

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

MINUTES

Borrell moved to approve the 10-25-16 County Board Minutes, seconded by Daleiden. The following changes was made to the Minutes: Page 2, 4th Paragraph, CRWD Item, 1st sentence should read, "Husom said a public hearing for the School Section Lake outlet control project was held as part of the CRWD Meeting" (Husom). Borrell and Daleiden accepted this change as an amendment to the motion. The motion carried 5-0.

AGENDA

Daleiden moved to approve the Agenda, seconded by Potter. The motion carried 5-0.

CONSENT AGENDA

Daleiden moved to approve the Consent Agenda, seconded by Husom. The motion carried 5-0.

- A. ADMINISTRATION
 - 1. Schedule Owners Committee Meeting For 11-10-16 @ 10:30 A.M., Highway Department, Rm C200, Project Update
- B. ADMINISTRATION
 - 1. Madden, Galanter, Hansen LLP, 09/2016 Claim, \$3,882.89
- C. AUDITOR/TREASURER
 - 1. Approve Claims As Listed In The Abstract, Subject To Audit, For A Total Of \$230,830.37 With 135 Vendors And 209 Transactions
- D. PLANNING & ZONING
 - 1. Accept the Findings and recommendation for the following rezoning:
 - A. BRENDA PILGER (Maple Lake Twp.) Planning Commission unanimously recommends rezoning 19.47 acres from AG General Agricultural to R-2a Suburban Residential

TIMED ITEMS

BOB HIIVALA, AUDITOR/TREASURER

Approve A Plat "Cedar Lake Woods" (Corinna Twp.)

Borrell moved to approve the Plat, seconded by Daleiden. The motion carried 5-0.

Approve Ditch Assessments To Be Levied Against The Benefited Landowners For Expenses Incurred From October 2015 Thru September 2016, County Ditches 03, 07, 31 And Joint Ditches 04, 11, And 14

Hiivala stated that expenses on ditch systems have been tracked for the period 10-01-15 through 9-30-16. The interest rate would be set at 2.33%. Interest is calculated only to August 15 of each year, so interest would be at a prorated rate. An individual assessment greater than \$500 may be spread over three years. A landowner may pay up front to avoid interest charges. Daleiden moved to approve the ditch assessments, seconded by Potter. The motion carried 5-0.

Approve Interest Rate And The Number Of Years Payable For Assessments Over \$500 By Parcel

Husom moved to approve the interest rate of 2.33%, seconded by Daleiden, and carried 5-0.

ITEMS FOR CONSIDERATION

10-25-16 BUILDING COMMITTEE MINUTES

On a motion by Daleiden, second by Potter, all voted to approve the Building Committee Minutes as presented. The Minutes follow:

- I. Public Works Deferred Maintenance & Remodel

Wilczek provided updates on the status of the Public Works Building Modifications. The interior modifications RFP was posted to the Wright County website and there is a prebid walkthrough on Oct. 26 with a bid deadline of Nov. 14.

10-25-16 Building Committee Minutes (cont.):

Wilczek noted the spec package for the window & sloped roof replacement has been delivered and he is working through the review of the documents. Upon completion, the roof and window replacement RFP's will be released.

Wilczek presented that he attended a meeting Oct. 24th with Mattice, Jobe, Chur, and a furniture company to review the items needed for the remodeled space. Product types and a budget will be developed.

Wilczek stated the LED lighting retrofit that was previously approved will be completed at the end of the remodeling project. The mezzanine lights were selected by Jobe on Oct. 24th and Wilczek will be placing the order to complete that portion of the LED retrofit as it is outside the work area of the remodel construction. The voltage and the plug type of the shop light fixtures was identified and the sample fixture to install for verification is in production. Wilczek will notify Daleiden and Potter when installed.

Daleiden asked about the delivery of the beam for the mezzanine, Wilczek confirmed it has an anticipated ship date of Oct. 28th and will notify Daleiden upon delivery. Daleiden will make contact with a welding group to complete the installation.

Wilczek stated that B&B roofing completed a site assessment & repair quote for the EPDM portion of the Public Works roof as recommended by Inspec (consultant). The emergency work needed to close gaps and prevent immediate issues was quoted at approximately \$6000. When completed, it is expected the services will extend the life of the roof approximately 3-5 years until replacement would be likely.

Recommendation:

It was recommended by Daleiden and Potter to keep moving forward with the remodel, window, and roof RFP. It was also recommended to complete the roof work to extend the life of the system.

I. Compost Facility Storm Damage Repair

Wilczek stated the RFP for the demolition of the tipping floor has been distributed to several interested contractors. Pricing is due back to the Administration office on Nov. 1, 2016 and will be opened with several staff members present.

