

**NOTICE OF ALBANY
CITY COUNCIL MEETING**

There will be a regular meeting of the City Council in and for the City of Albany, Stearns County, Minnesota at 6:30 o'clock in the evening on Wednesday, August 17, 2022, in the Council Room at 400 Railroad Avenue for the said City.

AGENDA

1. Convene meeting
2. Pledge of Allegiance
3. Audit Bills
4. Act on regular Council minutes of the meeting held on August 3rd
5. Open Forum/Public comment (3 to 5 minutes max.)
6. Adam Rushmeyer, Planning Commission Liaison – present Planning Commission recommendation from a meeting held on August 16th for a conditional use permit request by Catherine Wolf and Rachel Buttweiler, 521 Railroad Avenue, to operate a child day-care in a Core Commercial (C1) Zone.
7. Jason Murray, Financial Consultant with David Drown Associates – discuss financing options related to the proposed Forest Avenue Capital Improvements Project.
8. Jeremy Mathiasen, City Engineer – present the following:
 - Project updates
9. Reports of Boards and Department Heads
 - Keith Heitzman, Albany Golf Club Liaison – present check register and other activities of the club.
 - Joe Mergen, Public Works Supervisor
 - Police Chief Ozzie Carbajal, Police Department – present the 2022-2023 School Resource Officer Agreement
 - Tom Schneider, Clerk/Adm. – present the following:
 - Park Board meeting August 15th update
 - Amendment to Ordinance 70, Section 70, Subd. 4, Sump Pump Discharge Abatement – addition of language to require any connection to be designed with an “air gap” above the in-ground pipe
 - Abstract of State Primary Albany Area Schools Referendum vote totals
 - Approval of League of Mn Cities Insurance 2023 Tort Liability waiver form
10. Mayor’s announcements and letters
11. Mayor to announce next regular Council meeting date (September 7th) and adjourn

Tom Schneider
Clerk/Adm.

Pursuant to due call and notice thereof a regular meeting of the Council in and for the City of Albany, Stearns County, Minnesota, was called to order by Mayor Tom Kasner at 6:30 o'clock in the evening on Wednesday, August 3, 2022, in the Council Room at 400 Railroad Avenue for the said City.

Other Council members present were: Councilors Keith Heitzman, John R. Harlander, and Al Amdahl. Adam Rushmeyer was absent for the meeting.

Other's present were: Tom Schneider, Clerk/Adm., Joe Mergen, Public Works Supervisor, Jeremy Mathiasen, City Engineer with Stantec, Inc., St. Cloud, MN, and Evan Michealson, Staff Writer, the Star Post.

The council recited the Pledge of Allegiance.

The council took notice of approval of payment of bills. After due discussion, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve/authorize payroll (3325-3339), electronic payments (900015-900020), transfers, and the payment of the following bills: Check Numbers 72001 to 72050. All voted for the motion and it carried.

Mayor Tom Kasner called for any corrections or additions to the minutes of the regular meeting of the council held on July 20th and hearing none declared them approved.

Open forum/public comments: none

Mr. Mathiasen presented to the council Payment Voucher No. 3 for the 2022 Capital Improvement Project. Mr. Mathiasen noted the payment voucher includes sanitary sewer, water main, storm sewer installation, services, and roadway construction quantities. After due discussion and upon recommendation from the city engineer, a motion was made by John R. Harlander and seconded by Al Amdahl to approve Payment Voucher No. 3 to Breitbach Construction Company, Elrosa, MN, in the amount of \$457,887.87. All voted for the motion and it carried.

Mr. Mathiasen also presented to the council Payment Voucher No. 2 for the 1st Street (TH238) and 8th Street (TH238) Sidewalk Improvements. Mr. Mathiasen noted the payment voucher includes quantities for roadway, sidewalk, and driveway paving, along with street lighting installation and other miscellaneous work. Mr. Mathiasen noted there were some underground wiring issues with the ornamental street lights and additional signage that added extra expenses to the project. After due discussion and upon recommendation from the city engineer, a motion was made by Keith Heitzman and seconded by Al Amdahl to approve Payment Voucher No. 2 to Craig Bardson Excavating, Albany, MN, in the amount of \$316,468.26. All voted for the motion and it carried.

