



BOARD MINUTES
BOARD OF WRIGHT COUNTY COMMISSIONERS
NOVEMBER 30, 2021

Christine Husom	District 1
Darek Vetsch	District 2
Mark Daleiden	District 3
Mary Wetter	District 4
Michael Kaczmarek	District 5

DATE APPROVED: DECEMBER 14, 2021

The Wright County Board met in regular session at 9:00 A.M. with Husom, Vetsch, Daleiden, Wetter and Kaczmarek present.

COUNTY BOARD MINUTES 11-16-21 MEETING

Commissioner Husom moved to approve the minutes from 11-16-21. The motion was seconded by Commissioner Kaczmarek and carried 5-0.

AGENDA

Commissioner Vetsch moved to approve the agenda as presented. The motion was seconded by Commissioner Wetter and carried 5-0.

CONSENT AGENDA

Kaczmarek moved to approve the consent agenda as presented. The motion was seconded by Husom and carried 5-0.

A. ADMINISTRATION

1. Approve The Following Grant Applications:
 - A. WCAG-013 County Ditch #22 (\$40,000)
2. Approve The Following Program Request:
 - A. Economic Assistance For Community Dental Care (\$200,000)

B. ADMINISTRATION – FINANCE

1. Requesting County Board Approval, Board Chairperson Signature, And Authorization For Finance Director To Sign The 2021 Audit Engagement Letter
2. Requesting Authorization For Finance Director To Sign The GASB 87 (Lease Accounting) Engagement Letter
3. Authorize County Board Chairman To Sign The Board Ratification Statement Between TriMin Systems – Integrated Financial System (IFS) And MN Counties Computer Cooperative (MnCCC) For Maintenance And Support Of IFS. This Agreement Commits The Participating Member For The Term Of The Contract, January 1, 2022 Through December 31, 2024, And The Financial Obligations Associated With This Agreement
4. Approve Tobacco License For Gregg R. & Susan G. Anderson DBA The Ugly Bar (Montrose) For The Period November 30, 2021 Through December 31, 2021
5. Approve Renewal Of 2021 Tobacco Licenses For:
 - A. Dooley's Petroleum, Inc. DBA Emma's Express (Albertville)
 - B. Mid-County Coop DBA Mid-County Holiday Of Waverly (Waverly)
 - C. CHD Ventures, LLC DBA Trail's End Pub (Corinna Twp)
 - D. Fleet Farm Wholesale Supply Co, LLC DBA Fleet Farm Fuel (Monticello)
 - E. Fleet Farm Wholesale Supply Co, LLC DBA Fleet Farm (Monticello)
6. Review Monthly Finance Report For October 2021
7. Acknowledge Warrants Issued Between November 10, 2021 And November 23, 2021 (*See Below, Item IX. Warrants Issued*)
8. Motion To Approve The Reimbursement Of The American Rescue Plan Act Funds (ARP) As Follows:
County ARP Funds:
Approval Of County Reimbursement Of \$3,392.53 From 01-099-493.6910 Transfer Out Into 01-100-493.5910 Transfer In As Follows:
\$951.16 For Administrative Expenses-Staff Costs
\$2,441.37 For 1.8 Other COVID-19 Public Health Expenses – Emergency Paid Sick Leave
Approval Of Use Of ARP Funds From 01-099-493-8413.6261 And 01-099-493-8429.6410

\$7,956.50 1.8 Other COVID Public Health Expenses-Community Health Project

\$56.15 1.5 PPE And Other Supplies

C. ADMINISTRATION – HUMAN RESOURCES

1. Request Approval And Authorization Of Signature Of A Memorandum Of Agreement (MOA) For The County Contributions For The 2022 Health Insurance Plans With MNPEA (Non-Licensed Essential Sheriff Staff)
2. Request Approval Of A Memorandum Of Agreement (MOA) For The County Contributions For The 2022 Health Insurance Plans With AFSCME (Human Services) Council 65
3. Request Approval Of A Memorandum Of Agreement (MOA) Between The Teamsters Local 320 (Courthouse) And Wright County To Address Concerns About The Disclaimer Language In The County's PTO Policy (Section 301) That Was Recently Adopted Due To The Minnesota Supreme Court Decision-Hall V. City of Plainview
4. Request Approval Of A Memorandum Of Agreement (MOA) Between The Teamsters Local 320 (Courthouse) And Wright County To Allow Full-Time Employees, At The County's Discretion, The Ability To Combine Their Two Daily Paid Fifteen-Minute Breaks And Their Unpaid 30-Minute Lunch Break Into A One-Hour Lunch/Rest Period During The Workday
5. Approve The 2022 Non-Union Salary Ranges, Effective January 1, 2022

