



**ECONOMIC DEVELOPMENT AUTHORITY (EDA)
COMMITTEE AGENDA**

BOARD OF WRIGHT COUNTY COMMISSIONERS

DATE: FEBRUARY 9, 2021

TIME: 1:00 PM

MEETING LOCATION: County Board Room & Teams

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

AGENDA ITEMS

- I. Approve EDA By-Laws**
- II. Set 2021 Meeting Schedule**
- III. Discuss Strategy and Priorities for 2021**
- IV. Discuss Staff and Consultant Resources for 2021**
- V. Action Item, Agenda for Next Meeting**

cc: County Board
Bruce Kimmel
Jolene Foss
Department Heads
Brian Asleson
Administration
Frank Petitta

Minutes: Elizabeth Clow

POST

**BYLAWS OF THE WRIGHT COUNTY
ECONOMIC DEVELOPMENT AUTHORITY**

ARTICLE I – THE AUTHORITY

Section 1. NAME OF AUTHORITY. The name of the Authority shall be the “Wright County Economic Development Authority” (which may sometimes be referred to as the “EDA” or the “Authority”), and its governing body shall be called the Board of Commissioners (the “EDA Board”). The EDA Board shall be the body responsible for the general governance of the Authority and shall conduct its official business at meetings thereof.

Section 2. SEAL OF AUTHORITY. The Authority shall have an official seal.

Section 3. OFFICE OF AUTHORITY. The offices of the Authority shall be the Wright County Government Center in Buffalo, Minnesota.

Section 4. SCOPE OF AUTHORITY. Except as limited by the enabling resolution adopted by the Board of Commissioners of the County (the “County Board”) on November 24, 2020, as it may be amended from time to time, the Authority shall have all the powers, duties, and responsibilities of an economic development authority set forth in Minnesota Statutes, Sections 469.090 through 469.1082, as amended and all other applicable laws. The Authority shall not have the powers of a housing and redevelopment authority under Minnesota Statutes, Section 469.001 through 469.047.

ARTICLE II – COMMISSIONERS

The Authority shall consist of seven members, five of whom must be members of the County Board of Commissioners (the “County Board”) of Wright County, Minnesota (the “County”). The other two members shall be at-large members. The terms of the commissioners of the EDA Board who are also commissioners of the County Board shall coincide with their terms of office as members of the County Board. The two at-large commissioners shall be residents of the County. The terms of the at-large commissioners shall be six years. However, the initial term of one of the at-large commissioners shall be three years in order to stagger the appointments of at-large commissioners. The terms of the commissioners of the Authority that are also commissioners of the County Board shall terminate at such time as such commissioner is no longer a member of the County Board.

ARTICLE III – OFFICERS

Section 1. OFFICERS. The authority shall elect a president, a vice president, a treasurer, an assistant treasurer, and a secretary annually. A commissioner must not serve as president and vice president at the same time. The other offices may be held by the same commissioner. The offices of secretary and assistant treasurer need not be held by a commissioner.

Section 2. PRESIDENT. The President shall preside at all meetings of the EDA Board. At each meeting the President shall submit such recommendations and information as he or she may consider proper concerning the business, affairs, and policies of the Authority.

Section 3. VICE PRESIDENT. The Vice President shall perform the duties of the President in the absence or incapacity of the President; and in case of the resignation or death of the President, the Vice

President shall perform such duties as are imposed on the President until such time as the EDA Board shall select a new President.

Section 4. SECRETARY. The Secretary shall keep minutes of all meetings of the EDA Board and shall maintain all records and resolutions of the Authority. The Secretary shall also sign all contracts, deeds and other instruments made or executed by the Authority.

Section 5. TREASURER. The Treasurer shall have the care and custody of all funds of the Authority and shall deposit the same in the name of the Authority in such bank or banks as the EDA Board may select. The Treasurer and one other officer named by the Authority in a resolution shall sign all orders and checks for the payment of money and shall pay out and disburse such moneys under the direction of the EDA Board. The Treasurer shall keep regular books of accounts showing receipts and expenditures and shall render to the EDA Board, at least annually (or more often when requested), an account of such transactions and also of the financial condition of the Authority. The Assistant Treasurer shall act as the Treasurer's agent and assistant to perform the above-described duties subject to the Treasurer's approval thereof or if the Treasurer is absent or disabled. An employee of the County may be appointed as Assistant Treasurer.

