



BOARD MINUTES
BOARD OF WRIGHT COUNTY COMMISSIONERS

Tuesday, May 16, 2023
DATE APPROVED: June 6, 2023

Tina Diedrick, District 1
Darek Vetsch, District 2
Jeanne Holland, District 3
Nadine Schoen, District 4
Michael Kaczmarek, District 5

The Wright County Board met in regular session at 9:00 A.M. with Diedrick, Vetsch, Holland, Schoen, and Kaczmarek present.

Present and responding to roll call were the following:

Board of Commissioners:	Tina Diedrick
	Jeanne Holland
	Michael Kaczmarek
	Nadine Schoen
	Darek Vetsch

I. PLEDGE OF ALLEGIANCE

II. MINUTES - DISPENSE WITH READING, APPROVE AS WRITTEN/REVISED

A. Approve County Board Minutes Submitted.

Commissioner Michael Kaczmarek asked to add the statement "based on feedback received from residents, the Planning Commission and staff" to the fourth paragraph of item one from the Tuesday, May 9, 2023 Board Workshop minutes.

Kaczmarek moved to approve the Tuesday, May 2, 2023 County Board meeting minutes and the Tuesday, May 9, 2023 County Board Workshop minutes. The motion was seconded by Commissioner Tina Diedrick. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

B. Approve County Board Committee Minutes Submitted.

Diedrick moved to approve the Tuesday, May 2, 2023 Aggregate Tax Committee minutes and the Tuesday, May 9, 2023 Personnel Committee of the Whole minutes. The motion was seconded by Commissioner Jeanne Holland. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

III. REVIEW & APPROVAL OF AGENDA

County Administrator Lee Kelly asked to add two items to the items for consideration. Item number three to be a resolution to adopt recognizing May 14-20, 2023 as Law Enforcement Week and item number four to schedule a Ways and Means Committee to discuss Sheriff contracts.

Kaczmarek moved to approve the agenda. The motion was seconded by Holland. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

IV. CONSENT AGENDA

Diedrick requested to remove item D2 for further discussion. Holland moved to approve the Consent Agenda. The motion was seconded by Kaczmarek. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

**Items removed for further discussion*

A. FINANCE & TAXPAYER SERVICES

1. Acknowledge Warrants Issued Between April 26, 2023 And May 9, 2023.
2. Approval of new off-sale liquor license for French Lake Liquor
3. Motion to approve the reimbursement of the American Rescue Plan Act (ARP) Funds as follows:

Approval of use of ARP funds from 01-099-493.

\$79,728.00 5.11 Drinking Water Transmission & Distribution-City of Maple Lake

4. County ARP Funds:

Approval of County Reimbursement of \$259.16 from 01-099-493.6910

Transfer Out into 01-100-493.5910 Transfer In as follows:

\$259.16 for Administrative Expenses-Staff Costs

Approval of use of ARP funds from 01-099-493.

\$476.76 2.34 Aid to Nonprofit Organizations - 4-H

\$5,500.00 2.26 Education Assistance - Senior Technology

B. HEALTH & HUMAN SERVICES

1. Approve member removal from the Opioid Settlement Advisory Council:
 1. Removal of Board approved member Jessica Dusbabek for lack of attendance and response to numerous emails. Jessica was approved on February 7, 2023 and has not accepted her position via email or attended a meeting.
 2. Removal of Board approved member Racheal McDaniel for lack of attendance and response to numerous emails. Racheal was approved on and attended only the first meeting.

With the removal of Dusbabek and McDaniel the OSAC will have 23 members.

C. PARKS & RECREATION

1. Confirm Commissioner District 3 - Parks and Recreation Commission Appointment Holly Fanning of Otsego, Effective May 16, 2023. Term Ends On December 31, 2023. (One year term due to prior resignation).