D. HEALTH & HUMAN SERVICES

1. Accept Community Health Board Grant Project Agreement Amendment: Increase From \$746,036.00 To \$1,425,344.00 For Period 2021-04-01 Through 2023-12-31 COVID Response And Vaccine Implementation
2. Position Replacement
 - A. Public Health Nurse

E. HIGHWAY

1. The Highway Department Is Requesting Authorization For The County Administrator To Sign Lease Agreements For The Following Three Properties That Will Be Owned By The County: PID #114-010-002050, PID #114-010-001090 And PID #114-010-001070. Wright County Will Be Purchasing Three Properties Due To The Reconstruction Of CSAH 19 (Main St.), From Chestnut Avenue To Ash Avenue, In St. Michael
2. In Accordance With The Wright County Financial Policies & Procedures, Due To The Dollar Amount, The Highway Department Is Requesting Authorization For Signatures On A Purchase Agreement For The Following Three Properties: PID #114-010-002050, PID #114-010-001090 And PID #114-010-001070. CSAH 19 (Main St.), From Chestnut Avenue To Ash Avenue, Is Proposed To Be Reconstructed During The 2022 Construction Season. Due To The Close Proximity Of The Existing Homes To The Roadway, The Reconstruction Of CSAH 19 Will Require The Highway Department To Purchase The Entire Properties

F. INFORMATION TECHNOLOGY

1. Refer To The December 8, 2021 Personnel Committee A Discussion Of The IT Business Solutions Manager And IT Technical Services Manager Positions

G. PLANNING & ZONING

1. Review Of County Feedlot Program Delegation Agreement Work Plan. Grant Funding For This Work Plan Was Authorized By Commissioner Mark Daleiden September 28, 2021

TIMED AGENDA ITEMS

ALICIA O'HARE, WRIGHT SOIL AND WATER CONSERVATION DISTRICT

Adopt A Resolution Accepting A Donation Of Three CD3 Units, And Authorizing Signatures On Agreements, Leases And Other Pertinent Documents Related To The Implementation

Water Management Specialist Alicia O'Hare stated the CD3 waterless boat cleaning stations have been provided by the Minnesota Lakes and Rivers Advocates through a Legislative-Citizen Commission on Minnesota Resources (LCCMR) grant. The three CD3 stations will be placed at Pleasant Lake North Access, Pleasant Lake South Access, and Lake Sylvia. The CD3 stations will be permanently installed and will be covered during the winter. Pleasant Lake North Access is ready for installation while Pleasant Lake South Access needs minor site preparation prior to installation. Both Pleasant Lake locations are anticipated be installed this year or early next year. The parking lot at the Lake Sylvia site is going to be repaved and the placement of the CD3 unit will be incorporated in the design. A review of the design has not

yet been conducted, making the anticipated installation toward the middle of 2022. The Wright Soil and Water Conservation District (SWCD) will be responsible for the maintenance of the units which will cost approximately \$1,500 per year. Funds will be allocated from the Aquatic Invasive Species (AIS) State fund.

Vetsch motioned to adopt a resolution accepting a donation of three CD3 units. The motion was seconded by Husom and carried 5-0 on a roll call vote.

