



WORKSHOP MINUTES

BOARD OF WRIGHT COUNTY COMMISSIONERS

FEBRUARY 8, 2022

Christine Husom	District 1
Darek Vetsch	District 2
Mark Daleiden	District 3
Mary Wetter	District 4
Michael Kaczmarek	District 5

DATE APPROVED: [DATE]

Members Present: Christine Husom, Darek Vetsch, Mark Daleiden, Mary Wetter, and Mike Kaczmarek

Others Present: Dustin Lozinski (Monticello), Cori Stemburg (Chatham Township), Sunny Lowell (Buffalo), Rick Weible (Elkton, South Dakota), Jeff Swenson (Buffalo), Rose Thelen (Clearwater Township), Alissa Harrington (Flaherty & Hood), State Representative Joe McDonald, Don Baron, John Bowen, Matthew Fomby, Corissa Aronson, Matt Treichler, John Holler, Bob Hiivala, Elizabeth Karels, Greg Kryzer, Lori Pawelk, Schawn Johnson, Sean Deringer, Peter Sorensen, Brian Lutes, Lindsey Meyer, Ryan Kotila, Jami Goodrum, Heather Lemieux, Steve Jobe, Jeremy Kringler, and Gregory Pickard

THESE MINUTES ARE IN DRAFT FORMAT AND REQUIRE APPROVAL BY THE COUNTY BOARD

I. Schedule Meetings as Needed

County Administrator Lee Kelly stated there are not any meetings that need to be scheduled.

II. Voter Integrity

Dustin Lozinski (Monticello) stated unprecedented events took place during the 2020 election process, such as last-minute rule changes that had never taken place in previous elections. State legislators recognized many of the faults of the election process years before the 2020 election and made conscious efforts to put laws into place to protect the voting system. In 2020, the Secretary of State's Office was going to allow absentee votes to be accepted one week after the election, increasing the chances for illegal voting activity to occur. Representative Eric Lucero and Representative James Carson were able to stop this from happening on October 29, 2020. However, other last-minute changes remained in place. The changes were not made by legislators, as the Minnesota Constitution states they should be. The 2020 election caused many citizens to question the integrity of the voting system.

Cori Stemburg (Chatham Township) said on November 24, 2020, the State Canvassing Board certified the 2020 election for the entire state. On November 29, 2020, 25 days after Election Day, there were 730,000 absentee votes statewide that were not connected to an actual voter. In Wright County, there were 8,657 absentee mail-in ballots that were matched to an actual voter, however, there were 28,766 ballots that were not connected to an actual voter. Minnesota State Statute 203B.121, Subd. 3, states "When applicable, the county auditor or municipal clerk must immediately record that a voter's absentee ballot has been accepted. In a state primary, general, or state special election for federal or state office, the auditor or clerk must also record this information in the statewide voter registration system." Stemburg said the State Canvassing Board had already certified all the Wright County votes five days prior with 28,766 ballots still not tied to a voter. In December, that database had 1,823 ballots not connected to an actual voter and, as of January 31, 2021, 466 ballots in Wright County remained not connected to an actual voter. Stemburg stated the method that took place in 2020 of certifying all votes before all votes were accounted for cannot occur again. Stemburg urged the county to follow all state election laws for the upcoming 2022 election and beyond.

Sunny Lowell (Buffalo) stated the citizens of Wright County are requesting help from elected leaders to obtain answers to settle the election integrity questions from the 2020 election. Lowell added if election integrity questions are answered using full transparency, citizens will know votes in Wright County can be trusted in the future. Voting must be the most protected and upheld system in the county.

Rick Weible (Elkton, South Dakota) stated he is a previous resident of Minnesota and is the former Mayor of St. Bonifacius. Weible explained absentee ballots must immediately be entered into the statewide voter registration system so that voters cannot vote more than one time. Weible stated there was a disconnect because 25 days after the election and five days after the entire state certified the election, Wright County still had 28,776 ballots that had not been entered into the statewide voter registration system. Weible stated the county has until December 15 to enter data for in-person voting. Wright County asked for an extension until January 12 to enter the data due to an inability to complete the work. Weible questioned what the inability was because there has not been damage to the Government Center building and none of the county employees that work in the elections division passed away. In Wright County, four individuals voted more than once, six voters died before the election, and one individual voted from a PO box as an address. The systems in place to prevent voter fraud are not working. Of the 28,766 absentee ballots in the county, only 8,657 were entered into the statewide system.

