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**CITY COUNCIL  
CITY OF RAMSEY  
ANOKA COUNTY  
STATE OF MINNESOTA**

The Ramsey City Council conducted a regular meeting on Tuesday, November 10, 2020, at the Ramsey Municipal Center, 7550 Sunwood Drive NW, Ramsey, Minnesota.

Members Present: Mayor John LeTourneau  
Councilmember Mark Kuzma  
Councilmember Jeff Menth  
Councilmember Debra Musgrove  
Councilmember Chris Riley  
Councilmember Dan Specht

Members Absent: None

Also Present: City Administrator Kurtis Ulrich  
Finance Director Diana Lund  
Police Chief Jeff Katers  
Public Works Superintendent Grant Riemer  
Deputy City Administrator Timothy Gladhill  
City Engineer Bruce Westby

**1. CALL TO ORDER**

Mayor LeTourneau called the regular meeting of the Ramsey City Council to order at 7:00 p.m., followed by the Pledge of Allegiance led by Mayor LeTourneau.

**2. PRESENTATION**

**2.01: Oath of Office – Patrol Officer**

Police Chief Katers presented the newest Patrol Officer hired in December of 2019. He introduced Derek Anderson and provided background information on Officer Anderson.

Mayor LeTourneau administered the Oath of Office to Patrol Officer Derek Anderson.

**3. CITIZEN INPUT**

None.

**4. APPROVE AGENDA**

Mayor LeTourneau stated that it has been asked to remove Case 5.03, which will come forward at a later date.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to approve the agenda as amended.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Musgrove, Kuzma, Menth, and Specht. Voting No: None.

## **5. CONSENT AGENDA**

Motion by Councilmember Menth, seconded by Councilmember Kuzma, to approve the following items on the Consent Agenda:

- 5.01: Approve Business Licenses
- 5.02: Approve Rental Licenses
- ~~5.03: Award Contract for Review and Monitoring of Wetland Mitigation Areas in the COR~~
- 5.04: Amend Policy: Post-Issuance Compliance Policies and Procedures
- 5.05: Adopt Resolution #20-255 Approving Cash Disbursements Made and Authorizing Payment of Accounts Payable Invoicing Received During the Period of October 22, 2020 through November 4, 2020
- 5.06: Adopt Resolution #20-243 Approving Conditional Use Permit for Additional Outside Storage at 6820 143<sup>rd</sup> Avenue NW (Project No. 20-133); Case of Molin Concrete Products Company
- 5.07: Adopt Resolution #20-258 Approving Cooperative Construction Agreement #1044547 for Bunker Lake Boulevard/CSAH 116 and Saint Francis Boulevard/TH 47 Intersection
- 5.08: Adopt Resolution #20-259 Accepting Geotechnical and Survey Proposals for 2021 Pavement Management Program Projects
- 5.09: Adopt Resolution #20-260 Approving Abatement and Code Enforcement Process for 15740 Ramsey Boulevard NW
- 5.10: Adopt Resolution #20-261 Approving Final Plat for Riverstone 5<sup>th</sup> Addition; Case of Capstone Homes
- 5.11: Adopt Resolution #20-262 Authorizing Emergency Purchase of a Self-Contained Breathing Apparatus (SCBA) Compressor

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Kuzma, Musgrove, Riley, and Specht. Voting No: None.

## **6. PUBLIC HEARING**

None.

## **7. COUNCIL BUSINESS**

### **7.01: Introduce Ordinance #20-20: 2021 Schedule of Rates, Fees and Charges**

Finance Director Lund reviewed the staff report and recommendation to introduce Ordinance #20-20:2021 Schedule of Rates, Fees and Charges.

Councilmember Menth referenced the code enforcement offenses and penalties listed and asked for details on what would occur on fourth and fifth offenses.

Deputy City Administrator Gladhill replied that the ceiling currently is the third violation and provided details on that code enforcement process. He stated that if the violation continues to be repeated, it would be at the \$500 level. He stated that if that becomes ineffective the City can abate the situation and assess the clean-up costs to the property or proceed with criminal citation.

