeds and Projects. The City hereby covenants not to use the proceeds of the Bonds or to use the projects originally financed by the Prior Bonds, or to cause or permit them to be used, or to enter into any deferred payment arrangements for the cost of the projects, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

27. Tax-Exempt Status of the Bonds; Rebate. The City shall comply with requirements necessary under the Code to establish and maintain the exclusion from gross income under Section 103 of the Code of the interest on the Bonds, including without limitation (i) requirements relating to temporary periods for investments, (ii) limitations on amounts invested at a yield greater than the yield on the Bonds, and (iii) the rebate of excess investment earnings to the United States, if the Bonds (together with other obligations reasonably expected to be issued and outstanding at one time in this calendar year) exceed the small issuer exception amount of \$5,000,000.

For purposes of qualifying for the exception to the federal arbitrage rebate requirements for governmental units issuing \$5,000,000 or less of bonds, the City hereby finds, determines and declares that:

(a) the Bonds are issued by a governmental unit with general taxing powers; (ii) no Bond is a private activity bond;

(b) ninety-five percent or more of the net proceeds of the Bonds are to be used for local governmental activities of the City (or of a governmental unit the jurisdiction of which is entirely within the jurisdiction of the City); and

(c) the aggregate face amount of all tax exempt bonds (other than private activity bonds) issued by the City (and all subordinate entities thereof, and all entities treated as one issuer with the City) during the calendar year in which the Bonds are issued and outstanding at

one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

Furthermore:

(d) there shall not be taken into account for purposes of said \$5,000,000 limit any bond issued to refund (other than to advance refund) any bond to the extent the amount of the refunding bond does not exceed the outstanding amount of the refunded bond;

(e) the aggregate face amount of the Bonds does not exceed \$5,000,000;

(f) each of the Refunded Bonds was issued as part of an issue which was treated as meeting the rebate requirements by reason of the exception for governmental units issuing \$5,000,000 or less of bonds;

(g) the average maturity of the Bonds does not exceed the average maturity of the Refunded Bonds; and

(h) no part of the Bonds has a maturity date which is later than the date which is thirty years after the date the Refunded Bonds were issued.

28. Designation of Qualified Tax-Exempt Obligations. In order to qualify the Bonds as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Code, the City hereby makes the following factual statements and representations:

(a) the Bonds are issued after August 7, 1986;

(b) the Bonds are not "private activity bonds" as defined in Section 141 of the Code;

(c) the City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b)(3) of the Code;

(d) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds, treating qualified 501(c)(3) bonds as not being private activity bonds) which will be issued by the City (and all entities treated as one issuer with the City, and all subordinate entities whose obligations are treated as issued by the City) during this calendar year 2009 will not exceed \$30,000,000;

(e) not more than \$30,000,000 of obligations issued by the City during this calendar year 2009 have been designated for purposes of Section 265(b)(3) of the Code;

(f) the aggregate face amount of the Bonds does not exceed \$30,000,000;

Furthermore:

(g) each of the Refunded Bonds was designated as a "qualified tax exempt obligation" for purposes of Section 265(b)(3) of the Code;

(h) the aggregate face amount of the Bonds does not exceed \$30,000,000;

(i) the average maturity of the Bonds does not exceed the remaining average maturity of the Refunded Bonds;

(j) no part of the Bonds has a maturity date which is later than the date which is thirty years after the date the Refunded Bonds were issued; and

(k) the Bonds are issued to refund, and not to "advance refund" the Prior Bonds within the meaning of Section 149(d)(5) of the Code, and shall not be taken into account under the \$30,000,000 issuance limit to the extent the Bonds do not exceed the outstanding amount of the Prior Bonds.

The City shall use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designation made by this paragraph.

29. Continuing Disclosure. The City is the sole obligated person with respect to the Bonds. The City hereby agrees, in accordance with the provisions of Rule 15c2-12 (the "Rule"), promulgated by the Securities and Exchange Commission (the "Commission") pursuant to the Securities Exchange Act of 1934, as amended, and a Continuing Disclosure Undertaking (the "Undertaking") hereinafter described to:

(a) Provide or cause to be provided to the Municipal Securities Rulemaking Board (the "MSRB") by filing at www.emma.msrb.org in accordance with the Rule, certain annual financial information and operating data in accordance with the Undertaking. The City reserves the right to modify from time to time the terms of the Undertaking as provided therein.

(b) Provide or cause to be provided, in a timely manner to the MSRB notice of the occurrence of certain material events with respect to the Bonds in accordance with the Undertaking.

(c) Provide or cause to be provided, in a timely manner to the MSRB notice of a failure by the City to provide the annual financial information with respect to the City described in the Undertaking.

(d) The City agrees that its covenants pursuant to the Rule set forth in this paragraph and in the Undertaking is intended to be for the benefit of the Holders of the Bonds and shall be enforceable on behalf of such Holders; provided that the right to enforce the provisions of these covenants shall be limited to a right to obtain specific enforcement of the City's obligations under the covenants.

The Mayor and Administrator-Clerk of the City, or any other officer of the City authorized to act in their place (the "Officers") are hereby authorized and directed to execute on behalf of the City the Undertaking in substantially the form presented to the City Council subject to such modifications thereof or additions thereto as are (a) consistent with the requirements under the Rule, (b) required by the Purchaser, and (c) acceptable to the Officers.

30. Official Statement. The Official Statement relating to the Bonds prepared and distributed by David Drown is hereby approved and the officers of the City are authorized in

connection with the delivery of the Bonds to sign such certificates as may be necessary with respect to the completeness and accuracy of the Official Statement.

31. Severability. If any section, paragraph or provision of this resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this resolution.

32. Headings. Headings in this resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

The motion for the adoption of the foregoing resolution was duly seconded by member *Hagen* and, after a full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof: Mayor Hagen, Council Members Becker, Koerber, Volkmuth, and Willenbring

and the following voted against the same: None

whereupon the resolution was declared duly passed and adopted.

STATE OF MINNESOTA
COUNTY OF STEARNS
CITY OF ROCKVILLE

I, the undersigned, being the duly qualified and acting Administrator-Clerk of the City of Rockville, Minnesota, DO HEREBY CERTIFY that I have compared the attached and foregoing extract of minutes with the original thereof on file in my office, and that the same is a full, true and complete transcript of the minutes of a meeting of the City Council, duly called and held on the date therein indicated, insofar as such minutes relate to providing for the issuance and sale of \$1,650,000 General Obligation Water and Sewer Refunding Bonds, Series 2009A.

WITNESS my hand on July 29, 2009.

