MGDPA Complaint

Steele County, MN

May 27, 2025

East Side Corridor ESC Residents

c/o Matt Sennott

& Melissa Zimmerman

TIMELINE &

10/25/2025 Data Request

Request:	**Requesting any and all email correspondence since 2019 related in any way to the East Side Corridor (ESC) project, 29th Ave, East Beltline study, and infrastructure on the E. Side of Owatonna, going to, from and between:**					
	Supporting Evidence\Data Request\Data Request20241025.docx					
231	**Days since data request made**					
Date	**Contact Type**	**Description**	**Exhibit Number**	**Type of Violation**	**Violation**	***Notes***
12/8/2023	**Email**	Rebecca Kubicek Reached out to Zimmerman at the Advice of County Administrator Scott Goldberg re: public data questions				
12/8/2023	**Email**	Back and forth questions were asked and answered				
1/3/2024	**Email**	Zimmerman placed a data request for the minutes				
1/3/2024	**Email**	Kubicek responded asking for what times work to view				
1/8/2024	**In Person- Data Request**	Went to view minutes during normal business hours. Zimmerman was told to take pictures and that it was encouraged.				
9/25/2024	**Website**	Concerns Regarding the Federal Memorandum and Public Process Steele County has released the "Federal Memorandum," a 61-page document prepared by WSB and the Steele County Engineer Paul Sponholz, which was submitted to both federal and state agencies for review and approval. Upon review, the document appears to present selectively framed, incomplete, or potentially misleading data in a manner that supports a predetermined outcome. This approach raises concerns about compliance with the National Environmental Policy Act (NEPA) and the Minnesota Environmental Policy Act (MEPA), both of which require a transparent, objective evaluation of all reasonable alternatives to ensure that the most appropriate and publicly accountable decision is made. Despite statutory requirements to hold a public hearing following the identification of a preferred alternative, residents were not given an opportunity to provide formal comment. Opportunities for public input during this critical stage of the process were either restricted or denied, effectively excluding meaningful community participation. The memorandum and additional documentation outlining these concerns—including examples of data discrepancies, biased methodologies, and omissions—are available upon request.	**Exhibit 1**	**Public Data**	**15.17** **13.03 Subd 1** **13.03 Subd 2(a)** **13.05 Subd 5**	*- Public Data is inaccurate or misrepresented.* *- Residents were denied the ability to formally tie public data to the project.* *- Internal emails suggest that Mr. Sponholz directed WSB on how to frame reports to justify a preferred alternative, rather than allowing objective analysis to guide decision-making.* *- Repeated iterations of studies are being funded with taxpayer dollars, and project designs are advancing prior to completion of required environmental reviews.*
9/24/2024	**County Work Session**	WSB delivered a presentation on the East Side Corridor (ESC) to the Steele County Board based on the acceptance of the Federal Memorandum. Public questions were not permitted during the meeting. This marked the first instance in which a noise wall was formally discussed. WSB stated that speed limits would be set at 40 mph—raising concerns, as speed limits are typically determined by MnDOT, not consultants. This meeting also served as the first indication to residents that the federal document had been completed and approved. Notably, the meeting was not publicly promoted to stakeholders. Resident attendance was only possible due to their own proactive efforts. Following the selection of a preferred alternative for the East Side Corridor (ESC), a formal public hearing is required under both state and federal environmental review procedures to allow stakeholders to comment on the project record. Instead, this public hearing was effectively replaced by a meeting of the Steele County Board in which public input was not permitted, and no opportunity was provided for public comments to be formally attached to the project documentation. This substitution raises serious concerns about compliance with statutory requirements for public participation under the Minnesota Environmental Policy Act (MEPA), the National Environmental Policy Act (NEPA), and federal Highway Administration (FHWA) guidelines. https://youtu.be/hvH6FIRzFiQ?si=rY3MNhmxd15JJ12n	**Link**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2(a)** **13.05 Subd 7** **13.05 Subd 5**	*- The federal memorandum referenced during the meeting was not made available for public review at that time.* *- It was only released after residents reached out directly to state agencies requesting access after this meeting.* *- The denial of a formal comment period prevented residents from submitting public comments that would be attached to the project record and formally addressed. As a result, concerns raised by residents—including those identifying potential inaccuracies, misinformation, and biased data—have been excluded from the official documentation. This effectively erases those concerns from the project's public record, undermining the integrity and completeness of the data in violation of Minn. Stat. § 13.05, subd. 5.*

9/24/2025	**Commissioner Board Meeting**	A public hearing was held for the 2025–2029 Highway Capital Improvement Plan; however, residents who had signed up for official notifications only received a six-day notice—short of the ten-day minimum required under Minnesota Statutes § 13D.04, Subd. 2, which governs public meeting notifications. During this hearing, the County Board voted to increase funding to WSB for continued studies and evaluation of alternative routes for the East Side Corridor (ESC). Public data emails reveal that Alternative 3B was initially included in the new contract with WSB. However, County Engineer Sponholz requested its removal after raising concerns that neither residents nor elected officials were aware of this alignment, nor of the rationale for expanding further studies to two routes. This raises questions about transparency, informed decision-making, and whether all viable alternatives were fairly considered, as required by state and federal environmental review protocols. **Additional Noise Analysis** Noise analysis is being completed to evaluate noise impacts for various alternatives, instead of just one build alternative. This includes background data for the various alternatives and running multiple models. Analyzed 8', 10' and 20' walls and concrete versus wood for estimate and analysis of different options for berms and other mitigation items. The original scope assumed analysis only of the officially-mapped corridor option. The revised scope also includes the gathering of materials for possible implementation of any justifiable sound walls. This includes background materials, meetings and voting procedures. The total cost for this task is $56,000, which is based on 400 hours of time with an average cost per hour of $140/hr. Supporting Evidence\County Agendas and Minutes\BM Packet 20240924.pdf	**Exhibit 2** **Exhibit 3**	**Public Data**	13.03 Subd 1 - accurate data accessible to public	*- Accurate data raises questions:* *- Why are additional routes being studied after a preferred alternative has already been identified?* *- Why wasn't it clearly communicated that the reason for studying multiple alternatives is due to noise studies recommending avoidance?* *- Why have avoidance alternatives not been formally presented to the public and decision-makers as part of the evaluation process?* *- Why has this information not been transparently shared with residents and elected officials?*
10/1/2024	**City Council Work Session**	WSB delivered a presentation to the City Council that was expected to mirror the one provided to the County Commissioners the previous week. However, key differences were noted. For example, WSB referenced anticipated speed limits of 45–50 mph, which differed from the 40 mph figure previously presented to the County. This inconsistency raises questions, particularly given that WSB, as a consulting firm, does not have the authority to set speed limits—this falls under the jurisdiction of MnDOT. During the Work Study meeting, Councilmember Raney asked how close the proposed right-of-way would be to residential homes. In response, WSB initially shared average distances and broader figures before eventually confirming that, in some areas, the right-of-way would be as close as 17 feet—consistent with what residents had previously reported as being as close as 15 feet. Presenting average distances rather than clearly identifying the minimum setback has contributed to confusion among elected officials, some of whom now believe there is significantly more buffer than what is actually proposed in the most impacted areas. **WSB Presentation to City Council (Should have been the same as the county)** **WSB to City Council:** Speeds will be somewhere between 40 and 50mph, hopefully. (In regards to the N Country Subdivision.) **Reality**: WSB cannot guarantee speed limits, yet just a week earlier, they presented a proposed speed limit of 40 mph to the county commissioners. **WSB to City Council:** One mitigation option is a noise wall. **Reality:** Residents and elected officials have been told for the past 1.5 years that this option is not being considered, despite residents advocating for it. **Raney:** How close will this come to existing homes?	**Link**	**Public Data**	**13.01** **13.025** **13.03** **13.05**	*- Why was differing information presented to the City Council and the County Commissioners, and which version is accurate? Accurate and complete data must be maintained.* *- The presentation of inconsistent or potentially misleading information has created confusion and may have led decision-makers to rely on inaccurate data, which is negatively impacting affected residents. Failure to provide equal access.* *- Internal emails indicate that City Engineer Sean Murphy anticipated this question in advance and alerted WSB, raising concerns about whether these public forums are being conducted transparently or are overly scripted.* *- Omission of critical details - withholding 17' while emphasizing less relevant averages cause misinformed decision-making*

		WSB: On average the distance is 90ft but that means some houses are farther away the and that some are closer. The median distance is 58 feet……The closest homes in North Country Subdivision are 17 feet away. **Reality:** WSB attempted to downplay and obscure the fact that residents were right in stating the right of way is only 15 feet from existing houses. This could have been verified early in the process, potentially preventing unnecessary spending and allowing for the exploration of safer alternatives. Residents' data-driven information should not be ignored, yet WSB has a history of misrepresenting their concerns. **Reality**: For years now, residents have expressed the following concerns: • We have homes situated just 15 feet from this right of way (whether it's 15 feet or 17 feet, we all agree it's too close, especially considering Steele County's setback requirement of 50 feet from a right of way). • This project will necessitate a noise wall, and we are prepared to support it. A comparable noise wall in 2023 was quoted at $2 million. If safe noise thresholds are not met after the project is completed, residents can request a new study, which could still lead to a noise wall being constructed. This is known as a stand-alone noise wall, and it can be more expensive. https://youtu.be/9t9x0eKq3z8?si=6qwpImbFT6F13OEs				
10/9/2024	**Email**	Zimmerman indicated she was able to take photos of data provided in a previous request, no charge				
10/25/2024	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> to:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> Hi Rebecca, Please find attached our most recent data request. Please let us know of any questions you may have. Thanks, Matt Sennott	**Exhibit 4**			
10/25/2024	**Email**	from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Lynn <lyssalynn13@gmail.com>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> date:Oct 25, 2024, 2:05 PM Matt, This email confirms receipt of your data request. The request is being reviewed by the County Attorney after which, the request will be assigned to a staff member to assemble the requested documents for inspection. Once the documents are ready for inspection, I will send you an update. Renae				
10/28/2024	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Sent: Monday, October 28, 2024 2:51 PM To: Fry, Renae <Renae.Fry@SteeleCountyMN.gov> Subject: Re: FW: Data Request Thank you, and just to confirm, this is for access to documents we can come look at, not a request to print and send to us. Thanks, Matt Sennott	**Exhibit 5**			
10/28/2024	**Email**	From: Fry, Renae <Renae.Fry@steelecountymn.gov> Date: Mon, Oct 28, 2024, 3:48 PM Subject: RE: FW: Data Request To: Matthew Sennott <matt.sennott@gmail.com> Matt, Yes, we understand that this is an inspection only request. That being said, the documents will be assembled as efficiently as possible and that may mean in an electronic or paper form depending on where the information comes from. Regardless of form, you will be given a space here in administration to review the documents. Lastly, because of the breadth of the request, the county will likely need several weeks to assemble everything. Once the county attorney approves the form of data request, I will work with IT on an estimate of time to assemble the information and will let you know their estimate of time. Renae	**Exhibit 5**	**Public Data**	**Statute: Minn. Stat. § 13.03, subd. 2(a)** "The responsible authority shall establish procedures… to insure that requests for government data are received and complied with in an appropriate and prompt manner."	*- Steele County's policies do not stipulate an "approval process" by the county attorney, which is causing delays in the process.* *- A reasonable timeframe of several weeks was initially established for this matter.*

10/28/2024	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Sent: Monday, October 28, 2024 7:30 PM To: Fry, Renae <Renae.Fry@SteeleCountyMN.gov> Subject: Re: FW: Data Request Renae, I might also mention that if there is anything we can do to help clarify the request to make things easier for the staff in pulling together the data, please let us know. If you can share what factors might contribute to the timelines extending over several weeks time, we might be able to help a narrowing down the data request in those areas. Thanks, Matt S	**Exhibit 5**			
10/29/2024	**Email**	From: Fry, Renae <Renae.Fry@steelecountymn.gov> Date: Tue, Oct 29, 2024, 8:46 AM Subject: RE: FW: Data Request To: Matthew Sennott <matt.sennott@gmail.com> Matt, Data requests are projects that come on top of the regular duties of employees, so some of the timing of the response is based on the existing work load of the people who need to assemble the documents. In addition, each document gathered needs to be reviewed to make sure that it is responsive to the request and that it does not contain any private or non-public data. I don't think that that documents you requested with contain private or non-public data, but we are still required under data privacy laws to make sure that they don't. So there isn't a fast way to respond. Sorry. If clarification is needed, I will reach out to you. Renae	**Exhibit 5**	**Public Data**	**13.03 Subd. 2(a)** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- Staffing constraints or workload should not be considered a valid justification for delays.*
11/9/2024	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:lyssalynn13@gmail.com date:Nov 9, 2024, 8:58 AM Hi Renae, Just checking back in on the progress of this data request. Please advise. Thanks, Matt Sennott	**Exhibit 5**			
11/12/2024	**Email**	On Tue, Nov 12, 2024, 8:27 AM Fry, Renae <Renae.Fry@steelecountymn.gov> wrote: Matt, As I indicated below, assembling the documents will take some time – meaning several weeks if not months. I met with the team working on the request and I will send an update as soon as I have a better idea of how long it is taking to assemble the documents and how long it will take to review them for private and/or non-public data. Renae	**Exhibit 5**	**Public Data**	**Minn. Stat. § 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner."	*- The shifting of timelines without clear justification, specific estimates, or consistent access is inconsistent with the MGDPA's standards for timeliness, transparency, and efficiency.* *- The failure to address reasonable questions has caused delays in providing the necessary information to gain access to data.*
11/12/2024	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:lyssalynn13@gmail.com date:Nov 12, 2024, 11:35 PM Good evening Renae, I think more collaboration on this is needed to narrow down what is going to take the longest time so we may help fine tune what is needed and gain a clear understanding of the time involved in gathering the data. Months is completely unacceptable. So please let us know how we may help. What has been pulled thus far that we may review? Regards, Matt Sennott	**Exhibit 5**			

11/13/2024	**Email**	From: Fry, Renae <Renae.Fry@steelecountymn.gov> Date: Wed, Nov 13, 2024, 2:47 PM Subject: RE: FW: Data Request To: Matthew Sennott <matt.sennott@gmail.com> Cc: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Matt, As I mentioned before, data requests are processed on top of our day to day responsibilities. Your request is rather broad and involves individuals from multiple departments. The Engineering team is down three people. They are working full time, if not over time, to close out the 2024 projects. They will devote the time as and when they are able to do so, to sift through the files and boxes of documents left behind by the former engineer to find any documents that might potentially meet your required search parameters. IT is working on pulling anything that we have electronically. We expect that the resulting document collection will result in 1,000's of potential results that will need to be reviewed to the determine if they are in fact responsive to your request. If so, they will additionally need to be reviewed to determine if they contain private and/or non-public data. So there is no way to expedite the process. That being said, if there is something specific you are looking for, please consider resubmitting your request to more narrowly define your search parameters. If you resubmit your request, I will have my team review the modified request and provide an updated search timeline. Renae	**Exhibit 5**	**Public Data**	**Minn. Stat. § 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner."	*- Being short-staffed, having a heavy workload, or competing obligations are not valid reasons for delaying the provision of public data.* *- Instead of working on prioritized rolling options, residents were instructed to resubmit requests with a narrower scope.*
11/14/2024	**Email**	Sennott questions the timelines and regulations and specifics. (Data the wrong regulations for obtaining data as we originally thought it was FOIA) from:Matthew Sennott <matt.sennott@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> cc:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> bcc:lyssalynn13@gmail.com date:Nov 14, 2024, 8:11 PM Hi Renae, According to FOIA, data should be made reviewable within 20 business days. If that's not feasible, it also specifies that we should be notified, allowing us the chance to narrow the scope. However, we're unable to narrow the request further without understanding what aspects are considered too broad. We believed limiting the request to emails and documentation would suffice. Could you clarify why this is still seen as broad, provide an estimate of the records involved, and suggest ways we might refine the scope? Our goal is to obtain meaningful information within a reasonable timeframe. On day 20, we look forward to reviewing the information pulled thus far. Please let us know what aspects are considered too broad so we may help for the clarify. Regards, Matt Sennott	**Exhibit 5**			
11/15/2024	**Email**	From: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Date: Fri, Nov 15, 2024, 9:53 AM Subject: RE: FW: Data Request To: Matthew Sennott <matt.sennott@gmail.com>, Fry, Renae <Renae.Fry@steelecountymn.gov> Mr. Stinson, FOIA is a federal law that applies to the federal government, so does not apply to the County. County government in Minnesota follows the Chapter 13 Government Data Practices Act. Chapter 13 does not provide specific timelines for the data you requested. As Ms. Fry stated below, we are obligated to ensure every item is reviewed to ensure we are not releasing private or confidential data as defined by Minnesota statute. Steele County does not have a full-time position to review data, so we will get it done in the normal course of business. IT has already begun the data request search on our servers and is estimating thousands of emails already. Each of those will need to be reviewed prior to release. So the estimate of months is not unreasonable. If there is a specific email or more specific thing you are looking for, we can certainly get that done much quicker. But right now, you asked for a very broad range of information, which we will comply with within a reasonable period of time. We can give you information in waves as we complete it as well. Since you requested view access, we will not be sending you the information – you will have to come in to view it. It is not our job to tell you what to request. Tell us what you want and we can estimate how long it will take or respond as the availability. Many of the documents related to the project are already publicly available on the board packets online. If you'd like to discuss further, please call me. I will be out this afternoon and Monday. Robert Jarrett	**Exhibit 5**	**Public Data**	**Minn. Stat. § 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner."	*- Although the MGDPA does not specify an exact time frame, it requires that responses be reasonable and prompt. Sennott attempted to collaborate with the county to prioritize and receive rolling data. Failing to work with the requester leads to unnecessary delays.* *- Lack of staff or workload cannot be considered valid reasons for delaying data requests.*

11/18/2024	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:lyssalynn13@gmail.com date:Nov 18, 2024, 5:42 PM Mr. Jarrett, I'm assuming that email was intended for me. I think starting with any and all of Paul's electronic and written communications with WSB is what we will want to see first. Regarding the information found on the county's website, we are already intimately familiar with all of that, but thanks for the suggestion. Regards, Matt Sennott	**Exhibit 5**			
11/19/2024	**Email**	From: Jarrett, Robert <Robert.Jarrett@SteeleCountyMN.gov> Sent: Tuesday, November 19, 2024 8:22 AM To: Matthew Sennott <matt.sennott@gmail.com> Cc: Fry, Renae <Renae.Fry@SteeleCountyMN.gov>; Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov> Mr. Sennott, I apologize, I was communicating with Matt Stinson, the Wabasha County Attorney, at the time - my mistake on your name. We will start with Paul Sponholz's emails with WSB. Thanks, Rob	**Exhibit 5**			
11/19/2024	**Email**	From: Fry, Renae <Renae.Fry@steelecountymn.gov> Date: Tue, Nov 19, 2024, 7:46 AM Subject: RE: FW: Data Request To: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> Cc: Sponholz, Paul <Paul.Sponholz@steelecountymn.gov> Matt, Will you send a confirmation email telling us you are rescinding your first data request and also submit a new data request for just the emails you mentioned. If you want more information after reviewing the results of the new data request, you can resubmit the first data request. Renae	**Exhibit 5**	**Public Data**	**Minn. Stat. § 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **Minn. Stat. § 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner."	*- A government entity may not require a person to rescind an existing, valid data request in order to obtain access to part of that data.* *- Demanding the data request be rescinded causes delays (27 days have passed - 4 weeks)*
11/19/2024	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Date: Tue, Nov 19, 2024, 9:02 AM Subject: Re: FW: Data Request To: Fry, Renae <Renae.Fry@steelecountymn.gov> Cc: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov>, Sponholz, Paul <Paul.Sponholz@steelecountymn.gov> Hello Renae, The details and timeline of the first request are still valid. We are simply collaborating on where to start. I'd like not to "reset" the clock on our request. As Rob suggested, we can just review the data as it becomes available. Thank you, Matt Sennott	**Exhibit 5**			
11/19/2024	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Date: Tue, Nov 19, 2024, 11:34 AM Subject: Re: FW: Data Request To: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Cc: Fry, Renae <Renae.Fry@steelecountymn.gov>, Sponholz, Paul <Paul.Sponholz@steelecountymn.gov>To: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> I will further clarify that we'd need all emails between Greg Ilkka, WSB and Paul as well. Hope that gives you the clarification you are looking for to better meet timelines. Thanks, Matt Sennott	**Exhibit 5**			

11/24/2024	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Date: Sun, Nov 24, 2024, 6:43 PM Subject: Re: FW: Data Request To: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Cc: Fry, Renae <Renae.Fry@steelecountymn.gov> Good evening, This email will serve as formal notice to preserve all data of interest (as outlined in the formal request form submitted Oct 25th, 2024) from destruction or purging. We are going on a month now with no data produced yet for review. Please advise. I'd like not to get the State Auditor involved in this process, however, this is time critical. 1 month should have been plenty of time to pull ALL emails between WSB and Paul and Greg. Nothing between these parties should be personal so review should be minimal. Yet no information has been pulled for review as far as we've been informed. Please advise on when we can expect to review these emails, followed by the other information on the request form. Regards, Matt Sennott	**Exhibit 5**	**Public Data**	**Minn. Stat. § 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner."	*- "Several weeks" the reasonable expectation set by the county has passes and the prioritized smaller amount of data is not available. 4 weeks have passed for a small fraction of the data. (Emails from one person.)*
11/25/2024	**Email**	On Mon, Nov 25, 2024, 11:15 AM Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> wrote: We are working on the request. All data will be preserved. Even with the more specific request, there are still thousands of emails that need to be reviewed by staff and the attorney's office. It is not a simple question of being personal or not. I'll get you an updated time frame when I have it. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 3(c):** "If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible." **§ 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner." **§ 13.03, subd. 1:** "All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified…"	*- No timeframe has been provided. The County Attorney has not been proactive in informing Sennott when the data will be available, which appears to be a stall tactic. This does not meet the requirement for a reasonable and timely response.* *- Once again, staffing issues are being cited, which is not a valid reason for delay.* *- Public data is inherently open to the public unless explicitly categorized otherwise.*
11/25/2024	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> bcc:lyssalynn13@gmail.com date:Nov 25, 2024, 11:27 AM Thank you for your prompt response. Matt Sennott	**Exhibit 5**			
12/10/2024	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:Dec 10, 2024, 12:13 PM Good afternoon, checking back in. Perhaps there is a misunderstanding on what emails in particular we are most interested in? We have requested to prioritize 1st, emails between county engineering staff and WSB. I would think these not to be in the thousands but rather In the hundreds at most. Please advise on when we might expect to review documentation. It's been a month and a half now.... Matt Sennott	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner." **§ 13.03, subd. 3(c):** "If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible."	*- 46 days have passed without any data being provided, which amounts to 7 weeks—exactly the* ***original timeframe given by the County Administrator as a reasonable*** *period. Yet, not a single email has been delivered for review.* *- Rolling data has not been supplied as requested.* *- The data request was refined and prioritized to a much smaller scope, which should have required far less than the "several weeks" initially stated.* *- Two weeks have passed without any update, demonstrating a lack of responsiveness and transparency.*

12/15/2024	**Email**	Sennott forwards the State Department of Administration from:Matthew Sennott <matt.sennott@gmail.com> to:info.dpo@state.mn.us bcc:lyssalynn13@gmail.com date:Dec 15, 2024, 1:06 PM Taya, Please see below related to the information request email and attachments I just sent you. Thank you! Matt Sennott				
12/16/2024	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:Dec 16, 2024, 4:00 PM Hello Matt, I just met with the IT director who has finished the data search. IT is in the process of eliminating duplicates and doing further screening for relevance. Then we will move to manual screening for private/confidential data. The original request generated 7600+ items which was 15.8 gb of data. The narrowed data set (just the engineering firm) was 2500+ items and 7 GB of data. With the holidays etc., we plan to meet next week to start the private/confidential data review with at least two attorneys and several staff for a couple of hours to hopefully give you an initial set for review. We will likely do them in waves, and happy to provide as its available. We'll set up a laptop in a conference room at the county attorney's office so you can review the items. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 1:** "All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use." **§ 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner." **§ 13.03, subd. 3(c):** "If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible."	*- Data should not be removed. If certain data is deemed nonpublic, it should be redacted, not removed entirely. All data is inherently public unless otherwise classified, and should not be excluded simply because it is deemed "invalid."* *- Data should be released as it becomes available. Stating that there are 7,600 records and not reviewing them for public or nonpublic content amounts to batching and does not meet the requirement for rolling data. While we are willing to be patient, we have not received any data, well past the "reasonable" timelines set by the county itself.* *- The location for accessing public data has changed from the standard location at the Administration office as outlined in Steele County Policy. Previously, all other data requests have been made available at the Administration office, as initially indicated.*
12/19/2024	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:Dec 19, 2024, 9:24 PM Thank you for the update and for your help with our request. Have a Merry Christmas and Happy New Year. Matt Sennott				
12/27/2024	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:Dec 27, 2024, 11:20 AM Mr. Sennott, We have an initial data set ready for your review, currently at 1087 items – may be more as the day goes on. Our office is open Monday-Friday, minus government holidays. 8:30 AM - 4:30 PM. Steele County Attorney's Office 303 S. Cedar Ave Owatonna, MN 55060 Let me know what date/time you would like to come inspect what we have so far. Robert J. Jarrett	**Exhibit 5**			*- After 63 days (or 9 weeks), the first batch of data was made available, which exceeds the originally quoted timeframe for the completion of the entire data request*
12/30/2024	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:Dec 30, 2024, 7:03 PM Thank you for this update. I will be in touch after the holiday. Matt Sennott				

1/6/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Jan 6, 2025, 12:28 PM Good afternoon, Just trying to piece together some dates and times to drop in to review the documentation. How much advance notice would you need for my visit (s)? Thanks, Matt	**Exhibit 5**			
1/6/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Jan 6, 2025, 12:31 PM A day would be good. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning.	*- No warning should be necessary as long as it is during regular business hours.*
1/6/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 6, 2025, 6:39 PM Are these emails on paper or electronically? If electronically, does the computer have internet access? Thanks, Melissa	**Exhibit 6**			
1/7/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, Matthew Sennott <matt.sennott@gmail.com> date:Jan 7, 2025, 8:51 AM They will be imported to an electronic pdf file to view on a computer that is not connected to our network or internet. You are unable to make copies yourself or photograph the documents as you requested inspection/view only. Robert J. Jarrett	**Exhibit 6**	**Public Data**	**§ 13.03, subd. 3(a):** If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.	*- Use of ones own devices to capture data is not a copy, does not require government resources, and does not use employee time. Charging to take a picture is essentially charging someone for inspection, as noted in previous advisories.* *- Not the format provided*
1/8/2025	**Email**	On Wed, Jan 8, 2025, 2:22 PM Moxley-Goldsmith, Taya (ADM) <taya.moxley-goldsmith@state.mn.us> wrote: Hi Matt, There are a couple of advisory opinions from the Commissioner of Administration that say that data requesters may take photos or make their own copies (within reason and not including using a thumb drive to take away electronic copies). You can provide them to the County for their consideration: AO 02-036, AO 04-059. Please let me know if you have questions. Taya	**Exhibit 7**			

1/9/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> bcc:lyssalynn13@gmail.com date:Jan 9, 2025, 10:56 PM Robert, I plan to keep my appoint to visually inspect the aforementioned documentation, however I find your outright refusal of me to take photographs of public data curiously adversarial. This might be a misread on my part, and if so, I apologize. That said , I see no basis for me being strictly limited to inspection without copying any data I see fit to share with our organization by using my own cell phone camera. My request for access to and inspection of records seems pretty clear in that I am not requesting you or county staff to make or send copies of data records. I can take this on myself and at my own expense by coming in person. I am sure it's just a misunderstanding and you didn't mean to offend or be punitive towards our group's desire to learn more about the road project through public records. I think we have been very transparent, patient and cooperative in the process of requesting access to these records. Please consider this communication as a formal request to take a photo of any public information I take an interest in on behalf of our organization that wishes to learn more about the public road project. For your convenience I will include 2 advisory opinions I believe help justify my request: AO 02-036, AO 04-059. Thank you in advance for your consideration in this matter. Matt Sennott	**Exhibit 6**			
1/10/2025	**Email**	From: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Date: Fri, Jan 10, 2025, 10:33 AM Subject: RE: Data Request To: Matthew Sennott <matt.sennott@gmail.com> Cc: Fry, Renae <Renae.Fry@steelecountymn.gov> Mr. Sennott, You can certainly receive copies of any documents you desire, however, any copies must follow the county's policy/schedule and be paid for. A copy includes a photograph. Here is the 2025 county fee schedule: https://cms2.revize.com/revize/steelecountynew/Administration/fee%20schedules/2025%20Fee%20Schedule.pdf Under Minnesota law, a member of the public has the right to inspect public government data at reasonable times without being charged a fee. Scheffler v. City of Anoka, 890 N.W.2d 437 (2017). The term inspection includes visual inspection of paper and similar types of government data. Minn. Stat. § 13.02. The responsible authority (here the county) can charge for copies or electronic transmittal of data. See Demers v. City of Minneapolis, 468 N.W.2d 71 (1991). The Department of Administration Advisory Opinions you referenced do not support your position. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 3(a):** If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.	*- Public data is free. Charging for not using any county resources is charging for public data. This does not comply with previous data requests within Steele County where we were encouraged to take pictures and read the data at home.* *- This is an instance of trying to rack up copies so that residents have to pay for the whole data request, of which is still delayed, and to prevent public access to public data.*
1/10/2025	**Email**	Sennott e-mails Taya once again asking what recourse may be had				

1/13/2025	**Email**	From: Moxley-Goldsmith, Taya (ADM) <taya.moxley-goldsmith@state.mn.us> Date: Mon, Jan 13, 2025, 8:28 AM Subject: costs to inspect and take photos To: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Cc: Matthew Sennott <matt.sennott@gmail.com> Mr. Jarrett, I am following up on an email exchange that I had with Mr. Sennott. One of the advisory opinions I sent to him was incorrect. The relevant opinions that apply to copy costs and inspection are 01-086 and 04-049. Section 13.03, subd. 3(a) says, "Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and place." That is, the requester shall be permitted to inspect and copy public government data. Two separate paragraphs later in the subdivision, 3(c) and 3(e), provide that the responsible authority shall provide copies upon request and sets the cost structure for an entity providing those copies. Thus, long-standing position of the Commissioner is that a requester taking photographs (or making their own copies) of public data is not a request for the entity to provide copies, part of facilitating inspection, and charges are not allowed. I don't think Scheffler or Demers speak directly to the issue of requesters making their own copies or taking photos. (The former is about who a request must go to in order for Ch. 13 rights to attach and the latter specifically held, "If copies of the data are requested, only the actual cost of retrieving, compiling and copying the data may be charged.") Of course, advisory opinions are non-binding. An entity that follows them has some immunity if challenged in court. (See sec.13.072, subd. 2.) Please let me know if you have any questions for this office. Taya Moxley-Goldsmith (she/her/hers) Director | Data Practices Office	**Exhibit 7**			*- The department of Administration agrees pictures should be allowed. The county attorney "doesn't agree".*
1/13/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 13, 2025, 4:00 PM Microsoft has still not resolved the download to pdf yet. I will let you know when it is resolved. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning.	*- Data that was available on December 27, 2024, is now unavailable 18 days later. No explanation or prior mention of this issue was provided, resulting in a denial of access.*
1/13/2024	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 13, 2025, 5:05 PM How long do you think that will take? I'm fine reviewing it in the same format Matt used last week. Thanks, Melissa	**Exhibit 5**			

1/14/2025	**In-Person - Data Request Access**	Zimmerman is denied access to public data in person at the Administration Building where originally told it would be available and sent to a different location. (Video Footage) https://youtu.be/lhY-pjIWaC4	**Link**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.	*- Access was denied in person during normal business hours*
1/14/2025	**In-Person - Data Request Access**	Zimmerman is denied access to public data in person again at second location (Video Footage) https://youtu.be/hr7wCUPsD0I	**Link**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.	*- Access denied during normal business hours.*

1/14/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 14, 2025, 8:29 AM IT has submitted a ticket to Microsoft. We'll let you know as soon as it is fixed. The format used by Matt last Friday was a one-time deal since he had prearranged to be in the office, that is not the normal way of viewing the data. I allowed him to my laptop under my supervision. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner." **§ 13.03, subd. 2(b):** "For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment." **§ 13.03, subd. 1:** Public data. All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 3(e):** The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. **§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.	*- Denied access to available data in writing* *- Public data must be accessible during regular business hours; this has not been the case.* *- The provision of a one-time prearranged deal was never communicated and does not align with Chapter 13 regulations.* *- A laptop was provided with access to sensitive data.* *- "Reasonable and prompt" is the standard, yet this situation does not meet either criterion, especially considering the data has been "ready for inspection" for almost three weeks.* *- There appears to be intentional stalling and delays.* *- Discriminatory or inequitable access to public data is evident.*