Councilmember Musgrove referenced facility use and asked if those are available without a charge or whether a reservation is required.

Public Works Superintendent Riemer replied that most of those fees are associated with things such as tournaments where a reservation would be desired. He stated that if residents just want to play and it is open, they can do so.

Councilmember Musgrove referenced the dangerous dog licensing and asked if the City would get more people to license the dog if the fee were less.

Deputy City Administrator Gladhill noted that tonight's action is an introduction, and the Council can receive clarification on that prior to final adoption.

Councilmember Specht asked if the fees for things such as Sunday Sales for liquor compare to neighboring communities. He asked how often the comparison is completed.

Deputy City Administrator Gladhill stated that generally the City is very competitive, if not lower, for many of these fees. He confirmed that a comparison is completed, although not on a regular schedule.

Motion by Councilmember Riley, seconded by Councilmember Kuzma, to introduce Ordinance #20-20: 2021 Schedule of Rates, Fees and Charges.

Further discussion: Councilmember Specht asked for clarification on the motion. Mayor LeTourneau noted that this action introduces the ordinance, and a public hearing will be held at the next meeting.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Riley, Kuzma, Menth, Musgrove, and Specht. Voting No: None.

**7.02: Adopt Resolution #20-265 Approving Sanitary Sewer Maintenance and Rain Garden Agreement for River Walk Village; Case of D & N Management, LLC**

Deputy City Administrator Gladhill reviewed the staff report and recommendation to approve the final version of the Maintenance Agreement and deny the request for the City to agree to regular maintenance. This is consistent with the original direction of making homeowners responsible for maintenance of this line. Documentation clearly listed out this requirement. That being said, staff will support either policy direction of the City Council.

Councilmember Kuzma asked if there are ten or 14 homes in this area.

Deputy City Administrator Gladhill replied that there are 14 lots and ten of those connect to the force main, the others go into the gravity system.

Councilmember Kuzma stated that there are then ten separate lines that go in there and asked if it would make sense to put those lines in the responsibility of the HOA. He stated that if the pipe needed replacement perhaps the City could work with them on that portion.

Councilmember Mentsh stated that it sounds like there is a two-inch pipe with ten houses that force sewage down the pipe into the eight-inch PVC sanitary sewer.

Deputy City Administrator Gladhill stated that the idea of a force main is not unique but in this case the size of the pipe is unique. He stated that this does meet minimum design standards to serve those ten homes.

Councilmember Riley stated that the proposal suggests that the HOA would be involved and stated that concerns him, as HOA's often do not maintain landscaping. He asked how this agreement would be made enforceable and how this would be communicated.

Deputy City Administrator replied that many of the issues with landscaping have resulted from a lack of an HOA. He stated that this maintenance agreement would be recorded against the properties and the homeowners would be responsible and could choose to have the HOA responsible.

Mayor LeTourneau stated that it seems that the two-inch section is the section that goes from the edge of the homeowner's property and runs under the street to the eight-inch pipe. He stated that the homeowner would be responsible for the section of pipe running from their home to the edge of their property line and it appears the question would be who would be responsible for the section of pipe running from the property line to the eight inch pipe.

Deputy City Administrator Gladhill stated that based off the City policy, there is no question from the home to the two-inch main as that is always the resident's obligation. He stated that the question would be the line that collects the individual lines and runs to the manhole. He identified that section in red. He stated that normally that would be a City obligation but because the developer proposed something other than the minimum design standards, the City stated that would be the obligation of the developer.

Councilmember Musgrove stated that there was an agreement with the developer and now it appears that the developer is asking the City to reconsider. She asked if the developer could put language into the HOA contract to include maintenance of the line.

Deputy City Administrator Gladhill stated that the developer has stated that they were not aware of the responsibility. He stated that the City is concerned with the recording of the document and would not be involved in the HOA documents.

Councilmember Musgrove commented that she would support the original agreement with the developer. She stated that she also believes that the maintenance of the raingarden should be included in the HOA.