Administrator-Clerk

TAX LEVIES

<u>Levy Year</u>	<u>Collection Year</u>	<u>Amount</u>
2008	2009	\$ 16,536
2009	2010	16,001
2010	2011	16,424
2011	2012	17,285
2012	2013	17,075
2013	2014	16,760
2014	2015	16,498
2015	2016	17,233
2016	2017	16,834
2017	2018	16,436
2018	2019	17,087
2019	2020	16,596
2020	2021	17,154
2021	2022	16,622
2022	2023	17,106
2023	2024	17,546
2024	2025	16,892
2025	2026	5,707
2026	2027	5,478

EXHIBIT A

NOTICE OF CALL FOR REDEMPTION

GENERAL OBLIGATION WATER REVENUE BONDS, SERIES 2005B
CITY OF ROCKVILLE, STEARNS COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that by order of the City Council of the City of Rockville, Stearns County, Minnesota, there have been called for redemption and prepayment on

August 20, 2009

those outstanding bonds of the City designated as General Obligation Water Revenue Bonds, Series 2005B, dated as of September 28, 2005, having stated maturity dates in the years 2010 through 2016, inclusive, and totaling \$885,000 in principal amount and having CUSIP numbers listed below:

<u>Year</u>	<u>CUSIP Number*</u>
2010	774255 AY 9
2011	774255 AZ 6
2012	774255 BA 0
2013	774255 BB 8
2014	774255 BC 6
2015	774255 BD 4
2016	774255 BE 2

The are being called at a price of par plus accrued interest to August 20, 2009, on which date all interest on the bonds will cease to accrue. Holders of the bonds hereby called for redemption are requested to present their bonds for payment, at Bond Trust Services Corporation, Attention: Bond Trust Services, 3060 Centre Point Drive, Roseville, Minnesota 55113.

Dated: July 29, 2009

BY ORDER OF THE CITY COUNCIL

/s/ Rena Weber, City Administrator-Clerk

*The City shall not be responsible for the selection of or use of the CUSIP numbers, nor is any representation made as to their correctness indicated in the notice. They are included solely for the convenience of the holders.

CITY OF ROCKVILLE

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*Fund Summary -
Budget to Actual©

AUGUST 2009

August 19, 2009

	Budget	AUGUST 2009	YTD Amount	Budget Balance	% of Budget
FUND 101 GENERAL FUND					
Revenue	\$976,855.00	\$2,603.87	\$460,023.84	\$516,831.16	47.09%
Expenditure	\$963,553.00	\$23,084.07	\$431,953.37	\$531,599.63	44.83%
		<u>-\$20,480.20</u>	<u>\$28,070.47</u>		
FUND 202 PUBLIC LAND DEDICATION					
Revenue	\$3,000.00	\$0.00	\$1,000.00	\$2,000.00	33.33%
Expenditure	\$11,000.00	\$486.86	\$874.96	\$10,125.04	7.95%
		<u>-\$486.86</u>	<u>\$125.04</u>		
FUND 209 ECONOMIC DEVELOPMENT					
Revenue	\$18,338.00	\$0.00	\$6,466.44	\$11,871.56	35.26%
Expenditure	\$10,000.00	\$210.00	-\$25,689.18	\$35,689.18	-256.89%
		<u>-\$210.00</u>	<u>\$32,155.62</u>		
FUND 215 ROAD MAINTENANCE FUND					
Revenue	\$8,452.00	\$0.00	\$3,102.80	\$5,349.20	36.71%
Expenditure	\$17,000.00	\$5,382.78	\$5,494.78	\$11,505.22	32.32%
		<u>-\$5,382.78</u>	<u>-\$2,391.98</u>		
FUND 301 1997 GO DISPOSAL SYSTEM BOND					
Revenue	\$9,420.00	\$0.00	\$4,422.79	\$4,997.21	46.95%
Expenditure	\$9,119.00	\$0.00	\$36.25	\$9,082.75	0.40%
		<u>\$0.00</u>	<u>\$4,386.54</u>		
FUND 302 1998 GO DISPOSAL SYSTEM BOND					
Revenue	\$7,662.00	\$0.00	\$3,597.40	\$4,064.60	46.95%
Expenditure	\$7,418.00	\$0.00	\$33.15	\$7,384.85	0.45%
		<u>\$0.00</u>	<u>\$3,564.25</u>		
FUND 303 2001 GO WATER REVENUE BOND					
Revenue	\$41,225.00	\$0.00	\$41,225.00	\$0.00	100.00%
Expenditure	\$41,225.00	\$0.00	\$181.45	\$41,043.55	0.44%
		<u>\$0.00</u>	<u>\$41,043.55</u>		
FUND 304 CITY FACILITIES					
Revenue	\$226,197.00	\$0.00	\$108,008.51	\$118,188.49	47.75%
Expenditure	\$213,606.00	\$0.00	\$212,156.25	\$1,449.75	99.32%
		<u>\$0.00</u>	<u>-\$104,147.74</u>		
FUND 305 2004A-\$990,000 GO IMPV BDS-PIP					
Revenue	\$135,655.00	\$0.00	\$31,992.11	\$103,662.89	23.58%
Expenditure	\$121,671.00	\$0.00	\$121,671.25	-\$0.25	100.00%
		<u>\$0.00</u>	<u>-\$89,679.14</u>		
FUND 306 2005 PRAIRIE IND PK ADDTL PROJ					
Revenue	\$12,728.00	\$0.00	\$12,728.00	\$0.00	100.00%
Expenditure	\$12,728.00	\$0.00	\$12,747.93	-\$19.93	100.16%
		<u>\$0.00</u>	<u>-\$19.93</u>		
FUND 307 2005 WTR IMP BOND- P LAKE					
Revenue	\$51,100.00	\$0.00	\$1,090.63	\$50,009.37	2.13%
Expenditure	\$29,510.00	\$0.00	\$29,738.72	-\$228.72	100.78%

CITY OF ROCKVILLE

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***Fund Summary -
Budget to Actual©**

AUGUST 2009

	Budget	AUGUST 2009	YTD Amount	Budget Balance	% of Budget
		\$0.00	-\$28,648.09		
FUND 308 CO RD 82 STREET IMPR BOND					
Revenue	\$19,809.00	\$0.00	\$12,634.98	\$7,174.02	63.78%
Expenditure	\$9,488.00	\$0.00	\$9,487.50	\$0.50	99.99%
		\$0.00	\$3,147.48		
FUND 309 LAKES SEWER PROJECT BOND					
Revenue	\$372,800.00	\$0.00	\$166,595.54	\$206,204.46	44.69%
Expenditure	\$496,789.00	\$0.00	\$523,471.98	-\$26,682.98	105.37%
		\$0.00	-\$356,876.44		
FUND 310 2009 UTILITY DISPOSAL PORTION					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 311 2009 UTILITY WTR CORE CITY/PIP					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 312 2009 UTILITY WTR P.L. PORTION					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 407 SEWER PROJECT-GRAND LAKE/P LK					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 408 ANNUAL EVENT FUND					
Revenue	\$14,627.00	\$0.00	\$8,065.00	\$6,562.00	55.14%
Expenditure	\$14,700.00	\$599.45	\$11,922.32	\$2,777.68	81.10%
		-\$599.45	-\$3,857.32		
FUND 409 CR 82 STREET IMP-CONSTR FUND					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$0.00	\$0.00	\$2,599.08	-\$2,599.08	0.00%
		\$0.00	-\$2,599.08		
FUND 601 WATER FUND					
Revenue	\$149,320.00	\$2,136.17	\$45,715.74	\$103,604.26	30.62%
Expenditure	\$133,748.00	\$4,607.19	\$92,475.59	\$41,272.41	69.14%
		-\$2,471.02	-\$46,759.85		
FUND 602 SEWER FUND					
Revenue	\$355,196.00	\$3,159.49	\$120,487.36	\$234,708.64	33.92%
Expenditure	\$167,734.00	\$10,021.59	\$128,099.44	\$39,634.56	76.37%
		-\$6,862.10	-\$7,612.08		
FUND 901 FIX ASSET-GASB CONVERSION					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%

