



## BOARD MINUTES

### BOARD OF WRIGHT COUNTY COMMISSIONERS

SEPTEMBER 11, 2018

DATE APPROVED: SEPTEMBER 18, 2018

Christine Husom	District 1
Darek Vetsch	District 2
Mark Daleiden	District 3
Michael Potter	District 4
Charles Borrell	District 5

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

#### COUNTY BOARD MINUTES 8-28-18

Husom moved to approve the minutes, seconded by Potter. The motion carried 5-0.

#### AGENDA

Borrell moved to approve the Agenda as amended, seconded by Vetsch. The motion carried 5-0.

#### CONSENT AGENDA

On a motion by Vetsch, second by Husom, all voted to approve the Consent Agenda:

##### A. AUDITOR/TREASURER

1. Schedule A Public Hearing On October 9, 2018 At 1:00 p.m. For The Reestablishment Of Records For County Ditch #10 In Accordance With Minn. Stat. 103E.101 Subd. 4a
2. Acknowledge Warrants Issued Between August 22, 2018 And September 4, 2018

#### TIMED AGENDA ITEMS

##### **BOB HIIVALA, AUDITOR/TREASURER**

Approve A Plat "Horswell Lake Lots" (Corinna & Clearwater Township)

On a motion by Potter, second by Vetsch, all voted to approve the plat.

##### Schedule A Public Hearing In Regards To Transferring Ditch Authority For The Outlet Of County Ditch 33 Back To Wright County

Matt Detjen, Ditch Coordinator, said County Ditch 33 is located east of the City of Monticello. In 2006, the City gained partial authority to manage the outlet for the proposed Hidden Forest and Niagara Fall developments. Sections transferred include Branch #1, Branch #2, and the main outlet from Outlet Structure #2 to the legal outlet of the ditch system. This agreement was in preparation for plans to create a new outlet for the system in conjunction with another previous outlet agreement for the Carlisle Village development. On 9-13-05, the City approved using the \$167,000 set aside by the developer to create a new 48" outlet for this system. If the work was not completed within three years, the funds were to be paid to the County and into the County Ditch 33 fund. The funds remain with the City and should be transferred to the County as part of the agreement.

It was clarified that the two plats were included in the Orderly Annexation Area but were never annexed into the City. The City is unable to charge the benefitted roles as it is not part of the City.

On a motion by Vetsch, second by Husom, all voted to schedule a public hearing on 10-16-18 at 9:30 A.M. for discussion on transferring ditch authority for the outlet of County Ditch 33 back to Wright County.

#### ITEMS FOR CONSIDERATION

##### **8-22-18 BUILDING COMMITTEE MINUTES**

At the County Board Meeting, Potter moved to approve the minutes and recommendations, seconded by Vetsch. Daleiden questioned whether there are highway bond proceeds remaining to cover some of the costs listed in Item III, Bond Proceeds Hwy. Lee Kelly, County Coordinator, said there are not. Hiivala suggested the use of Budget 100, Site Improvement funds. The motion to approve the minutes carried 5-0. The minutes follow:

### I. Compost & Recycling

*Wilczek opened the discussion with background on the site and the storm damage that occurred in 2016. He outlined that the site really isn't conducive to the operations that currently take place. There are a number of concerns related to the electrical, heating, ventilation, etc. The old tipping floor was not reconstructed, and the best operational outcome is to build a proper facility to meet the needs of the operation. Wilczek and Stephens toured the McLeod and Stearns hazardous household waste facilities earlier in summer and Wilczek also toured Olmsted County when onsite for another meeting. After meeting with the architect that designed the Stearns County facility, it was estimated that a facility on the old tipping floor footprint of ~12,000 sf would cost approximately \$200 psf. Wilczek requested a recommendation from the committee & board on how to proceed with the site.*

*Potter & Daleiden had comments about the facility and that although there are issues with the current facility being not operationally ideal, there isn't a way to facilitate construction of a new facility at this time. They offered that Stephens should pursue removal of the old equipment that is not being used to make more space for current programs. Stephens noted that operations will have to move out for 2 months to get the metals out because of the flammability and torches. Potter offered that maybe we need to stage the removal so the downtime is of shorter durations. Potter also offered that maybe there could be a storage container utilized for storage of materials during the removal, but it was up to Stephens to come up with a plan to work through it.*

*RECOMMENDATION: Develop a plan to remove the old equipment and continue to utilize the current facility. Bring the topic back to the committee in Q1 2019 for further discussion on long term plans.*