D. PLANNING & ZONING

1. Accept the Findings and Recommendations of the Planning Commission for the following request to rezone: Paul Rumpza - (Franklin Township). With a 4-1 vote the Commission recommends approval to rezone the west 14.8-acre portion of the property from General Agricultural (AG) to Agricultural/Residential (AR).
2. *Authorize the Planning and Zoning Administrator to sign the Septic Inspection Services Agreement between Sherburne and Wright County. Diedrick asked Planning and Zoning Administrator Barry Rhineberger if this is an agreement that the county had in the past. Rhineberger said that it is a new agreement. Sherburne County lost its inspector and asked if Wright County would be willing to have a cooperative agreement.

V. TIMED AGENDA ITEMS

A. 9:02 AM MIKE MACMILLAN, COURT SERVICES

1. Requesting Signatures for State of Minnesota Joint Powers Agreement - Bureau of Criminal Apprehension

Director of Court Services Mike MacMillan asked for approval to update the Bureau of Criminal Apprehension (BCA) Joint Powers Agreement, that needs to be updated every five years.

Holland moved to approve the signing of the State of Minnesota Joint Powers Agreement - Bureau of Criminal Apprehension. The motion was seconded by Diedrick. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

B. 9:07 AM LINDSEY MEYER, FINANCE AND TAXPAYER SERVICES

1. Accept the 2021 Certificate of Achievement for Excellence in Financial Reporting.

Finance Director Lindsey Meyer presented the Certificate of Achievement for Excellence in Financial Reporting received from the Government Finance Officers Association (GFOA). The GFOA established the Certificate to encourage state and local governments to go beyond the minimum requirements of generally acceptable accounting principles. The goal of the certificate is not to assess financial health participating governments, but to ensure that the users of the financial statement have the information to make that assessment on their own. This is the seventh consecutive year that Wright County has received this

achievement. Meyer attributed the certificate to the work of the Finance team, including Senior Accountant Ryan Kotila, Senior Accountant Joe Rotz and Assistant Finance Director Heather Lemieux.

C. 9:10 AM VIRGIL HAWKINS, HIGHWAY DEPARTMENT

1. Award Contract No. 2304 for the County State Aid Highway (CSAH) 35 four-lane reconstruction project to S.M. Hentges & Sons, Inc. of Jordan, Minnesota

Highway Engineer Virgil Hawkins requested to award Contract No. 2304 for the CSAH 35 four-lane reconstruction project to S.M. Hentges & Sons, Inc. of Jordan, Minnesota. Hawkins said that Wright County received 11 bids and that S.M. Hentges was very competitive. The total amount of the bid is \$13,486,693.51.

Diedrick moved to approve awarding Contract Number 2304 for the CSAH 35 four-lane reconstruction project to S.M. Hentges & Sons, Inc. of Jordan, Minnesota. The motion was seconded by Holland. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

2. Approve Agreement No. PW 26-73-23 with Hennepin County to provide for a 50/50 cost split for the CR 139 (County Line Road) RR crossing panel replacement project.

Hawkins requested to approve an agreement with Hennepin County to provide a 50/50 cost split for the County Road (CR) 139 railroad crossing panel replacement project. Hawkins said that this is a shared road with Hennepin County, but Wright County takes the lead on it.

Kaczmarek moved to approve Agreement No. PW 26-73-23 with Hennepin County to provide for a 50/50 cost split for the CR 139 (County Line Road) railroad crossing panel replacement project. The motion was seconded by Holland. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

D. 9:16 AM ROSS DEMANT, PARKS & RECREATION

1. 1. Adopt a resolution related to a grant application through the Greater Minnesota Parks and Trails Commission for construction of part of the Crow River Regional Trail Segment B between Rockford and Hanover along County Road 20.

Assistant County Administrator Marc Mattice presented for Parks & Recreation Director Ross Demant. Mattice said that Parks & Recreation Operations Manager Brad Harrington successfully completed a grant application for \$719,000 to complete Phase II of the Crow River Regional Trail.

Diedrick moved to approve adopting a resolution related to a grant application through the Greater Minnesota Parks and Trails Commission for construction of part of the Crow River Regional Trail Segment B between Rockford and Hanover along County Road 20. The motion was seconded by Holland. The motion passed 5-0.