CITY OF ROCKVILLE

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***Fund Summary -
Budget to Actual©**

AUGUST 2009

	Budget	AUGUST 2009	YTD Amount	Budget Balance	% of Budget
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 902 LONG TERM DEBT-GASB CONVERSION					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
Expenditure	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
FUND 903 GASB CONVERSION FUND					
Revenue	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
		\$0.00	\$0.00		
Report Total		-\$36,492.41	-\$530,098.70		

CITY OF ROCKVILLE

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Cash Balance Statement-Landscape

City Council Meeting
August 19, 2009

FUND Descr	Begin Yr	MTD Debit	MTD Credit	YTD Debit	YTD Credit	Current Balance BALSHT Descr
FUND 101 GENERAL FUND						
GENERAL FUND	\$422,731.99	\$0.00	\$0.00	\$294,207.70	\$0.00	\$716,939.69 Investments at Cost
GENERAL FUND	\$491,520.21	\$5,440.51	\$35,706.53	\$868,544.88	\$1,265,045.12	\$95,019.97 Cash
GENERAL FUND	\$292.05	\$0.00	\$0.00	\$0.00	\$10.58	\$281.47 Petty Cash
FUND 101 GENERAL FUND	\$914,544.25	\$5,440.51	\$35,706.53	\$1,162,752.58	\$1,265,055.70	\$812,241.13
FUND 202 PUBLIC LAND DEDICATION						
PUBLIC LAND DEDICATION	\$93,559.96	\$0.00	\$486.86	\$1,402.58	\$914.63	\$94,047.91 Cash
FUND 209 ECONOMIC DEVELOPMENT						
ECONOMIC DEVELOPMENT	\$176,227.98	\$0.00	\$0.00	\$57,698.95	\$0.00	\$233,926.93 Investments at Cost
ECONOMIC DEVELOPMENT	\$92,104.26	\$0.00	\$210.00	\$6,009.34	\$57,976.52	\$40,137.08 Cash
FUND 209 ECONOMIC DEVELOPMENT	\$268,332.24	\$0.00	\$210.00	\$63,708.29	\$57,976.52	\$274,064.01
FUND 215 ROAD MAINTENANCE FUND						
ROAD MAINTENANCE FUND	\$96,000.00	\$0.00	\$0.00	\$1,161.76	\$0.00	\$97,161.76 Investments at Cost
ROAD MAINTENANCE FUND	\$35,640.69	\$1,456.04	\$6,838.82	\$3,446.50	\$7,033.22	\$32,053.97 Cash
FUND 215 ROAD MAINTENANCE FUND	\$131,640.69	\$1,456.04	\$6,838.82	\$4,608.26	\$7,033.22	\$129,215.73
FUND 301 1997 GO DISPOSAL SYSTEM BOND						
1997 GO DISPOSAL SYSTEM BOND	\$1,652.68	\$0.00	\$0.00	\$4,621.22	\$36.25	\$6,237.65 Cash
FUND 302 1998 GO DISPOSAL SYSTEM BOND						
1998 GO DISPOSAL SYSTEM BOND	-\$1,569.40	\$0.00	\$0.00	\$3,758.47	\$33.15	\$2,155.92 Cash
FUND 303 2001 GO WATER REVENUE BOND						
2001 GO WATER REVENUE BOND	\$47,559.09	\$0.00	\$0.00	\$41,225.00	\$181.45	\$88,602.64 Cash
FUND 304 CITY FACILITIES						
CITY FACILITIES	\$213,367.62	\$0.00	\$0.00	\$111,344.76	\$282,156.25	\$42,556.13 Cash
CITY FACILITIES	\$96,036.06	\$0.00	\$0.00	\$71,861.62	\$0.00	\$167,897.68 Investments at Cost
FUND 304 CITY FACILITIES	\$309,403.68	\$0.00	\$0.00	\$183,206.38	\$282,156.25	\$210,453.81
FUND 305 2004A-\$990,000 GO IMPV BDS-PIP						

FUND Descr	Begin Yr	MTD Debit	MTD Credit	YTD Debit	YTD Credit	Current Balance BALSHT Descr
2004A-\$990,000 GO IMPV BDS-PIP	\$86,472.84	\$0.00	\$0.00	\$35,680.18	\$121,671.25	\$481.77 Cash
FUND 306 2005 PRAIRIE IND PK ADDTL PROJ 2005 PRAIRIE IND PK ADDTL PROJ	\$391.49	\$0.00	\$0.00	\$12,728.00	\$12,747.93	\$371.56 Cash
FUND 307 2005 WTR IMP BOND- P LAKE 2005 WTR IMP BOND- P LAKE 2005 WTR IMP BOND- P LAKE	\$192,000.00 \$46,051.59	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$915.18	\$0.00 \$29,738.72	\$192,000.00 Investments at Cost \$17,228.05 Cash
FUND 307 2005 WTR IMP BOND- P LAKE	\$238,051.59	\$0.00	\$0.00	\$915.18	\$29,738.72	\$209,228.05
FUND 308 CO RD 82 STREET IMPR BOND CO RD 82 STREET IMPR BOND	\$731.46	\$0.00	\$0.00	\$12,634.98	\$9,487.50	\$3,878.94 Cash
FUND 309 LAKES SEWER PROJECT BOND LAKES SEWER PROJECT BOND LAKES SEWER PROJECT BOND	\$1,045,000.00 \$106,990.69	\$0.00 \$0.00	\$0.00 \$0.00	\$0.00 \$423,670.47	\$192,000.00 \$564,557.93	\$853,000.00 Investments at Cost -\$33,896.77 Cash
FUND 309 LAKES SEWER PROJECT BOND	\$1,151,990.69	\$0.00	\$0.00	\$423,670.47	\$756,557.93	\$819,103.23
FUND 408 ANNUAL EVENT FUND ANNUAL EVENT FUND	-\$396.28	\$100.00	\$699.45	\$8,265.51	\$12,063.32	-\$4,194.09 Cash
FUND 409 CR 82 STREET IMP-CONSTR FUND CR 82 STREET IMP-CONSTR FUND	\$28,337.95	\$0.00	\$0.00	\$0.00	\$11,715.39	\$16,622.56 Cash
FUND 601 WATER FUND WATER FUND WATER FUND	\$99,747.21 -\$1,040.98	\$0.00 \$2,298.08	\$0.00 \$4,607.19	\$3,562.02 \$91,307.77	\$0.00 \$99,159.18	\$103,309.23 Investments at Cost -\$8,892.39 Cash
FUND 601 WATER FUND	\$98,706.23	\$2,298.08	\$4,607.19	\$94,869.79	\$99,159.18	\$94,416.84
FUND 602 SEWER FUND SEWER FUND SEWER FUND	\$104,987.60 \$273,440.87	\$3,200.63 \$0.00	\$10,021.59 \$0.00	\$298,537.86 \$262,583.46	\$360,648.80 \$0.00	\$42,876.66 Cash \$536,024.33 Investments at Cost
FUND 602 SEWER FUND	\$378,428.47	\$3,200.63	\$10,021.59	\$561,121.32	\$360,648.80	\$578,900.99
	\$3,747,837.63	\$12,495.26	\$58,570.44	\$2,615,168.21	\$3,027,177.19	\$3,335,828.65