Recommendation:

No recommendation, update only.

II. Paving Of Sheriff's Support Services Building Driveway & Patching Of Asphalt At the Recycling Center

Hoffman presented information that enough time should have passed to settle the groundwork at the site and the paving could be completed on the entrance, south lot, and east area into the impound lot gate. The idea was presented by Daleiden and discussed with the group to install an asphalt curb on the south lot to control water and prevent further ground erosion. Wilczek and Hoffman presented the input that the asphalt should carry through the impound gate for a short distance to allow for snow and ice scraping in the winter as buildup has been an issue in the past. The group discussed the Recycling Center site and the area of asphalt near the compost pile that is used for Sheriff Dept. driver training sessions. Hoffman and Stephens stated the asphalt is in poor condition and should be repaired or replaced. Potter asked about funding for the project and Hoffman, Potter, and Daleiden discussed potentially using turnback funds from housing individuals at the jail as it is currently exceeding budget.

Recommendation:

Daleiden and Potter recommended Wilczek speak with Virgil Hawkins (HWY) and review the Recycling Center Site for a professional recommendation on a scope of repair or replacement. Both sites should be placed in the HWY Dept. 2017 bid package as alternates to be reviewed and potentially awarded.

(End of 10-25-16 Building Committee Minutes)

TIMED ITEMS**LEE KELLY, COUNTY COORDINATOR**Committee Of The Whole Minutes, 10-13-16

On a motion by Potter, second by Husom, all voted to approve the 10-13-16 COTW Minutes, which follow:

I. Courts Facility Architectural Firm Interviews

The Committee received presentations and interviewed three firms regarding their proposals for architectural design services for a new Wright County Courts facility.

BKV Group presented from 12:00pm to 1:30 pm. BKV was represented by Bruce Schwartzman, Kelly Naylor, DuWayne Jones, Jared Ward, Cliff Buikema, and Mark Bradby.

Klein McCarthy Architects Presented from 1:30 to 3pm and was represented by Scott Fettig, Andrew Enright, Danielle Reid, and Todd Peterson.

Wold Architects presented from 3pm to 4:30pm. Representatives of Wold were Michael Cox, Lynae Schoen, Joel Dunning, Andrew Dahlquist, Peter Leahy, Michelle Klein and Jonathon Loose.

Following the completion of the presentations the Committee discussed the project vision and timeline and reviewed each firms qualifications and experience. The consensus was to recess the meeting to October 18th at 12:30 in C118, to allow time for further discussion.

Recommendation: Recess meeting to October 18th at 12:30 in room C118 for additional discussion.

(End of 10-13-16 COTW Minutes)

Committee Of The Whole Minutes, 10-18-16

Borrell moved to approve the 10-18-16 Committee Of The Whole Minutes, seconded by Daleiden. Discussion followed on the recommendation of a not-to-exceed figure up to 100,000 sq. ft. for the courts facility. Borrell stated there is no reason to exceed 90,000 sq. ft. but the intent is to avoid change orders. Judge Kate McPherson, 10th Judicial District, said it is unknown whether the DOC and Public Defenders (external agencies) will want to rent space in the court facility. She viewed this as beneficial to the community and to Courts. That space would be in addition to the 90,000 sq. ft. The motion to approve the COTW Minutes passed 5-0. The COTW Minutes follow:

I. Courts Facility Architectural Firm Interviews

The October 13th Committee of the Whole was reconvened.

Discussion continued regarding the presentations given by the three architectural firms; BKV Group, Klein McCarthy and Wold. Each person at the meeting provided their input on each of the firms for the purposes of selecting a finalist. The consensus of the group was to focus discussions on the proposals from with Wold and BKV Group.

In reviewing the submitted documents from Wold and BKV, the committee noted a similar estimated overall project cost. However, it was noted that Wold proposed a fixed percentage of 6% for design services and BKV presented a range of 5.7% to 6.4% for design services. In addition these proposals were based on the assumption of a 90,000 square foot facility as recommended by the National Center For State Courts study conducted in 2015. It was noted that subsequent changes in operations may require additional square footage be included in the Courts Facility design. There was concern that this additional space would increase the cost beyond the current proposal.

The consensus was to direct staff to contact Wold and BKV Group to gather additional information and request a not-to exceed proposal for the design of a courts facility up to 100,000 square feet in size.

Sawatzke and Judge McPherson were nominated to take the lead on reviewing the proposals received with assistance from Administration staff. The committee discussed forming an owners committee for the Courts Facility project. Borrell and Potter were nominated to represent the County Board on the owners committee with Husom and Daleiden as alternates.

