

PORT AUTHORITY OF WINONA

Box 378

Winona, MN 55987-0378

(507) 457-8250

FAX (507) 457-8212

AGENDA

DATE: May 17, 2007
TIME: 4:00 P.M.
PLACE: WENONAH ROOM, City Hall

1. **CALL TO ORDER - APPROVAL OF MINUTES**

Approval of the minutes from the April 19, 2007 meeting.

2. **REMARKS BY PRESIDENT**

3. **OLD BUSINESS**

A. **Technology Park Phase Two Bids**

Bids will be received on Monday, May 14, 2007. Bids will be presented at the meeting.

4. **NEW BUSINESS**

A. **Winona County Historical Society Project**

The Port Authority Commissioners are requested to review and approve the actions they will take to facilitate the Winona County Historical Society Project. The actions include: entering into a joint powers agreement with the Winona County EDA, agreeing to the Winona County Historical Society purchase of the property at the current assessed value, and providing 24 parking stalls for 30 years to Winona County.

If the Commissioners concur, a motion to approve the attached resolution would be appropriate.

B. **2007 Budget changes for Fund 947 and Fund 911**

Staff is recommending changes to both funds to reflect the Technology Park Phase Two Project. If the Commissioners concur, a motion to approve the proposed changes would be appropriate.

5. **FINANCIAL REPORTS**

6. **ADJOURNMENT**

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 1. Approval of Minutes

DATE: May 17, 2007

Following are the minutes from the April 19, 2007 meeting for Commission's review and approval.

PORT AUTHORITY OF WINONA MINUTES

DATE: April 19, 2007

PRESENT: President Cichanowski and Commissioners Thurley, Borzyskowski, Glubka, Johnson, Kiekbusch and Hansen, and Executive Secretary Sorensen

ABSENT: None

1. CALL TO ORDER – APPROVAL OF MINUTES

The meeting was called to order at 4:00 p.m. by President Cichanowski. A motion to approve the minutes from the March 8, 2007 meeting was made by Commissioner Borzyskowski, and seconded by Commissioner Kiekbusch. The motion carried with all Commissioners present voting aye.

2. REMARKS BY THE PRESIDENT

President Cichanowski had no remarks.

3. NEW BUSINESS

A. *Technology Park Phase II*

Commissioners reviewed plans and specifications for the construction of Technology Park Phase II. Brian DeFrang, City Engineer discussed the project which includes installing the street, curb, gutter, water and wastewater lines and the construction of the storm water retention pond. The bids will have an alternate which would be the silt removal from the lots in Technology Park. The estimate for this portion is based on removing 12 feet of silt from the building envelope area of those lots. Information was provided about the quantity of material to be removed and the sand available to fill the lots. By bidding the project as an alternate, the Port Authority has the discretion to accept the other portions of the project and not the alternate.

President Cichanowski encouraged staff to continue discussions with officials for using the silt material in Technology Park for the Winona County landfill closure project.

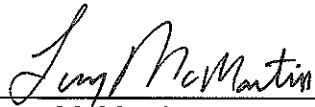
After further discussion a motion to direct staff to seek bids for Phase Two infrastructure construction was made by Commissioner Thurley and seconded by Commissioner Johnson. The motion carried with all Commissioners present voting aye.

4. **FINANCIAL REPORTS**

The Port Authority Commissioners reviewed the financial information and it will be placed on file.

5. **ADJOURNMENT**

A motion to adjourn the meeting was made by Commissioner Johnson, seconded by Commissioner Hansen and the meeting was adjourned at 4:30 p.m.



Lucy McMartin
Program Development Director

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 3.A. Technology Park Bids

DATE: May 17, 2007

Bids for Technology Park Phase Two are due Monday, May 14, 2007. Staff will present the bids at the Port Authority meeting.

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 4.A. Winona County Historical Society Project

DATE: May 17, 2007

The Port Authority of Winona on September 14, 2006, took action to assist with this project by committing to provide 24 parking stalls for Winona County, within two blocks of the Government Center for a period of 30 years if Winona County provides the land for the Winona County Historical Society expansion project. A copy of the agenda item including the resolution that was passed is attached.

The project continued to be discussed since then. On May 1, 2007, the Winona County Board took action on the project. A copy of the resolution passed by the Winona County Board of Commissioners is attached. The Winona County Board conditions on the project include the following:

1. Receipt of satisfactory documentation of authority from the City of Winona permitting the Winona County EDA to operate in the City of Winona with respect to this county-owned property notwithstanding the limitations of Minnesota Statutes section 469.1082, subdivision 5.
2. Receipt of an Agreement from the Winona County EDA that any subsequent sale or transfer of said property, if sold at private sale at a negotiated price, will be sold no less than the assessed value of the property.
3. Receipt of official written documentation from the City of Winona guaranteeing 24 parking spaces be provided directly across Fourth Street adjacent to the current Winona County Government Center for a period of 30 years at no cost; permission for unrestricted free parking spaces would automatically transfer to any new owner of the parcel at any time throughout the 30 year period.