### II. LEC & Geothermal

*Wilczek provided an update that a small leak remains in the geothermal system of the LEC as Braun Intertec was unable to locate and repair during previous detection efforts. There has been an effort to re-engage Braun for other leak detection proposals, however they are no longer working on geothermal systems. Through resource inquires, Wilczek located a company called Mineral Service Plus and will meet with them to learn more about ideas & approaches for detection. They were recommended by other groups that have utilized them with success.*

*RECOMMENDATION: Meet with Mineral Service Plus and bring the results of the meeting back to the building committee for further discussion.*

### III. Bond Proceeds HWY

*There was a report that the HWY building construction fund had an available balance and it was asked of Virgil Hawkins to develop a list of items that may have been missed during construction yet should still be completed. The list included perimeter fencing to complete the partial existing enclosure (estimated \$16,500), installation of the building dedication plaque in the entry (quoted by Wilczek at \$725), installation of an electronic screen in the lobby to highlight projects and news from the HWY department (estimated \$1500), and replacement of the carpeting in the maintenance and shop offices with a more durable or washable material (estimated \$8000).*

*It was offered by Kelly that he didn't believe there were account funds remaining from the project, but would verify with the Auditor Treasurer's office.*

*In discussion, it was determined for Hawkins to pay for the screen from the Hwy budget, Wilczek to go ahead with the plaque installation, wait until the carpet is in very bad condition to replace, and wait until the Justice Center project is completed to install a new fence due to finish grading concerns.*

*RECOMMENDATION: Kelly to investigate if remaining funds are available, but proceed with others as noted above.*

**8-23-18 COMMITTEE OF THE WHOLE (COTW) MINUTES**

At the County Board Meeting, Daleiden referenced an email from the Highway Department on Item I, Fairgrounds Paving, and the \$200,000 in additional cost if the project is delayed until next year. Borrell said it is not the intent that the source of funding will be the Highway Department. Vetsch moved to approve the COTW minutes and recommendations, seconded by Husom. Husom made the following change to the minutes: Page 3, 7<sup>th</sup> paragraph, 2<sup>nd</sup> sentence should read, "That hourly rate is \$4-5 less for a total of \$177,192 for three lakes."

Potter referenced the Greater Lake Sylvania Association's presentation on the Regional Inspection Program. He said this was an educational and pilot program and to continue the program on the three lakes would be a burden to taxpayers. Husom said the County has 300 lakes with 59 public accesses. Potter said the DNR should be monitoring lake exits and they are not. He disagreed with the DNR's statement these lakes are now the County's responsibility once it was decided to move forward with the pilot program. Potter said it was a pilot project that was not meant to be done long term. The information attained through the pilot can be shared with other counties or associations looking at a similar program.

Husom referenced the task force that has been created. The recent meeting included representation by Annandale Police Department, Wright County Sheriff's Office, and the Greater Lake Sylvania Association. The group discussed ways to reduce law enforcement costs. Vetsch said the minutes reflect further discussion on this topic would occur in October 2018. The timeline has been changed to meet sometime prior to the end of 2018, based on information presented at the task force meeting. Daleiden asked whether the DNR and sportsmen have expressed interest in joining. Husom said they have and the meeting last week included the DNR, Annandale Police, and sportsmen. The motion to approve the minutes carried 5-0. The COTW Minutes follow:

**I. Fairgrounds Paving**

*Lee Kelly, County Coordinator, said the Fair Board requested additional paving as an alternate bid during the 2018 budget sessions. Chad Hausman, Assistant Highway Engineer, said Mid-Minnesota Hot Mix, Inc. was the lowest bid.*

*The following documents were distributed:*

- 1) Email from Chad Hausmann to Virgil Hawkins, Highway Engineer, dated Wednesday, May 30, 2018 regarding the Fairgrounds Plan and Paving Schedule Pricing;*
- 2) Fairgrounds Overview Map;*
- 3) Statement of Estimated Quantities;*
- 4) Schedule of Prices, Pages 1 and 2 (see attachments).*

*Hausmann has a call into Mid-Minnesota regarding the potential increase if the project is delayed until next year. He estimated an increase of about 10% depending on the price of bituminous. Hausmann said he is not sure how long he can hold Mid-Minnesota to this bid price, which was submitted in June. Mid-Minnesota indicated they have used up their pre-purchase oil supplies, and will now have to buy at market price. Hausmann said the County has several options: 1) Find out whether the cost will increase, and if so, by how much; or 2) Cap the expenditure at the bid price of \$153,055.85 and do 90% of the proposed paving.*