Mr. Mathiasen informed the council the city's grant application submitted to the MN Department of Natural Resources (DNR) for pedestrian bike/walk trail maintenance improvements in the amount of \$112,025 was denied. Mr. Mathiasen noted two locations for trail improvements were North Park and a trail segment near the Country Estates Park. Mr. Mathiasen also noted the improvements consisted of reclaiming the existing bituminous surface, increasing the aggregate base thickness, widening the trail base, and adding new pavement.

Mr. Mergen informed the council he received cost estimates from local contractors to assist in establishing two emergency storm water overflows in the easterly area of the Trails Edge neighborhood. Mr. Mergen noted the work would include some minor grading, excavation, and restoring an abandoned catch basin east of the overflow structure in the Trails Edge subdivision that will assist in taking extra storm water during large rain events. Mr. Mergen noted the emergency overflow or swale from the storm sewer inlet structure in the Trails Edge subdivision to 2nd Avenue will be regraded to allow additional storm water to flow away from adjoining properties during large rainfall events. Mr. Mergen also noted the cost estimates received is less than \$7,000, but there may be some additional expenses not knowing how the past contractor disconnected the storm sewer pipe when the Trails Edge subdivision was constructed in

2005. After due discussion, a motion was made by John R. Harlander and seconded by Keith Heitzman to direct Mr. Mergen to proceed with the aforesaid storm sewer improvements and hire Craig Bardson Excavating, Albany to complete the work. All voted for the motion and it carried.

Mr. Mathiasen informed the council their company's survey crew completed the project scanning work on Forest Avenue, side streets, and adjacent alley's this week. Mr. Mathiasen noted the data collected will be processed for use in the preparation of the feasibility study and preliminary design. Mr. Schneider informed the council the city's financial advisor will attend an upcoming meeting to discuss whether or not the project is financially feasible if constructed in the year 2023.

Councilor Keith Heitzman, Albany Golf Club Liaison, informed the council the Albany Mutual Telephone Association donated \$20,000 to the Albany Golf Club for future clubhouse improvements. Councilor John R. Harlander also informed the council the Albany Mutual Telephone Association donated \$5,000 to the Park Board for the construction of pickleball courts in North Park. Mayor Tom Kasner, with the consensus of the council, thanked the Albany Mutual Telephone Association for their generous donations.

Mayor Tom Kasner, member of the Albany Area Fire Board, informed the council the board held a meeting on July 27th; whereby the board approved a \$300 per year of service increase or \$2,800 per year of service for retirement benefits, 3.3% budget increase for the year 2023, and off-street parking improvements south of the firehall as planned when built in 1992. Mr. Kasner also noted the annual Albany/Avon firemen annual golf tournament will be held on August 8th and farm safety exercise on October 8th at the Albany Area School.

Mr. Schneider presented to the council a five-year Commercial Lease renewal between the Minnesota Department of Transportation (MnDOT) and the city for a small strip of right-of-way along Interstate 94 being used by the golf course (No. 2 fairway). Mr. Schneider noted the lease payment is \$100 annually, lease ends May 31, 2027, and recommended approval. After due discussion, a motion was made by John R. Harlander who introduced the following resolution and moved its adoption:

RESOLUTION 2022-32
COMMERCIAL LEASE No. 73142

The motion for the foregoing resolution was seconded by Keith Heitzman and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors John R. Harlander, Al Amdahl, and Keith Heitzman, and none voted against the same whereupon the said resolution was declared duly passed and adopted. The full text of the said resolution is on file at the office of the City Clerk/Administrator for public inspection during regular office hours.

