

# Commissioners Gone Wilde...

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By Ford Peterson September 26, 2010

Minnesota government is a quilted patchwork of oversight. The state, county, city, township, and subdivisions, are designed to provide the citizens of Minnesota with some degree of self governance. The community systems are filled with checks and balances designed to protect citizens from wayward residents, and to ensure the public's business is executed efficiently and in accordance with the desires of the community. Governing boards oversee the activities of each jurisdiction and agency to protect the public from errant agencies and wayward public servants. The process involves voting in knowledgeable, trusted, and capable officials to oversee the affairs of our communities. These elected officials are charged with the responsibility to make certain that government itself acts responsibly. What has been happening in Meeker County is the poster child of what can and obviously does go wrong when too much authority is entrusted in the hands of too few. When the citizens allow the officials to perform the duties of their office by willfully engaging in illegal activity through autonomy and in secret, no shortage of mischief can quickly result.

Rumors have been flying about problems with the Meeker County Commissioners. Where there is smoke, look for fire. Answers to simple questions should not require in-depth investigations. Large sums of money spent on "projects" should be easily identifiable and explained using simple terminology. Some degree of transparency should be obvious for those charged with the responsibility of conducting the County's business. There have been recent allegations made against Meeker County Commissioners Wilde and Strand. I am now adding Gabrielson and Kutzky to that list as well. Rumors and clarifying statements from Commissioners about the County Housing and Redevelopment Authority (HRA) and the Economic Development Authority (EDA) of Meeker County have not resulted in the questions going away. Quite the contrary, allegations of harassment, name calling, and even physical assault of vulnerable persons have been leveled against the commissioners—with petitions for restraining orders against elected officials. As a citizen of Meeker County, I was puzzled as to why all the hand waiving and controversy. The County's business is not complicated. Getting to the bottom of the rumors should be simple. This past week I received a phone call inviting me to come to a meeting and listen to the Dassel HRA residents' complaints. I reluctantly agreed to attend and listen. What I heard shocked me to my core. It became painfully obvious that the checks and balances in Meeker County have completely failed to protect some of our community's most vulnerable residents.



I am involved because we have vulnerable individuals who are also victims of assault. Our Sheriff's Department appears to have completely failed to investigate and has further added insult by claiming the allegations of violence to be unfounded. And where is the media? This story needs to be told. The evidence presented below is incontrovertible. The insult to the residents continues. I find out that the two

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county commissioners at the center of the controversy are willfully acting in violation of state law, are acting as commissioners when in fact the law says they automatically resigned from the County Board years ago. The County Attorney's Office is also implicated in the cover-up. What we have is a mess. We have a bankrupt Economic Development Authority operating residential housing illegally, using money illegally assessed from property holders, and used for various nefarious activities. The insult and injury to the people of Meeker County continues to this day. Coercion, threats, and the manipulation of law enforcement investigations are likely just the tip of the iceberg. I can't wait for MN Auditor Otto's report due out in November. If that report is not filled with findings as a result of her investigations, completely exposing the failures of internal controls, then her job performance is in question too. Perhaps the MN State Attorney General can get straight answers out of these wayward politicians.

Adding insult to injury is that the local media has failed to investigate reports. Part of the rage on the part of Wilde is due to Letters to the Editor that were never printed. Wilde was aware of them. It is interesting to note that the local Enterprise-Dispatch no longer publishes Letters to the Editor on-line. Why? Where are the cable channel reports of meetings? Wilde's influence on the local media is legendary. It is no wonder they too have failed to investigate and report.

### HRA? EDA? HUD? An alphabet soup.

What is the HRA? It would be the Housing and Redevelopment Authority of Meeker County. There are 4 buildings in Grove City, 4 buildings in Cosmos, and 1 building in Dassel, financed through a federal HUD (Housing and Urban Development) program, and managed by the HRA. The residential buildings are specifically designed to provide homes for low income residents. This is not assisted living. The residents, while able to support and care for themselves, are in many cases 'vulnerable' citizens. Handicapped and the elderly are often low or no income citizens. The HRA itself is managed by a business office, staffed by a licensed broker, which administers the Federal Section 8 rental assistance for the County. It's running in the black and able to build modest reserves for future repairs, etc. The affairs of the business office are regulated by a board of five commissioners, 4 of which are to be appointed by the County Commissioners, and one of which is elected by the residents of the facility. In accordance with regulations, the HRA is subject to periodic audit. At the HRA's inception, the County had to guarantee that levy authority against the property of county residents would be granted to the HRA to guarantee that any debt would be repaid. Many, if not most Counties have a HRA using HUD financing with similar terms.