Commissioner Darek Vetsch stated the county is down to 466 ballots that have not been verified. There will always be a small number of ballots that will not be able to be verified. Weible stated there is a history of close elections in the Minnesota, so the small margin makes a difference and can change election outcomes. Vetsch stated one of the reasons the verification process takes so long is the county is not allowed to ask good questions and individuals are allowed to vote without being in-person. Vetsch questioned how much money and staff time should be spent to get more accurate elections. Weible stated there was not a single request for funding in 2020 that was denied. Weible stated there needs to be party balance at the ballot boards.

Vetsch stated the only way to prevent questions is changing the process on the front end with an identification process and voters had to appear in-person. Weible stated we cannot go back and change the officials that were elected in 2020. It is important to do better next election. Commissioner Christine Husom stated she is in favor of voter identification and there is no reason not to have an ID when going to vote. Weible stated if more counties shared recommendations with the legislature, laws could be changed.

Commissioner Mike Kaczmarek asked Weible to provide an update on pending court cases. Weible responded the Minnesota Voter Alliance case regarding Olmsted County and the City of Minneapolis is currently before the Minnesota Supreme Court. Oral arguments were heard last month, and a ruling could come any day regarding ballot boards and party balance.

Vetsch questioned what the reasonable margin of error is. Weible responded the number is based on state statute. The state standard per precinct is no more than an error of .5 percent. For automatic recounts, the same type of standard is used.

Finance Director Lindsey Meyer introduced Elections Supervisor Corissa Aronson. Aronson stated there are more than 92,000 voters in Wright County. Vetsch stated the county was within the margin of error, but the issue is how long it took to get there. Aronson explained there is never an instance an absentee ballot is not connected to a voter. The Elections team uses the Statewide Voter Registration System (SVRS). The process starts with an individual filling out an absentee ballot application. At that time, staff search for a voter record to tie the application to. If it is a new voter, a new record is created. The ballot is issued, and the voter is connected in the SVRS. When the voted ballot is returned, staff updates the progress in the SVRS. The posting of the voting history is what takes longer. The process was no different than previous election cycles, other than the higher volume. Statute allows the county six weeks to post the voting history and there is a verification process. Aronson requested the report of the 466 unverified ballots Weible referenced. Aronson stated the extension was requested due to the volume of ballots needing verification and the limited staff working on it.

State Representative Joe McDonald asked Weible to provide the data that is necessary to begin election reform. Weible stated the information is available at www.midwestswampwatch.com. Jeff Swenson (Buffalo) stated he supports a full and forensic audit of the entire official 2020 ballot.

RECOMMENDATION: *Informational only.***III. Energy Transition Advisory Committee Appointment**

Rose Thelen (Clearwater Township) explained she applied to serve on the Energy Transition Advisory Committee through the Minnesota Department of Employment and Economic Development (DEED). Thelen stated she applied as a member of impacted communities and applied because she has been involved in raising awareness of the impact of plant closures. At the time Thelen applied, there was not anything in the application process that referenced the position representing Wright County. Thelen stated if she had known that were the case, she would have reached out to the commissioners prior to applying. Thelen was appointed in November. Thelen was contacted by DEED representative Catalina Valencia in December but the email went into Thelen's junk mailbox. In January, Thelen contacted Valencia and was made aware of the requirement of a letter of support from the county. The deadline for the letter of support has been extended to February 18.

Thelen stated the job of the committee is to make recommendations as to what the community needs if there would be a plant closure. Thelen stated the committee is comprised of 18 individuals and will examine what has been done in other communities to determine what the community will need in the event of a plant closure. Thelen wants to ensure communities and workers are supported. Thelen added she is not pushing for a plant closure. In 2050, the state will be going 80 percent carbon neutral which will require plant closures. The Monticello Nuclear Plant is slated for closure in 2040 but Xcel Energy is requesting a 10-year extension. Thelen stated the committee meets monthly and would notify commissioners of the committee's progress.

Vetsch stated one of the biggest issues regionally is solar. Vetsch stated he does not feel solar is a viable transition for the economic impact for the community because it does not address tax implications or job loss. Vetsch asked Thelen if she would oppose solar as an economic transition option for power plants. Thelen responded that she would have to review all the data but would not support it if it would negatively affect the community. Thelen stated many plans for solar have been approved and there are ways to make accommodations for the tax base.

Husom stated the Monticello Nuclear Power Plant is the largest taxpayer in Wright County. Husom added the plant provided clean, cheap energy, is viable and has been a great employer in the community. Husom hopes the plant's lifespan will be extended beyond the 2040 and 2050 anticipated closure dates. Husom expressed her concerns with the toxic chemicals in solar panels. Thelen responded the Nuclear Power Plant is not contributing to the carbonization of the planet, however, there are safety concerns. If there is an accident at the plant, the community is in trouble. Xcel Energy has done a lot to improve the safety of the facility. Thelen also stated she is concerned with the landscape being filled with solar panels.

