



BOARD MINUTES
BOARD OF WRIGHT COUNTY COMMISSIONERS

Tuesday, July 25, 2023

DATE APPROVED: August 1, 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 Wright County Board Meeting Minutes from July 11, 2023

Commissioner Michael Kaczmarek moved to approve the Tuesday, July 11 County Board meeting 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 Minutes from the July 11, 2023, Committee of the Whole-Cannabis Regulation and Law Enforcement Services Contract

Diedrick moved to approve the July 11, 2023, Committee of the Whole (COTW) minutes. The motion was seconded by Commissioner Nadine Schoen. The motion passed 5-0.

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

III. REVIEW & APPROVAL OF AGENDA

Kaczmarek moved to approve the Tuesday, July 25 County Board agenda. The motion was seconded by Schoen. The motion passed 5-0.

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

IV. CONSENT AGENDA

Commissioner Jeanne Holland asked to remove item A1, Appoint Chad Hausmann as Highway Engineer, Four Year Term Effective January 22, 2024, to April 30, 2028 and place it on the timed agenda, item D.

Kaczmarek asked to remove item C4, Approve Application of Clearwater Legion-Legion Riders For A Large Group Assembly Permit For Event On July 29, 2023, Contingent on approval from County Attorney and place it on the timed agenda, item E.

Diedrick asked to remove item E4, Approve and authorize signatures on a Memorandum of Agreement (MOA) with the Wright County Deputies Association (WCDA) for the 2023-2025 collective bargaining agreement and place it on the timed agenda, item F.

Diedrick asked to remove item E5, Approve and authorize signatures on a Memorandum of Agreement (MOA) with (Minnesota Public Employees Association) MNPEA for the 2023-2025 collective bargaining agreement and place it on the timed agenda, item F.

Diedrick moved to approve the consent agenda with the above-listed changes. The motion was seconded by Kaczmarek. The motion passed 5-0.

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

A. ADMINISTRATION

- 1.* Appoint Chad Hausmann as Highway Engineer, Four-Year Term Effective January 22, 2024, to April 30, 2028
2. Confirm Appointment of Dawn Cole to The Board of Managers for the Clearwater River Watershed District

B. COURT SERVICES

1. Approval of the Budget Amendment Form for Alternatives to Detention.
2. Sign Agreement for Services Between The County of Wright and Buffalo-Hanover-Montrose Schools -ISD877

C. FINANCE & TAXPAYER SERVICES

1. Motion to Approve Attached Budget Amendments for June and July.
2. Acknowledge Warrants Issued Between July 5, 2023 and July 18, 2023.
3. Motion to Approve the Reimbursement of the American Rescue Plan (ARP) Act Funds as Follows:
County ARP Funds:

Approval of County Reimbursement of \$204.65 from 01-099-493.6910 Transfer Out into 01-100-493.5910 Transfer in as Follows:

\$204.65 for Administrative Expenses-Staff Costs

Approval of Use of ARP Funds from 01-099-493-8467

\$6,767.98 2.34 Aid to Nonprofit Organizations- 4-H

- 4.* \$305,099.48 5.18 Other: Water and Sewer-City of Monticello
Approve Application of Clearwater Legion- Legion Riders For A Large Group Assembly Permit for Event on July 29th, 2023, Contingent on Approval from County Attorney.

5. Motion to Approve the Reimbursement of the American Rescue Plan (ARP) Act Funds as follows:

Approval of use of ARP Funds from 01-099-493-8467

\$6,277.00 2.34 Aid to Nonprofit Organizations- 4-H

\$32,456.76 5.11 Drinking Water Transmission & Distribution- City of Buffalo

\$6,490.40 5.6 Clean Water: Stormwater- City of South Haven

\$4,107.95 5.19 Last Mile Projects-Broadband- City of Buffalo

\$5,500.00 2.26 Education Assistance-Senior Community

D. HIGHWAY

1. In Accordance with the Wright County Financial Policies & Procedures, Due to the Dollar Amount, the Highway Department is Requesting Approval to Enter into a Professional Engineering Services Agreement with WSB & Associates, Inc. to Provide Design, Environmental, and Construction Services for the County State Aid Highway (CSAH) 36 Reconstruction/Expansion Project.
Agreement Attached (for Signature by County Administrator and County Board Chair.)

