

**Vergas EDA/HRA
Vergas EDA/HRA December 2021
Vergas Event Center and Zoom Id number 267-094-2170 (password 56587)
11:00 AM on Wednesday, December 1, 2021**

1. Call to Order

Please let Julie know asap if you are unable to attend - please be at the Event Center by 10:55 am Bid Opening at 11:00.

2. West Lake Street Bid Opening

3. Agenda Additions and Deletions

4. Minutes

November 3, 2021

5. Status of Recommendations to City Council

Water and Sewer Accessory Fees for Commercial Businesses

1. Water Accessory Fee \$750.00
2. Sewer Accessory Fee \$750.00

6. 2021 Financial Update

7. Old Business

- a. EDA Goals
- b. HRA Goals
- c. City W Lake Street Property
- d. EDA/HRA Bylaws

8. New Business

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2. West Lake Street Bid Opening

Files Attached

- BID ANNOUNCEMENTINVITATION TO BIDSEALED.pdf

BID ANNOUNCEMENT
INVITATION TO BID

SEALED WRITTEN BIDS WILL BE RECEIVED FOR SALE OF REAL PROPERTY
LOCATED IN OTTER TAIL COUNTY, MINNESOTA.

OWNER/SELLER: City of Vergas

LOCATION: 310 W Lake Street, Vergas, MN 56587

LEGAL DESCRIPTION:

the County of Otter Tail, State of Minnesota, and legally described as follows:

The North 1037 feet of the West 802 feet of Government Lot 1, Section 25, Township 137, Range 41, being a part of the unplatted portion of the City of Vergas, Otter Tail County, Minnesota.

TERMS: Terms of the sale will be as described herein and on the attached purchase agreement, incorporated into this Bid Announcement by this reference. Prior to acceptance of any bid the apparent successful bidder may be required to furnish Seller with current information and data regarding the bidder's resources and a commitment for financing adequate to support the bid and establish the qualifications of the bidder to purchase the property. Seller shall have up to thirty (30) days after the opening of the bids to issue a notice of bid acceptance or notice of rejection of all bids. Closing shall occur within 30 days after notice of bid acceptance. Sealed bids must be accompanied by the completed bid form signed by the bidder, the completed purchase agreement signed by the bidder, and the \$1,000 bid deposit described below. Upon acceptance of the bid Seller will issue a notice of bid acceptance and mail it to the successful bidder by first class mail and deposit the bid deposit into Seller's account. Within five (5) days of mailing notice of bid acceptance, the successful bidder must deliver to Seller a certified check in the additional sum of \$1,000, to be combined with the bid deposit to be the earnest money under the purchase agreement. Thereafter Seller will sign the purchase agreement, deposit the additional \$1,000 into Seller's account and mail a copy of the signed purchase agreement to the successful bidder. Bidders failing to timely pay the additional \$1,000 after notice of bid acceptance will forfeit the bid deposit as liquidated damages and the bid may be awarded to an alternate bidder. Bidders failing to close the transaction within 30 days after notice of bid acceptance will forfeit the bid deposit and earnest money as liquidated damages and the bid may be awarded to an alternate bidder. Bid deposits from unsuccessful bidders will be returned only after issuance of a notice of bid acceptance to the successful bidder or notice of rejection of all bids.

BID PROCESS: Bids should be for the total dollar amount. Bids must be guaranteed for up to thirty (30) days following opening of the bids. Bidders who have properly submitted written sealed bids will have the opportunity, after opening of the sealed bids, to orally raise their bid. Bidders who qualify may do so in person or by authorized representative in attendance at the Bid

opening, or by telephone communication by bidder at the time of the bid opening and until **11 a.m. on December 1, 2021** when all bidding will cease. Written verification of the authority of an authorized representative must be received by Seller on or before **11 a.m. on December 1, 2021**. Bidders wishing to have the opportunity to raise their bid by telephone communication must contact Seller to make arrangements no later than **9 a.m. on December 1, 2021 at 218-342-2091**. Contemporaneous access to e-mail or a facsimile machine is required. Oral raises to a bid will be inscribed on the original bid form and on the original purchase agreement and initialed by the bidder. No other changes to the bid or purchase agreement will be allowed. Once submitted, a bid may not be withdrawn.