1/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 14, 2025, 8:41 AM To clarify, we were informed that the data has been ready for over two weeks. I provided a courtesy notification the day before stating my intent to review it. I am arriving during normal and reasonable business hours, and now you are denying me access to this public data? Melissa	**Exhibit 8**	**Public Data**	**§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.	
1/14/2024	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 14, 2025, 8:43 AM It is out of our control. Robert J. Jarrett	**Exhibit 8**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning **§ 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner." **§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.	*- Still denying Data* *- Not appropriate and prompt manner*
1/14/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 14, 2025, 10:42 AM Good morning Robert, On Friday I had indicated that I would be coming in today for reviewing documentation. I'm gathering from the email below that electronic documentation review would not be possible until the Microsoft ticket is resolved. That said, what about paper review? As I understand it access to the files and printing is not a problem. It's simply a matter of your team not being able to serve it up electronically on a laptop, correct? We could probably try and be a little more prescriptive over the next few days on what time frames and or subjects within the ESC documentation we are looking for so the entire set of 2000 to 3,000 items need not be printed and their entirety. Please advise. Thanks, Matt	**Exhibit 5**			

1/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:Matthew Sennott <matt.sennott@gmail.com> date:Jan 14, 2025, 10:45 AM This morning, I arrived at the County Administration Building around 8:45 AM to view public records related to the East Side Corridor, having notified the county a day in advance of my intent to do so. I spoke with three different staff members, none of whom were familiar with my request. They repeatedly asked who I had been in contact with, and I informed them it was Renae Fry, Rebecca Kubicek, and County Attorney Robert Jarrett, none of whom were available. I was asked to wait, which I did for approximately 20 minutes, before being told the data was not available at this location this time. I was then directed to 303 S. Cedar Ave and told to speak with "Rob Jarrett," who had all the data and would assist me. Upon arriving at the second location, I checked in and waited, only to be informed that the attorney had just entered a training session and was unavailable. Despite clarifying that I simply needed access to public data, I was completely denied access. This entire process consumed about an hour of my time—time that should have been spent reviewing records that have been available for two weeks and were just reviewed two business days prior. I have uploaded video footage of my interactions for viewing: [Google Drive]. Please note that I stopped recording during the time I waited at the County Administration Building. Additionally, per emails from the County Attorney, access is now being denied due to the file type, despite the same records being successfully viewed just two business days ago. I also provided written notice of my intent to view the records on the very next business day. This further reinforces the appearance that the county is deliberately withholding information, which was the very reason a public data request became necessary in the first place. Thanks, Melissa Zimmerman	**Exhibit 8**			*- Documentation of the denials and steps taken to prevent Zimmerman from viewing public data.*
1/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 14, 2025, 2:14 PM Hi Rob, I have yet to receive a call from you, so I'm following up regarding today's denial of access to view public data. I am available again tomorrow morning from 8:45 to 11:15. We were informed that this data was ready on December 27th. I'm unclear why the format or device the data is on has suddenly become an issue, especially considering it was not a problem for inspection two business days ago or at any point during the two weeks it has been available. Requested public data is required to be readily and easily accessible during normal business hours. If the electronic version of the data is problematic, I am more than willing to review paper copies instead. Please let me know where I can access this data tomorrow morning at 8:45. Thank you, Melissa	**Exhibit 8**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(e):** The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. **§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner."	*- Was told I would receive a call that morning when he was out of his meeting. Still hadn't heard from him by later afternoon. Not PROMPT manner, especially after denying access to public data.* *- I had to rearrange my schedule to be there during that timeframe.*

1/14/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 14, 2025, 5:20 PM The issue is resolved. We have a computer setup at the attorneys office to review the data anytime. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(e):** The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. **§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 2(a):** "The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner."	
1/15/2025	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Sent: Wednesday, January 15, 2025 10:25 AM To: Moxley-Goldsmith, Taya (ADM) <taya.moxley-goldsmith@state.mn.us> Subject: Re: costs to inspect and take photos Thank you Taya, The attorney is making it exceedingly difficult for us to review public records. He also said he does not agree with your advisory opinions and continues to refuse to let us take photographs of the documentation. We were turned away yesterday even with providing the requested advance notice because the attorney said he was going into a training session (last minute) and couldn't be present. Then later that day, he emailed to say the files would not be available the rest of the day because they could not get them onto a laptop for us to use. Today my colleague went in again to review files and they have done a mass data dump of information into an unusable format on the laptop. Meaning, there is no discernible way to sort through the data now as it is not organized by date or any other way that makes sense. They obviously do not want us reviewing these files. What might be our next step to get the information we need? Thank you so much for your help. Matt Sennott	**Exhibit 7**	**Public Data**	**§ 13.03, subd. 1:** All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. **§ 13.03, subd. 1:** The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 3(e):** The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. **§ 13.03, subd. 3:** Request for access to data. (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based. **§ 13.03, subd. 2(a):** The responsible authority in every government	

					§ 13.03, subd. 2(a): The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	
1/15/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Purscell, David" <David.Purscell@steelecountymn.gov> date:Jan 15, 2025, 1:20 PM Subject: Concerns Regarding Public Record Documents Hi Robert, I reviewed some of the documents this morning and have several concerns: 1. You mentioned there were around 2,000 documents, but only 350 files were in the folder. Where are the remaining 1,650 documents? 2. The documents were not organized in chronological order, contrary to what we were told. 3. Several emails did not open properly; instead, clicking on them opened a box to compose a new email. I've attached a list of the emails that didn't open correctly. 4. Some emails referenced attachments that were not included: 5/13/2022 email from Andrew Plowman 8/26/2022 email: East Side Corridor revised previously considered alternatives & fatal flaw analysis memo 5/10/2022 email: Steele Co East Side Corridor 5. The 6/23/2022 email appeared incomplete, showing the start of a chain that ended abruptly, suggesting missing data. 6. Many documents appeared to be duplicates. 7. Emails prompted a "save changes" message, raising questions about potential edits. 8. After reviewing one-third of the 158 emails (we were told there were thousands of emails), I did not encounter any of the same emails Matt accessed last week. The lack of chronological order made it impossible to search specific dates or navigate efficiently. 9. I didn't find any documents from 2021 such as the proposals. Based on these issues, I'm concerned that the conversion process may not have worked correctly and data is missing. Can you please address these concerns? Thank you, Melissa	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 1:** All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. **§ 13.03, subd. 1:** The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 3(e):** The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. **§ 13.03, subd. 3:** Request for access to data. (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based. **§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- Incomplete data provided* *- Corrupt or unusable data* *- Inconsistent with what was provided to each resident* *- Not in chronological order (so it doesn't make sense)* *- Missing attachments* *- Duplicates, even though duplicates were supposedly removed (as in 4+ copies of the same emails)* *- Not all Data was available and thus denied access again* *- Not in format indicated (PDF)* *- No reason provided that documents were going to be missing or why.* *- Data integrity??? Files were editable!* *- email chains ending mid sentence (missing data)* *- Previously accessed data was missing*
1/15/2025	**In-Person - Data Request Access**	Julia Spatenka, Steele County Legal Administrative Assistant, denied the ability to take pictures of public data when Zimmerman showed up to inspect data. When Zimmerman told her what the Department of Administration had previously found photos were allowed, Spatenka said she "would check again, but was told that morning, pictures were not allowed". She verified with Mr. Jarret, and came back and said "He does not agree on that with the scanner versus the photos situation." (Previously DoA Advisories.) "Any copy will be $0.25 and we can work on that at the end. Payment will have cash or check." (Audio recording available)	**Available Upon Request**	**Public Data**	**§ 13.03, subd. 3(b):** For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data.	*- Charging to inspect public data (use of own equipment) - No copies are being made. No government entity resources needed.* *- Jarrett is willfully denying rulings already presented to prevent access to public data as is required as part of his job. Hindering access to this data prevents residents from learning what they need to protect their homes and community.*

1/16/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:Jan 16, 2025, 2:50 PM Hi Robert, Was hoping to come by today to review files. Could you please confirm if they been fixed yet? Please let me know. Thanks, Matt Sennott	**Exhibit 5**			
1/17/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com>, Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 17, 2025, 10:45 AM subject:Initial data set ready for review Re: East Side Corridor Data Request (view only) This is our first significant data request using Microsoft's updated Purview software. I now have an initial data set for your review. There is 4.3 GB of data and 2,049 items in the folder. The prior folder you reviewed was just "page 1" of the data set. There remain approximately 1100 items to be reviewed by staff in your narrowed-down request of items related to "WSB Communications". I will let you know when those are ready, unknown time frame. We are closed Jan 20. I will be out of the office Jan 22-31. If you want to review data during Jan 22-31, our Legal Administrative Assistant Julia is aware and can help you at the county attorney's office front desk when we are open. Robert J. Jarrett	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, <u>upon request, shall be informed of the data's meaning.</u>	*- 84 days/12 week/3month and the data is FIRST available despite being told it was ready 3 weeks prior!* *- Again with no updates on when the next batch will be ready - that is not appropriate and prompt.* *- County Attorney Jarrett did NOT answer any of Zimmerman's concerns in her email about the data.*
1/17/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 17, 2025, 11:32 AM I am available on Wednesday, the 22nd, from 8:45 to 11:20. Thank you for addressing item number 1. However, what about the remaining issues? Will the emails be organized in chronological order as previously agreed? Have the issues with emails that failed to open been resolved to prevent recurrence? Were the missing attachments identified and addressed? Have the emails that were cut off mid-sentence been reconverted to include the full content? Has the functionality to edit and save emails been resolved to ensure credibility? Will I now be able to easily locate emails discussed with Matt by subject line or date? Has the data from 2021 been included as well? Incomplete and inaccurate data raises concerns about credibility and integrity and wastes both of our time leading to fruitions. Thanks, Melissa	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 3(a):** Subd. 3.Request for access to data. (a) Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 3(f):** denial of data without a legal reason	*- Failure to clarify the data or provide necessary explanations*
1/17/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 17, 2025, 2:25 PM Robert, Thanks for the update. Would you all be available at 3:30 p.m. for me to swing by and take a look at the setup? I'd like to get an idea of the new format for the data. I will also try to call your office here in a little bit in case you don't see this email before 3:30 p.m. Matt Sennott	**Exhibit 11**			

1/17/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 17, 2025, 3:58 PM Yes, the office is open until 4:30 PM. Robert J. Jarrett	**Exhibit 11**			
1/20/2025	**Email**	from:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov>,"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>,"Glynn, John" <john.glynn@steelecountymn.gov>,"Brady, James" <James.Brady@steelecountymn.gov>,"Krueger, Greg" <Greg.Krueger@steelecountymn.gov>,"Prokopec, Joshua" <joshua.prokopec@steelecountymn.gov> date:Jan 20, 2025, 4:20 PM subject:Submission of Petition with 578 Signatures for East Side Corridor Project – Request for Public Record and Agenda Inclusion January 20, 2025 Steele County Board of Commissioners Jim Abbe, Greg Krueger, James Brady, Josh Prokopec, John Glynn 630 Florence Ave Owatonna, MN 55060 Dear Steele County Commissioners and County Administrator, We are writing to submit a petition signed by 578 residents, collected through both online and paper submissions, expressing our strong support for the East Side Corridor project to prioritize an alignment that ensures safety, mitigates noise impacts, and supports long-term community growth. 34th Ave is one option that accomplishes these goals. This petition represents a wide cross-section of our community, including many individuals who are impacted in various ways by the project, from owning properties that would be affected by the project to those with family who live in the area. The residents who signed this petition are united in advocating for a solution that prioritizes the well-being of the community while ensuring fiscal responsibility. This includes minimizing unnecessary expenditures, maximizing cost-effectiveness in construction and maintenance, and ensuring efficient use of taxpayer funds. By selecting an alignment that places distance between the roadway and existing homes and neighborhoods, we can address the immediate transportation needs while safeguarding residents' quality of life, mitigating noise and safety concerns, and allowing for strategic long-term planning. These signatures reflect a collective desire to see this project successfully address the urgent need for improved transportation infrastructure, safety, and noise impacts, while also planning for future growth, environmental sustainability, and long-term community development. We respectfully request that this petition be officially placed on record, included in the public record, and forwarded to the relevant state agencies for review. Additionally, we ask that it be attached to the East Side Corridor project and included in the correspondence portion of the agenda for the upcoming Steele County Board meeting scheduled for January 28th, 2025, for formal consideration. Please confirm receipt of this petition and let me know if any further documentation is required. I appreciate your attention to this important matter and look forward to continued collaboration on this project. Thank you for your time and consideration. Sincerely, North Country Subdivision Residents On behalf of Other Concerned Residents				
1/20/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Jan 20, 2025, 5:27 PM Hi Robert, I will plan on coming in tomorrow around 3:00 p.m. to review files. I also appreciate the update on the progress of pulling the files together we prioritized for brevity. Would you please give me an estimate of how much additional time is needed to fulfill the rest of our data request? Thanks, Matt Sennott	**Exhibit 10**			

1/21/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Jan 21, 2025, 3:19 PM I do not have an updated timeline right now. I suspect we'll get the next batch (thousand or so) done in the coming month. Then we would start with the overall request if that remains. We have not reviewed any physical documents yet, but sounds like there are many boxes worth. Robert J. Jarrett	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- No timeline has been provided, which fails to meet the standard of promptness.* *- Data is being provided in batches rather than rolling as requested.* *- The originally stated "appropriate" timeframe was several weeks for the full data request. However, we are now over three months into the process, with another month expected to be needed for just one-third of the prioritized data—less than one-third of the total prioritized requested information.*
1/21/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Jan 21, 2025, 5:44 PM Ok, thank you				
1/22/2025	**In-Person - Data Request Access**	Zimmerman paid $2.50 for copies of public data, which overlapped with Sennott's requests.		**Public Data**	**§ 13.03, subd. 3(c):** The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. However, if 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the responsible authority may charge no more than 25 cents for each page copied. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.	*- Charging multiple individuals for the same data, while also aggregating their total requests to count toward the 100-copy limit, raises concerns about the fairness and transparency of the process.*
1/22/2025	**In-Person - Data Request Access**	Zimmerman was inspecting public data when she was told they were closing early instead of the normal 4:30pm.	**Recording may be available upon request**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning.	

1/23/2025	**Email**	from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, "Glynn, John" <John.Glynn@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Prokopec, Joshua" <Joshua.Prokopec@steelecountymn.gov> date:Jan 23, 2025, 1:21 PM subject:RE: Submission of Petition with 578 Signatures for East Side Corridor Project – Request for Public Record and Agenda Inclusion This email confirms receipt of your petition. As it was already addressed to the five commissioners, it is not necessary to place it in correspondence on the agenda. It will be added to the files on the project as requested. Renae		**Public Data,**	**§ 13.03 Subd 1:** The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.07 DUTIES OF COMMISSIONER; RULES.** The commissioner shall promulgate rules, in accordance with the rulemaking procedures in the Administrative Procedure Act which shall apply to government entities to implement the enforcement and administration of this chapter.	*- Residents requested that their concerns be included on the agenda, as recommended by Commissioner Abbe and in accordance with County policy.* *- A decision was made behind closed doors to exclude the petition.* *- No public record of the petition exists.* *- By excluding our petition, the commissioners were denied the opportunity to publicly consider the concerns of residents, and the concerns were effectively erased from Steele County's historical record, as they are not reflected in the minutes of the meeting, a document of history.*
1/28/2025	**Public Meeting**	Residents were locked out of the 5pm meeting at 5pm again for the 1st time this year.	**Exhibit 12**			
2/2/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Feb 2, 2025, 8:59 PM Robert, In the interest of time and efforts on befalf of your staff, we request priority be given to electronic communications vs. the paper files referenced. After the last of Paul's emails are finished (we seem to be missing quite a few as we look at the chronological layout of the communications) being compiled for review, we request priority then be given to communications between and with the commissioners. Thanks, Matt Sennott	**Exhibit 10**			
2/4/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Feb 4, 2025, 11:27 AM Received	**Exhibit 10**			

2/4/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com> date:Feb 4, 2025, 2:33 PM Hello Robert and Renae, I have reviewed all the public data provided, and it has now been 105 days since the request was made. Despite this extended timeframe, we still have not received all requested data, nor do we have access to all the data that has been provided. I previously emailed you weeks ago regarding files that would not open, yet no action has been taken. Before printing any files, I need to review the next round of data. When can we expect this? Waiting 105 days to pull emails is excessive, especially given that all other documents were simply attachments to emails, requiring no additional searches. On January 15, 2025, I provided a list of files that would not open (reattached for reference). What is the status of fixing these issues? Additionally, the following files are inaccessible (starts with): itemffa351f9, itemff9351f9, itemla4a7dc, irem1a4a7dc, item098633f, itema895, item5336e4b, item66r95b, item4b183, item0b014fed, itemf70f9 Furthermore, the referenced Alternative Analysis Tech Memo is missing—where is this document? There are also 22 files requiring specific software to access (e.g., kmz, kml, shx, dbf, shp, cpg, sbn, sbx, prj, etc.). How are we supposed to view these files? Additionally, it appears that email chains are incomplete, with missing responses. We were provided 1,071 emails between Paul and WSB, as requested, but the original request also included emails from multiple departments. You indicated in early January that we should expect approximately 1,100 more documents (emails and attachments). However, we are aware that there are over 2,000 emails from Paul alone. Does this only include emails between Paul and WSB? When can we expect ALL emails? The error file on the jump drive contains over 2,000 error records—were all relevant emails included in the first batch, or were errors excluded? To ensure clarity and prevent duplication, we expect all future batches of data to be stored in separate, clearly labeled folders that distinguish them from previously provided data. Please confirm that this will be done moving forward. To date, the following issues remain unresolved: 105 days have passed, and we still do NOT have all requested data. We were denied access to public data during reasonable business hours—despite being told it was available. Files that would not open were reported, yet nothing has been done. Additional files remain inaccessible. Access to files has been hindered due to the lack of necessary software on the provided computer. The jump drive has repeatedly failed and generated error messages. Emails appear to be missing. This level of delay and non-compliance is unacceptable. Please provide an immediate update on when the remaining data will be available and how these access issues will be resolved, and confirmation that future batches will be properly organized Melissa	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.05, subd. 13:** Data practices compliance official. By December 1, 2000, each responsible authority or other appropriate authority in every government entity shall appoint or designate an employee of the government entity to act as the entity's data practices compliance official. The data practices compliance official is the designated employee of the government entity to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official. **§ 13.03, subd. 1:** The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 1:** All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. **§ 13.03, subd. 3(b):** For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. **§ 13.03, subd. 3(c):** The responsible authority or designee shall provide copies of public data upon request. **§ 13.03, subd. 3(e):** The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. **§ 13.03, subd. 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal **§ 13.05, subd. 5(a)(1):** The responsible authority shall:	*- Failure to respond in a timely manner does not meet the expectations of appropriateness and promptness.* *- The issues raised have not been addressed or resolved.* *- Data clarification has not been provided.* *- Data provided is incomplete.* *- Despite being instructed to direct all questions to him, there has been no opportunity to ask questions or receive answers.* *- The issues remain unresolved.* *- Data remains inaccessible.* *- Not all of the requested data has been provided.* *- Data is being provided in batches rather than in a rolling manner.* *-Files are corrupt and cannot be opened, rendering them unavailable for inspection.* *-Special software is not required if the data is provided in an accessible format.* *- The data was provided, but it cannot be opened, and we were notified of this issue weeks ago.* *- The data has not been repaired or made accessible for inspection.* *- Data was supposed to be in formats accessible to the public; however, files with the listed file types do not open. It is expected that either the data be converted into a usable format or proper software be provided.* *- Access to the data has been denied for weeks without any explanation.*

					(1) establish procedures to assure that all data on individuals is accurate, complete, and current for the purposes for which it was collected;	
2/4/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com> date:Feb 4, 2025, 4:02 PM Melissa & Matt, From this point forward, please direct any requests for documents/questions regarding the East Side Corridor to only myself and Ms. Fry. We will track the requests, provide data in the order it was requested, and in compliance with the Chapter 13 Government Data Practices Act. The Act does not require specific time frames for data release and does not require government agencies to answer specific questions. The Act does not require the County to provide software to view the specific data or provide it in a different form. Many items were not necessarily reviewed by staff in any particular order. I will have IT see why the files would not open. Keep in mind some files may have been redacted due to being non-public data and that may account for some items not being viewable. The County is still working on reviewing current data requests on top of the day-to-day normal operations. I do not have an estimated time frame at this time. I will notify you when an additional batch is ready for review and will put the files in a separate folder. Thank you, Rob	**Exhibit 13**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(c):** The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. **§ 13.03, subd. 3(b):** For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment.	*- The response time has not been appropriate or prompt (102 days).* *- No estimated timeframe has been provided for completion.* *-Denying access to staff hinders the efficient transmission of information.* *- It is not lawful for any entity to prevent residents from accessing those representing them.* *- Data remains inaccessible.* *-Denying access to additional staff, particularly following an email sent to the County Attorney and Administrator, is concerning.* *- Intimidation: I felt intimidated upon receiving the email (Zimmerman).* *- Delay tactics are being employed.* *- Data remains inaccessible due to corruption or inability to open files.*
					§ 13.05, subd. 13: Data practices compliance official. By December 1, 2000, each responsible authority or other appropriate authority in every government entity shall appoint or designate an employee of the government entity to act as the entity's data practices compliance official. The data practices compliance official is the designated employee of the government entity to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official. **§ 13.05, subd. 5(a)(1):** The responsible authority shall: (1) establish procedures to assure that all data on individuals is accurate, complete, and current for the purposes for which it was collected; **§ 13.03, subd. 3(f)**: If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been	*- While claims have been made that data may be classified, no written justification for redaction has been provided. The files do not open, raising concerns that they were not simply redacted.* *- It is not acceptable to assume that data is non-public merely because a file fails to open.*

					denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based. **§ 13.03, subd. 1:** All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **13.09**	
2/4/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Feb 4, 2025, 10:24 PM Robert, I want to clarify that we did not go around you. My last email was addressed only to you and Renae. I'm not sure what you're referring to. The Act requires data to be accessible. If the County is not providing the necessary software to open certain files and is not converting them to a common format, what alternative solution can be provided to ensure accessibility? I included the file types for reference to help identify any issues, but I do not know what software is needed to open them. Redaction typically means blacking out sensitive or protected information—not altering a file in a way that makes it unreadable, which seems to be the case with the email files. I understand the County is balancing multiple priorities, and I appreciate your time in handling these requests. We simply ask for a reasonable turnaround. Please let us know when the next batch is available. Melissa	**Exhibit 13**	**Public Data**	**§ 13.025, subd. 2:** Public data access policy. The responsible authority shall prepare a written data access policy and update it no later than August 1 of each year, and at any other time as necessary to reflect changes in personnel, procedures, or other circumstances that impact the public's ability to access data.	*- Steele county's public data policy has not been updated since 2019, listing a county attorney that hasn't been with the county in 4 years. (Meant to be on Jarrett's email, but out of room on the violations).*
2/10/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Feb 10, 2025, 3:28 PM Hi Robert, Checking in for an update. Could you please let us know when the next set of data will be ready for review? As we've requested data reviews on a rolling production schedule we were expecting that we would have new material to review over this past many weeks. Please get back with us as soon as possible. Thank you. Matt Sennott	**Exhibit 9**			
2/11/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Zimmerman <lyssalynn13@gmail.com>,"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Feb 11, 2025, 3:33 PM It will be several weeks before I personally can set aside time to reviewing more data. Both Renea and I just returned from vacation being out of the office for week each. I will check with my attorneys this Thursday if anyone has upcoming open time to review. Robert J. Jarrett	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- An entire work with no progress or communication made.* *- Citing Staffing, Workload, and VACATION is not an acceptable reason to delay public data.* *- 109 days/16 weeks/4 MONTHS*
2/11/2025	**Public Comment, Public Meetings**	Zimmerman addressed the public data issues in the commissioner public comment period. She addressed concerning information residents discovered and asked if we could stop playing games and start working together yet. Sennott spoke to an agenda item in the work study session at 4pm that was already passed by the time he arrived at 4pm. He read the Steele County Core values to conclude his public comment asking that they are practiced and not just ideas. (These are not values we have experienced.)	**Link**	**Public Data**	**13.03 Subd 2(a)** **13.03 Subd 3(a)**	*- Addressed lack of access to appropriate and prompt data and the ability to inspect.*

		https://youtu.be/TmV6WG-McVc **Steele County's Mission Statement, Vision and Value Statements** Steele County is committed to ensure that Steele County has a healthy future and to provide services that citizens have come to expect. **Mission Statement** Driven to deliver quality services in a respectful and fiscally responsible way. **Vision** First in Service. First in Stewardship. The County of choice… today and tomorrow. **Core Values** 1. Teamwork: We serve the public best with collaboration, coordination and community partnerships. 2. Positivity/Forward-Thinking: We do our work with an open-minded and constructive approach. 3. Respect: We are eager to serve, friendly, helpful, and kind. 4. Accountability: We are fiscally and professionally transparent and responsible. 5. Integrity: We are ethical, honest, and reliable.				
2/14/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com> date:Feb 14, 2025, 10:47 AM In response to your email below. These items opened fine for me: itemffa351f9 itemf70f9 item0b014fed item4b183 itema895 item5336e4b I could not find these items in the nativefile folder itemff9351f9 itemla4a7dc irem1a4a7dc item098633f item66r95b Therefore I do not see any issues. Robert J. Jarrett	**Exhibit 15**	**Public Data**	**§ 13.03, subd. 1:** The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- The data is not in a format that ensures easy access, particularly if files are not opening properly.* *- The issues raised on 1/15/2025, 1/17/2025, and 2/4/2025 have not been addressed, despite being documented* ***30 days ago.***
2/14/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Matthew Sennott <matt.sennott@gmail.com>, Lyssa Zimmerman <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Feb 14, 2025, 10:57 AM Round 2 is ready for you review at the county attorney's office. It contains 763 items related to east side corridor and WSB communications, totaling 3.4 GB of data. It will be on the jump drive in a folder labelled round 2. There remain 638 items to be reviewed in the refined request of 'east side corridor and WSB communication.' I do not have a timeline on when I can work on this further. IT has not ran the second refined request of communications with commissioner emails and east side corridor. At this time, this data request has totaled 73 page copies. At over 100 pages, you will be required to pay the actual cost to search/retrieve/copy. Robert J. Jarrett	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- The timeline shifted from* ***several weeks to just 2 days*** *after it was addressed at the commissioner meeting on 2/11/2025.* *- This suggests* ***intentional*** *delays.*

2/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Feb 14, 2025, 11:01 AM Great, I will come try them again. What about the kmz, kml, shx, dbf, shp, cpg, sbn, sbx, prj files? Can we access those yet? Thanks, Melissa	**Exhibit 15**	**Public Data**	**'§ 13.03, subd. 1:** All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 3(b):** For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment.	*- The data provided is not accessible, which does not meet the statutory requirement for data to be available for inspection in an understandable and usable format.*
2/14/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Feb 14, 2025, 12:44 PM I am not familiar with those formats and whatever software is not on a standard county computer. It may be proprietary or engineering related files, which the county is not required to provide in a data request. Robert J. Jarrett	**Exhibit 15**	**Public Data**	**§ 13.03, subd. 1:** All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(b):** For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. **§ 13.03, subd. 3(c):** The responsible authority or designee shall provide copies of public data upon request. **§ 13.03, subd. 3(f):** If the responsible authority or designee determines	*- All data is public data, nothing is excluded, unless it is non-public.* *- Denying access to data during reasonable hours* *- No explanation of the data* *- Inaccessible public data* *- More than 30 days to fix these problems and still not fixing them.* *- Cannot inspect the data, they don't open.* *- Electronic files, but we made it clear other formats were perfectly fine for us to view it.* *- Not providing copies* *- No legal reason or statute cited for a reason to deny access to them.* *- This data is for inspection so this should be software the county maintains. Not looking for t*

					§ 13.03, subd. 3(f): If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. **§ 13.03, subd. 3(e):** The responsible authority of a government entity that maintains public government data in a computer storage medium shall provide to any person making a request under this section a copy of any public data contained in that medium, in electronic form, if the government entity can reasonably make the copy or have a copy made. This does not require a government entity to provide the data in an electronic format or program that is different from the format or program in which the data are maintained by the government entity. The entity may require the requesting person to pay the actual cost of providing the copy.	*hem to provide personal software to open it off site.*
2/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Matthew Sennott <matt.sennott@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Feb 14, 2025, 11:05 AM What would the actual cost be? Thanks, Melissa	**Exhibit 16**	**Public Data**	**§ 13.03, subd. 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(c):** The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. However, if 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the responsible authority may charge no more than 25 cents for each page copied. '**§ 13.03, subd. 3(d):** Any fee charged must be clearly demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.	*- No Prompt response* *- More than a 100 copies would be obtained so looking for actual cost excluding time for separating public from non-public data. No such fee has been provided to us.* *- actual cost not provided*
2/14/2025	**Email**	from:Matthew Sennott <matt.sennott@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Feb 14, 2025, 4:32 PM Thanks for the update. Side note, dropped by the office to prior to 4:30 to settle up on what we owe, but the door was already locked and the office closed. I'll try again next week.. Matt	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.	*- business hours are until 4:30 and doors were locked before 4:30, denying access to public data*

2/21/2025	**Email**	Annie Harmon is a reporter/editor from the Owatonna People's Press, a local newspaper from:Annie Harman <annie.harman@apgsomn.com> to:Matthew Sennott <matt.sennott@gmail.com> cc:Lyssa Zimmerman <lyssalynn13@gmail.com> date:Feb 21, 2025, 10:14 AM The county is claiming that so far it is costing $30,000 in taxpayer money to complete the request after it had been refined to be less extensive and they were able to eliminate duplicates. Is there any response to this price tag and do you feel it has been a successful request thus far?		**Public Data**	**§ 13.03, subd. 3(c):** If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. **§ 13.03, subd. 3(d):** Any fee charged must be clearly demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.	*- County inflating the cost of the data request, despite not answering our question about cost (a week later)* *- This appears to be retaliation as the county has not wanted to work with us - those impacted by a multi-million dollar project. Their goal is to paint us in a bad light despite our fight for transparency and accountability following legal means. This is a pattern and a civil rights violation.* *- This willful violations* *- Claimed pulling 1300 emails has cost the county $30,000, however, they just lost a public data violation lawsuit in January 2025 for exactly $30,000*
2/21/2025	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Date: Fri, Feb 21, 2025, 3:05 PM Subject: Re: Initial data set ready for review To: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> I'm going to try to stop by again this afternoon to settle up on the $10.25 I owe. Lyssa has already paid the $2.50 she owed. At $.25 a page, how does this equate to 73 pages? Matt	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 3(d):** Any fee charged must be clearly demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged. **§ 13.03, subd. 3(c)**: If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data.	*- Each data request is a separate data request. The data in Zimmerman's ESC Proposal Data Request was not included in Sennott's request until after it was fulfilled for Zimmerman.* *- Zimmerman was not given the option to inspect and instead had to pay for the other data request.* *- Combining the data requests puts this data request much closer to the 100 copy mark in which the county is refusing to allow photographs ensuring residents hit that cost mark.* *- Additionally both Sennott and Zimmerman copies are being combined on this data request rather than being handled separately to again bring us closer to the 100 copy mark to the full fee that the county refuses to disclose.*
2/21/2025	**Email**	From: Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Date: Fri, Feb 21, 2025, 3:48 PM Subject: RE: Initial data set ready for review To: Matthew Sennott <matt.sennott@gmail.com> Lyssa had a $12.50 (50 page) that was being counted in the documents request. Robert J. Jarrett	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 3(d):** Any fee charged must be clearly demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged. **§ 13.03, subd. 3(c)**: If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data.	*- combining multiple data requests to **inflate** charges*