2. Adopt a resolution related to a grant application through the Greater Minnesota Parks and Trails Commission for construction of Phase II of the Bertram Campground.

Mattice said that this grant is for \$3 million for phase II of the Bertram Chain of Lakes Regional Park campground. Last year was the first full year of operation and the campground reached 97 percent capacity. The board agreed that Phase II would start when the campground reached 90 percent but did not believe that would happen until 2028 or 2030.

Holland moved to approve adopting a resolution related to a grant application through the Greater Minnesota Parks and Trails Commission for construction of Phase II of the Bertram Campground. The motion was seconded by Diedrick. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

3. Adopt a resolution related to a grant application through the Greater Minnesota Parks and Trails Commission for construction of a parking lot at the Stanley Eddy Regional Park.

Mattice said that last year Wright County purchased 10 acres adjacent to Stanley Eddy Regional Park with the plan for trailhead improvements. There is no match for this grant application, so construction would be planned for 2024.

Diedrick moved to approve adopting a resolution related to a grant application through the Greater Minnesota Parks and Trails Commission for construction of a parking lot at the Stanley Eddy Regional Park. The motion was seconded by Holland. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

E. 9:30 AM MATT DETJEN, AGRICULTURE & DRAINAGE

1. Public Hearing on the Petition for Partial Abandonment of County Ditch #20 under Minnesota Statute 103E.806.

Civil Chief Greg Kryzer read a statement of attorney for a Public Hearing in regard to a Petition for Partial Abandonment of County Ditch #20 under Minnesota Statute 103E.806.

Board Chairman Darek Vetsch invited public to speak. Roger Earley of 6142 CR 39 NW, Maple Lake, asked about how the abandonment of the ditch would affect tax assessments. Agriculture and Drainage Coordinator Matt Detjen confirmed that any work that would be done on the ditch after abandonment would not be assessed back to the benefited landowners because it would no longer be

owned by the county. Earley had additional concerns that were not germane to County Ditch #20 and was offered to speak to Detjen after the hearing.

Detjen gave history of the ditch. County Ditch #20 is comprised of areas in Maple Lake, Corinna Township and Maple Lake Township. It was established in 1913, had repairs in 1949, 1956, 1969, 1982, 1985, 2019 and has 5.65 miles of buried tile and open ditch. An estimated 24 acres are not planted because of broken or blocked tile. Bids were received in September of 2019 to repair this section and bids were received for \$72,500 and \$192,407.50. At this time, the board asked Detjen to look into options and Detjen recommended for the landowners to look into the possibility of creating a wetland bank for this area. The landowners petitioning are Thomas Segnar, Patrick and Judith Mavencamp and Alan Bruns. All areas of the proposed abandonment are owned by the petitioners, and all are benefited landowners on County Ditch #20. Detjen confirmed that if the partial abandonment is approved, there will not be a change to the amount the petitioners are assessed for repairs on County Ditch #20.

Thomas Wenzel, Professional Engineer with the Minnesota Board of Water and Soil Resources (BWSR) presented on behalf of the petitioners and the State of Minnesota. Wenzel said his role is to represent the petitioners and the State of Minnesota. This is a fairly straightforward and simple proposal but what has not been discussed is that the wetland bank is not private, it is considered a wetland road bank. The wetland credits derived will be used to offset local road impacts in the area. The wetland funds will also cover construction costs. There will be no surface discharge, everything is designed to be landlocked within the wetland area. The wetland will be managed and enforced by three conservation easements held and governed by the state. Wenzel said that should this project be approved by the board, it would be customary to ensure the official partial abandonment does not occur until the mitigation plan for the site is actually approved through the Wetland Conservation Act.