Vetsch stated as the plants enter closure, there must be discussions about public and private partnerships to transition the loss of jobs and what programs need to be created for a successful transition. Thelen stated she thinks a solution can be developed that does not hurt the community or the environment. Vetsch stated the committee needs out of the box thinking and individuals with economic development in mind. Thelen stated those are the reasons she applied for the position.

Commissioner Mark Daleiden asked Thelen what ideas she has for improving the lives of the people that will be impacted by a plant closure. Thelen stated she has researched other communities that have re-trained workers in new technologies. Thelen added there are several options, and she continues to research options.

RECOMMENDATION: *A recommendation will be brought before the commissioners at the February 15 County Board Meeting.***IV. Dental Clinic Update**

Project Administrator Elizabeth Karels stated the commissioners authorized staff to enter into an agreement with Greiner Construction to provide labor and material to construct a dental clinic in the new Government Center. The proposed timeframe from start to finish is five months. Value engineering options are being discussed and then the

contract will be finalized. Karels stated the county is still waiting on the receipt of the state grant and construction will not begin until it has been received. The Torrens process is ongoing. The office will have up to 12 dental chairs.

RECOMMENDATION: *Informational only.*

V. Maintenance Services Cost Analysis

Facilities Services Director Alan Wilczek provided the commissioners a cost analysis for maintenance services. Kaczmarek stated Wilczek made a good case to continue operations as they are. Wilczek stated the county held on to equipment when cleaning services were outsourced in case the discussion came up again. Wilczek stated the equipment will be disposed of through auction if another contract for services is entered. Kaczmarek questioned what equipment uses batteries. Wilczek responded some of the vacuums are battery operated to address trip and fall safety concerns. Many of the scrubbers and walk behind equipment are battery operated as well. Kaczmarek also questioned if there was a change in personnel or schedule because he has not seen the cleaning crews as often lately. Wilczek stated there have been challenges due to Covid-19. In December and January, flex employees were used to service the buildings but now it is returning to a fully staffed operation with normal hours. Wilczek outlined in the summary several temporary staff would be needed if the services were provided in-house. The biggest cost impact would be the county does not have a wage scale for the cleaning services positions. Vetsch added the worker's compensation risk is lowered by contracting the services. Wilczek added this type of position typically experiences more turnover than higher level positions.

Daleiden recommended continuing with contract workers for cleaning services. Wilczek has pricing to include the new Government Center. In April, the current agreement expires. The Request for Proposal (RFP) is drafted and will be posted on the website.

Kaczmarek stated he would like to have someone from a company come assess the facilities and provide information on how many individuals it would take to provide contracted maintenance services. Daleiden asked Kaczmarek if he is wanting contract workers to be at the facilities full-time. Kaczmarek stated there may be an opportunity to save money by contracting the facilities maintenance positions. Kaczmarek stated he thinks this is a good time to review this due to the move to the new campus. Wilczek stated the basis for going to the contracted janitorial services was due to retirements and a need for a different type of employee. The HVAC Technician and the Master Services Electrician positions were created as other positions retired. The budget remained neutral while the county gained qualified employees capable of providing higher level services. Wilczek stated the same opportunity does not exist for contracting the maintenance services and it would be economically driven and would result in the elimination of the entire maintenance team. Vetsch stated the workload for these positions changes daily. If these become contracted positions, the ability to assign ad-hoc tasks is lost.

Wilczek stated he can post a formal RFP for maintenance services if that is the intent of the commissioners. Wilczek added he does not think a company will provide information on the model needed if the county is not serious about contracting the services. Wilczek stated on the janitorial side, ABM is able to recruit and train employees for a lower fee. On the maintenance technician side, the county is already low paying. Few applicants applied for the current vacant position. Additionally, current employees would have to take a pay cut to work for a company that would contract the services. Wilczek questioned if the intent is purely economical or if the continuity of operations has any value.

Daleiden questioned if employees must go through additional background checks to access the jail and training facility. Wilczek responded yes, more in-depth background checks and training are required. The contracted janitorial service currently works in the jail and must complete the required background check and training for authorization.

Kaczmarek stated there have been constituents that have been following contracted services at the county and there could be potential savings by contracting maintenance services as well. Daleiden stated he does not think it is a

good time to look at contracting these services with the upcoming move to the new building. Daleiden added he thinks we will have better results and more dedicated workers continuing as is. Husom added it would be a big learning curve to contract out the services. The commissioners agreed to leave maintenance services as they are and re-visit the discussion in 12-14 months.