2/25/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Feb 25, 2025, 11:09 AM Hello Robert, Attached is the email chain regarding the data request I was instructed to submit to obtain access to the ESC project proposals. I've also included the original data request form and my email to Rebecca placing the request on January 13, 2025. A few key points to note: - I did not specify whether I wanted the data for inspection or copies—I simply asked for the cost of electronic transmittal. Rather than being informed it was available for inspection, I was told I owed $12.50. - At the time of this request, I was actively being denied access to inspect data in Matt's request. - This data was not included in the larger data request when I was granted access on January 15, 2025. Is it now included in Matt's data request? - This is the only project where the data is not attached to the agenda, raising concerns about how commissioners were able to make an informed decision without access to the information. Since all other projects include this data, it should be publicly accessible—yet I was required to submit a formal request to obtain it. Since this was a separate data request that was fulfilled, it cannot not be counted as part of the current request. The suggestion that it would be is ethically concerning. Based on your statement that we were at 73 pages—and knowing that this fulfilled request accounted for 50 of those pages—does that mean we are actually at 23 pages for this data request? Or are you suggesting that any data requests with similar subjects should be combined, ultimately benefiting the county inequitably rather than ensuring transparency? Best, Melissa	**Exhibit 10**	**Public Data**	**§ 13.03, subd. 3(a):** If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. **§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.03, subd. 3(d):** The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged. **§ 13.03, subd. 3(c):** The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. However, if 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the responsible authority may charge no more than 25 cents for each page copied. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.	*- The ability to inspect the data was not offered as required; instead, access was conditioned on payment of a fee.* *- The request for this data was denied despite the information typically being available to the public for similar projects.* *- This type of data is ordinarily accessible without charge, particularly when received electronically and no copies are made. Nonetheless, a $12.50 fee was imposed to access the information—contrary to established norms and advisory opinions.*
2/25/2025	**Public Meeting**	Zimmerman addressed concerns to misleading information in the project and timeline and how access to accurate information and lack of communication has caused irreparable damages to the project. Yet residents continue to seek collaboration. Residents were locked out of the meeting and it was caught on the video recording. Sennott also spoke to the need for collaboration and how it's made the projects significantly harder. The county Engineer gave timelines for the noise wall vote (1-2months) and once that was finalized the EAW comment period would follow in April/May. https://youtu.be/r2jcf-EYzoQ?si=A9tIrQSMr1bZyB6t	**Link**	**Public Data**	**13.03 Public Data Challenges** **15.17 Government Data**	
2/26/2025	**In-Person - Data Request Access**	Zimmerman was inspecting data when informed the office was closing at 11:45 (for a pot luck).	**Recording may be available upon request**	**Public Data**	**§ 13.03, subd. 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning.	
2/27/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Feb 27, 2025, 8:11 AM We can view the 50 page as a specific separate request, even thought it would have fallen within the original request. The overall cost to go above 100 will be the actual costs to gather the data – and I don't have a concrete number on that. It would be calculated at the lowest hourly rate of a employee able to complete that request. Matt, I appreciate your comments at the last board meeting. There will be opportunities at upcoming open house sessions etc., to further engage with staff and the decision points moving forward. Unfortunately, given the past issues of confronting staff and making demands – we are left in this position to have you both only come to Renea and me. The county isn't trying to impede anything you are advocating for, but I am ensuring that we comply with what is being requested and it fits within the bounds of the law. Robert J. Jarrett	**Exhibit 10**	**Public data**	**§ 13.03, subd. 3(d):** Any fee charged must be clearly demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged.	*- No itemized breakdown or justification of actual costs was provided, preventing us from understanding or verifying the basis for the charges assessed.*

3/3/2025	**Local News Paper**	Owatonna People's Press Published: Fry said there are a total of six county employees working on the document retrieval and review, and she estimates it has cost roughly $30,000 in labor costs alone. She is not sure, however, how to value lost productivity as other county tasks have to be shuffled around to make time for the request. https://www.southernminn.com/owatonna_peoples_press/news/corridor-conflict-north-country-group-calls-foul-on-communication-transparency-following-data-request/article_14beb420-f869-11ef-9720-3f7d3e0f043c.html	**Exhibit 17**	**Public Data**	**§ 13.03, subd. 3(d):** Any fee charged must be clearly demonstrated by the government entity to relate to the actual development costs of the information. The responsible authority, upon the request of any person, shall provide sufficient documentation to explain and justify the fee being charged. **§ 13.03, subd. 3(c)**: If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data.	*- The county appears to be inflating actual costs while refusing to provide itemized estimates or justification to residents.* *- Notably, the estimated cost provided—$30,000—is identical to the judgment Steele County was ordered to pay in a public data practices violation case decided in January, raising concerns about the legitimacy and intent of the estimate.*
3/11/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Mar 11, 2025, 12:08 AM Hi Robert, I'm checking in to see when we might expect the next round of data and when we can anticipate emails from other entities. I have reviewed all the files provided so far. Could you confirm how many emails have been removed as non-public data? Additionally, per OPP, I understand that duplicates are also being removed—can you clarify how many duplicates have been removed? I wasn't aware that duplicates were being excluded; I had understood that only non-public data would be redacted. Also, we would prefer that the next round of emails includes those to and from commissioners. Please let me know if that can be prioritized. Looking forward to your response. Thanks, Melissa	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 3(c):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- 137 days to produce 1300 emails*
3/11/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Mar 11, 2025, 8:18 AM There are still around 1000 items to be reviewed in the WSK communications batch. Those will likely be ready by the first week of April. For context I have a very full calendar the next two weeks which includes a 3-day termination of parental rights trial, a contested omnibus hearing on a homicide case, a full day contested civil commitment of a sexually dangerous person, training for law enforcement, as well as regular meetings and urgent issues that come up. I will have IT start gathering the second set of commissioner emails & east side corridor. I only have access to data from Steele County, so not sure what you mean by other entities. Robert J. Jarrett	**Exhibit 5**	**Public Data**	**§ 13.03, subd. 3(c):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- Work load and staffing is not a reason to delay public data*

3/11/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com> date:Mar 11, 2025, 11:14 AM Thank you for the update and for your continued attention to this matter. So far, we have only seen emails between Paul and WSB. By "other entities," I was referring to communications within the data request, such as correspondence involving commissioners or other departments, not just between Paul and WSB. Additionally, you referenced a second round of commissioner emails, but we have not yet received a first round. Could you clarify whether those were previously pulled and, if so, when they were made available? Previously, you shared that there were 600-700 additional emails between Paul and WSB. What changed that number to 1,000? Was something added? Are there additional emails from Paul regarding the ESC that have not yet been retrieved? I appreciate your time and effort in ensuring transparency on this matter. Please let me know if you need any further clarification. Best, Melissa	**Exhibit 5**			
		To date no data provided		**Public Data**	**§ 13.03, subd. 3(c):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- No response and they missed their first week of April deadline they set*
3/25/2025	**Online**	**Residents launched a go Fund me to investigate the Data Practice Violations:** Steele County and the City of Owatonna are planning a $30M+ highway project called the East Side Corridor (ESC) that will run dangerously close to our homes—some within just 17 feet of the right-of-way. Many families with young children live in these neighborhoods, yet many city and county leaders refuse to engage with the community in good faith. Despite our legal right to access public records under Minnesota's Chapter 13 Data Practices Act, release of all data by the county and city is being delayed, blocked, and denied. It has been months since we requested this data (October 2024 for county and January 2025 for city). County and city meetings have been held behind closed doors, with no public documentation. Citizens have been denied access to public data, and even when available, they are not allowed to photograph it—despite state and local precedent. What are they hiding? Our message to local officials: "Government should work for the people, not against them. We have followed the law. We have asked for transparency. Instead, we have faced roadblocks, secrecy, and silence. We will not stop until the truth is revealed." To demand accountability, **we need to file a legal request for the State of Minnesota to investigate** these violations. Each request costs $1,000 per government entity, meaning we need to raise at least $2,000 to move forward. If violations are confirmed, fines may be imposed, records will be required to be released, and individuals could even be removed from office. Every dollar counts! Any unused funds will be donated to local organizations that strengthen our community. This isn't just about a road—it's about accountability. How You Can Help ☑ Donate – Even a small contribution makes a difference. ☑ Share – Spread the word to friends, family, and neighbors. Together, we can demand transparency, accountability, and a voice in the future of our community! For more information about our cause, please visit our website and Facebook page. https://www.gofundme.com/f/steelecountyfamilies	**Exhibit 18**			*- The county has cited the GoFundMe campaign as evidence of "litigation against the project," despite the description not indicating that legal action was being taken against the county.* *- This mischaracterization was then used as justification to withdraw federal funding from a project that was otherwise complete.*
3/27/2025	**Online**	GoFundMe was Fully Funded				
3/27/2025	**Written Correspondence**	County Engineer, Sponholz drafted a letter and sent it to the SE Minnesota ATP Committee requesting the transfer of funds from the ESC project to another project. - 12 days before the County Board could discuss - 5 days before City Council publicly discussed it - Cited: Also, there is a neighborhood group adamantly opposed to this project and threatening litigation against the county which could pose significant risk to the project timeline.	See Tab: 04.09.2025 Federal Funds Cell C10	**Public Data**	**13.01** **13.03** **13.03 Subd 1 - Accurate records** **13.05 Subd 5(a)(1)** **15.17** **13.09**	*- The formal request to transfer federal funds was submitted the same day residents' GoFundMe campaign—meant to hold the county accountable—was successfully funded.* *- That request was submitted by Engineer Sponholz* ***twelve days before the county board*** *could convene to review or discuss the matter, which was hidden from the public - only*

		https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=38805963	**Exhibit 19**			*discuss the matter, which was hidden from the public - only learned at the ATP meeting on April 11.* *- As of April 1, 2025, Commissioner Abbe indicated he was unaware of the action to transfer funds.* *- **No public vote** was held and no stakeholder input was sought.* *- There is no record of any discussion about this transfer during the **March 3, 2025** Public Works meeting.* *- In the transfer request, Sponholz referenced "neighborhood litigations" as a justification (inaccurate data now recorded)—a term which the County Administrator later confirmed was a reference to the GoFundMe campaign, which was intended solely to pursue state-level investigation into data practice violations, not litigation - Limiting access to public data.* *- Ultimately, federal funds were moved without documented commissioner oversight or public transparency.*
4/1/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 1, 2025, 9:56 PM subject:ESC Funding Shift Discussion Dear Commissioner Abbe, At tonight's City Council meeting, we learned that funding originally allocated for the East Side Corridor (ESC) is now planned to be moved to the Main Street project. This raises serious questions about the future of the ESC project. Can you clarify what this means for the ESC? Is the project being delayed, restructured, or potentially abandoned? Given the extensive discussions and impacts this project has had on residents, transparency on this shift is crucial. I would appreciate any information you can provide on this decision and the county's position moving forward. Thank you, Melissa Zimmerman	**Exhibit 20**			
4/2/2025	**Email**	from:Abbe, Jim <Jim.Abbe@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Apr 2, 2025, 7:40 AM subject:Re: ESC Funding Shift Discussion Good Morning, This is the first I've heard of this. I would ask that you reach out to commissioner Brady as he is on that committee and may have more insight. Hopefully we will be all brought up to speed on this at a work session sometime soon. Have a great day! Jim Abbe County Commissioner	**Exhibit 20**	**Public Data**	**13.03** - accurate data with easy access for everyone	*- Commissioner Abbe was not informed that a request had been made to reallocate federal funds away from the East Side Corridor (ESC) project.*

4/2/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 2, 2025, 10:10 AM subject:Re: ESC Funding Shift Discussion Commissioner Abbe, Thank you for your response. I will reach out to Commissioner Brady as suggested. Is it customary for engineering to make financial decisions before discussing them with the Board of Commissioners? I want to better understand the typical process for these decisions. Previously, I had asked if there was a deadline for this funding, and Paul indicated that the project may potentially be pushed to 2027 without issue. However, it now seems that there is a sudden urgency. Can you provide insight into what has changed? I appreciate your time and clarification. Thanks, Melissa	**Exhibit 21**	**Public Data**	**13.03 Subd 2(a)** - appropriate and Prompt response	*- Resident questions have not been acknowledged or answered, indicating a lack of transparency and responsiveness.*
4/2/2025	**Email**	from:Abbe, Jim <Jim.Abbe@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Brady, James" <James.Brady@steelecountymn.gov> date:Apr 2, 2025, 12:18 PM subject:Re: ESC Funding Shift Discussion Hello, My mistake the commissioners on that committee are Krueger and Prokopeck. Sorry for the confusion. Jim Abbe County Commissioner	**Exhibit 20**			
4/2/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Prokopec, Joshua" <joshua.prokopec@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 2, 2025, 12:39 PM subject:Fwd: ESC Funding Shift Discussion Dear Commissioner Krueger & Prokopec, Commissioner Abbe asked that I reach out to you. At last night's City Council meeting, we learned that funding originally allocated for the East Side Corridor (ESC) is now planned to be moved to the Main Street project. This raises serious questions about the future of the ESC project. Can you clarify what this means for the ESC? Is the project being delayed, restructured, or potentially abandoned? Given the extensive discussions and impacts this project has had on residents, transparency on this shift is crucial. I would appreciate any information you can provide on this decision and the county's position moving forward. Thank you, Melissa Zimmerman	**Exhibit 20**	**Public Data**	**13.03 Subd 2(a)** - appropriate and Prompt response	*- No response.*
4/8/2025	**Public Meeting**	Residents were locked out of the 5pm meeting at 5pm again for the 3rd time this month.	**Exhibit 12**			
4/8/2025	**Public Meeting**	Steele County Board of Commissioners Meeting Packed for 4/8/2022 (pg 65 re: reasons for federal funds transfer) "Also, the county has received information that a neighborhood group may bring litigation against the project which could potentially delay construction." - County Engineer Sponholz	**Exhibit 22** **Exhibit 28**	**Public Data**	**§ 13.07 DUTIES OF COMMISSIONER; RULES.** The commissioner shall promulgate rules, in accordance with the rulemaking procedures in the Administrative Procedure Act which shall apply to government entities to implement the enforcement and	*- No formal vote appears to have been recorded, raising potential concerns about transparency and data practices. (lack of access).* *- In the absence of a recorded vote, there is no official*

		https://www.steelecountymn.gov/Commissioners/2025/BM%20Packet%2020250408.pdf			administration of this chapter. **15.17** **13.03**	*documentation—such as meeting minutes or board journals—reflecting the decision.* *- The reference to "neighborhood litigations" does not align with available public records, and may represent a misstatement of fact. (inaccurate data)* *- It is unclear whether the Board of Commissioners had access to complete or accurate information at the time of the decision. (access to data)* *- There is no available documentation clarifying how the County Engineer was granted authority to act on behalf of the county in federal funding matters. (incomplete data)* *- It appears that data practice procedures were not followed, and rules regarding public access and transparency were not clearly communicated.* *- The justification that the transfer was time-sensitive due to a looming deadline does not appear in prior public meeting agendas or minutes reviewed, including those dated before residents launched a GoFundMe campaign. (inaccurate and incomplete data)* *- The inaccurate characterization of litigation has had the effect of limiting residents' ability to engage with commissioners—one of the key avenues for accessing and understanding public data. (access to data)*
4/8/2025	**In-Person After Meeting**	After a city council meeting as Zimmerman was talking Commissioner Abbe, Administrator Fry interrupted the conversation and proceeded to yell at Zimmerman for about 25 minutes. Despite all de-escalation attempt nothing was able calm Fry. Recording of this interaction is available. The environment felt very hostile. (Recording and transcription available) Concerns: - Both Abbe and Fry claimed we had threaten to sue the county. They cited our GoFundMe for DoA Investigations, public, comments, and that we've repeatedly said we were going to sue them. We have never once said we intent to sue them and have been avoiding it for 3 years. They later went on to say that they weren't sure it was us, but someone has said it. There is a resident in the county that has put them on notice, but that person is doing so on their own and not part of our group. - Fry said they'll get to Zimmerman data requests after Sennott's data requests are complete. - Fry: Placing more data requests will just pile them up. - Fry: Noted they don't have staff/time to go through public data **10** times - Fry: Spend 40 hours going through all the emails (yet they're not available - waiting on attorney, it has taken us 15hours to read every email and attachment that opens) - Fry: Public data cannot have questions and we cannot answer questions - **twice** - Zimmerman: I'm not even getting a response data requests were received and they're being denied with not legal reason when I do. - Fry: Public data request need to be in a specific format. - Fry: Gave verbal confirmation of one data request and that it would be worked with - only for denials to follow. - Fry: Provided a new timeline for 2-3 months for the data that was supposed to take several weeks in October. - Fry: The last email I have from you says you don't want to rescind your data request.	**Exhibit 23**	**Public Data**	**§ 13.03, subd. 2(a)** - Stalling one request until others are done x2 The responsible authority shall establish procedures… to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 2(a)** - Change timelines 2-3 months after 6months! The responsible authority shall establish procedures… to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 3(a)** - Twice upon request, shall be informed of the data's meaning. **§ 13.03, subd. 2(a)** - Staff/workload delays x10 The responsible authority shall establish procedures… to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03, subd. 1** - specific format All government data shall be public. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.03, subd. 3(a)** - Specific format Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data **§ 13.03, subd. 3(f)** Denials without written legal reason **§ 13.07 DUTIES OF COMMISSIONER; RULES.** The commissioner shall promulgate rules, in accordance with the rulemaking procedures in the Administrative Procedure Act which shall apply to government entities to implement the enforcement and administration of this chapter.	*- Delayed responses without legal justification have been consistently provided.* *- False statements regarding public data—such as claims that questions cannot be included—are inaccurate. Context and clarification are legitimate requests under public data laws.* *- Misleading requirements for request format—residents have been told that data requests must be submitted in a specific format. This is incorrect, as data requests can be made verbally or in writing, including via email.* *- Verbal confirmations that lack follow-through and arbitrary new timelines have been imposed without clear justification.* *- Denials without proper legal citations—public agencies are required by law to cite a specific legal exemption for any denial under §13.03, Subd. 3(f), which has not been provided.* *- A 25-minute public confrontation, which involved yelling at residents* *- Refusal to follow advisories from the state (5 times), without proper justification, may indicate bad faith on the part of County Administrator Renae Fry. She has willfully obstructed data requests, made false claims, and misused her office in an attempt to intimidate residents into accepting less than what they are legally entitled to. Despite corrections, she has doubled down, becoming more defensive and demanding residents accept an inadequate response.* *- Commissioner Abbe's failure to act—As an elected official, Mr. Abbe had the responsibility to uphold public data laws and question contested information. Instead, he washed his hands of the matter, deflecting responsibility to the county attorney, who has refuses to respond.* *- Tried to force residents to rescind valid data requests.*

4/8/2025	**In-Person After Meeting - Continued**	- Fry: Said don't have to follow the states' advisories **5 times.** - Fry: If they disagree you can have them reach out and then we'll follow it. (We did 1/13 they chose not to follow the advisory.)	**Exhibit 23**	**Public Data**	**13.03** **13.09 (a)**	*- Willful disregard of state-level recommendations: Even if advisories are not legally binding, they are issued by experts and agencies to promote compliance, transparency, and best practices. Ignoring these advisories undermines these principles.* *- Neglect of Duty of Care: Public officials have an obligation to seriously consider and incorporate state guidance, particularly around data practices and public engagement, into their decision-making processes.* *- Failure to engage in meaningful dialogue: Ignoring formal advisories or refusing to address concerns undermines accountability and transparency.*
4/8/2025	**In-Person After Meeting - Continued**	**Charging for data not County Resources:** - Fry: If you take an image that's a chargeable thing, in other words, it's $0.25 an image. - Fry: We are following the state standards of other county attorneys (re: images and public data.) - 3 times - Fry: That if you wanted images or to I mean I think he's just making the copies b/c it's easier b/c it's on a computer for him to run the copies. But if you take a photo copy it's just as much an image that requires the collection of a fee. - Fry: Steele County practice is to charge $0.25 a page however you take an image. Whether you take it on your phone or whether we produce the copy. - I don't want to get in the middle of a contest as to whether it's on your phone or you walk away with paper. We're charging you for that image.	**Exhibit 23**	**Public Data**	**13.03 subd. 3(a)** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. **13.08 Subd. 1:** a responsible authority or government entity which violates any provision of this chapter is liable to a person or representative of a decedent who suffers any damage as a result of the violation, and the person damaged **13.08 Subd. 2:** A responsible authority or government entity which violates or proposes to violate this chapter may be enjoined by the district court. The court may make any order or judgment as may be necessary to prevent the use or employment by any person of any practices which violate this chapter. **13.08 Subd. 4. Action to compel compliance.** **13.09 PENALTIES (a)** **13.09 PENALTIES. (b)** Willful violation of this chapter, including any action subject to a criminal penalty under paragraph (a), by any public employee constitutes just cause for suspension without pay or dismissal of the public employee.	*- Willful disregard of advisories: Both Fry and Jarrett are ignoring advisories directly sent to the county by the Department of Administration (DoA) and continuing to try to charge for data inspection, despite clear guidance to the contrary.* *- Unwarranted fees for inspection: Taking a picture of public data requires no county resources, and public data is free for inspection. Charging for a photo effectively equates to charging for public data, which is not permissible.* *- Pattern of obstructing public involvement: This behavior appears to be part of a larger pattern of obstructing residents from constructively participating in decisions that directly impact them, particularly with concerns that are being handled behind closed doors, by obstructing data access and deterring requests.* *- Misrepresentation of the law: Fry is misrepresenting the law, which clearly states that inspecting public data is free, and only copies of county materials should incur a small charge.*
4/8/2025	**In-Person After Meeting - Continued**	- Fry: Recommended us using the DoA to advocate for us - Sennott Clarified we are not litigating as stated in the agenda but using the DoA FRY: Well it's been implied a few times. ZIMMERMAN: Not from us. SENNOTT: I don't know where that's coming from. FRY: I don't know if it's the papers or whatever, but there have been "we're going to sue you" ABBE: Wasn't that stated in public comment tonight? Like 3 or 4 times. FRY: We've been told several times "we're going to sue you", "we're gonna sue you". ZIMMERMAN: No. What we said was we were perusing state assistance for the data practices. ABBE: Tonight? In public comment? ZIMMERMAN: Yup. SENNOTT: Yes. Yah. FRY: And that process ZIMMERMAN: And that's what's been twisted into FRY: I think it was your go fund me. There was reference to a lawsuit. I don't know that it was abundantly clear that you were gather money to file a data request action. Again that may be where we got it FRY: But there were other statements made prior to you're GoFundMe there were statements made that you know "we're going to sue", "we're going to stop". I can't say that it came from you or who the source was but obviously that had been communicated. ZIMMERMAN: We have absolutely not said we are going to sue. SENNOTT: We've also said we're not against a road. ZIMMERMAN: We've been trying to work with you guys for 3 years to avoid. That's our goal. https://www.gofundme.com/f/steelecountyfamilies	**Exhibit 23**	**Public data**	**13.03** - access to data	*- This was used as an attempt to cut off commissioner from constituents when constituents continued to contact commissioners with questions - a form of data requests.*

4/8/2025	**In-Person After Meeting - Continued**	- Fry: I will agree a lot of this is helter skelter. - Zimmerman asked if there was discussion about moving fund prior to the GoFundMe, and Fry did not say yes. But Fry and Abbe claim it was not related to the GoFundMe while also citing the GoFundMe as a reason to transfer funds. - A month ago there was no jeopardy of finishing the project then the day a GoFundMe to get the state involved was funded money is moving after already considering dropping funds solely to avoid noise mitigations, drawing up non-public alternatives, studying them, and stating "we will not build a noise wall" and "If they vote for a noise wall, we'll move it out. If they don't we'll build it there" [17 feet from homes]. - Fry: I've dealt with the DoA before. - Sennott: Asks if the same stringent regulations will be used without the federal funds. - Fry: That commitment is going to be entirely dependent on what the state of MN tells us. So in other words, we're going back to the state of Minnesota and we're saying "What will you require". [Internal emails show they already know it means no noise wall or noise mitigations.] - Abbe: was unaware his engineer had no intention of building a noise wall, despite it being brought up in public comment many times, showing lack of oversight, just like the sudden transfer of federal funds. - Abbe: Ultimately a noise wall vote rests here (inaccurate, it rests with residents, which would be known if the typically education with these projects had been provided as residents asked for.) - Abbe: Again tried to intimidate residents out of "wanting" a noise wall. - Abbe: Suggested those are the conversations we should be having but we aren't there yet - however we were already at the process for voting for a noise wall, too late for discussions. - FRY: [Interrupting Everyone] Well if you're talking a sound wall, I'm not putting money in trees! But guess what! A tree is the most effective tool for stopping a car. So if I have to pursue a conversation about a sound wall, I'm not going to talk to you about trees. - Zimmerman: Asked about moving the road out 600-700 ft (in alignment with the quietly studied alternative). - FRY: [Interrupting] That won't happen because the township won't let it. And I think you've missed that particular piece in this puzzle, it's the township. -Abbe: Completely unaware of the township's involvement (They've played a role since 2023! Only learned through public data)	**Exhibit 23**	**Public Data**	13.03 Subd 1- accurate and accessible public data 13.09 - willful violations 13.025 - Government Obligations § 13.07 DUTIES OF COMMISSIONER; RULES. The commissioner shall promulgate rules, in accordance with the rulemaking procedures in the Administrative Procedure Act which shall apply to government entities to implement the enforcement and administration of this chapter.	*- Misleading residents about their legal rights undermines informed consent and public participation. Commissioner Abbe's statement that the vote lies with the county is incorrect; the decision regarding the noise wall vote belongs to residents. However, the (non-) decision to move funds has effectively removed that right. This concern has been raised by residents multiple times and not accurately recorded in minutes.* *-Violation of Data Practice Standards: Engaging in intimidation tactics during inquiries or obstructing meaningful public engagement is a violation of established data practice standards.* *- Statements like "we'll wait and see" while internally assuming a predetermined outcome may suggest a deliberate attempt to delay public outrage, suppress resistance, and buy time to implement a pre-established decision. That's the goal of delaying public data requests.* *- Minnesota Government Data Practices Act (MGDPA): Prohibits suppression or strategic misdirection of public information.* *- Commissioners and the public should have easy access to the same data used to make decisions.*
4/8/2025	**In-Person After Meeting - Continued**	ZIMMERMAN: We have picked up on the township piece in the few emails we have but on top of that the noise reports say avoidance is necessary. FRY: Than it's a sound wall. SENNOTT: So they can overrule? They can overrule the state? FRY: [Interrupting] No, the land we are talking about building on is in the township. They have an orderly annexation agreement with the city of Owatonna. Fry: The town board has made it real clear that they'll only allow the movement of that city line east into their township as far is necessary to build that road. No more no less. So the 600 or the 1000 feet you have asked for is something that the township has said without doubt they don't agree to, they won't agree to because, it's outside the scope of their orderly annexation agreement. SENNOTT: It's the statements, it's the statement like "If it were up to me there would be no mitigations" [by county engineer] that's not helpful. It's the statement from one of the commissioners at one of the meetings, "Hey you just need to watch your kids." - Fry then tried to intimidated residents to accept trees. She admitted they won't reduce noise and that MnDOT said they won't work. And that a noise wall is the only option that will stop a car and reduce noise, but continues to push that we should talk about and accept trees. Also claimed she'd "been around the block a time or two with MnDOT" on these kinds of things. And further pushed that b/c she chose to live by a major road that it's ok to push it on residents despite that not being accurate or legal information. - Zimmerman: clarified if noise studies recommends avoidance would we go with that and fry said absolutely not. - Circled back to Data Requests.	**Exhibit 23**	**Public Data**	**13.01** - maintain accurate and complete data **13.03** - accurate data **13.05 subd 5 -** ensure accuracy	*- Good faith participation and transparency are fundamental requirements. Dismissing or mocking residents undermines the purpose and spirit of these laws.* *- Under NEPA, 23 CFR 772 (noise regulations), and MN State Statute 7030.0030, if an avoidance alternative is environmentally superior, local opposition cannot nullify the requirement to study or prioritize it.* *- Orderly annexation agreements can be amended, renegotiated, or overridden by municipalities, counties, and state infrastructure needs — especially if avoidance of environmental harm is required under federal regulations.* *- Fry misrepresents the township's role to make it seem like alternatives are impossible, when in reality, they were studied and potentially more protective.* *- Chapter 116D is about living in harmony with the environment and protecting environmentally sensitive areas (an existing neighborhood is classified as a sensitive area in chapter 7030). 29th Ave would violated these regulations as well.*

4/9/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:Apr 9, 2025, 9:14 PM Subject: Follow-Up from Last Night's Meeting Dear Commissioner Abbe, Thank you for taking the time to listen to our concerns last night. It was a long meeting, and I truly appreciate your willingness to hear from the community despite your busy schedule. I just wanted to follow up on something that left me a bit confused. After the meeting, I was surprised when County Administrator Fry raised her voice. I'm not sure what I may have said or done to trigger or warrant that response, and despite our efforts to remain calm and de-escalate, it felt difficult to have a productive dialogue. This isn't the first time I've encountered this situation, although previous instances were much shorter in duration. I found the interaction unprofessional and simply wanted to make sure you were aware. I truly hope we can continue working toward maintaining respectful communication moving forward. I fully recognize that emotions can sometimes run high, and I strive to address issues as respectfully as possible and appreciate when that is reciprocated. In addition, I recently came across an article that raised some concerns about the administrator's conduct, which I thought you might want to be aware of as well: https://chisagocountypress.com/news/2024/feb/09/administrator-complaints-investigation-leaves-unanswered-questions/ The article also mentioned concerns about public data practices, which seem to align with some of the difficulties we have experienced ourselves. I just wanted to flag this, as ensuring transparency and timely communication is very important to maintaining public trust. Please know that we are committed to engaging in good faith and working toward constructive solutions. Thank you again for your time and consideration. I look forward to continuing the conversation. Sincerely, Melissa Zimmerman	**Exhibit 24**			
4/9/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:Apr 10, 2025, 12:11 AM subject:Federal Funds and Noise Wall Decisions Dear Commissioner Abbe, I wanted to follow up with a question regarding the application to transfer federal funds that County Engineer Paul submitted. Were you aware that this request had already been submitted to the ATP on March 31st — eight days before the commissioners' meeting? Are there any options for extensions? Additionally, is it customary for the county engineer to have the authority to make such multi-million-dollar decisions without prior review and approval by the governing body? Shouldn't a transfer of this size typically require a vote? I did not see this addressed at the March Public Works meeting, and I have not yet received responses from Commissioners Krueger or Prokopec. You had also requested more information regarding Paul's statements about not building a noise wall. I've attached an email for your review, along with board meeting minutes that justify the need for additional funding for WSB to study various alternatives and to expand the construction limits for Westwood to accommodate more archaeological studies. In the email, you will also find discussions about dropping federal dollars — a move documented to avoid triggering noise mitigation requirements. We have uncovered a significant amount of information — much of it aligning with concerns we have been raising for some time. We have done our best to share these findings during public comment to arm you with facts, but with only two minutes allowed, it has been challenging to fully convey the breadth and depth of what we have learned. I understand there has been a perception that we are causing delays. However, if simply asking questions and presenting verifiable information has resulted in changes to project requirements, it would suggest that not all necessary information was provided at the beginning. Our goal has always been to support a transparent and accountable process — and to ensure the construction of a successful, safe roadway that truly benefits the community. I am scheduled to speak at the upcoming ATP meeting, and I would appreciate the opportunity to connect with you beforehand if your schedule allows. My goal is not to see any funding lost, but to advocate for federal oversight to ensure that the safeguards our community was entitled to are upheld. Dropping federal dollars at the point of voting on a noise wall is highly irregular and concerning. My priority remains making sure my family and neighborhood receive the safety measures we deserve. Thank you for your time and attention to these important matters. I look forward to staying in touch. Sincerely, Melissa Zimmerman	**Exhibit 25**	**Public Data**	**13.03 Subd 2(a)**	*- Questions asking for more information regarding an action taken is a form of data request. No response was given.*

4/22/2025	**Public Meeting Documentation**	The Work Study agenda was missing online the day of the meeting. from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Apr 22, 2025, 12:47 PM subject:Work Session Agenda Dear Renae, I was looking online and didn't see an agenda posted for today's 4:00 p.m. work session. Could you please let me know if the meeting has been canceled or, if it's still taking place, what is on the agenda? Thank you, Melissa Zimmerman ---------- from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Apr 22, 2025, 1:07 PM subject:Re: Work Session Agenda We do have a work session today and I will check the website to make sure it's there. We have three items on the agenda, two presentations (South Country Health Alliance and HMA) and a discussion regarding an abatement request. Renae ---------- from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Apr 22, 2025, 1:25 PM subject:Re: Work Session Agenda Thank you. ---------- rom:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Apr 22, 2025, 1:34 PM subject:RE: Work Session Agenda Rebecca took the agenda down to correct a date error, and it should be back up shortly. ---------- Did not obtain a copy until the meeting had already started.	**Exhibit 29**	**Public Data**	**13.01 -** access to data	

4/23/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:"Matt Sennott" <matt.sennott@gmail.com>, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> date:Apr 23, 2025, 1:31 AM subject:ESC Concerns – Noise Study, Annexation, and Viable Alternatives Dear Commissioner Abbe, I hope you're doing well. I wanted to follow up after a conversation with the County Engineer this evening. He shared that Minnesota regulations do not require noise studies and that the County is moving forward with the ESC project—without assessing noise impacts. This is deeply troubling, especially given the scale of this project and its proximity to established residential areas. The decision to move forward without a noise study disregards the significant and well-documented health effects noise pollution can have on families—particularly when there are alternatives that would avoid these impacts entirely. One such option is Alternative 3B, which offers clear advantages. It avoids established neighborhoods, minimizes residential harm, fully meets the purpose of the project, and has already been studied. Yet this route and the fact that it was being actively studied were never made public. Why not? Two weeks ago, we learned that the main obstacle to this project moving forward is resistance from the township—not a technical or financial limitation. That's incredibly frustrating, especially when misinformation about annexation appears to be part of the delay. To clarify: building a road does not require land to be annexed. Roads are built through townships all the time without triggering annexation. A clear example is the intersection realignment near Havana—no annexation is occurring there, so why is this situation with the ESC being framed differently? Orderly annexation is not dependent on road construction. And even if it were, using that as justification to potentially annex nearly 1,000 acres of land makes no sense under the current annexation agreement. If that can be justified, then what is the issue with one half-parcel—just east of existing homes that is listed as part of the orderly annexation plan—being part of the solution? The difference between Alternative 3 and 3B is that half-parcel. If minimizing impacts to farmers were truly the goal, we'd be discussing 34th Avenue, where far fewer agricultural operations are affected, some right-of-way is already owned, and it's not a 2 road commitment destroying twice as many farm fields. Since that's not the path being pursued, I think it's fair to ask: what's the real challenge with this one particular landowner—especially one who tilled over an existing road and has farmed the land without repercussions for 20 years? As with today's drainage ditch issue, I find myself asking: why am I, as a taxpayer, expected to pay more for a farmer who destroyed and has been using County land for his benefit? You have the leverage in this situation. 3B offers practical, cost-saving solutions: it allows for a rural roadway design—significantly cheaper than an urban roadway with boulevards and tree-lined medians and 4 sets of curb and gutter with sewer connections. It also accommodates higher speeds until development reaches that far east. Additionally, if condemnation of a property is a concern, this route could eliminate that need entirely. Kurt Welker has even stated he's willing to sell the lots he owns on the north end, eliminating some potential need for eminent domain. Importantly, 3B would avoid the N. Country neighborhood and eliminate the noise impacts entirely. Yet this option was never made public because, supposedly (internal emails), the project lead was afraid our neighborhood would be critical. That assumption robbed us of the opportunity to collaborate. We could have reached a solution and potentially be in the construction phase already—if the township wasn't given the power to override common-sense alternatives and public input. These are critical questions for the County to revisit. As someone directly affected by the ESC project, I urge you to re-examine the assumptions driving this process—both in terms of land use and public transparency—and advocate for a more balanced and community-centered approach. Thank you for your time and continued service. I hope we can continue this discussion soon. I truly appreciated how commissioners took the concerns of residents to heart today and voted for what they were asking for. It was encouraging to see that kind of responsiveness, and I'm hopeful we can get to that point on the ESC as well. Warm regards, Melissa Zimmerman	**Exhibit 26**	**Public Data**	**13.01** - access to accurate data **13.03 Subd 2(a)** - appropriate and prompt	*- Option 3B hasn't been made public. Do commissioners have access to it?* *- No response to this email or the questions within - a from of data request.*
5/7/2025	**Online Cottage Grove Public Video**	County Engineer Paul Sponholz accepted a new position	**Cottage Grove City Council**			
5/8/2025	**Other Communication**	County Engineer Paul Sponholz put in his resignation St Steele County				
5/9/2025 - 5/13/2025	**Other Communication**	Residents addressed concerns to the county commissioners about approving projects after the engineer has accepted a new position urging commissioners to table or vote no for the project. Residents sent emails and placed phone calls.				

