



GOODHUE COUNTY MINNESOTA

TO EFFECTIVELY PROMOTE THE SAFETY, HEALTH, AND WELL-BEING OF OUR RESIDENTS

BOARD OF COMMISSIONERS AGENDA

**COUNTY BOARD ROOM
GOVERNMENT CENTER, RED WING**

**MAY 13, 2019
6:00 P.M.**

PUBLIC HEARING- COUNTY COMMISSIONER DISTRICT 1 VACANCY

Public testimony from persons residing in Goodhue County Commissioner District 1 relating to the qualifications of prospective appointees to fill the vacancy in the Commissioner District 1 seat until a special election can be held.

Documents:

[District 1 Appointment.pdf](#)
[PUBLIC NOTICE District 1 Vacancy.pdf](#)
[District 1 Public Officials.pdf](#)

COUNTY BOARD TO CONSIDER APPOINTMENT

Documents:

[Scott Safe.pdf](#)
[Darwin Fox.pdf](#)
[Linda Flanders.pdf](#)
[Carol Overland.pdf](#)

DISTRICT 1 VACANCY- LEGAL OPINION

Documents:

[Legal Opinion.pdf](#)

ADJOURN



509 W. Fifth St.
Red Wing, MN 55066
Office (651) 385.3001
Fax (651) 267.4873

County Board to Consider Commissioner District Seat 1 Appointment:

- ✓ Board Chair to read public hearing notice
- ✓ Board Chair to enter into record the names and addresses of public officials notified
- ✓ Board Chair to enter into record names of submitted applicants
- ✓ County Board to conduct public hearing

PUBLIC HEARING NOTICE

The Goodhue County Board of Commissioners will conduct a public hearing on Monday, May 13, 2019 at 6:00 pm in the County Board Room, 509 West 5th Street, Red Wing, for public testimony from persons residing in Goodhue County Commissioner District 1 relating to the qualifications of prospective appointees to fill the vacancy in the Commissioner District 1 seat until a special election can be held. Any qualified individual who would like to be considered for said appointment should submit in writing the following information: name, address, contact information, qualifications, and statement of interest to the County Administrator's Office, Room 309, Goodhue County Government Center, 509 W. 5th Street, Red Wing, MN 55066.

Scott O. Arneson
County Administrator

District 1 Public Officials

U.S. Senate	Amy Klobuchar	425 Dirksen Senate Building		Washington, DC 20510	
U.S. Senate	Tina Smith	720 Hart Senate Office Building		Washington, DC 20510	
U.S. House 2	Angie Craig	12940 Harriet Ave. S., Suite 238		Burnsville, MN 55337	
MN Senate 12	Mike Goggin	95 University Avenue W	Minnesota Senate Bldg, Room 3203	St. Paul, MN 55155	
MN House 21A	Barb Haley	239 State Office Building		St. Paul, MN 55155	
City of Red Wing Mayor	Sean Dowse	2508 Hallquist Ave		Red Wing, MN 55066	sean.dowse@ci.red-wing.mn.us
City of Red Wing W1	Kim Beise	968 Aurora Cir		Red Wing, MN 55066	kin.beise@ci.red-wing.mn.us
City of Red Wing W2	John Becker	1716 W 5th St		Red Wing, MN 55066	john.becker@ci.red-wing.mn.us
City of Red Wing W1 & W2	Dean Hove	4149 Highway 61 W		Red Wing, MN 55066	deanhove@charter.net
City of Red Wing At Large	Laurel Stinson	307 6th St E		Red Wing, MN 55066	laurel.stinson@ci.red-wing.mn.us
SD 256	Arlen Diercks	2681 Southview Rdg		Red Wing, MN 55066	awdiercks@rwps.org
SD 256	Pam Roe	4794 Mt Hood Ln		Red Wing, MN 55066	pjproe@gmail.com
SD 256	Heidi Jones	3375 Wallace Ln		Red Wing, MN 55066	hkjones@rwps.org
SD 256	Mike Christensen	29883 Lakeview Ave		Red Wing, MN 55066	MIC@msn.com
SD 256	Jim Bryant	26390 County 21 Blvd		Red Wing, MN 55066	jrbryant@rwps.org
SD 256	Janie Farrar	2663 Ridge View Ct		Red Wing, MN 55066	jmfarrar@rwps.org
SD 256	Holly Tauer	1134 Oak St		Red Wing, MN 55066	hatauer@rwps.org
Welch Township	Dan Bauer	23395 145th Ave		Welch, MN 55089	
Welch Township	Andrew Jenson	24670 130th Ave		Welch, MN 55089	
Welch Township	Aaron Bauer	26469 130th Ave		Welch, MN 55089	
Welch Township	Joan Slingsby	25960 130th Ave		Welch, MN 55089	
Welch Township	Ken Slingsby	25960 130th Ave		Welch, MN 55089	
Priarie Island Tribal Council	Shelley Buck	2391 Brooks Ave		Red Wing, MN 55066	

1739 W 5th Street, Red Wing Mn. 55066

Scott Safe
651-388-8326

scott.w.safe@gmail.com

April 30, 2019

Goodhue County Board of Commissioners
509 West 5th Street
Red Wing, MN 55066

Dear Commissioners,

I am writing to express my interest and commitment to serving as the Goodhue County Commissioner for District 1 residents. It was an honor and privilege to be selected by Ron Allen to serve as interim during his medical leave and I would be honored to serve out the remainder of his term. I have enjoyed serving the citizens of Goodhue County and the District 1 residents.

Serving as an interim Commissioner has given me the great opportunity to learn more about county government and the various committees I have been assigned to. Serving for the past 4 months has put me in a good position to fulfill the remainder of Ron Allen's term.

I feel that my skill set which includes being honest, receptive, responsible, accountable, committed and having the strong ability to work with both professionals and citizens will help me succeed in this position.

Enclosed is a summary of my work and professional experience. Please feel free to contact me if you have questions regarding the information.

Thank you for your time and consideration. I look forward to the decision made.

Sincerely,



Scott W. Safe

Scott W. Safe
1739 West 5th Street
Red Wing MN 55066
(651) 388-8326
scott.w.safe@gmail.com

Feb. 2018
To Present

OLMSTED COUNTY PLANNING DEPARTMENT
Building Inspector

On-site field inspections for compliance and interpretation of the Minnesota Building Code

Reviewing of architectural, structural and mechanical documents for Code compliance

Maintains detailed records by tracking job status, field-generated correction reports for all projects

Provides accurate and timely explanation of Code issues

July 2002
To Jan. 2018

GOODHUE COUNTY LAND USE MANAGEMENT
Building Inspector

On-site field inspections for compliance and interpretation of the Minnesota Building Code

Reviewing of architectural, structural and mechanical documents for Code compliance

Maintains detailed records by tracking job status, field-generated correction reports for all projects

Provides accurate and timely explanation of Code issues

May 2000
To July 2002

ALMS CONSTRUCTION
Carpenter

Built custom homes

April 2000
To Nov. 2000

SAFE HOME INSPECTIONS
Home Inspector

Inspected homes for potential home buyers by examining the visible structural and mechanical systems in a home from top to bottom

February 2000
To May 2000

RED WING CONSTRUCTION CO
Carpenter

Duties included framing, laying out of commercial projects, and general carpentry

June 1979
To Jan. 2000

WHITEY'S CONSTRUCTION
Carpenter/Draftsman/Partner

Responsibilities included residential and commercial construction, framing, laying out of projects, purchasing, dealing with customers on a day to day basis, designing and drawing of plans, and decision making

EDUCATION

Rochester Community College
Leadership 101: Program goal is to assist current leaders in enhancing their skills

State of MN Dept of Labor and Industry
Continuing Education courses — Spring and Fall

Earl Brown Institute
Continuing education yearly

Inver Hills Community College
B.I.T. Program (Plumbing, Mechanical, Field Inspections and Plan Review)