Section 6. ADDITIONAL DUTIES. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the EDA Board or the bylaws or rules and regulations of the Authority.

Section 7. VACANCIES. If there is a vacancy on the EDA Board, the Board of Commissioners of the County shall select a candidate to fill the vacancy for the balance of the unexpired term.

Section 8. EXECUTIVE DIRECTOR. The County Administrator shall serve as the Executive Director of the Authority.

Section 9. ADDITIONAL PERSONNEL. The EDA Board may from time to time employ such personnel as it deems necessary to exercise its powers, duties, and functions. The EDA Board shall determine the selection and compensation of such personnel.

ARTICLE IV – MEETINGS

Section 1. REGULAR MEETINGS. The EDA Board may hold regular meetings according to a meeting schedule, if any, adopted or revised from time to time by resolution of the EDA Board.

Section 2. SPECIAL MEETINGS. Special meetings of the EDA Board may be called by the President or any two members of the EDA Board for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered at any time prior to the time of the proposed meeting to each member of the EDA Board or may be mailed, faxed or emailed to the business or home address of each member of the EDA Board at least three (3) days prior to the date of such special meeting. At such special meeting no business shall be considered other than as designated in the call. Notice of any special meeting shall be posted and/or published as may be required by law.

Section 3. QUORUM. The powers of the Authority shall be vested in the EDA Board. Four commissioners shall constitute a quorum for the purpose of conducting the business and exercising the powers of the Authority and for all other purposes, but a smaller number may adjourn from time to time until a quorum is obtained. When a quorum is in attendance, action may be taken by the EDA Board upon a vote of a majority of the commissioners present.

Section 4. ADOPTION OF RESOLUTIONS. Resolutions of the EDA Board shall be deemed adopted if approved by not less than a simple majority of all commissioners present, unless a different requirement for adoption is prescribed by law. Resolutions may but need not be read aloud prior to vote taken thereon and may but need not be executed after passage.

Section 5. RULES OF ORDER. The most recent edition of Robert's Rules of Order shall govern the meetings of the EDA Board.

ARTICLE V – FINANCIAL MATTERS

Section 1. FISCAL YEAR. The fiscal year of the Authority shall be the same as the fiscal year of the County.

Section 2. ACCOUNTING SYSTEM AND AUDITS; BOOKS AND RECORDS. The financial records and financial statements of the Authority shall be prepared, audited, filed, and published or posted in the manner required for the financial statements of the County. The books and records of the Authority shall be public records maintained in accordance with state law and with such rules, regulations, and ordinances adopted by the County for maintaining public records.

Section 3. REPORTS TO THE COUNTY. Annually, at a time and in a form fixed by the County Board, the Authority shall make a written report to the County Board giving a detailed account of its activities and of its receipts and expenditures during the preceding calendar year, together with additional matters and recommendations the Authority deems advisable for the economic development of the County.

Section 4. FINANCIAL STATEMENTS. At least annually, the Authority shall examine the treasurer's detailed financial statement, together with the Treasurer's vouchers, filed with the Secretary. The financial statements must show all receipts and disbursements, their nature, the money on hand, the purposes to which the money on hand is to be applied, the Authority's credits and assets, and the Authority's outstanding liabilities in a form required for the County's financial statements. If the Authority finds that the statement and vouchers are correct, it shall approve them by resolution and enter the resolution in its records.

Section 5. BUDGET TO THE COUNTY. Annually, at a time and in a form fixed by the County Board, the Authority shall send its budget to the County Board. The budget must include a detailed written estimate of the amount of money that the Authority needed by the Authority from the County in order for the Authority to conduct business during the next fiscal year. The County Board may approve, reject or modify the budget submitted by the Authority.

ARTICLE V – MISCELLANEOUS

Section 1. FISCAL YEAR. The fiscal year of the Authority shall coincide with the fiscal year of the County.

Section 2. AMENDMENTS TO BYLAWS. The bylaws of the Authority shall be amended only by resolution approved by at least four of the members of the EDA Board.