5/13/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, Josh Prokopec <jprok27@gmail.com>, "Glynn, John" <john.glynn@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov> bcc:"Matt (Neighbor) Sennott" <matt.sennott@gmail.com>, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>, rbussler@steelecountytimes.com date:May 13, 2025, 1:24 AM subject:ESC Project – Urgent Concerns Regarding Oversight, Cost, and Process Integrity Dear Commissioners, As I read the agenda for tomorrow's meeting, I feel compelled to raise some serious concerns regarding the ESC project. I am not reaching out to stall the project—I understand the desire to move forward—but as a taxpayer and engaged resident, I believe the process unfolding is deeply flawed, deserves your urgent attention, and warrants further investigation. I often feel dismissed as unknowledgeable—perhaps due to preconceived notions some elected officials may hold—but I've spent the past three years researching this project, processes, and laws. I've even considered pursuing a master's degree in civil engineering, wondering if that would finally be enough to be heard. But the reality is, I haven't had the time to take on graduate studies while also working to protect my family and neighborhood, despite being more than qualified. Over the past 3 years, I haven't raised concerns to discredit anyone; I've done so out of a commitment to process integrity and fiscal responsibility. Two minutes at a podium can't begin to cover the depth or complexity of what's unfolding here. I've asked for the opportunity to have real, productive conversations. That remains my hope. Leadership Transition Raises Red Flags My first concern is that these additional charges are surfacing just as your county engineer is exiting. In most professional settings, when someone submits their resignation, they're not allowed to make final decisions that will have long-term impacts. In many settings, resigning staff are immediately relieved of their responsibilities to prevent conflicts of interest or rushed decisions. While I understand wanting to "tie up loose ends," those ends shouldn't be this loose—or costly. This timing alone is a red flag and warrants scrutiny. Concerns Over Transparency and Retaliation I have hesitated to email previously, uncertain about who monitors commissioner communications. However, based on my past experiences with County Administrator Renae Fry, I am genuinely concerned about further potential retaliation and intimidation. On February 4, 2025, both Robert Jarrett and Renae Fry attempted to block all constituent access to commissioners and county staff. When that approach failed because you can't do that, I was cut off under the false and unfounded claim that I intended to sue the county. As my elected officials, I expect you to investigate this matter, stand up for your constituents, and advocate on their behalf. On both February 11, 2025, and April 8, 2025, Fry created hostile environments, raising her voice and using intimidation tactics to interrupt my conversations with commissioners. Residents deserve the right to engage with their local government without fear of being silenced. Due to the lack of direct contact, I have no other option but to send this email and hope that you are reading it. I assured Commissioner Krueger early in this process that I would lead my group respectfully, and he assured me that we would be guaranteed our democratic rights. Unfortunately, that promise has been stripped from us, despite efforts to uphold my end of the agreement. WSB Ties and History of Cost Increases I also have concerns about Fry's long standing relationship with WSB, dating back to her time as city administrator in North Branch. Troubling allegations emerge when you look into these ties. I raised concerns about WSB's fee increases on April 8, 2025, when Fry aggressively told me to expect 'two to three more' such significant cost hikes, despite not being able to explain the previous increases. This is deeply concerning, especially given that WSB wasn't the lowest bidder and initially stated they could complete the project for under $300K! Additionally, the RFPs and records of discussion are missing from meeting agendas and minutes, raising concerns about the transparency of how WSB was selected in the first place.	**Exhibit 27**	**Public Data**	**13.05 Subd 3** **13.05 Subd 4** **13.05 Subd 5** **13.03 Subd 4**	*- Renae Fry made comments in the May 13th Meeting that indicated she had may have read my email.* *- Ms. Fry used her comments to justify adverse actions to engineering projects.*

Last Year's Study Change and Its Implications
The cost increases in September were attributed to study scope changes in meetings, which, at the time, seemed reasonable. However, internal emails later revealed that WSB's cost increases were to study alternative 3B and 29th Ave., but our engineer instructed them to remove reference to 3B. That change increased costs without transparency for officials and the public. Why are we paying to study multiple alternatives when the process calls for only one? Why not focus on avoidance, as studies recommended? Why are we trying to force the ESC in a substandard right of way 17 feet from homes when faster, more cost effective options that we've already studied exist? Who holds the power and stands to gain?
Screenshot 2025-05-12 213053.png

Design Work Without Environmental Approval
WSB's new charges are primarily for design work—before the environmental documents are finalized. For years we've asked when it's time to discuss mitigations, only to be told "not yet." And yet, now we're paying WSB to design mitigations behind closed doors, bypassing both government oversight and public input. This contradicts the entire premise of the environmental study process. Design should follow—not precede—the environmental review. Where is the public involvement? Where is the transparency? When can we discuss mitigations and avoidance?
Screenshot 2025-05-12 214602.png

Scope Creep
This project has experienced significant scope creep—both in cost and complexity. What began as a relatively modest proposal has ballooned into a $30 million undertaking, with continued cost increases predicted. This growth has not been driven by public input or environmental necessity, but by internal decisions made without sufficient oversight or transparency. Design features like roundabouts, urban roadway, boulevards, curb and gutter, noise walls, and bridge components are being inserted before final environmental documents are complete, bypassing standard processes. If scope creep is not checked, it will continue to inflate both the budget and the timeline, placing unnecessary financial strain on the county and its taxpayers. Who stands to benefit from this scope creep?
image.png

Federal Reports and CatEx Confusion
The new WSB line items include a CatEx report—despite the March 27, 2025 decision by the engineer to unilaterally remove federal funding. Why are we still paying for a federal study we're no longer required to complete? These charges appear to be new and outside of the contracted budget. Contracts of this nature generally require board approval when approaching budget thresholds. Given these are future costs being proposed, they must be questioned. The county engineer previously indicated both the EAW and CatEx were completed last February. So why are we being charged again?
Screenshot 2025-05-12 213715.png

Further, bridge design work listed as part of the CatEx is now irrelevant. There is no more CatEx without federal funds. And again—why are we designing before we've completed environmental review? You can't finalize a design if you don't know whether the project can be permitted. This is a clear process failure.
Screenshot 2025-05-12 214249.png

Roundabouts Before Review?
I don't object to roundabouts when justified—but this is a design-stage item. We are still in the environmental stage. WSB themselves admitted they don't know what future traffic counts will be and in order to justify roundabouts traffic counts have to reach a given threshold which this did not. So how can we justify the need for roundabouts—or any other major design features? Once again, decisions are being made without public input, and that undermines the entire point of a public process.
Screenshot 2025-05-12 220511.png

Noise Wall Games
How many times will noise studies be redone in an apparent effort to avoid building a noise wall that has already been deemed necessary? It has been clear from the beginning that residents near the proposed alignment will experience significant noise impacts—especially with a right of way as close as 17 feet from homes. WSB confirmed the cost of a noise wall at $2.3 million, which is exactly what residents had indicated for over a year.

When residents initiated inquiries into potential public data violations, federal funding was suddenly removed from the project—an action that appears intended to avoid triggering mandatory noise mitigation. Internal emails show this possibility was being discussed as early as April 2024.

So how is it that federal funds can be dropped to avoid mitigation obligations, while design work continues without public input or environmental review? If traffic counts were altered to justify roundabouts—triggering different noise profiles—those changes should be easily validated using models publicly available on MnDOT's website. And what is the likelihood that, this time, there will be no significant noise impacts just 17 feet from homes?

These actions don't add up. Something here demands closer scrutiny.
Screenshot 2025-05-12 221134.png

Loss of Federal Funds and Future Eligibility
Equally concerning is the decision to remove federal funding from the project. This was a pivotal moment—not just because of the immediate financial impact, but because it undermines the credibility and integrity of the county in future federal grant processes. Federal funds come with strict environmental review requirements. By abandoning the federal track mid-process and continuing design work without proper compliance, the county has disqualified this project—and any similar future projects—from receiving federal funding. This decision carries long-term consequences that could severely limit Steele County's ability to access external infrastructure funding for years to come, and there was no recorded vote for this decision.

Political Influence and Misleading Information
I've also heard from Administrator Fry that the township is "overruling" the project. That's simply not true. The township cannot override state or federal environmental regulations, nor can it force annexation. The annexation agreement limits annual expansion to 65 acres of planned residential land. Fry's implication that 1000 acres will be annexed for this project is inconsistent with past annexation history and highly unlikely to be approved at the state level. In the last 50 years we have annexed 576 acres. The difference between 3B and 29th Ave is half a parcel if annexation was really a concern.

Time for Oversight, Not a Rush to Approve
This is not how this project should be proceeding. Rushing approval before the engineer's departure locks in design decisions before proper review, public input, or environmental clearance. After the EAW comment period, responses are required—yet we won't have an engineer in place to do that. The state or EQB could require further studies. Do we have the resources and credibility to handle that if we continue down this rushed and opaque path? Why are we putting the cart before the horse and designing something that may not even be approved? The environmental process may indicate a better, cost-effective alternative that wouldn't require all these design features that WSB, not Steele County residents, benefit from.

Final Thoughts
This isn't about opposing the project—I want to see it succeed. But at nearly every step, we've encountered barriers that shouldn't exist in a well-managed public process. I'm raising these concerns because I believe the county is exposing itself—and taxpayers—to unnecessary risk and long-term liabilities.

There's no harm in pausing. What difference does it make if this is approved now, after the EAW comment period, or once the new county engineer has had time to properly review the project? There is no reason to rush major decisions before the current engineer departs. As commissioners, you are stewards of public funds and have the authority to approve this contract at any point.

But without a qualified engineer in place, how do we move forward responsibly? Approving this now risks giving WSB unchecked control over key design and project decisions—without the oversight taxpayers expect and deserve. We need an engineer to represent the county's interests, and with federal funds no longer in play, there is no external timetable pressuring an immediate decision. Delaying by a month or two won't hurt the project—but moving forward without proper oversight absolutely could.

It is entirely reasonable to take a step back and investigate the scope of these charges. In fact, I would urge you to consider an audit. Emails obtained from the city—despite the fact that many of our data requests remain unfulfilled—suggest that County Engineer Sponholz was concerned about how much information had reached the public—raising the question of whether that concern stemmed from a desire to prevent scrutiny of questionable or inappropriate actions. That alone warrants deeper scrutiny.

		In most professional settings, an employee who resigns is not granted expanded authority on their way out the door. Yet here, the outgoing engineer is being given the power to shape design decisions that will impact the community for decades and lock this project in despite environmental reports not being finalized. Please consider whether that's truly in the county's best interest. I raise these concerns not out of opposition, but because I care deeply about this community. I have a vested interest in the outcome—as a resident, taxpayer, and someone who believes we can still build an ESC that works for everyone. Thank you for reading this far. I believe we still have an opportunity to get this right, and I would welcome the chance to work together toward that goal. I can only hope that at least one of you will have the courage to look into the concerns raised and help end the silence. And if not, perhaps have your lawyer contact mine—whenever someone lets me know who that is supposed to be. Sincerely, Melissa *The legislature, recognizing the profound impact of human activity on the interrelations of all components of the natural environment, particularly the profound influences of population growth, high density urbanization, industrial expansion, resources exploitation, and new and expanding technological advances and recognizing further the critical importance* ***of restoring and maintaining environmental quality to the overall welfare and development of human beings****, declares that it is the continuing policy of the state government, in cooperation with federal and local governments, and other concerned public and private organizations, to use all practicable means and measures, including financial and technical assistance,* ***in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which human beings and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of the state's people.*** **IMAGES INCLUDED**				
5/13/2025	**Online Meeting Agenda**	**Board Meeting Agenda** **22. Adopt a Resolution 2025-025 Amending CUP #302,** Minnesota Paving and Materials and Festal Farms removing three parcels. (pg. 104) **23. Approve Agreement Amendment with WHKS & Company to complete final design** for the CSAH 2/CR 180, CSAH 43, and CR 171 Intersection Improvement and authorize the County Engineer to sign. (pg. 113) **24. Adopt Resolution requesting MnDOT to perform a speed study on CSAH 46 (CSAH 15 to MN 30) (pg. 121)** **25. Approve an Amendment with WSB for Engineering Services for CSAH 48 and 18th Street SE Roundabout and authorize the County Engineer to sign. (pg. 125)** **26. Approve/Adopt Agreements and easements with CPKC railroad for the work necessary to relocate and improve the SE 18th Street Rail Crossing** **a. Approve the negotiated settlement for $26,000 for the acquisition of an easement over, under, across and through a parcel of land owned by the CPKC railroad for SE 18th Street. (pg. 128)** **b. Approve Maintenance Agreement with CPKC railroad for the work necessary to relocate and improve the SE 18th Street Rail Crossing (pg. 144)** **c. Adopt Resolution 2025-027 to approve agreement with CPKC railroad and State of Minnesota for the installation of crossing signals and gates at the SE 18th Street rail crossing. (pg. 225)** **27. Approve Amendment with WSB for Preliminary Engineering Services for East Side Corridor Project and Authorize the County Engineer to sign the Amendment. (pg. 239)** **28. Award a contract for the 2025 CSAH 3 Resurfacing project to Crane Creek Asphalt in the amount of $586,659.97. (pg. 243)**	**Exhibit 30** **Exhibit 31**	**Public Data**	**13.43 Subd 2(a)(3)** Personnel Data **13.03** - Accurate data	*- If he resigned on May 8 and it was effectively accepted or acted upon (even informally) - such as announcing to staff, signing contracts on May 13 could be legally questionable — especially if no interim engineer was appointed.* *- Minnesota case law recognizes the doctrine — meaning if a public official acts beyond their legal authority, those actions are void or voidable.* *◇ See: Hagen v. City of Duluth, 181 Minn. 217 (Minn. 1930), which explains that municipalities (and by extension their officers) can only act within authority granted by statute or charter.* *- If the resignation of a high-level official (like a County Engineer) is withheld from public knowledge while that individual is making or approving binding financial decisions, it may be a violation of the spirit, if not the letter, of this law.*
		Details:				
		22. Adopt a Resolution 2025-025 Amending CUP #302, Minnesota Paving and Materials and Festal Farms removing three parcels. (pg. 104)	**Exhibit 30**			*- This item was not presented by the County Engineer. No concerns.*

		23. Approve Agreement Amendment with WHKS & Company to complete final design for the CSAH 2/CR 180, CSAH 43, and CR 171 Intersection Improvement and authorize the County Engineer to sign. (pg. 113) ---------- **Missing it's associated cost of $495,000.**	**Exhibit 30**	**Public Data**	**13.01** (budgetary decisions be transparent) **13.03 Subd 1** - easy access to accurate and complete data. **13.43 Subd 2(a)(3)** Personnel Data	*- The cost of this project missing from the agenda is incomplete data.* *- On April 22, 2025, the board voted to defer this project to 2027. Moving forward with final design now appears to contradict that decision and raises questions about the authority to do so. Supporting Data?* *- Alternative 4B reportedly includes costs for a bridge that was described as a standalone project. The County Engineer claimed it would double the bridge cost, but no detailed breakdown of bridge cost was provided. (Incomplete or misleading data)* *- On May 13, the County Engineer insisted that final design must begin immediately, despite having resigned on May 8. His authority to direct or approve this action at that point is questionable.* *- When asked whether environmental studies were complete, the County Engineer did not answer clearly.*
		25. Approve an Amendment with WSB for Engineering Services for CSAH 48 and 18th Street SE Roundabout and authorize the County Engineer to sign. (pg. 125) 26. Approve/Adopt Agreements and easements with CPKC railroad for the work necessary to relocate and improve the SE 18th Street Rail Crossing a. Approve the negotiated settlement for $26,000 for the acquisition of an easement over, under, across and through a parcel of land owned by the CPKC railroad for SE 18th Street. (pg. 128) b. Approve Maintenance Agreement with CPKC railroad for the work necessary to relocate and improve the SE 18th Street Rail Crossing (pg. 144) c. Adopt Resolution 2025-027 to approve agreement with CPKC railroad and State of Minnesota for the installation of crossing signals and gates at the SE 18th Street rail crossing. (pg. 225) ---------- **Items 25, 26b and 26c are all missing associated costs.** **25. $83,680** **26b. $121,120.98** **26c. $441,083.38** Total: $671,884.36	**Exhibit 30**	**Public Data**	**13.01** (budgetary decisions be transparent) **13.03 Subd 1** **13.05, subd. 5** **13.43 Subd 2(a)(3) Personnel Data**	*- 'County Engineer Sponholz acknowledged that the project was initiated without securing prior approval from the railroad, as stated publicly in the may 13, 2025 meeting at timestamp 1:07:10 https://youtu.be/2vvBTypBHxs?si=nBiLTfTrPIJa9AR9 (missing data)* *- April 8, 2025, Sponholz stated he was effectively back at the "square one" after five years of negotiations. (misleading data)* *- The County Engineer is "hoping" to gain entry into a federal program to reduce liability risks—highlighting the lack of a firm agreement. - Why couldn't this decision wait until acceptance was confirmed?* *- The roundabout design is 50 feet too close to the rail crossing, requiring additional engineering adjustments. (discovered through public data, but not disclosed in this meeting or documentation)* *- This design flaw, that could have been—avoidable through early coordination—has led to increased costs, with an additional $700,000 not included on the agenda allocated to WSB. (lack of access)* *- These avoidable expenses underscore the importance of having railroad agreements finalized before design decisions are made. (accurate data)* *- The 4th leg of this roundabout was included in original plan. where did those funds go? (lack of data.)*

		27. Approve Amendment with WSB for Preliminary Engineering Services for East Side Corridor Project and Authorize the County Engineer to sign the Amendment. (pg. 239) Supporting document: Supporting Evidence\County Agendas and Minutes\BM Packet 20250513ESCOnly.pdf	**Exhibit 30**	**Public Data**	**13.01** **13.03** **13.43 Subd 2(a)(3) Personnel Data** **15.17**	*- See Comments below:*
		wsb **Memorandum** To: Paul Sponholz, Steele County From: Andrew Plowman, WSB Date: May 2, 2025 Re: East Side Corridor Project WSB Project No. 019850-000 Contract Amendment No. 2 Pursuant to our discussions, WSB respectfully submits this amendment request for additional design services associated with the following tasks: • Additional Project Management and General Coordination • Right of Way Base Mapping • Roundabout Design/Mitigation Measures • Noise Analysis based on Mitigation Measures • CATEX Document • Soil Boring near Maple Creek • Hydraulic/Floodplain Design • Bridge Design The revised contract total amount is $426,044. WSB respectfully requests compensation for these additional services in the not-to-exceed amount of $209,235, resulting in a revised contract total of $635,279, as summarized below: If this Proposal is acceptable, please issue the appropriate Amendment incorporating this letter for our review and signature. We thank you for the opportunity to submit this Proposal and look forward to continuing to with you on this Project. If you have any questions, please let me know. The following outlines the request for additional fee and details the scope of services for the project: **Additional Project Management and General Coordination** The project management and general coordination for the project includes additional coordination E 300 | MINNEAPOLIS, MN | 55416 | 763.541.4800 | WSBENG.COM	**Exhibit 31**	**Public Data**	**13.03 Sub 1** **13.05** **13.43 Subd 2(a)(3) Personnel Data**	*EAW Process Violations – Steele County* *- On May 13, 2025, Sponholz told commissioners no votes should occur until the EAW was complete and approved. He then listed these tasks as "necessary" for the EAW so Commissioners would approve the contract, before he left the county for a job as City Engineer in Cottage Grove. (Mismatched data)* *- Supporting data to justify these changes are not included.*

		701 XENIA AVENUE S | SUITE with agencies, additional project management team meetings and scheduling activities. The total cost for this task is $16,000, which is based on 80 hours of time with an average cost per hour of $200/hr. **Right of Way Base Mapping** The right of way limits have been determined for the preferred option. Given the right of way process requires significant duration, WSB proposes to start the process by compiling the title M:\019850-000\Admin\Contract\Amendment No. 2.docx 240 of 253				
		Amendment No. 2 5/2/2025 Page 2 work and right of way base files. This scope would include the base work for the preferred corridor. The total cost for this task is $32,400, which is based on 180 hours of time with an average cost per hour of $180/hr. In addition, the expense to obtain the title reports would be included in this task, which would assume 20 parcels at $500/parcel. $10,000. **Roundabout Design/Mitigation Measures** It was determined that roundabouts would be considered at the intersections of 29th Avenue and Rose Street, Dane Avenue, 26th Street and 26th Street and Kenyon Road. This includes the design, analysis, performance checks and grading of 4 roundabouts that were previously not considered. This will not include the final design component or landscaping. We will include an additional fee in the 60% design task. The total cost for this task is $37,800, which is based on 180 hours of time with an average cost per hour of $210/hr. **Noise Analysis based on Mitigation Measures** Roundabouts have been considered as mitigation measures for the concern with speed and operation of the corridor. This resulted in lower speeds for certain portions of the corridor that indicated noise walls may be feasible and cost effective. The lower speed and character of the corridor resulted in the need to re-analyze the noise impact. The total cost for this task is $15,120, which is based on 84 hours of time with an average cost per hour of $180/hr. **CATEX Document** For the original design, it was assumed an EA/EAW would be required. Amendment 1 indicated the additional work required from switching the type of document and for the added effort. However, that did not include the need for completing two documents. Although they are similar in nature, they do have differences that require additional work and coordination. The total cost for this task is $63,875, which is based on 365 hours of time with an average cost per hour of $175/hr. **Soil Boring near Maple Creek** The County was able to obtain a right of entry permit from the owner of the property at 9153 Co. Road 3, Owatonna, to complete a soil boring near Maple Creek. This will allow for preliminary design of the footings and abutments for the bridge across Maple Creek. It should be noted that additional borings will be necessary, including on the north side. M:\019850-000\Admin\Contract\Amendment No. 2.docx 241 of 253	**Exhibit 31**	**Public Data**	**13.03 Subd 1** **13.01** **13.05** **13.43 Subd 2(a)(3) Personnel Data**	*- Roundabouts are a DESIGN MITIGATION. Mitigation measures should not be pursued until after an EAW has been completed and a finding of no significant impact is issued. (Inaccurate Data)* *- This contract is for mitigations, yet impacted residents have not been given equal/any opportunity to participate in discussions about potential mitigation strategies. This raises concerns about fairness and transparency. (Equal access to data)* *-The addition of four roundabouts does not appear to be supported by traffic data currently available to the public. Scope creep? (Lack of data)* *- A second noise analysis is being funded, possibly to align with revised traffic counts that support roundabouts—raising concerns about data integrity and efforts to avoid the original noise wall findings.* *- On March 27, federal funding was unilaterally dropped by Sponholz, without a board vote. If the project is no longer federal, why are locals paying for federal reports? Clarification is needed. (Inaccurate Data)*

		Amendment No. 2 5/2/2025 Page 3 The total cost for this task is $11,000, which is based on 32 hours of crew time at $250/hr, and $3,000 of laboratory testing and reporting effort. **Hydraulic/Floodplain Design** The initial bridge design was based on hydraulic and floodplain analysis. In addition to the design, coordination has occurred with the area drainage engineer and the DNR. Some of this effort was included in the original design, but certain investigations were outside the scope, such as impact to the floodplain and how to mitigate and design the bridge. The total cost for this task is $9,000, which is based on 40 hours of time with an average cost per hour of $225/hr. **Bridge Design** As part of the EAW and CATEX, initial bridge design was required. This included the design of the typical section, profile and initial beam design. A substantial final design will also be required for the project, which includes coordination with the bridge office and plan production. The total cost for this task is $14,040, which is based on 54 hours of time with an average cost per hour of $260/hr. The revised contract total amount is $426,044. WSB respectfully requests compensation for these additional services in the not-to-exceed amount of $209,235, resulting in a revised contract total of $635,279 Sincerely, Andrew Plowman, P.E. Sr. Project Manager ACCEPTANCE: Signature: _____ Title: _____ Date: _____ M:\019850-000\Admin\Contract\Amendment No. 2.docx 242 of 253	**Exhibit 31**	**Public Data**	**13.03 Subd 1** **15.17** **13.43 Subd 2(a)(3) Personnel Data**	*- A soil boring 15 miles from Maple Creek raises concerns about its relevance. This raises questions about validity. Clarification on site selection is needed. (accurate data)* *- Data to support these needs?*
		28. Award a contract for the 2025 CSAH 3 Resurfacing project to Crane Creek Asphalt in the amount of $586,659.97. (pg. 243)	**Exhibit 31**	**Public Data**	**13.43**	- not disclosed county engineer had resigned Before making these decisions.
5/13/2025	**County Board Meeting**	During a county board meeting discussing the East Side Corridor (ESC) and several high-cost projects—including one previously deferred to 2027 but abruptly advanced to final design without environmental review—County Administrator Renae Fry made a comment that raised serious concerns for Zimmerman. The remark appeared to reference an email Zimmerman had sent earlier that day solely to commissioners, which addressed ethical concerns about the May 13 vote, premature project actions, and potential conflicts of interest involving consultants and Fry's ties to WSB. The timing and content led Zimmerman to question whether her confidential email had been improperly accessed or shared. Fry subsequently continued advocating for nearly $2 million in project approvals, with contracts signed by the County Engineer after his resignation—a departure not yet publicly acknowledged by the County. These events have left Zimmerman no longer feeling secure communicating with commissioners by email, citing a breach of trust. Direct communication has further broken down after Fry publicly made false statements suggesting Zimmerman and ESC residents intended to sue, despite knowing this to be untrue. The result has been the effective severing of communication between ESC residents and their elected officials. April 22: https://youtu.be/ZUCdmhXRt_I?si=5T-tX_MDiUVlpYNR May 13: https://youtu.be/2vvBTypBHxs?si=e_vpFGqbj_KcQQs3	**Links**	**Public Data**	**13.03** **13.09** **13.43** **13.05 Subd 3** **13.05 Subd 4** **13.05 Subd 5** **13.055**	*- Access to data is cut off further due to emails not being protected.* *- Emails may not be protected.* *- These show willful disregard for public data.*

5/13/2025	**County Board Meeting Agenda**	***Closed Session:*** ***The Board will be going into closed session for the purpose of labor negotiations strategy, per MN Statute Section 179A.01 & Section 13D.03*** Motion to go into closed session Discussion Motion to end closed session Action item (if necessary) ***Closed Session:*** ***The Board will be going into closed session for the purpose of discussing pending litigation - attorney/client privilege, pursuant to Minn. Stat. § 13D.05, Subd. 3(b)*** Motion to go into closed session Discussion Motion to end closed session Action item (if necessary)	**Exhibit 30**	**Public Data**	**13.03**	*- All decisions must be made in public. Action items could indicate that decisions are being made behind closed doors.* *- You cannot close a meeting over "possible litigation" without some justification. This agenda item has no justification for what kind of possible litigation (lack of information)* *- Without a clear and specific basis in the public record, the closure may violate public data laws.*
5/27/2025	**County Board Meeting Agenda**	**Closed Session for attorney/client privilege for threatened or pending litigation, pursuant to Minn. Stat. § 13D.05, Subd. 3(b)"** Motion to go into closed Session Discussion Motion to end closed Session Action Item if necessary **Adjourn**	**Exhibit 32**	**Public Data**	**13.03**	*- Two sessions in a row* *- All decisions must be made in public. Action items could indicate that decisions are being made behind closed doors.* *- You cannot close a meeting over possible litigation without some justification. This agenda item has no justification for what kind of possible litigation (lack of data)* *- Without a clear and specific basis in the public record, the closure may violate public data laws.*
5/27/2025	**County Board Meeting Agenda**	22. Town Board of Owatonna Township Resolution regarding the East Side Corridor (pg. 125) **RESOLUTION** **TOWN BOARD OF OWATONNA TOWNSHIP** **WHEREAS,** the Town and the City have annually adopted an orderly Annexation Agreement to provide land areas for the growth of the City and further, to provide for the protection of agricultural and other lands within the Township from urban and suburban development and to promote an organized framework for systematic annexation, and part of that agreement, the Township does not support non-farm use of the properties in the growth area, and **WHEREAS,** the Preferred Alternative is largely in the defined growth areas and has less farmland impacts than the alternatives further east, and **WHEREAS,** the Preferred Alternative keeps development from leapfrogging into non developed area and keeps development near existing city limits, and **WHEREAS,** the Preferred Alignment best supports existing and near-term City development while preserving farmland further east, and **WHEREAS,** the city dedicated land on the east side of the North County Additions 1, 2, and 3 plats preserving land for the route, and that land is already out of farmland production, further protecting additional farmland from being removed from production through other alternative routes, and **WHEREAS,** Alternatives 4 and 5 presented in the environmental documents have greater farmland impacts, and would encourage development outside of the annexation agreement development areas. **NOW, THEREFORE, BE IT RESOLVED,** the township does not support any other alternatives that impact farmland outside of orderly annexation agreement areas, or that do not use already-dedicated lands for the route. **BE IT FURTHER RESOLVED** the Township requests that the County and City follow their previous significant planning efforts and agreements to preserve farmland and promote the orderly growth of the City. **BE IT FURTHER RESOLVED** the Township supports the selection of the preferred alternative, identified as Alternative 3 as shown in the federal and state environmental documents, and commonly referred to as the 29th Avenue alignment. **ADOPTED** 5-13-25, **2025.** **OWATONNA TOWNSHIP BOARD** **Steele County, Minnesota** **By:** Jenny Kathring **Chairman** **ATTEST:**	**Exhibit 32**	**Public Data**	**13.03** **13.05** **15.17**	*- This resolution was adopted at the almost next township meeting following an April 8, 2025, interaction with County Administrator Renae Fry, during which she stated that the East Side Corridor (ESC) needed to be routed 17 feet from residents' homes due to the township's position, citing annexation agreements as justification. (Inaccurate, misrepresented data)* *- The resolution is dated May 13, 2025; however, Owatonna Township meets on the second Wednesday of the month, and the next scheduled meeting would have been on May 14, 2025. (lack of data)* *- Although the May 27, 2025, Steele County Board Meeting agenda indicates that this resolution originated from that the Public Works Committee Meeting, there is no record of the resolution being discussed or approved during the May 13, 2025 Public Works Committee meeting. (inaccurate data)*

		By: _____ Township Clerk **CERTIFICATION** I hereby certify that the above is a true and correct copy of a Resolution duly passed, adopted, and approved by the Owatonna Township Board on the 13th day of May, 2025. Township Clerk				
		Email from Jarrett saying they received our data complaint so the can now get us that data				
		Data is now complete, but that was just the prioritized information. In October 2024 we were told "Several weeks" for ALL OF the data. It's been 8 months and we only have emails between 2 entities.				
		231				

Data Request:

1/12/2025 - ESC Proposals

Request: I am requesting copies of the professional engineering service proposals for the East Side Corridor. These proposals should have been included in the commissioners' board meeting packet which is available online for the 12/14/2021 meeting, as is standard for all other projects. However, they appear to be missing.