Meeker County also has an Economic Development Authority (EDA). The purpose and functioning of the EDA is not as well defined as the HRA. State law prohibits a county with an HRA from granting levy rights to an EDA—and for good reason. Granting levy rights to an EDA would threaten a HRA creditor's ability to levy for repayment in the event the County behaves irresponsible with the affairs of the EDA. The affairs of the EDA are somewhat sketchy. Meeker County appropriations have included substantial amounts being awarded to the EDA with little offered in the form of purpose, or indication as to where the money was spent. It now appears that the Economic Development contributions actually go to a charity controlled by 9 board members, two of which are County Commissioners. The entire operation conducts its business "off ledger," much like the notorious operations of Enron. The [County Commissioner's 2010 Appropriations, updated 12-29-2009](#), clearly shows \$95,000 being delivered to "Economic Development" with no explanation provided.

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### HRA and EDA management:

According to the annual [Meeker County Audit](#), performed by the Minnesota State Auditor, Rebecca Otto, the HRA has a 5 member board appointed by the County Commissioners (page 40 of the 2008 MN Audit Report). The EDA also has a 9 member board with two members being County Commissioners (page 39 of 2008 MN Audit Report).

The HRA is to have a 5 member board, 4 appointed by the County Commissioners and with one being an elected resident of a HRA facility. Yet we find that Commissioners Strand and Wilde have been appointed to the HRA board. Considering that they are County Commissioners, the situation has the appearance that they appointed themselves to be HRA commissioners in violation of MN law. Likewise, according to state law, they resigned their County Commissioner job the same day they accepted the HRA post.

According to an Opinion of the [Attorney General \(358a-3, Nov. 29, 1976\)](#), ( see page 8 ) being a HRA Commissioner is incompatible with being a County Commissioner. One is to oversee the other.

We also find no resident member of the HRA to reside on the HRA Board—again, the board is found to be in violation.

According to an Opinion of the [Attorney General \(358-E-6, Feb. 18, 1958\)](#), ( page 3 ) an individual may apply for a job or run for an office incompatible with a current position without resigning from the current position. However, if he or she accepts a position or receives a certificate of election to an office considered incompatible with the previously held job or office, the matter is treated as if the individual had resigned from the first position. (*Hilton v. Sword*, 158 Minn. 263, 196 N.W. 467 (1923)). This is not an opinion, it is case law.

Serving in either position without pay does not eliminate the incompatibility of the offices because there is continuing potential for conflict between the duties of the two offices, according to the attorney general ruling.

### Warnings from HUD

Representatives from HUD were at a recent board meeting and later [delivered a letter to the board](#), dated July 27, 2010, where the HUD director outlined how the board's activities were illegal. And that the HRA appeared to be paying for legal fees that had nothing to do with HRA business, but instead were paying for the County's nefarious illegal EDA activity. Commissioners Wilde and Strand willfully ignored the HUD director and paid the legal fees at the end of the very same meeting.

### Wilde and Strand Resignations

As can be seen above, the act of appointing themselves to the HRA board triggered an automatic resignation as a County Commissioner. The law automatically strips them of their County Commissioner authority at the moment they appointed themselves to the HRA board. As such, it appears that Commissioners Wilde and Strand have been drawing wages, benefits, per diem, and mileage expenses from Meeker County illegally for some time. It seems only reasonable to believe then that every decision conducted by the Meeker County Board, since their automatic resignation, must be evaluated to determine whether a quorum was present and whether Wilde and Strand's illegal votes were tallied or included to reach an opinion. The whirlwind of controversy surrounding Wilde and Strand continues.