VIRGIL HAWKINS, HIGHWAY DEPARTMENT

Approve Of A Condemnation Resolution For The Unsigned Parcels Of Right Of Way On CSAH 19, From Chestnut Avenue To Ash Avenue, In St. Michael. SP 086-619-035. The Acquisition Of Highway Right-Of-Way For CSAH 19, From Chestnut Avenue To Ash Avenue, In The City of St. Michael, Involves 11 Parcels. As Of 11-23-2021, There Remains 7 Unsigned Parcels, With Additional Meetings/Negotiations Continuing

Highway Engineer Virgil Hawkins stated the Highway Department will continue efforts to reach a settlement with the unsigned parcels. The resolution is required to keep the project on track. Assistant Attorney John Bowen explained Chapter 117 of Minnesota Statutes requires a resolution from the county board. The resolution states there is a public purpose to the proceedings. There is a thorough process to ensure landowners are fairly compensated for the takings. Bowen ensured the commissioners the county will continue to work with the landowners throughout the entire process. Wetter questioned if the project would continue to move forward if landowners refused to sign. Bowen responded that is the reason the resolution needs county board approval. There is a special 90-day quick take procedure outlined in the Statute and the landowners' rights are protected throughout the process. Hawkins added this process is not unusual for highway reconstruction projects.

Vetsch moved to approve a condemnation resolution for the stated parcels. The motion was seconded by Husom and carried 5-0 on a roll call vote.

MATT TREICHLER, SHERIFF'S OFFICE

Resolution To Accept The 2022 Toward Zero Death (TZD) Enforcement Grant From the MN Office Of Traffic Safety
Chief Deputy Matt Treichler stated this is an annual grant the county has received for several years. The grant is dedicated for speed, DUI, and distracted driving enforcement. The shifts are paid time-and-a-half. The Sheriff's Office tries to distribute the shifts evenly throughout the county. Last year the shifts accounted for approximately 1,100 traffic stops. This year the grant total is \$32,000. Kaczmarek questioned how many fatalities there have been in 2021. Treichler responded there have been 16 fatalities, which is higher than normal.

Vetsch moved to accept the 2022 TZD Enforcement Grant. The motion was seconded by Kaczmarek and carried 5-0 on a roll call vote.

Schedule A Committee Of The Whole Meeting To Discuss: Continue The Conversation Of Recruiting, Hiring And Retaining Sheriff's Office Staff; SRO Contract Rate; Jail Medical Provider

Treichler stated the topics may need to be divided into separate meetings. Vetsch moved to set a Committee of the Whole (COTW) meeting at 10 a.m. Thursday January 6 and a COTW meeting at 10 a.m. Monday January 10 to discuss the presented topics. The motion was seconded by Husom and carried 5-0.

LINDSEY MEYER, ADMINISTRATION – FINANCE

Approve The Purchase Of 48 OmniBallot Assistive Voting Devices At A Cost Of \$206,348.00

Office Manager/Elections Supervisor Corissa Aronson stated the vendor is experiencing supply chain issues. Payment and delivery of the devices will come in 2022. The hope is to have the devices by August to ensure all precincts are upgraded for the State Primary Election next year. New precincts are believed to be formed in the City of Monticello, City of Otsego, and City of St. Michael. There would be three additional units to use in-house for testing and absentee voting. Vetsch added this was a planned Capital Improvement Project (CIP) purchase, with grant opportunities available. Daleiden stated assistive voting devices are required by law.

Vetsch moved to approve the purchase of 48 OmniBallot Assistive Voting Devices at a cost of \$206,348.00. The motion was seconded by Wetter and carried 5-0.

Approve Resolution ‘Approving Wright County’s Application For Funding From The Voting Equipment Grant (VEGA-3)’ For Upgrading Assistive Voting Technology

Aronson stated more than \$1.9 million is available for Voting Equipment Grant funds. The county is requesting 50 percent of the funds used to purchase the OmniBallots, as well as a request to purchase seven poll pad rosters to accommodate the new precincts.

Husom moved to approve the application for funding from the Voting Equipment Grant (VEGA-3) for upgrading assistive voting technology. The motion was seconded by Wetter and carried 5-0 on a roll call vote.

ELIZABETH KARELS, ADMINISTRATION

Adopt Resolution Approving Submittal Of A Grant Application To The State Of Minnesota For The Wright County Dental Care Facility

Project Administrator Elizabeth Karels stated the county was awarded \$1.4 million last year through State bonding. To receive the funds, the county must apply through the Department of Employment and Economic Development (DEED). The resolution is required with the application.

Vetsch moved to adopt the resolution approving submittal of a grant application to the State of Minnesota for the Dental Care Facility. The motion was seconded by Husom and carried 5-0 on a roll call vote.