Don Kveton, applicant, stated that he is not sure how this was all put together and accepts the blame for that. He stated that he is concerned that if the sewer line is clogged under the street and someone digs it up, it will cause a mess. He stated that however it was done, he accepts that responsibility, but believed that it was misled. He asked the City to reconsider the portion under the street.

Mayor LeTourneau stated that the applicant expressed concern with something happening to the pipe that would cause the street to be dug up and asked the standard approach to a clog in the pipe.

Public Works Superintendent Riemer stated that a drain cleaning company would come out and run a rod through to clean out an obstruction. He could not imagine that the street would need to be dug up to clear an obstruction.

Mayor LeTourneau asked the lifespan of that type of pipe.

Public Works Superintendent Riemer replied that he is unsure of the material used but would estimate about 20 years.

Adam Price stated that asking the homeowners to take care of a lift station would be above and beyond the responsibility of a homeowner or association. He stated that the grinder pump is essentially a lift station that is inside those ten homes and would be maintained by those homeowners. He believed that asking the homeowners to maintain the pipe in the road would be excessive.

Deputy City Administrator Gladhill stated that there are individual mini lift stations within the homes that put pressure into the two-inch line. He stated that facilities within homes are the responsibility of the homeowners. He stated that an agreement was made with the developer prior to the builder coming into the project.

Councilmember Kuzma commented that if the line from the homeowner's property running under the street would plug, a plumber would be called to clear that line, which does not sound excessive. He stated that if the pipe were to fail, that could be something he would consider the City assisting

with. He suggested that the homeowners or HOA handle regular maintenance and pipe failure would be handled by the City.

Councilmember Menth stated that he understands that there are lift stations throughout the City and asked the typical size.

Public Works Superintendent Riemer estimated that typically those pipes are eight inches.

Councilmember Menth commented that this system was built differently, with the homes having pressure out to the street.

Deputy City Administrator Gladhill stated that the City did not want another lift station, and this was the alternative proposed by the developer. He explained that the City did not want to own and maintain another lift station. He stated that the City Engineer noted that the life expectancy of the two-inch pipe should be at least 50 years, if properly maintained, similar to the roadway.

Councilmember Menth asked if the City asked for this rather than a lift station.

Deputy City Administrator Gladhill stated that the City stated that it did not want a lift station, especially to serve this small number of homes, and it was up to the developer as to how to solve for that. He reviewed some of the other options the developer could have utilized including bringing additional fill into the site to use the gravity flow. He stated that staff accepted this solution with the caveat for maintenance.

Councilmember Specht asked if there are other developments in the City in which developments would be responsible for pipe maintenance in this manner.

Public Works Superintendent Riemer replied that he is not aware of such situation. He stated that there are a few companies that have systems of this nature, but not to this degree.

Deputy City Administrator Gladhill stated that there is one occasion where this is seen, but that is more about clustered septic systems. He noted that this is a private system connecting to the public system.

Councilmember Riley asked if these details are within the development agreement.

Deputy City Administrator Gladhill stated that the review comments were recorded in the Resolution approving the Final Plat and the details were reviewed again in the preconstruction meeting. He stated that staff feels the direction was clear. He stated that there are records of the notations that appear to have been lost in translation.

Motion by Councilmember Musgrove, seconded by Councilmember Riley, to Adopt Resolution #20-265 Approving Sanitary Sewer and Rain Garden Maintenance Agreement for River Walk Village and denying request for the City to agree to regular maintenance of the force main.

Further discussion: Deputy City Administrator Gladhill stated that as motioned the property owners would be responsible for regular maintenance and replacement of the pipe. Councilmember Kuzma asked if the motion could be amended to have the City responsible for pipe failure. Councilmember Musgrove asked if it would be possible to replace the pipe with a larger size if the pipe fails in the future. She stated that she would tend to support the motion as she stated it. Deputy City Administrator Gladhill stated that it was his understanding that the desire was not to have a lift station that the City would have to maintain. He stated that something could be redesigned in the future when the road is reconstructed, if so desired. City Engineer Westby stated that a gravity pipe would not work in that location and therefore the system will have to continue to be a pressurized system and a larger pipe will not make it function any better. He stated that with the grinder pumps the two-inch pipe will function just fine. Councilmember Musgrove stated that she does not accept the proposed amendment and would like to leave the motion as stated. Councilmember Specht commented that he will vote against this as the City should own the pipe under the street as that is a core function of the City.