E. HUMAN RESOURCES

1. Adoption of Section 605 (Time Off to Vote) of the Wright County Personnel Handbook.
2. Adoption of Section 608 (School Conference Leave) of the Wright County Personnel Handbook.
3. Adoption of Section 609 (Bone Marrow Donation Leave) of the Wright County Personnel Handbook.
- 4.* Approve and authorize signatures on a Memorandum of Agreement (MOA) with the Wright County Deputies Association (WCDA) for the 2023-2025 collective bargaining agreement.
- 5.* Approve and authorize signatures on a Memorandum of Agreement (MOA) with MNPEA for the 2023-2025 collective bargaining agreement.

F. PLANNING & ZONING

1. Accept the Finding and Recommendations of the Planning Commission for the Following Request to Rezone: Skies Limited LLC - (Maple Lake Township). Commission Unanimously Recommends Approval of the Rezoning of That Portion of Tax Parcel 210-100-254200 (Excluding Two Recent Entitlement Divisions) from General Agriculture (AG) and Part Shoreland Overlay (S2) to Agricultural/Residential (AR) and Part Shoreland Overlay (S2)

G. SHERIFF

1. Approval of Office Technician II, Kortney Ebeltoft, to temporarily work out-of-class as an Accounting Technician.

V. TIMED AGENDA ITEMS**A. 9:02 AM HEATHER LEMIEUX- FINANCE & TAXPAYER SERVICES**

1. Review of the 2022 County audit with CliftonLarsonAllen and request authorization to publish the County's 2022 Summary Financial Statements and Vendor List.

Assistant Finance Director Heather Lemieux and Certified Public Accountant (CPA) Kristen Houle of CliftonLarsonAllen presented to the board the 2022 audit. The audit included internal control, single audit, Minnesota legal compliance and financial results.

The internal control had one material weakness in adjusting journal entries and no significant deficiencies. The single audit tested three major programs and had no material weakness and one significant deficiency in lack of procurement documentation for the Supplemental Nutritional Assistance Program (SNAP). Minnesota legal compliance did not have any weaknesses or deficiencies.

The financial results included that Wright County has six months of expenditures in fund balance, the recommendation is no less than three to five months. It is the fifty year in a row that expenditures have exceeded revenues and 2022 saw a \$815,000 decrease in revenue and a \$3.2 million decrease in expenditures.

Holland moved to approve the review of the 2022 County audit with CliftonLarsonAllen and authorize publishing the County's 2022 Summary Financial Statements and Vendor List. The motion was seconded by Schoen. The motion passed 5-0.

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

B. 9:22 AM ROSS DEMANT- PARKS & RECREATION

1. **Approve Entering Into an Agreement with the City of Buffalo to Develop an Archery Range at H. Eagle Roost Park.**

Parks and Recreation Director Ross Demant said that Wright County was approached by the City of Buffalo to jointly develop an archery range at H. Eagle Roost Park, which is currently natural park. Demant said that most of the cost would be covered by the City of Buffalo, with the county's expenses being to provide garbage and toilet services, and technical expertise.

Diedrick moved to approve entering into an agreement with the City of Buffalo to develop an archery range at H. Eagle Roost Park. The motion was seconded by Schoen. The motion passed 5-0.

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

2. Accept Bid, Award Contract, and Authorize Signatures for the Installation of Cross-Country Ski Lights at Robert Ney Regional Park.

Demant said that this project will provide 74 lights around the trail at Robert Ney Regional Park designated as the "Trail Loop". This loop is almost a full mile and is the primary loop used by people skiing at Ney Park and renting skis and snowshoes. These lights will be on a timer which will automatically turn on at sundown and turn off at 10:00 p.m.

Bids were received on Monday, July 11, 2023 and reviewed by Demant. Upon review it is recommended to accept and award the project to SP Electric in the amount of \$268,995.89, which is within the \$300,000 budget.

Schoen moved to approve accepting the bid, awarding the contract and authorizing signatures for the installation of cross-country ski lights at Robert Ney Regional Park. The motion was seconded by Holland. The motion passed 5-0.

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

The Board took a recess from 9:51a.m. - 10:00 a.m.

C. 10:00 AM PUBLIC HEARING- COUNTY DITCH #31

1. Public Hearing on the Repair Report for Phase #2 Repairs of County Ditch #31 under Minnesota Statute 103E.715 on July 25, 2023 at 10:00AM.

Agriculture and Drainage Coordinator Matt Detjen gave a summary of the background of County Ditch #31 (CD 31) and Phase #1 of repairs. CD 31 was established in 1917 and has had limited repair activity since establishment. In 2016, a culvert under Fillmore Avenue SW was replaced and considered a repair under drainage law. This work led to a disagreement on whether this activity was considered a repair and raised concerns over Ruckles Lake upstream.

