

The Wright County Board met in regular session at 9:00 A.M. with Husom, Sawatzke, Daleiden, and Borrell present. Commissioner Potter was absent.

MINUTES

Husom moved to approve the 5-24-16 County Board Minutes, seconded by Borrell. The motion carried 4-0.

AGENDA

Petitions were accepted to the Agenda as follows under Auditor/Treasurer: Item 2, "Audit Exit Meeting" (Kelly). Daleiden moved to approve the Agenda as amended, seconded by Husom, and carried 4-0.

CONSENT AGENDA

Borrell moved to approve the Consent Agenda, seconded by Husom. Daleiden referenced Consent Item C authorizing attendance at the AMC District 5 Meeting on 6-13-16. He questioned whether Board members would be back in time for the Health & Human Services Board Meeting at 1:30 PM. Kelly was directed to inform the Human Services Director that the HHS Board Meeting will start at 2:00 P.M on 6-13-16. The motion carried 4-0 to approve the Consent Agenda:

- A. ADMINISTRATION
 - 1. Refer To Personnel Committee (6-22-16) Request For Reclassification Resulting In New Salary Range
- B. ADMINISTRATION
 - 1. Reappoint Stephen Michel To A Three (3) Year Term On Wright County Personnel Board Of Appeals Eff. 7-01-16
- C. ADMINISTRATION
 - 1. Authorize Attendance, AMC District 5 Meeting, 6-13-16, 8:00 AM - 12:00 PM, Meeker County Courthouse, Litchfield, MN
- D. ASSESSOR
 - 1. Approve Abatement, PID #155-999-444100 + Parcels listed, BNSF Railway Company. 107-999-444100, 205-999-444100, 208-999-444100, 109-999-444100, 212-999-444100, 101-999-444100, 105-999-444100, 101-999-444200, 213-999-444200, 219-999-444100, 211-999-444100, 114-999-444200, 220-999-444100, 112-999-444100, 116-999-444100, 208-999-444200, 211-999-444200, 118-999-444200, 114-999-444100, 118-999-444100, 213-999-444100, 218-999-444100.
- E. AUDITOR/TREASURER
 - 1. Approve Renewal of Annual On Sale 3.2 Malt Liquor License for NOSLO, Inc. DBA Albion Ridges Golf Course
 - 2. Approve Renewal of Annual On Sale (including Sunday) and Off Sale Liquor License for Up the Creek Grill & Bar, Inc.
 - 3. Position Replacement
 - A. Office Tech I
- F. AUDITOR/TREASURER
 - 1. Approve Claims as Listed in the Abstract, Subject to Audit, for a Total of \$459,126.97 with 268 Vendors and 382 Transactions
- G. HEALTH & HUMAN SERVICES
 - 1. Position Replacements:
 - A. Two Social Workers
 - B. Office Technician I
- H. HIGHWAY DEPARTMENT
 - 1. Position Replacements:
 - A. Two Highway Engineering Technicians
- I. PLANNING & ZONING
 - 1. Position Replacement:
 - A. Office Technician II - Position to be vacant after 6-03-16

J. PLANNING & ZONING

1. ALFRED NELSON - (Monticello Twp.) Planning Commission recommends on a 4/2 vote that the property be rezoned from AG General Agriculture and S-2 Residential-Recreational Shoreland to R-1 Urban-Rural Transitional and S-2.

K. SHERIFF'S OFFICE/JAIL

1. Authorize Signatures On MN DOC Release Violator Housing Contract, Eff. 7-01-16 TO 6-30-18

TIMED AGENDA ITEMS**BOB HIIVALA, AUDITOR/TREASURER**Approve Resolution Supporting Request by Riverwood National Townhomes Association, Inc. to Repurchase Two Parcels of Tax Forfeited Land (City of Otsego)

Brian Asleson, Chief Deputy Attorney, said two outlots were deeded by the developer to the Homeowners Association but they failed to pay taxes. The full amount of taxes, penalties and interest have since been paid. Daleiden moved to adopt Resolution #16-33 authorizing the request by Riverwood National Townhomes Association, Inc. to repurchase two parcels of tax forfeited land in the City of Otsego, PID #118-190-000080 and PID #118-190-000400. The motion was seconded by Borrell and carried 4-0 on a roll call vote.

AUDIT EXIT MEETING

Lee Kelly, County Coordinator, said the State Auditor's Office has asked to schedule an Audit Exit meeting. After discussing possible date options, it was the consensus that Kelly check to see if morning of 6-17-16 will work and to place that on the next Board Agenda if it does.

BRIAN ASLESON, CHIEF DEPUTY COUNTY ATTORNEYSale Of Property At 4030 Naber Avenue NE (Informational)

The Board previously approved Lampi Auction of Annandale to sell this County-owned property. It involves two parcels being sold together. The bid process opened yesterday and closes at 4:00 PM on 6-20-16. Asleson said Lampi has been asked to contact a couple of property owners who have expressed interest in the property. At the request of Daleiden, Asleson will research whether the two parcels can be combined into one as they are located in different sections. This was provided as an informational item.

CAPT. TODD HOFFMAN, SHERIFF'S OFFICEApprove Resolution Allowing Sheriff Joseph Hagerty To Enter Into The Master Subscriber Agreement for MN Court Data Services With The Minnesota Office Of State Court Administration

The State Court Administrator's Office has implemented a new Court Data Service which provides remote electronic access to court records and documents. Entering into the Agreement will allow continued access to Court data by the Sheriff's Office.

Daleiden moved to adopt Resolution #16-34 authorizing Sheriff Joseph Hagerty to enter into the Master Subscriber Agreement for MN Court Data Services with the Minnesota Office of State Court Administration. The motion was seconded by Husom and carried 4-0 on a roll call vote.

VIRGIL HAWKINS, HIGHWAY ENGINEERApprove Agreement with MnDOT for CSAH 35 Roundabout Project Funds

This will allow the County to pre-purchase street lighting poles and luminaires with reimbursement with federal funds. Daleiden moved to adopt Resolution #16-35, seconded by Borrell, and carried 4-0 on a roll call vote.

Approve Hwy 25 Corridor Coalition Agreement (Revised)

The Joint Powers Agreement is between Wright County, Sherburne County, the Cities of Monticello and Big Lake, and Big Lake Township relating to the TH 25 Corridor between I-94 and TH 10. The Agreement was presented to the Wright County Board on 4-05-16 and no action was taken, pending revision of Item 9 of the Agreement. The revised Agreement has been signed by the other involved agencies. Daleiden moved to approve the JPA, seconded by Husom, and carried 4-0.

ITEMS FOR CONSIDERATION**5-25-16 BUILDING COMMITTEE MINUTES**

On a motion by Daleiden, second by Borrell, all voted to approve the 5-25-16 Building Committee Minutes. The Building Committee Minutes follow:

I. Annex Restroom

Wilczek provided updates on the project status since last discussed at the May 10, 2016 building committee meeting. In that meeting it was recommended to proceed with obtaining prices from architects to create bid documents and obtain pricing from general contractors. Along with HCM (who completed the initial fit plan concept drawings), Larson Associates and Nelson Architects were also contacted to obtain proposals. Larson Associates provided response that they are too busy to take on more work and the quote from Nelson is not yet completed. Nelson will be submitting their proposal for consideration the week of May 30th.

Recommendation:

Daleiden and Potter recommended continuing to pursue the architect proposals for discussion and consideration at a future date.

II. IT Expansion

Tagarro provided an overview on the IT Expansion process. The department is planned to be moved out of the old space and into the expansion space with temporary furniture setup by 5/26/16. Custodial staff has been disassembling old furniture pieces as staff members leave their workstations. Wright Hennepin Security will be adding the security components to the new space on 5/27/16 with cabling and electrical services already completed. Ernst Construction will be on site by 5/31/16 to begin construction work in the old space. Phase 1 furniture will be installed by June 15th and the final furniture will be complete by July 12th.

Recommendation:

Daleiden and Potter recommended continuing to move forward and continuing to provide updates on progress.

III. Elevator Repairs

Wilczek provided an update related to the Courts Elevator proposal from Minnesota Elevator (MEI) discussed on 5/10/16. The proposal for \$79,965 was communicated as a required set of updates, but after researching further, there were no documents found tying the updates to a code violation. MEI said in a follow up discussion that they are making the recommendation to update the cab and components to bring the system to a modern status as the system is very old and outdated. A second opinion was recommended at the 5/10/16 meeting and ThyssenKrupp Elevator was contacted by Wilczek to provide a proposal. ThyssenKrupp has reviewed the cab & machine room, and their proposal for consideration is expected by 5/27/16.