WRIGHT COUNTY ECONOMIC DEVELOPMENT AUTHORITY

RESOLUTION NO. _____

RESOLUTION ADOPTING BYLAWS OF THE WRIGHT COUNTY ECONOMIC DEVELOPMENT AUTHORITY

BE IT RESOLVED by the Board of Commissioners (the “Board”) of the Wright County Economic Development Authority (the “Authority”) as follows:

Section 1. Background and Findings.

1.01. Wright County, Minnesota (the “County”) is authorized by Minnesota Statutes, Sections 469.090 through 469.1082, as amended (the “EDA Act”), to establish an economic development authority for the County to coordinate and administer economic development plans and programs in the County.

1.02. Following notice to all local government units and development agencies within the County, the local committee known as the Wright County EDA Advisory Committee was created pursuant to Section 469.1082, subd. 2 of the EDA Act.

1.03. The Wright County EDA Advisory Committee met on August 12, 2020 and October 29, 2020. On November 10, 2020, the Wright County EDA Advisory Committee issued a report to the County recommending the organizational option set forth in Section 469.1082, subd. 4, clause (1) of the EDA Act, which provides for the establishment of a county economic development authority to operate under the EDA Act, except that the County shall not have the powers of Section 469.094 of the EDA Act.

1.04. On November 24, 2020, the Board of County Commissioners of the County adopted a resolution establishing the Authority in accordance with the requirements of the EDA Act.

1.05. There has been presented to the Board the proposed bylaws of the Authority (the “Bylaws”).

Section 2. Approval.

2.01. The Bylaws of the Authority are hereby approved.

2.02. This resolution shall be in full force and effect following its adoption.

Adopted by the Board of Commissioners of the Wright County Economic Development Authority on this _____ day of February, 2021.

President

ATTEST:

Secretary

Kennedy

&

Graven

CHARTERED

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MEMORANDUM

ANNUAL EDA REQUIREMENTS

Below is a summary of the annual requirements of an economic development authority established and governed under Minnesota Statutes, Section 469.090 through 469.1082 (the “EDA Act”).

1. **Yearly Report to County Board.** Each year, within 60 days of the anniversary date of the first adoption of the EDA’s enabling resolution, the EDA must submit to the County Board a report stating whether and how the enabling resolution should be modified. Minnesota Statutes, Section 469.092, subdivision 3.
2. **Elect Officers.** Each year, the EDA must elect a president, treasurer and secretary. The same commissioner cannot be the vice-president and the president. The secretary does not need to be a commissioner. Minnesota Statutes, Section 469.096, subdivision 2.
3. **Set Treasurer’s Bond.** The treasurer shall give bond to the state conditioned for the faithful discharge of official duties. The bond must be approved as to form and surety by the EDA and filed with the secretary. The treasurer’s bond must be for twice the amount of money likely to be on hand at any one time, as determined annually by the EDA, provided that the bond must not exceed \$300,000. Minnesota Statutes, Section 469.096, subdivision 6.
4. **Name Depository Bank.** Every *two years*, the EDA must name national or state banks located within Minnesota as its depositories. Minnesota Statutes, Section 469.099, subdivision 1.
5. **Send Budget to County Board.** Annually, at the time fixed by resolution or ordinance of the County, the EDA must send its budget to the County Board. Minnesota Statutes, Section 469.100, subdivision 2.
6. **Send Status Report to County Board.** Annually, at the time fixed by resolution or ordinance of the County, the EDA must make a written report to the County Board giving a detailed account of its activities and of its receipts and expenditures during the preceding calendar year, together with additional matters and recommendations it deems

advisable for the economic development of the County. Minnesota Statutes, Section 469.100, subdivision 4.

7. **Treasurer Files Financial Statement with Secretary.** Each year, the Treasurer must file the EDA's detailed financial statement with the Secretary at a time set by the EDA. Minnesota Statutes, Section 469.096, subdivision 4.
8. **Financial Statements.** The financial statements of the EDA must be prepared, audited, filed, and published or posted in the manner required for the financial statements of the County and filed with the state auditor by June 30 of each year. Minnesota Statutes, Section 469.100, subdivision 5. [EDA financials will be a component of the County's financial statements]