In 2017, the Drainage Authority made an order to complete a Reestablishment of Records on CD 31 as records establishing the alignment, profile, and right-of-way were lost. In 2019 the Drainage Authority adopted the Reestablishment of Records submitted by Houston Engineering Inc.

In 2020, the Drainage Authority adopted an order directing full systemwide repairs on CD 31 after a repair petition was filed pursuant to Minnesota Statute 103E.715. Prior to this, the Department of Natural Resources (DNR) submitted a Data Practices Act request on January 27, 2020 to review documents regarding CD 31. The DNR responded to the order

disagreeing with the proposed repair and a Joint Panel was created under Minnesota Statue 103E.701 Subd. 2. to determine the repair depth and recommend this to the Drainage Authority.

The joint review panel included, James Bedell, MnDNR, Luke Johnson, Wright Soil Water Conservation District, and Joe Lewis, Houston Engineering.

Four repair alternatives were submitted for review as a part of this report, and staff met with Kaczmarek to review and discuss potential options. Alternative four was identified through this process as the best option to maintain the Ruckles Lake water levels while also provided drainage benefits. Staff was directed to split repairs into two phases at this time. In 2022 the Wright County Highway Department completed the replacement of the culvert under CSAH 8 along CD 31 as ordered in preparation for repairs.

Comments on the project were received from Dan Lais, the DNR Central Region Manager- Ecological & Water Resources Division, Waldermar Kern, a benefitted landowner on CD 31 and Andrew Grean regarding questions from Mel Millerbernd, a benefited landowner on CD 31.

Kaczmarek asked if any of the cost for engineering has been passed onto landowners from Phase 1. Detjen said that the cost is assessed to landowners and is currently pending.

Detjen said that the county has never completed an excavation project like this through a wetland. It will need to be excavated approximately every 10 years due to vegetation regrowth. A herbicide treatment could be used, but there would be a recurring treatment cost. Option four would offer the best value and most practical repair option.

Commissioner Darek Vetsch opened the public hearing at 10:40

Charlie Borrell 4359 70th St. SW Waverly, MN 55390

Borrell said that seven years ago, members of the community came to the board and said that the culvert was failing. It was an emergency repair and the township put a tube in but it was laid on top of the silt instead of digging down. Borrell said that he is not a benefitted landowner of CD 31 but being a past board member he wanted to state that boards prior to his or any current members terms neglected their job. The ditches were not cleaned or maintained. Borrell also said that the DNR did an ordinary high-water mark that came out higher than the road on Fillmore, showing that its work is not accurate.

Mel Millerbeird 8744 Dempsey Ave. SW, Waverly MN 55390

Millerbeird asked if Phase 1 was complete and said that he is not satisfied with the final grading. Vetsch said that public comment is currently open to topics germane to Phase 2 and to connect with Detjen after the meeting.

Doris Schindel 5743 85th St. SW, Waverly MN 55390

Schindel asked for clarification on option four. Detjen said that the work will start at Fillmore and go to CSAH 8 and will include the laterals but there will be no excavation upstream of Fillmore into Ruckles Lake.

Waldamar Kern 4955 CSAH 30 SW, Waverly MN 55390

Kern stated the Minnesota statute- definition of public waters. Ruckles Lake has been legally drained and is listed as park according to Planning and Zoning. Kern said that he has lived at his address for 40 years. In the past, Kern and a neighbor have cleaned out the ditch with their own tractors to help keep it flowing. Now the ditch and Kern's pasture are considered public land and what happens in Phase 2 will directly affect him. Kern said that he started with 126 acres, which he is paying taxes on, now according to the map he has 26 acres left and lakeshore property. Legally Wright County is supposed to maintain the ditch. Kern said that it is not public waters, he owns and pay taxes on the land.

Kaczmarek said that he has spoken to Kern prior to the meeting and that Kern would like the board to choose the repair that would drain Ruckles further and suggested that Phase 3 could be created to review Ruckles Lake.

Kern said that he doesn't need the lake drained. His main point is that he doesn't want people coming on his land. He is looking for his land back and have it not be considered public land.

Vetsch closed public hearing 11:06.

Vetsch said that the preferred staff alternative is option four and that it was articulated through the public comment that there was comfortability with option four.

Kaczmarek said that he received a suggestion to have evening meetings for people that work. Another point that was brought up to Kaczmarek was that the original purpose for ditches was to drain meadows and pastures. Large farms are now draining other waters that ditches weren't designed for. Kaczmarek said that there is room to look at processes and redefine intent of the Drainage Authority. He made a motion to approve option four and requested that landowner private crossings are not assessed to everyone.