*Potter said the bid could be capped at a certain amount and prioritize the areas to be paved. Vetsch said the project wasn't budgeted for 2018. Discussion followed regarding how to fund the project, including ideas such as reevaluating allocations to Highway or Parks, adding the paving project to the 2019 Capital Improvement Plan (CIP), incorporating it into the FBI building bond, and asking the Fair Board to contribute.*

*Potter and Borrell favored moving forward this year. Husom said she would, if a funding source was identified. Otherwise, Husom favored adding the project to the CIP for 2019. Vetsch said there is no money available to complete this project now. Daleiden favored postponing a decision until a funding source is identified.*

*Recommendations:*

*Table the discussion of paving the County Fairgrounds until:*

- 1) Funding sources have been explored; and*

**8-23-18 COMMITTEE OF THE WHOLE (COTW) MINUTES (cont.):**

- 2) *Mid-Minnesota Hot Mix Inc. clarifies whether there will be an increase over the original bid amount of \$153,055.85.*

**II. Greater Lake Sylvia Association Presentation RE: Regional Inspection Program**

*Chris Hector from the Greater Lake Sylvia Association (GLSA) provided a report on the Wright Regional Inspection Program (WRIP). Also distributed was a letter to the County Board from Alicia O'Hare, Wright Soil and Water Conservation District (SWCD) Water Resource Specialist, dated 8-17-18 (see attachments). Hector said his goal was to share the financial aspects of the program, how it can be expanded, and what happens when they lose Initiative Foundation funding in June of 2019.*

*Referring to Page 1 of the presentation, "Wright Regional Inspection Program – Goals," Hector said the GLSA is providing 100% coverage of the partner lakes in the pilot program.*

*Regarding Page 2, "The Problem: Pleasant Lake 2017 At the Access Staffing," Hector said inspections were available for only four percent of the 500 hours that accesses were open. There are simply not enough resources to staff all the ramps presently.*

*Page 3, "The Solution: WRIP Traffic by Day," provides a proposed solution. Hector said inspectors are available and ready but not utilized on many days of the week during low demand times. On those days, they could be used to protect other lakes. Hector said the graph on this page is from mid-May to mid-June 2018 for two inspectors. The GLSA is proposing to utilize that available capacity by protecting more lakes. He said the more lakes that are added into the program, the better the numbers get. Hector said for 792 inspections, there were wait times of less than one minute to see the inspector. See Page 4, "How's It Going? Wait Time / Preliminary Data."*

*Hector turned attention to Page 5, "2019 Plan." He said an advantage to adding more lakes to the program is that each lake carries with it funding such as State Aid to Counties, some of which could be used for this program. Lake associations also provide funding and are buying access hours through the SWCD program. Those dollars could also be shifted to the WRIP.*

*Another goal is to improve enforcement of the Aquatic Invasive Species Ordinance. Hector said citations must be issued to reduce the number of noncompliant boaters. GLSA goals for 2019 are to reduce the costs of enforcement by eliminating the duplication between roving enforcers and law enforcement follow up. Hector believes this can be done without Initiative Foundation funding. He reviewed estimated 2019 WRIP Expenses as shown on Page 6, "2019 WRIP Expenses." The numbers assume two staff on-site each day; one dedicated to decontamination, and the other for inspections. The estimate of expenses was based on actual dollars spent in 2018, with some increases that would be incurred for adding more lakes to the program.*

*Vetsch referred to the line item in the amount of \$15,000 for Administrative assistance, stating that the SWCD has subsidized administration of the WRIP, and asked for clarification regarding the true cost of the program.*

*Luke Johnson, District Manager, Wright SWCD, said through June of 2018, the SWCD had approximately \$20,000 of administrative time into the Wright Regional Inspection Program. He anticipates that the SWCD's total administrative cost in 2018 for initiation, inspection, and reporting will be between \$50,000 and \$60,000. Johnson said there will be some efficiencies gained from 2018, however, there will be increased data to process in 2019 if more lakes are included in the program.*

*O'Hare added that the \$15,000 Administrative cost listed in the 2019 WRIP Expenses document would be for assistance with data entry to free up her time for county-wide projects. Johnson said that estimated administrative costs for the WRIP program for SWCD next year are between \$50,000 and \$60,000. Vetsch emphasized that WRIP funds must be separately designated, so that SWCD is able to allocate staff time and resources equitably between all County lakes, and not just those in the WRIP. Johnson said if more of the State Aquatic Invasive Species (AIS) grant funds go toward administration of WRIP, then less is available for treatment and inspection. The SWCD Board has not yet decided on allocations in these areas for 2019.*