Recommendation: Direct staff to contact Wold and BKV Group to request a proposal which would provide a not to exceed figure for the fees and expenses to design of a courts facility up to 100,000 square feet in size.
(End of 10-18-16 COTW Minutes)

Discussion On Selecting Architectural Firm For Design Of Courts Facility

Lee Kelly, County Coordinator, presented two proposals for fees and expenses related to the design of a courts facility up to 100,000 sq. ft. The proposals are from Wold and BKV Group. The original discussion included proposals for the design of a 90,000 sq. ft. facility. When the two firms were asked to provide an additional proposal for up to 100,000 sq. ft., BKV lowered their price and Wold increased their cost. Wold followed up with a phone call indicating the figure is negotiable. Kelly, Sawatzke and Judge McPherson reviewed a contract draft provided by BKV Group. The consensus is that the contract language will need to be modified but it reflects the scope of what was discussed at Committee.

Potter made a motion to direct staff to move forward with modifying the BKV Group contract and presenting it for County Board approval. The motion was seconded by Daleiden. Judge McPherson stated that statutorily, there must be an agreement between the Bench and the Board in terms of remodeling or rebuilding. She introduced Chief Judge Doug Meslow, recently elected as the Chief Judge of Minnesota's Tenth Judicial District.

Chief Judge Meslow stated he was elected as the term of Chief Judge John Hoffman ended after four years of service. He stated that former Chief Judge Hoffman and Chief Justice Lorie Gildea, MN Supreme Court, extended their appreciation to the Board and the 10th Judicial District for the decisions being made with regard to the Courts Facility. Chief Judge Meslow said building a new facility reflects the commitment to providing the best public service and justice for those coming to Courts. Borrell stated that constituents should be informed that something needed to be done to assure the Courts space is adequate. Otherwise, the 10th Judicial District can direct cases to be held at an alternate courthouse or a facility would have been rented elsewhere, all at the cost of the County. Chief Judge Meslow said that those were the potential consequences. The County responded and has provided a concept and overall plan that will meet the needs of Courts for many years. Borrell said a cost savings will be realized with transport of prisoners (\$300,000/year), and there will be vacated space for use by other departments. Judge McPherson stated she is grateful for the collaboration between the Bench and the Board. The motion carried 5-0.

9:20A.M. SUNNY HESSE, HR DIRECTOR

Schedule Personnel Committee Of The Whole Meeting To Conduct Interviews For Veterans Services Officer Vacancy

On a motion by Potter, second by Borrell, all voted to schedule the Personnel Committee Of The Whole Meeting on 11-28-16 at 8:30 A.M.

MARC MATTICE, PARKS & RECREATION DIRECTOR

Request To Approve Change Order For Additional Masonry And ADA Access Work Needed As Part Of The Reconstruction Of The Four Season Rental Facility At Bertram Chain Of Lakes Park

Borrell moved to approve the change order in the amount of \$8,590, seconded by Potter. The motion carried 5-0.

9:30A.M. PUBLIC HEARING - SOLAR ORDINANCE

Accept The Findings And Recommendation Of The Planning Commission And Adopt The Amendments To Section 155.08 Solar Energy Farms And Solar Energy Systems Of The Land Usage Of The Wright County Code of Ordinances

Sean Riley, Planning & Zoning Administrator, provided background information. A moratorium on solar was enacted by the Board in May, 2016. A solar work group was formed and included representation from the County Board, Wright County staff, Planning Commission, townships, private citizens, and the solar industry. The Planning Commission's recommendation is to approve the Ordinance Amendment which will regulate and define how solar energy farms will be permitted and operated. Franklin and Buffalo Townships have moratoriums and did sign off on the standards. Sawatzke stated that every member of the solar work group felt the revised ordinance will be a better end product than what was in place. He acknowledged that things may need to be modified moving ahead, as there are unknowns with solar.

Sawatzke opened the Public Hearing at 9:44 A.M. and public comment was received.

Duane Bauman, Franklin Township Supervisor, served on the solar work group. He said the request from Franklin Township is that township requests should be honored and townships should have input into the final decision. He viewed it as a good ordinance but "one size does not fit all" for every application. Bauman does not feel they went far enough to protect prime agricultural land. Sawatzke asked Bauman whether Franklin Township will pass a more restrictive ordinance. Bauman responded that the Township will review the ordinance adopted by the County and a few things may be added. He thought most changes will relate to restrictions on prime agricultural land. Bauman asked that solar companies come to the townships early on in the process, which would facilitate more time for review by the townships.