Kaczmarek moved to direct staff to prepare an order on the acceptance of Phase 2 repair work from Fillmore avenue to County Road 8 SW on CD 31 and the bid alternates from option four at the base bid of \$102,242 through Ashwell Companies for the public drainage system repair report and to continue the matter for the purpose of considering and adopting an order no later than August 15, 2023. The motion was seconded by Holland. The motion passed 5-0.

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

D.* A 1. Administration- Appoint Chad Hausmann As Highway Engineer, Four Year Term Effective January 22, 2024, to April 30, 2028

County Administrator Lee Kelly said that the Personnel Committee made a recommendation to appoint Chad Hausmann as the Highway Engineer effective January 22, 2024, with the retirement of the current Highway Engineer, Virgil Hawkins. Assistant County Administrator Marc Mattice said that Assistant Highway Engineer Chad Hausmann is a current employee of Wright County with 26 years of professional engineering experience, and 24 of those years in a supervisory role.

Holland moved to approve the appointment of Chad Hausmann as Highway Engineer. The motion was seconded by Schoen. The motion passed 5-0.

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

E.* C 4. Finance- Approve Application Of Clearwater Legion-Legion Riders For A Large Group Assembly Permit For Event On July 29, 2023 Contingent on Approval from County Attorney.

Kaczmarek said that the application was missing some supporting documentation and there are outstanding items that need attention. Owner/Operator of Up the Creek Grill and Bar Jen Doherty said that this event would include a live band on a stage that has a back, sides and roof to help mitigate sound travel. The stage would be located on the property of Up the Creek and the open side of the stage would face the establishment. There was discussion regarding items that need attention. Those items include providing a diagram of adequate off-street parking, a contracted ambulance onsite and the Sheriff's contract extending at least one-half hour after last call. Vetsch asked for these items to be submitted no later than end of day Thursday, July 27, 2023.

Kaczmarek moved to approve the application of Clearwater Legion-Legion Riders for a large group assembly permit for event on July 29, 2023, contingent on approval from the County Attorney and the conditions listed, no later than end of day Thursday, July 27, 2023. The motion was seconded by Schoen. The motion passed 5-0.

F.* E4. Human Resources- Approve and authorize signatures on a Memorandum of Agreement (MOA) with the Wright County Deputies Association (WCDA) for the 2023-2025 collective bargaining agreement.

E5. Human Resources- Approve and authorize signatures on a Memorandum of Agreement (MOA) with MNPEA for the 2023-2025 collective bargaining agreement.

Diedrick said that she pulled this item to show that the County Board prioritizes and knows the importance of public safety. Diedrick asked Sheriff Sean Deringer to speak on the MOA. Deringer said that at the time

he approached the board in April 2023, the Sheriff's office was down 16 deputies, 11 correction officers and three dispatchers. Currently the Sheriff's Office has full staffing for deputies and dispatch, and four open positions in corrections, with multiple prospects. He said his office is continuing to move in a very positive direction. Deringer thanked the board for its willingness to listen and said that he is very proud of what Wright County has to offer.

Diedrick said that she appreciated how well thought out the MOAs were and thanked Deringer for valuing his staff and for the protection the Sheriff's Office gives to the people of Wright County.

Kaczmarek said that he would like to recognize the "thank you" that the board received from the Wright County Deputies Association. It was appreciated.

Diedrick moved to approve signatures on MOAs with the WCDA and MNPEA. The motion was seconded by Schoen. The motion passed 5-0.

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

VI. ITEMS FOR CONSIDERATION

A. ADMINISTRATION

1. Schedule a Committee of the Whole to Discuss Wright County Economic Development Partnership

A COTW has been scheduled for 11:00 a.m. Tuesday, August 8, 2023.

Schoen moved to approve scheduling a COTW on August 8, 2023. The motion was seconded by Kaczmarek. The motion passed 5-0.

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

B. COMMITTEE MINUTES

1. Approve and Adopt Recommendations from the July 11, 2023 Committee of the Whole

Diedrick moved to approve and adopt recommendations from the July 11, 2023, COTW. The motion was seconded by Schoen. The motion passed 5-0.

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

VII. ADVISORY COMMITTEE / ADVISORY BOARD UPDATES

Vetsch said that the board was going to forgo updates due to time.

VIII. ADJOURNMENT

The meeting adjourned at 11:10 a.m.

IX. WARRANTS ISSUED

A. Warrants Issued

County Board Minutes submitted by Caitlin Chovan, Administration Office Manager