Based upon the above issues in the Winona County resolution, staff would recommend the following actions be taken by the Port Authority:

1. The Port Authority of Winona enters into a joint powers agreement with the Winona County EDA to do this project within the Port Authority's area of operations. Briggs and Morgan is drafting the joint powers agreement which will be available by the Port meeting. This agreement will need to be reviewed by both parties and a final draft approved for signatures.
2. The Winona County Historical Society has agreed to pay the current assessed value for the property. County Assessor records list the value at \$76,600 for

2007. Attached is the Assessor Record for the property. While the Port Authority originally agreed to the project based upon the County giving the property to the Historical Society, staff would recommend agreeing with the Historical Society purchase of the property at the current assessed value.

3. Staff would recommend the Port Authority continue to agree to provide 24 parking stalls for 30 years to Winona County. Staff would not recommend the automatic transfer of these stalls to any new owner in the 30 years. Winona County will have sold the property through the EDA and any commitment for parking is with Winona County not any other user of the property. The Port Authority reviews each and every potential project on an individual basis and offers what is felt to be appropriate assistance at that time. The County's requirement takes that away from the Port Authority.

The Port Authority agreed to provide parking within two blocks to reflect the potential for redevelopment of the Chrysler Corner property and block in the future. The intent is to provide parking on this site except during any redevelopment construction on the site. Staff would recommend clarification of the location of the commitment to Chrysler block except during any redevelopment construction periods when the commitment will be provided within two blocks of the Government Center.

If the Commissioners concur with the staff recommendations, a motion to approve the following resolution would be appropriate:

RESOLUTION

WHEREAS, the Port Authority of Winona continues to support the Winona County Historical Society Expansion Project; and

WHEREAS, the Port Authority continues to be willing to provide replacement parking to Winona County to facilitate the Winona County Historical Society Project.

NOW, THEREFORE, BE IT RESOLVED that the Port Authority of Winona hereby commits to the following:

- Entering into a Joint Powers Agreement with the Winona County EDA to allow the project within the Port Authority's operation area.
- Commits to provide 24 parking stalls for Winona County if the Winona Historical Society is successful in acquiring the land currently owned by Winona County for their expansion project. The parking will be on the Chrysler Block except when redevelopment construction is underway at which time the parking will be provided within two blocks of the Government Center building.

PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: Winona County Historical Society

DATE: September 14, 2006

President Cichanowski has participated in a number of meetings including the Winona County Historical Society, Winona County and the City of Winona. The purpose of the meetings was to discuss the recently announced \$1,500,000 challenge grant received by the Historical Society to be matched dollar for dollar. The grant would allow the Historical Society to add on needed space for meetings, archives and other uses, thereby expanding the services, programs and archives of the Historical Society. The discussions agreed that this was an exciting opportunity for the Winona County Historical Society.

Winona County officials are very concerned over the project's impact on Winona County property currently used for parking for the Winona County Government Center. The property proposed for the expansion currently has 24 parking stalls on it, 22 used by Winona County and 2 used by the Historical Society. The discussions held showed the concerns of some Winona County officials over the loss of County assets, that being the parking lot.

The Winona County Historical Society made a formal request to Winona County on August 1, 2006. The Historical Society requested the County Board approve the transfer of the parking lot to the Historical Society for expansion of their building. The property transfer would be contingent on the Historical Society raising the funds necessary by July 2008 to receive the matching grant. A very long and contentious discussion took place at the County Board meeting. Judith Bodway, on behalf of the Port Authority of Winona, stated the Port Authority would consider a long term lease commitment to provide Winona County 24 parking stalls with two blocks of the Government Center for this project to take place.

The Port Authority would be able to accomplish this commitment on the recently purchased Chrysler Winona property. The property will be leased through March 31, 2008 by Chrysler Winona. After this time it is the Port Authority's intent to construct public parking on the site. The future redevelopment of the site is subject to acquiring additional property within the block. The future use of the site will be consistent with the updated Comprehensive Plan and its Downtown Plan which could direct future opportunities for the site.

The Winona County Board approved a motion that asked for representatives of both Winona County and the Port Authority to meet to negotiate an agreement between parties to provide replacement parking. The motion further stated Winona County

was interested in a "deed for deed" property transfer or a long term lease for a guarantee of 24 parking stalls.