Seller reserves the right to reject all bids. Seller reserves the right to award the bid in its discretion and is not required to award the bid to the highest bidder. Seller reserves the right to incorporate by reference the bid documents into the purchase agreement. Seller reserves the right to waive any defect in the bid documents and to disqualify or reject any or all bids, before or after opening.

Sealed bids should be in writing on the attached bid form and on the attached purchase agreement, including the full name, address, telephone number and tax identification number of the bidder, accompanied by a certified check for bid deposit (no personal or business checks) payable to Seller **IN THE AMOUNT OF \$1,000**. Bids should be sealed in an envelope. All written sealed bids must be received by the undersigned **NO LATER THAN 10 a.m. on December 1, 2021**, at the following address:

City of Vergas
PO Box 32
111 Main St
Vergas, MN 56587

Parties failing to timely submit written sealed bids will not be allowed to submit written or oral bids at the bid opening. All blank spaces on the form must be completed in ink or typewritten, illegible bids will be rejected. Alterations or erasures must be crossed out and correction must be printed in ink or typewritten and initialed by each person signing the bid. All sealed bids must be submitted by signed originals, copies will be rejected. Facsimile bids are acceptable only in connection with an oral bid raise described above. Bids made in pencil will be rejected. The envelope containing the bid form, purchase agreement and bid deposit must have the following inscription typed or written on the outside of the envelope:

Sealed Bid for 310 W Lake St property
Due December 1, 2021 @ 10 a.m.
(Name of bidder)
(Address of bidder)
(Phone number of bidder)
(Broker for bidder, if applicable)
(Phone number of Broker, if applicable)

Seller shall not be liable for premature opening of a bid not properly addressed or identified. Seller shall not be liable for the costs of bid preparation. Questions regarding the bid process may be

directed to Thomas P. Winters at (218) 847-5653.

BID OPENING: Buyers should be present at bid opening in person or by authorized representative. All bids will be opened on **December 1, 2021 AT 11 A.M. AT:**

140 W Linden St
Vergas, MN 56587

Bidding will cease at **11:30 a.m. on December 1, 2021.**

PRE BID INSPECTION:

Prospective Bidders and/or their representatives may arrange for an inspection of the premises prior to submitting a bid by contacting Seller City of Vergas at 218-342-2091

BROKER PARTICIPATION INVITED:

Seller encourages all licensed real estate professionals to participate. Information can be obtained by contacting Seller City of Vergas at 218-342-2091.

All information presented here is believed to be correct but is not guaranteed. All announcements made the day of bids are opened shall take precedence over any printed materials. All measurements and other figures are approximate. Drawings, maps and diagrams are not necessarily to scale.

BID FORM

FOR SALE OF REAL PROPERTY LOCATED IN OTTER TAIL COUNTY, MINNESOTA.

OWNER/SELLER: City of Vergas

LOCATION: 310 W Lake St, Vergas, MN 56587

LEGAL DESCRIPTION:

the County of Otter Tail, State of Minnesota, and legally described as follows:

The North 1037 feet of the West 802 feet of Government Lot 1, Section 25, Township 137, Range 41, being a part of the unplatted portion of the City of Vergas, Otter Tail County, Minnesota.

TERMS/BID PROCESS:

Terms of the sale and the Bid Process will be as described Bid Announcement/Invitation to Bid and on the Purchase Agreement attached to and incorporated into the Bid Announcement/Invitation to Bid.

BIDDER/BUYER NAME: _____

ADDRESS: _____

SEALED BID: \$ _____ (Total Dollar amount).

Oral amendment at bid opening \$ _____

In response to the terms specified in the attached Purchase Agreement and in the attached Bid Announcement/Invitation to Bid the undersigned, if award of bid is tendered, agrees to purchase the property and pay the bid price specified herein according to the terms and conditions specified in the Bid Announcement/Invitation to Bid and the Purchase agreement. I have read, fully understand and agree to the terms stated therein and acknowledge that by Signing this Bid Form and the Purchase Agreement I will be bound to fully perform according to those terms. The required bid deposit of \$1,000 is enclosed.

BIDDER/BUYER SIGNATURE: _____

DATE: _____, 20____.

TAX IDENTIFICATION NUMBER OF BIDDER: _____

TELEPHONE NUMBER: _____.

E-MAIL ADDRESS: _____.