CITY OF ROCKVILLE

Bills Payable-Additional Bills List #1

Council Meeting
August 19, 2009

CHECK Nbr	Check/Receipt Date Search Name	Amount Comments	Act Code
011415	7/28/2009 C & L DISTRIBUTING, INC	\$190.95 BEER-CONC STAND	101-45120-229
011416	7/30/2009 BANYON DATA SYSTEMS INC	\$390.30 WIN UB COMPUTER SUPPORT	601-49440-309
011416	7/30/2009 BANYON DATA SYSTEMS INC	\$390.30 WIN UB COMPUTER SUPPORT	602-49490-309
011417	7/30/2009 CENTRAL GLASS COMPANY	\$207.14 REPAIR BROKEN WINDOW ON SUBURBAN	101-42200-220
011418	7/30/2009 DELTA ELECTRIC	\$298.00 ELECTRICAL PARTS ROCKFEST 2009	408-45122-438
011419	7/30/2009 GIRL SCOUTS OF ROCKVILLE	\$30.00 TROOP 399 & 438 HANDED OUT PROGRAMS DURING PARADE	408-45122-444
011420	7/30/2009 INTEGRA TELECOM	\$247.33 NETWORK ACCESS CHANNEL	601-49440-321
011420	7/30/2009 INTEGRA TELECOM	\$38.07 LIFT STATION-CORE CITY	602-49490-321
011420	7/30/2009 INTEGRA TELECOM	\$55.27 LIFT STATION-PRAIRIE IND PARK	602-49490-321
011420	7/30/2009 INTEGRA TELECOM	\$148.89 TELEPHONE-ADMIN	101-41940-321
011420	7/30/2009 INTEGRA TELECOM	\$108.01 CREDIT FROM FAX LINE PROBLEM TELEPHONE-FIRE DEPT.	101-42200-321
011420	7/30/2009 INTEGRA TELECOM	-\$305.00 CREDIT FOR FIREFIGHTER ALARM BILLS	101-11500
011421	7/30/2009 LMCIT-WORK COMP/ACC PLAN-VOLUN	\$186.50 VOLUNTEER INSURANCE 2009	101-45122-151
011421	7/30/2009 LMCIT-WORK COMP/ACC PLAN-VOLUN	\$186.50 VOLUNTEER INSURANCE 2009	101-42200-151
011422	7/30/2009 MN NCPERS LIFE INSURANCE	\$16.00 EMPLOYEE PD LIFE-1 EMPL@\$16/EA	101-21707
011423	7/30/2009 PLEASANT LAKE AREA HOMEOWNERS	\$100.00 2009 LIONS CLUB GAMBLING FUNDS CONTRIBUTION	101-20200
011424	7/30/2009 SANITATION SERVICES LLC.	\$117.56 TOILET RENTAL COMM. PARK	101-45122-410
011424	7/30/2009 SANITATION SERVICES LLC.	\$66.34 TOILET RENTAL BALL PROG	101-45120-410
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	\$1,361.00 AT&T WATER TOWER ANTENNA REVIEW	101-11500
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	-\$1,361.00 AT&T WATER TOWER ANTENNA REVIEW	101-11500
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	\$748.35 SITE VISIT HOLLY RD DRAINAGE ISSUE, SITE VISIT VARIOUS ISSUES - DRIVEW	101-41000-303
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	\$1,456.04 GRAND LAKE ROAD STREET IMPROVEMENTS	215-43100-303
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	-\$1,456.04 GRAND LAKE ROAD STREET IMPROVEMENTS	215-43100-303
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	-\$288.25 SITE VISIT DON GIRTZ/DENNY & PATRICIA SMITH	101-11500
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	-\$748.35 SITE VISIT HOLLY RD DRAINAGE ISSUE, SITE VISIT VARIOUS ISSUES - DRIVEW	101-41000-303
011425	7/30/2009 SEH ENGINEERS,INC ST. PAUL	\$288.25 SITE VISIT DON GIRTZ/DENNY & PATRICIA SMITH	101-11500
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$27.00 ELEC-CIVIL DEFENSE SIREN-P LK	101-42500-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$299.00 ELEC-PUMPHSE PLEASANT RD	601-49440-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$20.00 ELEC-PLEASANT LK CITY HALL	101-41940-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$80.00 STREETLGHTS-CTRYSIDE ADDT'N	101-43100-387
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$207.00 ELEC-PUMPHSE @ WALNUT CIR	601-49440-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$66.00 ELEC-GRAND LK LIFT STATION	602-49490-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$123.00 ELEC-PLEASANT LK LIFT STATION	602-49490-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$58.00 ELEC-PLEASANT RD LIFT STATION	602-49490-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$31.00 26498 79TH AVE-P LK WTR TWR	601-49440-381
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$76.00 BRENTWOOD STREETLIGHTS	101-43100-387
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$50.98 STREETLGHTS-PRAIRIE DRIVE	101-43100-387
011426	7/30/2009 STEARNS ELECTRIC ASOC INC	\$94.00 ELEC-PRAIRIE IND PK LIFT STATN	602-49490-381
011427	7/30/2009 WEBER, VERENA	\$6.49 COFFEE & CORNSTARCH	101-41940-209
011428	7/30/2009 WENNER COMPANY INC	\$2.55 MAINT SUPPLIES-SNAP	101-43100-220
011429	7/30/2009 XCEL ENERGY	\$50.44 ELEC-COMM. PARK & RINK	101-45122-381
011429	7/30/2009 XCEL ENERGY	\$332.11 ELEC-PUMPHSE MAPLE/OTHMAR	601-49440-381

CHECK Nbr	Check/Receipt Date Search Name	Amount	Comments	Act Code
011429	7/30/2009 XCEL ENERGY	\$90.99	ELEC-562 CHEST209 BROAD-MAINT	101-43100-381
011429	7/30/2009 XCEL ENERGY	\$671.43	ELEC-STREETLIGHTS	101-43100-387
011429	7/30/2009 XCEL ENERGY	\$17.77	ROCKFEST ELECTRIC	408-45122-210
011429	7/30/2009 XCEL ENERGY	\$375.21	ELEC-BALL PARK	101-45120-381
011430	7/31/2009 BERNICK COMPANIES	\$81.55	BEER-CONC STAND	101-45120-229
		<hr/>		
		\$5,232.68		