Dakota County Vo Tech — 2 years
Associates Degree in Architectural Drafting

Red Wing High School Graduate

ADDITIONAL
INFORMATION

Certified Building Official 2005-present
Certified Building Official Limited 2002-2005
Minnesota State Contractor's License from 1992-2000

MN Building Official Disaster Preparedness Committee Member
2007- present

Southeastern MN Code Officials Member 2002 - present

Goodhue County EOC – Logistic Chief 2010-2018

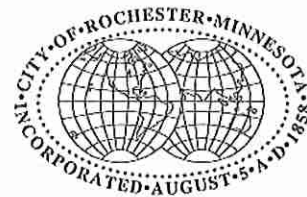
City of Red Wing Planning Commissioner 2005-2012 and
2015-2016

City of Red Wing Chair of Planning Commission 2009-2011

St. Paul's Lutheran Church Serve Ministry Team Pharm
Committee Chair 2010 - present

Red Wing Elk's Lodge Member 1985 - present

Red Wing Rotary Club "Service Above Self" Award Recipient Of
2007



Rochester-Olmsted Planning Department

May 2, 2019

Brad Anderson, Goodhue County Commission Chairman
Scott Arneson, Goodhue County Administrator
Goodhue County, Minnesota
508 West 5th Street
Red Wing, Minnesota 55066

RE: Scott Safe

Commissioner Anderson and Administrator Arneson,

It is with great pleasure that I write this letter to you expressing our support of Mr. Scott Safe in his interim role as a Goodhue County Commissioner. Scott takes his role as Commissioner very seriously and we have wholeheartedly supported him in this endeavor. We have worked closely with Scott to insure that he is able to attend all Goodhue County Commission meetings.

In his job as an Olmsted County building inspector, there is enough flexibility in scheduling Scott's field inspections, plan reviews and meetings with contractors and tradesmen, to complete his day-to-day work tasks and also be available to serve as a Goodhue County Commissioner.

Scott has expressed a desire to continue to serve in his current role as interim Goodhue County Commissioner to complete Commissioner Allen's term until there is an election to fill the seat. We at Olmsted County support Scott's desire to serve his community and hope that you will allow him to do so.

Yours in public service,

Ben Griffith, AICP, CFM, CNU-A
Planning Director

cc: Heidi Welsch, Olmsted County Administrator

Shelley Buck
President

Nicci Lehto
Secretary



Lucy Taylor
Vice President

Johnny Johnson
Treasurer

Melanie Urich
Assistant Secretary/Treasurer

May 8, 2019

Scott Arneson
Administrator
Goodhue County
509 W. 5th St.
Red Wing, MN 55066

Via Email (c/o andrea.benck@co.goodhue.mn.us)

Dear Administrator Arneson:

I write on behalf of the Tribal Council of the Prairie Island Indian Community. Please accept our condolences once again for the loss of Commissioner Ron Allen. We appreciated Commissioner Allen's service.

As the County undergoes the difficult task of filling Commissioner Allen's seat, we wish to express our support for the appointment of District 1 Interim County Commissioner Scott Safe to serve out the remaining term. We had the opportunity to visit with Mr. Safe, and we believe that he brings strong government experience, an understanding of the area, and a desire to work collaboratively with the local communities.

We also want to thank you for your recent visit to Prairie Island. We value the working relationship we have with Goodhue County, and we look forward to our continued partnership in the future.

Sincerely,

Shelley Buck
Tribal Council President
Prairie Island Indian Community

May 3, 2019

Darwin J. Fox
20990 Prairie Island Blvd.
Welch, MN 55089
(651-248-3995 cell)

County Administrator's Office - Room 309
Goodhue County Government Center
509 West 5th Street
Red Wing, MN 55066

Subject: Statement of Interest – Goodhue County Commissioner District 1

Dear Mr. Arneson:

As a resident of Goodhue County District 1 and my involvement with Goodhue County and Welch Township, I would like to fill the position of Goodhue County Commissioner District 1. Listed below are my current and past qualifications for this position.

Current:

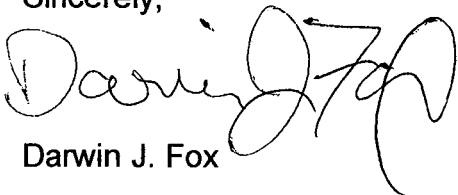
Goodhue County Board of Adjustment
Goodhue County Planning Commission
Welch Township Planning Commission
MPCA Statewide Chloride Management Plan
Owner of Luhman Construction Company

Past:

President Goodhue County Township Officer's Association
Welch Township Supervisor
Served on Environmental Quality Board (EQB) Dry-Cask sighting commission.

With my current and past qualifications, I have the knowledge and experience it would take to fill this position. I would like the opportunity to continue working for the people of Goodhue County.

Sincerely,

A handwritten signature in black ink that reads "Darwin J. Fox". The signature is stylized and cursive, with the first name "Darwin" being the most prominent part.

Darwin J. Fox

Benck, Andrea

From: JoanVolz <joanvolz@frontier.com>
Sent: Thursday, May 9, 2019 12:04 PM
To: Anderson, Brad; Drotos, Paul; Majerus, Jason; Nesseth, Byron; Benck, Andrea
Cc: Dan Bauer; Andy Jenson; Aaron Bauer
Subject: County Board Commissioner Opening

Dear Commissioners:

I am writing in support of Darwin Fox for County Board Commissioner.

I've worked with Darwin for some 15 years on public policy matters, first on the Welch township planning commission and then during our successive terms on the county planning commission. He understands the history and intricacies of the issues we face. He brings a thoughtful, considered approach that has earned my respect and that of our township government, with his willingness to listen and search for alternatives consistent with policy goals. I, as well as the rest of township planning commission, enjoy working with him and value his contributions. I am confident you will find that to be the case, too. I recommend him to you without qualification.

Sincerely,

Joan Volz,

Welch, MN 651 387 5646.

LINDA FLANDERS

715-222-0920
taproot@redwing.net

1121 W. 4th St.
Red Wing, MN
55066

May 6, 2019

Scott O. Arneson
County Administrator Goodhue County
509 W. 5th St.
Red Wing, MN 55066

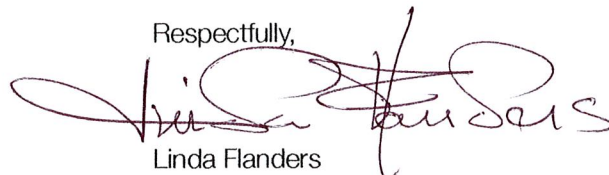
Dear Administrator Arneson,
Per the public notice regarding the vacancy on the County Board to fill the District 1 Commissioner seat, I would like to be considered for the appointment to the County Board until the special election.

I was born and raised in Minnesota. I have been active in the Red Wing community since 1994 and lived in District 1 since 2012 . I currently work in Red Wing and have done past contract work for Goodhue County Court Services, the Minnesota Department of Corrections and the Minnesota Department of Education.

I believe I would bring a diverse background of skills and experience to the County Board. I was a police officer/Inspector from 1977 to 1994 in San Francisco. I've been a small business owner, a youth program designer, a videographer, a coordinator for two Criminal Justice Councils in Wisconsin, and a committee member of the Wisconsin State Criminal Justice Council. I'm a published author, I teach crisis intervention and I'm a stained glass artist. I can see an overview, I can focus on details, and I can meet a deadline.

I understand county needs are exceeding resources and the necessity we have for new, sustainable ideas so our communities can thrive. Leadership begins on the community level and must be encouraged, supported and enhanced at the county level. I ask to be considered for appointment to the Goodhue County Board of Commissioners.