Supporting Evidence\Data Request\DataRequests\Data Request20241025.docx

3 Days to complete Request

**** Data had not been included in ESC Data and ESC Data access was being denied**

Date	Contact Type	Description	Exhibit Number	Violation Type	Violation	Notes
1/1/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Jan 1, 2025, 10:40 PM subject:Inquiry About Public Records Availability Hi Rebecca, I hope this message finds you well. I'm happy to complete the public data request form, but I wanted to first confirm if the information I'm looking for is available: Are meeting agendas kept as part of the public record, and if so, for how long are they retained? How long are project bids retained for a specific project? Specifically, I'm seeking the bids for the East Side Corridor project and the meeting agenda where the WSB bid was selected. Unfortunately, I'm unsure of the exact date but know it occurred before July 2022, as the first open house was held then. If this is needed for the data request can you help with that date? Additionally, if meeting agendas are retained as part of the public record, do they date back to the 1990s? I would be interested in accessing several historical agendas from that time as well. I just wanted to confirm the availability of these records before submitting a formal request. Thank you for your help! Best regards, Melissa Zimmerman	**Exhibit 33** **Exhibit 34**			
1/2/2025	**Email**	From: Kubicek, Rebecca <Rebecca.Kubicek@SteeleCountyMN.gov> Sent: Thursday, January 2, 2025 8:50 AM To: Fry, Renae <Renae.Fry@SteeleCountyMN.gov> Subject: FW: Inquiry About Public Records Availability Importance: High Public Request	**Exhibit 34**			

1/3/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> date:Jan 3, 2025, 8:41 AM Ms. Zimmerman, In response to your 1/1/25 records request: Meeting minutes are kept in paper form for those not online, if you would like to view them please let me know how you would like to proceed and we can schedule a time at the PT&E office. Agendas may not be kept as data retention schedules vary. Mr. Sponholz found the attached document in a brief search, which may be what you are looking for or not. The County does not bid for professional work. We often invite 3 or 4 firms with a Request for Proposal (RFP). Upon reviewing Mr. Sennott's data request (you are CC'd on) there are several emails as well as the RFP requests in those documents ready for viewing or copy if you wish. Let me know how you would like to proceed. Robert J. Jarrett	**Exhibit 34**			
1/3/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> date:Jan 3, 2025, 2:38 PMHi Jared, Thank you for your response. I'm glad I asked, as it appears I may have been using incorrect terminology. The attached document reflects the proposed decision regarding which company to go with based on the "professional engineering service" proposals requested. I was looking for this document, but I was also hoping to find the pages that follow in the agenda, which should include the submitted professional engineering service proposal from each company. Upon reviewing similar projects, I've noticed that these documents were typically included in the agenda packets. However, for the ESC project, this information appears to be missing. How were commissioners able to make an informed decision without these documents to review? Additionally, how is the public supposed to stay informed if this information is omitted? To clarify, the approval for WSB as the contractor occurred on December 14, 2021. However, in the attached document, it says "Attachments: None." whereas other projects attach the proposals for review. image.png For reference, a couple of similar projects include Beaver Lake and Havana Township, both of which are currently active: Beaver Lake: Commissioners approved WHKS as the consultant on August 24, 2021 (prior to the ESC approval). The agenda can be found on the county's website here, starting on page 78. Following the recommended approval, multiple professional engineering service proposals are included (pages 80-156). image.png Havana Township: Commissioners approved WHKS as the consultant on March 26, 2024 (after the ESC approval). The agenda can be found on the county's website here, starting on page 51. The professional engineering service proposals follow on pages 53-106. image.png Where are the professional engineering services proposals for the ESC project? How was a decision made	**Exhibit 34**	**Public Data**	**13.03 Subd 1:** All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute **13.03 Subd. 3.** Request for access to data. **(a)** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, <u>shall be informed of the data's meaning.</u>	

		without documentation? I'm specifically looking for the proposals submitted by Bolton & Menk, HR Green, and WSB, as these should have been included in the agenda packet in conformance with other similar projects. Additionally, the attached document notes that approval for funds was made on September 9, 2021, but there was no board meeting on that day. This adds to the inconsistencies and lack of transparency throughout the entire process of this project. Can you provide copies of the missing proposals and an explanation as to why they were omitted from the agenda? Also, could you clarify how the decisions were made without this critical information? Thank you for your time and assistance. Thanks, Melissa				
1/10/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> date:Jan 10, 2025, 4:58 PM It's been a week, and I wanted to follow up to see if there are any updates on this information. When can I expect a response to my questions?	**Exhibit 34**			*- Not answer clarifying questions about public data* *- Not responding to data requets*
1/13/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> date:Jan 13, 2025, 8:05 AM Chapter 13 regarding data requests does not require government agencies to answer questions. If there is data you would like, **please submit a data request** form at the administration office, we can also bring one to our next board meeting. Robert J. Jarrett	**Exhibit 34**	**Public Data**	**13.03 Subd. 3.** Request for access to data. **(a)** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning.	*- refuses to help understand*
1/13/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Jan 13, 2025, 3:55 PM Hi Rebecca, Could you let me know the cost of obtaining electronic copies of the professional engineering service proposals for the ESC project? These proposals should have been included in the county commissioners' board meeting packet available online but appear to be missing. If they had been included like other projects, I would have been able to access the information myself. Thanks, Melissa	**Exhibit 36**			*- Request Placed*

1/16/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 16, 2025, 8:15 AM subject:RE: Inquiry About Public Records Availability:ESC Re: professional engineering service proposals for the East Side Corridor Your data request is available for pickup at the county attorney's office or electronic delivery. The cost is $12.50 (3 documents at 50 total pages). Robert J. Jarrett	**Exhibit 35**	**Public Data**	**13.03 Subd. 3.Request for access to data. (a)** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. **13.03 Subd 3(b)** For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment. **13.03 Subd. 6.**Public copy of members' materials.	*- The data was not made available for public inspection.* *- A fee was charged for access, which is unusual given the nature of the request.* *- For other projects, both before and after the ESC, similar data has been accessible online for download at no cost. This project should have followed the same standard.* *- Additionally, the data should have been included in the meeting agenda. Since it was not, it was also unavailable for inspection during the meeting itself and no record of discussion.*
1/16/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 16, 2025, 9:01 AM What is the cost to have it electronically?	**Exhibit 35**			
1/16/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 16, 2025, 9:07 AM Copies, no matter the medium (electronic or printed) are by page (25 cents for under 100 pages). https://cms2.revize.com/revize/steelecountynew/Administration/fee%20schedules/2025%20Fee%20Schedule.pdf Robert J. Jarrett	**Exhibit 35**			
1/17/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 17, 2025, 12:03 PM I plan to be in next Wed and can pay then. How can I then get the electronic format? Thanks, Melissa	**Exhibit 35**			

1/17/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 17, 2025, 3:54 PM Once paid, it can be by email.	**Exhibit 35**	**Public Data**	**13.03 Subd. 3.Request for access to data. (a)** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. **13.03 Subd 3(b)** For purposes of this section, "inspection" includes, but is not limited to, the visual inspection of paper and similar types of government data. Inspection does not include printing copies by the government entity, unless printing a copy is the only method to provide for inspection of the data. In the case of data stored in electronic form and made available in electronic form on a remote access basis to the public by the government entity, inspection includes remote access to the data by the public and the ability to print copies of or download the data on the public's own computer equipment.	*- was never given the option for inspection* *- this is information generally availble to the public online and was not (which can't be charged for)* *- This total was added to the 10.25.2024 Data request despite not being available in that data.*
1/22/2025	**In-Person**	Paid $12.50 for this public data request. Inspection was never made available. For all other projects this information is public and part of public meetings and thus should have been publicly available information and free for me to obtain copies.	**Exhibit 41**	**Public Data**	Steele county Public Data Policy	*- The data should have been available free of charge, as is typical with similar public data for other projects. The need for a request and the associated fees appear to stem from mismanagement of what is normally public and readily accessible information.* *- Steele County Policy States Desktop and network printer is $0.10*
1/22/2025		County Attorney Jarrett added the charges for this public data request to Matt's data request. This information was not available in his request at the time of this request.	**Exhibit 10**	**Public Data**	**13.03 Sub 3(c):** The responsible authority or designee shall provide copies of public data upon request. If a person requests copies or electronic transmittal of the data to the person, the responsible authority may require the requesting person to pay the actual costs of searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting the copies of the data or the data, but may not charge for separating public from not public data. However, if 100 or fewer pages of black and white, letter or legal size paper copies are requested, actual costs shall not be used, and instead, the responsible authority may charge no more than 25 cents for each page copied. If the responsible authority or designee is not able to provide copies at the time a request is made, copies shall be supplied as soon as reasonably possible.	*- There appears to have been mismanagement in how data requests were handled.* *- It is inappropriate to require someone to submit a data request, then include that request's pages in another individual's total to exceed the 100-page threshold and trigger fees.* *- At the time this request was made, Mr. Sennott's data request was not accessible and did not become available until after this request had already been fulfilled.*

Data Request:

3/31/2025 - Joint Transportation Committee

Request: **I am requesting any and all information regarding the Joint Transportation Committee including but not limited to:**
When was it created? Why was it created? Who created it? What is its purpose? What are the by-laws or operating procedures? How many members? Member names and terms? When does it meet? Attendance Information? What projects and initiatives has it worked on? Financial information and budget impacts? Committee' s charter or purpose and any amendments, Minutes, Agendas, Files, Accounts, and any other documents that a governmental body is required to maintain? And any other information that may pertains to the Join Transportation Committee.

Supporting Evidence\Data Request\DataRequests\JointTransporationCommiteeDataRequest03312025.docx

Resubmitted Request: **I am requesting any and all information regarding the Joint Transportation Committee including but not limited to:**
When was it created Why was it created Who created it What is its purpose What are the by-laws or operating procedures How many members Member names and terms When does it meet Attendance Information What projects and initiatives it has worked on Financial information and budget impacts
Committee' s charter or purpose and any amendments, Minutes, Agendas, Files, Accounts, and any other documents that a governmental body is required to maintain. And any other information that may pertains to the Join Transportation Committee.

Supporting Evidence\Data Request\DataRequests\20250418JTCMn SS Ch 13 PDR Public Data Request.docx

74 Days since request placed

****DATA IS NOT PART OF ESC DATA SCOPE!**

Date	Contact Type	Description	Exhibit Number	Violation Type	Violation	Notes
5/13/2024	**Not Public Meetings**	**Joint Transportation Meeting Occurred**	**Date Infered from internal emails**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2** **13.03 Subd 3** **13.05** **13.09**	*- When residents contacted the County Administrator via email to ask for meeting minutes and dates for upcoming meetings, the email was forwarded to the County Attorney. The response instructed that residents were no longer permitted to communicate with any other county staff—an act that effectively denied access to public information (Exhibit 39).* *- Subsequent data requests were either ignored or formally denied, further obstructing the public's right to information.* *- After the February 11, 2025 County Commissioner meeting, resident Melissa Zimmerman asked Commissioner Krueger how to attend the referenced meeting. In response, the Commissioner became visibly angry, and both he and the County Administrator raised their voices at Zimmerman. The County Administrator then informed her that other meetings—such as the Public Works meeting—also no longer needed to be open to the public, and that the availability of previous minutes online is only because they predated her tenure. (An audio recording of this incident is available upon request.) These are clear violations of Open Meeting Laws.* *- Residents were explicitly told they are not permitted to attend Joint Transportation Committee meetings.* *- This committee was referenced during the "attended meetings" segment of County Board meetings. At one such meeting, Administrator Fry described it as a*

						quarterly City of Owatonna staff meeting, while the Owatonna City Clerk called it an "ad hoc" meeting. However, records show the committee met on September 9, 2024, and October 8, 2024, and both were mentioned in subsequent commissioner meetings—making both descriptions inaccurate. *- These meetings were not listed on any official calendar, had no published agendas or minutes, and were not publicly noticed—further violating both Open Meeting Law and principles of government transparency.*
1/31/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 31, 2025, 4:18 PM subject:Meeting Minutes Hi Renae, I'm looking for the meeting minutes from the Joint Transportation Committee meeting referenced in the board meeting minutes. I've searched Steele County's website but haven't been able to find them. Could you point me in the right direction? Also, could you share the schedule for when they meet? I wasn't able to determine that from the board meeting minutes. Thanks, Melissa	**Exhibit 39**			
1/31/2025	**Email**	from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Jan 31, 2025, 4:19 PM subject:Automatic reply: Meeting Minutes I will be out of the office until February 10. I will be responding to emails upon my return. If you need immediate assistance, please call Rebecca Kubicek at 507-444-7432 or email her at Rebecca.Kubicek@SteeleCountyMN.gov.				
1/31/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 31, 2025, 4:23 PM Subject: Fwd: Meeting Minutes Hi Rebecca, I noticed that Renae is out of the office until February 10th. While this isn't urgent, I'm hoping it's a quick and easy answer that doesn't need to wait until then. Please see my original email below. Thanks, Melissa	**Exhibit 39**			

2/4/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Feb 4, 2025, 3:55 PM Melissa, From this point forward, please direct any requests for documents/questions regarding the East Side Corridor to only myself and Ms. Fry. We will track the requests, provide data in the order it was requested, and in compliance with the Chapter 13 Government Data Practices Act. The Act does not require specific time frames for data release and does not require government agencies to answer specific questions. The County is still working on reviewing current data requests on top of the day-to-day normal operations. I do not have an estimated time frame right now. Related to your request below for "Joint Transportation Committee" minutes, Steele County does not maintain those minutes, so therefore does not have the minutes to provide you. Thank you, Rob	**Exhibit 39**	**Public Data**	**13.03 subd. 1** **13.03 Subd 2(a)** **13.03 Subd 3(a)** **13.02 Subd 7:** Government data. "Government data" means all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use. **13.05 Subd 13 Subd. 13.**Data practices compliance official. By December 1, 2000, each responsible authority or other appropriate authority in every government entity shall appoint or designate an employee of the government entity to act as the entity's data practices compliance official. The data practices compliance official is the designated employee of the government entity to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.	*- Denial of access to staff causes delayed access to public data.* *- Requiring a formal data request to access information about upcoming meetings is not consistent with the principles of transparency of public data.* *- The County is currently only processing one data request at a time.* *- The current data request (Sennott's) is not progressing in a timely manner, with missed deadlines and staffing cited as the reason.* *- Failure to provide an estimated timeline constitutes a denial of an appropriate and prompt data request.* *- While agencies may designate a public data contact, that designation does not preclude other staff from responding or restrict access to information.*
2/5/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Feb 5, 2025, 12:44 PM Robert, Sure thing. I initially sent this to Renae, assuming she would have the answer. I received an out-of-office response directing me to contact Rebecca, so I did. I expected the Joint Transportation Committee Meeting to have a publicly available schedule and meeting details, like other committees, but I couldn't find that information, which is why I reached out through the appropriate channels. I wasn't aware that this type of information is considered a data request, especially since schedules pertain to future events. I look forward to hearing where I can find this information. Thanks, Melissa	**Exhibit 39**			

2/11/2025	**In-Person**	After the February 11, 2025 Board Meeting, resident Melissa Zimmerman asked Commissioner Krueger when the **Joint Transportation Committee** meets and how to gain access to those meetings. Commissioner Krueger became visibly agitated and responded, "***You don't !***" Steele County Administrator Renae Fry then intervened, raising her voice while stating that the **Joint Transportation Committee does not need to be open to the public**. When Zimmerman asked about other meetings involving similar numbers of commissioners—such as the **Public Works Committee**—Fry stated that those meetings also *do not have to be public or provide public information* , and are only handled that way because that was the practice prior to her tenure. This raises serious concerns, as internal emails indicate that **both the Joint Transportation Committee and Public Works Committee make decisions in the same manner**—yet only the Public Works meetings are documented and accessible to the public. Immediately following this exchange, the County Engineer Sponholz informed Zimmerman that the noise wall vote would be occurring within the next few weeks. There were was a witness and audio recordings of these interactions are available upon request.	**Audio Recording Available Upon Request**	**Public Data**	**Chapter 13** **13.01 - all subdivisions** **13.025 - all subdivisions** **13.03 - all subdivisions** **13.05 - all subdivisions** **13.09** **§ 13.07 DUTIES OF COMMISSIONER; RULES.** The commissioner shall promulgate rules, in accordance with the rulemaking procedures in the Administrative Procedure Act which shall apply to government entities to implement the enforcement and administration of this chapter.	*Intimidation, trying to stop resident from learning more, data isn't accessible, access is denied, all data is public data, not answering questions, lacking legal reason for denying public data.*
3/31/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Mar 31, 2025, 9:28 AM subject:Data Request I am submitting the attached data request for review, ASAP. I have copied the County Administrator and County Attorney as requested. Thanks, Melissa Zimmerman	**Exhibit 37** **Exhibit 40**			

4/1/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Apr 1, 2025, 5:15 PM subject:RE: Data Request Ms. Zimmerman, This is not a data request. Minnesota Statutes Chapter 13, the Minnesota Government Data Practices Act (MGDPA), requires government entities to allow the public to view or obtain copies of government data. Chapter 13 does not require government entities to answer specific questions, to create data, or to reorganize data into a particular format in order to answer questions. This request will be closed. Sincerely, Robert Jarrett Steele County Data Practices Responsible Authority	**Exhibit 40**	**Public Data**	**13.03 Subd 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based. **13.03 Subd 1:** Public data. All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute **13.03 Subd 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. **13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and	*- Data requests cannot be denied without a legal justification.* *- Valid public data requests do not require specific formatting in order to be honored.* *- Agencies are required to explain data upon request and must respond to reasonable clarification questions.* *- The request in question did not ask for the creation of new data; it requested existing information such as creation dates.* *- The denial of this request appears to have been used as a delaying tactic, which had the effect of discouraging residents from pursuing their right to public information.*
4/1/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 1, 2025, 5:38 PM Dear Mr. Jarrett, I am requesting any and all data pertaining to the topics outlined in my request. I am not expecting you to answer a question; I am requesting access to existing government data, which should be standard practice under the Minnesota Government Data Practices Act. If my request needs to be submitted in a different format, please let me know so I can adjust accordingly. Otherwise, please proceed with processing this as a formal data request. Sincerely, Melissa Zimmerman	**Exhibit 40**			
4/2/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Apr 2, 2025, 12:55 PM Here is the requested data, reformatted into statements.	**Exhibit 38** **Exhibit 40**			*- Resubmitted the data request without "questions"*

4/8/2025	**In-Person**	Post County Commissioner Meeting while County Administrator Fry spent 25 minutes yelling at residents, she claimed this was denied b/c they couldn't answer questions, but that the re-submitted version would work and she would inform County Attorney Jarrett to insure I had received confirmation. Fry stated the version without question mark was acceptable and they could work with that. See tab: Retaliation Cell C74 for transcript Recording available upon request.	**Exhibit 23**	**Public Data**	**13.03 Subd 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based. **13.03 Subd 3(a)**: Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.	
4/10/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Apr 10, 2025, 8:16 AM It has been 8 days and I have not received confirmation on this data request.	**Exhibit 40**	**Public Data**	**13.03, subd. 2(a)** **13.03, subd. 3(f):**	

4/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Apr 14, 2025, 8:21 PM Dear Mr. Jarrett and Ms. Fry, This is a formal follow-up regarding my data request originally submitted on March 31, 2025, and resubmitted in clarified format on April 2. Despite multiple efforts on my part—including a request for clarification and a follow-up on April 10—I have not received any acknowledgment, response, or update. In your email dated April 1 at 5:15 p.m., you stated my request was not valid under Minnesota Statutes Chapter 13 and indicated the request would be closed. However, you failed to cite any specific provision of the law that justified denying or delaying the request. In my response later that day, I clarified that I was requesting access to existing government data—not answers to questions—and asked that you let me know if any changes were needed in formatting. You did not respond. I then removed all question marks and resubmitted the same request on April 2. Again, you did not process it. In a separate message on April 10, you indicated that this request will not be addressed until other ESC-related data requests are fulfilled. That is not permissible under Minnesota law. This refusal to process a lawful request until others have been completed is a direct violation of your obligations under the Minnesota Government Data Practices Act (MGDPA). Violations of Statute: Minn. Stat. § 13.03, subd. 2(a) The statute requires that government entities respond to data requests in an appropriate and prompt manner. There is no provision in the statute that allows an entity to refuse a new request simply because other requests are still pending. Each request must be handled independently and without delay. Minn. Stat. § 13.03, subd. 3(f) If access to data is denied, the Responsible Authority must provide written notice to the requestor, including the specific statutory section on which the denial is based. To date, you have not provided such a citation. Improper Refusal to Accept a Valid Request Multiple Advisory Opinions issued by the Commissioner of Administration—including 95-042, 04-019, and 05-030—make clear that: A data request cannot be denied simply because it contains question formatting or interpretive language. If a request seems unclear, the entity must seek clarification, not dismiss it. Government entities cannot refuse to process valid requests due to workload or the existence of other pending requests. Expectations: I am now formally demanding the following: Immediate reinstatement and full processing of my March 31 (resubmitted April 2) data request. A written acknowledgment that this request is being processed in accordance with Minnesota Statutes Chapter 13. A specific citation of the legal basis you relied on to close or delay my request, as required under Minn. Stat. § 13.03, subd. 3(f). A copy of Steele County's Data Practices Policy, and the names and contact information for both the Responsible Authority and the Data Practices Compliance Official, as required by Minn. Stat. § 13.05, subd. 13. If I do not receive written confirmation that this request is being processed in full compliance with the law by April 15, 2025, I will be filing formal complaints with the following: Office of the State Auditor	**Exhibit 40**	**Public Data**	**13.03 Subd 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. **13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **13.03 Subd 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.'13.03 subd. 1 All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute...The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **13.02 Subd 7:** Government data. "Government data" means all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use. **13.05 Subd 13** Data practices compliance official. By December 1, 2000, each responsible authority or other appropriate authority in every government entity shall appoint or designate an employee of the government entity to act as the entity's data practices compliance official. The data practices compliance official is the designated employee of the government entity to whom persons may direct questions or concerns regarding problems in obtaining access to data or other data practices problems. The responsible authority may be the data practices compliance official.	

		Minnesota Attorney General's Office Department of Administration – Data Practices Office This continued refusal to comply with the law obstructs lawful access to public data and raises serious concerns regarding Steele County's data handling practices. Sincerely, Melissa Zimmerman				
4/14/2025	**Online**	Pulled the policy Adopted by the Steele County Board of Commissioners May 22, 2018 Implemented: May 22, 2018 Revised: August 1, 2019 The Staff in this policy haven't been with Steele county in at least 3 years. Laura Ihrke: 2022 Daniel McIntosh: 2023 Scott Goldberg: April 2024 https://www.steelecountymn.gov/quick_links/data_practices.php **APPENDIX B** **Steele County - Responsible Authorities and Designees** **Department/Division — Responsible Authority — Designee** **Administration** — ***Daniel A. McIntosh*** — ***Scott Golberg*** **Attorney** — ***Daniel A. McIntosh*** — Christy M. Hormann **Community Corrections** — ***Daniel A. McIntosh*** — ***Tim Schammel*** Stephen Rick **Human Resources** — ***Daniel A. McIntosh*** — ***Julie Johnson*** **Information Technology** — ***Daniel A. McIntosh*** — ***David Purscell*** **Land Use & Records** — ***Daniel A. McIntosh*** ***Laura Ihrke (Auditor's Office)*** ***Catherine Piepho (Treasurer's Office)*** — ***Rick Kvien*** Brenda Blood **Public Health** — ***Daniel A. McIntosh*** — ***Amy Roggenbuck*** **Environmental Services** — ***Daniel A. McIntosh*** **Public Works** — ***Daniel A. McIntosh*** — ***Greg Ilkka*** **Sheriff** — ***Lon Thiele*** — Jodi Bushey **Veteran's Services** — ***Rene Gilormini*** *A name in ***italics and bold*** designates a department head. **County Data Practices Compliance Officer** **Daniel A. McIntosh** **Steele County Attorney** Implemented: May 22, 2018 Revised: August 1, 2019 Page 37 of 47	**Exhibit 41**	**Public Data**	**13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- This was not provided by the county, residents' found it on the county website*
To Date		No confirmation of receipt of data request or that it is being worked on.				

Data Request:

4/2/2025 - Noise Studies

Request: **I am requesting copies for inspection of all noise studies conducted for the East Side Corridor (ESC) project that were initiated on or after January 1, 2020. This includes, but is not limited to, initial assessments, updated analyses, modeling data, and any related reports or documentation. Please provide both draft and final versions, along with any supporting materials used in these studies.**

Supporting Evidence\Data Request\DataRequests\ESCNoiseStudiesDataRequest04022025.docx

72 Days since request placed

****DATA IS NOT PART OF ESC DATA!**

Date	Contact Type	Description	Exhibit Number	Violation Type	Violation	Notes
4/2/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> date:Apr 2, 2025, 1:50 PM Please find attached the data request form for noise studies. Thanks, Melissa Zimmerman	**Exhibit 42** **Exhibit 43**			
4/10/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> date:Apr 2, 2025, 1:50 PM I also have not recieved confirmation of this data request. It has been 8 days.	**Exhibit 43**	**Pubic Data**	**13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **13.03 Subd 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. If a person requests access for the purpose of inspection, the responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data. **13.03 Subd 3(f):** If the responsible authority or designee determines that the requested data is classified so as to deny the requesting person access, the responsible authority or designee shall inform the requesting person of the determination either orally at the time of the request, or in writing as soon after that time as possible, and shall cite the specific statutory section, temporary classification, or specific provision of federal law on which the determination is based. Upon the request of any person denied access to data, the responsible authority or designee shall certify in writing that the request has been denied and cite the specific statutory section, temporary classification, or specific provision of federal law upon which the denial was based.	

4/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> date:Apr 14, 2025, 8:26 PM Dear Mr. Jarrett, Ms. Fry, and Ms Kubicek, I am writing to follow up once again regarding my data request submitted on April 2, 2025, at 1:50 p.m. To date, I have received no acknowledgement or response. I sent a follow-up on April 10 at 8:21 a.m., which also received no reply. This continued lack of response is a violation of your obligations under the Minnesota Government Data Practices Act (MGDPA). Under Minn. Stat. § 13.03, subd. 2(a), government entities are required to establish procedures to ensure that data requests are received and responded to in an appropriate and prompt manner. Failing to acknowledge a request or follow up after an initial inquiry is neither appropriate nor prompt. Furthermore, under Minn. Stat. § 13.03, subd. 3(f), if access to data is denied, the Responsible Authority must inform the requestor in writing and cite the specific statutory section on which the denial is based. No such citation or response has been provided. Additionally, Minnesota Department of Administration Advisory Opinions—including 95-042, 04-019, and 05-030—make it explicitly clear that: A valid data request must be acknowledged and processed, regardless of the entity's workload. Silence or delay constitutes a violation of Chapter 13. The burden is on the government entity to clarify or request revisions—not to ignore the request entirely. At this time, I am demanding the following: Immediate written confirmation that the April 2, 2025, data request is being processed. A firm timeline for when the requested data will be made available. The legal justification for the failure to acknowledge or respond to my previous emails, if one exists. I expect confirmation of compliance by April 16, 2025. I trust Steele County will comply with its legal obligations and fulfill this request without further delay. Sincerely, Melissa Zimmerman	**Exhibit 43**	**Public Data**	**13.03 Subd 2(a)** **13.03 Subd 3(a)** **13.03 Subd 3(f)**	
4/18/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Apr 18, 2025, 4:59 PM subject:RE: Data Request – Noise Studies for East Side Corridor Project The county does not have any studies or documents related to a noise study for the east side corridor at this time. Since no such data exists at this time, this data request will be closed. Robert J. Jarrett	**Exhibit 43**	**Public Data**	**13.03 Subd 1:** Subdivision 1.Public data. All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **13.03 Subd 3(f)**	

4/18/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com>, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> date:Apr 18, 2025, 5:18 PM Dear Mr. Jarrett, Thank you for your response. However, I find this conclusion concerning, as it appears to contradict previously shared emails and public statements. According to public data preliminary noise studies were reportedly completed in January 2024, with full reports available by May 2024. This represents a significant discrepancy. My data request specifically included all iterations of noise study documentation—such as initial assessments, updated analyses, modeling data, draft and final reports, and any supporting documentation used in or created for these studies. Given that scope, I respectfully disagree with the assertion that no such data exists. Additionally, on February 25th, Paul stated that once the noise wall vote was completed, the EAW comment period would immediately follow in April or May. This statement implies that the EAW—along with its required noise analysis—was already completed, pending only the outcome of the vote. It's also important to note that a noise wall vote cannot be conducted without underlying noise studies justifying the wall's need. For these reasons, I ask that this request remain open or be revisited with a thorough review of all potentially responsive documents, including internal drafts or interagency communications regarding noise modeling or analysis. Thank you for your attention to this matter. Sincerely, Melissa Zimmerman	**Exhibit 43**	**Public Data**	**13.03 Subd 1:**.Public data. <u>All government data collected, created, received, maintained or disseminated by a government entity shall be public</u> unless classified by statute, or temporary classification pursuant to section 13.06, or federal law, as nonpublic or protected nonpublic, or with respect to data on individuals, as private or confidential. The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **13.03 Subd 3(a)** **13.03 Subd 2(a)** **13.09 PENALTIES.** **(a)** Any person who willfully violates the provisions of this chapter or any rules adopted under this chapter or whose conduct constitutes the knowing unauthorized acquisition of not public data, as defined in section 13.055, subdivision 1, is guilty of a misdemeanor. **13.09 (b)** Willful violation of this chapter, including any action subject to a criminal penalty under paragraph (a), by any public employee constitutes just cause for suspension without pay or dismissal of the public employee.	*- Internal emails confirm that preliminary noise study results were received in January 2024, and the full report was available by May 2024. MnDOT reviewed the study and returned it with comments, as noted in an April 21, 2025 email. Despite this, the report is now being treated as if it does not exist.* *- The data request specifically asked for all iterations of the noise study, not just the final version. All such iterations should be considered public data and made available accordingly.* *- Following the April 22, 2025 County Commissioner meeting, County Engineer Paul Sponholz indicated that noise studies were no longer necessary. If that is the case, there should be no reason to withhold the previously completed study—unless the intention is to obstruct residents' access to information about the project.* *- Failing to respond to data requests, followed by the provision of inaccurate or misleading information, constitutes a failure to fulfill official responsibilities and may be considered the falsification of public records.*

4/21/2025	**Email**	from:Wasko, Peter (DOT) <peter.wasko@state.mn.us> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Apr 21, 2025, 1:42 PM subject:Re: Noise Studies Melissa, Thanks for the questions. Generally you have it correct. Usually the county/city would hire a main consultant to help with the design and any environmental documents. Often the prime consultant will hire some subs that might do work that the prime does not do or is not qualified. My area did review the draft noise report a little while back and provided comments and any suggested edits back to the consultant. As of now, we have not received a final version. This is not totally uncommon if they are running behind or possibly doing some additional plan redesign or reconfigurations. At this point I don't have a great direction to have you go with your request as the final document has not been submitted to us. Pete				
4/27/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Prokopec, Joshua" <joshua.prokopec@steelecountymn.gov>, "Glynn, John" <john.glynn@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Hwy@SteeleCountyMN.gov" <Hwy@steelecountymn.gov>, "Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov>, "Matt Sennott" <matt.sennott@gmail.com> bcc:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> date:Apr 27, 2025, 7:15 PM subject:Accountability Needed: Noise Study and EAW for Project To Whom It May Concern, Following last week's county commissioner meeting, I was informed by Paul that the ESC project will not be requiring noise studies to move forward. This decision is a significant injustice to the residents, as we have consistently advocated for maintaining safe and reasonable noise levels in our community. There is a responsibility to listen to and address the concerns of those directly impacted, and it seems that commitment is constantly being overlooked. This also raises an important question: Is an Environmental Assessment Worksheet (EAW) still being completed as part of this project, or has that requirement been dismissed as well? Thank you for your attention to this matter. Sincerely, Melissa Zimmerman	**Exhibit 47**	**Public Data**	**13.03 Subd 1** **13.05 Subd 5**	*- No Acknowledgement, No Clarification per 13.03*

Data Request:

4/9/2025 - Federal Funds

Request: Public data related to the transfer of federal funds from the ESC project.

1. FULL disclosure of: Any and all information relating to the transfer of federal funds from the ESC to the Main St Project. This includes all documentation, emails, written correspondence, text messages, government records, audio or video recordings, and any other data related to the transfer of these funds. Person of correspondence may include but are not limited to ATP members, Paul Sponholtz, Sean Murphy, and County Commissioner, City council, County Administrator, and City Administrator.