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### Physical Abuse and Coercion

It becomes apparent that these two Commissioners are influencing other departments and agencies at the county. The residents called for the immediate resignation of Wilde and Strand in a [letter to the County Commissioners](#) dated November 12, 2009, and personally delivered to the Commissioners at a regular meeting. Multiple letters to the editor resulted in Wilde and Strand coming to the residences and creating “pandemonium.” ([See the letter from Meeker County Resident Council to the Meeker County Board of Commissioners dated November 12, 2009.](#))

There is evidence that more than one ailing vulnerable adult with disabilities was assaulted and attempted to file an Order on Petition for Harassment Restraining Order, which was later dismissed—allegedly due to lack of evidence (see below). Unable to afford the legal fees to force the Sheriff to protect our community’s most vulnerable residents, the family of the assaulted adult later removed him from the facility as it was deemed to be unsafe. The police in Meeker County claim they could not investigate due to conflicts of interest. Wright County was recruited and apparently presented a report. However, the residents were never contacted by any police. No victims or witnesses were interviewed! There is no wonder a lack of evidence was present. No testimony was obtained by any investigating official! See interviews of residents. Any fifth grader would conclude that the police have an obligation to protect vulnerable adults from assault within their jurisdiction. Their ‘hands-off’ policy points to the extent to which coercion and intimidation as evidenced by their failure to protect. Apparently a County Commissioner is the law in the eyes of the Sheriff.

### Letters

On October 13, 2009, Sheriff Norlin received a complaint from HRA Board Member Darin Packard alleging that Wilde had engaged in “official misconduct by a public official.” The complaint was about how Board Member Packard had been threatened by Wilde. Wilde had threatened Packard privately that if he voted to renew the HRA’s manager/broker contract that he would be removed from the Board or not be reappointed. If Packard did not vote in accordance with Wilde’s wishes, he would be booted from the board. This of course is misconduct as it induces an over-ride of the Board member’s independence. When a deputy arrived to interview Packard’s case, the deputy concluded that “Well of course Wilde has every right to expect you to vote in her favor—she’s the County Commissioner.” Clearly this officer did not understand the important management controls that were being violated by Wilde’s coercive threats. Packard was summarily removed from the HRA Board by Wilde and Strand.

On October 22, 2009, Sheriff Norlin received another complaint against Wilde and Strand claiming assault and that the commissioners were harassing the residents of the Dassel HRA-owned apartments.

In an article published [February 19, 2010 in the West Central Tribune](#) (Willmar) titled “Investigation finds claims against Meeker County Commissioners are ‘unfounded’” we find:

*To avoid any appearance of impropriety, Meeker County Attorney Beckman and Sheriff Norlin referred the matter to the Wright County Sheriff’s Office, which conducted a “full and complete investigation” into the allegations. According to Beckman, the allegations were determined to be unfounded.*

*The investigation was then reviewed for possible charges by the Sherburne County Attorney’s Office, which determined that insufficient evidence existed to go forward.*

What is interesting about this ‘*full and complete*’ investigation is that no resident of the apartments were ever interviewed. No-one! Only the perpetrators of the assault were interviewed. How is it possible to

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investigate completely when the victims of the assault are not even interviewed? There were multiple witnesses. Again, no interview of witnesses either! Beckman's statements are either clearly in error, or we are now witness to a white-washing cover-up. Either we have incompetent police, and a corrupt County Attorney, or we have violent Commissioners. It's that simple.

In the same West Central Tribune article we find a reference to an October interview where Wilde said:

*Wilde said in October that she and Strand talked to residents and told them the county had no intention of closing the apartments. She stated emphatically that no assault or harassment took place.*

Watch the interview of the victims and see for yourself. At no time did anyone even remotely think the apartments would be closed. It was the conversion from affordable housing to assisted living that concerned the residents of the facility. The facility's director had been given specific instructions as to how to prepare the facility for the conversion to assisted living. Yet Wilde denies ever even considering the topic. If you are conducting business at a meeting under her control, you better have cameras!

The residents appeared at the County Commissioner's meeting on November 17, 2009 to [demand the resignation of the illegally appointed commissioners](#). Their appearance is a matter of public record. No action was taken. They were ignored.