Respectfully,

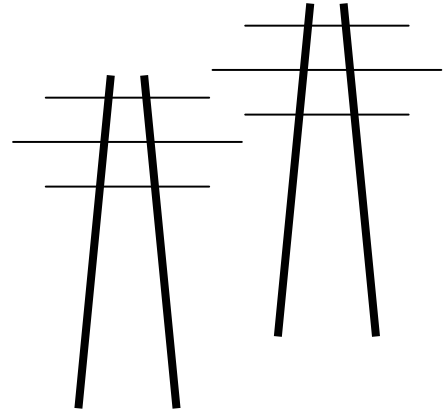


Linda Flanders

Legalelectric, Inc.

Carol Overland Attorney at Law, MN #254617
Energy Consultant—Transmission, Power Plants, Nuclear Waste
overland@legalelectric.org

1110 West Avenue
Red Wing, Minnesota 55066
612.227.8638



May 13, 2019

Scott O. Arneson
County Administrator
Goodhue County Government Center, Rm. 309
509 W. 5th St.
Red Wing, MN 55066

via email only: scott.arneson@goodhue.mn.us
(and Administrative Assistants)

RE: County Board – Statement of Interest

Dear Mr. Arneson:

Attached please find my C.V. for review. My contact information is above and in the email footer.

I am interested in being appointed to the County Board. I have been a resident of Goodhue County for over 20 years, first in Kenyon, Minnesota and then in Red Wing.

In the discussion of the temporary replacement of Ron Allen,¹ he stated that a list had been put together, and that a primary qualification was that this replacement be acceptable to a lot of factions in the 1st District. This procedure seems to have resulted in a “safe” appointment, but it was done privately, not publicly. In these times, perhaps selecting a candidate “acceptable to different factions” avoids the open hard look at difficult issues before the county.

In the interest of diversifying the Board, in the interests of broadening the county consideration and bringing in additional viewpoints. I ask you to consider my experience. Of particular interest would be my work alongside of former County Atty. Betcher on the Goodhue County Wind matter at the PUC and in tandem with the County’s Wind Ordinance group.

I have decades of experience in dealing with NSP/Xcel Energy, a primary player in this county’s

¹ Please note that I misread the statute re: temporary appointments and timing after a discussion with current Co. Atty. Steve O’Keefe, and corrected that via email.

budget and actions (utility personal property tax, garbage burning, the dump, Prairie Island replacement plan, etc.); decades of lobbying at the legislature and local governments; and participation in administrative actions (County has had interests in PUC and Dept. of Revenue administrative actions, others too?). This experience and knowledge would be helpful in addressing county issues.

I'll be at the meeting tonight to make some additional comments and answer any questions you might have.

Very truly yours,

A handwritten signature in cursive script that reads "Carol A. Overland". The signature is written in black ink and is positioned below the typed name.

Carol A. Overland

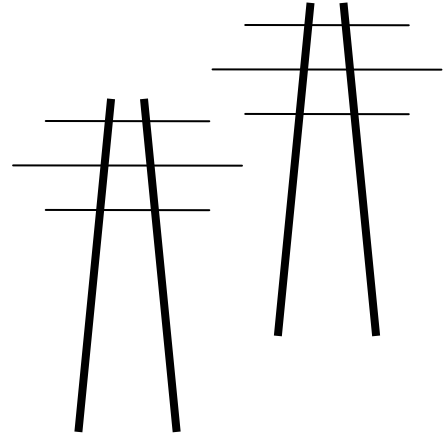
Legalelectric

Carol Overland, Attorney at Law MN #254617

Energy Consultant - Transmission, Power Plants, Nuclear Waste
Wind, Coal Gasification

overland@legalelectric.org

1110 West Avenue
Red Wing, Minnesota 55066
612.227.8638



Main Website: www.legalelectric.org

Issue related: www.nocapx2020.info (dormant repository)

www.not-so-great-northern-transmission-line.org (dormant repository)

FEDERAL PROCEEDINGS

Nuclear Regulatory Commission

- | | |
|-------------|---|
| 2016 | Genoa Decommissioning – Comments & Meeting with allies, NRC follow up |
| 2013 | Nuclear Waste Confidence Decision – Comments & Hearing |
| 2008 | Prairie Island Nuclear Plant relicensing – EIS Scoping Comments |
| 2005 | Monticello Part 72 license for dry cask storage for high level nuclear waste.
Docket No. 72- Comments on scope of EIS |
| 2000 | Intervention in NSP's transfer of operating licenses to Nuclear
Management Company, LLC. Intervention and solicited interventions
from others.- Docket Nos. 50-263, 50-282, 50-306, 72-10 |
| 1997 - 1999 | Participation regarding PFS (NSP/Xcel driven LLC) application for spent fuel
storage facility in Skull Valley, UT. Assist Utah's EQC & A.G. in strategy,
information and document exchange, §2.206 petition re: Emergency Plan, &
Minn. PUC IRP. Individual submission of comments on record, organization
comments, and Commentary pieces in Deseret News (SLC paper).
Coordinate campaign with allies including Downwinders. Docket 72-22. |
| 2000 | Yucca Mountain DEIS Comments |
| 2000 | Comments and Meetings regarding NRC plant safety rule revisions.
Independent participation. |
| 1998 | Comments on Financial Qualifications & Assurance Rulemaking |
| 1998 | §2.206 Petition – Nuclear Waste Dry Cask Unloading |

1996-1998 Intervention at NRC, representation of Florence Township regarding NSP's application for dry cask storage in Florence Township, from Petition to Withdrawal of application, including 2 §2.206 Petitions re: Emergency Plan and Permanency. Docket 72-12.

Federal Energy Regulatory Commission

2017 CEII Request – Granted – MISO Map filed under MISO Annual Form 705

2016 Comments re: Cost Recovery for Great Northern Transmission Line
FERC Dockets ER16-1107, 1108, 1116

2015 Petition to FERC for BLOCK Great Plains & Eastern Clean Line
FERC Docket RM15-22

2012 – 2013 Citizens Energy Task Force and No CapX 2020 Complaint against CapX
2020 utilities regarding system instability; FERC Docket EL13-49

2009 – present Cost Apportionment of Transmission in PJM, intervene and monitor for Stop
the Lines re: Susquehanna-Roseland Transmission Project EL05-121

Department of Energy

2014 – 2015 Plains & Eastern Clean Line – AR & OK - EIS Comments, non-NEPA
review. Comments for BLOCK Plains & Eastern Clean Line regarding
DOE Section 1222, EIS, and procedural filings.

2014 Great Northern Transmission Line – DOE Dockets: PP-398; DOE EIS 499
Comments for Residents and Ratepayers Against Not-so-Great Northern
Transmission (declined opportunity for participation in consultation)

2007 – 2008 National Interest Electric Transmission Corridors – Comments & Hearings
re: Mid-Atlantic Transmission Corridor

2005 – 2010 Excelsior Energy Mesaba Project – FOIA and Comments for EIS and DOE
re: \$1.97B in guaranteed loans for project too risky for private investment

Rural Utilities Service

2016 – present Cardinal – Hickory Creek 345 kV xmsn project (MISO MVP 5) – DEIS
released 12/4/2018, Hearings, Comments (parallel WI PSC & IUB dockets)

2016 Minnkota Clearbrook 115 kV transmission project --- also before MN PUC

2015 – present Draft Comments for Dairyland's Q-1D South USDA RUS financed
transmission project, consult regarding federal process and media

2009 – 2012 CapX 2020 transmission – Hampton to LaCrosse EIS

National Park Service

2009 – 2012 Susquehanna-Roseland transmission EIS – Delaware Water Gap

U.S. Forest Service, U.S. Army Corps of Engineers, MN DNR

2014 La Crosse Rail Yard Expansion – Comments for CARS

STATE OF MINNESOTA PROCEEDINGS

Minnesota District and Appellate Courts (utility, land use and public interest)

2016 Represented GNTL landowner on easement acquisition issue, MP moved line off client's property to avoid "Buy the Farm" condemnation/purchase.

2014 – 2015 Representing private client in real estate transaction re: pipeline easement, settled December 2015.