Recommendation:

Daleiden and Potter recommended to continue working to obtain a second opinion and proposal with ThyssenKrupp so that the price will be available for further consideration and discussion at the next building committee meeting.

IV. Public Works Deferred Maintenance & Remodel

Wilczek provided an update on the status of the project since the building committee meeting on 5/17/16. At the recommendation of Potter and Daleiden, Larson Associates were contacted for a price quote to create drawings for the public works building interior remodel. They declined the work stating they were too busy right now to take on more, so Nelson architects were approached for a proposal which will be submitted the week of May 30th. Marc Mattice itemized a list of project items to consider and they were presented by both Wilczek and R. Borell. It was noted that the document was an all-encompassing list of items for consideration.

Recommendation:

It was recommended by Daleiden and Potter to move forward with having the overhead crane tested as noted in item 6 and having the drains cut/jetted as noted in item 4 of the "items to note" on the 3rd page. It was also recommended to continue working to obtain pricing on the itemized list of projects for consideration and to obtain a quote from an architect for the development of bid documents.

(End of 5-25-16 Building Committee Minutes)

TIMED AGENDA ITEMS**MARC MATTICE, PARKS & RECREATION**Authorization Of Signatures On All Documents Related To Phase 9 & 10 Acquisitions at the Bertram Chain Of Lakes Regional Park Including:

- A. Phase 9 Purchase Agreement
- B. Phase 10 Purchase Agreement
- C. Seventh Addendum To The Memorandum Of Understanding Between Wright County, City Of Monticello, & The YMCA

On 5-12-15 the County Board authorized the local cash match of \$200,090 for Phase 9 acquisition and the City of Monticello committed to an equal share on 7-13-15. On 10-20-15, the County Board authorized the local cash match of \$345,000 for Phase 10 acquisition and the City of Monticello committed to an equal share on 12-14-15. Mattice would like to close by the end of June. After this acquisition, 41 acres of athletic fields remain for final purchase in 2017. Funding for the purchase and closing costs are allocated in the 2016 CIP budget.

Daleiden moved to authorize signatures for Phase 9 and Phase 10 acquisitions and for the Seventh Addendum to the Memorandum of Understanding between Wright County, the City of Monticello, and the YMCA. The motion was seconded by Borrell and carried 4-0.

ITEMS FOR CONSIDERATION**5-16-16 COMMITTEE OF THE WHOLE (COTW) MINUTES**

A COTW Meeting was held on 5-16-16 with Enel Green Power relating to the Geronimo Energy solar project at the Lake Pulaski location. At today's County Board Meeting, Sawatzke said that representatives of Enel Green Power indicated they would respond within 10 days relating to issues involving township roads, roads built on site, and alteration of the site. Enel Green Power said they would reach out to Xcel on the power pole issue. Sawatzke said the 10 days passed without response other than Enel Green Power indicating the County should contact Xcel directly. An email has been sent to Enel Green Power on the other topics listed.

Discussion followed on the location of power poles in the road right of way. It was suggested that Kelly and Greg Kryzer, Assistant County Attorney, draft a letter to Xcel Energy asking about the power poles and whether they can be moved. Discussion led to right of way permits. Daleiden suggested that townships be informed that they should address right of way in their ordinances. Sawatzke said as it pertains to solar, right of way will be addressed in the new ordinance. However, those solar projects approved by the State will not be covered by such an ordinance. Sawatzke said the next Solar group meeting will be held on 6-10-16 where discussion will include power poles and interconnection. Daleiden said Xcel Energy should be invited to that meeting.

Husom moved to direct Kelly and Kryzer to draft a letter to Xcel Energy, seconded by Daleiden. The motion includes staff contacting Don Schmidt of Buffalo Township to find out whether Buffalo Township's Attorney has sent correspondence to Xcel Energy, which can be referenced in the letter. The motion carried 4-0.

On a motion by Daleiden, second by Husom, all voted to approve the 5-16-16 COTW Minutes and recommendations:

- I. Informational Meeting with Enel Green Power

McGee Provided an overview of the development history of the solar project at the Lake Pulaski location. This project was developed by Geronimo Energy and then purchased by Enel Green Power. He noted inconsistencies can arise in the transition from developer to final owner of a solar project. McGee expressed that Enel Green plans to be in the area a long time in wants to be a good neighbor. They are willing to listen to concerns and take action to keep residents happy.

Kleist discussed the Township's understanding of this project as it was explained to them initially by Tena Rytel of Geronimo Energy. There have been discrepancies between the township's understanding of the project and what has taken place to date. Specific concerns relate to removal of topsoil, removal of trees, creation of gravel roads on the site and utility poles placed in the right of way.

McGee stated he would revisit the site plans with the project engineers to see if the proposed roads could be

5-16-16 COTW Minutes (cont.):

built without hauling in gravel to the site. He noted it is planned that 4 inches of topsoil will be moved to level the site, but no soils will leave the site. They will try to minimize the amount of soil moved, however a berm is to be built and trees planted to provide screening to the neighbors. Vegetation will be planted on the site using a seed mix approved by the DNR. Maintenance of the site will be handled by local crews.

Of the 16 sites in Minnesota owned by Enel Green, the Lake Pulaski site required the removal of the largest area of trees. McGee clarified that the utility poles placed near the site were put in place by Xcel Energy rather than Enel Green. McGee will address this concern with Xcel and request the transmission lines be moved underground.

There was discussion on the siting and permitting process of solar projects noting the Public Utilities Commission permitted this project, rather than the County or Township. The energy generated by this site will be sold to utility companies. The Lake Pulaski site is designed to generate 7.5 megawatts and will consist of 34,728 three foot by eight foot solar panels. Enel Green has paid to upgrade the substation as part of this project.

Sawatzke inquired about the conditional requirements set for this project as part of the PUC permits. McGee stated they are numerous and address such topics as fencing, length of access road, as well as PCA and DNR requirements. All materials related to the project can be found at the Department of Commerce eDocket: <http://mn.gov/commerce/energyfacilities/Docket.html?Id=33924>

Concerns regarding truck traffic near the site were discussed. Kleist cautioned that road weight restrictions must be followed on township roads.

Future questions, issues, or complaints should be addressed to Harrison as per the PUC Complaint reporting procedure.

Mc Gee will follow up with Xcel regarding the power poles in the right of way and review the site plan to minimize the moving of soils onsite. He suggested a meeting every other month for updates on the project.

Recommendation: Meet again on July 18th 1:30PM at Buffalo Township Hall
(End of 5-16-16 COTW Minutes)

TIMED AGENDA ITEMS**GREG KRYZER, ASSISTANT COUNTY ATTORNEY**Adopt Ordinance Creating the Code of Ordinances of Wright County, Minnesota

Action will create a new revised and restated Code of Ordinances, which will be effective 7-01-16. The Planning Commission held a Public Hearing on the codification on 5-12-16. Daleiden moved to adopt the revised and restated Code of Ordinances for Wright County, seconded by Borrell. The motion carried 4-0. The Ordinance language follows:

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR THE COUNTY OF WRIGHT, STATE OF MINNESOTA, REVISING, AMENDING, RESTATING, CODIFYING AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES.

WHEREAS, the present general and permanent ordinance of the political subdivision are inadequately arranged and classified and are insufficient in form and substance for the complete preservation of the public peace, health, safety and general welfare of the County and for the propose conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Minnesota empower and authorize the County of Wright to revise, amend, restate, codify and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Board of Commissioners for the County of Wright has previously authorized a general compilation, revision and codification of the ordinances of the County of Wright of a general and permanent nature and publication of such ordinance in book form; and

NOW THEREFORE, THE COUNTY OF WRIGHT HEREBY ORDAINS:

Section 1. The general ordinances of the County of Wright as revised, amended, restated, codified, and compiles in book form are hereby adopted as and shall constitute the "Code of Ordinance of Wright County, Minnesota."