Supporting Evidence\Data Request\DataRequests\250409ESCFederalFundsTransferMn SS Ch 13 PDR Public Data Request.docx

65 Days since request placed

****DATA IS NOT PART OF ESC DATA SCOPE!**

Date	Contact Type	Description	Exhibit Number	Violation Type	Violation	*Notes*
3/3/2025	**Public Works Meeting Minutes**	STEELE COUNTY PUBLIC WORKS POLICY COMMITTEE MINUTES Public Works Building – 3000 Hoffman Drive - Owatonna, MN 55060 Steele County's Mission: Driven to deliver quality services in a respectful and fiscally responsible way. Tuesday, March 3, 2025 at 10:00 a.m. – Public Works Conference Room Highway Project Updates: • CSAH 48/18th St Roundabout: The RR canceled the latest meeting to resolve agreement differences and rescheduled for a different date. • CR 180 Rail Bridge: The RR would support a rebuild of the railroad bridge(option 2A) at Steele County's cost • Eastside Corridor: The County Engineer met with Owatonna Township officials who are in support of only the 29th Ave corridor.	**Exhibit 44**	**Public Data**	**13.05 Subd 5** **13.03 Subd 1**	*- Note: The only mention of the East Side Corridor (ESC) in the official meeting minutes was that the County Engineer met with the township, who reportedly supports the corridor with the greatest residential impacts.* *- The township was allowed formal public input, while residents have been denied the opportunity for meaningful input over the past three years?*
3/27/2025	**Written Correspondence**	March 27, 2025 Greg Paulson, ATP 6 Chair Southeast Minnesota Area Transportation Partnership 2900 48th Street NW Rochester, MN 55901-5848 RE: STBGP Funding Transfer Request Dear Mr. Paulson: Steele County was awarded $3,960,000 in STBGP funding for the East Side Corridor Project (SAP 074-070-009) for fiscal year 2026. Our project team has run into significant challenges to be able to deliver the project with these funds. Work to complete the environmental documents was started in 2021 and the Federal Highway Administration initially directed us to complete a Programmatic Categorical Exclusion document. In 2023, the FHWA redirected us to instead complete a Non-Programmatic Categorical Exclusion document which required us to do some significant rework. Now as we are nearing completion of that document currently estimated by late 2025, there are still significant remaining risks to be able to deliver the project in time to use these funds. Even if we complete the environmental document by the December 2025 deadline, we will not have enough time to complete final plans and significant right of way acquisition for construction in 2026. While negotiations have begun with the Canadian Pacific Kansas City Railroad (CPKC) for a necessary new crossing, they are slow to respond. Previous changes to a CPKC crossing on another project has taken over five years of negotiations and still is not resolved. Also, there is a neighborhood group adamantly opposed to this project and threatening litigation against the county which could pose significant risk to the project timeline. We would like to transfer these funds to another eligible project, the CSAH 48 Main Street (SAP 074-648-008) project for fiscal year 2026. This project is already federalized with a HSIP award of $450,000. The project will reconstruct CSAH 48 Main Street from Oak Avenue to Grove Avenue. A feasibility report was completed in 2023 and our team is about to start final design with construction easily feasible in 2026. Please consider this request for funding transfer. We request the ATP approve the request for a STIP	**Exhibit 19**	**Public Data**	**13.01** **13.03** **13.03 Subd 1 - Accurate records** **13.05 Subd 5(a)(1)** **15.17** **13.09**	*- Inaccurate government data resulted in material harm and a significant procedural change. On April 8, 2025, Administrator Renae Fry claimed residents' GoFundMe campaign stated they intended to sue the county. This unverified claim was repeated by county staff and used to justify cutting off communication with residents. Fry later admitted she could not confirm this statement, making it an instance of inaccurate data tied to a public data complaint process.* *- Despite this, the false "litigation" narrative was reportedly used in internal communications and in a formal request to reallocate $3.96 million in federal funds. If such communications exist, they are public data under Minn. Stat. § 13.03 and must be disclosed. To date, no documentation has been provided.* *- The funding transfer request was submitted by Engineer Sponholz on the same day residents' GoFundMe was successfully funded—twelve days before the County Board could meet to review or discuss the matter. There is no record of any discussion during the March 3, 2025 Public Works meeting, and Commissioner Abbe later stated he was unaware of the action as of April 1.* *- No public vote was held, no stakeholder input was sought, and the decision was only discovered*

		amendment. Please contact me if you require additional information or have any questions. I may be reached at (507) 475-2253 or at paul.sponholz@steelecountmn.gov. Sincerely, Paul Sponholz, P.E. County Engineer Encl: CSAH 48 Main Street Feasibility Report Cc: Fausto Cabral, MnDOT District 6 State Aid Engineer Sean Murphy, City Engineer, City of Owatonna Andrew Plowman, WSB				*at the April 11 ATP meeting, long after it had been initiated. No accessible data explains why or how the funds were moved, undermining public trust and accountability.* *- Residents who attempted to attend the public meeting about the East Side Corridor were locked out despite arriving at the posted start time, further denying meaningful public input. Meanwhile, closed-door discussions appear to have granted disproportionate influence to non-impacted parties—often more than elected officials themselves.* *- The false claim of litigation has been used to prevent commissioner engagement with constituents. The county has neither retracted this claim nor produced any supporting documentation, despite repeated public denials of any intent to sue.* *- The use of inaccurate data to justify a major funding decision not only misrepresents residents' actions but also misleads state and federal decision-makers. It is the commissioners' responsibility to manage public funds transparently and with complete, accurate information.*
4/1/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 1, 2025, 9:56 PM subject:ESC Funding Shift Discussion Dear Commissioner Abbe, At tonight's City Council meeting, we learned that funding originally allocated for the East Side Corridor (ESC) is now planned to be moved to the Main Street project. This raises serious questions about the future of the ESC project. Can you clarify what this means for the ESC? Is the project being delayed, restructured, or potentially abandoned? Given the extensive discussions and impacts this project has had on residents, transparency on this shift is crucial. I would appreciate any information you can provide on this decision and the county's position moving forward. Thank you, Melissa Zimmerman	**Exhibit 20**			

4/2/2025	**Email**	from:Abbe, Jim <Jim.Abbe@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Apr 2, 2025, 7:40 AM subject:Re: ESC Funding Shift Discussion Good Morning, This is the first I've heard of this. I would ask that you reach out to commissioner Brady as he is on that committee and may have more insight. Hopefully we will be all brought up to speed on this at a work session sometime soon. Have a great day! Jim Abbe County Commissioner	**Exhibit 20**	**Public Data**	**13.01** **13.03 Subd 1**	*- The fact that Commissioner Abbe was unaware of the fund transfer, despite it already having occurred, raises serious concerns about whether this action was taken without proper oversight or outside of public view.* *- There is no public record of a vote on this matter, which is required for financial appropriations.*
4/2/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 2, 2025, 10:10 AM subject:Re: ESC Funding Shift Discussion Commissioner Abbe, Thank you for your response. I will reach out to Commissioner Brady as suggested. Is it customary for engineering to make financial decisions before discussing them with the Board of Commissioners? I want to better understand the typical process for these decisions. Previously, I had asked if there was a deadline for this funding, and Paul indicated that the project may potentially be pushed to 2027 without issue. However, it now seems that there is a sudden urgency. Can you provide insight into what has changed? I appreciate your time and clarification. Thanks,	**Exhibit 21**			
4/2/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Brady, James" <James.Brady@steelecountymn.gov>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 2, 2025, 10:13 AM subject:Fwd: ESC Funding Shift Discussion Dear Commissioner Brady, Commissioner Abbe asked that I reach out to you. At last night's City Council meeting, we learned that funding originally allocated for the East Side Corridor (ESC) is now planned to be moved to the Main Street project. This raises serious questions about the future of the ESC project. Can you clarify what this means for the ESC? Is the project being delayed, restructured, or potentially abandoned? Given the extensive discussions and impacts this project has had on residents, transparency on this shift is crucial. I would appreciate any information you can provide on this decision and the county's position moving forward. Thank you, Melissa Zimmerman	**Exhibit 20**	**Public Data**	**13.03 Subd 1:** All data is public data **13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- No Response*

4/2/2025	**Email**	from:Abbe, Jim <Jim.Abbe@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Brady, James" <James.Brady@steelecountymn.gov> date:Apr 2, 2025, 12:18 PM subject:Re: ESC Funding Shift Discussion Hello, My mistake the commissioners on that committee are Krueger and Prokopeck. Sorry for the confusion. Jim Abbe County Commissioner	**Exhibit 20**	**Public Data**	**- 13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **- 13.03 Subd 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning.	*- Commissioner Abbe did not respond to any of these questions, which has become a recurring pattern, particularly since the fall of 2024.* *- These unanswered questions suggest a lack of proper government oversight, or that decisions may have been made behind closed doors.* *- Elected officials have a responsibility to respond to their constituents; failure to do so undermines public trust and puts their positions at risk.*
4/2/2025	**Email**	** Should have read committee ** from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> cc:"Brady, James" <James.Brady@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 2, 2025, 12:37 PM Thanks, I'll get in touch with them. Which community are you referring to? Best, Melissa	**Exhibit 20**			
4/2/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Prokopec, Joshua" <joshua.prokopec@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 2, 2025, 12:39 PM Dear Commissioner Krueger & Prokopec, Commissioner Abbe asked that I reach out to you. At last night's City Council meeting, we learned that funding originally allocated for the East Side Corridor (ESC) is now planned to be moved to the Main Street project. This raises serious questions about the future of the ESC project. Can you clarify what this means for the ESC? Is the project being delayed, restructured, or potentially abandoned? Given the extensive discussions and impacts this project has had on residents, transparency on this shift is crucial. I would appreciate any information you can provide on this decision and the county's position moving forward. Thank you, Melissa Zimmerman	**Exhibit 20**	**Public Data**	**- 13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **- 13.03 Subd 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning.	*- No response from any commissioners*

4/8/2025	**Public Meeting**	Subject: East Side Corridor Federal Funding Transfer Request Department: Highway Committee: Public Works Work Session Date: NA Committee Meeting Date: NA Board Meeting Date: April 8, 2025 _____ Purpose: To provide information regarding a request to transfer federal funding from the East Side Corridor (ESC) Project to the CSAH 48 Main Street project Background: The County was awarded $3,960,000 in federal funding for the ESC Project. Conditions of using that funding requires a federal environmental document completed by December 1, 2025 and construction started in 2026. The County has been working on that document since January 2022. Even though the environmental document is nearly complete, the project team no longer is confident that the remaining environmental and final design work will be completed to meet the federal timelines. Past delays were due especially because the Federal Highway Administration (FHWA) changed which level of environmental document to prepare, which added more than a year to the project timeline. Recently, a significant change on the consultant staff disrupted progress. Then with the changes in the federal administration, federal policy is changing which will likely require significant changes to the makeup of the federal environmental document adding more delays. In addition to delays, some significant risks could affect the project timeline. Staff still needs to complete an agreement with the railroad for a new crossing. Staff has already started working with the railroad to complete the agreement and anticipate it completed with the final plans, but the last similar agreement has taken over five years of effort. **Also, the county has received information that a neighborhood group may bring litigation against the project which could potentially delay construction.** With those delays and those significant risks, staff is asking the Southeast Minnesota Area Transportation Partnership (ATP) (the entity that reviews and approves this federal funding) to transfer that federal money to another eligible project so the county doesn't lose that funding. Staff is asking that the money be transferred to the CSAH 48 Main Street project, a project that already has federal funding awarded to it and can meet the required timelines. The ATP meets March 11 to consider this request. If approved, the Main Street project which has final design budgeted in 2025 would move construction from 2028 to 2026. The project team is working with MnDOT and FHWA to determine what this means for the ESC project, but has no further information from them at this time. The team intends to continue moving the ESC project along as quick as possible, aiming for construction starting late 2026 and finishing about 2028. Financial Impacts: If the transfer of funds is approved, staff will make proposals to shift other funds currently allocated to Main Street to the ESC to replace the federal funding. There is no change to the overall budget or funding amounts. If the transfer is not approved, the ATP could reallocate the funding to another county and we would lose that funding. Attachments: NA	**Exhibit 48**	**Public Data**	**13.03** **13.03 Subd 1** **13.05 subd 5** **13.05** **13.01**	*- A decision was cited as coming from the March 3, 2025 Public Works Committee meeting, but no such discussion occurred, raising concerns of inaccurate recordkeeping.* *- A consultant change in January 2025 was not disclosed in meeting minutes, suggesting missing or withheld public data.* *- Our neighborhood group has never stated intent to litigate, yet litigation was cited as justification for dropping federal funds—this may constitute false or misleading government data.* *- On February 25, the County Engineer said the project was complete and the comment period would begin in April/May. These statement appears inaccurate based on that information.* *- Internal emails show the removal of federal funds was first proposed to State Aid March 25—the same day residents funded a data transparency campaign—yet the rationale (avoiding noise wall costs) was not disclosed, indicating possible intentional data concealment.*

4/8/2025	**Meeting Minutes**	The County Engineer reported on the Eastside Corridor Federal Funding. Steele County was awarded $3.96M dollars in Federal Funding for the Eastside Corridor project. The Engineer reviewed the stringent deadlines mandated by the federal government in order to use the funds. As a result of many delays and setbacks, the project team is not confident they can complete the required tasks on time, so the dollars are at risk of being lost. The Engineer provided examples of the setbacks, including but not limited to additional reporting and more detailed reports required by the Federal Government. The Engineer is requesting the Southeast Minnesota Area Transportation Partnership (ATP) shift the Federal funding to the Main Street project that is likely to meet the deadlines. If the change is approved, funds earmarked for the Main Street project could be used for the Eastside corridor project. If this shift is not approved by ATP, the county will need to look to other funding sources for future projects.	**Exhibit 28**	**Public Data**	**13.03** - access to complete and accurate data	*- There is no record of a decision made on millions of dollars* *- There was no supporting documentation with analysis supporting the need to move money.*
4/9/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> bcc:"Matt Sennott" <matt.sennott@gmail.com> date:Apr 9, 2025, 8:21 PM subject:Public Data Request - ESC Federal Funds Transfer Please find attached a public data request. Thank you, Melissa Zimmerman	**Exhibit 50** **Exhibit 51**			*- There was no vote during the meeting, which led to the submission of a data request.*
4/10/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Apr 10, 2025, 7:41 AM subject:RE: Public Data Request - ESC Federal Funds Transfer Received. We begin this following the general ESC requests which is still pending. I suspect it will be several months, likely this fall, before it is ready. Robert J. Jarrett	**Exhibit 51**	**Public Data**	**13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner.	*- Delays of several months are not acceptable for an issue that has occurred within the last two weeks.* *- Data requests should not be delayed due to other outstanding requests.* *- It appears that the delay in processing one data request is being used to prevent access to necessary information.*

4/14/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Apr 10, 2025, 8:24 AM Ms. Zimmerman, This is not a data request as it is vague and calls for answers to questions. Minnesota Statutes Chapter 13, the Minnesota Government Data Practices Act (MGDPA), requires government entities to allow the public to view or obtain copies of government data. Chapter 13 does not require government entities to answer specific questions, to create data, or to reorganize data into a particular format in order to answer questions. This request will be closed. Sincerely, Robert Jarrett Steele County Data Practices Responsible Authority	**Exhibit 52**	**Public Data**	**13.03 Subd 1** All data is public data **13.03 Subd 2(a) appropriate and prompt manner.** **13.03 Subd 3(a)** **13.03 Subd 3(b)** **13.03 Subd 3(c)** **13.03 Subd 3(f)** **13.09 (a)** **13.09 (b)**	*- Just one hour before this email, this data request was received and accepted, but then was subsequently denied.* *- The data request was clear and straightforward.* *- There were no questions included in the request.* *- The request was improperly closed without a valid legal reason.* *- Under the Minnesota Government Data Practices Act (MGDPA), answers must be provided when requested, but no questions were included in this instance.*
4/10/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Apr 10, 2025, 8:53 AM No, this is absolutely not vague, and there is no ambiguity whatsoever in this request. Just moments ago, you confirmed it was accepted—what changed? This data request is detailed, precise, and explicitly cites the applicable law. You are required to cite the exact provision of Minnesota Chapter 13 that you claim this request fails to meet. Melissa	**Exhibit 52**	**Public Data**	**13.03 Subd 2(a):** **13.03 Subd 3(f):** Denial without citing a legal reason. **13.09 PENALTIES. (a)** **13.09 (b)**	*- Refusing to respond to valid data requests is not in compliance with the Minnesota Government Data Practices Act (MGDPA) and undermines transparency and accountability.*

4/14/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> bcc:"Matt Sennott" <matt.sennott@gmail.com>, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> date:Apr 14, 2025, 8:05 PM Dear Mr. Jarrett, I am writing to follow up on my data request submitted on April 9, 2025. As you acknowledged in your initial response on April 10, 2025 at 7:41 a.m., the request was received and would be processed following the general ESC requests. However, at 8:24 a.m., you abruptly reversed that position, declaring the request vague and closing it, without citing any specific statutory authority as required. Let me be clear: My request is not vague, does not ask questions, and does not seek the creation or reorganization of data. It is a valid request under the Minnesota Government Data Practices Act (MGDPA), Chapter 13. As such, your office is required to process it promptly and independently of any other pending requests. Relevant Statutory Authority Under Minn. Stat. § 13.03, subd. 2(a): "The responsible authority shall establish procedures to assure that requests for government data are received and complied with in an appropriate and prompt manner." There is no provision in Chapter 13 that permits your office to delay or deny a valid request due to the existence of other pending requests. Each request must be handled individually, without arbitrary deferral. Advisory Opinions Supporting This Obligation The Minnesota Department of Administration has repeatedly affirmed this interpretation in formal advisory opinions. For example: Advisory Opinion 95-042 and Advisory Opinion 04-019 both confirm that government entities must respond to each request promptly, and that existing workload or other pending requests do not justify delay. Your April 10 response at 8:24 a.m., closing my request without citing a specific provision of Chapter 13, is a direct violation of this obligation. Action Required I am now requesting the following: Immediate reinstatement and processing of my April 9 data request -"ESC Federal Funds Transfer" A written explanation identifying the exact provision of Chapter 13 your office relied upon to declare the request invalid and close it. A copy of Steele County's Data Practices Policy and the name of the County's Responsible Authority as defined under Minn. Stat. § 13.02, subd. 16. Please confirm in writing that the data request has been reopened and will be processed in compliance with the law no later than April 16, 2025. Sincerely, Melissa Zimmerman	**Exhibit 52**	**Public Data**	**13.03 Subd 1:** All data is public data **13.03 Subd 2(a): appropriate and prompt manner.** **13.03 Subd 3(a)** **13.03 Subd 3(b)** **13.03 Subd 3(c)** **13.03 Subd 3(f)** **13.09 13.09 PENALTIES.** **(a)** Any person who willfully violates the provisions of this chapter or any rules adopted under this chapter or whose conduct constitutes the knowing unauthorized acquisition of not public data, as defined in section 13.055, subdivision 1, is guilty of a misdemeanor. **13.09 (b)** Willful violation of this chapter, including any action subject to a criminal penalty under paragraph (a), by any public employee constitutes just cause for suspension without pay or dismissal of the public employee.	*'- Refusing to respond to valid data requests is not in compliance with the Minnesota Government Data Practices Act (MGDPA) and undermines transparency and accountability.*

Data Request:

5/6/2025 - County Policies

Request: **County Ethics, Conduct, and COI Policies**

1. Any current Code of Conduct applicable to county officials, employees, or board/commission members.

2. Any adopted Code of Ethics governing the actions and responsibilities of county personnel or officials.

3. Steele County's Conflict of Interest Policy for elected officials, employees, and appointed representatives.

If these documents are already available online, a link to them would be appreciated. Otherwise, please provide electronic copies. As these should be readily available but I can't find them on the website, there should not be a charge. If there are any concerns regarding the scope of the request, feel free to contact me for clarification.

Supporting Evidence\Data Request\DataRequests\20250506PolicyDataRequest.docx

38 Days since request placed

****DATA IS NOT PART OF ESC DATA SCOPE!**

Date	Contact Type	Description	Exhibit Number	Violation Type	Violation	*Notes*
5/6/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:May 6, 2025, 6:06 PM subject:Policy Data Request Please find attached a data requests for County policies. While these should be publicly available I was not able to find them online so I am placing a request for them. Thank you, Melissa Zimmerman	**Exhibit 53** **Exhibit 54**			
5/8/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:May 8, 2025, 12:40 PM subject:RE: Policy Data Request Received. This will be added to the current list of requests made by your group. Estimated this fall/winter. Robert J. Jarrett Steele County Attorney Direct: 507-444-7786	**Exhibit 54**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2(a)** **1205.0300** **13.09**	*- The request for county policies such as the Code of Conduct, Code of Ethics, and CIO should be easily accessible to the public. These policies are fundamental to county operations and should be publicly available without delay. It is concerning that fulfilling this request is estimated to take months, especially when these documents should be readily accessible online, ideally through a direct link. The prolonged delay in providing this basic public information raises questions about transparency and efficient government practices.*

5/8/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com>, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> date:May 8, 2025, 4:17 PM subject:Re: Policy Data Request Dear Mr. Jarrett, Thank you for your response. I'd like to clarify that the policies I requested — specifically those regarding conflicts of interest, code of conduct, and code of ethics — should be existing, public-facing documents. These should be made available without unreasonable delay per Minn. Stat. § 13.03, subd. 2(a). Given this, I'm requesting a more immediate timeline for delivery. Please advise whether these policies are currently in place, and if so, why their release is delayed until fall/winter. If they are not in place, please confirm that as well. Sincerely, Melissa	**Exhibit 54**			

Data Request:

5/6/2025 - Owatonna Township

Request: **ESC Project & Annexation Communications with Townships (2021–Present)**
Any and all correspondence, meeting notes, emails, letters, or other communications between Steele County and any township or township officials regarding the East Side Corridor (ESC) project or related annexation matters. This includes, but is not limited to:
- Objections or concerns raised by township representatives
- Records of township approvals, statements of support, or formal positions
- Internal or external memos discussing township responses
- Any documentation regarding the orderly annexation agreement, including discussions related to specific parcels
- Documentation and notes from any meetings occurring with the township
The timeframe for this request is from January 1, 2021, to the present.
Please advise if these records are available electronically or if any estimated costs would apply for physical copies. I am willing to clarify or narrow the scope as needed to facilitate a prompt response.

Supporting Evidence\Data Request\Data Requests\20250506TownshipRequest.docx

38 Days since request placed

****DATA COULD BE PART OF ESC SCOPE, BUT WE CAN'T GET DATA**

Date	Correspondence Type	Description	Exhibit Number	Violation Type	Violation	*Notes*
5/6/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Matt Sennott" <matt.sennott@gmail.com> date:May 6, 2025, 6:08 PM subject:Data Request - Township & Annexation Please find attached a data request for information regarding the township and annexation. Thanks, Melissa Zimmerman	**Exhibit 55** **Exhibit 56**			
5/8/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Matt Sennott" <matt.sennott@gmail.com> date:May 8, 2025, 12:40 PM subject:RE: Data Request - Township & Annexation Received. This will be added to the current list of requests made by your group. Estimated this fall/winter. Robert J. Jarrett Steele County Attorney Direct: 507-444-7786	**Exhibit 56**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2(a)** **1205.0300** **13.09**	*- It is unacceptable to continue refusing to fulfill data requests. Each request must be treated individually and fulfilled promptly.* *- This data is separate from previous requests, as it pertains to events that occurred after the initial request was submitted.*

5/8/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov>, "Matt Sennott" <matt.sennott@gmail.com>, Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> date:May 8, 2025, 4:21 PM subject:Re: Data Request - Township & Annexation Dear Mr. Jarrett, Thank you for your response. I am requesting existing township correspondence related to the East Side Corridor project or annexation. If such input exists, it is presumed public under Minn. Stat. § 13.03, subd. 1, and should be provided without unreasonable delay, per Minn. Stat. § 13.03, subd. 2(a). If no such data exists, please confirm that in writing. Otherwise, I request prompt access to any relevant documentation. Sincerely, Melissa	**Exhibit 56**			

Data Request:

5/9/2025 - Bonds of Officials

Request: **Pursuant to the Minnesota Government Data Practices Act (Minn. Stat. Chapter 13), we respectfully request access to and copies of all public official bond documents currently maintained by your office for any bonded officials or employees of Steele County. This request includes, but is not limited to, all individual or blanket surety and fidelity bonds issued for county personnel between January 1, 2021, and the present.**
If there are any costs associated with locating, copying, or transmitting these records, please notify us with an estimate before processing. We would prefer to receive the documents in electronic format, if available, but are open to other formats if necessary.
Thank you for your time and assistance. Please contact us if clarification is needed to fulfill this request.

See Email for Full Data Request (Cell C7 Below)

29 Days to Complete Data Request (Only after asking in person)

****DATA Outside of Scope for ESC Data Request**

Date	Correspondence Type	Description	Exhibit Number	Violation Type	Violation	*Notes*
5/9/2025	**Email**	From: Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> Date: Fri, May 9, 2025 at 6:29 PM Subject: Official Bonds for Steele County Personnel (2021–Present) To: Recorder <Record@steelecountymn.gov> Dear Steele County Recorder's Office, Pursuant to the Minnesota Government Data Practices Act (Minn. Stat. Chapter 13), we respectfully request access to and copies of all public official bond documents currently maintained by your office for any bonded officials or employees of Steele County. This request includes, but is not limited to, all individual or blanket surety and fidelity bonds issued for county personnel between January 1, 2021, and the present. If there are any costs associated with locating, copying, or transmitting these records, please notify us with an estimate before processing. We would prefer to receive the documents in electronic format, if available, but are open to other formats if necessary. Thank you for your time and assistance. Please contact us if clarification is needed to fulfill this request. Sincerely, East Side Corridor Residents	**Exhibit 57**			*- Staff in the recorder's office appeared unaware of this email.*
5/15/2025	**Verbal Communication**	Zimmerman went to collect the bond information. Was denied at first and then redirected to the County Administrator. Zimmerman let County Recorder from the Recorder's office know the concerns of asking the Administrator for her bonds and he said he would find them. It did not appear anyone was aware of this data request. Zimmerman initially attempted to obtain bond information but was denied and redirected to the County Administrator. She shared concerns with County Recorder in the Recorder's Office about requesting the Administrator's own bonds. County Recorder acknowledged the concern, stated he would look into locating the bonds, and follow up with her. It appeared the Recorder's Office had not previously been made aware of this data request.		**Recording Available Upon Request**		*- What happened to the email? Missing emails from the recorders' email has never been a problem before, and County Recorder is generaly AMAZING at finding information and responding quickly.*

5/15/2025 a few hours later	**Verbal Communication**	County Recorder let Zimmerman know they were ready. Zimmerman picked them up. County Recorder was great to work with! 2 questions: 1. For copies of this, Zimmerman was charged $1/page for copies, not $0.25 for a total of $9.00. 2. Was provided MCIT bonds, which appear to be blanket bonds, should there also be individual bonds? (County Recorder wasn't aware of any other bonds.)		**Public Data**	**13.03 subd 3(c):** copies should be $0.25	*- If this had been the only data request, it likely wouldn't warrant mention, as County Recorder was a pleasure to work with and made the process smooth. That said, copies should have been charged at $0.25 each, so this is simply being noted for documentation purposes.*

Data Request:

5/15/2025 - Data Preservation

Request: **Pursuant to the Minnesota Government Data Practices Act (Minn. Stat. Chapter 13), we respectfully request access to and copies of all public official bond documents currently maintained by your office for any bonded officials or employees of Steele County. This request includes, but is not limited to, all individual or blanket surety and fidelity bonds issued for county personnel between January 1, 2021, and the present.**
If there are any costs associated with locating, copying, or transmitting these records, please notify us with an estimate before processing. We would prefer to receive the documents in electronic format, if available, but are open to other formats if necessary.
Thank you for your time and assistance. Please contact us if clarification is needed to fulfill this request.

See Email for Full Data Request (Cell C7 Below)

29 Days since request placed

****DATA COULD BE PART OF ESC SCOPE, BUT WE CAN'T GET DATA**

Date	Correspondence Type	Description	Exhibit Number	Violation Type	Violation	*Notes*
5/15/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Matt Sennott" <matt.sennott@gmail.com>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:May 15, 2025, 3:26 AM subject:Government Data Request – Preservation and Access to Data Associated with County Engineer Paul Sponholz To: Steele County c/o County Attorney Jarrett Date: 5/15/2025 Dear Mr. Jarrett, Pursuant to the Minnesota Government Data Practices Act (MGDPA), Minn. Stat. Chapter 13, I am formally requesting that Steele County ensure the preservation and continued accessibility of all government data that meets the following criteria: Scope of Request – Preservation Order Please ensure that all government data—regardless of format (e.g., emails, texts, voicemails, physical notes, reports, internal memos, Microsoft Teams chats, drafts, etc.)—that meets any of the criteria below is preserved in full: Created, sent, received, or otherwise accessed by Paul Sponholz, County Engineer, between January 1, 2021 and the day after his final day of employment with Steele County; Any data stored in accounts, devices, drives, or applications associated with his county role (including personal devices used for county business); Any data shared with or received from Paul Sponholz, whether internally (e.g., staff, commissioners, consultants) or externally (e.g., WSB, MnDOT, SE Minnesota ATP, FHWA, etc.); Any government data Paul Sponholz possessed, created, or maintained that may be held by third-party consultants or contractors acting on behalf of Steele County. - This request includes but is not limited to: - Email accounts (Outlook, archived emails) - County cell phone/text logs and content - Microsoft Teams or other messaging platforms - File directories (OneDrive, shared drives, etc.)	**Exhibit 58**	**Public Data**	**13.03 Sub 2(a)**	- No Response

		- Notes, meeting recordings, and handwritten materials - Contracts, correspondence, and memos - All metadata associated with the above - Retention Request Please treat this as a formal notice to preserve relevant data under applicable retention schedules, especially in light of ongoing public interest and potential investigations. The data must not be deleted, altered, purged, or made inaccessible due to role separation. Clarification I am not requesting copies of this data at this time (though I may follow up with a specific data request). This request is to ensure Steele County maintains and preserves all such data in accordance with your legal obligations. Please confirm receipt of this request and that appropriate preservation measures have been initiated. Sincerely, Melissa Zimmerman 2525 Stony Creek Dr. Owatonna, MN 55060				
		from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Matt (Neighbor) Sennott" <matt.sennott@gmail.com>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, Josh Prokopec <jprok27@gmail.com>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Glynn, John" <john.glynn@steelecountymn.gov> date:Jun 2, 2025, 10:21 AM subject:Re: Government Data Request – Preservation and Access to Data Associated with County Engineer Paul Sponholz Dear Mr. Jarrett, I am following up on the preservation request I submitted on May 15, 2025, regarding all government data created, shared, or accessed by County Engineer Paul Sponholz during his tenure with Steele County. To date, I have not received a confirmation of receipt or any indication that Steele County has taken steps to preserve the specified data. Given Mr. Sponholz's final day of employment is imminent, I am reiterating the importance of this request under the Minnesota Government Data Practices Act (MGDPA) and applicable records retention laws. As outlined previously, this request: Applies to all formats of data, including electronic communications, shared drives, meeting notes, and contractor records; Extends to third-party consultants and contractors acting on the County's behalf; Does not request copies at this time, but rather confirmation that the data will be preserved in full. Please confirm by June 2, 2025 that appropriate data preservation measures have been put in place and that Steele County is in compliance with this request. If no response is received, I will have no choice but to escalate this matter to the Minnesota Department of Administration and other oversight bodies as part of an official complaint. Thank you for your attention to this matter. I look forward to your timely response.	**Exhibit 58**	**Public Data**	**13.03 Sub 2(a)**	

		Thank you for your attention to this matter. I look forward to your timely response. Sincerely, Melissa Zimmerman 2525 Stony Creek Dr. Owatonna, MN 55060				
6/3/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Matt (Neighbor) Sennott" <matt.sennott@gmail.com>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:Jun 3, 2025, 10:07 AM subject:RE: Government Data Request – Preservation and Access to Data Associated with County Engineer Paul Sponholz I can confirm receipt. I will be replying about more data being available from the initial request. We also received your data complaint. We will continue to respond to the data requests in the order in which they were received. Robert J. Jarrett Steele County Attorney Direct: 507-444-7786	**Exhibit 58**	**Public Data**	**13.03 Subd 2(a)** **13.03 Subd 3** **13.05 Subd 5** **13.09**	- This response appears to have been prompted by the Department of Administration complaint, as it came shortly after confirmation of the complaint's receipt. - The reference to "more data being available from the initial request" raises concerns that responsive data may have been withheld or overlooked until external oversight was initiated.
To Date		No Response				

Data Request:

5/29/2025 - Traffic Counts

Request: **Traffic and Truck Volume on Shady Ave and Crestview Ln NE**
We are requesting the following public data:
1. Any and all traffic studies, reports, or raw traffic count data for Shady Avenue and Crestview Lane NE, with a particular focus on truck traffic volumes (e.g., counts, classifications, or percentages of heavy vehicles) currently using these roads. Please include the most recent data available, as well as historical data if relevant for comparison.
2. Any projections, impact analyses, or modeling related to the East Side Corridor (ESC) that estimate or forecast how truck traffic on Shady Ave and Crestview Ln NE would be reduced or diverted if the ESC is built. This includes traffic modeling results, assumptions used, summary tables, and visualizations or GIS data if available.
3. If no such analysis exists regarding projected truck traffic reduction due to the ESC on these roads, please provide documentation showing that the roads were considered (or not considered) in the ESC traffic impact modeling.
If there are any costs associated with providing this information, please notify us before proceeding.