2014 Representing private client in transmission easement condemnation where prior lower-voltage line was constructed without easement – settled at double "final offer."

2012 – 2013 Representing St. Paul's Lutheran School and Church in Appeal of CapX Hampton-LaCrosse Segment 1 Appellate Case No:A12-1607

2012 – 2013 Representing Laymen for Christ in Appeal of CapX Hampton-LaCrosse Segment 3 transmission siting Appellate Case No.: A12-1632

2012 – 2013 Amicus brief – Transmission "Buy the Farm" Minn. Stat. §216F.12, Subd. 4 Appellate Case No. A11-1116

2010 – 2011 Amicus brief in appeal of AWA Goodhue Wind Project Permit – A11-2229

2009 – 2010 CapX 2020 Transmission Project – Certificate of Need Appellate Court File: A09-1646 – New Information, Offer of Proof and EIS

2009 Great River Energy Transmission Line – for private client Cass County Court File: CV-08-223

2007 Rice County Land Use Accountability v. Rice County Rice Co. District Court File: C7-05-2141 MERA claim - land use issues

2006 Deschamp v. ABC Housing C1-05-692 Mold house jury verdict against major developer in Faribault

2005 Rice County Land Use Accountability v. Rice County District Court File: C7-05-2141 MERA claim - land use issues

2001 Appeal of Permit Approval of Duluth City Council, Appellate Court Appellate Court File: C1-01-1933

Appeal of Permit Approval of Duluth City Council, St. Louis County District Court (served, but not filed – no funding)

Appeal – In the Matter of the Exemption Application by Minnesota Power for a 345/230kV High Voltage Transmission Line Known as the Arrowhead Project Appellate Court File: C4-01-1022

2000 Supreme Court: Petition for Writ of Certiorari In the Matter of: Petition of Power Line Task Force, Docket No. E002/C-99-902, Supreme Court File: C8-00-1143
Power Line Task Force v. MEQB, Motion to Reopen based on newly discovered information. Ramsey County: C3-99-010952

2000 Appeal of In the Matter of: Petition of Power Line Task Force PUC Docket No. E002/C-99-902; Appellate Court File C8-00-1143

1999 In the Matter of the Application of Northern States Power Company for Approval of its 1998 Resource Plan Amicus for C.U.R.E. Appellate Court File: C0-99-917

Summa v. City of Northfield,
Appointment of Council member without election
Rice County Court File: 99-

1998 Matson v. City of Northfield, Rice Co., Court File: 98-
Grant Park disappearing parkland, settled -- City bought and dedicated parkland as ordinance required
State by Florence Township v. NSP, MEQB, PUC & Goodhue
County Challenge NSP's siting of nuclear waste in Florence Twp.
Ramsey County Court File: C1-96-180

1994-1995 Northland v. Bennett, 533 N.W. 2d 867 (Minn. App. 1995). New law in Minnesota, Motor Carrier's insurer liable based on implied lease.

Minnesota Public Utilities Commission

2018 – present Wind Siting Rulemaking, Minn. R. Ch. 7854 – Goodhue Wind Truth Petition for Rulemaking – accepted and opened for comment, denied by Commission, Petition for Reconsideration pending. PUC Docket R-18-518.

2018 – present Dodge County Wind Farm – Consult & presentation for Dodge County Concerned Citizens, Comments filed as individual. WS-17-306, 307, 308.

2018 Enbridge Line 3 pipeline – assist client with drafting and filing pleadings.

2017 – 2018 Bent Tree Wind Project – 2nd private client – resolved landowner complaints after noise studies, and PUC approved settlement agreements for landowner buyout, sale closed 6/14/2018.

2017 Xcel Energy Petition re: Hennepin Energy Resource Center (HERC), PUC Docket E002/M-17-532, representing Neighbors Against the Burner.

2017 – present Freeborn Wind, PUC Dockets WS-17-410; TL-17-322, representing Association of Freeborn County Landowners. 1st ever wind contested case, 1st ever PPSA proceeding, ALJ recommendation that permit be denied.

2017 – 2018	Private client – wind lease issue
2016 – 2018	Bent Tree Wind Project – private client – resolved landowner complaints, after noise studies, and negotiation with Alliant/WP&L, and PUC approved settlement agreements for landowner buyout, sale closed 6/14/2018.
2016	Clearbrook Transmission Line, PUC Docket TL-14-665, representing family with farmland crowded with 7 pipelines, 2 pending pipelines, and now xmsn. Sandpiper withdrawn, xmsn application withdrawn and docket closed.
2015 – 2017	Xcel Energy Rate Case, PUC Docket GR-15-826 (with 15-662) as individual and representing No CapX 2020 on transmission cost recovery and multi-year rate plan issues. Intervention denied. Ongoing review of filings and Comments.
2015 – 2016	Menahga 115 kV transmission, PUC Dockets CN-14-787 & TL-14-797 Representing private client, relocated transmission from client's land.
2014 – 2015	Black Oak/Getty Wind Project, PUC Dockets CN-11-471; WS-10-1240; WS-11-831, and USFWS FOIA, for Residents of Raymond and Getty Townships
2014 – 2015	ITC Midwest MN/IA 345 kV line, PUC Docket CN-12-1053; Intervention (limited) representing Citizens Energy Task Force and No CapX2020
2013 – present	PUC Rulemaking Advisory Committee – Ch. 7849 CoN and 7850 Route Monthly meetings and draft review & comments, community meetings soliciting comments. Final draft due to go before Commission.
2013 – 2015	Great Northern Transmission Line – Certificate of Need open houses, Notice Plan Comments, Intervention representing Residents and Ratepayers Against Not-so-Great-Northern Transmission PUC Dockets 12-1163 and 14-21
2013 – present	Hollydale Transmission Line, PUC Dockets 11-152 and 12-113, representing the Barry Family – Xcel Energy Application withdrawn, distribution alternatives in progress. Ongoing studies, upcoming declaration of revised project and utility compliance filings, not yet reapplied.
2013 – present	OAH Rulemaking – Ch. 1400-1405 governing Administrative Procedure at OAH and PUC – Comments. Rulemaking stalled, docket remains open.
2013 – 2015	PUC Rulemaking – PUC Docket 13-24 -- Comments on Rulemaking Ch. 7829. Had filed Petition for Rulemaking, Minn. R. Ch. 7829, no PUC action, then draft rules issued with no notice, approved by Commission.
2011 – present	PUC Rulemaking – PUC Docket 12-1246 – Petition for Rulemaking for amendment of Certificate of Need (Minn. R. Ch. 7849) and Siting/Routing (Minn. R. Ch. 7850) rules. Rulemaking ongoing – see above.
2011	Petition for Rulemaking for amendment of wind siting rules, Minn. R. Ch. 7854 (rulemaking will follow Ch. 7849/7850 currently in process).