PUBLIC HEARING FOR COURT-ORDERED ABATEMENTS, 413 COBURN AVE. NW, CHATHAM TOWNSHIP

Civil Division Chief Attorney Greg Kryzer stated the purpose of the public hearing is to adopt a proposed assessment for 2021 on property located at 413 Coburn Ave. NW in Chatham Township. The assessment is from a court ordered clean up abatement. The proposed amount is \$5,773.37. Kryzer added the process is initiated by the township.

Kaczmarek added some items were scrapped and the amount was deducted from the bill to the property owner. Daleiden questioned if the county charges administration fees. Kryzer stated the county does not, but 4 percent interest will be charged on the assessment.

Daleiden opened the public hearing. No one from the public came forward to speak.

Vetsch moved to approve the resolution to assess the property at 413 Coburn Ave. NW in the amount of \$5,773.37. The motion was seconded by Wetter and carried 5-0 on a roll call vote.

PUBLIC HEARING FOR TOBACCO ORDINANCE AMENDMENT 21-4

Kryzer stated the ordinance updates Chapter 110 of the Tobacco Regulations. This matter has been published with a notice of intent and all licensed tobacco holders within the county have been notified of the hearing.

Kryzer stated Sections One through Five of the proposed ordinance update definitions which bring the ordinance in line with State law changes and update the terminology relating to tobacco. Section Six outlines the duties of a license holder, ensuring the licensees know they are responsible for training employees and cannot make employees pay any fees. In the past, businesses have taken violation fees out of employee paychecks. Section Seven updates age compliance checks to match State law. Section Eight is an update to the application process and the data required on the application. Section Nine replaces the Auditor-Treasurer title with Finance Director. Section 10 is a change to the signage requirement regarding underage sales. Section 11 provides clarification to locations near a youth-oriented facility. Section 12 prohibits persons under age 21 from entering a tobacco shop. Section 13 updates penalties. Lastly, the effective date needs to be changed to January 1, 2022.

Daleiden opened the public hearing. No one from the public came forward to speak.

Vetsch moved to adopt Tobacco Ordinance Amendment 21-4 with the effective date change to January 1, 2022. The motion was seconded by Kaczmarek and carried 5-0 on a roll call vote.

PUBLIC HEARING TO DISCUSS CHANGES TO THE FEES FOR SERVICE SCHEDULE

County Administrator Lee Kelly stated the notice of public hearing was published on Friday November 12 and Friday November 19. No comments from the public have been received regarding these fees.

Daleiden opened the public hearing. No one from the public came forward to speak.

Vetsch moved to adopt the changes to the Fees for Service schedule for 2022. The motion was seconded by Husom and carried 5-0.

GREG KRYZER, ATTORNEYApprove Findings And Order That A Discretionary Environmental Assessment Worksheet Is Required For The MBE Gravel And Sand Mine

Kryzer stated the matter was previously discussed at the November 16 board meeting. A petition was received from the Environmental Quality Board on MBE Gravel and Sand Mine in Buffalo Township located at County Highway 113 and State Highway 25. Kryzer stated this mine is under 40 acres, therefore it falls under the discretionary threshold.

Vetsch moved to approve the findings and order that a discretionary environmental assessment worksheet is required for the MBE Gravel and Sand Mine. The motion was seconded by Husom and carried 4-1 with Wetter opposing.

MARC MATTICE, PARKS & RECREATIONAdopt Two Separate Resolutions Related To A Grant Application Through The Transportation Alternatives Program For The Crow River Regional Trail (Phase 2) Trail Construction Sponsor Agency Resolution

Parks & Recreation Director Marc Mattice stated the grant application is due Friday January 14, 2022, and if awarded the funds would be available for the project in calendar year 2027 and the Parks & Recreation Department would continue to look to secure additional grant funding through other sources to offset local contribution. Phase 2 will connect Rockford to Hanover.

Wetter questioned why the trail was needed as the road width was increased when the road was re-done. Mattice responded that the traffic volume has increased substantially and there is a desire and need for safer transportation via trails. The trail is proposed to be on the river side of the highway. Mattice stated the trail would require crack sealing and seal coating every few years. Snow will not be removed from the trail and mowing will need to be done every few weeks. The maintenance cost is approximately \$1,500 per year with a trail life expectancy of 20 years.

Vetsch moved to approve the sponsor agency resolution. The motion was seconded by Husom and carried 5-0 on a roll call vote.