See Email for Full Data Request (Cell C7 Below)

15 Days since request placed

****DATA Outside of Scope for ESC Data Request**

Date	Correspondence Type	Description	Exhibit Number	Violation Type	Violation	*Notes*
5/23/2025	**News Story**	Paul Sponholz: We have truck traffic on Shady Ave or Crestview. Roads that are not designed for truck traffic and thru traffic. https://youtu.be/8sTna7iVvU0?si=3rjoK3GlrNUZnRD9	**Link**			
5/29/2025	**Email**	from:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> to:Robert.Jarrett@steelecountymn.gov, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, Rebecca.Kubicek@steelecountymn.gov bcc:Matthew Sennott <matt.sennott@gmail.com>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:May 29, 2025, 2:59 PM subject:Data Request – Traffic and Truck Volume on Shady Ave and Crestview Ln NEDear Mr. Jarrett, Please find attached a data request regarding traffic and truck volume on Shady Ave and Crestview Ln NE. As this is a relatively limited request, we believe a two-week timeframe should be sufficient to compile the data. Kindly let us know when the information is ready for review. Thank you.	**Exhibit 59**			
5/29/2025	**Email**	from:Attorney <Attorney@steelecountymn.gov> to:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>, "Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:May 29, 2025, 3:54 PM subject:RE: Data Request – Traffic and Truck Volume on Shady Ave and Crestview Ln NE Mr. Haskell & ESC group, We received the data request. We have several ESC requests pending, so this will be added to the pending requests. If the data exists, it will not be completed until this fall due to current volume of requests.	**Exhibit 59**	**Public Data**	**13.03 Subd 2(a)** **13.03 Subd 3(f)**	*- Data requests cannot be denied simply because other requests are still pending or unfulfilled.* *- While it may not be illegal, why is the County Attorney addressing individuals who are not involved or inaccurately identified? Unprofessional.* *- Improper denial*

5/29/2025	**Email**	from:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> to:Attorney <Attorney@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> bcc:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Glynn, John" <john.glynn@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:May 29, 2025, 10:54 PM subject:Re: Data Request – Traffic and Truck Volume on Shady Ave and Crestview Ln NE Dear Mr Jarrett, Thank you for your response regarding our data request. To clarify—none of us are Mr. Haskell. If this was intended for someone else, please let us know; however, the content appears relevant to our request. We are also following up on specific references made in both a recent news article and this week's Board of Commissioners meeting. County engineers publicly referenced truck traffic, and Commissioner Abbe cited traffic counts on Shady Lane. If these studies exist and were referenced in public discussions or decision-making, they should already be compiled and readily available under the Minnesota Government Data Practices Act (MGDPA). Per Minn. Stat. § 13.03, Subd. 2(a), public data must be provided in an "appropriate and prompt manner." We understand that there may be many requests currently in process, but pulling noise studies and traffic counts for two short road segments should not take several months if the data already exists, nor is several months appropriate or promot. If the data does not exist, the public has a right to know that as well. Please confirm whether these referenced data sets exist. If they do, we expect access in accordance with the statute. If not, please state that clearly. Sincerely, East Side Corridor Residents	**Exhibit 59**			
5/29/2025	**Email**	from:Attorney <Attorney@steelecountymn.gov> to:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> date:May 29, 2025, 10:54 PM subject:Automatic reply: Data Request – Traffic and Truck Volume on Shady Ave and Crestview Ln NE This inbox is not monitored, please email SCAO@steelecountymn.gov	**Exhibit 59**	**Public Data**	**13.03 Subd 2(a)** **1205.0300** **13.08**	*- Residents were redirected to an unmonitored inbox, resulting in the data request not being processed or acknowledged. While this may have been an oversight, it reflects a broader pattern of delayed or incomplete responses, and at this point, it is difficult to continue extending the benefit of the doubt.*

5/29/2025	**Email**	from:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> to:Robert.Jarrett@steelecountymn.gov cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> bcc:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, "Glynn, John" <john.glynn@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Prokopec, Joshua" <joshua.prokopec@steelecountymn.gov>, Matthew Sennott <matt.sennott@gmail.com>, Lyssa Zimmerman <lyssalynn13@gmail.com> date:May 29, 2025, 11:09 PM subject:Re: Data Request – Traffic and Truck Volume on Shady Ave and Crestview Ln NE We received the following automated response: "This inbox is not monitored. Please email SCAO@steelecountymn.gov." It's unclear how our message was directed to an unmonitored inbox, especially given that we used direct email addresses. To ensure our concerns are properly received and addressed, we are resending the message below. We respectfully request an appropriate and prompt response in accordance with statutory requirements. Thank you for your attention to this matter.	**Exhibit 59**	**Public Data**	**13.03 Subd 2(a)**	
6/10/2025	**Email**	From:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Jun 10, 2025, 11:30 AM subject:RE: Data Request – Traffic and Truck Volume on Shady Ave and Crestview Ln NE We do not have any documentation related to this data request. As such, the request will be closed. A response from Paul: All we have is staff recollection of numerous phone calls of complaints over the years, and comments received from the public during the East Side Corridor public meetings. Also, I reviewed the state traffic counts, they don't show anything on their website traffic mapping application. Paul Sponholz, P.E. | County Engineer Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890 O: (507) 444-7671 |M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov	**Exhibit 59**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2a**	*– Either this data request was inappropriately delayed for several days without a timely response, or the former County Engineer retained access to county systems or email after his official end date of June 6, 2025—both of which raise serious concerns.* *– Notably, the response attributed to Mr. Sponholz includes no timestamp, making it impossible to verify when or how it was provided. This lack of basic metadata renders the response incomplete and raises additional concerns about transparency and recordkeeping.*

DATA OBSTRUCTION

Residents have been attending city and county meetings for years. Public comments and sections of meetings applicable to the ESC are available online. You will hear repeatedly, residents ask for conversations, public input.

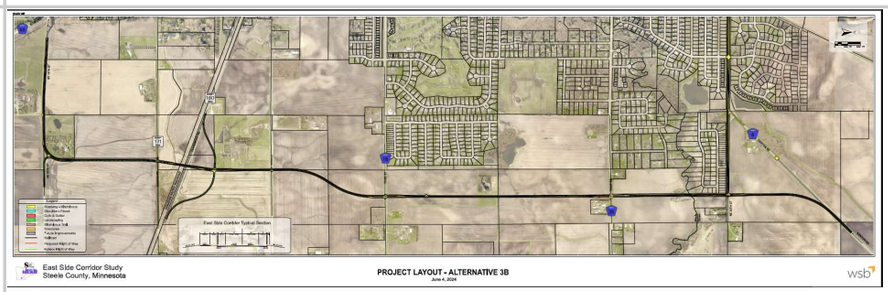
County Meetings: https://www.youtube.com/watch?v=iZGAL6EZTm0&list=PLbvQQcKUuhrdbdTTJ_jGgGGBMRyDuQBdq

City Meetings: https://www.youtube.com/watch?v=yAZg9yGzwCE&list=PLbvQQcKUuhrfupGndVBZJclG4LBX2QX8h

Date	Contact Type	Description	Exhibit Number	Type of Violation	Violation	*Notes*
5/9/2024	**Internal Emails**	**From:** Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov> **Sent:** Thursday, May 9, 2024 7:04 PM **To:** Andrew Plowman <APlowman@wsbeng.com> **Cc:** Mary Gute <MGute@wsbeng.com> **Subject:** Re: Matrix 4 We had our Public Works Committee today. Consensus was we are going to continue the federal process. Too many ramifications to walk away from it. But that doesn't consider the city's desire the keep the original 29th Ave corridor. One option talked about it to take the wall to a vote. We'll have to see what the consensus will be from the Joint Transportation Committee meeting Monday. **Paul Sponholz, P.E. | Assistant County Engineer** Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890 O: (507) 444-7672 | M: (507) 475-2253 | paul.sponholz@steelecountymn.gov	**Exhibit 45**	**Public Data,**	**13.01 - Public data** **13.03 - All data is public** **13.05 Subd 5**	*- None of the data or documentation from these meetings—including the Public Works Committee and Joint Transportation Committee—has been made publicly available. Internal decisions regarding federal funding and noise walls were made without notifying or involving the public, raising serious transparency concerns.* *- The public was led to believe that no final consensus or decision had been reached regarding continued use of federal funding or the requirement for noise walls. However, internal emails indicate that a consensus was already formed, which conflicts with public-facing communications. This may constitute misleading or incomplete disclosure and could be a violation of Minn. Stat. § 13.05, subd. 5.*
5/10/2024	**Internal Emails**	**From:** Andrew Plowman <APlowman@wsbeng.com> **Sent:** Friday, May 10, 2024 7:58 AM **To:** Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com> **Subject:** RE: Matrix Paul, The voting process is only for the impacted parcels, on whether they would support the sound wall. I would imagine the results of the vote would be we would need to add the walls for 3A if that is what is chosen. So then, wouldn't we have to add in the cost as it would be likely that they would go in if that option is chosen, and you are still using federal funding? Andrew Plowman, PE Director of Transportation Design - Minnesota	**Exhibit 45**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2** **13.05 Subd 5**	*- All relevant information, including full financial implications, should be made public. Omitting such data misleads both the public and decision-makers, obstructs transparency, and violates both the intent and letter of the review process.* *- Failure to disclose cost implications and mitigation responsibilities.*

5/10/2024	**Internal Emails**	**From:** Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov> **Sent:** Friday, May 10, 2024 8:35 AM **To:** Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com> **Subject:** RE: Matrix EXTERNAL EMAIL Would we do a vote before finalizing the concurrence memo and submitting to FHWA so that we can determine the final need for the wall? We aren't going to build a sound wall, but if the neighborhood votes against the wall, we can move forward with the original alignment. Include the sound wall costs in the matrix for now and we can discuss with the Committee on Monday. So far, the idea of abandoning federal funding isn't being well received. And with the uncertainty of federal requirements in permits, not something we'll likely pursue. We'll have a better feel of that idea on Monday. **Paul Sponholz, P.E. | Assistant County Engineer** Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890 O: (507) 444-7672 |M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov	**Exhibit 45**	**Public data**	**13.03 Subd 1** **13.05 Subd 5**	*- No meeting minutes or records have been made available for review.* *- Public data requests are being unreasonably denied, hindering transparency and public involvement.* *- Residents who inquired about this meeting have been cut off from communication with county staff. Additionally, county staff have intimidated and yelled at residents for simply asking questions about the meeting after learning about it, which is both unprofessional and unacceptable.* *- All of thi information has been excluded from public and decision making processes.*
5/10/2024	**Internal Emails**	**From:** Andrew Plowman <APlowman@wsbeng.com> **Sent:** Friday, May 10, 2024 8:50 AM **To:** Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com> **Cc:** Jack Corkle <JCorkle@wsbeng.com> **Subject:** RE: Matrix Paul, I just was speaking with Jack, and the vote would not happen prior to finalizing the memo. And, I think it is fairly safe to say that most will vote for having the wall for option 3A. We don't really think it will be dependent on if they are supportive of the project or not. If I lived along that area, heck I would likely vote for the wall too. We will include the sound wall costs separately, so it is very evident for the meeting. **Andrew Plowman**, PE Director of Transportation Design - Minnesota	**Exhibit 45**	**Public data**	**13.03 Subd 1** **13.05 Subd 5**	*- Not including all data upfront to make informed decisions.* *- All data should be made available to the public but these decision are happening behind closed dooes without oversight and transparency.*

5/10/2024	**Internal Emails**	**From:** Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov> **Sent:** Friday, May 10, 2024 9:09 AM **To:** Andrew Plowman <APlowman@wsbeng.com>; Mary Gute <MGute@wsbeng.com> **Cc:** Jack Corkle <JCorkle@wsbeng.com> **Subject:** RE: Matrix EXTERNAL EMAIL Point of clarification, when you are saying 3A, is that the original alignment? I had the impression that we had 3 (the original alignment), 3A (a shift at NC) and 3B (a shift at Maple Creek), or has that been changed. So then if we don't include the vote in the memo, the analysis would likely show that the original alignment is too costly and the preferred alternative is 600-700 away. Would a vote even need to be taken then? There is desire by the elected representatives to have the vote taken. Could we still do the vote, and if the wall is rejected, then change the preferred alignment after the approved memo? Another question on the memo, will the traffic modeling memos, architecture/archeology reports, and other reports be included with the memo to support the conclusions of the memo's analysis and choice of alternatives? Could we and/or should we post those reports to the webpage before the memo is released? **Paul Sponholz, P.E. | Assistant County Engineer** Steele County | PO Box 890, 3000 Hoffman Dr NW, Owatonna, MN 55060-0890 O: (507) 444-7672 |M: (507) 475-2253 | Paul.Sponholz@SteeleCountyMN.gov	**Exhibit 45**	**Public data**	**13.03 Subd 1 all data is public data** **13.05 Subd 5**	*- It is evident that decisions are being made out of public view, in direct violation of both public data access laws and Open Meeting Laws—undermining the foundation of transparent and accountable government.* *- Alternative 3B has been hidden from the public, avoidance has not been an option on the table.*
5/10/2024	**Internal Emails**	**From:** Andrew Plowman <APlowman@wsbeng.com> **Sent:** Friday, May 10, 2024 9:17 AM **To:** Sponholz, Paul <Paul.Sponholz@SteeleCountyMN.gov>; Mary Gute <MGute@wsbeng.com> **Cc:** Jack Corkle <JCorkle@wsbeng.com> **Subject:** RE: Matrix Yeah sorry, to make it clear. 3A is original, 3B is (a shift at NC) and 3C (as shift at Maple Creek). Well, we are going to show the costs separately, and the noise wall cost is just a portion of the overall analysis. But, if we choose option 3B for instance, then correct, no vote would ultimately be necessary. I will let Mary and/or Jack chime in on the vote taking timeline. But, my understanding is that the vote would not happen ahead of time and then we change depending on the outcome. 1 Andrew 612.360.1311	**Exhibit 45**	**Public data**	**13.03 Subd 1** **13.05 Subd 5**	*- Data not provided to the public, yet public funds have been spent on these decisions. All data should be pubnlic data.* *- This email was not shared or referenced in public disclosures, and it was only released through a data request, that constitutes a potential violation of the public's right to access non-classified data that shaped official decisions.* *- Environmental documents were published around September 24, 2025 and 3B was entirely omitted.*

5/10/2024	**Internal Emails**	**From:** Mary Gute <MGute@wsbeng.com> **Sent:** Friday, May 10, 2024 9:34 AM **To:** Andrew Plowman; Sponholz, Paul **Cc:** Jack Corkle **Subject:** RE: Matrix Hi Paul – The noise vote will not be included in the alternatives eval memo. This memo is just to get FHWA's concurrence on the evaluation of ESC alternatives, and identification of a preferred alternative. The vote would take place later, as determined necessary by the results of the noise analysis. I'll also note that we're not including any detailed environmental reports (cultural resources, historical architecture, etc.), as those'll be done only for the preferred alternative that is carried forward into the EA and/or EAW. I'll need to look at what's included in the traffic memo and talk to Jason to see if it makes sense to include that as an attachment to the memo. **Mary Gute** Sr. Transportation Planner 612.741.7055 (o) WSB | wsbeng.com	**Exhibit 45**	**Public data**	**13.03** **13.05 Subd 5**	*- Data is being withheld from the public*
6/4/2025	**Internal Emails**		**Exhibit 75**	**Public data**	**13.03 Subd 1** **13.03 Subd 2(a)** **13.05 Subd 5**	*- Alternative 3B was developed and internally studied.* *- Internal emails show that the analysis of this alternative was a key factor behind WSB's increased fees.* *- Despite being actively studied, Alternative 3B was never disclosed to the public.* *- The existence of this alternative and the reasons for its development were deliberately withheld.* *- Internal communications reveal that the purpose of Alternative 3B was to avoid significant noise impacts to nearby residents, as recommended by preliminary noise studies.* *- Emails also indicate that this alternative was initially considered for inclusion in the Preferred Alternative study, but was ultimately removed before the memorandum was submitted to government agencies.* *- Alternative 3B was also identified internally as the fallback option if residents were to vote in favor of a noise wall.*
9/24/2024	**County Work Session Meeting**	The Federal Memorandum was presented to the public and WSB presented to the County at a Work Study Session. It was disclosed at this meeting they were forgoing the required Public Hearing/Open House/Comment Period required following this a perfered alternative. This is the first residents were made aware no public hearing was going to be held. This was the first time a noise wall was included in this project.	**Timeline Cell C18**	Public Data	13.03 Subd 1 13.03 Subd 2(a) 13.05 Subd 7 13.05 Subd 5	*- By denying public input, residents were effectively stripped of their ability to raise valid concerns regarding the content and accuracy of the documentation preventing public data from being collected and attachd to the project.*

		https://youtu.be/hvH6FIRzFiQ?si=rY3MNhmxd15JJ12n				*- This document was Federal Memorandum was not released to the public prior to meetings. It's release didn't happen until the state stepped in and reccommended it be made available.* *- The Memorandum was not released to the public until after the public reached out to the State.*
9/25/2025	**Email**	Residents contacted MnDOT State Aid after discovering that the project memorandum had not been made public. Internal state emails indicate that the presentations given to the city and county were not intended for public distribution, per the county engineer. State staff recommended that the memorandum be released and advised the local agency to check for any new public comments that should be attached to the project record. Despite this, residents were not provided with an opportunity to submit comments or participate in a formal comment period.	**Exhibit 78**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2(a)** **13.03 Subd 3(a)**	
10/1/2024	**City Study Session Meeting**	WSB Presented the Federal Memorandum to the City Council. Their answers varied from the presentation to the county, presenting different speed limits to each governing body. The WSB confirmed the Right-Of-Way would be only 17' from some North Country Homes WSB confirming the right of way is 17' from home - YouTube Recording of Presentation (0:58) https://youtu.be/CNeqteI7Zmw?si=C9RrtKTZmnVChj9M Concerns regarding this meeting can be found in the tab: Timeline: C21	**LINK**	**Public Data**	**13.03** **13.02 Subd 7** **13.01** **13.025** **13.03** **13.05**	*- WSB initially gave an indirect response but ultimately confirmed that the distance from the right-of-way to the nearest home would be 17 feet (timestamp: 58 seconds). (Withoholding and Misrepresentating Public Data)* *- WSB also presented conflicting information to different governing bodies: for example, they stated the speed limit would be 40 mph to county commissioners, but cited 40–50 mph when addressing the city council just one week later. (Misrepresentation of Public Data)* *- At no point in either meeting was public input allowed, further excluding residents from the decision-making proces - Denial of recorded public data*
2/18/2025	**City Council Meeting**	A city council member told residents the EAW was back and there was even a date set for the Comment period.	**Audio Recording Available Upon Request**			*- As a partner in the project, the city is a legitimate source for understanding the status of the project.* ***- The return of the EAW and the potential comment period dates suggest that the project is near completion.***
2/25/2025	**County Board Meeting**	**Public Access & Process Concerns:** The first resident who addressed the board shared the new information from the Owatonna City Council — a joint partner in the East Side Corridor project. At this point, additional residents were locked out of the board meeting and only permitted entry after the issue was raised by residents mid meeting. Once allowed in, a resident addressed the board, after which the commissioners asked County Engineer Paul Sponholz for an update. **Sponholz stated that the noise wall vote would occur within the next month or two and that the Environmental Assessment Worksheet (EAW) comment period would follow in April or May, implying that project decisions were essentially finalized.** Residents were/are prepared and organized to vote yes on the noise wall, having communicated this intent to elected officials many times over the past 2-3 years. However, serious concerns about transparency, fairness, and compliance with both NEPA's public involvement requirements and Minnesota Open Meeting Law exist. https://youtu.be/dYiZwAV3iPY?si=_jJglgTdXrvno8al (4:04 Mark)	**Link**	**Public Data**	**13.03**	*- The project was complete, with all environmental reports finalized, but not publicly available (as of time of submission of this document)*

3/25/2025	**GoFundMe**	**Residents Started a GoFundMe to open a Public Data Complaint with the DoA** - Fully Funded on 3/27/2025				*- The DoA had recommended that residents file a formal complaint for Data Practice Violations after discovering the*

		www.GoFundMe.com/SteeleCountyFamilies				*Joint Transportation Committee and encountering continued barriers to public data.* *- On January 13, 2025, the DoA intervened on the residents' behalf, but the County ignored the DoA's clarifying opinions.* *- Residents made a good-faith effort to work with both the county and city for as long as possible. However, as the environment had become increasingly hostile, it became evident that the good faith was one-sided, and the county and city had no intention of working collaboratively with residents.*
3/27/2025	**Written Governmental Correspondence Re: Appropriation of Federal Funding**	County Engineer Sponholz Submitted a letter to the SE Minnesota ATP Committee to request the **Transfer Federal Funds** from the ESC project **Letter to ATP: https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=38805963** **Also, there is a neighborhood group adamantly opposed to this project and threatening litigation against the county which could pose significant risk to the project timeline.** North Country Residents are the only neighborhood that has been vocal. We have <u>not</u> threatened litigation. This would be inaccurate data. We are also not opposed to this project, just the lack of transparency, safety and noise mitigations (avoidance). We have asked countless times to collaborate only to be denied input. County Engineer, Sponholz drafted a letter and sent it to the SE Minnesota ATP Committee requesting the transfer of funds from the ESC project to another project. - 12 days before the County Board could discuss - 5 days before City Council voted to proceed with the project STEELE COUNTY HIGHWAY DEPARTMENT PO Box 890 • 3000 Hoffman Dr NW • Owatonna, MN 55060-0890 (507) 444-7670 • Hwy@SteeleCountyMN.gov March 27, 2025 Greg Paulson, ATP 6 Chair Southeast Minnesota Area Transportation Partnership 2900 48th Street NW Rochester, MN 55901-5848 RE: STBGP Funding Transfer Request Dear Mr. Paulson: Steele County was awarded $3,960,000 in STBGP funding for the East Side Corridor Project (SAP 074-070-009) for fiscal year 2026. Our project team has run into significant challenges to be able to deliver the project with these funds. Work to complete the environmental documents was started in 2021 and the Federal Highway Administration initially directed us to complete a Programmatic Categorical Exclusion document. In 2023, the FHWA redirected us to instead complete a Non-Programmatic Categorical Exclusion document which required us to do some significant rework. Now as we are nearing completion of that document currently estimated by late 2025, there are still significant remaining risks to be able to deliver the project in time to use these funds. Even if we complete the environmental document by the December 2025 deadline, we will not have enough time to complete final plans and significant right of way acquisition for construction in 2026. While negotiations have begun with the Canadian Pacific Kansas City Railroad (CPKC) for a necessary new crossing, they are slow to respond. Previous changes to a CPKC crossing on another project has taken over five years of negotiations and still is not resolved. Also, there is a neighborhood group adamantly opposed to this project and threatening litigation against the county which could pose significant risk to the project timeline. We would like to transfer these funds to another eligible project, the CSAH 48 Main Street (SAP 074-648-008) project for fiscal year 2026. This project is already federalized with a HSIP award of $450,000. The project will reconstruct CSAH 48 Main Street from Oak Avenue to Grove Avenue. A feasibility report was completed in 2023 and our team is about to start final design with construction easily feasible in 2026. Please consider this request for funding transfer. We request the ATP approve the request for a STIP amendment. Please contact me if you require additional information or have any questions. I may be reached at (507) 475-2253 or at paul.sponholz@steelecountmn.gov.	Exhibit 19	Public Data	13.01 13.03 13.03 Subd 1 - Accurate records 13.05 Subd 5(a)(1) 13.09	*- Inaccurate government data that resulted in material harm and a significant procedural change.* *-On April 8, 2025, Administrator Fry told residents that their GoFundMe stated they were going to sue the county. This was repeated by county staff and appeared to justify the breakdown in communication with residents. However, Fry later admitted she could not confirm that such a statement came from the group, making it inaccurate data, related to a Public Data Complaint Process* *- This unverified claim was reportedly used in official communications to justify decisions affecting a federally reviewed project, but no documentation has been provided to support it. If such communications exist, they are public data and should be made available under Minn. Stat. § 13.03.* *- The actions taken by the county occurred after residents began pursuing legal channels to obtain public data. The county has not produced data showing that the project status, communications with ATP, or other related decision-making were properly disclosed.* *- Commissioners appeared unaware of key project actions.*

		Sincerely, Paul Sponhólz, P.E. County Engineer Encl: CSAH 48 Main Street Feasibility Report Cc: Fausto Cabral, MnDOT District 6 State Aid Engineer Sean Murphy, City Engineer, City of Owatonna Andrew Plowman, WSB				
4/1/2025	**City Council Meeting Agenda**	City Council voted to ask the ATP for $750,000 extra funds for the project they want to move the $3.96M too. City Council discussed on the funds transfer 5 days **AFTER** the transfer was requested. **NO VOTE** to transfer funds was made. ESC was not included on the agenda to let as few residents as possible know. 3.3.2. Resolution 16-25: Requesting Federal Funds for Main Street (CSAH 48) Project This resolution is for a request for additional funds - which the county voted on. There was **NO VOTE** to transfer the funds from the ESC to this project, despite that being how the City Engineer Murphy described it in the city council meeting.		**Public Data**	**CITY VIOLATIONS, NOT COUNTY**	
		City Council Meeting Discussion: https://youtu.be/vh8e4X7KXwo?si=Wo0ys9wxkrCx9m8U				
		Agenda: https://owatonnamn.portal.civicclerk.com/event/773/files/agenda/1108				
		CITY OF OWATONNA **CITY COUNCIL MEETING** **Tuesday, April 1, 2025 at 7:00 PM** **Charles S. Crandall Council Chambers, City Hall at 540 West Hills Circle** **Roll Call: Council Members Burbank, Boeke, McCann, Svenby, Voss, Dotson, and Raney** **PLEASE NOTE:** At 5:30 p.m. Council will meet in a Study Session in Council Chambers, City Hall at 540 West Hills Circle. Council will review a draft of the proposed 2026-2028 Strategic Plan. 1. **INTRODUCTORY ACTIONS:** Call to Order; Roll Call and Pledge of Allegiance 1.1. Council Agenda 1.2. Mayor Jessop 1.2.1. Proclamation - Child Abuse Prevention Month - April 2025 2. **CONSENT AGENDA ITEMS** 2.1. Minutes – Council Meeting – March 18, 2025 2.2. Board/Commission Minutes 2.2.1. OPU Meeting - February 25, 2025 2.2.2. Human Rights Commission Meeting - February 11, 2025 2.3. Licenses/Permits 2.3.1. Event Permit - NHS Color Run - OHS - May 10, 2025 2.3.2. Retail Fireworks License - Walmart 2.3.3. Tree Trimmer Permits 2.3.4. Exempt Permit - St Mary's School of Owatonna - August 12-14, 2025 2.3.5. Exempt Permit - Sacred Heart Church - August 15-17, 2025 2.4. Miscellaneous 2.4.1. Flock Safety License Plate Reader (LPR) 2.4.2. Professional Services Agreement – 2025 Stormwater Education & Outreach - Clean River Partners 2.4.3. PFAS Source Identification and Reduction Grant - Minnesota Pollution Control Agency 3. **ACTION ITEMS** 3.1. Finance Report 3.2. Ordinances 3.2.1. First Reading Proposed Ordinance 25-05, Charitable Gambling. 3.2.2. First Reading Proposed Ordinance 25-06: Adopt S-8 Supplement to the 2015 Ordinance Code 3.3. Resolutions: 3.3.1. Resolution 15-25: MnDOT Variance 18th Street SE Trail Extension Project 3.3.2. Resolution 16-25: Requesting Federal Funds for Main Street (CSAH 48) Project 3.4. Miscellaneous 3.4.1. Authorization to Proceed - 2025 CIP Overlay				

CITY OF OWATONNA

DATE: April 1, 2025
TO: Mayor and City Council
FROM: Sean Murphy, Public Works Director
SUBJECT: Resolution 16-25: Requesting Federal Funds for Main Street (CSAH 48) Project

Purpose:
Requesting City Council approval Resolution 16-25 Requesting Federal Funds for Main Street (CSAH 48) Project.

Background:
Main Street (CSAH 48) from Oak Avenue to Chambers Avenue is in need of rehabilitation and reconstruction. Steele County is leading the effort on this project as it is a County State Aid Highway. The project was initially slated for 2029 but due to Steele County's construction schedule, they are proposing moving construction to 2026. The City intends to apply for Federal Highway funds are distributed through the Statewide Transportation Improvement Plan (STIP) following the approval of Resolution 16-25, applications are being accepted for 2029 and the City would reimburse the county with potential received federal funds at the time of fund reciept.

A feasibility study was presented and approved during the May 16, 2023 City Council Meeting.

Budget Impact:
Federal funds available for application total $749,000. Costs not covered by the federal funds will be paid for using State Aid Funds.

Staff Recommendation:
Staff recommends approval.

Attachments:
1. Res 16-25 Requesting Federal Funds for Main Street (CSAH 48) Project

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RESOLUTION NO. 16-25

A RESOLUTION AUTHORIZING FEDERAL TRANSPORTATION PROJECT GRANT
MAIN STREET (CSAH 48) REHABILITATION

WHEREAS, transportation projects receive federal funding from the Federal Transportation Act; and

WHEREAS, the Federal Highway Administration (FHWA) requires that sponsors agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right-of-way or property ownership acquired without prior approval from the FHWA; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with these funds, the above requirements should be applied to the project sponsor; and

WHEREAS, the City of Owatonna is the project sponsor for the transportation project identified as Main Street (CSAH 48) Rehabilitation.

NOW, THEREFORE, BE IT RESOLVED, that the City of Owatonna will assume full responsibility for the operation and maintenance of the property and facilities related to the aforementioned project.

Passed and adopted this _____ day of _____, with the following vote:

Aye___; No___; Absent___.

Approved and signed this _____ day of _____.

_____
Matthew T. Jessop, Mayor

ATTEST:

_____
Kris M. Busse, City Administrator/City Clerk

- This resolution pertains to a request for $750,000 in unused ATP funds; however, it is unrelated to the separate transfer of $3.96 million, which occurred without public oversight or formal approval and appears to have taken place outside of a transparent decision-making process.

4/1/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Apr 1, 2025, 9:56 PM subject:ESC Funding Shift Discussion Dear Commissioner Abbe, At tonight's City Council meeting, we learned that funding originally allocated for the East Side Corridor (ESC) is now planned to be moved to the Main Street project. This raises serious questions about the future of the ESC project. Can you clarify what this means for the ESC? Is the project being delayed, restructured, or potentially abandoned? Given the extensive discussions and impacts this project has had on residents, transparency on this shift is crucial. I would appreciate any information you can provide on this decision and the county's position moving forward. Thank you, Melissa Zimmerman				
4/2/2025	**Email**	from:Abbe, Jim <Jim.Abbe@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Apr 2, 2025, 7:40 AM subject:Re: ESC Funding Shift Discussion Good Morning, This is the first I've heard of this. I would ask that you reach out to commissioner Brady as he is on that committee and may have more insight. Hopefully we will be all brought up to speed on this at a work session sometime soon. Have a great day! Jim Abbe County Commissioner		**Public Data**	**13.05 Subd 5** **13.03**	*- The uneven distribution of information—where other entities appeared to receive key project updates not made publicly available—suggests a breakdown in the county's duty to manage and provide public data in accordance with Chapter 13. Ensuring all relevant data is accessible to both the public and elected officials is a fundamental requirement of the Government Data Practices Act.*
4/2/2025	**Emails**	See the Rest of the on the Data Request Tab: 04.09.2025 Federal Funds - MZ				
4/8/2025	**County Commissioner Meeting**	**12 Days AFTER** County Engineer Sponholz requested funds be transferred Commissioners were able to first publicly discuss. There was **NO VOTE** on this transfer or appropriation of federal funds. Public input was not allowed. **Also, the county has received information that a neighborhood group may bring litigation against the project which could potentially delay construction.** Again it stated a neighborhood (our group is the only one and verbally it was indicated to be "us") was bringing litigation. This is another false claim as we have never threatened litigation and spent 3 years trying to work with the county and city to come to a compromise that would work for everyone. This false claim to reallocate federal funds means federal safeguards residents have advocated for years for would also be removed from the project. The county is well aware of it as that is exactly what they tried to do in 2024 to avoid noise mitigations.	See Tab: 04.09.2025 Federal Funds Cell C10	Public Data	13.01 13.03 13.03 Subd 1 - Accurate records 13.05 Subd 5(a)(1) 15.17 13.09	***- Residents had planned to attend and provide input at the meeting where the East Side Corridor (ESC) was on the agenda. However, those who arrived at the posted start time were locked out and denied access to the meeting.*** *- Data needs to be easily accesible. The first commissioners were seeing it was 12 days AFTER it was already done.* *- Public data now reflects inaccurate infromation - residents never indicated they intended to sue.* *- As a result, residents have been systematically silenced and denied any meaningful public input and access to governement sources for data. Meanwhile, closed-door meetings appear to have granted disproportionate influence to parties who are not directly impacted by the project—sometimes more so than elected officials themselves.*
		Commissioner Meeting: https://youtu.be/_uL4eX3shZQ (Item 14 starts at 21:36 public comment prior to that)	**Link**			
		Agenda: https://www.steelecountymn.gov/Commissioners/2025/BM%20Packet%2020250408.pdf	**Exhibit 19**			

STEELE COUNTY BOARD AGENDA
Administration Center - 630 Florence Avenue – Owatonna, MN 55060

Steele County's Mission:
Driven to deliver quality services in a respectful and fiscally responsible way.