BROKER/REPRESENTATIVE NAME (if applicable):

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4. Minutes

November 3, 2021

Files Attached

- 11.03.21 HRA_EDA minutes pdf.pdf

CITY OF VERGAS EDA/HRA
Wednesday, November 3, 2021
11:00 AM
Billy's Corner Bar

The City of Vergas Economic Development Authority (EDA) and Housing Redevelopment Authority (HRA) met on Wednesday, November 3, 2021 at 11:00 AM, Billy's Corner Bar, with the following members present: Bruce Albright, Paul Pinke, Austin Tegtmeier, Vanessa Perry, and Kevin Zitzow. Absent: none. Julie Lammers, City Clerk-Treasurer, was unable to attend due to a scheduling conflict, Albright agreed to take and prepare the meeting minutes.

1.) Zitzow called the meeting to order at 11:15 AM.

2.) There were no meeting agenda additions or deletions.

3.) Minutes for the 10/06/21 EDA/HRA meeting were distributed with today's meeting packet.

Motion by Perry to approve the minutes, **seconded** by Tegtmeier, **approved**.

4.) 2021 Financial Update. The checking account balance as of today is \$8,688.66. The savings account at West Central Initiative has \$15,313.88, for a total account balance of \$24,002.54. There were also account balances for two projects the EDA/HRA has agreed to write the checks for, Pickle Ball and the Veteran's Memorial. Memorial expenses to date total \$5,765.73, and \$0 for Pickle Ball. Perry questioned the Vergas Post Office expense of \$55 for the EDA/HRA. Zitzow assumed it was for a roll of stamps. Perry didn't feel that the EDA/HRA needed their own post office box. Albright said he attended a Minnesota Public Finance Education Series titled "TIF Demystified: Understanding the Basics of Tax Increment Financing". The session was sponsored by Ehlers. Use of a Tax Abatement, should require a "but for" analysis. We probably are meeting that requirement because the financial review occurs at the County level, and we are just piggybacking onto their program. Larger cities actually hire Ehlers to make the analysis.

5.) Old Business.

a.) EDA Goals. A copy of the EDA Business Goals for 2021 was attached in the meeting meeting packet. Goal No. 3, "continue to export options for bringing a grocery store to Vergas" can be deleted.

b.) HRA Goals. As noted above, a copy of the 2021 goals was reviewed.

Albright felt that since it has been some time since we've thought about our goals, he suggested that Committee members review the goals and think of some new ones for 2022. We should also maybe start to look at some "specific" goals, that will cost considerable money, to help justify our budget request for increased funding.

c.) City West Lake Street Property. At the 10/12/21 Council meeting, the Council agreed to transfer the former Todd Bunkowski property to the the EDA/HRA. A bid opening for the sale will be held in early December, 2021. Albright has not seen the published details. The property will have a "minimum" bid, which was determined by taking the City's purchase price, demolition costs, and \$8,000 for the 2022 EDA/HRA budget. Zitzow questioned if the property sells for more than the minimum bid, he assumed the overage would go to the EDA/HRA. The group requested more details about the sale, Albright said he can forward a copy of the sale notice, once it is public. The City's "preliminary" budget for 2022 was discussed. Increases were discussed. Zitzow stressed that the EDA/HRA needs to keep pushing for reserves, as when we do a major project, it is going to cost money.

6.) New Business.

a.) Water and Sewer Accessory Fees for Commercial Businesses. The 5-year \$750 exemption for the water and sewer hookup fees for commercial businesses expired earlier this summer, and because there were no commercial businesses under construction at the time, this item was inadvertently not added to our agenda for extension of the program. Perry said the Summers and Zitzow/Schmid projects both recently underwent some very expensive hookup costs for their new projects. Both projects cost more than the developers were planning on. **Motion** by Perry to recommend to the Council to continue the program, retroactive to the expiration date. **Seconded** by Pinke. **Approved.**

b.) Zitzow felt at the next meeting, we need to look at our bylaws, as both he and Perry no longer actually live in Vergas. He couldn't remember how the bylaws were worded regarding membership. Albright will ask Lammers to distribute copies of the bylaws before the next meeting.

Meeting adjourned at 12:10 PM.