CITY OF ROCKVILLE

Bills Payable-Additional Bills List #2

Council Meeting
August 19, 2009

Check/Receipt	CHECK	Date Nbr	Search Name	Amount	Comments	Act Code
		8/5/2009 011431	SANITATION SERVICES LLC.	\$66.27	PORTABLE TOILET-JCE BALL PROG	101-45120-410
		8/5/2009 011431	SANITATION SERVICES LLC.	\$117.15	PORTABLE TOILETS-COMM PARK	101-45122-410
		8/5/2009 011432	A & B WELDING & CRANE SERVICE	\$210.00	REPAIR CRACKS IN PLATFORM AT ROCKVILLE FIRE STATION	209-41920-220
		8/5/2009 011433	ARNOLDS EQUIPMENT, INC	\$127.98	90" MOWER PARTS	101-45122-220
		8/5/2009 011434	AUTOMATIC SYSTEMS CO	\$1,994.23	REPLACE TRANSDUCER ON VOIGTS LIFT STATION	602-49490-220
		8/5/2009 011435	CENTRAL MCGOWAN, INC	\$39.07	MEDICAL OXYGEN-FIRE DEPT	101-42200-219
		8/5/2009 011436	COLD SPRING CO-OP, INC.	\$82.00	CROSSBOW-BRUSH KILLER	101-43100-318
		8/5/2009 011437	COLD SPRING RECORD INC	\$36.44	LEGAL NOTICE - MUELLER INTERIM USE HEARING NOTICE IN 7/14	101-41940-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$48.73	LEGAL NOTICE - BIERY VARIANCE NOTICE IN 7/28	101-41940-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$36.88	LEGAL NOTICE - GRELL COND. USE NOTICE IN 7/28	101-41940-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$25.02	LEGAL NOTICE - SPANIER VARIANCE NOTICE IN 7/28	101-41940-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$35.55	LEGAL NOTICE - FIRE FIGHTER NOTICE IN 6/23, 7/7 & 7/21	101-42200-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$40.57	LEGAL NOTICE - ORD. 2009-61 HEARING NOTICE IN 6/30 & 7/7	101-41940-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$138.38	07/07/2009 ROCKFEST AD	408-45122-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$24.15	LEGAL NOTICE - ORD. 2009-59 PUBLICATION	101-41940-340
		8/5/2009 011437	COLD SPRING RECORD INC	\$51.03	INK CARTRIDGE FOR POSTAGE MACHINE	602-49490-200
		8/5/2009 011438	DEATONS MAILING SYSTEMS, INC	\$51.03	INK CARTRIDGE FOR POSTAGE MACHINE	601-49440-200
		8/5/2009 011438	DEATONS MAILING SYSTEMS, INC	\$102.07	INK CARTRIDGE FOR POSTAGE MACHINE	101-41940-200
		8/5/2009 011438	DEATONS MAILING SYSTEMS, INC	\$2,161.25	ANNUAL CONTRACT COMPUTER SUPPORT	101-41000-309
		8/5/2009 011439	DIJITAL MAJIK COMPUTER, INC	\$20.30	LOCATE TICKETS- DOWNTOWN WTR DEPT	601-49440-291
		8/5/2009 011440	GOPHER STATE ONE-CALL	\$20.30	LOCATE TICKETS-SWR DEPT	602-49490-291
		8/5/2009 011440	GOPHER STATE ONE-CALL	\$206.20	FLORIDE ACCUVACS & CHLORINE TEST	601-49440-220
		8/5/2009 011441	HACH COMPANY	\$1,300.00	INFRARED PATCHING	101-43100-308
		8/5/2009 011442	HARDLINE ASPHALT	\$792.70	POLYPHOSPHATE FOR WELLS 4 & 5	601-49440-216
		8/5/2009 011443	HAWKINS WTR TREATMENT GRP INC	\$671.64	WATER METERS, BRONZE CONNECTIONS, RUBBER GASKETS	601-49440-545
		8/5/2009 011444	HENRYS WATERWORKS, INC	\$571.20	WATER METERS	601-49440-545
		8/5/2009 011444	HENRYS WATERWORKS, INC	\$383.64	BRASS ADAPTER FOR LOESCH FILL STATION	101-42200-540
		8/5/2009 011444	HENRYS WATERWORKS, INC	\$475.26	BUILDING INSPECTION FEES JUNE 2009	101-41000-305
		8/5/2009 011445	INSPECTRON INC.	\$224.63	SIGNS-STREET SIGNS	101-43100-211
		8/5/2009 011446	M-R SIGN CO INC	\$25.00	REFUND OF REGISTRATION FEE FOR UMPIRING 3+ GAMES IN 2009 SEASON	101-45120-3479
		8/5/2009 011447	SCHNEIDER, DONALD	\$1,361.00	AT&T WATER TOWER MOUNTED ANTENNA REVIEW	101-11500
		8/5/2009 011448	SEH ENGINEERS,INC ST. PAUL	\$1,456.04	GRAND LAKE RD STREET IMPROVEMENTS	215-43100-303
		8/5/2009 011448	SEH ENGINEERS,INC ST. PAUL	\$696.75	HOLLY ROAD DRAINAGE ISSUE	101-11500
		8/5/2009 011448	SEH ENGINEERS,INC ST. PAUL	\$168.00	JOHN VOGT SITE PLAN REVIEW	101-11500
		8/5/2009 011448	SEH ENGINEERS,INC ST. PAUL	\$171.85	LORENZ IRRIGATION POND PROPOSAL REVIEW & MEETING WITH ADMINISTRATION	101-41000-303
		8/5/2009 011448	SEH ENGINEERS,INC ST. PAUL	\$98.50	FIRE EXTINGUISHER RECHARGE	101-42200-220
		8/5/2009 011449	ST CLOUD FIRE EQUIPMENT, INC	\$4,200.00	ANALYTICAL SERVICES RENDER FOR 2009A G.O. WATER AND SEWER REVENUE	101-11500
		8/5/2009 011450	STANDARD & POORS	\$25.00	REFUND OF REGISTRATION FEE FOR UMPIRING 3+ GAMES IN 2009 SEASON	101-45120-3479
		8/5/2009 011451	STANG, GREG	\$46.00	RECORDING FEE SCOTT & SUSAM PALMER SHORELAND CONS PUBLIC DEED	101-11500
		8/5/2009 011452	STEARNS CO RECORDER OFFICE	\$3.79	POPCORN	101-45120-229
		8/5/2009 011453	TEALS MARKET	\$33.84	REPAIR CL2 BOOSTER PUMP WELL 2	601-49440-220
		8/5/2009 011454	TRAUT COMPANIES, INC	\$42.95	INTERNET/EMAIL-FIRE DEPT	101-42200-323
		8/5/2009 011455	U S CABLE(COLD SPRING)			

Check/Receipt CHECK				
Date Nbr	Search Name	Amount	Comments	Act Code
8/5/2009 011455	U S CABLE(COLD SPRING)	\$69.95	INTERNET/EMAIL-CITY HALL	101-41940-323
8/5/2009 011456	WALZ, JEAN	\$77.72	WATER	101-42200-428
8/5/2009 011456	WALZ, JEAN	\$26.59	PAPER TOWELS FOR DISPENSER	101-42200-209
8/6/2009 011458	STEARNS CO RECORDER OFFICE	\$46.00	WICKER VARIANCE	101-11500
8/6/2009 011458	STEARNS CO RECORDER OFFICE	\$46.00	MUELLER CUP/IUP	101-11500
8/6/2009 011458	STEARNS CO RECORDER OFFICE	\$46.00	KISSNER CUP	101-11500
8/6/2009 011458	STEARNS CO RECORDER OFFICE	\$46.00	KISSNER DECL OF RESTRICT	101-11500
		<u>\$18,740.65</u>		