Mr. Schneider informed the council it is now legal to sell certain edibles and beverages infused with tetrahydrocannabinol (THC), the cannabis ingredient extracted from hemp. Mr. Schneider noted the new law was passed by the Legislature as part of [Chapter 98](#). Article 13 makes several changes to [Minnesota Statutes, section 151.72](#) regarding the sale of certain cannabinoid (CBD) products which changes took effect on July 1, 2022. Mr. Schneider recommended the council should consider adopting an interim ordinance that would hereby establish a moratorium on the sale of hemp derived THC (tetrahydrocannabinols) food and beverages in order to allow the city time to study the issue and consider licensing and rules, and sales management controls for the sale of hemp derived THC food and beverages, similar to tobacco sales and products, behind the sales counter, checking identifications (ID's), enforcement, compliance and license fees. Mr. Schneider also noted it would give the city an opportunity to work with the other area cities on creating consistent licensing and rules as well given our proximity to one another. Mr. Schneider also noted an Interim Ordinance enacting the moratorium can be adopted by the council for a period of up to 12 months giving the city time to study the impacts of these new laws. After due discussion, a motion was made by John R. Harlander who introduced the following interim ordinance and moved its adoption:

ORDINANCE NO. 2022-01
AN INTERIM ORDINANCE PLACING A MORATORIUM
ON THE SALE OF HEMP DERIVED TETRAHYDROCANNABINOL (THC) FOOD
AND BEVERAGES WITHIN THE CITY OF ALBANY

The motion for the foregoing interim ordinance was seconded by Al Amdahl and after a full discussion thereon and upon a vote being taken thereon, the following voted in favor thereof: Mayor Tom Kasner, Councilors John R. Harlander, Al Amdahl, and Keith Heitzman, and none voted against the same whereupon the said interim ordinance was declared duly passed and adopted. The full text of the said interim ordinance is on file at the office of the city Clerk/Administrator for public inspection during regular office hours.

Mr. Schneider updated the council on interest rates and fund balances for various accounts at Stearns Bank N.A., Albany, and Magnifi Financial formally Central MN Credit Union, Albany. Mayor Tom Kasner, with the consensus of the council, directed Mr. Schneider to invest equally between the two when interest rates are similar.

Mayor Tom Kasner questioned how the city will respond to a request in the future from a property owner who would like to connect a sump pump to the city's drain tile system beneath the curb if the city has knowledge from a recent investigation the drain tile downstream may be partially or totally collapsed. Mr. Schneider informed the council property owners are required to call Gopher State One-call when you did and this calling service will notify the city to conduct a utility locate and at that time, the city can contact the property owner to instruct them not to connect to the drain tile or if they wish, sign a liability waiver. Mayor Tom Kasner noted the city had encouraged residents to connect to the drain tile to remove water from being pumped across sidewalks and/or streets, but if the drain tile is compromised there should be no new connections. Mr. Harlander noted property owners have to have an air gap located outside their home where the sump pump's internal discharge line exits the basement and connects to the external discharge line for the purpose to provide an outlet for flows in the event there is a problem with the discharge line or drain tile system. Mr. Schneider also informed the council Ordinance 70.05, Subd. 4 states the city is not liable for any damages that may occur as a result of the connection to the drain tile system and will review the language with the city attorney to consider any changes.

Mayor Tom Kasner announced the next regular council meeting for 6:30 o'clock in the evening on Wednesday, August 17, 2022, and adjourned the meeting at 7:15 PM.

Tom Schneider
Clerk/Adm.

tschneider@ci.albany.mn.us

From: tschneider@ci.albany.mn.us
Sent: Wednesday, August 3, 2022 1:49 PM
To: jason@daviddrown.com
Subject: FW: 2023 CIP Forest Avenue

Read below.

From: Mathiasen, Jeremy <Jeremy.Mathiasen@stantec.com>
Sent: Wednesday, August 3, 2022 1:42 PM
To: tschneider@ci.albany.mn.us
Subject: RE: 2023 CIP Forest Avenue

So the project sizes are very similar. The Forest Avenue project will have about a hundred feet less of roadway and a hundred less of alley. There will be a little more utility work but also a few more properties for us to assess for that utility work. Not planning to assess for the residential alley work on the next one, similar to this one and past projects (so nothing for Danielle). Only assessing for the commercial portions where we are building a little heavier alley and providing drainage benefits.