**8-23-18 COMMITTEE OF THE WHOLE (COTW) MINUTES (cont.):**

*Hector said total estimated expenses for WRIP in 2019 is \$234,884.00, which includes \$15,000 for administration.*

*Hector referred to Page 7, "2019 WRIP Income." The numbers represented are income projections for 2019. Over and above the three lakes in the pilot program, the GLSA has received commitments from other lake associations, whose contributions are listed. Moose, Granite, and Bass lake associations are on board but have not yet contributed. They have gone back to their boards and memberships and have agreed to join WRIP as soon as an expanded program becomes viable. Page 8, "2019 WRIP Summary," also lists Ramsey, Indian, Mary, and Maple lakes as potential lakes in the program.*

*The total projected income for WRIP in 2019 is \$299,652.30, including remaining funds from the Initiative Foundation, fees from inspection and decontamination, and \$73,700 from Wright County.*

*Todd Hoffman, Chief Deputy Sheriff, spoke regarding enforcement of the AIS Ordinance. He read statutes related to the Sheriff's responsibilities and the Commissioner of the Department of Natural Resources (DNR), as well as the Aquatic Invasive Species (AIS) statute. The AIS Statute directs the DNR Commissioner to establish a Statewide program to prevent and curb the spread of invasive species of aquatic plants and wild animals. The core function and responsibility of law enforcement is public safety and keeping the peace. The function of the DNR Commissioner is management of the State's natural resources.*

*Hoffman said the DNR Commissioner cautioned the County Board in 2017 that by adopting the AIS Ordinance and the Wright Regional Inspection Program, the County was taking on the full responsibility for aquatic invasive species in Wright County. Hoffman questioned how a County Ordinance could pre-empt the DNR's role and responsibilities. At that time, the Sheriff's Office agreed to participate in the WRIP program and work with the County and SWCD as much as possible. From 5-10-18 to 8-22-18, the Sheriff's Office had 268 AIS-related calls. The average time spent on these calls from the time they were assigned until the time they were cleared is 38 minutes and 49 seconds. This involves education only. When on location, the call includes leaving a pamphlet on the windshield. If the owner is present, the call takes a bit longer. Hoffman said this amounts to roughly 171 hours of actual hands-on AIS enforcement for the Sheriff's Office, compared to a traffic stop, which averages 17 minutes and 26 seconds. The average parking complaint takes 15 minutes and 34 seconds.*

*Hoffman presented data regarding contract hours with cities and townships. In July 2018, between the hours of 7 A.M. and 7 P.M., one township in the County had 32 incidents where a deputy had to respond and write a case report. During the same period, the Sheriff's Office responded to 122 responses by deputies for three lakes that required a written case report. This means that the Sheriff's Office is already providing more service for three lakes than contract townships and cities. Hoffman said the current model is not sustainable. The Sheriff's Office is unable to provide this level of service to citizens, which is over and above the normal standard. The Sheriff's Office does not usually provide ordinance service, unless it is part of contracted hours. These activities are taking away from the Sheriff's Office duties of law enforcement.*

*Hoffman suggested two options:*

- 1) Treat AIS calls like any other entity requesting contracted law enforcement services. The cost for twelve hours of contracted law enforcement service, seven days per week, from April 1 to October 31, for 214 days or 2,568 hours, at the 2019 contract rate of \$74.58 totals \$191,316 for a licensed deputy dedicated to AIS enforcement for three lakes.*

*Hoffman said a less expensive option would be to contract with a non-licensed park ranger Sheriff's Office employee who has authority to write citations. That hourly rate is \$4-5 less for a total of \$177,192 for three lakes. This service mainly involves educating citizens. Hoffman said as the County transitions to investigating and possibly citing violators, the cases can't be handled like a parking ticket. More time is involved.*

**8-23-18 COMMITTEE OF THE WHOLE (COTW) MINUTES (cont.):**

- 2) *The Sheriff's Office does not respond to AIS calls. Instead, the SWCD would take the initial call, collect the date, time, location, license number, trailer number, and inspector name at the site. The SWCD could create a system with first warnings, and subsequent violations would be referred to the Sheriff's Office. Although there is a savings by not having a licensed deputy respond, there is still a cost to do the investigation.*
- 3) *The Sheriff's Office's participation is removed completely, and SWCD writes their own citations.*

*Discussion followed regarding whether to continue the program and add more lakes to it, the effectiveness of the program and other possible solutions, funding challenges, and which agency should take responsibility. There was consensus that the problem is serious and something needs to be done.*