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles:

Chapter

TITLE I: GENERAL PROVISIONS

10. Rules of Construction; General Penalty

TITLE III: ADMINISTRATION

30. County Policies

TITLE V: PUBLIC WORKS

50. Highways
51. Right-of-Way Management

TITLE VII: TRAFFIC CODE

[Reserved]

TITLE IX: GENERAL REGULATIONS

90. Dangerous Dogs
91. Large Assemblies
92. Parks and Recreation
93. Public Health; Nuisances
94. Explosives
95. Zero Phosphorous

TITLE XI: BUSINESS REGULATIONS

110. Tobacco Regulations

TITLE XIII: GENERAL OFFENSES

130. Social Hosts; Responsibilities
131. Water Surface Use

TITLE XV: LAND USAGE AND ZONING

- 150. General Provisions
- 151. Building Code and Construction Standards
- 152. Feedlots
- 153. (Reserved)
- 154. Subdivisions
- 155. Zoning
- 156. Solid Waste
- 157. Point of Sale Septic Certification

TABLE OF SPECIAL ORDINANCES

[Reserved]

PARALLEL REFERENCES

References to Minnesota Statutes
References to Minnesota Rules
References to Minnesota Regulations
References to Resolutions
References to Ordinances

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Section 3. Effective July 1, 2016, all prior ordinances pertaining to the subjects treated in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and reordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right established prior to the effect date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, imposing a moratorium, appropriating money, establishing franchises, or granting special rights of certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorized the purchase or sale of real property or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting boundaries of street or other public places, nor shall such repeal affect any other ordinance of a temporary or special nature pertaining to subjects not contained in or covered by the Code.

Section 4. Such Code shall be deemed effective on July 1, 2016 and the Clerk of the Wright County Board of Commissioners is hereby authorized and ordered to file a copy of such Code of Ordinance in the Office of the Clerk, the Office of the Wright County Recorder, and in the Wright County Law Library.

Section 5. Such Code shall be in force and effect on July 1, 2016 and all dates thereafter, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties and regulations therein contained and of the state of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

(End of Ordinance Enacting a Code Of Ordinances For The County Of Wright, State Of Minnesota)

Kryzer stated that staff is recommending that the new Code of Ordinances be amended because of outdated information, stylistic changes, and cross references that need update. The proposed amendment also includes the

Commercial Outdoor Tourism changes approved by the County Board on 5-03-16. Kryzer stated that the Public Hearing held by the Planning Commission on 5-12-16 includes these amendments. Daleiden moved to adopt Ordinance Amendment 16-2, seconded by Husom, and carried 4-0. Ordinance Amendment 16-2 follows:

Ordinance Amendment Number 16-2

The County Board of Wright County Hereby Ordains:

AMENDMENTS TO THE WRIGHT COUNTY RESTATED AND REVISED CODE

Article I – Amendments to the Building Code

Sec. 1.

§ 151.01 BUILDING CODE ADOPTED.

The Minnesota State Building Code, hereinafter referred to as “the Code”, as adopted by the state’s Department of Labor and Industry pursuant to Minnesota Chapter 326B M.S. §§ 16B.59 to 16B.75, including all of the amendments, rules and regulations established, adopted and published from time to time by the state’s Department of Labor and Industry, through the Building Codes and Standards Division is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this subchapter. The Code is hereby incorporated in this subchapter as if fully set out herein.
(Ord. 99-02, passed 6-10-2008)

Article II - Amendments to the Subdivision Ordinance

Sec. 1.

§ 154.36 DATA REQUIRED ON FINAL PLATS.

(2) Notarized certification by owner and by a registered land surveyor, to be worded as follows:

I, *(surveyor’s name)*, do hereby certify that this plat was prepared by me or under my direct supervision; that I am a duly Licensed Land Surveyor in the State of Minnesota; that this plat is a correct representation of the boundary survey; that all mathematical data and labels are correctly designated on this plat; that all monuments depicted on this plat have been, or will be correctly set within one year; that all water boundaries and wet lands, as defined in Minnesota Statutes, Section 505.01, Subd. 3, as of the date of this certificate are shown and labeled on this plat; and all public ways are shown and labeled on this plat.

Dated this _____ day of _____, 20__.

(Print name of surveyor), Licensed Land Surveyor
Minnesota License No. _____

I do hereby certify that I have surveyed and platted the property described in the dedication of this plat as _____ Addition; that this plat is a correct representation of said survey; that all distances are correctly shown on said plat in feet and nearest hundredth of a foot; that all monuments have been correctly placed in the ground as shown on the plat; that the

outside boundary lines are correctly designated on the plat; and that there are no wetlands or other public highways to be designated on said plat other than shown thereon.

Surveyor
MN Registration No.

(3) Certification showing that all taxes due on the property have has been paid in full:

(a) County Auditor/Treasurer:

Wright County Auditor/Treasurer

Pursuant to Minnesota Statutes, Section 505.021, Subd. 9, taxes payable in the year 20__ on the land hereinbefore described have been paid. Also, pursuant to Minnesota Statutes, Section 272.12, there are no delinquent taxes and transfer entered this __ day of _____, 20__.

_____ By: _____
Wright County Auditor/Treasurer Deputy

Taxes paid for all years through _____ year and transfer entered this _____ day of _____, A.D., 20_____.

County Auditor/Treasurer _____

(b) County Auditor/Treasurer:

I hereby certify that taxes payable in the year _____ on lands herein described are paid, this day of _____, A.D., 20_____.

County Treasurer _____

(4) County Planning Commission:

WRIGHT COUNTY PLANNING COMMISSION

Be it known that at a meeting held on this _____ day of _____, 20____, the Planning Commission of the County of Wright, Minnesota, did hereby approve this plat of NAME OF PLAT.

_____ Chairperson

WRIGHT COUNTY HIGHWAY ENGINEER

This plat was reviewed and recommended for approval this ____ day of _____, 20____.

Wright County Highway Engineer

(8) County Recorder:

WRIGHT COUNTY RECORDER

I hereby certify that this instrument was filed in the office of the County Recorder for record on this ____ day of _____, 20____, at _____ o'clock __.M. and was duly recorded in Cabinet No. _____, Sleeve _____, as Document No. _____.

Wright County Recorder

I hereby certify that the instrument on this plat was filed in this office for record on the ____ day of _____, A.D., 20____, at _____ o'clock __.M., and duly recorded in Cabinet No. _____, Document No. _____.

Wright County Recorder

(Amended June 7, 2016)

Article III – Amendments to the Zoning Ordinance

Sec. 1.

§ 155.056 FLOODPLAIN OVERLAY DISTRICT (FP).

- (C) *Floodway area.*
- (3) *Conditional uses.*
 - (a) Structures accessory to the uses listed in division (C)(2) above and the uses listed below;
 - (b) Extraction and storage of sand, gravel and other material;
 - (c) Marinas, boat rentals, docks, piers, wharves and water control structures;
 - (d) Railroads, streets, bridges, utility transmission lines and pipelines;
 - (e) Storage yards for equipment, machinery or materials;

- (f) Placement of fill;
- (g) Travel trailers and travel vehicles either on individual lots of record or in existing or new subdivisions or commercial or condominium type campgrounds, subject to the exemptions and provisions of § 155.056 (H) below; and
- (h) Structural works for flood control such as levees, dikes and flood walls constructed to any height where the intent is to protect individual structures and levees or dikes where the intent is to protect agricultural crops for a frequency flood event equal to or less than the ten-year frequency flood event.

Sec. 2.

§ 155.058 WILD AND SCENIC RIVER DISTRICT (W).

- (E) *Performance standards.*
- (1) *Lot area regulations.*
 - (a) The minimum lot size shall be two acres;
 - (b) Lot width at building line: 200 feet; and
 - (c) Lot width at ordinary high water mark: 200 feet.
- (2) *Setback requirements.*
 - (a) (Also apply to tributaries designated in NR 24000.)
 - (b) Building setbacks:
 - (a)1. From ordinary high water mark: 100 feet;
 - (b)2. From bluffline: 30 feet;
 - (c)3. From side yard: 30 feet for principal use and accessory uses over 800 square feet;
 - (d)4. Other accessory uses: ten feet;
 - (e)5. From roads: county or state highway 130 feet from centerline;
 - (f)6. Township or other road: 65 feet from centerline;
 - (g)7. From rear yard (non-riparian): 50 feet;
- (3) *General setbacks and standards:*
 - (a) On-site sewage treatment system setback from ordinary high water mark: 75 feet;
 - (b) Maximum structure height: 35;
 - (c) Controlled vegetative cutting area setback from ordinary high water mark: 100 feet.
 - (d) No structure shall be placed on any slope greater than 13% (13 feet vertical rise in 100 feet horizontal distance) unless such structure can be screened and sewage disposal system facilities can be installed.