We don't know what the bidding would be like for next year but I wouldn't be surprised to see everything go up 5%. So using this year's construction cost and Engineering costs we're probably looking at:

Construction: \$2,109,100
Engineering/Indirect Costs (24% of Construction): \$506,100

This doesn't include anything related to Shamrock Lane that got mentioned at the last meeting.

Let me know if any questions or other thoughts.

From: tschneider@ci.albany.mn.us <tschneider@ci.albany.mn.us>
Sent: Wednesday, August 3, 2022 10:52 AM
To: Mathiasen, Jeremy <Jeremy.Mathiasen@stantec.com>
Subject: 2023 CIP Forest Avenue

Can you give me a ball park what it is going to cost for construction and engineer for this project using the same numbers and scope of project for the 2022 Midland Avenue CIP? I'm working with Jason Murray to determine if the city can afford to do this project in 2023. Is forest avenue reconstruct going to be a larger project than Midland Avenue? When all the alleys are upgraded, will Dannielle get hit again with an assessment?

TS

To:	Mr. Tom Schneider and Albany City Council City of Albany	From:	Jeremy Mathiasen St. Cloud Office
File:	193801690	Date:	August 11, 2022

Reference: Engineering Update for the 8/17/22 Council Meeting

2022 Capital Improvement Project

All utility work has been completed and the Contractors are busy reconstructing the sidewalks, alleys, and roadways. The remaining concrete work is planned for this coming week and the first lift of bituminous paving is currently scheduled for August 22nd and 23rd.

1st Street/TH 238 Improvements

A final construction punch list is being prepared for the Contractor. Final project completion is September 30th.

Golfview Lift Station Improvements

Liberty Electric provided an update that the new generator is set to ship at the end of September. Hoping for the project to begin upon arrival.

2024 CR 157 Improvements

We are anticipating that Stearns County will be scheduling an open house with Albany residents before the end of the year, to discuss the proposed 2023 improvements between Albany and Freeport. No specific date has been provided.

Forest Avenue Improvements – Feasibility Study

The preliminary field survey work has been completed on the proposed project which includes Forest Avenue between 1st and 6th Street, 2nd through 5th Streets between Forest Avenue and Midland Avenue, and the adjacent alleys. We would like to present the feasibility report to the Council on September 21st.

Feel free to contact me at any time with project related questions.

Jeremy.mathiasen@stantec.com 320.266.5232

**CITY OF ALBANY
AMENDMENT TO ORDINANCE NO. 70 PUBLIC NUISANCES**

The City Council for the City of Albany, HEREBY ORDAINS that Ordinance 70

PUBLIC NUISANCES shall be amended as follows:

1. That Section 70.05, Subd. 4 shall be amended to read as follows:

“Subd. 4. Sump Pump Discharge Abatement. The owner of the premises shall have the option of (1) re-routing the outlet for the sump pump so that no flow reaches the public sidewalk and/or right of way; or (2) connecting to the City’s existing drain tile system/stormwater system within the right of way. Such connection shall be at the owner’s sole cost and expense and shall be designed with an air gap above the in-ground pipe to allow discharge even if the in-ground pipe is frozen or blocked by some other means. If the owner connects to the City’s system, owner agrees that the City shall not be liable to owner or any third parties for any damage that may occur as a result of the connection to the drain tile system, including but not limited to any damage that results from the drain tile freezing up, causing back up into the owner’s house or property, adjacent properties, or for breakage of the drain tile connection, and owner shall defend and indemnify the City from such liability.”

2. This Ordinance Amendment shall be effective upon publication.

This Ordinance was approved by the majority of the City Council of Albany on this ___ day of August , 2022.

Tom Kasner, Mayor

Tom Schneider, Clerk/Administrator

(S E A L)

This amendment was published in the *Star Post* on August ___, 2022

SCHOOL RESOURCE OFFICER AGREEMENT

This Agreement is made, this 10th day of August 2022, by and between the SCHOOL DISTRICT OF Albany Area Schools (hereinafter "School District"), and the CITY OF ALBANY POLICE DEPARTMENT (hereinafter "Police Department") as follows:

WITNESSETH:

WHEREAS, the Police Department agrees to provide the School District a School Resources Officer (SRO) Program in the School District; and

WHEREAS, the School District and Police Department desire to set forth in this SRO Agreement the specific terms and conditions of the services to be performed and provided by the SROs in the School District;

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1.) Cost of the SRO Program.