In response to Sawatzke, Greg Kryzer, Assistant County Attorney, stated the County will honor more restrictive ordinances adopted by townships. As soon as Buffalo and Franklin Townships adopt their ordinances, an agreement will be entered into documenting the County will enforce that ordinance. Kryzer stated that one of the requests in the application will be that applicants meet with the townships involved. Townships may have different requirements as to when people come forward. By Statute, an applicant can't be required to go to the Township prior to making application. The Planning Commission requires input from the townships and respects and reviews input by the townships. However, there are times when the Planning Commission does not follow that input. The Planning Commission applies laws, ordinances and statutes properly, and they have to be reasonable in what is done. Borrell said if a township includes this in their ordinance, at the Planning Commission level that is a reason for denial. There needs to be standards set for the Planning Commission. Kryzer responded that opposition has to be based on standards and concrete evidence. There needs to be a reasonable basis for denial.

Gordy Simanton, Solar Stone, was part of the solar work group. He expressed appreciation in the ability to participate and described it as fair, balanced, and a transparent process. He recognized the Chair his leadership and County staff for their efforts. Simanton said Solar Stone supports the ordinance.

Sue Fink, Franklin Township resident, requested clarification on the difference between a solar farm and a solar system. Riley stated that the difference beyond size are that systems are traditionally found on single use applications (pole mounted off home or ag building). Farms are large scale and are connected into a grid for commercial production. Fink asked whether the ordinance protects small businesses from having a solar farm placed next to them, resulting in it being detrimental to their business. Riley stated that the Planning Commission will determine setbacks at the CUP (conditional use permit) stage and whether screening or barriers are needed. Fink asked how much land is involved with 8 megawatts. Riley said that equates to approximately 5-7 acres.

The Public Hearing closed at 9:58 A.M.

Borrell stated that the County opted to have a solar ordinance to remain involved, as the State has mandated that so much of their energy will come from renewable sources. It will also provide more control to townships.

Daleiden made a motion to adopt Ordinance Amendment #16-7, amending Section 155.08 Solar Energy Farms and Solar Energy Systems of the Land Usage of the Wright County Code of Ordinances. The motion was seconded by Potter and carried 5-0.

At the request of Kryzer, Husom moved to cancel the Public Hearing on 11-08-16 at 9:30 A.M. which would have been held to consider the extension of the moratorium on solar. The motion includes repeal of the solar moratorium enacted in May, 2016. The motion was seconded by Potter and carried 5-0.

ITEMS FOR CONSIDERATION

10-25-16 PERSONNEL COMMITTEE MINUTES

On a motion by Husom, second by Daleiden, all voted to approve the 10-25-16 Personnel Committee Minutes, which follow:

I. Proposed PTO Policy for Non-Union Employees

Brief review of PTO Policy draft and corresponding handouts.

RECOMMENDATION: refer to Personnel COTW on November 1, 2016 at 10:30 a.m.
(End of 10-25-16 Personnel Committee Minutes)

ADVISORY COMMITTEE / ADVISORY BOARD UPDATES

1. TH 25 Coalition. Potter attended a meeting on 9-19-16. Becker Township wants to join the Coalition. An amendment to the JPA is expected. The next meeting will be 12-15-16 at 7:30 A.M. in Monticello. Meetings have been switched to Thursdays.
2. Greater MSP. Sawatzke said four County Board members attended the meeting. Sawatzke raised a question at the Greater MSP meeting regarding funding. When Greater MSP started, the intent was that it was not to be funded by government in the future. Sawatzke said it was acknowledged that this was the original mindset of the group. However, it was conveyed that some governmental units feel strongly about being part of Greater MSP and want to contribute.
3. River Rider. Sawatzke and Borrell attended a meeting on 10-27-16 in Elk River. A vote was taken on a resolution that ended the River Rider Board. All business matters are not complete as the State has not finalized what they need to do. Possible costs may be incurred with the preparation of a 1099 form. The River Rider Board appointed a caretaker for the organization in the absence of the Board. According to legal counsel for River Rider, the State owes River Rider approximately \$5,300. Sawatzke said the River Rider accounts equal over \$376,000 (checking and savings). Wright County will receive \$36,670 for buses and two-thirds of the other balances. A resolution to be presented to the Wright and Sherburne County Boards indicating agreement to the final numbers. Daleiden asked whether any of the funds could be placed in the General Fund. Sawatzke said money that Wright County provided directly to River Rider may qualify to be placed in the General Fund. He thought the departments of Auditor and Health & Human Services could go back 15-17 years to see whether any seed money was contributed. Anything that is a profit from River Rider must be used specifically for transit. He suggested that Wright County could place the money in a fund for transit.

The meeting adjourned at 10:22 A.M.