(e) No structures shall be placed in any floodway. Structures proposed within a floodplain shall be consistent with the Floodplain District of this chapter.

(f) For substandard lots of record, setback standards may be reduced to coincide with the Urban/Rural Transition (R-1) District (' 155.049(F)(7) of this chapter).

(4)(g) *Substandard Lots* Substandard lots: lots of record in the office of the County Recorder on the effective day of enactment of this chapter which do not meet the dimensional requirements of this chapter shall be allowed as building sites, provided: such use is permitted in the land use district(s); the lot was in separate ownership on the date of enactment of this chapter; all sanitary and dimensional requirements are complied with, as practicable; and the lot is at least 20,000 square feet in area.

(5)(3) *Vegetative cutting.*

(a) Within the controlled vegetative cutting areas clear cutting, except for any authorized public services such as roads and utilities, shall not be permitted.

(b) Selective cutting of trees in excess of four inches in diameter at breast height shall be permitted providing cutting is spaced in several cutting operations and a continuous tree cover is maintained.

(c) The above cutting provisions shall not be deemed to prevent:

1. The removal of diseased or insect infested trees, or of rotten or damaged trees that present safety hazards; and

2. Pruning understory vegetation, shrubs, plants, bushes, grasses or from harvesting crops or cutting suppressed trees or trees less than four inches in diameter at breast height.

(6)(4) *Clear cutting.* Clear cutting anywhere in the designated land use district on the Mississippi River is subject to the following standards and criteria.

(a) Clear cutting shall not be used as a cutting method where soil, slope or other watershed conditions are determined by the zoning authority to be fragile and subject to severe erosion and/or sedimentation.

(b) Clear cutting shall be conducted only where clear-cut blocks, patches or strips are, in all cases, shaped and blended with the natural terrain.

(c) The size of clear-cut blocks, patches or strips shall be kept at the minimum necessary.

(d) Where feasible all clear cuts shall be conducted between September 15 and May 15. If natural regeneration will not result in adequate vegetative cover, areas in which clear cutting is conducted shall be replanted to prevent erosion and to maintain the aesthetic quality of the area. Where feasible, replanting shall be performed in the same spring or the following spring.

(7)(5) *Grading, filling, alterations of beds of public waters.* Any grading and filling work done shall require a permit and shall comply with the following.

(a) Grading and filling of the natural topography which is not accessory to a permitted or conditional use shall not be permitted.

(b) Grading and filling of the natural topography which is accessory to a permitted or conditional use shall not be conducted without a grading and filling permit from the zoning authority.

(c) Grading and filling of the natural topography which is accessory to permitted or conditional use shall be performed in a manner which minimizes earthmoving, erosion, tree clearing and the destruction of natural amenities.

(d) Grading and filling of the natural topography shall also met the following standards.

1. The smallest amount of bare ground is exposed for as short a time as feasible.
2. Temporary ground cover such as mulch is used and permanent ground cover such as sod is planted.
3. Methods to prevent erosion and to trap sediment are employed.
4. Fill is established to accept engineering standards.

(8)(6) *Utility transmission lines.* All utility transmission crossings of land within the Mississippi River land use district(s) shall require a conditional use permit. The construction of such transmission services shall be subject to the standards and criteria of the Minn. Regulations NR 79(i)(2).

(9)(7) *Public roads.* In addition to such permits as may be required by M.S. §§ 103G.301 through 130G.315, as it may be amended from time to time, a conditional use permit shall be required for any construction of reconstruction of new public roads within the Minnesota River land use district(s). Such construction or reconstruction shall be subject to the standards and criteria of Minn. Regulations NR 79(j)(2). A conditional use permit is not required for minor public streets which are streets intended to serve primarily as an access to abutting properties.

(10)(8) *Land suitability.* No land shall be subdivided which is determined by the governing body, or the Commissioner, to be unsuitable by reason of flooding, inadequate drainage, soil and rock formation with severe limitations for development, severe erosion potential, unfavorable topography, inadequate water supply or sewage treatment capabilities or any other feature likely to be harmful to the health, safety or welfare of the future residents of the proposed subdivision or the community.

(11)(9) *Planned cluster development.* A planned cluster development may be allowed subject to the requirements of ' 155.059 of this chapter only when the proposed clustering provides a better means of preserving agricultural land, open space, woods, scenic views, wetlands and other features of the natural environment than traditional subdivision development. Except for minimum setbacks and height limits, altered dimensional standards may be allowed as exceptions to this chapter for planned cluster developments; provided:

- (a) Preliminary plans are approved by the Commissioner prior to their enactment by the governing body.
- (b) Central sewage facilities are installed which meet the standards, criteria, rules or regulations of the state's Department of Health and the Pollution Control Agency.
- (c) Open space is preserved. This may be accomplished through the use of restrictive deed covenants, public dedications, granting of scenic easements or other methods.
- (d) There is not more than one centralized boat launching facility for each cluster.

(12)(10) *General regulations.* Requirements for signs, parking, sewage disposal and the like are set forth in §§ 155.075 through 155.108 of this chapter.

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Sec. 3.

§ 155.088 NUISANCES.

(B) *Livestock and animals.*

(1) In all zoning districts, livestock, poultry and farm animals shall not be allowed on any lots or parcels smaller than four acres. On lots larger than four acres in the A/R, R-1, R-2, R-2(a), R-3, S-1, S-2, S-3 and W Districts, animals shall be allowed at a maximum density of one-half animal unit per acre. Parcels in the A/R District and all Residential Districts are limited to less than ten animal units total regardless of acreage. These restrictions shall not apply to normal farm operations existing prior to the adoption of this chapter or to farms in the AG District on parcels over ten acres in size. Livestock shall include those animals listed in § 155.003(B)(5)(b) of this chapter, except for dogs, cats and rabbits as domestic pets.

Sec. 4.

§ 155.090 SEWAGE AND WASTEWATER TREATMENT AND DISPOSAL STANDARDS.

(B) *General provisions.*

(6) *Permit requests.* When either of the following occur EHO department will review records of the SSTS on the property to determine adequate conformance. Said review may require conformance to Minn. Rules part 7080.2450, subpart 2, and/or require a certification of compliance of the SSTS:

(a) Any time that a permit is applied for in a shoreland management area (1,000 feet of a lake, pond or flowage or 300 feet of a river or stream or the landward extent of a floodplain); or and

(b) With the addition of a bedroom on the property.

(10) *Abandonment SSTSs.* SSTS must be properly abandoned according to Minn. Rules part 7080.2500.

(a) If the individual abandoning a SSTS is not a licensed SSTS professional, the abandonment must be inspected by a licensed SSTS inspector.

(b) A state abandonment document must be submitted to the local unit of government within 90 days of abandonment.

Sec. 5.

§ 155.090 SEWAGE AND WASTEWATER TREATMENT AND DISPOSAL STANDARDS.

(C) *Site evaluation and design requirements.*

(9) *Bedroom additions; existing compliant complaint SSTS.* Bedroom additions with an existing compliant SSTS where the treatment area cannot be practically increased to the proper treatment area size, shall be time dosed.

(11) *Remediation; Permit required; operational components added.* A permit shall be required when an operational component is added, or a method employed to an SSTS to recover a failing treatment area. Required information for this permit will be a description of what is wrong with the existing SSTS, an inspection/compliance of the components of the system, a lab sample of the existing effluent to determine abnormalities, and a preliminary site evaluation of what the upgrade options will be on the property if remediation fails to correct the problem. A management plan/operating permit will also be required.