Motion failed. Voting Yes: Councilmembers Menth, Musgrove, and Riley. Voting No: Mayor LeTourneau, Councilmembers Kuzma and Specht.

Councilmember Menth commented that everywhere else in the City, the City owns the pipe in the street and believes that should be discussed.

Motion by Councilmember Kuzma, seconded by Councilmember Menth, to Adopt Resolution #20-265 Approving Sanitary Sewer and Rain Garden Maintenance Agreement for River Walk Village and identifying that residents/HOA will be responsible for regular maintenance of the force main while the City would be responsible for pipe failure.

Further discussion: Councilmember Musgrove asked why the original maintenance agreement identified that the developer and/or homeowners would be responsible for this portion of pipe in the street rather than using sewer fees for that activity. Deputy City Administrator Gladhill stated that the City desired an alternate solution for wastewater and the developer proposed this solution. The City accepted that proposal with the caveat for maintenance. He stated that staff would agree to the motion as proposed, as it would provide a compromise and alleviate the concern for maintenance of blockages. Councilmember Musgrove commented that she is concerned with the level of assistance that this developer has received for the project and with the information that the developer agreed to maintenance. She stated that she would be concerned that the homeowners would be less active with maintenance as pipe failure would be the responsibility of the City. She stated that she will not support this motion and would prefer to follow the original agreement. Deputy City Administrator Gladhill believed that clear direction could spell out the responsibilities of the homeowners including a normal maintenance cycle. Councilmember Riley commented that he would support this as it provides a method to move forward but stated that he would not like to see private sewers approved in a development in the future as that is something residents expect the City to be responsible for.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Kuzma, Menth, and Riley. Voting No: Councilmembers Musgrove and Specht.

**7.03: Adopt Resolution 20-254 Accepting Bids and Awarding Contracts for Bid Package #2 for the New Public Works Facility**

Public Works Superintendent Riemer reviewed the staff report and recommendation to adopt resolution #20-254 accepting bids and awarding contracts for Bid Package #2 with a base bid amount of \$6,407,901 and including the Alternate Bid #1 in the amount of \$532,974 for a total of \$6,940,875.

Councilmember Kuzma commented that the bid prices are a good thing for the City and the new space will allow much more efficiency for public works.

Motion by Councilmember Kuzma, seconded by Councilmember Riley, to Adopt Resolution #20-254 Accepting Bids and Awarding Contract for Bid Package #2 for the New Ramsey Public Works Facility, Improvement Project #20-07.

Further discussion: Councilmember Riley commented that when bids come in this favorable it saves the City money, and the City continues to save money because of the financing structure.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Kuzma, Riley, Menth, Musgrove, and Specht. Voting No: None.

**7.04: Adopt Resolution #20-246 Directing Staff to Prepare a Request for Interest/Qualifications for a Dynamic Billboard for Retail Advertising Along Highway 10 Near The COR**

Deputy City Administrator Gladhill reviewed the staff report and stated that the EDA met on September 10, 2020 and the consensus was to solicit a dynamic display billboard proposal from the two parties that had expressed interest as of the meeting date. Since the EDA meeting, the City has been contacted by Clear Channel and I Digital Outdoor (Fargo) and they have expressed interest in the Ramsey market. Based on this level of interest, staff believes that if staff is directed to create an RFP, RFQ or other solicitation proposal, it should be open to all interested parties. The Planning Commission reviewed the concept of a dynamic display billboard at its October 2020 meeting and was supportive of the process moving forward as long as it was consistent with the City sign plan.

Councilmember Kuzma stated that there seems to be a disconnect from Highway 10 to the center of the downtown, if there were a sign that could help those businesses, which would be a good thing and therefore he supports this action.

