

# FACSIMILE TRANSMITTAL SHEET



**Diabetics/Disabled Anonymous**  
**1144 Ottawa Avenue**  
**Saint Paul,**  
**MN 55118-2008**  
**V and Fax: 651 457 4376**  
**E-MAIL: DDAWEBDDA@AOL.com**

**Diabetics/Disabled ANONYMOUS**  
NON-PROFIT SUPPORT GROUP AND ALLIANCE, INC.

Tuesday, April 18, 2006

From: 651 457 4376

09:15:07 AM

To: Ms. Lisa Veith St. Paul, City Attorney 651298 5619

Page 1 of 9



From  651 457 4376

To: Lisa L. Veith  
Senior Assistant City Attorney  
Acting for St. Paul Water Board  
Fax: 651 298 5619

April 18, 2006

**Regarding the April 17, 2006:**  
**REQUEST FOR WRITTEN APPEALS SUMMARY**  
**AND FURTHER INFORMATION BY 8:00 AM,**  
**TOMORROW, OR IN THE ALTERNATIVE A**  
**CONTINUANCE OF THE HEARING**  
**SCHEDULED FOR 1:00 PM, TOMORROW.**  
**\*697 Surrey, St. Paul, Mrs. Sharon Anderson**

Dear Ms. Veith:

You have not responded to the requirement for a written appeals summary that clarifies the positions taken by the board to justify it's threats to discontinue water service, as attached again herewith. This is merely a requirement consistent with the appearance of fair due process in any administrative appeal.

Therefore it is reasonably presumed that you have continued the appeal to another date to allow you more time to complete the appeals summary.

Please advise, by sending a fax to 651 457 4376 before the hearing, by 11:30 AM, today, if this presumption of a continuance, is in error.

Cordially:

Rev. Mary Jane Duchene BA, pp. DDA  
GPOA for Mrs. Sharon Anderson

CC: Mrs. Sharon Anderson



www.DDAexchange.org  
E-mail: DDAwebDDA@aol.com  
Voice and Fax: 651 457 4376  
1144 Ottawa Avenue, St. Paul, MN 55118-2008

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**NON-PROFIT SUPPORT GROUP AND ALLIANCE, INC.**



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**DIABETICS/DISABLED ANONYMOUS**  
**NON-PROFIT SUPPORT GROUP AND ALLIANCE, INC.**

Monday, April 17, 2006

From: 651 457 4376

05:07:08 PM

To: Ms. Lisa Veith St. Paul, City Attorney 651298 5619

Page 1 of 7



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\*697 Surrey, St. Paul, Mrs. Sharon Anderson**

Dear Ms. Veith

Mrs. Anderson is a member of this organization and has asked me to attend any hearings involving her water service, as a disability and senior advocate, as Mrs. Anderson is disabled and a senior citizen, aged 68.

Attached is the General Power of Attorney provided, which I received this afternoon.

Generally I understand that miscellaneous threats have been made against Mrs. Anderson to turn off her water, notwithstanding the fact that Mrs. Anderson has paid her water bill, and that the water meter inside her home is working, and she is providing current readings from the interior meter by written communication evidenced by digital photographs.

An appeal has been scheduled or is planned apparently for tomorrow.

To the best of my understanding no appeals summary, which normally is the right of the party affected in any administrative hearing, has been provided to Mrs. Anderson, which states, whether or not St. Paul Water:


- 1) any claims that the interior water meter is not functioning?
- 2) any claims that Mrs. Anderson is responsible for repair of the external water meter?
- 3) has replaced or repaired from the outside, the non functioning external meter, to endeavor to resolve the apparent problem of the outside meter not working, from the outside of the home; with full details and technical reports?
- 4) claims Mrs. Anderson is in violation of any laws, codes or other, which would justify entry into Mrs. Anderson's home, and specifically what these are?
- 5) in the event that the answer to question 4 is affirmative, state clearly and thoroughly:
  - i. what probably cause the agency alleges it has for such a belief,

*Pagel*




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1144 Ottawa Avenue, St. Paul, MN 55118-2008

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**From**  651 457 4376

Mon, Apr 17, 2006

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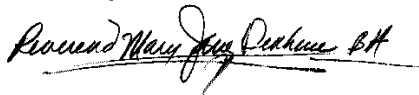
**From**  651 457 4376

- ii. what evidence, inclusive but not limited to technical reports, the agency alleges it has?
- iii. and how any evidence the agency alleges it has, was obtained?