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Sec. 6

Table 3: Minimum Setback Distances (Feet)			
	Sewage or Holding Tank	Soil Treatment or Absorption Area	Building Sewer or Supply Pipes
All public water wetlands as defined by M.S. ' 103G.005, subd. 15a, as it may be amended from time to time, or successor statute	50	50	-
Buildings***	10	20	
Buried pipe distributing water under pressure*	10	10	10
Buried water suction pipe*	50	50	50**
General development lakes	50	50	-
Ordinary high water mark of the following types of lakes and rivers:			
<u>General development lakes</u>	<u>50</u>	<u>50</u>	<u>-</u>
<u>Recreational development lakes</u>	<u>75</u>	<u>75</u>	<u>-</u>
Natural environmental lakes	150	150	-
Recreational development lakes, Mississippi River, agricultural rivers and tributaries as defined in ' 155.057(D) of this chapter	75	75	-
Transitional river segments (north fork of the Crow)	150	150	-
Property lines****	10	10	-
Subsurface drainage systems such as field tile lines	50	50	-
Surface drainage systems such as open ditches	30	30	-
Water supply wells* (50 feet of continuous casing or encountering 10 feet of impervious material)	50	50	50**
Water supply wells* (less than 50 feet of continuous casing)	50	100	50**
<p>NOTES TO TABLE:</p> <p>* Setbacks from buried water pipes and water supply well as governed by Minn. Rules Ch. 4715 and 4725, respectively.</p> <p>** The setback can be reduced from 50 to 20 feet if the building sewer or supply pipe is air tested by holding 5 pounds of air pressure for 15 minutes.</p> <p>*** For structures other than buildings these setbacks may be reduced if necessary due to site conditions, but in no case shall any part of the individual sewage treatment system be located under or within the structure. For this provision to be employed there shall not be interior space below the structure. For the new construction of a structure without interior space below the structure no part of the absorption area shall encroach closer than 10 feet.</p>			

Table 3: Minimum Setback Distances (Feet)			
	Sewage or Holding Tank	Soil Treatment or Absorption Area	Building Sewer or Supply Pipes
**** The setback from the treatment area to the platted road may be reduced with written approval from the road authority. The Board of Adjustment shall review variance requests, including those from common property lines, per ' 155.026 in this chapter.			

Sec. 7

§ 155.097 SIGN REGULATIONS.

(H) *Exempt signs.* Unless prohibited in division (I) following signs shall be authorized in all zoning districts and shall not require a permit. These exemptions, however, shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this chapter or any other law or ordinance regulation the same.

- (1) *Governmental entity owned signs.* Any signed owned or maintained by a governmental entity.
- (2) *Changing displays.* The changing of the display surface on a previously approved painted or printed sign.
- (3) *One sign; specific size.* One sign six square feet or less in size and no more than five feet in height per property.
- (4) *Non-commercial signs.* Non-commercial signs beginning 46 days before the state primary in a state general election year until ten days following the state general election.
- (5) *Elections.* When the date of a local, municipal, county, township, or school election does not correspond with the state primary or state general election, non-commercial signs may be erected, within the jurisdiction conducting the election, and maintained beginning 46 days before any scheduled primary or general election until ten days following the general election.
- (6) *Newly platted subdivision or development.* Each newly platted subdivision or development shall be allowed one sign, at each entrance of the subdivision or plat. Each sign shall not exceed 96 square feet in surface area and no more than 15 feet in height. Each sign shall be allowed for one year after the recording of the plat, or for 30 days after the last property or parcel in the plat is sold or transferred, whichever is later.
- (7) *Additional signs; size.* Every parcel of property is entitled to additional signs totaling but not exceeding 12 square feet in surface area and no more than five feet in height while the parcel of property is actively being marketed for sale or rent.
- (8) *One sign permitted; size and location.* Every parcel of property shall be entitled to one sign no more than 120 square inches in surface area to be placed in all of the following locations:
 - (a) On the front of a residence;
 - (b) On each side of an authorized United States Postal Service mailbox;
 - (c) On one post which measures no more than 48 inches in height and four inches in width.
- (9) *Additional sign for event; duration.* Every parcel of property is entitled to additional signs totaling, but not exceeding, 24 square feet in surface area and no more than 15 feet in height when there is an event at the subject property and not posted for more than 28 days.

(10) *Additional signs; construction of building.* Every parcel of property is entitled to additional, unilluminated signs, to be used during the construction of a building, and which in total are not to exceed 12 square feet each in surface area and are no more than 15 feet in height. Said signs shall be removed within six months from the start of construction.

(11) *Traffic flow.* In the interest of safe traffic flow, every parcel of property is entitled to additional signs totaling, but not exceeding, 24 square feet in surface area and no more than 15 feet in height.

Sec. 8

(I) *Signs prohibited.*

(6) Abandoned signs shall be removed by the owner or lessee of the premises upon which the sign is located. If the owner or lessee fails to remove the sign, the Zoning Administrator shall remove it in accordance with division (K)(3)(L)(3) below. These removal provisions shall not apply where a succeeding owner or lessee has a valid conditional use permit and agrees to maintain the signs as provided in this chapter or changes copy on the signs in accord with a valid conditional use permit and provided the signs comply with the other provisions of this chapter.

Sec. 9

(I) *Signs prohibited.*

(8) Unless otherwise noted, no sign shall be placed on public street/traffic signs, utility poles or public property. Signs in violation of this division (F)(9) may be removed by county personnel at their discretion, without advance notice to the sign owner.

Sec. 10

§ 155.108 SOLAR ENERGY FARMS AND SOLAR ENERGY SYSTEMS.

(C) *Solar energy systems requirements and standards.*

(1) Solar energy systems ten kilowatts and under are a permitted accessory use in all zoning districts. Solar energy systems over ten kilowatts and not exceeding 100 kilowatts require a conditional use permit.

(2) Solar energy systems 100 kilowatts and under are a permitted accessory use in the General Agricultural (AG) Zoning District.

(a) *Accessory building limit.* Solar energy systems, either roof or ground-mounted, do not count as an accessory building for the purpose of limits on accessory buildings.

(b) *Height.* Solar energy systems are subject to the following height requirements:

1. Building or roof-mounted roof-smounted solar energy systems shall not exceed the maximum allowed height in any zoning district.

Sec. 11

155.003 RULES AND DEFINITIONS.

(B) *Definitions.* For the purpose of this chapter, the following definitions apply unless the context clearly indicates or requires a different meaning.

(25) **COMMERCIAL AGRICULTURAL TOURISM.** Commercial Agricultural Tourism is a rural commercial operation that is connected to a primary agricultural use and may include orchards, wineries, the promotion of agriculture or the natural environment, or the use of the rural outdoor environment for events such as weddings and gatherings. Commercial Agricultural Tourism may allow for the construction of accessory structures to be used for events and special gatherings of people to be held within such structures. Food catering and limited food preparation, along with limited retail that is directly associated with the Commercial Agricultural Tourism use may be allowed.

A conditional use which is ancillary to a primary agricultural use on property with a land area at least ten acres in size and has a residence or agricultural entitlement. **COMMERCIAL AGRICULTURAL TOURISM** can allow for accessory structures to be constructed for events and other gatherings of people to be held inside. Food catering and preparation, along with limited retail, which is associated with the **COMMERCIAL AGRICULTURAL TOURISM** use may be allowed.

Sec. 12.

Add Section 155.109:

§155.109 COMMERCIAL AGRICULTURAL TOURISM

(A) Purpose. This section is adopted for the purpose of:

(1) Preserving Wright County's agricultural and rural heritage and landscapes.

(2) Enhancing Wright County's appeal to visitors who are drawn to its rural and agricultural environment.

(3) Providing opportunities for new economic growth through Commercial Agricultural Tourism.

(4) Allowing for Commercial Agricultural Tourism that does not conflict with permitted agricultural operations and developed residential areas.

(B) Standards. The following standards shall apply to all Commercial Agricultural Tourism Uses.

(1) Commercial Agricultural Tourism shall be located on a parcel of at least ten acres in size which has a residence or entitlement.

(2) Commercial Agricultural Tourism shall be shown to have a unique or demonstrable relationship with Wright County and be correlated to agricultural and rural features in accordance with the above stated purposes.

(3) Large scale events and gatherings held inside a building must be associated with an outdoor agricultural or rural outdoor activity, be seasonal or part-time in nature. Any associated food must be catered. The Planning Commission may allow for limited food preparation provided it meets the underlying intent of the Commercial Agricultural Tourism Use. Alcohol must be catered.

(4) Commercial Agricultural Tourism shall require a Conditional use Permit in accord with Section 505 of the Wright County Zoning Ordinance and must comply with the Wright County Land Use Plan.

(C) Conditions. As part of any Conditional Use Permit the Planning Commission shall adopt conditions which address the following criteria:

(1) Must not create an excessive demand upon existing services or amenities.

(2) Must be screened or able to be screened adequately, or are sufficiently separated from adjacent residences to prevent negative impacts to nearby properties.

(3) Must have an appearance that is consistent and compatible with the surrounding area and land uses.

(4) Must not cause traffic hazards or undue congestion.

(5) Must not negatively impact surrounding residences and neighbors by the intrusion of noise, glare, odor, or other adverse effects.

(Originally Adopted 5-3-2016, Amended June 7, 2016)

Article IV – Solid Waste Ordinance

Sec. 1

§ 156.16 DEFINITIONS.