- A.) Duration – This agreement shall remain in full force and effect except if modified by mutual consent of the School Board and City of Albany or unless terminated as provided by law, or by written resignation.
- B.) Duty Year – The SRO's duty year begins the end of August and ends the beginning of June. The duty year will reflect similar days as the school district teachers. Vacation days and holidays will align with the school district calendar and approved by the Chief of Police and principal.
- C.) Additional Services – The SRO will be assigned to extra-curricular and other assignments as determined by the principal and Chief of Police.
- D.) Compensation – The School Board agrees to pay the City of Albany \$31,827.00 for SRO services for the 2022-2023 school year. This constitutes a 50% position with hours to be determined by the Chief of Police and superintendent. The payment will be made in two equal installments on January 15 and June 10. The compensation will increase 3% each of the proceeding years.
- E.) Other Provisions – The School District will provide the SRO a computer, confidential workspace, and phone (landline). Requests for additional provisions will need the approval of the School District and Chief of Police.

2.) Employment of School Resource Officers.

- A.) The SROs shall be employees of the Police Department and shall be subject to the administration, supervision and control of the Police Department.
- B.) The SROs shall be subject to all personnel policies and practices of the Police Department except as such policies or practices may be modified by the terms and conditions of this Agreement.
- C.) The Police Department, in its sole discretion, shall have the power and authority to hire, discharge, and discipline SROs.
- D.) One SRO shall be assigned to serve all buildings of the School District.

3.) Duty Hours

- A.) SRO duty hours shall be determined by the provisions of the labor agreement between the Police Department and School District. Whenever possible, it is the intent of the parties that the SRO's duty hours shall conform to the school day.
- B.) It is understood and agreed that the time spent by SROs attending municipal court, juvenile court, and/or criminal cases arising from and/or out of their employment as an SRO shall be considered as hours worked under this agreement.
- C.) In the event an SRO is absent from work, the SRO shall notify his or her supervisor in the Police Department and the principal of the school to which the SRO is assigned.
- D.) In the event an SRO is needed to assist or support the Police Department the School District understands that the SRO will leave school in such cases.

4.) TERM OF AGREEMENT.

The initial term of this Agreement is two years commencing on the 29th day of August, 2022, and ending on the last day of the 2023-24 school year, however, should either party encounter budgetary constraints that make the continuation of this agreement impractical, then either party may cancel this agreement upon sixty-day notice to the other. This agreement shall be automatically renewed for successive one-year periods unless either party requests termination of modification of this agreement. This request will be made in writing.

5.) DUTIES OF SCHOOL RESOURCE OFFICERS.

The SRO's duties will include, but not be limited to, the following:

- A.) To be visible, active law enforcement figure on campus dealing with law enforcement matters and school code violations originating on the assigned campus. As to school code violations, the SRO will take the student to the principal's office for discipline to be meted out by school officials.

- B.) To act as the designee for the campus administrator in maintaining the physical plant of the assigned campus to provide a safe environment as to law enforcement matters and school code violations. This includes building(s), grounds, parking lot(s), lockers and other public school property. As to school code violations, the SRO will take the student to the principal's office for discipline to be meted out by school officials.
- C.) To provide a classroom resource for law education using approved materials.
- D.) To be a resource for students, which will enable them to be associated with a law enforcement figure and role model in the students' environment.
- E.) To be a resource for teachers, parents and students for conferences on an individual basis dealing with individual problems or questions, particularly in the area of substance control.
- F.) To make appearances before site councils, parent groups, and other groups associated with the campus and as a speaker on a variety of requested topics, particularly drug and alcohol abuse.
- G.) To document activities of an SRO on and off campus and as a compiler of a monthly report to be provided to the Police Department and to the principal of the assigned school.
- H.) The SRO will be involved in school discipline. When it pertains to preventing a disruption that would, if ignored, place students, faculty and staff at risk of harm, the SRO will resolve the problem to preserve the school climate. As to school code violations, the SRO will take the student to the principal's office for discipline to be meted out by school officials.
- I.) IN ALL OTHER CASES, disciplining students is a School District responsibility, and the SRO will take the students who violate the code of conduct to the principal where school discipline can be meted out.
- J.) It will be the responsibility of the SRO to report all crimes originating on the campus. Information on cases that are worked off-campus by the Police Department or other agencies involving students on a campus served by an SRO will be provided to the SRO, but the SRO will not normally be actively involved in off-campus investigation(s).
- K.) The SRO will share information with the administrator about persons and conditions that pertain to campus safety concerns.