*Hoffman will draft a synopsis of the information and forward it to the County Board, Senator Bill Ingebrigtsen and the SWCD per Potter's request. O'Hare will also provide Ingebrigtsen and the DNR with her statistics and analysis.*

*Daleiden said the DNR must come to the table with money. Potter said if the DNR agrees to fund the WRIP, he favored continuing with it. O'Hare said she is coordinating a meeting with the DNR in early September.*

*Comments were taken from members of the public.*

*Josh Engelmann of French Lake:*

*Engelmann's concern is that the program is taking high risk lakes and turning them into low risk lakes, and creating high risk lakes out of low risk ones. He added that if sportsmen and women aren't drawn into the process, the program will never get their support.*

*Eran Sandquist, South Haven:*

*Sandquist said the WRIP isn't a viable program. He said it doesn't make sense that exit inspections from boats leaving infected lakes are not done. A better plan and more education is needed, not more rules or this program.*

*Blaine Barkley, Annandale:*

*Barkley said the DNR is not doing their job. Their lack of enforcement is hurting County lakes and citizens.*

*Borrell suggested requiring boaters to carry a log book and make an entry every time they enter and exit a lake. The log book could be shown to an inspector. An app could be created for smartphones.*

*Daleiden said this matter will not move forward until the DNR and sportsmen come to the table.*

*Recommendation: Decision regarding AIS Ordinance revision will be reviewed in October 2018.*

*COTW Minutes submitted by Deb Schreiner, Administrative Specialist*

*(End of 8-23-18 COTW Minutes)*

**8-30-18 COMMITTEE OF THE WHOLE MINUTES**

At the County Board Meeting, Potter moved to approve the COTW minutes and recommendations. The motion was seconded by Husom and carried 5-0. The minutes follow:

**I. Kick-Off Meeting For New Government Center Building****A. Debrief of Facilities Tour**

*Anthony Enright, Project Manager, BKV Group, discussed recent department tours taken at buildings BKV Group designed, including Olmsted County Health & Human Services (HHS) and Winona County HHS buildings. Wright County HHS staff toured them, looking specifically at the functionality of operations versus design plans. Enright showed photographs in a PowerPoint presentation and discussed the pros and cons of each design (see attached).*

**8-30-18 COMMITTEE OF THE WHOLE MINUTES (cont.):**

*Recommendation: Informational only.*

**B. Identify Goals of Project**

*Bruce Schwartzman, Partner/Architect from BKV Group (BKV), said the goal is to come back to the County Board by early November with a schematic design of this project. If the project continues at that point, the design development phase would be completed by mid-January 2019, with bidding commencing in March 2019. Since the schedule is tight, future meeting dates will be critical. A new team member from Studio Architecture will attend the next meeting in September. They design corporate and government facilities world-wide. Schwartzman said he brought them in to offer different ideas on operational issues and provide big picture planning for the facility.*

*Schwartzman proposed utilizing an Executive Committee with two Commissioners, Department Heads, Lee Kelly, County Coordinator, and Alan Wilczek, Facilities Services Director. This model was used for the Justice Center construction project to address budget and big picture topics. Recommendations were brought from there to the full County Board or a Committee Of The Whole. Schwartzman said the BKV team would be glad to come monthly for a Committee Of The Whole or Executive Committee meeting to provide updates. The consensus was to continue with the full group in the beginning of the process.*

*Proposed meeting dates were discussed (see attachments). The next meeting was set for 9-19-18 from 8:00 A.M. till 10:00 A.M. Husom cannot attend. Schwartzman said they will rework the meeting schedule and send it to participants. Future meeting schedules will show corrected dates for 1-23-19 and 1-29-19 (listed as 2018 in these attachments). After the September meeting with Studio Architecture, BKV will start to develop concept plans, and meetings will be set up with individual departments.*

*Recommendation: The next meeting will be 9-19-18 at 8:00 A.M. BKV Group will update the proposed meeting schedule and email it to participants prior to the meeting.*

**C. Service Delivery Strategies**

*There was discussion regarding the potential layout of the new Government Center (GC) Building, the size of the parking lot based on staff and the projected number of visitors. (See attached preliminary concept plans showing the site of the new GC, proposed parking spaces and analysis, and entrances to the GC and adjoining buildings). Enright said the current proposal would accommodate parking for the next twenty years. At most the new GC is projected to need 595 parking spaces, with an average daily parking need of an estimated 506 spaces. Future parking expansion locations were also discussed. He referred to a proposed ramp to the loading dock on the lower level of the new GC building. He said the preliminary concept includes a drive-through for the License Bureau. He emphasized that the plan shown in his presentation is very preliminary, and not a final plan.*