Further, please answer whether or not there any any plans for redevelopment of the city block in which Mrs. Anderson lives, inclusive but not limited to plans to demolish/or redevelop the homes in that block to make way for new improvements and urban development of the area? Please provide extensive and specific details, inclusive but not limited to plans and intentions to compensate current residents, and details of compensation already paid to any other residents in Mrs. Anderson's city block.

All of the above is necessary to make any sense of this situation and to be able to make any hearing fair and meaningful.

Cordially:



Rev. Mary Jane Duchene BA, pp. DDA  
GPOA for Mrs. Sharon Anderson



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09:15 AM

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**From**  651 457 4376

Mon, Apr 17, 2006

05:07 PM

Page 4 of 7

**From**  651 457 4376

FROM : PGAFBMLD@RM

FAK NO. : 6517765835

Apr. 17 2006 12:08PM P1



ATTORNEY

OFFICE OF THE CITY

*John J. Choi, City Attorney*

**CITY OF SAINT PAUL**

*Christopher B. Coleman, Mayor*

*Civil Division  
400 City Hall Telephone: 651 266-8710  
13 West Kaliogg Blvd. Facsimile: 651 298-5610  
Saint Paul, Minnesota 55102*

April 11, 2006

Sharon Anderson  
697 Surrey Avenue  
Saint Paul, MN

Re: Water meter malfunction

Dear Ms. Anderson:

I am an assistant city attorney for the City of Saint Paul, and I represent the Board of Water Commissioners. I am not, as some of your correspondence alleges, a personal injury plaintiff's lawyer, so you should correct your records.

I have reviewed the photos you sent and discussed your concerns with management and staff at the Board of Water Commissioners. As they told me, and as I can see in your photos, the meter inside your house is not sending readings to the outside box. You apparently are aware of the problem because you have resorted to sending photos of your inside meter to the department in order to get a reading. You should not have to be doing that and the meter needs to be repaired. This would only take a short time, and from then on your meter will be read without any disturbance or effort on your part.

The Board of Water Commissioners has authority under law to do what is necessary to deliver clean, safe water to its customers. Without this legal authority, you would not have water at all. The authority at issue here is found in Section 91.04 of the Saint Paul Legislative Code, which states:

Inspectors of the water utility, or any person authorized by the board of water commissioners, shall have free access at all reasonable hours to all parts of every

AA-ADA-EEO Employer



From



651 457 4376

Mon, Apr 17, 2006

05:07 PM

From



651 457 4376

FROM : PGAFENUBA@M

FAK NO. : 6517755835

Apr. 17 2006 12:00PM P2

building for the purpose of reading, inspecting, removing or replacing meters, remote meter reading receptacles and connecting cable, examining water fixtures and observing the manner in which water is used.

All customers of the Water Board are subject to this rule. Section 91.12 of the Legislative Code in turn states that "[f]or violation of any rule or for nonpayment of any and all charges.....the board may discontinue service and shut off the water supply, in accordance with Chapter 46 of the Saint Paul Legislative Code." Chapter 46 specifies that advance notice of shutoff is to be

posted on the property.

This letter clarifies that your water is subject to shutoff for violation of section 91.04, and not for nonpayment. You have been given notice via posting, in accordance with chapter 46. If you simply let the inspectors repair your meter, your water will not be shut off and all readings from then on could be done from the outside meter.