Councilmember Musgrove commented that signage is an issue and businesses want to see improvement. She believed that this is a bit premature with the construction that will occur on Highway 10 and believed that this should be considered in four or five years. She stated that she does like the idea of placing the sign on City owned land to recoup revenue.

Mayor LeTourneau asked what the landscape of the highway will look like when the bridges and overpasses come through. He asked staff for an update on the planning process which would allow placement of this sign to be determined.

Deputy City Administrator Gladhill stated that this will take time to unfold and this gives the City the opportunity to get ahead of this, noting that it would be one to two years before construction would most likely occur. He stated that the Armstrong interchange is complete and the alignment for that section has been determined. He stated that because most of the retail within the COR is concentrated near Armstrong, that are would be the likely location.

Councilmember Riley commented that the EDA received the presentation and brought forward many of the same comments. He stated that the idea was to get information and determine the type of interest there would be in this concept.

Councilmember Specht stated that he would be interested in discussion on the community sign and whether there would be an opportunity for businesses to advertise on that sign. He stated that the staff report mentions national retailers as the main source of profit and noted that he would prefer to support something that could be utilized by local retailers.

Councilmember Menth commented that this will take time and he sees a benefit in continuing the discussion as this would provide an opportunity for businesses to advertise.

Motion by Councilmember Menth, seconded by Councilmember Kuzma, to Adopt Resolution #20-246 Directing Staff to Prepare a Request for Interest/Qualifications for a Dynamic Display Billboard for Retail Advertising Along Highway 10 Near the COR.

Further discussion: Councilmember Riley stated that this is just a request for interest and provides the City with more information it can consider before determining whether or not this would be desired. Councilmember Musgrove stated that she agrees that signage is an issue along the highway but believes that this idea is premature.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Kuzma, and Riley. Voting No: Councilmembers Musgrove and Specht.

#### **7.05: Adopt Resolution #20-263 Renewing Enrollment in the Livable Communities Program**

Deputy City Administrator Gladhill reviewed the staff report and recommendation to renew enrollment in the program.

Councilmember Riley stated that the staff report states that Riverstone South may be eligible for multiple grants and asked for details.

Deputy City Administrator Gladhill replied that some of the smaller lots abutting the solar garden may qualify for infrastructure or innovative approaches. He highlighted some of the other

elements that may qualify, such as the recreational activity and preserved woods. He stated that staff will continue to look at other projects that could be eligible as well near the rail station.

Councilmember Riley asked and received confirmation that if the City were not a member of this group, the Riverwalk project would not have been eligible for the funds it received. He stated that the comment was made that if the City does not continue membership it could rejoin in the future. He asked if that is looked upon poorly or whether there is a process that would slow down projects because of that.

Deputy City Administrator Gladhill stated that he was unsure if it would be more difficult to apply in a year compared to this year but noted that would cause the City to miss a grant cycle. He noted that the City can choose to opt out at any point if the City feels its needs are not being met.

Councilmember Specht stated that the comment was made that the benefits appear to outweigh the downsides and asked staff for input on the downsides.

Deputy City Administrator Gladhill replied that from the perspective of the Council, staff would look as to whether the goals/vision align with the goals and vision of the City. He commented that staff did not see any conflicts. He stated that from a staff perspective, the only additional work that is necessary is the grant writing and accounting/reimbursement for the grant should it be awarded, along with reporting.

Councilmember Musgrove asked for details on the funding received from this program for the first three items listed in the case, with regard to the TIF districts in the COR.

Deputy City Administrator Gladhill stated that those projects are Sunwood Drive, Center Street, and the Draw Park and Amphitheater all within the COR. He stated that Sunwood Drive has a higher level of street treatment compared to other streets in the community, noting that the upgrades were funded through this program. He stated that for Center Street the sidewalks and angled parking were fully funded through the grant opportunity; and for the Draw Park and Amphitheater, the overlooks and a portion of the amphitheater were funded through the grant program. He explained that the Draw Park and Amphitheater would not be TIF eligible and both that project and Sunwood Drive were completed prior to the creation of the TIF district. He noted that when Center Street was completed, the TIF district had been created but had not generated enough increment to be used. He noted that the use of these grant programs allowed the TIF district funds to be used for other immediate needs and/or future projects.