2011 – 2013	Consultation on project before PUC on transmission issue (confidential client) and drafting of filings, obtained mandated Certificate of Need filing
2011 – 2015	Hollydale Transmission Line – Comments as individual in CoN and Routing PUC Dockets 11-152 and 12-113. Application withdrawn, distribution alternatives in progress.
2011	Pleasant Valley-Byron transmission line – Exceptions to Recommendation of ALJ for “Route 3 Landowners” PUC Docket s 09-1315 and 08-992.
2010 – 2012	CapX 2020 Fargo-St. Cloud docket, representing NoCapX 2020, United Citizen Action Network and North Route Citizens Alliance. PU 09-1056.
2009 – 2010	CapX 2020 St. Cloud-Monticello – assist private clients with Comments PUC Docket 09-246
2009 -- 2012	CapX 2020 Hampton-Alma/LaCrosse – Intervene in Routing Docket – NoCapX, U-CAN and North Route Group - PUC Docket 09-1448
2008 – 2011	CapX 2020 Brookings-Hampton – Intervene in Routing Docket – NoCapX & United Citizens Action Network (U-CAN) PUC Docket 08-1474
2008 – 2013	Goodhue Wind – Intervene in Certificate of Need, Siting and two Power Purchase Agreement dockets (08-1233; 09-1186; 09-1349;09-1350). Permit revoked 2013.
2008 – 2011	Xcel’s Hiawatha Project – Certificate of Need (09-38) and Routing (10-694) dockets, independent Comments
2008 -- 2012	Prairie Island Nuclear Plant – Uprate & Dry Cask – Scoping Comments and limited assistance to members of Citizens Advisory Task Force, Comments on “Changed Circumstances” petition
2007-2009	Bent Tree Wind – Intervene in Certificate of Need and Siting Docket representing Safe Wind in Freeborn County, Dockets 07-1425 & 08-573
2007-2009	In the matter of the Application of Northern States Power Company for a Transmission Line in Chisago County MPUC Docket 04-1176, representing first Concerned River Valley Citizens, then City of Lindstrom
2007	Transmission - Excelsior Energy Mesaba Project, MPCU 07-1640 limited representation of landowner
2007-2010	Kenyon Wind – MPUC Docket 06-1445 for Citizens for Energy Responsibility and Safety – permit extension denied December 2010.
2006 -- 2009	In the matter of the Application of Great River Energy, Xcel Energy etc., for Certificates of Need for CapX 2020, MPCU Docket 06-1115 – Intervenor, multiple series of meetings and scoping hearings statewide, hearings.
2006	In the matter of the Application for Big Stone Transmission PUC Dockets: CN-05-619;TR-05-1275 – Comments & limited Intervention
2006	Big Stone II – South Dakota – consult with and assist Intervenor

2006 In the matter of the Application of Northern States Power Company for a Certification of Need to Establish an Independent Spent-Fuel Storage Installation at the Monticello Generating Plant
PUC Docket No. E-002/CN-05-123 –Completeness & General Comments

2006 – 2010 Excelsior Energy Mesaba Energy Project (coal gasification site permit) representing mncoalgasplant.com – PUC Docket GS06-668

2005 – 2011 In the matter of a Power Purchase Agreement between Excelsior Energy (Mesaba) and Xcel. Phase I and II, MPUC Docket 05-1993

2005 – 2010 Biennial Transmission Plan – Comments & public meetings

2005 Certificate of Need – First draft of application for wind project (confidential)

2004 Solar interconnection v. rural utility issue for private client

2003 Faribault Energy Park PUC Docket No.: IP6202/CN-02-2006; EQB Docket No.: 02-48-PPS-FEP Testimony on need, xmsn access & renewables

2002 In the Matter of Application to the Minnesota Public Utilities Commission for Certificates of Need for Four High Voltage Transmission Line Projects in Southwestern Minnesota, Hearings 5/6/02-7/3/02
Docket No. E-002/CN-01-1958.

2001-2002 Biennial Transmission Plan Rulemaking Advisory Committee

Transmission Plan, Docket E-999/TL-01-961, Comments on record
Transmission Plan, Docket E-999/TL-01-961, Public Energy, Inc. filing of Buffalo Ridge Transmission Plan for Category I project certification
In the Matter of Application to the Minnesota Public Utilities Commission for Certificates of Need for Four High Voltage Transmission Line Projects in Southwestern Minnesota, Docket No. E-002/CN-01-1958, Comments

2001 In the Matter of the Application of Rapids Power LLC for a Certificate of Need for its Grand Rapids Project, Docket No. IP-4/CN-01/1306.
Comments on Record for W.O.L.F.

2001 In the Matter of Transmission Projects Reports and Development of Certified List of Transmission Line Projects, Docket No. E-999/TL-01-961.
Comments on Record and Public Meetings

2000 -- 2002 Representation of Power Line Task Force re: NSP's City Requested Facilities Surcharge Rider and Miscellaneous Tariff Change, Comments on record, participation at table as party in Technical Meeting, interim rulemaking, and rulemaking. Later Comments regarding Chisago Transmission Project. Docket No. E002/M-99-799

2000-present Appeal of Petition of Power Line Task Force (as above)

1999 - 2004 In the matter of Exemption Application by Minnesota Power for a 345/230kV High Voltage Transmission Line known as the Arrowhead Project – representing WOLF regarding NAWO & SOUL Motion re: American Transmission Company. EQB Docket: MP-HVTL-EA-1-99

1999-2001 Comments and Intervention in NSP's Integrated Resource Plan. Solicit participation from others who due to burden of intervention would not ordinarily participate. Focus on NSP's Utah Skull Valley nuclear waste storage facility, transmission and generation issues, and need and reliability.

Office of Administrative Hearings (distinct from OAH hearings on above PUC dockets)

2012 – present OAH Rulemaking – Petition for Rulemaking and Comments on informal rules draft – Ch. 1400 and 1405 Administrative and PUC Proceedings

Minnesota Pollution Control Agency

2016 – present MPCA Solid Waste Permits for Xcel Energy and Lab USA - Comments for local landowners (see City of Red Wing – Red Wing project)

2015 – 2016 MPCA Rules for Clean Power Plan – Comments as individual

2014 – present MPCA Rules for Silica Sand Mining – Comments & Testimony, ongoing

2013 – 2016 MPCA Environmental Justice Stakeholders Group, participation in workgroup sessions and Comments on proposals

2012 – 2014 MPCA Streamlining Environmental Review – Comments and Testimony

2012 – 2013 MPCA Greenhouse Gas for Range emitters – Comments and Testimony

2008 – 2009 MPCA Streamlining Environmental Review docket - Comments

2007 Kandiyohi Development – Midtown Eco-Energy – Comments, EAW Petition and Petition for Contested Case for Neighbors Against the Burner

Environmental Quality Board (utility infrastructure) → then shifted to Dept. of Commerce (see also Public Utilities Commission)

2015 – 2017 Public Participation work group with Commerce, MPCA and DNR regarding pipeline environmental review for Sandpiper and 3L Replacement projects

2007 – 2008 Chisago County-Apple River HVTL, representing City of Lindstrom MPUC Docket 04-1176 and 06-1667 (Chisago III)

2006 – 2009 Chisago County-Apple River HVTL, representing Concerned River Valley Citizens, MPUC Docket 05-1176 and 06-1667 (Chisago II)

2005 Renewable Energy Forums - Attend with clients, provide handouts, and comment at meetings across state to raise awareness of clients' interests

2002 Distributed Generation Interconnection Rules Work Group - Member.

2002 – 2003 Transmission Plan Rulemaking, Minn. R. 7848 – Committee member

- 2001 Energy Plan – Comments on Record and public meetings across state, present and advocate client positions.
- 2000 Keeping the Lights On – Participation shadowing agency meetings, seven presentations across state, promotion and generation of clients’ interests, public interest and comments, and submission of individual and organization comments.

Environmental Quality Board

- 2018 – present EAW/EIS Categories – modifications of rules
- 2016 Sandpiper Pipeline – Request for change in RGU – Comments.
- 2012 – 2016 Silica Sand Mining Standards and Criteria Comments representing Citizens Against Silica Sand Mining (CASM) and independent Rulemaking Comments.
- 2007 EAW Petition – Neighbors Against the Burner – Kandiyohi’s Midtown Eco-Energy.
- 2007 EAW – Waseca tank track & bazooka/machine gun shooting range.
- 2004 In the matter of Xcel Energy’s Application to the Environmental Quality Board for Route Permits, Split Rock Substation to Nobles County Substation to Lakefield Junction Substation 345kV Transmission Line and the Nobles County Substation to Chanarambie Substation 115kV Transmission Line and the Nobles County Substation. EQB Docket 03-73-TR-XCEL. Testimony, participation in hearings in Lakefield and Luverne, MN.