*Borrell asked whether the geothermal system should be evaluated. He did not feel it is a cost-effective system. Wilczek said it saves on gas cost. He recommended changing the system over with the new building as the heat pumps are going bad. Wilczek said there isn't a reasonable payback on the conversion. A new system would be about the same. The future system would not require replacing heat pumps every three to five years at a cost of \$200,000. Discussion continued regarding whether to use the geothermal system. Wilczek said there are multiple options. Schwartzman said they will discuss geothermal options and analysis in the future.*

*Discussion included the main entrance, the proposed square footage of department spaces and their location in the new building, leasing available spaces to area agencies, filling in the ditch along Braddock Avenue, and whether a daycare center for staff would be appropriate. Enright stressed that the concept shown in the presentation is not final, and they are open to further discussions.*

*Recommendation: Informational only.*

**8-30-18 COMMITTEE OF THE WHOLE MINUTES (cont.):***D. Project Priorities*

*Commissioner Husom said customer service is a priority for the Board and staff. She also liked the efficiency of having departments with related services located together.*

*Commissioner Potter brought up security. Wilczek said most County departments have security concerns regarding the public being able to come in and walk up to a counter. Schwartzman said the building is being designed with the primary goal that the public is not able to walk into staff work areas. Greg Kryzer, Assistant County Attorney, said the new building should at least have a space for a magnetometer, as future County Board members may decide to install one. Schwartzman said the new GC will have a spacious lobby, and advised planning for future security needs.*

*Additional discussion included planning some single user restrooms along with group restrooms. Enright said energy efficiency, durability, and how Facilities will operate the entire campus. Other topics included the location of the Surveyor Department, whether to bring in outside vendors to the cafeteria, leasing space to area agencies, adding a daycare for staff, and the seating capacity of the future County Boardroom.*

*Recommendation: Schedule a Committee Of The Whole on 9-19-18 from 8 A.M. to 10:00 A.M.*

(End of 8-30-18 COTW Minutes)

**SCHEDULE OWNERS COMMITTEE OF THE WHOLE MEETING ON 9-19-18 @ 8:30 A.M. RE: PROPOSED ADMINISTRATIVE BUILDING**

Lee Kelly, County Coordinator, proposed a meeting on 9-19-18 from 8:30-11:00 A.M. Vetsch said he may only be able to attend a portion of that meeting because of another commitment; Husom will not be able to attend for the same reason. Vetsch wants to assure he is involved in all aspects of this project. Discussion led to the timetable of the project. Daleiden said the current schedule will involve a bid opening in February-March, 2019. A delay could slow that process down. He questioned whether the Board wants to bid in the spring of 2019 or whether bidding in the fall of 2019/construction in 2020 is sufficient. Vetsch said the time table is not as important to him as being involved.

Potter said the last two building projects included a spring bid schedule and those projects went well without the Commissioners being involved in all the details. Potter said the cost difference between the two facilities is \$200/square foot and felt that was due to indecision. Potter thought Commissioners were involved with the details in those facilities but at some point, it was entrusted to the two Commissioners who are representatives on the Owners Committee to provide oversight on the projects. Ensuring long range stability of the County is what the Commissioners are elected to do.

Husom responded that the Commissioners were all heavily involved in meetings on the Justice Center in the beginning. The Owners Committee members were trusted to make decisions and keep the Commissioners informed. There have only been a few meetings held on the proposed Administrative building. She supports having the majority of the Board present at the meeting for the next steps. She agreed with Vetsch that there needs to be a level of comfort, both for the Board and for the public.

Potter said a delay in meeting of 1-2 weeks should not affect the timeline of bidding in the spring. He stated that if Board members have changed their minds that needs to be voiced.

After further discussion, it was the consensus that Kelly contact BKV Group to determine whether a meeting could be held on any of the following dates: September 21, 25, 26 (afternoon). This topic will be placed on the next County Board Agenda.

**RESOLUTION PROCLAIMING SEPTEMBER 9-15, 2018 AS NATIONAL ASSISTED LIVING WEEK**

Teri Law, Activities Director for Lake Ridge Manor in Buffalo, read the draft resolution. She said those in assisted living are a vibrant and colorful group and she wanted to recognize the contributions made to the community. This year's theme is "Capture the Moment."