Kryzer said if the County Board is looking to delay acceptance until the project is completed, it is recommended to hold approval of the resolution until the project is completed because the county cannot put conditions on a partial abandonment. Wenzel said that in order for the project to be approved, the Wetland Conservation wants to know that the county has approved its portion. It is a risk that the landowner is taking, knowing that one or the other may not be accepted. Vetsch said that his guidance is to go through the process and get the wetland bank established. The case currently is very compelling, and it will only be more so once the wetland bank is established. Kryzer said from a procedural process, the board can table this resolution for one to two years until the project is done and adopt the resolution the day before they go before the regulatory agencies to finalize. If the wetland bank gets denied, the petitioners can always come back to the board and ask to reconsider the motion and review overturning. Kryzer recommended to close the public hearing and direct staff to draft a resolution for a later date.

Vetsch closed the public hearing and requested to direct staff to draft a resolution consistent with the partial abandonment and place the resolution on hold until staff feels that it's appropriate with the timing and sequencing to bring forward for approval.

Diedrick moved to approve directing staff to draft a resolution consistent with the partial abandonment to place on hold until staff feels that it's appropriate with the timing and sequencing to bring forward for approval. The motion was seconded by Kaczmarek. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

F. 9:45 AM BARRY RHINEBERGER, PLANNING & ZONING

1. Action on Ordinance 23-2 amending the Wright County Code of Ordinances Chapter 155 – Zoning

Planning and Zoning Administrator Barry Rhineberger presented to the board findings from a public hearing held on May 4. Public comments were gathered as well as request from cities and townships.

Vetsch said that in order to avoid numerous townships with different modifications that would be difficult to enforce, it was requested that Wright County take into consideration the section pertaining to setbacks and modifying them to be applicable from the existing 1.49 megawatt to 5 megawatt solar farms, to match upcoming legislation changes at the state level. There was also a request to extend the setback from one mile to two miles or beyond. Vetsch said that with the fluidity of the definition of a solar farm, Wright County may want to strike the wattage language altogether and make all solar farms in Wright County applicable to the setbacks unless the solar is used as a secondary source on a home or similar use.

Kryzer clarified that the language in the ordinance amendment is regulating setbacks for large solar farms between 8 megawatts and 200 kilowatts. A solar energy system is anything below 200 kilowatts, which is something that would be seen on a barn or rooftop.

Kaczmarek said for perspective, a large solar farm producing 5 megawatts would use approximately 30 acres. He asked if there were any regulations as far as the wiring, if they were required to be above or below ground and how it would affect the setback. The reason for the question is with the setbacks, would the above ground wires take the mile of setback land out of the equation for farming. Vetsch said that the county can't regulate the wired above or below ground in this amendment. Kaczmarek also said that one of the township's comments was to keep the setback proportionate to the size of the farm with a sliding scale. Vetsch said that it might complicate things with existing solar farms.

The amendment is as follows:

(18) *Solar Farm Setback Distances*. The operational area(s), including fencing, solar arrays, and any other infrastructure of a Solar Energy Farm ~~which is 1.49 megawatts AC or less~~, shall be located a minimum distance of 2-miles ~~1-mile~~ from any other solar array over 200 kilowatts AC whether originally permitted by the county, a State or Federal regulatory agency, or any other municipality in the county. Calculating the 2-mile ~~1-mile~~ distance from another solar array as provided in this section shall be measured by the shortest line from any of the infrastructure, solar arrays, or fencing of the proposed Solar Energy Farm ~~which is 1.49 megawatts AC or less~~ to the nearest point of the other solar array in excess of 200 kilowatts AC.

Diedrick moved to approve Ordinance 23-2 amending the Wright County Code of Ordinances Chapter 155 – Zoning. The motion was seconded by Commissioner Nadine Schoen. The motion passed 5-0.

For: 5; Against: 0; Abstain: 0; Absent: 0; Recused: 0

VI. ITEMS FOR CONSIDERATION

A. ADMINISTRATION

1. Discussion on Former Government Center Training.

Kaczmarek asked if there would be any interest in charging a fee for the users of the old Government Center building to assist in paying the utility bills for the building. Vetsch said that this would be a good topic for a Committee of the Whole (COTW). A meeting was scheduled for 10:30 a.m. Tuesday, June 6, after the board meeting.