(P) **SOLID WASTE.** Waste as defined in M.S. § 116.06, subd. 22 subd. 10, as it may be amended from time to time, including garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semi-solid liquid or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste water effluents or discharges which are point sources subject to permits under § 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Sec. 2.

§ 156.99 PENALTY.

(A) Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to § 10.99 of this code of ordinances.

(B) (1) Violation of §§ 156.15 through 156.21 of this chapter shall be a misdemeanor, punishable by a fine or up to \$700, imprisonment not to exceed 90 days, or both.

(2) Upon violation of §§ 156.15 through 156.21 of this chapter, the Division may suspend or revoke the license of a hauler and may establish conditions to be met in order for the reinstatement of said license. Such conditions to be met may include the payment in full of any fines, assessed under division (B)(1) above.

(C) Any person violating any provision of §§ 156.35 through 156.46 of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not to exceed \$300, or imprisonment in the county jail not to exceed 90 days, and each day that the violation continues to exist shall constitute a separate offense.

(Ord. passed 7-7-1970; Res. 96-29, passed 5-7-1996, Ord. amended 06-2016)

Enacting Clause

This ordinance shall amend the Code of Ordinance of Wright County, Minnesota. This ordinance shall be in effect on July 1, 2016.

(End of Ordinance Amendment 16-2)

Refer Policy & Guidelines For Future Ordinance Amendments To Ways & Means Committee

Kryzer would like a standardized process and format for future amendments to the Code of Ordinances. Daleiden moved to refer the Policy and Guidelines for future Ordinance Amendments to the Ways & Means Committee. The motion was seconded by Borrell and carried 4-0.

ITEMS FOR CONSIDERATION**5-24-16 COMMITTEE OF THE WHOLE MINUTES**

At today's County Board Meeting, the Committee Of The Whole (COTW) Minutes were discussed. Daleiden suggested obtaining an opinion from financial advisors on options for financing the construction of a Courts building, including refinancing Jail bonds. He would like to minimize the effects on property taxes if possible. Discussion also involved the savings that could be realized through not transporting inmates from the Jail to the Government Center for hearings. Daleiden said Sheriff Hagerty estimated a \$300,000 savings (includes transport, vehicle, and employee savings). Sawatzke said Kelly should obtain from the Sheriff a breakdown of how these dollars will be saved. Sawatzke said that the financial forecast by advisors is for interest rates rising at an extremely slow rate. Daleiden made a motion to approve the 5-24-16 COTW Minutes and to request theoretical numbers from the financial advisors. The motion was seconded by Husom. The motion and second were amended to include adding the names of the three Wold representatives to the minutes. The motion carried 4-0 to approve the 5-24-16 COTW Minutes:

I. COURTS FEASIBILITY STUDY

Dunning referenced the Courthouse Remodeling Feasibility Study dated 5-24-16 for three options, including an estimate of cost and timeline for a potential remodel schedule (attached).

Option 1, Build a New Courthouse in 10 Years

Estimated Cost to Remodel Existing Space	=	\$20,706,000
Design and Bidding		11 months
Construction in 3-4 Phases (Minimum)		<u>24-30 months approx.</u>
TOTAL IMPLEMENTATION		35 to 41 months

Option 2, Build a New Courthouse in 5 Years

Estimated Cost to Remodel Existing Space	=	\$13,104,000
Design and Bidding		9 months
Construction in 3-4 Phases (Minimum)		<u>18-24 months approx.</u>
TOTAL IMPLEMENTATION		27 to 33 months

This option addresses space needs, functionality, and security issues. The same three sally ports will be used for in-custody transports. Space in the former Jail and outdoor recreation area would be utilized for new elevators and lobby area, holding area, and two courtrooms. Courtrooms 3 and 4 would be combined into a larger courtroom. This option would include use of the space occupied by Administration to create a new jury assembly space and allow Court Administration to grow. A new chambers would be created out of the former jury assembly area. A shortcoming is that the main Courts corridor is not being increased in size. Changes would result in 6 functional courtrooms with 4 of them having access to in-custody circulation. The former Jail gym area could be remodeled for such things as a conference room and jury deliberation space. Option 2 is a larger project so the design will be longer to work out details with occupants.

Another goal of Option 2 is to bring Court Services into the weapon screen perimeter. Court Services would be located on First Floor where Extension and Wright Choice are currently located. The corridor would be sealed just north of the Board Room. Screening would be moved to the corridor just west of the main entrance doors.

5-24-16 COTW Minutes (cont.):

District Judge Hoffman said Option 2 would not provide for growth of the judicial area in Wright County based on statistics in the National Center for State Courts Space Needs Assessment and the State Demographers Office.

Option 3, Build a New Courthouse in 2 Years

Estimated Cost to Remodel Existing Space	=	\$1,508,000
Design and Bidding		4 months
Construction in 1-2 Phases (Minimum)		<u>5 months approx.</u>
TOTAL IMPLEMENTATION		9 months

Timeline: Total implementation of 9 months including 4 months Design/Bidding and approximately 5 months for Construction in 1-2 Phases minimum

This Option would solve short-term functionality for three courtrooms including accessibility, staff needs, and functionality of the Jury Deliberation Room. Work would involve replacement of millwork for areas to include the benches, court reporters, witness, and jury box. It would also include replacement of power, data, etc., and potentially include working with the local Building Official on accessibility issues. Courtroom 1 would remain a 7-person jury box, and Courtrooms 2 and 5 would be 14-person jury boxes. Self-help and conferencing spaces would be added outside of Courtroom 1. Although creating a functional Jury Deliberation Room, this option does not address the path of in-custody transport to hearings. Not all three courtrooms would be taken offline at a time.

Discussion followed on what makes up the cost of the remodel. Cox stated that about half is attributed to millwork and cabinetry, and the other half to modifications to walls, technology, power, etc. When making an area ADA accessible, corridors may be elevated with ramps. Circulation areas and public spaces are challenged with Option 1, whereas Option 2 is status quo. With growth comes more difficulty in maneuvering and there are times when the building and fire code are touched upon.

Dunning estimated the cost of full replacement of the bench and millwork in each courtroom to be \$25,000. With contractors, there is about a 10% penalty to phase the work. The estimates reflect a 20% contingency because of unknown items. Costs do not include interim moves for staff during remodel, furniture, audio/visual equipment to furnish courtrooms, and other equipment.

Dunning referenced Option 2 and said the costs do not include Courts expanding into other spaces, such as the outdoor recreation area of the former Jail. This would include a roof and additional structure for support and potential demolition of the sloped floor. The estimated cost is \$410/s.f. Other costs will include wall movement, light fixtures, duct work reorientation, and new finishes, technology and electrical. This will include a heavy remodel gutting the space, including courts, at a cost of \$175/s.f. With Option 3, more exploration could be toward finding ways to save walls or reduce the amount of remodel. Additional discussion occurred on the remodel of the outdoor recreation area and the potential of a second level, phasing of remodels, and disruption.

Dunning said the costs reflected on page 1 of the handout are based on estimates. The premise of the Feasibility Study was to define courses of action prior to building a new Courts facility. The costs are based on starting the design soon. The State publishes a table on inflation factors for construction, inflation, etc., typically reflecting a 3%-4% increase per year. The bulge of construction tends to elevate inflation. The State documents include more aggressive inflation numbers, at 7%-11% per year over the next several years. Sawatzke responded that recent County projects (road and new Highway building) have come in 20% under estimate. Potter added that the County was fortunate that construction could occur on the Highway Building during winter months.

Husom referenced the costs associated with various options to remodel the current Courts area, only to have to remodel again when the new Courts facility is constructed. The County still has the former Jail building to

5-24-16 COTW Minutes (cont.):

address what to do with. Dunning said the cost of remodel of the space once Courts moves was not figured into Options 1, 2, or 3. Potter shares Husom's concern on spending \$13-\$20 million to remodel Courts space and then remodeling it again once vacated. Sawatzke said he was disappointed that there are not better options, and it is obvious that it would not make sense to spend \$13 million on remodeling for 5 years. He referenced the large amount of contingencies built in making it hard to determine what the real cost is. He supports spending \$1 million to allow Courts to remain for 5-6 years at the Government Center location. It appears that is not an option. He alluded to debt taken on by the County in recent years and wonders if it is too soon to move ahead with a new Courts facility.