CITY OF ROCKVILLE

Bills Payable-Additional Bills List #3

Council Meeting
August 19, 2009

CHECK Nbr	Check/Receipt Date Search Name	Amount Comments	Act Code
011459	8/11/2009 C & L DISTRIBUTING, INC	\$206.65 BEER-CONC STAND	101-45120-229
011460	8/13/2009 AMERIPRIDE SERVICES, INC	\$12.47 MAINT DEPT UNIFORMS	101-43100-425
011460	8/13/2009 AMERIPRIDE SERVICES, INC	\$12.47 MAINT DEPT UNIFORMS	101-43100-425
011460	8/13/2009 AMERIPRIDE SERVICES, INC	\$18.52 RENTAL OF RUGS-CITY HALL	101-41940-209
011460	8/13/2009 AMERIPRIDE SERVICES, INC	\$12.47 MAINT DEPT UNIFORMS	101-43100-425
011460	8/13/2009 AMERIPRIDE SERVICES, INC	\$12.47 MAINT DEPT UNIFORMS	101-43100-425
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$9.00 EMPLOYER PD LIFE INS.	101-41800-134
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$30.61 EMPLOYER PD DISAB. INS.	101-43100-135
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$3.60 EMPLOYER PD LIFE INS.	101-43100-134
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$330.82 EMPLOYER PD HEALTH INS.	101-43100-131
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$3,204.38 EMPLOYER PD HEALTH INS.	101-41800-131
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$40.78 EMPLOYEE PD PORTION OF STD/LTD	101-21709
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$883.80 EMPLOYEE PORTION HEALTH INS.	101-21705
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$132.43 EMPLOYER PD DISAB. INS.	101-41800-135
011461	8/13/2009 BLUE CROSS BLUE SHIELD OF MN	\$21.36 MECHANICAL FUEL PUMP FOR DODGE UNIT 7	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	-\$15.26 RETURN OIL PAN	101-43100-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	-\$6.07 RETURN WIPER BUSHING FOR UNIT 7	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$3.41 BUSHING	101-43100-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$6.07 WIPER BUSHING FOR UNIT 7	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$4.47 ORANGE PAINT	101-45122-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$6.17 OIL FILTER FOR UNIT 7	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$9.71 80W90 GEAR LUBE	101-45122-212
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$32.00 CARB CLEANER, PAINT	101-43100-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$15.26 OIL PAN	101-43100-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$5.38 STRAIGHT KEYS	101-43100-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$3.41 WIPER LINKAGE BUSHING FOR UNIT 7	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$25.64 NEW MECHANICAL FUEL PUMP DODGE UNIT 7	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	-\$21.36 RETURN MECHANICAL FUEL PUMP DODGE UNIT 7	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$138.57 HYD HOSES FOR TOOLKAT	101-43100-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$32.04 STR GEAR SEAL KIT	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$11.32 POWER STEERING FLUID	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	-\$41.35 RETURN DEFECTIVE P/S REPAIR KIT	101-42200-220
011462	8/13/2009 CAR QUEST AUTO PARTS-PAYMENT	\$41.35 P/S REPAIR KIT	101-42200-220
011463	8/13/2009 CENTER POINT ENERGY-MINNEGASCO	\$20.69 GAS-PUMPHSE/TWR OTHMAR/MAPLE	601-49440-383
011463	8/13/2009 CENTER POINT ENERGY-MINNEGASCO	\$18.16 GAS UTIL-24001 FIRE HALL DR	101-42200-383
011463	8/13/2009 CENTER POINT ENERGY-MINNEGASCO	\$23.25 GAS UTIL-229 CITY HALL	101-41940-383
011463	8/13/2009 CENTER POINT ENERGY-MINNEGASCO	\$29.55 GAS-209 BRDWAY-PUB WKS	101-43100-383
011463	8/13/2009 CENTER POINT ENERGY-MINNEGASCO	\$13.11 GAS-PUMPHSE @ WAL CIR	601-49440-383
011464	8/13/2009 CITY OF COLD SPRING	\$3,166.91 WASTEWTR BILL-CORE CITY	602-49490-312
011464	8/13/2009 CITY OF COLD SPRING	\$2,642.18 WASTEWTR BILL-LAKES AREA	602-49490-293
011465	8/13/2009 DELTA ELECTRIC	\$166.50 GRINDER STATN CALLS-LAKES AREA	602-49490-296
011466	8/13/2009 DIAMOND VOGEL	\$96.53 YELLOW TRAFFIC PAINT	101-43100-220