In a March 1, 2010 [letter to the editor of the Enterprise-Dispatch](#), Mildred Hendrickson, President of the Meeker Resident Council, responded to the series of botched investigations.

<http://www.herald-journal.com/columns/letters/2010/enterprise-dispatch-0301.html>

Commissioner Wilde then used her editorial space in the Enterprise-Dispatch to white-wash the episode. See Enterprise-Dispatch, March 29, 2010, page 9A "Meeker County Lines," by Amy Wilde:

*But last year, false accusations were made against me and another commissioner. We were blamed for things we didn't do. Although the claims were investigated, and determined by neutral authorities to lack merit, a few people still choose to believe the gossip.*

The "gossip" doesn't go away because it is not gossip. These are violated people in search of justice, protection, and due process. As a resident of Meeker County, I'm ashamed of the Commissioners, Officers and agents serving in the capacity to act on our behalf to prevent these things from happening.

[HUD Letter dated July 27, 2010 to Wally Strand, Board Chairperson, Housing and Redevelopment Authority of Meeker County.](#)

The letter specifically outlines that the HRA board cannot have a County Commissioner. The HRA board has two of them. The HRA is also to have a resident. The HRA has none. Attorneys for the HRA resigned over the issue. See Mildred Hendrickson's testimony to me.

[Motives of Wilde and Strand](#)

So what does it all mean? Why have Wilde and Strand been doing this? What are they trying to accomplish? You need to ask them to explain their activities. But I can speculate.

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The EDA does not have levy authority to levy taxes against the property owners of Meeker County. Only the HRA can do that. They are trying to merge the entities so that they can gain access to the property tax base to fund the various illegal “projects” of the EDA. What are these projects? Who knows! It turns out they are not projects of the county, but a separate and unaffiliated entity known as the [Meeker County Development Corporation](#)—an off-ledger corporation controlled by the Commissioners. The 2009 version of the corporation's 990 tax return has mysteriously been delayed. The 2008 return was filed in May and is under extension--more mystery! "Off-ledger" means they escape the purview of the MN State Auditor. How convenient! How unfortunate for the resident's of the County, who are likely going to be asked to fund the now bankrupt activities of these errant Commissioners.

From the [12-29-2009 list of 2010 Appropriations](#) we find:

Payments to vendor 1608 “Economic Development” for \$95,000. Vendor 1608 is the Meeker County Development Corporation. What is MCDC? It is a 501(c)(3) unaffiliated entity, and yet there are board members of the charity that are also County Commissioners. And there are wages in excess of \$80,000, along with benefits and pensions. Specifically, Kutzke and Gabrielson are 2 of the 9 member board of the charity. These very same commissioners participate in approving the Meeker County money going to the charity. The MCDC is the largest recipient of county funds. This represents a conflict of interest, which may well be an incompatible office, rendering the wages, per diem expense, and mileage expenses paid to Kutzke and Gabrielson as illegal payments to individuals.

According to the tax form 990 (available on-line from <http://www2.guidestar.org/organizations/41-1777694/meeker-county-development-corporation.aspx#>) or ([HERE](#)) for the MCDC, Kutzke and Gabrielson are unpaid office holders of the charity, even though all the other people on the board get paid. The question is, who are they representing on that board? The presumption is that the taxpayer is picking up the tab to be on that board. Why isn't the charity reimbursing the County for these costs? Is the county paying these Commissioners per diem and mileage? Who knows! That's a question for Rebecca Otto, the MN State Auditor to explain. And while she is explaining, maybe she can explain why these monies have not been disclosed as going to an independent charity staffed by county employees. And how is it that County employees are staffing any unaffiliated corporation? These are the sorts of maneuvers the Board at Enron pulled as they systematically nearly destroyed the country!

The people of Meeker County demand an immediate investigation by the Minnesota Attorney General. We demand the immediate resignation of the Commissioners involved—from all Boards. The needs for the vulnerable residents of the Dassel Apartments should be assured and their privacy respected. Sheriff Norlin and County Attorney Beckman need to apologize to these vulnerable residents for their failure to intervene and beg for their forgiveness. And we should pray the judge and jury of our peers chooses to award the people of Meeker County a fair, just, and swift restitution.