Discussion followed on history of the decision to delay building a Courthouse, the ability to easily add onto the Jail/Law Enforcement Building, and past remodels of the Courts area. Sawatzke said the Jail/LEC was constructed to allow for adding Courts in the future. Judge Tenney said that as a Wright County taxpayer, he appreciates taxes are lower than surrounding areas. However, it has been 26 years since the last major remodel of Courts space. Dialogue followed on bond rates and current debt, and the potential savings in staff time with a new Courts facility.

Borrell said the decision can't continue to be sent to the future, and he does not want to spend \$13 million for remodeling. He thought Courts staff would be willing to defer updates where possible if it was decided to proceed with a new facility. Judge McPherson stated they will work with the County on upgrades, but Courts will need the County's support in dealing with requirements by the local building official and coming up with creative alternatives for Courtrooms and Court Administration staff. She did not support spending \$1.5 million to have Courts remain in the current location for 2.5 years. Cox stated that the local Building Official will be met with to determine what is acceptable and the County will need to make those concessions.

Kelly summarized that it appears Options 1, 2, and 3 will not be pursued. The next step would be the comprehensive plan and identifying what will be done in the future. District Judge Hoffman said Courts needs to know how the County will proceed. He agreed with Judge McPherson that the \$1.5 million would not be a beneficial expenditure, but it will not be acceptable for the County to delay the decision and still be talking about this in several years. As Chief Judge, he can determine calendaring in any District. If court cannot be reasonably held in this building, another location will be found. Potter agreed that the decision needs to be made and supports the County moving forward with building a new facility. A new building will address space needs for Courts, County Attorney, and Court Services for the long term. Constructing the Highway building addressed long-term space needs for four departments.

Daleiden suggested the Courts Remodel Work Group could discuss how to move forward with minimum modifications to Courtrooms. The group would attempt to reduce remodel costs and make a recommendation on whether to proceed with an RFP or to remain with Wold Architects to complete that work. Borrell stated that at the onset, it was made clear that a RFP would be completed for new construction. Kelly stated the Work Group can use the Court Study from the National Center for State Courts to develop the RFP, and continue to work with Wold on designing a remodel to make Courts work in the interim. Tschumper said in order to discuss a remodel, Courts needs to know the time frame and the County's commitment on moving forward with a new Courts facility.

RECOMMENDATION: Refer discussion to the 6-14-16 County Board Meeting.
(End of 5-24-16 COTW Minutes)

5-25-16 COMMITTEE OF THE WHOLE MINUTES

At today's County Board Meeting, Borrell moved to approve the minutes and recommendations, seconded by Daleiden. Kelly said that they hope to review the job descriptions and budget information in August. Borrell said he is still not convinced that the Nuclear Emergency Preparedness Department should be moved to the Sheriff's Office. He suggested a Deputy Director position might be able to address some of the workload issues in the Veteran Services/Nuclear Department. He supports redundancy between the two Departments in the event of an emergency. Discussion followed on how the Deputy Director position could impact the Departments based on where that position is located. The motion carried 4-0 to approve the 5-25-16 COTW Minutes:

I. TRANSFER OF NUCLEAR EMERGENCY PREPAREDNESS DEPARTMENT TO THE EMERGENCY MANAGER'S/SHERIFF'S DEPARTMENT

Figliuzzi said the purpose of the meeting is to discuss the transfer of Nuclear Emergency Preparedness to the Emergency Management in the Sheriff's Office. This is a result of informal discussions and of various drills this past year. Figliuzzi invited leadership of Homeland Security and Xcel to address the impacts of such a study or move.

Borrell voiced displeasure with how the request is being presented, as it appears the decision has been made without including the Commissioners. He said the Commissioners should have been brought up to speed. Figliuzzi asked the Board to consider the information being presented by individual departments. Kelly stated he directed Figliuzzi to use this forum.

Figliuzzi referenced a recent presentation to the County Board by Joe Kelly, Director of Homeland Security Emergency Management. The presentation related to the history of civil defense and regulatory requirements with FEMA and Homeland Security. She asked that the information be viewed as a backdrop to bringing this issue forward.

Figliuzzi said years ago when Civil Defense became a department, it was common for counties to combine that with a smaller office. Many times this was Veteran Services because of the size of the Department and the military experience of the Veteran Services Officer. When the Nuclear Plant came online in 1971 in Wright County, Nuclear Preparedness fell under the responsibility of the Civil Defense Director. Since that time, world events have changed the way in which threats are responded to. Counties have expanded duties to include protection in cases of hostile action or events. Nuclear response responsibilities have increased both at the State and Federal levels, including regulations and requirements.

Figliuzzi was hired 18 months ago. During the first 10 months, she estimates spending over 50% of her time on Nuclear Preparedness in addition to one staff member spending about 60% of their time. Both are accredited to do Veteran Services claims. There are times when their ability to serve veterans is affected by nuclear trainings, which they must attend to meet Federal, State and County requirements. She viewed separate Nuclear Preparedness and Emergency Management Offices as an unnecessary level of redundancy. The two sets of Plans are interfaced and require an immense amount of collaboration, and there is an overlap in execution of the Plans. Figliuzzi referenced the conflicting priorities of Nuclear Preparedness and Veterans Services.

Figliuzzi said the Veterans Administration is expanding benefits to veterans. The challenge is that each time a benefit is added or expanded, it creates a natural influx of inquiries and benefits. The Veterans Administration is also quickening their pace on the backlog of appeals. One of the proposed changes is to reduce the appeal time from 360 days to 60 days. Figliuzzi will have 60 days to develop an appeal before it goes to Washington. She is consistently booked 3 weeks out for appointment. She questioned the ability to properly and fully serve with this change. Benefits are earned by veterans and they are entitled to them. However, she cannot compromise on the nuclear aspect. Having gone through an entire nuclear exercise cycle, she said the current structure is not sustainable long term. Adding additional staff to the Veteran Services Office is still a need even if the duties of nuclear preparedness is shifted. Volunteer assistance with a trained person has been utilized as well.

Sheriff Hagerty is receptive to bringing the Nuclear Preparedness under the Sheriff's Office but said it will require an additional staff person. He agreed there is a level of redundancy. When there is an emergency, the Sheriff's Office will respond. They follow a protocol to meet mandatory requirements. Borrell feels the redundancy is good. During an emergency, there could be other things going on that the Sheriff's Office needs to address. He does not feel nuclear should be handled by one person. Sheriff Hagerty responded that the Sheriff's Office currently has backup for Emergency Management to assure systems and protocols are followed.

Borrell said many counties do not have the Veterans Services Office as a department head. When this position was vacated a few years ago, there were discussions of Human Services taking over the position. He does not support that move. Discussion included the Statute requirement for a Deputy Director for Nuclear

5-25-16 COTW Minutes (cont.):

Preparedness. Figliuzzi thought it may be a logical transition for that position to take on nuclear aspects and duties to help alleviate the challenges her Office is facing.

Nuclear is currently in a two-year grant cycle through Homeland Security. Unspent monies (\$68,000) end on 6-30-16 and she has asked the State whether some of those dollars could be used to offset position costs. It was clarified that funds are paid through reimbursement for expenditures (i.e., the funds are not available if not used).

Representatives from Homeland Security and Emergency Management conveyed they will support the County's decision either way. Fiscally, their Office is committed to looking at how grant funds are spent and reallocated to enhance the program. Branch Director Leuer stated that discussions at the State level begin in July/August on their biennial budget. Grant funding is set up to accommodate the level of effort required under the Nuclear program. The program continues to change based on events such as 9/11 and Fukushima in Japan. Annual training is a Federal requirement. The State works to adjust budgets accordingly to assure the level of effort is recognized. Leuer said the State's biennial budget included grant funding in the amount of \$222,500 for Wright County. The grant funding is through Xcel Energy. This amount fluctuates based on nuclear exercises and drills. The funds are split between personnel and equipment, and there is the ability to minimally move within categories.

Sawatzke asked Figliuzzi to estimate the number of employees required for the Nuclear program based on time spent by the three employees in the Veterans Services/Nuclear Office. Figliuzzi said historically that number would be one. However, the last State cycle included a half event. With all of the related regulatory and SOP changes, additional time was required. All meetings or drills required attendance by both Figliuzzi and Debbie Ernst. Based on review of the State's plan, the focus of these drills is expanding. With these changes, it would be more like 1.5-2 FTE's.