Respectfully prepared and submitted by:

Bruce E. Albright, Council Member

Council Recommendations

- extend water and sewer accessory fee exemptions (\$750) for five more years, for commercial businesses, retroactive to the previous expiration date.

Follow up Actions

- review bylaws regarding membership.
- Get details regarding auction of property at 310 W Lake Street.
- Continue to work with developer of Lawrence Lake property regarding possible funding assistance for roads, infrastructure, and housing.
- Develop EDA/HRA goals for 2022.

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5. Status of Recommendations to City Council

Water and Sewer Accessory Fees for Commercial Businesses

1. Water Accessory Fee \$750.00
2. Sewer Accessory Fee \$750.00

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6. 2021 Financial Update

Files Attached

- EDA Budget.pdf

2021 Vergas EDA/HRA
Income - Expense sheet

Beginning Balance \$1,369.66

Revenue:

| | | |
|---------------------------|----------|----------|
| City | 7,000.00 | |
| Pickle Ball Fiscal Agent | 250.00 | |
| Vet Memorial Fiscal Agent | 250.00 | |
| | | 7,500.00 |

Total Revenue

Expenses:

| | | |
|------------------------|--------|--------|
| Annual Meeting Mailing | 55.00 | |
| Frazee Forum Ad | 126.00 | |
| | | 181.00 |

Total Expenses:

Balance of Checking Account as of 10/1/2021

\$8,688.66

Savings Account

| | | |
|-------------------------|-----------|--|
| West Central Initiative | 15,313.37 | |
|-------------------------|-----------|--|

Total

\$24,002.03

Veteran Memorial Fiscal Agent

Income

| | | |
|-------------------------|----------|-----------|
| West Central Initiative | 250.00 | |
| West Central Initiative | 250.00 | |
| West Central Initiative | 5,515.73 | |
| West Central Initiative | 8,450.84 | |
| Total Income | | 14,466.57 |

Expenses

| | | |
|-----------------------------|----------|-------------|
| Vergas EDA | 250.00 | |
| Lyle Krieg | 250.00 | |
| All Flags | 5,515.73 | |
| Fergus Falls Monument Co Ir | 6,000.00 | |
| KLJ Engineering | 2,435.00 | |
| Lyle Krieg | 15.84 | |
| Total Expenses | | \$14,466.57 |

Balance of Veteran Memorial

\$0.00

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7. Old Business

- a. EDA Goals
- b. HRA Goals
- c. City W Lake Street Property
- d. EDA/HRA Bylaws

Files Attached

- 2021 HRA & EDA Goals.pdf
- EDA BYLAWS for Vergas.pdf

2021 EDA/HRA Goals:

HRA -Housing:

1. Identify buildable lots

a. Identify lots within current city limits, owners of said lots, their price, and whether they have City services (water/sewer), or their potential for said services.

b. Identify potential building lots within a one-mile radius of Vergas, owners of the lots, and their selling price. Assess potential of providing City services.

2. Review housing study determine the types of housing needed, work with City and private development to furnish said housing.

3. Determine interest in grant or low interest housing program to repair or improve existing housing. (Focus on attaining goal in 2023)

4. Assisting current residents in retaining and maintaining their properties through knowledge of available programs.

5. Aid residential developers by making new built housing more tangible through support of waved permitting fees such as building permits, tax levies, etc.

6. Convey the message that all aspects; live, work, and play; contribute to the existing high quality of life in our community.

7. Look at working with builder/developer for spec homes.

EDA-Business:

1. Meet with existing business owners. Determine how things are going for businesses and if they need our assistance to stay in business or to expand their business.

2. Support current commercial businesses with training and information on available or upcoming funding in order to help them maintain and grow at a successful rate.

3. Work with Planning and Zoning to review areas within current city limits and within a one-mile radius for potential future business development/growth.

4. Continue redevelopment efforts of unoccupied commercial buildings within the city of Vergas.

5. Encourage well planned quality development of commercial areas.

BY-LAWS OF THE ECONOMIC DEVELOPMENT AUTHORITY
IN AND FOR THE
CITY OF VERGAS, MINNESOTA

1. The Authority

Section 1.1. Name of the Authority. The name of the Authority shall be the Economic Development Authority (hereinafter, "Authority") in and for the City of Vergas, Minnesota (hereinafter "City"), and its governing body shall be called the Board of Commissioners (hereinafter, "Board").