On a motion by Potter, second by Husom, roll call vote carried 5-0 to adopt Resolution #18-63: 2018 National Assisted Living Week® | “Capture the Moment” Proclamation for Wright County, Minnesota

WHEREAS, residents of assisted living communities are active members of the larger community, offering their knowledge, life experiences and involvement; their past contributions continue to be a vital part of Wright County, Minnesota’s rich history; and their ongoing participation deepens our County identity;

WHEREAS, assisted living is a critical long-term care service for older adults and individuals with disabilities that fosters choice, dignity, and independence; assisted living communities are committed to excellence, innovation and the advancement of person-centered care;

WHEREAS, in 1995, the National Center for Assisted Living established National Assisted Living Week® to honor the contributions of assisted living communities in providing long term care to America’s seniors and individuals with disabilities;

WHEREAS, this year’s theme of National Assisted Living Week® is “Capture the Moment,” which hopes to inspire assisted living residents to enjoy the present while celebrating the past;

WHEREAS, during this special week, assisted living communities across the country are encouraged to organize activities and events which celebrate the deep connections between the dedicated staff members and residents;

NOW, THEREFORE, We, The Wright County Board of Commissioners, do hereby proclaim the week of September 9-15, 2018, as Assisted Living Week in the Buffalo, Minnesota. We urge our citizens to consider volunteering in an assisted living community, visit friends and loved ones who reside at these communities, and learn more about how assisted living services benefit our Minnesota residents.

### **FLAHERTY & HOOD PROPOSAL**

The proposal relates to Flaherty & Hood providing legislative services to Wright County during the 2019 Minnesota Legislative Session.

Kelly said direction was given to check into various lobbying firms. Flaherty & Hood has been working with the Coalition of Utility Cities. A meeting was held with Flaherty & Hood in July, and a proposal has since been received. Potter said this started as discussion to investigate lobbying firms that could provide services related to impacts of the possible closure of the Xcel Energy Nuclear Plant. The proposal received from Flaherty & Hood encompasses lobbying for various areas. The County has been working with Lockridge Grindal for about six years for lobbying services related to transportation. He is against contracting with Flaherty & Hood for this reason. Discussion followed on services that can be attained through the lobbying firms. Potter noted that lobbying at the federal level is different than at the state level. He said Flaherty & Hood does not have experience with counties.

Vetsch said the County receives \$7.1 million annually in tax payments from the Monticello Nuclear Plant. Whether Xcel Energy takes the County to tax court or whether the Monticello Nuclear Plant shuts down, there is the potential of substantial losses at the County. The impacts are dependent on what legislation is passed in St. Paul. Vetsch added that the Coalition of Minnesota Cities is one of Flaherty & Hood’s largest clients. He said the intent is to work with Flaherty & Hood relating to utility aspects and bonding needs for the County.

Vetsch said the request is to proceed with an agreement with Flaherty & Hood at an annual cost of \$45,000 (hourly rate capped at \$45,000) to navigate through associated bills relating to this topic. The reason the County reached out to Flaherty & Hood is because of the energy aspects, but Flaherty & Hood has indicated they will assist the County in other areas within the contracted rate. Daleiden asked whether the County is strictly dealing with Flaherty & Hood for the Nuclear Plant, and Vetsch said that is correct. Husom said it is troubling that it is made to be so difficult for power plants to operate. It is clean energy that is relatively inexpensive. With the regulations and the cost, it would be good to have a voice. She said each lobbying firm has their area of expertise.

Vetsch moved to approve the agreement with Flaherty & Hood for lobbying services as deemed necessary for the County. The motion was seconded by Husom.

Borrell asked Vetsch if he has met with Lockridge Grindal to see whether they can offer lobbying services relating to utilities. Vetsch said he has not and does not know their background. One of the largest lobbying areas for Flaherty & Hood is tax evaluations. Potter did not disagree that Flaherty & Hood is intensely involved with utilities and the nuclear plant. He referenced the first paragraph of the agreement which reflects that *“This letter serves as both a proposal and agreement for Flaherty & Hood, P.A. to provide services related to Wright County’s legislative needs during the 2019 session, including utility taxation, transportation, potential bonding projects, and other issues of interest to the County.”* He said the services include transportation lobbying services and he does not think that would reflect positively with Lockridge Grindal who is lobbying on transportation issues relating to the County.