Port Authority's staff attempted to set up a meeting with Winona County representatives to discuss this issue. Winona County sent the attached letter questioning the property transfer and requesting information before a meeting was held. The Winona County letter is attached to this agenda item.

In light of the legal concerns, staff requested a legal opinion from Briggs and Morgan concerning the ability of Winona County to transfer property to the Winona County Historical Society. Judy Bodway conferred with Robert Reinert about obtaining this legal opinion since both entities use Briggs and Morgan for bond counsel. Attached is a copy of the letter received from Mary Dyrseth of Briggs and Morgan.

Ms. Dyrseth states:

"In my opinion there is adequate statutory authority for Winona County to donate land to the Winona County Historical Society, and the provisions of Minnesota Statutes, Section 373.01, Subd. 1, clause (5) (b) do not apply to such a conveyance."

In light of this opinion, staff is requesting the Port Authority of Winona consider committing to provide 24 parking stalls to Winona County, within two blocks of the Winona County Government Center for a period of 30 years.

If the Commissioners concur, a motion to approve the following resolution would be appropriate.

RESOLUTION

WHEREAS, the Port Authority of Winona supports the Winona County Historical Society expansion project; and

WHEREAS, the Port Authority is willing to provide replacement parking to Winona County to facilitate the Historical Society project.

NOW, THEREFORE, BE IT RESOLVED that the Port Authority of Winona hereby commits to provide Winona County with 24 parking stalls, within two blocks of the Winona County Government Center for a period of 30 years if Winona County provides the land for Winona County Historical Society expansion Project.

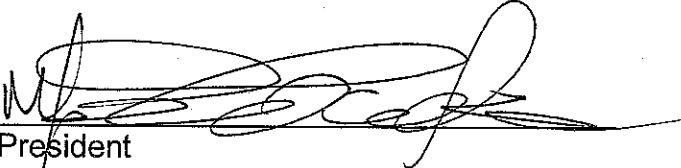
RESOLUTION # 637

WHEREAS, the Port Authority of Winona supports the Winona County Historical Society expansion project; and

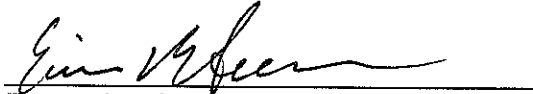
WHEREAS, the Port Authority is willing to provide replacement parking to Winona County to facilitate the Historical Society project.

NOW, THEREFORE, BE IT RESOLVED that the Port Authority of Winona hereby commits to provide Winona County with 24 parking stalls, within two blocks of the Winona County Government Center for a period of 30 years if Winona County provides the land for Winona County Historical Society Expansion Project.

Dated the 14th day of September 2006.


President

Attested by:


Executive Secretary

RESOLUTION #2007-

**RESOLUTION AUTHORIZING TRANSFER OF COUNTY OWNED PROPERTY
TO THE ECONOMIC DEVELOPMENT AUTHORITY.**

WHEREAS, the County of Winona acquired certain property situated in the city of Winona, County of Winona, State of Minnesota, which is identified by Winona County for tax purposes as parcel 32-000-1520 and is legally described as lot 7 and N 7' of W 88' of lot 10, Block 20 Original Plat Winona; and,

WHEREAS, the purchase of the property was intended to provide temporary office space until the County developed plans for a permanent location of the County Government Center; and

WHEREAS, the County Board of Commissioners declared the above mentioned property to be surplus at a properly noticed County Board meeting on February 6, 2007; and

WHEREAS, according to Minnesota Statutes section 469.101, subdivision 17, the Winona County Economic Development Authority may accept conveyances of land from all other public agencies, commissions, or other units of government, if the land can be properly used by the authority in an economic development district, to carry out the purposes of sections 469.090 to 469.108; and

WHEREAS, the Economic Development Authority may sell and convey property owned by it within the county or an economic development district if it determines that the sale and conveyance are in the best interests of the county or district and its people, and that the transaction furthers its general plan of economic development.

NOW, THEREFORE, BE IT RESOLVED that the Winona County Board of Commissioners hereby authorizes and directs the Winona County Board Chair and Winona County Administrator to execute the necessary documents to convey the above mentioned property to the Winona County Economic Development Authority for the purpose of economic development; and

BE IT FURTHER RESOLVED that the authority granted herein to convey the above mentioned property is contingent upon: (1) receipt of satisfactory documentation of authority from the City of Winona permitting the Winona County Economic Development Authority to operate within the City of Winona with respect to this county-owned property notwithstanding the limitations of Minnesota Statutes section 469.1082, subdivision 5; (2) receipt of an Agreement from the Winona County Economic Development Authority that any subsequent sale or transfer of said property, if sold at private sale at a negotiated price, will be sold at no less than the assessed value of the property, and (3) receipt of official written documentation from the City of Winona guaranteeing 24 parking spaces be provided directly across 4th Street adjacent to the current Winona County Government Center for a period of 30 years at no cost; permission for unrestricted free parking spaces would automatically transfer to any new owner(s) of parcel number 32-000-1500 legally described as lots 5, 8, and 9 of block 20 Original Plat Winona at any time throughout the 30 year period.