Kaczmarek moved to schedule a COTW in regards to the old Government Center building at 10 a.m. Tuesday, June 6 at 10:00 a.m. The motion was seconded by Holland. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

2. Approve Committee Recommendations

A. Aggregate Tax Committee (05-02-2023)

Recommendation- Move forward with the Restoration Reimbursement Application and Process with changes discussed.

Kaczmarek moved to approve Aggregate Tax Committee recommendations. The motion was seconded by Diedrick. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

B. Personnel COTW (05-09-2023)

Recommendation- Approve five requested positions from Finance and Human Resources- Oracle Platform Architect, Human Resources Tech, Accounting Manager- Internal Services, Budget Analyst, Staff Accountant.

Diedrick moved to approve five requested positions from Finance and Human Resources. The motion was seconded by Schoen. The motion passed 4-1 with Kaczmarek voting no.

Aye: 4; Nay: 1; Abstain: 0; Absent: 0; Recused: 0

Recommendation- Approve GIS restructure eliminating the two current GIS Specialist positions and add one additional GIS Analyst position. Shifting the GIS Specialist work to the GIS Analyst.

Recommendation: To hire an additional four Social Workers immediately and contract another 100 cases to Dungarvin between 2023 and 2024.

Recommendation: To hire one full-time Fraud Investigator and end contract with Northwoods Fraud Investigations. Job description to include all HHS fraud investigations.

Kaczmarek moved to approve GIS restructuring, hiring of four social workers, contacting 100 cases to Dungarvin and hiring one full time HHS fraud investigator. The motion was seconded by Holland. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

3.

Adopt a resolution recognizing May 14-20, 2023 as Law Enforcement Week

Kaczmarek moved to recognize May 14-20, 2023 as Law Enforcement Week in Wright County. The motion was seconded by Holland. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

4.

Schedule a Ways and Means Committee to Discuss Sheriff's Contracts

A Ways and Means Committee will be scheduled for 9:00 a.m. Wednesday, May 31, 2023. Kaczmarek will sit in for Vetsch.

Kaczmarek moved to schedule a Ways and Means Committee for 9:00 a.m. Wednesday, May 31, 2023. The motion was seconded by Holland. The motion passed 5-0.

Aye: 5; Nay: 0; Abstain: 0; Absent: 0; Recused: 0

VII. ADVISORY COMMITTEE / ADVISORY BOARD UPDATESLee Kelly

The Association of Minnesota Counties (AMC) district meeting is Monday, June 12. There is an EDA meeting that morning as well for reference. Benton County will come for a tour of the Wright County Government Center building for its upcoming remodel.

Mike Kaczmarek

Highway 12 Coalition met and asked for more representation from the Minnesota Department of Transportation (MnDOT). The coalition will tour Highway 12 near the Dassel-Cokato schools before school is out. Kaczmarek went to Howard Lake Waverley Winsted Safe Schools as well as an EDA Steering Committee meeting.

Nadine Schoen

Schoen did not give an update due to losing her voice.

Darek Vetsch

Vetsch said that the bonding discussions at the State Legislator deteriorated, and Wright County is working with the governor's office to make a correction. There was a request from an individual and a group for a private meeting with the Board of Commissioners regarding elections. That is not possible because Wright County is a public entity.

Jeanne Holland

Holland went to the Otsego City Council meeting to address resident concerns of noise from revving engines near roundabouts. Otsego does have a noise ordinance and signs will be placed so there is an ability to ticket.

Tina Diedrick

Diedrick attended Buffalo Safe Schools and Buffalo mock crash as well as Annandale Safe Schools. Annandale said it will be moving forward with a referendum. Diedrick also attended Wright County Coalition of Lakes at Ney Park, where the group was advocating for longterm success of lakes and waters.

VIII. ADJOURNMENT

The meeting was adjourned at 10:50 a.m.

IX. WARRANTS ISSUED**A. Warrants Issued**

Minutes submitted by Caitlin Chovan, Administration Office Manager