RECOMMENDATION: *Janitorial services will continue to be contracted. The new Government Center will be added to the current contract once the facility opens. An RFP for janitorial services will be posted near the conclusion of the current contract in April 2022. Maintenance services will continue to be provided in-house and the commissioners will re-visit the discussion in 12-14 months.*

VI. Sheriff's Office Range Ventilation Design

Kelly stated county staff met with BKV Group on Monday, February 7 to discuss concerns with operations of the facility. BKV Group verified the indoor shooting range was built as designed however there are concerns about the air flow. BKV Group provided some potential solutions and the county reached out to get a second opinion as well. BKV Group is committed to working through the process and has stated it will share some of the responsibility and cost it will take to solve the issue. Another meeting has been scheduled with BKV Group on Wednesday, February 16 to further discuss solutions.

Sheriff's Office Chief Deputy Matt Treichler stated the range has not been used since March 2021 and the Sheriff's Office would like to get the process going so the range can be used again. Treichler stated OSHA requires testing of the laminar air flow in the range annually. A vendor tested the air flow and determined it was not up to standard.

Kelly stated the solutions BKV provided were significantly lower in dollar amount from solutions proposed by other vendors. Kelly stated the county needs to do its due diligence to find an effective solution. Vetsch asked if there is any legal recourse. Kelly responded that is possible, once a solution has been defined. The range is a unique environment, using specialized equipment.

Daleiden questioned if there is an equipment failure. Treichler responded the equipment is functioning as designed. Wilczek stated the air is supposed to start at one end of the facility and smoothly flow to the other. Currently, the air flow is rolling up and down the range, bouncing off the floor and ceiling. In a typical environment, it would meet code, but the range has different requirements.

Kaczmarek stated he is dissatisfied with the way the commissioners found out about the situation. Kaczmarek stated there was a lot of opportunity for the commissioners to be notified. Kaczmarek stated during budget time, he asked if the county was in the position to offer the range to other agencies to use and the Sheriff's Office failed to tell the board the range was not operational. The commissioners found out due to a question on a claim. Kaczmarek stated he has asked for Risk Management to be involved twice. Kaczmarek stated a file should be open in Risk Management for the potential for health effects from individuals that used the range. Additionally, Kaczmarek asked for the \$4,900 report.

Kaczmarek questioned where the Sheriff's Office and FBI are currently shooting. Treichler stated the FBI was interested in the outdoor range and are still shooting there. The Sheriff's Office new hires are shooting at Tactical Advantage or another indoor range, costing approximately \$200-\$300. Treichler stated it took substantial time to determine what the problem was and find a vendor to do assessments.

Kaczmarek stated he does not think the county should be paying for the any of the expenses associated with making the range operational. Kaczmarek questioned if there is an estimated cost for the proposed solution. Kelly responded between \$50,000 to \$100,000. Wilczek stated the amount depends on what needs to be changed. Daleiden asked staff to keep the commissioners abreast of the situation. Vetsch stated he would like to go after BKV Group for the consulting and all incurred expenses.

Treichler clarified lead testing was never done because the air was too turbulent and did not meet OSHA standards. It is unknown if potential exposure is a problem. Human Resources Director Schawn Johnson stated Risk Manager Tim Dahl will be notified and work with the Sheriff's Office moving forward.

RECOMMENDATION: *Informational only. Staff will provide ongoing updates after meetings with BKV Group.*

VII. Legal Services Request for Proposals

Kelly stated some firms are specialized in certain areas and others provide wide-ranging services. There are many variables to be discussed. Kelly suggested creating a sub-group of commissioners and staff to review the proposals and make a recommendation to the full board. Civil Division Chief Attorney Greg Kryzer agreed with creating a sub-group to review the proposals in-depth and make decisions on which firms to interview.

Commissioner Mary Wetter questioned if the commissioners need to choose one firm or if a combination of firms can be used. Vetsch stated cost alone should not be the deciding factor. Things such as location, size of firm, and scope of work should be considered. Kaczmarek questioned if county staff is doing everything they can in-house relating to professional services and if the scope of services could be narrowed. Wetter questioned if staff contact the county attorneys prior to contacting outside agencies. Husom suggested working on the process. Kelly stated there are new people in positions and there may be options for the Attorney's Office to assist with personnel issues. County Attorney Brian Lutes stated his office would be a good starting point for staff.

RECOMMENDATION: *A sub-group consisting of Commissioner Vetsch, Commissioner Kaczmarek, Kryzer, Lutes, Johnson, and Kelly review the proposals and determine how many firms to interview and who will be part of the interview panel.*

The meeting adjourned at 11:35 a.m.

County Board Workshop Minutes submitted by Elizabeth Clow, Office Manager.