CHECK Nbr	Check/Receipt Date Search Name	Amount Comments	Act Code
011467	8/13/2009 FARM-RITE EQUIPMENT, INC	\$121.07 LAWN MOWER BLADES	101-45122-220
011468	8/13/2009 FASTENAL COMPANY, INC	\$12.32 SELF DRILLING SCREWS	101-43100-220
011469	8/13/2009 GOPHER SIGN COMPANY INC	\$361.41 ROAD CLOSED AHEAD SIGNS	101-43100-211
011470	8/13/2009 GRANITE ELECTRONICS, INC	\$116.68 REPAIR MINITOR III	101-42200-214
011470	8/13/2009 GRANITE ELECTRONICS, INC	\$120.00 REPAIR MINITOR IV	101-42200-214
011471	8/13/2009 KRIPPNER TRUCKING & EXCAV, INC	\$1,180.00 REPAIR HALFMAN ROAD	215-43100-220
011471	8/13/2009 KRIPPNER TRUCKING & EXCAV, INC	\$2,746.74 INSTALL CULVERT ON 230TH STREET	215-43100-220
011472	8/13/2009 LEAGUE OF MINNESOTA CITIES	\$30.00 TRAINING RICK & NICK FITTING JOBS TO STAFF...NOT FITTING STAFF TO JOBS	101-43100-332
011473	8/13/2009 MELROSE IMPLEMENT, INC	\$164.44 SHAFT, PULLEY, KEY, ZIRK ON BEEFCO MOWER	101-45122-220
011474	8/13/2009 MITEL LEASING, INC	\$217.76 PHONE SYS LEASE-CH	101-41940-321
011475	8/13/2009 RINKE NOONAN ATTORNEYS, INC	\$830.20 VOIGT ASSESSMENT APPORTIONMENT AND SUBDIVISION	101-11500
011475	8/13/2009 RINKE NOONAN ATTORNEYS, INC	\$486.86 ROCORI TRAILS CONF., MEETINGS, LETTERS ETC. FOR BNSF TRANSACTIONS	202-45122-511
011475	8/13/2009 RINKE NOONAN ATTORNEYS, INC	\$130.80 PHONE CONFERENCES REGARDING PARKING VIOLATIONS	101-41000-304
011475	8/13/2009 RINKE NOONAN ATTORNEYS, INC	\$54.50 WICKER VARIANCE APPLICATION	101-11500
011475	8/13/2009 RINKE NOONAN ATTORNEYS, INC	\$127.60 VOIGT ASSESSMENT APPORTIONMENT AND SUBDIVISION	101-11500
011475	8/13/2009 RINKE NOONAN ATTORNEYS, INC	\$285.40 CENTRAL SPECIALTIES IUP	101-11500
011475	8/13/2009 RINKE NOONAN ATTORNEYS, INC	\$43.60 BRAD JOHNSON CONVERSION OF GARAGE TO RENTAL UNIT, R-1 ZONING DIST	101-11500
011476	8/13/2009 SAMS CLUB/GEFCF	\$19.76 CREAMER	101-41940-209
011476	8/13/2009 SAMS CLUB/GEFCF	\$6.30 STAINLESS STEEL CLEANER & POLISH	101-41940-209
011476	8/13/2009 SAMS CLUB/GEFCF	\$39.61 CANDY, HOTDOGS, HOTDOG BUNS	101-45120-229
011476	8/13/2009 SAMS CLUB/GEFCF	\$140.00 MEMBERSHIPS AMY, RENA, JUDY & RICK	101-41000-433
011476	8/13/2009 SAMS CLUB/GEFCF	\$35.00 MEMBERSHIP STEVE	101-45120-430
011477	8/13/2009 STEARNS CO PUBLIC WORKS/HWY	\$256.00 800 SANDBAGS	101-42500-220
011478	8/13/2009 SUPER AMERICA	\$183.38 FUEL	101-42200-212
011479	8/13/2009 VERIZON WIRELESS	\$11.88 CELL PHONE-SEWER	602-49490-321
011479	8/13/2009 VERIZON WIRELESS	\$118.81 CELL PHONE-MAINT DEPT	101-43100-321
011480	8/13/2009 MOLITOR FLOORING	\$350.00 WET CARPET REPLACEMENT AFTER SEWER BACK-UP M. SCHMIDT 22045 AGA	602-49490-220
011481	8/13/2009 PEARSON, JENNIFER	\$60.00 CLEANING AND CARPET REMOVAL AFTER SEWER BACK-UP M. SCHMIDT 2204	602-49490-220
011482	8/13/2009 VISA	\$8.95 ROCKVILLE GAS & BAIT - FUEL	602-49490-212
011482	8/13/2009 VISA	\$104.43 FLEET FARM - HARDWARE, FIRE EXTINGUISHERS, ANCHORS, NUMBERS, KEYS	101-43100-220
011482	8/13/2009 VISA	\$45.84 ROCKVILLE GAS & BAIT - FUEL	101-43100-212
011482	8/13/2009 VISA	\$22.92 ROCKVILLE GAS & BAIT - FUEL	601-49440-212
011482	8/13/2009 VISA	\$22.92 ROCKVILLE GAS & BAIT - FUEL	602-49490-212
011482	8/13/2009 VISA	\$29.34 BP - FUEL	101-43100-212
011482	8/13/2009 VISA	\$14.67 BP - FUEL	601-49440-212
011482	8/13/2009 VISA	\$14.67 BP - FUEL	602-49490-212
011482	8/13/2009 VISA	\$68.70 BEST BUY - PRINTER INK	101-42200-200
011482	8/13/2009 VISA	\$32.40 WALMART - KITCHEN & CLEANING RAGS, PAPER TOWELS, DISINFECTANT SPR	101-41940-209
011482	8/13/2009 VISA	\$12.35 OFFICE DEPOT - SHREDDER OIL, 4 PK LEGAL BANKER BOXES FOR HISTORICA	101-41940-200
011482	8/13/2009 VISA	\$199.47 CROWN PLAZA - LMC ANNUAL CONFERENCE 2009 RENA	101-41800-331
011482	8/13/2009 VISA	\$199.48 CROWN PLAZA - REIMBURSEMENT CITY OF ST. JOSEPH LMC ANNUAL CONFEE	101-11500
011482	8/13/2009 VISA	\$42.16 DIAMOND VOGEL - TOLUOL	101-43100-220
011482	8/13/2009 VISA	\$14.06 HOLIDAY - FUEL	101-45122-212
011482	8/13/2009 VISA	\$87.53 DIAMOND VOGEL - WHITE TRAFFIC PAINT	101-43100-220
011482	8/13/2009 VISA	\$35.40 OFFICE DEPOT - PRINTER INK	101-42200-200
011482	8/13/2009 VISA	\$41.01 FUEL	101-43100-212
011482	8/13/2009 VISA	\$20.50 FUEL	601-49440-212
011482	8/13/2009 VISA	\$20.51 FUEL	602-49490-212
011482	8/13/2009 VISA	\$0.29 US POSTAL SERVICE - POSTAGE DUE	101-42200-322

CHECK Nbr	Check/Receipt Date Search Name	Amount Comments	Act Code
011482	8/13/2009 VISA	\$44.05 KIESS BROS - FUEL	602-49490-212
011482	8/13/2009 VISA	\$41.16 HOLIDAY - FUEL	101-45122-212
011482	8/13/2009 VISA	\$49.36 KIESS BROS - FUEL	101-43100-212
011482	8/13/2009 VISA	\$24.68 KIESS BROS - FUEL	601-49440-212
011482	8/13/2009 VISA	\$24.68 KIESS BROS - FUEL	602-49490-212
011482	8/13/2009 VISA	\$8.94 ROCKVILLE GAS & BAIT - FUEL	601-49440-212
011482	8/13/2009 VISA	\$44.04 KIESS BROS - FUEL	601-49440-212
011482	8/13/2009 VISA	\$17.89 ROCKVILLE GAS & BAIT - FUEL	101-43100-212
011482	8/13/2009 VISA	\$15.29 KIESS BROS - FUEL	101-43100-212
011482	8/13/2009 VISA	\$7.64 KIESS BROS - FUEL	601-49440-212
011482	8/13/2009 VISA	\$7.65 KIESS BROS - FUEL	602-49490-212
011482	8/13/2009 VISA	\$14.78 HOLIDAY - FUEL	601-49440-212
011482	8/13/2009 VISA	\$35.54 KIESS BROS - FUEL	101-43100-212
011482	8/13/2009 VISA	\$17.77 KIESS BROS - FUEL	601-49440-212
011482	8/13/2009 VISA	\$17.77 KIESS BROS - FUEL	602-49490-212
011482	8/13/2009 VISA	\$30.69 ROCKVILLE GAS & BAIT - FUEL	101-43100-212
011482	8/13/2009 VISA	\$15.34 ROCKVILLE GAS & BAIT - FUEL	601-49440-212
011482	8/13/2009 VISA	\$15.36 ROCKVILLE GAS & BAIT - FUEL	602-49490-212
011482	8/13/2009 VISA	\$80.99 HOLIDAY - FUEL	101-45122-212
011482	8/13/2009 VISA	\$29.56 HOLIDAY - FUEL	101-43100-212
011482	8/13/2009 VISA	\$12.89 KIESS BROS - FUEL	101-45122-212
011482	8/13/2009 VISA	\$14.78 HOLIDAY - FUEL	602-49490-212
011482	8/13/2009 VISA	\$88.08 KIESS BROS - FUEL	101-43100-212
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$5.00 RECYCLING-BALLPK-CORE CITY	101-45122-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$5.00 RECYCLING-BALLPK-BALL PROG	101-45120-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$12.64 GARBAGE-PLEASANT LK	101-45122-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$33.71 GARBAGE-BALLPK-CORE CITY	101-45120-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$33.71 GARBAGE-BALLPK-BALL PROG	101-45122-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$12.64 GARBAGE-CORE CITY COMM PK	101-43100-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$32.52 GARBAGE-PUB WKS DPT	101-41940-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$32.52 GARBAGE-CITY HALL	101-42200-384
011483	8/13/2009 WEST CENTRAL SANITATION, INC	\$22.65 GARBAGE-FIRE HALL	
		\$21,496.51	