Resolution Agreeing To Maintain Facility

Husom moved to approve the resolution agreeing to maintain the facilities constructed. The motion was seconded by Vetsch and carried 5-0 on a roll call vote.

ITEMS FOR CONSIDERATION**COMMITTEE MINUTES****BROADBAND COMMITTEE 11/16/2021**

Vetsch moved to approve the Broadband Committee meeting minutes from Tuesday November 16, 2021. The motion was seconded by Husom and carried 5-0.

I. Franchise Agreements

Commissioner Vetsch, Project Administrator Elizabeth Karels, Flaherty & Hood's Senior Attorney/Lobbyist Shane Zahrt, and Flaherty & Hood's Associate Attorney Alissa Harrington previously met to discuss the issues and complexities Wright County faces regarding broadband access and franchise agreements. Harrington and Zahrt have developed a plan for the county. The first step is to wait for the completion of the county's franchise agreement

BROADBAND COMMITTEE 11/16/2021 (CONT.)

gathering efforts. Once the data is collected, a scope will be determined. Wright County has approximately a dozen Internet Service Providers (ISPs), which is rare.

Flaherty & Hood would then assemble a “Broadband Communications/Regulations 101” document to help educate the Wright County Broadband Committee, so the group is able to make policy decisions to accomplish the county’s goals for the broadband grant program. The next step would be to educate stakeholders within the community. Similar training documents tailored to local officials and government agencies that are dealing with ISPs would be released. Local officials and government agencies would have the opportunity to share the issues that are causing broadband access to not be fully utilized throughout the county. With that information, Flaherty & Hood would return to the Wright County Broadband Committee to work on developing a model set of documents, including right-of-way licenses, franchise agreements, and the documents that would be used for the broadband grant agreements. This would tie the county’s goal of getting broadband access to the entire county in a responsible and sustainable way to the money specifically designated for the ISPs. Lastly, the model documents would be shared with the cities and townships to help get ISPs on board in providing broader access.

Vetsch stated ISPs will have to comply with the model documents to receive American Rescue Plan (ARP) or Border-to-Border funds. Communications Specialist John Holler questioned if Wright County is following a similar grant process as Sherburne County. Vetsch stated Wright County is far different due to the number of ISPs, which makes the franchise agreements complicated.

Rockford Township Board Supervisor John Deitering stated the City of Greenfield completed an agreement with Midco after the previous Broadband Committee meeting. Greenfield unlinked the right-of-way regulations in the franchise agreement. This is one of the issues that is holding up the agreement Rockford Township is working on.

Harrington stated portion of the model agreement could be set aside if a community had an issue, such as right-of-way regulations. However, if there are not licensing agreements in place, there could be issues in the future. Harrington stated she had dealt with cases where ISPs do not respond or mark utilities which can cause problems if something goes wrong.

RECOMMENDATION: Staff will continue to collect franchise agreements and send the information to Flaherty & Hood once collected. Flaherty & Hood has been authorized to follow the proposed plan develop a “Broadband Communications/Regulations 101” document, and develop model documents, including right-of-way licenses, franchise agreements, and the documents that would be used for the broadband grant agreements. The Broadband Committee will meet again in January for further discussion.

II. Dig Once Proposal

Administration Intern Gabrielle Lechner met with Assistant Highway Engineer Chad Hausmann and IT Technical Services Manager Mark Kellogg to identify a project and potential steps. Lechner stated the Highway 37 project has been selected as the pilot for the Dig Once Policy. The Administration Department would be notified of all projects. Administration and IT would work together to assemble bid packages.

Information Technology Director Matthew Fomby stated the point of a Dig Once Policy is to install conduit that can be used in the future and eventually connected. Vetsch stated the construction project should be managed by the Highway Department and Administration should manage the conduit and determine what is put in it. Fomby stated the departments would need to work together to ensure everything is done simultaneously.

Fomby stated the conduit can be used in the future to help ensure competition. Kellogg added it could also help with economic development in the future, enticing companies to locate in the area due to broadband access. Vetsch stated

there should be enough capacity in the Capital Improvement Plan (CIP) fund for the pilot project. Finance Director Lindsey Meyer confirmed.

BROADBAND COMMITTEE 11/16/2021 (CONT.)

