From: Kerry Ness [mailto:KNess@businessbankmn.com] Sent: Wednesday, March 04, 2009 2:00 PM To: Comments Subject: Assessment - RIN 3064-AD35

A comment regarding the 20 bps assessment:

To steeply penalize the banks that practiced sound banking principles to pay for the excesses of the megabanks and wannabe megabanks is outrageous.

And 20bps - that is an outrageous amount to absorb in tough economic times.

Time and time again we asked the examiners when they visited our office, "How can these banks get away with that?" Should we have more aggressively policed the bad actors? I'm at a loss as to what we could have done to mitigate this?

And the sound banks weren't the beneficiary of the risks that were taken by the bad. In fact, we had a tough time competing. But we now pay?

Our bank is struggling with profitability in a time of credit quality land mines everywhere. The assessment is way too much.

Kerry Ness CFO The Business Bank Minnetonka, MN

Kerry Ness 952-847-1109 fax 952-847-9016 kness@businessbankmn.com