CITY OF ROCKVILLE

08/13/09 1:12 PM
Page 1

Bills Payable-Addtl Bills List-EFT Checks #1

Council Meeting
August 19, 2009

Check/Receipt CHECK				
Date Nbr	Search Name	Amount	Comments	Act Code
8/7/2009 000243	EFTPS-ELECTRONIC FED TAX PMT	\$61.20	FICA/MEDICARE - JULY MONTHLY PAYROLL	101-21703
8/14/2009 000244	PERA	\$995.52	RETIRE CONTR-PAYROLL 7/27/2009 THRU 8/9/2009	101-21704
8/14/2009 000245	MN REVENUE	\$304.44	STATE TAX W/H-PAYROLL 7/24/2009 THRU 8/9/2009	101-21702
8/14/2009 000246	EFTPS-ELECTRONIC FED TAX PMT	\$1,227.88	FICA/MEDICARE - PAYROLL 7/27/2009 THRU 8/9/2009	101-21703
8/14/2009 000246	EFTPS-ELECTRONIC FED TAX PMT	\$651.09	FEDERAL W/H - PAYROLL 7/27/2009 THRU 8/9/2009	101-21701
		<u>\$3,240.13</u>		

LG220 Application for Exempt Permit

For Board Use Only

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

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

Fee is \$50 for each event

Check # _____
\$ _____

ORGANIZATION INFORMATION

Organization name St Mary Help of Christians Church		Previous gambling permit number	
Type of nonprofit organization. Check (✓) one. <input type="checkbox"/> Fraternal <input checked="" type="checkbox"/> Religious <input type="checkbox"/> Veterans <input type="checkbox"/> Other nonprofit organization			
Mailing address 24588 Co Rd 7	City St Augusta	State/Zip Code MN 56301	County Stearns
Name of chief executive officer (CEO) Robert Rolfes		Daytime phone number 320-252-1799	

ATTACH A COPY OF ONE OF THE FOLLOWING FOR PROOF OF NONPROFIT STATUS

★ Do not attach a sales tax exempt status or federal ID employer numbers as they are not proof of nonprofit status.

Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.
 Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155 Phone: 651-296-2803

Internal Revenue Service - IRS income tax exemption [501(c)] letter in your organization's name.
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, send your federal ID number and the date your organization initially applied for tax exempt status to:
 IRS, P.O. Box 2508, Room 4010, Cincinnati, OH 45201

Internal Revenue Service - Affiliate of national, statewide, or international parent nonprofit organization (charter)
 If your organization falls under a parent organization, attach copies of both of the following:
 a. IRS letter showing your parent organization is a registered nonprofit 501(c) organization with a group ruling
 b. the charter or letter from your parent organization recognizing your organization as a subordinate.

Internal Revenue Service - proof previously submitted to Gambling Control Board
 If you previously submitted proof of nonprofit status from the Internal Revenue Service, no attachment is required.

GAMBLING PREMISES INFORMATION

Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place)
Four Hundred Supper Club

Address (do not use PO box) 25958 Lake Rd	City St Cloud	Zip Code 56301	County Stearns
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Date(s) of activity (for raffles, indicate the date of the drawing)
October 9, 2009

Check the box or boxes that indicate the type of gambling activity your organization will conduct:

*Bingo Raffles *Paddlewheels *Pull-Tabs *Tipboards

* **Gambling equipment** for pull-tabs, tipboards, paddlewheels, and bingo (bingo paper, hard cards, and bingo number selection device) must be obtained from a distributor licensed by the Gambling Control Board. To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4076.

LG220 Application for Exempt Permit Fee is \$50 for each event

An exempt permit may be issued to a nonprofit organization that:
 - conducts lawful gambling on five or fewer days, and
 - awards less than \$50,000 in prizes during a calendar year.

For Board Use Only

Check # _____ \$ _____

ORGANIZATION INFORMATION

Organization name **Midwest Stone Fabricators Association** Previous gambling permit number _____

Type of nonprofit organization. Check one.
 Fraternal Religious Veterans Other nonprofit organization

Mailing address **23 Glenview Loop** City **St. Cloud** State **MN** Zip Code **56302** County **Stearns**

Name of chief executive officer (CEO) **Kip Cameron** Daytime phone number **320-985-3005** Email address **kipc@granite-tops.com**

Attach a copy of ONE of the following for proof of nonprofit status. Check one.

Do not attach a sales tax exempt status or federal ID employer numbers as they are not proof of nonprofit status.

- Nonprofit Articles of Incorporation OR a current Certificate of Good Standing.**
 Don't have a copy? This certificate must be obtained each year from:
 Secretary of State, Business Services Div., 180 State Office Building, St. Paul, MN 55155 Phone: 651-296-2803
- IRS income tax exemption [501(c)] letter in your organization's name.**
 Don't have a copy? To obtain a copy of your federal income tax exempt letter, have an organization officer contact the IRS at 877-829-5500.
- IRS - Affiliate of national, statewide, or international parent nonprofit organization (charter)**
 If your organization falls under a parent organization, attach copies of both of the following:
 a. IRS letter showing your parent organization is a nonprofit 501(c) organization with a group ruling, and
 b. the charter or letter from your parent organization recognizing your organization as a subordinate.
- IRS - proof previously submitted to Gambling Control Board**
 If you previously submitted proof of nonprofit status from the IRS, no attachment is required.

GAMBLING PREMISES INFORMATION

Name of premises where gambling activity will be conducted (for raffles, list the site where the drawing will take place)
CITY OF ROCKVILLE CITY HALL

Address (do not use PO box) **229 BROADWAY STREET EAST** City **ROCKVILLE** Zip Code **56369** County **STEARNS**

Date(s) of activity (for raffles, indicate the date of the drawing)
10-1-09 to 1-27-2010 - DRAWING DATE

Check the box or boxes that indicate the type of gambling activity your organization will conduct:
 Bingo* Raffles Paddlewheels* Pull-Tabs* Tipboards*

* **Gambling equipment** for pull-tabs, bingo paper, tipboards, and paddlewheels must be obtained from a distributor licensed by the Gambling Control Board. EXCEPTION: Bingo hard cards and bingo number selection devices may be borrowed from another organization authorized to conduct bingo.

Also complete Page 2 of this form.

Fill-in & Print Form

Reset Form

To find a licensed distributor, go to www.gcb.state.mn.us and click on List of Licensed Distributors, or call 651-639-4076.