Section 1.2. Office. The principal office of the Authority shall be the Vergas City Offices.

Section 1.3. Seal. The official seal of the City of Vergas shall be the Authority's official seal.

2. Organization

Section 2.1. Officers. The officers of the Authority shall consist of a President, a Vice President, a Secretary-Treasurer, and Assistant Treasurer. The President and the Vice President shall be members of the Board and shall be elected annually, and no Commissioner may serve as President and Vice President at the same time. The offices of Secretary-Treasurer, and Assistant Treasurer shall be appointed as set forth herein.

Section 2.2 President. The President shall preside at all meetings of the Board.

Section 2.3 Vice President. The Vice President shall preside at any meetings of the Board in the absence of the President and may exercise or perform the same due to absence or other inability.

Section 2.4 Secretary-Treasurer. The Secretary-Treasurer shall be the City Clerk. The Secretary-Treasurer shall receive and be responsible for Authority money, shall disburse Authority money by check only, keep an account of all Authority receipts and disbursements and the nature and the purpose relating thereto, shall file all financial reports and disclosures required of the Authority, and be responsible for the acts of the Assistant Treasurer. The Secretary-Treasurer shall keep minutes of all meetings of the Board and shall maintain all records of the Authority. The Secretary-Treasurer shall have such additional duties and responsibilities as the Board may from time to time and by resolution prescribe. The Secretary-Treasurer shall advise the Board of all appropriate matters, participate in Board discussion, but shall not vote, unless appointed as a Commissioner as provided herein. The Secretary-Treasurer shall be responsible for recording and maintaining accurate records of the meetings of the Board and of all official actions taken by or on behalf of the Authority.

Section 2.5. Assistant Treasurer. The Assistant Treasurer shall have all the powers and duties of the Treasurer if the Treasurer is absent or disabled.

3. Procedures of Board of Commissioners

Section 3.1. Annual Meeting. The annual meeting of the Board shall be held during the last week of April each year.

Section 3.2. Regular Meeting. The Board shall hold regular meetings monthly as the Board determines.

Section 3.3. Special Meetings. Special meetings of the Board may be called by the President or, in the event of the President's absence or inability, by the Vice

President at any time, upon three day prior notice to all Commissioners and the Secretary-Treasurer. Upon the same notice, special meetings of the Board may also be called by any two Commissioners. The Secretary-Treasurer shall post notice of any special meeting in the principal office of the Authority no less than three days prior to such special meeting.

Section 3.4. Quorum. A quorum of the five member Board shall consist of three Commissioners. In the absence of a quorum, no official action may be taken by, on behalf of, or in the name of the Board or the Authority.

Section 3.5. Adoption of Resolutions. Resolutions of the Board shall be deemed adopted if approved by not less than a simple majority of all Commissioners present. Resolutions may, but need not be, read aloud prior to a vote taken thereon. All resolutions shall be executed after passage.

Section 3.6. Rules of Order. The meetings of the Board shall be governed by the most recent edition of Robert's Rules of Order.

4. Miscellaneous

Section 4.1 Fiscal Year. The fiscal year of the Authority shall be the calendar year. The City shall be the fiscal agent for the Authority and shall establish a separate fund for the purpose of maintaining all financial and accounting records of the Authority, including the nature of all receipts and disbursements, money on hand and the purposes to which it may be applied, and records of Authority's debits and credits. The City shall establish such other funds as may be properly authorized and necessary for conduct of the Authority's business.

Section 4.2. Checks. An authority check must be signed by the Secretary-Treasurer and the Mayor or Vice Mayor. The check must state the name of the payee and the nature for which the check was issued.

Section 4.3. Financial Statements. The City shall provide the Authority with such financial information as may be necessary for the proper conduct of the Authority's business. The funds established for the benefit of the Authority shall be audited annually, and included as part of the City annual financial report. The City shall file such financial reports with the State and any other organizations or agencies as may be required for proper operation of the Authority.

Section 4.4. Report to City. The Authority shall annually, or more often if requested by the City Council, make a report to the City Council giving a detailed account of its activities and of its receipts and expenditures for the preceding calendar year.

Section 4.5. Budget to City. The Authority shall annually send its budget to the City Council, no later than August 1, which budget includes a written estimate of the amount of money needed by the Authority from the City in order for the Authority to conduct business during the upcoming fiscal year.