Mesaba Power Plant –pre-application, legislative and administrative venues to challenge legitimacy of project, meet with project promoters Dec. 2004.
- 2002 - 2003 Minn. R. 4410 Rulemaking Advisory Committee
- 2001 Power Plant Siting Act Rule Changes – Comments on Record
- 2000-2001 In the matter of Arrowhead-Weston Powerline, Intervention W.O.L.F., Hearings before OAH for Environmental Quality Board
- 2000 MPCA Environmental Review - Comments on record and participation in public forums
- 1999 EAW – Citizens for Responsible Development - Target – Northfield
EAW – Matsons - Presidential Commons/Grant Park - Northfield
EAW - Transport Designs Truck Terminal, Hwy. 35 & 19, Northfield
- 1998 – present Power Plant Siting Act Annual Hearing – annual comments and participation
- 1996 - 1998 In the matter of the Application of Northern States Power Company for a Transmission Line in Chisago County MPUC Docket 04-1176, consultant for Concerned River Valley Citizens

1995-2000 Representation of Florence Township regarding NSP's application for dry cask storage in the township. Review application, comments on record, organizing and coalition building, media work, lawsuit.

Local Governments

2018 – present Freeborn County – review & draft language proposals for ordinance and Development Agreement, attend meetings, file Data Practices Act Request re: wind development agreement and transmission easements.

2017 Red Wing Citizens Assembly – participant in local government focus group June – July 2017. Focus on ethics policy, police, and public participation.

2016 Edina – public meeting comments, lobbying re: police abuse of authority

2015 – present Red Wing Ash Mine – review local and state permit filings, comments and representation of local landowners, Data Practices Act request and review.

2015 GRE 69 kV Tyrone Transmission Line, Le Sueur County. Information Requests, file review, presentation to Planning Commission for intervenor.

2012 – 2013 Goodhue County frac sand mining ordinance – Draft Zoning Ordinance Amendment Application for Save the Bluffs. Comments to subcommittee and consultation with County Attorney and PAC members.

2012 Participated in successful campaign to eject Red Wing Mayor Dennis Egan from office for failure to disclose conflict of interest as Executive Director of frac sand mining industry group.

2011 – 2012 Investigation of gun range permit compliance in Aitkin County re: land use and NRA Sourcebook requirements

2010 – 2011 Rice County – local landowner concerns regarding Gro Wind project.
Mower County – local landowner concerns regarding transmission for Pleasant Valley wind project.

2009 – 2010 Chisago County – representing Concerned River Valley Citizens regarding LS Power gas plant, including Development Agreement, Host Fee Agreement & Utility Personal Property Tax Exemption legislation.

2008 -- 2014 Goodhue County – Goodhue Wind Truth concerns regarding the AWA Goodhue Wind project, establishment of County Wind Ordinance, and separate background work for private client regarding certification of wind projects

2007 -- 2008 Freeborn County –Bent Tree Wind environmental review and hearing appearance for Safe Wind of Freeborn County

2007 Waseca County - Private client – against Waseca tank track, shooting range

2006 Private client – Distribution line in Northfield/Greenvale Township

Private client – small transmission line in Ely

City of Red Wing – successful challenge of practice of overbroad background checks of candidates for city office.

Itasca County – for local landowner clients -- inform about utility personal property tax, draft and promote legislation to protect local governments with Host Fee Agreement, legislation was amended to provide Host Fee Agmt. (revenue) for local govts. Monitor \$55 million Mesaba bonding bill, result was far less money to project developers.

2005 Lake County - Private client – small transmission line in Grand Marais

Rice County Planning Commission & Board – Comments on AUAR

2005 Waseca County & Blooming Grove Township – Resolution to require Host Fee Agreement regarding utility personal property tax exemption – Simon Industries 325 MW gas plant.

2004 City of Northfield – Comments and community organizing on Hospital restructuring

2004 Rice County – Opposition to county rezoning of I-35 & Co. Rd. 46

City of St. Croix Falls – private client – consult on denial of wind permit.

2003-2004 Rice County representing Land Rights Action in opposition to Transport Designs truck Terminal and land use changes

2001 City of Duluth, Representing W.O.L.F., Special Use Permit request by Minnesota Power to relocate, upgrade and construct a 115/345kV transmission line, known as Arrowhead Project, FN 01073

Chisago County – Advocacy and defense of recommendation of Essential Services Task Force for Need Determination requirement in ordinance through passage of county ordinance.

City of Northfield, Representing WeCAN, Comprehensive Plan and Zoning Change, Annexation, regarding Allina Hospital.

1998-99 City of Northfield, Representing Citizens for Responsible Development, Comprehensive Plan and Zoning Change, Annexation, Referendum regarding Target Mall.

Department of Transportation (MnDOT)

2014 – 2016 Zip Rail – High Speed Rail between Metro and Rochester. Comments and limited investigation for local citizens group; continued Comments as individual. Lobbying at legislature and local governments.

2007 – 2012 Multiple subpoenas to integrate DOT testimony and comments into record of CapX 2020 Certificate of Need and Routing/Siting PUC dockets. DOT now routinely drafts and files comments in PUC docket, subpoenas not needed.

Department of Natural Resources (DNR)

- 2018 Subpoenas for testimony and entry of Comments into record, contested, for testimony in Freeborn Wind siting docket. Significant change in policy -- DNR no longer willingly offers testimony, moved to quash subpoenas but denied by ALJ, and then DNR demanded inflated fee for testimony!
- 2017 Comments – St. Croix State Park Management Plan
- 2007 – 2012 Multiple subpoenas to integrate DNR testimony and comments into record of transmission proceedings. DNR then routinely drafted and filed comments in PUC docket, subpoenas no longer necessary... until 2018.

Department of Health

- 2018 Subpoenas, contested, to compel testimony in Freeborn Wind siting docket. DoH submitted comments, but would not willingly address those comments at hearing. Stipulation to enter Dept. of Health reports.

STATE OF WISCONSIN PROCEEDINGS

District Court

- 2012 Citizens Energy Task Force v. Public Service Commission 12-CV-3328
Appeal of PSC Docket 05-CE-136 Dismissed re: Pro Hac Vice .
- 1997 State v. 29 Defendants, Disorderly Conduct, Crandon Mine Demonstration
Represented Pro Hac Vice 2 defendants on behalf of Wisconsin ACLU.

Attorney General - Wisconsin

- 2001 Open Meeting and Data Practices Complaint to WI A.G. and ACLU
regarding violations of City of St. Croix Falls & Mayor Lundgren (who was later charged with and plead to felony misconduct in office and misdemeanor theft, and ejected from office).

Public Service Commission of Wisconsin

- 2018 – ongoing Cardinal-Hickory Creek 345 kV transmission line PSC Docket 5-CE-146,
representing Jewell Jinkins Intervenors.
- 2018 – ongoing Badger Hollow 300 MW solar CPCN Permit PSC Docket 9697-CE-100,
representing Jewell Jinkins Intervenors.
- 2018 – ongoing Badger Hollow's Transmission tie-line PSC Docket 9697-CE-101,
representing Jewell Jinkins Intervenors.
- 2018 – ongoing Generation "buy/sell" for Badger Hollow/Two Creeks PSC Docket 5-BS-228,
representing Jewell Jinkins Intervenors.
- 2014 – 2015 Consulting -- Advised private client in transmission line administrative
proceeding at PSC.

2013 – 2014	Badger Coulee Transmission Line representing Citizens Energy Task Force PSC Docket 05-CE-142 (withdrew from representation prior to hearing)
2012 – 2013	Badger Coulee Transmission Line PSC Docket 137-CE-160 Comments
2011 – 2013	CapX 2020 Hampton-Rochester-LaCrosse Docket 05-CE-136 representing NoCapX and Citizens Energy Task Force
2004	Chisago Transmission Project – Reopening, representing CRVC PSC Docket No. 1515-CE-102; 4220-CE-155
2002-2004	In the Matter of Arrowhead-Weston Powerline – for Intervenor W.O.L.F. PSC Docket No. 05-CE-113 and reopening on Petition of Co-Applicant
2001	In the Matter of Joint Application of NSP-WI, NSP-MN and Dairyland Power Cooperate known as Chisago Transmission Project – represented Concerned River Valley Citizens (CRVC), PSC Docket No. 1515-CE-102; 4220-CE-155.
2000-2001	In the Matter of Arrowhead-Weston Transmission Project - representation of Intervenor W.O.L.F. PSC Docket No. 05-CE-113 (initial hearing was two months long!)