Daleiden questioned whether Xcel Energy works with Steve Berg, the County's Emergency Management Director. Hass stated that they work equally with Berg and Figliuzzi. Coordination meetings are held to discuss hazards and impacts on the Nuclear Plant. Hass said Xcel will support the County on its decision and will continue to fund the efforts 100% through the State's budget.

Daleiden said Figliuzzi's position will need to be discussed during budgets (points assigned). Sawatzke said the position held by Ernst is built strongly on Nuclear as well. In response to Sawatzke, Figliuzzi said that \$35,000/year of the grant funding is designated for wages. Leuer said total grant funding to Wright County for this biennium is \$302,000. That figure includes funding for other Wright County jurisdictions in Wright County. Wright County submits one combined bill for all jurisdictions for reimbursement. Leuer stated that funds not expended are not carried forward.

Deringer inquired as to the State-wide trend on Nuclear Preparedness and whether there are efficiencies realized with placing this responsibility under Emergency Management. Leuer stated that other counties who have radiological programs combined into Emergency Management place this under the Sheriff's Office. Statewide, they are seeing Sheriff's Offices taking a greater role. Counties with combined Nuclear and Veteran Services Office are struggling due to the demands on both sides. Sawatzke asked whether the Sheriff's Office can handle Nuclear Preparedness under Emergency Management with one additional staff member. Sheriff Hagerty thought so. Berg is currently receiving shared clerical and finance assistance. Interns are used when possible. Berg stated a Deputy Director is needed per Statute, and the person must be trained to qualify for salary reimbursement. Leuer said 120 hours of training is required to attain Deputy Director credentials. Continuing education adds about 24 hours every two years. Sawatzke noted that if Nuclear Preparedness moves to the Sheriff's Office, the County will need to fund that portion of Figliuzzi's salary.

Recommendation: Direct staff (Sheriff, Nuclear, and Human Resources) to work together to review budgets and job descriptions for Nuclear Preparedness. The job descriptions should include Deputy Director. That information will be brought to a future Committee Of The Whole Meeting.

(End of 5-25-16 COTW Minutes)

5-25-16 PERSONNEL COMMITTEE MINUTES

At today's County Board Meeting, Husom moved to approve the minutes and recommendations, seconded by Daleiden. The motion carried 4-0. The Personnel Committee Minutes follow:

I. Performance Review – Lee Kelly, County Coordinator

Recommendation: Based on three (3) reviews received, the Committee recommends a rating of "Meets Expectations".

II. Hire Assistant Finance Director (Auditor/Treasurer Dept.) Above 12 Percent Of Beginning Hiring Range

The hiring panel interviewed ten (10) applicants. The top candidate currently works at Anoka County performing similar responsibilities, some at a higher level. Top two (2) applicants are both asking for middle of the salary range. The top candidate has the skills and experience to hit the ground running. Other applicants would take significant time to get up to speed. Applicant is requesting \$77,000 annually to start. Discussion ensued regarding salary compression issues with the Property Tax Administrator/Deputy A/T position which supervises the Assistant Finance Director. The committee recognizes the compression issues and concerns. However, due to the relevant experience this applicant brings to the Assistant Finance Director position, the Committee is willing to recommend a higher starting salary.

Recommendation: Approve offer up to 19.5% of the minimum of the Assistant Finance Director salary range. Start offer at \$74,000 not to exceed \$76,000.

(End of 5-25-16 Personnel Committee Minutes)

5-25-16 TECHNOLOGY COMMITTEE MINUTES

At today's County Board Meeting, discussion related to retention of County Board Minutes, including storage space and litigation. Kelly stated that retention varies among other cities and counties. Borrell stated that he would prefer a longer retention. Daleiden moved to approve the minutes and the recommendations for items II and III only, seconded by Borrell. Information Technology staff should be available at the next meeting to clarify the recommendation for retention of Board videos. The motion carried 4-0. The Committee Minutes follow:

I. Board Video Retention

The minimum recommended retention for video is one year after the written minutes have been approved by the County Board. It was not known if anyone has gone back more than a few months to look at video. The Attorney's Office will be contacted to find out how far they have gone back to look at video.

Recommendation: Retention of 1 year after approval of minutes

II. RightFax

The consensus of the Departments was to switch to RightFax and eliminate all fax machines. With RightFax you can send and receive faxes from your computer. The initial cost to add all Departments to RightFax will be approx. \$30K. A yearly cost of \$2,500 will be added to the existing yearly cost of \$1,376 for the extra 9 channels that will be added. The yearly cost will be billed to Cost Code 100 and then charged to each Department depending on number of users.

Recommendation: Move forward with setting up all Departments with RightFax

III. Office 365

The IT Department has been working with Info-Tech Research Group gathering information on Office 365. Office 365 is a set of subscription plans that include access to Office applications plus other productivity services that are enabled over the Internet (cloud services). Instead of buying software licenses and maintaining for a period of time, Microsoft would charge Wright County a yearly fee to keep all Office 365 licensing current. Some of the benefits would be better communications, the availability of Skype for Business services and the latest version of updates always available. IT is running into a few stumbling blocks with the BCA approval of the product.

Recommendation: Keep moving forward with exploration of Office 365 – Information Only

(End of 5-24-16 Technology Committee Minutes)

5-25-16 WAYS & MEANS COMMITTEE MINUTES

At today's County Board Meeting, Husom moved to approve the minutes and recommendations. The motion was seconded by Borrell and carried 4-0. The minutes follow:

I. CHIPS (Children In Need Of Protective Services) Contract

Attorney Cathleen Gabriel of the CGW Law Office contracts with Wright County for Child Protection cases. She presented a report on her 2015 cases at the 5-17-16 Wright County Board meeting.

Gabriel said her current contract ends 12-31-16. She averages 24 hours per week due to the increased number of cases and court time. Her contracted rate has been \$70 per hour at 20 hours per week for the last eight years.

Gabriel asked to start the new contract on 7-01-16 (instead of 1-01-17) at the current rate of \$70 per hour, and also increase the number of hours she works to 24 per week. The existing expense to the County is about \$72,800 annually. The additional hours would raise her compensation to \$87,360 per year.

Gabriel said many of her cases are resolved via mediation versus going to trial. This benefits both her clients and the County. She believes 24 hours per week will be sufficient to address her increased work load.

Sawatzke said the contract states that if neither party renews or cancels the contract by the end date, the contract automatically renews for another year. Asleson said the contract may be canceled by either party with thirty days' notice.

Recommendation: Authorize drafting new contract between Wright County and Cathleen Gabriel for Child Protection Services for the period of 7-01-16 through 12-31-19, at a rate of \$70 per hour, 24 hours per week. (End of 5-25-16 Ways & Means Committee Minutes)

APPROVE CONTRACT WITH CATHLEEN GABRIEL FOR LEGAL SERVICES

The term of the Contract is 7-01-16 through 12-31-19. Asleson stated the major change in the Contract relates to Compensation (Page 1, paragraph 2) which clarifies that only half of the annual amount is paid in 2016. Daleiden moved to approve the contract, seconded by Husom. The motion carried 4-0.

SCHEDULE COMMITTEE OF THE WHOLE MEETING TO DISCUSS STRATEGIC PLANNING

Borrell moved to schedule a COTW for 7-05-16 at 10:30 A.M. with the caveat that the date works with Commissioner Potter's schedule. The motion was seconded by Daleiden and carried 4-0.

ADVISORY COMMITTEE / ADVISORY BOARD UPDATES

1. Fair Board. Borrell attended a meeting on 6-06-16. Discussion included road construction and cosmetic work that will be done on Fair buildings.
2. Bertram Advisory. Daleiden attended a meeting last week. Discussion included removal of the chalet and a couple of other buildings.
3. CR 39 in Otsego. Daleiden said construction of turn lanes has started on CR 39. It is hoped it will eliminate some of the crashes in that area.
4. Tour of Dairy Operation. Sawatzke and Borrell toured a modern dairy operation as part of a Planning Commission site inspection in Monticello Township two weeks ago. He estimated 75% of the cows are milked robotically.
5. Solar Work Group. Sawatzke said the first meeting was held with the next scheduled for 6-10-16. A list of ten discussion points were compiled and will be discussed at upcoming meetings. This Friday they will be talking about connectivity and placement of power poles.
6. Owners Committee. Sawatzke and Potter attended an Owners Committee Meeting on 6-02-16. The move to the new Highway building is expected on 7-07-16. He did not think there had been resolution on the size of water hoses which has been discussed previously.

The meeting adjourned at 10:46 A.M.