Potter said this County Board has indicated that if an item is not budgeted, it will not be done. He does not recall this expenditure being included in the preliminary budget nor itemized in the Professional Services line item. Potter said he will vote against the agreement because of the lobbying efforts by Lockridge Grindal, on behalf of the County relating to transportation issues. Daleiden suggested having Flaherty & Hood revise their proposal to remove transportation. Potter said when this first was discussed, lobbying services would relate to nuclear plants only. He thought it had now transitioned to include everything. Borrell said that Flaherty & Hood may need to narrow their focus because the County does have another firm assisting with lobbying for transportation. Vetsch thought Flaherty & Hood would narrow the scope but he did not expect the cost would decrease. It is the expectation that most of the work would relate to the Nuclear Plant and some bonding. It was suggested to invite the firm out for discussion on their services.

Greg Kryzer, Assistant County Attorney, said the agreement with Flaherty & Hood is more inclusive in the event the County wants to expand the scope of services in the future. He thought Flaherty & Hood drafted the document with the expectation that it could be narrowed down. If the Board desires in the future to expand services, they will have to go through this process again.

Daleiden asked how the Board wanted to proceed and whether the agreement should be modified. Vetsch did not see a need to modify the agreement as the Board is in control of services used.

Potter made a motion to table this discussion for one week for more information. It was clarified that tabling would override the original motion if there is a second to the motion.

Brian Asleson, Chief Deputy Attorney, referenced discussion on other proposals. When hiring professional services, firms are selected for their area of expertise. It is not required to obtain more than one proposal. Husom said each firm has their areas of expertise, and the intent will be to utilize the services based on that expertise. She does not see a conflict and said Flaherty & Hood will not be used for transportation.

Daleiden called for a second on the motion to table the discussion for one week. The motion failed for lack of a second.

Vetsch said while researching, it was found that Flaherty & Hood was the firm that provided lobbying services relating to utilities. Potter agrees Flaherty & Hood could provide those services. However, Lockridge Grindal has worked as lobbyists for Corridors of Commerce and secured nearly \$100 million in transportation funding.

Borrell asked for clarification of the motion on the table. Daleiden said the motion is to accept the agreement with Flaherty & Hood.

Borrell offered an amendment to the motion that Flaherty & Hood will be retained for the purposes of the Monticello Nuclear Power Plant only. Vetsch questioned whether the amendment will include bonding. Borrell said the motion is only for the Monticello Nuclear Power Plant. Vetsch said the County is not in a contract with Lockridge Grindal. The Transportation Alliance and associated groups are. Vetsch said the County uses

Lockridge Grindal through those other entities. Daleiden called for a second on the motion to amend. Husom suggested removing the transportation piece from the agreement instead of making the services so narrow. Vetsch said he would agree with that. Borrell asked if the intent would be to use Flaherty & Hood for bonding services as well. Vetsch and Husom said that is unknown. Borrell said if the County wants to use their services for bonding in the future, that can be brought back to discuss. Vetsch said that would require amending the contract which could include a change in the cost. The amendment failed for lack of a second.

Husom and Vetsch said the intent is not to use Flaherty & Hood for lobbying services for transportation. Daleiden thought it would have been easiest to amend the agreement.

Daleiden called the question on the original motion to approve the agreement with Flaherty & Hood for lobbying services. The motion failed 3-2 with Daleiden, Potter and Borrell casting the nay votes. Kryzer said methods for return of this topic (as the motion failed) to the Board include: A) the new Board is seated; B) a Board member that voted against the motion brings the topic back for discussion; or C) through an amended agreement.

### **ADVISORY COMMITTEE / ADVISORY BOARD UPDATES**

1. SWCD Meeting. Borrell attended a meeting on 9-10-18. The One Watershed One Plan governance document was passed and the Plan was adopted. Borrell expects this to be presented to the County Board at a future date.
2. Camp Courage. Husom attended an open house for True Friends (remodel of dining room and art center). She also spent time in the equestrian area. She viewed the horse therapy program amazing as it relates to the correlation with certain physical conditions.
3. American Legion. Husom said the American Legion celebrated their 100<sup>th</sup> Anniversary on Saturday and they had a lot of events.
4. Parks Commission Tour of Parks. Daleiden said a tour included various parks. The Mud Lake Park is small, peaceful, and has good fishing. There is no swimming beach.
5. EMAC/PHEP (Emergency Management Advisory Committee/Public Health Emergency Preparedness) Meeting. A meeting was held and included a farewell to Steve Berg, Emergency Management Director, who is retiring.
6. Coordinator Updates.
  - A. Kelly reported that meetings were held last week with InfoTech on ERP (Enterprise Resource Planning) scoping to build a RFP (Request For Proposal).

The meeting adjourned at 10:22 A.M.

County Board Minutes Submitted by: Susan Backes, Clerk to the County Board