Wisconsin Local Governments

2015 – 2016	Consulting re: Technical & xmsn planning aspects of Comp Plan and Ordinance changes, transmission restrictions in Onalaska and La Crosse.
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STATE OF IOWA PROCEEDINGS

Iowa Utilities Board and Polk County District Court

2005-2006	In re: IUB (transmission franchise appeal), franchise granted
2005	Iowa Utilities Board, transmission 69 kV to 161 kV uprate – uprate granted.

STATE OF NEW JERSEY PROCEEDINGS

2016	Consulting with town attorney on transmission line initiated by PJM
2010	Consulting with private land-use client regarding 600+ acre solar development in rural NJ, successfully permitted on parking lot/gravel pit, and permit denied on protected Prime Ag land.
2009 – 2010	Susquehanna-Roseland transmission line – Pro Hac Vice representing Stop the Lines! in Board of Public Utilities Docket: EM09010035; later coordinating with Eastern Environmental Law Center and Sierra Club in appeal of permit.
2008	Transmission line consulting on technical/electrical issues - Stop the Poles.

STATE OF DELAWARE PROCEEDINGS

2007 – present	Consulting for Green Delaware on utility infrastructure and policy issues, particularly coal gasification, transmission, and rate case issues. (Partner Alan Muller is Executive Director of Green Delaware.)
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- 2007 – 2010 Delmarva Power IRP – Comments regarding decreased demand in PJM and nation.
- 2007 – 2009 Delmarva Power RFP – individual Comments & with Green Delaware against NRG coal gasification project. Wind, gas and coal gasification RFP competition; Overland introduced option of wind/gas combo to staff and Commission as option, and PSC selected wind/gas combo.

PUBLIC POSITIONS - BOARDS OF DIRECTORS (selected)

- 2018 – present Charter Commission – City of Red Wing
- 2009 – 2015 Humane Society of Goodhue County – Officer & Director.
- 2013 MISO – Headhunted for Board of Directors, but... (!!!)
- 2007 – present Green Delaware – Steering Committee, PR, lobbying, consulting.
- 2005 – 2007 Red Wing Charter Commission (resigned, in Delaware half-time).
- 2004 – 2006 Girl Scout Council of Cannon Valley.
- 1998 – 2004 Clean Water Action Alliance, Vice Chair from 2000 – 2004
Committees: Development, Energy.
- 2001-2003 Eagle Watch, operator of National Eagle Center, Wabasha.
Vice President 2001-2003. Committees: Fundraising, Bylaws.
- 2002 – 2004 RENew Northfield. Included full responsibility for programming of Community Wind Conference, April 2002.
- 1980-1984 KFAI – Fresh Air Radio Board of Directors, Secretary 1981-1984.
Programmer of weekly shows including We Want You to Know, Friday Morning Jazz; sound tech for live on air mix for weekly 9-Oscar Show at New Riverside Café; organized, produced, sold underwriting for week long broadcast of 7th International Treaty Conference at White Earth Reservation.
- 1971 – 1974 St. Lawrence Band – saxophone/clarinet -- Vice President, President.

PRESENTATIONS (selected)

Southeast Minnesota & Wisconsin

- 2018 Wind Siting & Transmission in Dodge County – Dodge County Concerned Citizens
Repair Fair – tabling at Carleton College on Incineration and Biomass
- 2015 Frac Sand Conference – Lake City Save the Bluffs, Options for Legal Intervention
- 2013 Ethical Issues in Frac Sand Mining Representation
- 2012 PIELC Transmission panel (organized & presented) March 2-4, 2012 (CLE)

- 2011 San Luis Valley groups, Transmission presentations, LeVeta & Alamosa, CO
- 2009 STOP TANC – California - It's All Connected – Transmission in US and CA specific
- 2009 Forum on CapX 2020 held by Rochester Post-Bulletin
- 2008 La Crosse Community Energy - "Debate" with Xcel Energy representatives regarding CapX 2020 transmission
- 2008 No New Coal Plants – Houston, TX - Presentation and Panel Discussion with Alan Muller & Nancy LaPlaca - IGCC: Pipedreams of Green and Clean (revised)
- 2007 Midwest Sierra Club Environmental Committee, Indianapolis, IN - IGCC: Pipedreams of Green and Clean
- 2007 Ratepayers United of Colorado, Denver - IGCC: Pipedreams of Green and Clean (shadow IGCC industry conference)

MREA – Midwest Renewable Energy Fair – Custer, WI

- 2006 No New Coal Plants – Booth on coal, coal gasification, and incineration
- 2003 Lobbyists 'R Us – Co-Presented by Carol A. Overland and Tom Dunnwald, Board Members, Clean Water Action Alliance and attorneys.

Community Wind – Co-Presented by Carol A. Overland, RENEW Northfield and David Bly, Co-Chair, Northfield Wind Energy Task Force (now MN State Rep.)
- 2002 Lobbyists 'R Us – Co-Presented by Carol A. Overland and David Blecker, Seventh Generation Energy & MREA.
- 2002 Strategies for Grassroots Energy Policy Intervention, Co-Presented by Carol A. Overland, Overland Law Office; David Blecker, Earth Energy Systems; Tom Kreager, Save Our Unique Lands (S.O.U.L.) and Katy Nekola, RURAL.

Windy River Energy Fair – Little Falls, MN

- 2005 Xmsn 1001: It's all connected
- 2001-2002 Lobbyists 'R Us – Co-Presented by Carol A. Overland and Tom Dunnwald, Board Members, Clean Water Action Alliance.

William Mitchell College of Law

- 1998-2001 From Here to Attorney – large group panel discussion of lawyering and Utility Regulatory and Environmental breakout session.
- 2003 The Other Half: What else can you do with a J.D.? Panel discussion
- 1997 Lawyers Guild – Midwest Annual Regional Convention, Iowa City, IA
Presentation on Federal and State Law of Nuclear Waste Siting (CLE)

Women's Political Alliance

1996-2001 Presentations on:

- Status of Nuclear Waste Storage in Minnesota
- Dry Cask Unloading Issues and NRC §2.206 Petition
- Transfer of NSP's Nuclear Licenses to NMC (shell corporation)
- MPCA's Rulemaking on Environmental Review

League of Women Voters

2013 Mayflower Church – tabling about CapX 2020 & Incineration across room from Xcel

2005 Cannon Valley LWV – panel on Invenergy 325 MW gas plant & Utility Personal Property Tax – Cannon Falls succeeded in negotiating Host Fee Agreement

2004 Northfield LWV – Nuclear Waste Forum

1997 Cannon Valley LWV -- Citizen of Year Award – for Nuclear Waste work

REGISTERED LOBBYIST - MINNESOTA

Florence Township (during nuclear waste siting before EQB)

Public Intervenors Network (transmission line routing before EQB)

Goodhue Wind Truth (wind siting before PUC)

Association of Freeborn Wind Landowners (wind siting before PUC)

MEDIA APPEARANCES (selected)

KIMT & KAAL Pine Island ICE Detention Facility – support rescinded by City Council

KSTP/ABC national Edina City Council hearing re: Police abuse under color of law

KTTC MPCA Clean Power Plan

WPR – LaX Maureen McCollum feature on CapX 2020 transmission, with George Nygaard, Citizens Energy Task Force.