Section 4.6. Employees. The Authority may recommend employment of an executive director, a chief engineer, technical experts and agents and other employees as it may require and determine their duties, qualifications and compensation.

Section 4.7. Services. The Authority may contract for the services of consultants, agents, public accountants and others as needed to perform its duties and to

exercise its powers. The Authority may also use the services of the City Attorney or hire a general counsel, as determined by the Authority.

Section 4.8. Supplies, Purchasing, Facilities, and Services. The Authority shall purchase such supplies and materials as it needs. The Authority shall follow such procedures as are applicable to other City departments and agencies. The City may furnish offices, structures and space, stenographic, clerical, engineering and other assistance to the Authority.

Section 4.9. Execution of Contracts. All contracts, notes and other written agreements or instruments to which the Authority is a part or signatory or by which the Authority may be bound shall be executed by the President or Vice President, and the Secretary-Treasurer, or by such other Commissioners or Officers of the Authority as the Board may by resolution prescribe. All contracts will be signed after review by legal counsel.

Section 4.10 Appointment, terms; vacancies. Five member authority: the commissioners constituting a five-member authority, one of whom must be a member of the city council, shall be appointed by the mayor with the approval of the city council. Those initially appointed shall be appointed for terms of two, three, four, five, and six years respectively. Thereafter all commissioners shall be appointed for six-year terms.

Subd 1. Terms are as follows:

| | | |
|------------|---|------------------------|
| Two Year | - | Lee Dahlgren |
| Three Year | - | Marlette Otto-Anderson |
| Four Year | - | Kevin Zitzow |
| Five Year | - | Vanessa Sleen |
| Six Year | - | Duane Strand |

Subd 2. A vacancy is created in the membership of an authority when a city council member of the authority ends council membership. A vacancy for this or another reason must be filled for the balance of the unexpired term, in the manner in which the original appointment was made. The city council may set the term of the commissioners who are members of the city council to coincide with their term of office as members of the city council.

Subd 3. Compensation and reimbursement. A commissioner, including the president, shall be paid for attending each regular or special meeting of the authority in an amount to be determined by the city council. In addition to receiving pay for meetings the commissioners may be reimbursed for actual expense incurred in doing official business of the authority. All money paid for compensation or reimbursement must be paid out of the authority's budget.

Subd 4. The Secretary-Treasurer and Assistant Treasurer will be paid compensation for their services in an amount to be determined by the City Council.

Subd 5. Removal for cause. A commissioner may be removed by the city council for inefficiency, neglect of duty, or misconduct in office. A commissioner shall be removed only after a hearing. A copy of the charges must be given to the commissioner at least ten days before the hearing. When written charges have been submitted against a commissioner, the city council may temporarily suspend the commissioner. If the city council finds that those charges have not been substantiated, the commissioner shall be immediately reinstated. If a commissioner is removed, a record of the proceedings, together with the charges and finding, shall be filed in the office of the city clerk.

Section 4.11. Conflict of Interest. Except as authorized in section 471.88 a commissioner, officer, or employee of an authority must not acquire any financial interest, direct or indirect, in any project or in any property included in any project, nor shall the person have any financial interest, direct or indirect, in any contract or proposed contract for materials or service to be furnished or used in connection with any project.

Section 4.12. Liable in Contract or Tort. Subject to the provisions of chapter 466, an authority shall be liable in contract or in tort in the same manner as a private corporation. The commissioners of an authority shall not be personally liable as such on its contracts, or for torts, not committed or directly authorized by them. The property or funds of an authority shall not be subject to attachment, or to levy and sale on execution, but, if an authority refuses to pay a judgment entered against it in any court of competent jurisdiction, the district court for the county in which the authority is situated may, by writ or mandamus, direct the treasurer of the authority to pay judgment from any unencumbered funds available for that purpose. (MN State Statue 469.1081)

Section 4.13. Amendment of By-Laws. These By-Laws may be amended by the Board by majority vote of all the Commissioners, provided that any such proposed amendment shall first have been delivered to each Commissioner at least five days prior to the meeting at which such amendment is considered.

Amended:

Passed by the City Council this ____ day of _____, 2015.

Dean Haarstick, Mayor

Attest:

Julie Lammers, Clerk