- L.) The SRO will be familiar with helpful community agencies, such as mental health clinics, drug treatment centers, etc., that offer assistance to dependency-and delinquency-prone youths and their families. Referrals will be made when necessary.
- M.) The SRO and the principal will develop plans and strategies to prevent and/or minimize dangerous situations which might result in student unrest.
- N.) The SRO will coordinate all of his/her activities with the principal and staff members concerned and will seek permission, guidance, and advice prior to enacting any programs within the school.
- O.) The SRO may be asked to provide community wide crime prevention presentations.
- P.) SROs will wear approved department uniform, formal business attire or business casual with appropriate logos and name badges depending on the time of school year, the type of school activity or program, and the requests of the school and/or police department. The Chief of Police and the principal shall jointly set expectations and resolve any disputes in this area.
- Q.) SROs will wear their department authorized duty weapons in accordance with department policy.

6.) Chain of Command.

- A.) As employees of the Police Department, SROs will be subject to the chain of command of the Police Department.
- B.) In the performance of their duties, SROs shall coordinate and communicate with the principal of the principals' designee of the school to which they are assigned.

7.) Transporting Students

- A.) SROs shall not transport students in Police Department vehicles except:
 - 1.) When the students are victims of a crime, under arrest, or some other emergency circumstances exist; and
 - 2.) When students are suspended and/or sent home from school pursuant to school disciplinary actions, if the student's parent or guardian has refused or is unable to pick up the child within a reasonable time period and the student is disruptive/disorderly and his/her continued presence on campus is a threat to the safety and welfare of other students and school personnel.
- B.) Students shall not be transported to any location unless it is determined that the student's parent, guardian or custodian is the destination to which the student is being transported. SROs shall not transport students in their personal vehicles.

- C.) SROs shall notify school personnel upon removing a student from campus.

8.) Access to Education Records.

- A.) School officials shall allow SROs to inspect and copy any public records maintained by the school to the extent allowed by law.
- B.) If some information in a student's record is needed in an emergency to protect the health or safety of the student or other individuals, school officials shall disclose to the SRO that information which is needed to respond to the emergency situation based on the seriousness of the threat to someone's health or safety; the need of the information to meet the emergency situation and the extent to which time is of the essence.
- C.) If confidential student record information is needed by an SRO, but no emergency situation exists, the information may be released only as allowed by law.

IN WITNESS WHEREOF, the parties have caused the execution of this Agreement in duplicate; on the day and year given above.

ATTEST:

Albany Chief of Police

Board Chair

Mayor of Albany

Board Clerk

City Administrator

Superintendent

Abstract of Votes Cast
Independent School District No. 745 (ALBANY)
State of Minnesota
at the STATE PRIMARY
Held Tuesday, August 09, 2022
Compiled from the Official Returns.