WDIO 11 Duluth Two part news feature on Excelsior Energy/Mesaba coal gasification plant

KTCA Newsnight -- Selection of Florence Twp. for High Level Nuclear Waste, with Jim Alders, Northern States Power

Newsnight -- Nuclear Waste Policy in Minnesota, with David Morris, Institute for Local Self Reliance; Sen. Paul Wellstone and Sen. David Durenburger
KFAI Hiawatha Transmission Project – Truth to Tell
Arrowhead Transmission Project – Northern Sun News
Florence Township nuclear waste siting – Northern Sun News

KUED Skull Valley – Feature length documentary on siting of nuclear waste on Goshute reservation. Producer Ken Verdoia, Salt Lake City, UT

KARE-11 Xtra – “Breaking the Mold” profile feature

FEATURE ARTICLES (selected)

2009	GRIST – Transmission Lies – a GRIST solicited Op Ed
2009	Climate Hope: On the Front Lines of the Fight Against Coal – Ted Nace
2008	Orion – Stopping coal in its tracks (No New Coal Plants) (profiled)
2005	A small quote in Time Magazine!!! War of the Winds – October 9, 2005
2001	Worthington Daily Globe – feature on Overland transmission work
1999	“Up Against the Mall” - Hope Magazine, Summer issue
1995	Women’s Press – Profile feature

GRANTWRITING

2019	Grant proposals for Zumbrota Community Band.
2018	Grant proposals for WI Intervenor Compensation for Badger Hollow (3) and Cardinal-Hickory Creek dockets – rejected!
2014	\$37,500 – Intervenor Compensation Petition for CETF -- Wisconsin PSC awarded \$75,000 grant and directed it be split between CETF and SOUL upon filing of joint workplan (SOUL Petitioned separately, \$37,500 award)
2011	\$15,000 – Wisconsin PSC grant of Intervenor Compensation for CETF
2003	\$150,000 – MN Dept. of Commerce “Community Wind” grant for Carleton College and Northfield School District wind project
2006	\$15,000 – Wisconsin PSC grant of Intervenor Compensation for WOLF
2001	\$35,000 - McKnight Foundation for Public Intervenors Network’s intervention in Xcel’s SW Minnesota 345kV Certificate of Need proceeding at PUC

OTHER ACCOMPLISHMENTS

1983 – 1991 & 1995	1,000,000+ mile Over-the-Road Truckdriver, mostly Midwest to CA while completing BA in Writing at Metro State University. See also Northland Ins. Co. v. Bennett, 533 N.W.2d 867 (1995), first case I had lead and full control over as law clerk resulting in new law in MN, implying a lease (attorneys didn’t know how trucking insurance worked!).
1970-1983 and 2018 – present	Section alto sax, clarinet, and flute in 40-50s dance band, St. Lawrence Marching Band, various Mpls R&B & blues bands & community bands; years of alto lessons with Eddie Berger.
1980 – 1985	Sound technician, live broadcast mix – KFAI Fresh Air Radio (benefits, weekly 9-Oscar live broadcast, 7 th International Treaty Conference), benefit circuit, Kingsnakes, Muskrat Flatt, and bar and concert sound – Sweet Honey in the Rock, Betty Carter, Corky Siegel, Albert Collins, etc.



STEPHEN F. O'KEEFE

Goodhue County Attorney

ASSISTANT COUNTY ATTORNEYS

CAROL K. LEE

ERIN L. KUESTER

CHRISTOPHER J. SCHRADER

WILLIAM L. CHRISTIANSON

ELIZABETH M.S. BREZA


DAVID J. GROVE

ANGELA R. STEIN

JESSICA M. PERKINS

AMENDED MEMORANDUM

TO: Honorable Goodhue County Commissioners
Scott Arneson, Goodhue County Administrator

FROM: Erin Kuester, Assistant Goodhue County Attorney III 

RE: Candidate Eligibility for County Commissioner Vacancy by
Appointment Prior to Special Election

DATE: May 13, 2019

Goodhue County established five (5) individual Commissioner Districts to ensure that all citizens have equal representation in county government. Commissioner Ronald Allen was elected to the office of Goodhue County Commissioner from the First District to serve the district residents living in the 1st, 2nd, and 3rd Precincts along with the 1st Ward; the 1st, 2nd, and 3rd Precincts; 2nd Ward of the City of Red Wing; and Welch Township. During his current term, Commissioner Allen took a medical leave and Scott Safe was appointed as the acting Interim County Commissioner for District One. On April 19, 2019, Commissioner Ronald Allen died, ending the interim appointment and creating a vacancy in the office of First District Goodhue County Commissioner.

Since the current term of office does not expire until January 2021, Minnesota Statute §375.101 requires a special election to be held. Minnesota law permits the Goodhue County Board to appoint a person to fill the vacancy in District One until a successor qualifies pursuant to the Special Election provided that a public hearing relating to the qualifications of prospective appointees was conducted and proper notice under the statute was provided. (*See*, Minn.Stat §375.101, Subd. 4 and Minn.Stat. §375.101, Subd. 5 (2016)). An interim County Commissioner Appointment would ensure that the residents of District One would have representation in county government until a special election is held as required under law.

The requirements of Subdivision 5 require the County Board to hold a Public Hearing within 30 days after the vacancy occurs. A further requirement is that at the Public Hearing, the County Board must "invite public testimony from persons residing in the district in which the vacancy occurs relating to the qualifications of prospective appointees to fill the vacancy". Minn. Stat. §375.101, Subd. 5 (2016). It is clear that any individual who is selected by appointment to fill the vacancy in District One must be eligible to take office at the time of the appointment. Therefore, to be eligible for the interim County Commissioner Appointment, all prospective appointees must have complied with the requirements of the Public Hearing Notice and must be a resident of District One.

Currently, five individuals have expressed an interest to serve as the appointee to fill the vacancy in District One. Based upon the submitted materials at the close of business day, the following individuals are eligible prospective appointees:

Scott Safe

This individual has complied with the Public Notice Requirements, is a current resident of District One, and is eligible to take office at the time of the appointment.

In addition, since Mr. Safe has provided proof that he currently resides in District One, he is eligible to provide public testimony in support of his application at the Public Hearing on May 13, 2019.

Darwin Fox

This individual has complied with the Public Notice Requirements, is a current resident of District One, and is eligible to take office at the time of appointment.

In addition, since Mr. Fox has provided proof that he currently resides in District One, he is eligible to provide public testimony in support of his application at the Public Hearing on May 13, 2019.

Linda Flanders

This individual has complied with the Public Notice Requirements, is a current resident of District One, and is eligible to take office at the time of appointment.

In addition, since Ms. Flanders has provided proof that she currently resides in District One, she is eligible to provide public testimony in support of her application at the Public Hearing on May 13, 2019.

Carol Overland

This individual has complied with the Public Notice Requirements, is a current resident of District One, and is eligible to take office at the time of appointment.

In addition, since Ms. Overland has provided proof that she currently resides in District One, she is eligible to provide public testimony in support of her application at the Public Hearing on May 13, 2019.

Based upon the submitted materials at the close of business day, the following candidates are not eligible prospective appointees:

Ted Seifert

This individual has not complied with the Public Notice Requirements and is not a current resident of District One. In an email sent to Commissioner Jason Majerus, dated Friday, May 10, 2019, Mr. Seifert did not provide a current address but did indicate that he does not currently reside in District One.

This individual has failed to show that he is eligible to take office at the time of the appointment. Mr. Seifert's email stated "I own a house in the First District which has been rented, but will be vacant before the end of May. If appointed, I will have moved to my house at 723 Buchanan Street prior to the May 21st County Board meeting." This conditional statement of possible future residency at an unknown date in District One does not establish residency.

Since Mr. Seifert does not currently reside in District One, he is not eligible to provide public testimony at the Public Hearing on May 13, 2019.

Please contact me if you have further questions regarding this matter prior to the public hearing.