Councilmember Musgrove referenced the comment that the City can opt in or out of the program at any time and asked if that concept would be brought forward by staff or whether that is something the Council would need to track.

Deputy City Administrator Gladhill commented that the renewal period is once every 10 years and the City was one of the early joiners with its original enrollment and one prior renewal. He stated that if approved this membership would be valid for the next ten years. He stated that Council would need to bring the issue forward if it decided to opt out of the program, noting that staff would not bring it forward unless directed to do so.

Councilmember Musgrove asked if it would be possible to receive notifications if there are changes in the program that occur due to budget funding in the next two to four years.

Deputy City Administrator Gladhill stated that if there is a change in the qualifications of the program, staff would bring that forward.

Motion by Councilmember Menth, seconded by Councilmember Kuzma, to Adopt Resolution #20-263 Electing to Participate in the Local Housing Incentives Account Program Under the Metropolitan Livable Communities Act.

Further discussion: Councilmember Musgrove asked if an amendment could be made to the motion to direct staff to provide an annual or biannual review of the program, highlighting the benefits of the program during that time period. Councilmember Menth stated that as he understands it this program does not have a cost to the City. Deputy City Administrator Gladhill confirmed that there is not a cost outside of the staff time to complete grant applications and manage the grants. Councilmember Menth commented that the membership is free and has provided the City with funds for project upgrades in the community and therefore would like his motion to stand as stated. Councilmember Specht referenced the goals related to affordable and lifecycle housing and asked how that would apply to the City and its definitions. Deputy City Administrator Gladhill reviewed the definition of affordable housing, noting that a far majority of homes in Ramsey are within that category. He noted that within that stock there are different bands of affordability and provided some examples. Mayor LeTourneau stated that the City does not have to accept a grant for a project that it does not believe meets its goals and objectives.

Motion carried. Voting Yes: Mayor LeTourneau, Councilmembers Menth, Kuzma, Musgrove, and Specht. Voting No: Councilmember Riley.

**7.06: Adopt Ordinance #20-18 to Rename 152<sup>nd</sup> Circle as Junkite Circle in Harvest Estates 2<sup>nd</sup> Addition**

Deputy City Administrator Gladhill reviewed the staff report and recommendation to adopt the ordinance amending the street name on the Plat of Harvest Estates 2<sup>nd</sup> Addition from 152<sup>nd</sup> Circle to Junkite Circle in accordance with the street name grid.

Motion by Councilmember Riley, seconded by Councilmember Musgrove, to waive the Charter requirement to read the Ordinance aloud and adopt Ordinance #20-18 Amending a Street Name in the Harvest Estates 2<sup>nd</sup> Addition Plat.

A roll call vote was performed:

Councilmember Musgrove	aye
Councilmember Riley	aye
Councilmember Kuzma	aye
Councilmember Specht	aye
Councilmember Menth	aye

Mayor LeTourneau                    aye

Motion carried.

**8.        MAYOR, COUNCIL AND STAFF INPUT**

City Administrator Ulrich announced upcoming meetings and events.

Councilmember Musgrove thanked the veterans in the community for their service.

**9.        ADJOURNMENT**

Motion by Councilmember Musgrove, seconded by Councilmember Menth, to adjourn the meeting.

Motion carried.

The regular meeting of the City Council adjourned at 8:39 p.m.

Respectfully submitted,

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Kurtis G. Ulrich  
City Administrator

ATTEST:

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Katie M. Schmidt  
Administrative Assistant

Drafted by Amanda Staple  
*TimeSaver Off Site Secretarial, Inc.*

A recording of this meeting is available for viewing online at [www.qctv.org](http://www.qctv.org)  
<<http://www.qctv.org>>. Recordings are available for 36 months after the date of the meeting.