Summary of Totals
Independent School District No. 745 (ALBANY)
Tuesday, August 09, 2022 STATE PRIMARY

Number of persons registered as of 7 a.m.	11013
Number of persons registered on Election Day	103
Number of accepted regular, military, and overseas absentee ballots and mail ballots	1189
Number of federal office only absentee ballots	1
Number of presidential absentee ballots	0
Total number of persons voting	3780

Summary of Totals
Independent School District No. 745 (ALBANY)
Tuesday, August 09, 2022 STATE PRIMARY

KEY TO PARTY ABBREVIATIONS

NP - Nonpartisan

NP - Nonpartisan

SCHOOL DISTRICT QUESTION 1 (ISD #745)

NP	NP
YES	NO
1272	881

Detail of Election Results
 Independent School District No. 745 (ALBANY)
 Tuesday, August 09, 2022 STATE PRIMARY

Precinct	Persons Registered as of 7 A.M.	Persons Registered on Election Day	Total Number of Persons Voting
73 0005 : ALBANY	1606	32	627
73 0010 : ALBANY TWP	686	5	248
73 0020 : AVON	1071	12	326
73 0025 : AVON TWP	1484	12	432
73 0050 : COLLEGEVILLE TWP P1	1384	20	602
73 0090 : FARMING TWP	659	0	271
73 0115 : HOLDING TWP	794	0	106
73 0130 : KRAIN TWP	660	5	173
73 0190 : MUNSON TWP	1058	6	517
73 0205 : OAK TWP	384	2	184
73 0250 : ST ANTHONY	53	0	20
73 0399 : ST MARTIN	178	3	36
73 0400 : ST MARTIN TWP	266	4	103
73 0411 : ST WENDEL TWP P-2	730	2	135
Independent School District No. 745 (ALBANY) Total:	11013	103	3780

Detail of Election Results
Independent School District No. 745 (ALBANY)
Tuesday, August 09, 2022 STATE PRIMARY

Office Title: SCHOOL DISTRICT QUESTION 1 (ISD #745)

Precinct	NP	NP
	YES	NO
73 0005 : ALBANY	450	170
73 0010 : ALBANY TWP	115	121
73 0020 : AVON	199	124
73 0025 : AVON TWP	203	134
73 0050 : COLLEGEVILLE TWP P1	62	52
73 0090 : FARMING TWP	106	137
73 0115 : HOLDING TWP	2	3
73 0130 : KRAIN TWP	48	80
73 0190 : MUNSON TWP	3	11
73 0205 : OAK TWP	22	8
73 0250 : ST ANTHONY	13	7
73 0399 : ST MARTIN	18	17
73 0400 : ST MARTIN TWP	31	17
73 0411 : ST WENDEL TWP P-2	0	0
Total:	1272	881

We, the school board members of Independent School District No. 745 (ALBANY), certify that we have canvassed the returns of the STATE PRIMARY held on Tuesday, August 09, 2022 and have herein specified the names of any candidates receiving votes and the number of votes received by each candidate, and have herein specified the number of votes for and against any ballot questions voted on in this election.

As appears by the returns of the election precincts voting in this election, duly returned to, filed, opened, and canvassed, and now remaining on file in the office of the clerk of Independent School District No. 745 (ALBANY).

Witness our official signature at _____ in _____ County this _____ day of _____, 2022.

School Board Member

School Board Member

School Board Member

School Board Member

School Board Member

School Board Member

School Board Member

State of Minnesota
Independent School District No. 745 (ALBANY)

I, _____, Clerk of the Independent School District No. 745 (ALBANY) do hereby certify the within and foregoing _____ pages to be a full and correct copy of the original abstract and return of the votes cast in the Independent School District No. 745 (ALBANY) STATE PRIMARY held on Tuesday, August 09, 2022.

Witness my hand and official seal of office this _____ day of _____, 2022.

SCHOOL DISTRICT QUESTION 1 (ISD #745): 14 of 14 precincts reporting

Shall the board of Independent School District No. 745 (Albany), Minnesota be authorized to issue general obligation school building bonds in an amount not to exceed \$16,960,000 for acquisition and betterment of school sites and facilities including, but not limited to, renovation of the former hospital facility for use as an early learning center, construction of an addition consisting of a new multi-purpose space, deferred capital maintenance, infrastructure improvements, furniture, fixtures and equipment, and technology?

YES 1,272 59.08%

NO 881 40.92%

August 9, 2022 Primary Election Question on Ballot

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to psstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

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

LMCIT Member Name:

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04.

The member **WAIVES** the monetary limits on municipal tort liability established by Minn. Stat. § 466.04, to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____