Highway Engineer Virgil Hawkins recommended the conduit installation not be included in the Highway bid package to eliminate costly subcontractor agreements. The bid and plans should be done separately but the conduit would need to be installed along with the Highway project. The Highway project contract would include language instructing the contractor to accommodate and schedule the installation of conduit. Another reason for the recommendation is if any of the conduit funding source is from the state or federal government, the entire project would be subject to state or federal guidelines. Fomby stated conduit is approximately two or three inches in diameter and multiple fiber strands can be run through.

Karels stated Administration would manage the CIP requests, Highway would manage the construction, and Administration would manage the marketing, leasing, communication, and track the locations where conduit has been installed. The Surveyor Department could add a layer to Beacon to track the conduit location.

RECOMMENDATION: Hawkins and Fomby will determine projects to submit as CIP requests for the next three to four years. Karels will bring a written policy to the board for review. Design Nine's feasibility study will be reviewed at the December 14 meeting, which will be changed to a Committee of the Whole meeting at 11:00 a.m.

ADVISORY COMMITTEE/ADVISORY BOARD UPDATES

Broadband Committee. Kelly confirmed the Broadband Committee meeting scheduled for Tuesday December 14 would be changed to a Committee of the Whole meeting to discuss Design Nine's Feasibility Study.

Flaherty & Hood. Kelly discussed the upcoming legislative session and a proposal for a renewal of services for next year with Senior Attorney and Lobbyist at Flaherty & Hood, Shane Zarht. Items will be coming before the board for approval.

2022 Budget & Levy Meeting. Kelly stated the annual meeting, formerly known as Truth In Taxation, will be held at 6 p.m. Thursday December 9. More information will be posted on the county website. Comments can be submitted via email.

Wright County Economic Development Partnership (WCEDP). Vetsch met with the WCEDP for a strategic planning session, which will be available for the board to review and will be shared with the county Economic Development Authority (EDA).

Wellness Committee. Daleiden stated the Wellness Committee met on Tuesday November 16.

Website Redesign. Daleiden stated a meeting was held to discuss preliminary information showing what the redesigned website will look like. Input is welcome.

Safe Communities of Wright County. Husom stated the group met and the TZD grant was acknowledged at the meeting. The group continues efforts to promote and expand taxi services, such as Silver Cab. Expansion has been successful in Annandale with A-Town Taxi. The Highway Department has assisted with high visibility enforcement signs through the holidays. Fatalities and serious injuries have increased causing concern. The Executive Director's last day will be Monday December 13 and the position is posted on the Allina website. The group is working on updating bylaws. There are schools reaching out to schedule mock crashes for the 2022 school year.

Trailblazer Transit. Kaczmarek questioned if hours of services are expanded during holiday safety campaigns. Vetsch responded the schedule must be set at the beginning of the year and cannot operate outside the set hours. Vetsch added there are approximately 15 open driver positions which has caused reduced service.

Great River Regional Library (GRRL). Kaczmarek stated there is a grant funded business that is available for job recruiting between schools and businesses that choose to participate. Monticello School District is already a participant and St. Michael-Albertville School District may be looking to join. The program provides mentorship and job shadowing, encouraging students to be interested in trades. There is no cost to participate.

Local EMS and Fire Chiefs. Kaczmarek stated there is increased interest in having mock car crashes at schools.

The meeting recessed at 10:06 a.m. The meeting reconvened in Closed Session at 12 p.m. under Minnesota Statute 13D.05 to discuss pending litigation on the matter of Wright County vs Purdue Pharma, Et Al.

CLOSED SESSION TO DISCUSS PENDING LITIGATION

Closed Session to discuss pending litigation of Wright County vs Purdue Pharma, Et Al.

Present: Mark Daleiden, Darek Vetsch, Christine Husom, Mike Kaczmarek, Mary Wetter, Lee Kelly, Greg Kryzer, Brian Lutes, Jami Goodrum, Sarah Grosshuesch, David Asp (Lockridge, Grindal, Nauen), and Yvonne Flaherty (Lockridge, Grindal, Nauen)

Closed session adjourned at 12:36 p.m.

The meeting adjourned at 12:37 p.m.

County Board Minutes submitted by Elizabeth Clow, Office Manager.