Adopted at Winona, Minnesota this 1st day of May 2007.

WINONA COUNTY BOARD OF COMMISSIONERS

David J. Stoltman, Chair

Attest:

Robert F. Reinert
Clerk/County Administrator

Winona County Assessor's Office

RECENT SALES IN THIS SUBDIVISION		PREVIOUS PARCEL NEXT PARCEL		RETURN TO MAIN SEARCH PAGE		WINONA HOME	
OWNER NAME	WINONA COUNTY GOVERNMENT CTR			TODAY'S DATE	May 11, 2007		
MAILING ADDRESS	177 MAIN ST			PARCEL NUMBER	320001520		
	WINONA MN, 55987			TAX DISTRICT	3202 (3202)		
				PROPERTY USAGE	PARKING RAMPY (001000)		
				PROPERTY USAGE			
LOCATION ADDRESS				DEEDED ACRES	0		

Values				
YEAR	LAND VALUE	BUILDING VALUE	TOTAL VALUE	PAYABLE TAXES
2009	NA	NA	NA	NA
2008	81,100	4,500	85,600	NA
2007	72,100	4,500	76,600	NA

LAND INFORMATION		
LAND USE	NUMBER OF UNITS	UNIT TYPE
WINONA NH 1 COMM A1 (321601)	8400 (front: 60 depth: 140)	SQUARE FEET
WINONA NH 1 COMM A1 (321601)	616 (front: 7 depth: 88)	SQUARE FEET

LEGAL INFORMATION
Sect-23 Twp-107 Range-007 ORIGINAL PLAT Lot-007 Block-020 ORIGINAL PLAT & N 7 OF W 88 OF LOT 10

BUILDING DATA							
BUILDING #	TYPE	PRIME AREA	HEATED AREA	BED ROOMS	BATHS	YEAR BUILT	ARCHITECTURE
HEATING	COOLING	PRIMARY EXTERIOR WALLS	PRIMARY INTERIOR WALLS	PRIMARY FLOORING	ROOF STRUCTURE	ROOF COVER	BASEMENT
No buildings associated with this parcel.							

MISCELLANEOUS DATA				
DESCRIPTION	LENGTH	WIDTH	UNITS	YEAR BUILT
BLACKTOP LOT C	0	0	9016 SQUARE FEET	0

SALES DATA						
SALE DATE	PRICE	INSTRUMENT	QUALIFICATION	IMPROVED? (AT TIME OF SALE)	GRANTOR	GRANTEE
No sales information associated with this parcel.						

The Winona County Property Assessor's Office makes every effort to produce the most accurate information possible. No warranties, expressed or implied, are provided for the data herein, its use or interpretation. The assesment information is from the last certified taxroll. All data is subject to change before the next certified taxroll. Website Updated: May 8, 2007

RECENT SALES IN THIS SUBDIVISION	PREVIOUS PARCEL NEXT PARCEL	RETURN TO MAIN SEARCH PAGE	WINONA HOME
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PORT AUTHORITY AGENDA ITEM

AGENDA ITEM: 4.B. 2007 Budget Changes for Fund 947 and Fund 911

DATE: May 17, 2007

The Port Authority will be reviewing and accepting bids on Technology Park Phase Two. This work was originally scheduled in the Capital Improvements Program for 2008 but will be taking place in 2007. Staff would recommend the following budget for Fund 947 Riverbend Industrial Park Improvements (Includes Storm Sewer Fund information purposes only):

Revenues

Riverbend	
947-33408 State Grants	\$ 300,000
947-39109 Transfers In	1,345,000
Storm Sewer - 651	320,000
TOTAL	\$1,965,000

Expenditures

Riverbend	
947-46511-7309 Improvements	\$1,645,000
Storm Sewer	
651-43150-7309 Improvements	320,000
TOTAL	\$1,965,000

This also requires a change to the Port Authority General Fund Account as follows:

Revenues

911-3604 Sale of Property	\$ 745,000
911-39810 Reserved Source	600,000
TOTAL	\$2,345,000

Expenditures

911-49109-8029 Transfer Out	\$1,345,000
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If the Commissioners concur, a motion to approve the changes to Fund 947 Riverbend and 911 General Fund would be appropriate.