The Legislative Code does not require a hearing for appeals of water bills (see Chapter 18). However, as a service to its customers, including you, Water has assigned a qualified person, Dave Maruffo, to act as a hearing administrator. Mr. Maruffo is a kind and knowledgeable staff person, and he offered to provide you a hearing, though you claim he refused. In fact you rejected his offer, but the law does not give the attorney general a role in this matter.

I can understand that you are reluctant to allow city staff into your home, but water cannot be delivered to you without some connection to the outside. Please take a moment to consider that the water staff is willing to assist you in a quick repair and that you, along with all other water customers, must comply with the rules. The repair will only take a few minutes, and then you can attend to your other activities.

Please contact water to schedule a repair in order to avoid shutoff.

Sincerely,

Lisa L. Veith  
Senior Assistant City Attorney

cc: John Marshall  
Steve Schneider  
John Choi  
Dave Maruffo  
Pat Harris

AA-ADA-EEO Employer



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Page 8 of 9

From  651 457 4376

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From  651 457 4376

DEPARTMENT OF PUBLIC SAFETY  
**IMPORTANT: REMOVE HANG-TAG BEFORE DRIVING VEHICLE**

**184490**

Disabled Persons Parking  
 Identification Placard



EXPIRES LAST DAY OF:

**JAN** | **2012**  
 MN | MN

**MINNESOTA**

DRIVER & VEHICLE SERVICES SPECIAL PLATES  
 448 MINNESOTA ST. STE. 164 SE. PAUL, MN. 55104-5164  
 VOICE: 651-302-4577 FAX: 651-302-4553





**Power of Attorney**

KNOW ALL BY THESE PRESENTS, That Sharon Anderson

of the County of Ramsay and State of MINNESOTA

do he/she by these present, hereby make, constitute and appoint Mary Jane Duchene

of the County of Dakota and State of MINNESOTA

a true and lawful Attorney in Fact for HER and in her name, place and stead, to:

Write, read, review, speak and act for regarding, plead regarding, make court appearances regarding, file court documents regarding and to obtain all records exclusively relevant to:

Correspondence with any relevant parties, provision and receipt of documentation, attendance at any hearing, inclusive of but not limited to writing and filing of appeals, regarding the: St. Paul Water Utility, Water Board, and Administrative Court relating to same, and other administration relevant to said water utilities shut off or threats of shut off, for Sharon Anderson: BECAUSE THE UNDERSIGNED MAY BE UNABLE TO ATTEND ANY HEARINGS or other venues requiring the personal appearance of Sharon Anderson in this matter.

Powers granted do not include power to manage the financial affairs of or give substituted medical consent for the above named party because the above named party is competent to manage his affairs, but does include the right to obtain all medical and financial records, if these are pertinent to the above specified matter.

This authority applies whether or not the above named party is present at, inclusive but not limited to: any hearing, interview, appointment, legal dispute or other similar function.

Granting and giving unto said Attorney in Fact full authority and power to do and perform any and all other acts necessary or incident to the performance and execution of the powers herein expressly granted, with power to do and perform all acts authorized hereby, as fully to all intents and purpose the grantor might or would do if personally present, with full power of substitution.

IN TESTIMONY WHEREOF she has hereunto set her hand, this 17<sup>th</sup> day of April, 2006.

SIGNED: [Signature]

Name: Sharon Anderson

Address: Land Point 1469 Smith Rd. Apt 4384  
697 Sunny St. St. Paul MN

The foregoing instrument was acknowledged before me

this 17<sup>th</sup> day of April, 2006.

NOTARIAL STAMP OR SEAL  
CYNTHIA GALE SOURCE  
Notary Public-Minnesota  
My Commission Expires Jan 31, 2010

Name of Person Acknowledging: Sharon Anderson Dkh. Co

Cynthia G. Paucke

Title of Person Acknowledging:  
Notary Public  
Hennepin Avenue