TUESDAY, APRIL 8, 2025 at 5:00 PM
County Boardroom, Steele County Administration Center

Persons with background material for agenda items are asked to provide them to the Administrator's Office 5 days prior to the meeting date so that the material can be linked to the online agenda. If handouts at the Board meeting are necessary, please bring enough copies for the Board, county staff, the press and the public. Generally, 15 copies should be sufficient.

Agenda

1. Call to Order
2. Pledge of Allegiance
3. Approve Agenda
4. Public Health Services Video

Public Comment

Those wishing to speak must state their name and address for the record after they are acknowledged by the Board Chair. Each person will be limited to two (2) minutes to make his/her remarks.

Speakers will address all comments to the Board as a whole and not one individual commissioner. The Board may not take action on an item presented during the Public Comment period, unless the item is already on the agenda for action. When appropriate, the Board may refer inquiries and items brought up during the Public Comment period to the County Administrator for follow up.

Correspondence

5. Environmental review for wastewater treatment and/or collection system project letter (pg. 4)

Consent Agenda - *Items listed on the Consent Agenda are considered routine and non-controversial by the County Board. There will be no separate discussion of these items unless requested by a member of the County Board.*

6. Approve March 25, 2025 Board Minutes (pg. 7)
7. Approve March 25, 2025 Board Work Session Minutes (pg. 12)

[redacted]

8. Approve Bills (pg. 14)
9. Approve Personnel Report (pg. 49)
10. Adopt a **Resolution** accepting a cash donation for the Steele County Sheriff's Office from Dean and Kathryn Mennen in an amount of $500.00. (pg. 50)
11. Approve SE MN Emergency Communications expense increase from $1,000 to $4,334 (pg. 52)
12. Approve MN DNR Boat and Water Grant in an amount of $3,124.00 and authorize the Chair and the Sheriff to sign. (pg. 54)

General Agenda

13. April Anniversary Report (pg. 64)
14. East Side Corridor Federal Funding Transfer Request (Informational) (pg. 65)

County Board Work Session – Thursday, April 8, 2025

- The litigation claim has further been used to prevent commissioners from engaging with their constituents, despite residents explicitly stating there is no intention to sue further denying access to data. The county has not retracted this claim, nor provided any documentation to support it.
- No public vote has been recorded authorizing the reallocation of $3.96 million in federal funds. If those funds are quietly withdrawn in the future, there may be no traceable record of how or why that decision was made—undermining transparency and accountability and has no historical data.

		Steele County **Agenda Item** Informational **Subject: East Side Corridor Federal Funding Transfer Request** **Department:** Highway **Committee: Public Works** **Committee Meeting Date:** NA **Work Session Date:** NA **Board Meeting Date:** April 8, 2025 **Purpose:** To provide information regarding a request to transfer federal funding from the East Side Corridor (ESC) Project to the CSAH 48 Main Street project **Background:** The County was awarded $3,960,000 in federal funding for the ESC Project. Conditions of using that funding requires a federal environmental document completed by December 1, 2025 and construction started in 2026. The County has been working on that document since January 2022. Even though the environmental document is nearly complete, the project team no longer is confident that the remaining environmental and final design work will be completed to meet the federal timelines. Past delays were due especially because the Federal Highway Administration (FHWA) changed which level of environmental document to prepare, which added more than a year to the project timeline. Recently, a significant change on the consultant staff disrupted progress. Then with the changes in the federal administration, federal policy is changing which will likely require significant changes to the makeup of the federal environmental document adding more delays. In addition to delays, some significant risks could affect the project timeline. Staff still needs to complete an agreement with the railroad for a new crossing. Staff has already started working with the railroad to complete the agreement and anticipate it completed with the final plans, but the last similar agreement has taken over five years of effort. Also, the county has received information that a neighborhood group may bring litigation against the project which could potentially delay construction. With those delays and those significant risks, staff is asking the Southeast Minnesota Area Transportation Partnership (ATP) (the entity that reviews and approves this federal funding) to transfer that federal money to another eligible project so the county doesn't lose that funding. Staff is asking that the money be transferred to the CSAH 48 Main Street project, a project that already has federal funding awarded to it and can meet the required timelines. The ATP meets March 11 to consider this request. If approved, the Main Street project which has final design budgeted in 2025 would move construction from 2028 to 2026. The project team is working with MnDOT and FHWA to determine what this means for the ESC project, but has no further information from them at this time. The team intends to continue moving the ESC project along as quick as possible, aiming for construction starting late 2026 and finishing about 2028. **Financial Impacts:** If the transfer of funds is approved, staff will make proposals to shift other funds currently allocated to Main Street to the ESC to replace the federal funding. There is no change to the overall budget or funding amounts. If the transfer is not approved, the ATP could reallocate the funding to another county and we would lose that funding. **Attachments:** NA				
4/8/2025	**In Person Conversation After County Commissioner Meeting**	Audio recording available upon request **Transcription:** This conversation occurred after the April 8, 2025 Commissioner Meeting. Melissa Zimmerman went to talk to Commissioner Jim Abbe after the meeting. Zimmerman was cut off from conversations with Abbe by County Administrator Renae Fry where she proceeded to yell at Zimmerman for the next 25 minutes. Fry's posture was in an aggressive stance leaning forward encroaching on personal space such that Zimmerman had to take a step back to create comfortable space. Fry's voice was loud, her tone was sharp, and wouldn't let others have a word edgewise. Matt Sennott and Ross Zimmerman joined the conversation after hearing Fry's yelling from the lobby, outside the board room. Gale Jorgenson was also present talking to County Engineer Paul Sponholz. Furthermore, 2 of Zimmerman's young kids were present from the board meeting. It was a hostile environment that felt very intimidating. ZIMMERMAN: Thank you for asking the questions tonight. I wasn't trying to single you out in the comments either. I was ABBE: I didn't take it that way. I wasn't. If I'm not on that committee I'm not aware until it makes it to our packet. ZIMMERMAN: Right. Commissioner Brady had just said we weren't addressing one commissioner.			Creating a hostile environment for public engagement	

ABBE: I heard that and I knew you weren't. That's ok. It was accurate. I said that, so that's fine.
ZIMMERMAN: Right, and not that you should have known. That was an honest answer.
ZIMMERMAN: The question of how did we get here. That's a great question. Could we sit down some time and discuss that?

ABBE: What is it going to fix at this point? I just wanted him to tell me, or somebody to tell me, but it's probably not
ZIMMERMAN: We've got ideas on how we can work together. I think that's a lot of it, we've been fighting each other.
ABBE: But you've heard me say all along, we should have discussions about mitigations instead of fighting about creating
ZIMMERMAN: So we have put in data requests and we are struggling to get any data
ABBE: You do know when you threaten litigation we probably shouldn't talk.
ZIMMERMAN: Right?

The only person to mention "litigation" was the county Engineer: https://youtu.be/_uL4eX3shZQ
Never has anyone in our group said "We're going to sue you." (We've tried to avoid legal actions.)

ABBE: Cus I heard that 3 times tonight.
ZIMMERMAN: But at the same time I have put in data requests that I haven't even gotten acknowledgements that

Assuming he meant the GoFundMe for the DoA investigation was "litigation".

ABBE: You've gotta have that conversation with the county attorney.
ZIMMERMAN: He won't speak to me.
ABBE: That's where you've got to go. I'm sorry. But that's where you have to go.
ZIMMERMAN: Anyway, aside from that, in the data we have found, there are ideas and solutions that absolutely will work.
ABBE: We'll have those discussions later.

FRY: [Cutting off Zimmerman's conversation and visibly angry.] Yah, but the reality of it is, Rob did respond, the first data request you sent which is we'll get to it when we get done with Matt's so the fact that you have added extra data requests means they just get added to it. We've still gotta get through Matt's and when we get through Matts then we'll get through the rest of them. And you were questioning about redacted documents. We have to look at every.single.document. Before we can release it to the public. Because I can't guarantee that if I looked at the first 2,000 that there isn't one in the next thousand, but you were critical of my team in saying "Oh what's being redacted", that's not the point. The point is I can't the document until we lay eyes on it.
ZIMMERMAN: When was I critical of saying what was redacted, because
FRY: [Interrupting] No, you were critical in saying none of these documents contain private data, why do you have to look at it.
ZIMMERMAN: That's not what I said.
FRY: [Interrupting] Well unfortunately you were quoted in the newspaper as saying that and our point is, I can't release a single document until somebody lays eyes on them.

- For the past three years, residents have consistently asked a simple question: Can we sit down and have a conversation?
*- The answer has repeatedly been "not yet," "later," or an outright **"no"** —even as similar conversations have taken place with other entities, including the township.*

- The response has always been "later," but by now, residents should have already been voting on a noise wall—the final and most critical decision regarding mitigation. When exactly is "later"?

		Owatonna People's Press Article (3/4/2025): https://www.southernminn.com/owatonna_peoples_press/news/corridor-conflict-north-country-group-calls-foul-on-communication-transparency-following-data-request/article_14beb420-f869-11ef-9720-3f7d3e0f043c.html According to Sennott and Melissa Zimmerman, another Stony Creek resident and vocal member of the North Country group since the beginning, they have inquired about the total cost of the data request "should we choose to pay for it." They say that question has not been answered from the county, and furthermore have "not seen a single redacted email — suggesting that no redactions have even been necessary." "We are also deeply concerned about the time spent removing duplicates when, per public data regulations, the only content that should be redacted is non-public data, which is minimal in this case," the duo told the *People's Press*. "This raises serious concerns about the integrity of the data we are receiving and whether public data regulations are being properly followed."			
		ZIMMERMAN: We agree with that.		
		FRY: [Talking Over.] And we're talking 3,000 documents. I spent 40 hours myself going through all of those.	**Public Data**	**13.03 Subd 2(a)** - complied with in an appropriate and prompt manner. *If Administrator Fry has reviewed all of the documents, why have residents not been granted access to them—especially considering that nearly 225 days have passed?*
		ZIMMERMAN: We absolutely agree with you going through the public data. What we said was nothing we have received has been redacted. FRY: [Interrupting] Because there hasn't been redactable info, but we still have to look at it. ZIMMERMAN: Right. We agree.		
		FRY: yah, so the point is I think we're sitting on about 1,000 because none of us have had the time to do it and we'll get to it.	**Public Data**	**13.03 Subd 2(a)** - complied with in an appropriate and prompt manner.
		ZIMMERMAN: But I'm not even getting a response to say we have received this. In fact the last one that I have heard from, it was denied.	**Public Data**	**13.03 Subd 2(a)** - complied with in an appropriate and prompt manner. **13.03 Subd. 3 (a) -(f)**
		FRY: Well because it was the one with the questions on it, right? ZIMMERMAN: Those were topics, yes. FRY: See and if you look at the data practices guide you cannot, it's actually improper form to ask questions. So Rob was following the state guidance and saying "no these are questions". So if you were. You needed to provide the form which is I want these documents.	**Public Data**	**13.03 Subd 3(a)** **13.09** *- There is no required format for submitting a data request under the MGPA. Additionally, agencies are obligated to answer questions that clarify or relate to data. In this instance, residents merely asked foundational questions—such as "When was the committee created?" and "What is its purpose?"—to guide their request, yet those basic inquiries went unanswered.*
		ZIMMERMAN: I did. I used your form. FRY: [Interrupting] Yup, and so, but the point is that you than resubmitted. But the ques—you kind of gave us that guidance. All that does is you removed the question marks. Yes we will use it to frame it. I will talk to Rob to make sure you are getting those acknowledgements, I'm verbally telling you, yes we got them, but the reality of it is we not even going to be able to start looking at yours until we get through Matt's, because it still comes down to time.	**Public Data**	**13.03 Subd 3(a)** **13.03 Subd 2(a)**
		ZIMMERMAN: And that's fine, but we should be able to get a response saying "we got your data request". SENNOTT: We'd just appreciate some collaborating. Not these stages of denying this. ZIMMERMAN: Right SENNOTT: it's the tone. It's the we don't have to answer questions.	**Public Data**	**13.03 Subd 2(a)**
		ZIMMERMAN: Right, that's what I got, "We don't have to answer questions so I'm denying it." Now if it was in the wrong format than	**Public Data**	**13.03 Subd 3(f)** *- No legal reason for denying*
		FRY: [interrupting] No not the form, no if you read the data practices guide it basically says don't ask questions because we're not require nor are we allowed really to answer those questions. The data request is to produce existing documents. ZIMMERMAN: right if FRY: [Interrupting] If it wasn't friendly, my apologies.	**Public Data**	**13.03 Subd 3(a)** "upon request, shall be informed of the data's meaning." *- The request did not seek explanations or opinions—only access to existing data.*

		SENNOTT: You don't have to apologize for his actions. FRY: But ultimately we'll make sure you're at least given the written acknowledgement that we have it. I can't give you an estimate of time. It's probably a good 2-3 months out. ZIMMERMAN: Ok, that's fine. FRY: [Interrupting] Because we just don't have the staff to be able to go through that volume. We will get to it as quickly as we can. SENNOTT: The other thing that is going unanswered by the attorney is that we have been more than willing to prioritize and if we can get the data we need in 10 documents, I mean there it is. Right, but there's no back and forth what so ever.	**Public Data** **Public Data**	**13.03 Subd 2(a)** - complied with in an appropriate and prompt manner. **13.03 Subd 2(a)**	*- It's been over 6 months.*
		FRY: I'm not too sure how to do that with you to be perfectly candid. You know, you prioritize by saying focus on the emails that reference wsb. That's probably the best we can do b/c we have to write queries. We don't have the luxury to scan and say here's another way to write it. SENNOTT: I can tell you like from and who to and I think that would help out. But he's not willing to cooperate. ZIMMERMAN: Yah, everything we say is getting shut down. SENNOTT: I'm willing to give you as much information as you need. FRY: [Interrupting] The last email I got from you is you still want it all, but you gave us the priority of WSB SENNOTT: I don't want to rescind my request b/c I might need all of this request if I don't get the information up front that I'm looking for. But I'm willing to work with you, b/c once I get that then it's like, hey listen, this is done, I don't need you to look anymore. FRY: Then send me an email tomorrow or whenever, and just say this is what I'm looking for prioritize for this. Prioritize for this. Cus then we can write a query and apply that against it and maybe that can shorten the list a little bit, but I still have to have people to look at it. So it's a 2 part process. But if you can send me an email that revamps, you know dials in, maybe based on what you've already seen here's what you're looking for then I can have IT re-run the query. But I'll be candid with you, I still have to find the team, the staff, to actually lay eyes on it. And that's really tough to do on top of all the full time work everybody else is doing. But we're trying. We're making it a point. We've had a couple out for various reasons. One of his assistants is now out on maternity leave. So that whole team is now down a full time person and then some. Plus we have a murder trial. You've probably seen that in the news paper. That's been taking up there team. But so far he's got the team that an look at them faster than any of the rest of us can.	**Public Data**	**13.03 Subd 2(a)**	*- Staffing levels and workload are not valid reasons for delaying responses to data requests, as confirmed by prior advisory opinions.*
		SENNOTT: And the other issue is photographing. He's bucking us on that. **I mean it has been one barrier in front of another in front of another**. And not from you. You've been very decent to work with. It's this gentlemen here. And that's the problem. FRY: But I'll tell you, I back him 100% that if you take an image of a document that's a chargeable thing. In other words that's $0.25 an image. So that practice.	**Public Data**	**13.03 Subd 3(a)** **13.03 Subd 3(b)** **13.03 Subd 3(c)**	*- Public data is available free of charge. While government resources may incur charges for copies, using personal devices to capture data does not involve county resources, and therefore, charging for a photograph is effectively charging for the data itself.*
		SENNOTT: The state has already disagreed on this. ZIMMERMAN: Yah, the state has rulings on this and FRY: No. Not rulings. An opinion was once issued. ***We are not required to follow opinions.*** He's following the professional opinion or county attorneys. There's a network of county attorneys that talk about how they want to handle these things so that practices are standard. So we're following the state standard of other county attorneys, that if you take a image that's $0.25/page.	**Public Data**	**13.09** **13.03 Subd 2(a)** **13.03 Subd 3(a-f)**	*- Willfully ignoring regulations and state-issued opinions.* *- Failing to adhere to established regulations.*
		We're concerned they have no intention to follow DoA recommendations. They just lost a public data lawsuit in January for these exact practices.	**Public Data**	**13.09**	
		ZIMMERMAN: You see, that was never actually stated to us. We were told absolutely no photographs. FRY: Then....that I'm sorry, cus I do understand that that was clarified in one of the meetings that you had with Rob. That if you wanted images or to I mean I think he's just making the copies b/c it's easier b/c it's on a computer for him to run the copies. But if you take a photo copy it's just as much an image that requires the collection of a fee. I don't know who was in the office that day or whatever but.	**Public Data** **Public Data**	**13.03 Subd 3(a), (b)** **13.03 Subd 3(a), (b)**	

		It's not an easy process to print, as they have to swap data around form one computer to another. But more so, charging for a photo is charging for public data – copies are paying for government supplies like paper and ink. Public data is FREE. Minn Statute: 13.03		
		ZIMMERMAN: And the state has said if you use your own equipment to copy anything than FRY: [Interrupting] That was an opinion an advisory opinion. We are not obligated to follow it. That was just a recommendation. Again he is following the guidance that's given across all of the county attorneys b/c we are looking to standardize our practice. There's a team, obviously we've already been in touch with them so if you ever have any questions or concerns out of the office of administration. **You can always follow up with them and they will reach out to me. And so we're happy to follow that.**	**Public Data**	**13.09** **13.03 Subd 2(a)** **13.03 Subd 3(a-f)**	*- Willfully disregarding regulations and state-issued opinions.* *- Other counties did not impose charges for photographs of public data.* *- Before Renae Fry's arrival in June 2024, Steele County actively encouraged photographs of public data.*
		The Department of Administration (DoA) contacted Steele County on January 13, 2025, supporting residents' position that taking photos is permitted and free of charge. The County Attorney, Jarrett responded: "I disagree."	**Public Data**	**13.09**	
		SENNOTT: Well, you all didn't. B/c we did reach out to them. ZIMMERMAN: And they reach back out. SENNOTT: And you all didn't follow what they said. FRY: [Interrupting] **But again, it's not that. They provided an opinion and we're not obligated to follow it.** So Steele County practice is to charge $0.25 a page however you take an image. Whether you take it on your phone or whether we produce the copy. And that is our practice across the board. You're not excluded or treated differently.	**Public Data**	**13.09**	
		ZIMMERMAN: So in that case, when I had other data requests, and I came in for them, why was I told "And you can go ahead and take all the photographs you want. We highly encourage it. Go ahead and take them all." FRY: Than I have no idea who you spoke with. I don't know who that was.	**Public Data**	**13.03 Subd 3(a)** responsible authority may not assess a charge or require the requesting person to pay a fee to inspect data.	
		SENNOTT: No that was something of other documents that weren't related to this project. So when we see this FRY: Was it the minute books? ZIMMERMAN: Yes. FRY: Cus the minute books you should have been charged $0.25 per page for those as well. ZIMMERMAN: And I was highly encouraged to take photographs of them. SENNOTT: And we see that as because we're being penalized because it's related to this project.	**Public Data**	**13.03 Subd 3(a)**	
		FRY: [Interrupting] Again I, don't know who you were working with on that one. So you got a freebee. Run with it. That won't happen again, unfortunately. ABBE: What did you say about being penalized? SENNOTT: Because the documents were unrelated to the ESC, she was able to take	**Public Data**	**13.03 Subd 3(a)** **13.09**	
		FRY: No, that was a miscue with my staff. She got a freebee. She should have paid $0.25/page. SENNOTT: The reason we see it the way we see it until now, what you're telling us, this was punitive b/c this is related to ESC now we owe $0.25 and actually it wasn't even we can take photos. I've got it in writing it was absolutely no photos.	**Public Data**	**13.03 Subd 3(a)** **13.09**	
		FRY: Since it is his team managing that computer, I'll give him some deference on that. SENNOTT: Understood. That's why we're following up with the state. I'm not taking this against you. FRY: No, No. They're there for a reason. SENNOTT: The state is there for a reason. The Advisory FRY: [Talking over] Use them. Yup, they mediate, they facilitate. SENNOTT: You said no photos what so ever. The state disagreed through the advisory. And so that's why we're perusing	**Public Data**	**13.03 Subd 3(a)** **13.09**	
		FRY: [Interrupting] Let's be clear, that's not the state disagreeing. That was an opinion that was generated and we're not obligated to follow it. So don't make this that the state of Minnesota has told us something. SENNOTT: So you're saying we cannot take photos what so ever. That's what he said.	**Public Data**	**13.09**	*- On 1/13/2025, the State informed the county that photographs of public data were permitted.*

		FRY: [Interrupting] My practice is. Ok, I'm not going to step into whatever guidance he is giving his staff. If you are walking away with that image, I don't want to get in the middle of a contest as to whether it's on your phone or you walk SENNOTT: Again, it's not you, it's him. And he's said no photographs allowed what so ever. FRY: [Talking over] But if his staff is wanting to manage the number of pages that you guys are walking out with, I can see his point. I really can. I'll give him that professional curtesy. SENNOTT: I don't think you can do that, and that's why we're taking that up with the state. FRY: Absolutely, yup.	**Public Data**	**13.03 Subd 3(a)** **13.09**	
		SENNOTT: And understand too, that we are not litigating	**Public Data**	**13.03 Subd 3(a)** **13.09**	
		FRY: No, no no.			
		SENNOTT: the project. That was was stated in stated in the meeting minutes or agenda.	**Public Data**	**13.03 Subd 1** - Accurate records **13.05 Subd 5(a)(1)**	*- The claim of litigation is false and misrepresents the situation, misleading both decision-makers and the public.*
		ZIMMERMAN: Yah			
		FRY: Well it's been implied a few times.	**Public Data**	**13.05 Subd 5 (a) The responsible authority shall:** **(1)** establish procedures to assure that all data on individuals is accurate, complete, and current	*- Residents have not had any intention of pursuing legal action against the project at this point in time. It is unclear how something that is not our intention could be "implied."*
		ZIMMERMAN: Not from us. SENNOTT: I don't know where that's coming from.			
		FRY: I don't know if it's the papers or whatever, but there have been "we're going to sue you"	**Public Data**	**13.05 Subd 5 (a) The responsible authority shall:** **(1)** establish procedures to assure that all data on individuals is accurate, complete, and current	*- No newspaper has indicated residents' intent to sue, as there was no such intention at this point in time. We can provide all copies of the local papers upon request.*
		ABBE: Wasn't that stated in public comment tonight? Like 3 or 4 times.			
		FRY: We've been told several times "we're going to sue you", "we're gonna sue you".	**Public Data**	**13.03** **13.085** - False accusations came after residents' made public they were going to file ADMINISTRATIVE REMEDY	*- These allegations are yet another attempt to cut residents off from access to public data by limiting communication from elected officials and restricting information related to data requests.* *- They also serve as an effort to silence residents from speaking out during public meetings.*

ZIMMERMAN: No. What we said was we were perusing state assistance for the data practices.
ABBE: Tonight? In public comment?
ZIMMERMAN: Yup.
SENNOTT: Yes. Yah.
FRY: And that process
ZIMMERMAN: And that's what's been twisted into
SENNOTT: And that's the state process. It's not us getting an attorney and saying this. Now, will there be legal implications if federal funding is pulled and Paul tries not to follow noise and safety mitigations to the same degree if federal funding was there. Yes, I mean maybe. That's on the table then at that point because that changed the whole game. **But today, we are not litigating against the project, yet that was what was in the county agenda.**

FRY: I think it was your go fund me. There was reference to a lawsuit. I don't know that it was abundantly clear that you were gather money to file a data request action. Again that may be where we got it.

https://www.gofundme.com/f/steelecountyfamilies
Steele County and the City of Owatonna are planning a $30M+ highway project called the East Side Corridor (ESC) that will run dangerously close to our homes—some within just 17 feet of the right-of-way. Many families with young children live in these neighborhoods, yet many city and county leaders refuse to engage with the community in good faith.
Despite our legal right to access public records under Minnesota's Chapter 13 Data Practices Act, release of all data by the county and city is being delayed, blocked, and denied. It has been months since we requested this data (October 2024 for county and January 2025 for city).
County and city meetings have been held behind closed doors, with no public documentation.
Citizens have been denied access to public data, and even when available, they are not allowed to photograph it—despite state and local precedent.
What are they hiding?
Our message to local officials:
"Government should work for the people, not against them. We have followed the law. We have asked for transparency. Instead, we have faced roadblocks, secrecy, and silence. We will not stop until the truth is revealed."
To demand accountability, we need to file a legal request for the State of Minnesota to investigate these violations. Each request costs $1,000 per government entity, meaning we need to raise at least $2,000 to move forward. If violations are confirmed, fines may be imposed, records will be required to be released, and individuals could even be removed from office.
Every dollar counts! Any unused funds will be donated to local organizations that strengthen our community. This isn't just about a road—it's about accountability.
How You Can Help
✅ Donate – Even a small contribution makes a difference.
✅ Share – Spread the word to friends, family, and neighbors.
Together, we can demand transparency, accountability, and a voice in the future of our community!
For more information about our cause, please visit our website and Facebook page.

SENNOTT: Maybe go read that again.
FRY: But there were other statements made prior to you're GoFundMe there were statements made that you know "we're going to sue", "we're going to stop". **I can't say that it came from you or who the source was but obviously that had been communicated.**

- Residents were clear that they had no intention to sue or bring litigation to the project at this time.

Public Data | **13.03 Subd 3-4**
13.085, subd. 2(b)
13.09

- Misrepresenting our GoFundMe further limits cooperation and access to public data.
- Limiting our access to county staff did not work, so this will now limit county staff from us.
- a pattern of disparagement or hostile governance.

- Our GoFundMe campaign was clear that we were seeking funds to file a request for the State of Minnesota to investigate the public data violations.
- Nowhere does it say we are bringing litigation against the project or that we intended to sue the county.

Public Data | **13.03 Subd 3-4**
13.085, subd. 2(b)
13.09

- This is the third change in narrative, and none of them are accurate. We have never said "we intend to sue."
- Fry admits it didn't come from us. You cannot accuse someone of something someone else said!
- This disregard for truth has been used to cut off contact with all county staff.
- I'm sure people make th ose statements often, but that doesn't mean they can be applied to everyone else as you see fit.

ZIMMERMAN: We have absolutely not said we are going to sue.
SENNOTT: We've also said we're not against a road.
ZIMMERMAN: We've been trying to work with you guys for 3 years to avoid. That's our goal.

FRY: Than I'm going to give you just a little bit of advice and it's advice you don't have to follow it. Please do not stand at that podium and publicly bashing that county engineer. That is probably the way you're loosing the most credibility, is the fact that you're publicly attacking an individual who's doing his job. Now you may not like the job he's doing. You may disagree with is process. But please do not publicly bash the county engineer in your public comments. Please please just don't do that. You can express your frustration. You can say I'm concerned about the manner in which things have rolled out. The manner in which communication is happening. I will agree a lot of this is helter skelter. But it's also the nature of the beast in dealing with the state and dealing with the feds. And all the rest of that. We were very optimistic. We were really thinking we would get those public sessions yet this spring and then we get hit with WSB losing their key author. And they've not been able to refill that position yet. So now that's set us back. That's not intentional on our part, but it is something we have to live with. So this is not meant to…

ABBE: However, I think I heard somebody say tonight it was intentional that those funds were moved. Or hoping to move to main street.
SENNOTT: It has the appearance of that
ZIMMERMAN: It certainly appears that way.
ABBE: Well, that's not the intent. I hope that was what I conveyed in saying we don't want to lose those dollars. I think guys would all agree, you're the same people that would say you need to manage your money effectively.

ZIMMERMAN: Absolutely we don't want to loose the money.
ABBE: I know we don't.
SENNOTT: The fact that it came right after we funded
ABBE: Well, the timing doesn't look the best. I agree with you. That's not the intent.

ZIMMERMAN: And Paul, and I know this isn't in your wheel house but Sean Murphy has said many time we can expect this project not to be built until 2027 and later and that's not a problem. So then 4 days after we do a GoFundMe this money is moving.

- Again residents clarify

- Despite countless violations, residents have continued to make a good-faith effort to support the successful and transparent completion of this project.

- County spent significant time evaluating the consequences of dropping federal funds solely to avoid noise mitigation requirements away from the public eye as learned from public data.
- A secret alternative was developed and studied without public oversight or transparency and never presented to the public
- Amid ongoing public data violations, residents publicly launched a campaign to file formal public data complaint with the state.
- On the very day the campaign received funding, the county moved federal funds—funds that guaranteed noise mitigation—without oversight, despite no prior indication of deadline concerns (it was widely understood the project was projected for 2027, and this was not an issue) again without public data.
- Almost immediately, false narratives began to circulate about residents, which were then used to justify cutting off communication between the county and the public deniy in access to public data.

- Because he refuses to engage in direct conversations with his constituents and there are concerns his email may be compromised, we have no effective way to share all the information we've gathered through public data despite our best efforts.

		FRY: Yah it was really we had to have plans by April 1 [2026] and we had to complete all of our environmental by December 1. It was only just recently that we just found out that to realistically think we were going to meet those deadline it would have been irresponsible of us to not go back to ATP and see if we could find another qualifying project.	**Public Data**	**13.03 -** Public Data **13.09**	*- Fry attempted to misrepresent the project timeline, referring to April as 2025 when in fact it was April 2026 — a full year later.* *- Data requests continue to be denied.* *- Meeting minutes from March 3, 2025, reflect no indication of deadline concerns.* *- A public meeting on February 25, 2025, clearly stated that the noise wall vote was expected in 1–2 months, with an EAW comment period to follow in April or May.* *- No public input was solicited, and no recorded vote took place.*
		ZIMMERMAN: So was there discussion of this before March 25th? FRY: Of him moving the funds? ZIMMERMAN: Yes. FRY: We've always talked in terms of are we going to meet the deadlines? **ZIMMERMAN: So when did that narrative change b/c a month ago it was "yah no problem, we're going to do this noise…"**	**Public Data**	**13.01 Subd 1** - Government data must be accessible to public **13.03 Subd 2** - Requests must be responded to prompt and appropriate **13.09** Willful violations	*- A data request was placed and dismissed as "nonsense," despite clearly asking for relevant information.* ***- The March 3, 2025 meeting included no mention of deadline concerns.*** ***- The next scheduled meeting was April 8, but on March 27, 2025 — in between — federal funds were requested to be moved, without public input, and after residents were told to expect final steps.*** *- No answer was provided as to when it became apparent that funds needed to be moved or why that urgency was never shared publicly.*
		FRY: WSB lost a staff member in that period of time and it became very obvious we're not going to be able to get, well we have a new president. We've got shake ups at all levels of the federal government. We've got the state MnDOT going "We don't know what the heck's going on". So there's a lot of volatility that's happening right now. Unfortunately, it coincidentally aligned with the things you're doing. But absolutely, me and my staff know full well, I've dealt with the office of administration. They're your ally, they're your advocate. This is not at all about you seeking out the remedies that are out there.	**Public Data**	**13.03** **13.09**	*- Fry admits a critical change in the project timeline occurred behind closed doors, but:* *- No mention of this staff loss or deadline failure appears in public meeting minutes. (WSB Staff left in January and wasn't posted until May per WSB website)* *- Application to transfer federal funds was never brought before the board publicly or voted on - so no record.* *- Framing it as your "advocate" subtly undermines its regulatory authority.* *- Could be viewed as attempting to manipulate or minimize our use of state oversight — potentially obstruction of access to remedy.*
		SENNOTT: So I've got a quick question. You say this kind of is circumstantial timing and everything like that, so we have commitments from the county that you will follow the exact same as stringent guidelines the federal government has to make sure we're safe FRY: [cutting Sennott off again] **That commitment is going to be entirely dependent on what the state of MN tells us. So in other words, we're going back to the state of Minnesota and we're saying "What will you require". And we're waiting for the guidance, we don't know what it is.** I think obviously we want to take that sound wall process if that's what the mitigation suggests is the right tactic and more importantly we would want input, but I've also heard from our neighbors "You don't want a sound wall you want a sound wall b/c you're hoping"	**Public Data**	**13.09**	*- Public data showed the county knew the requirements in April-May 2024 when they secretly tried to drop funding and never made the data public.* *- Ms. Fry has not indicated a commitment to upholding the standards established under federal funding. The transfer of those funds effectively removes the obligation to construct the $2.3 million noise wall—an outcome that internal documents suggest was never intended to be fulfilled despite its importance to impacted residents.*

		ZIMMERMAN: No one wants a sound wall. No one wants a sound wall, lets be real. But we're willing to vote for a sound wall to keep us safe. That's what we've always said. SENNOTT: There's no intention of building a sound wall, which is in Paul's emails so. FRY: K, So how do you think a sound wall is keeping you safe. ABBE: Whaaaat, explain that to me, what did you just say? ZIMMERMAN: Paul has outright said in his emails we're not going to build a noise wall. FRY: how many years old is that. ZIMMERMAN: 2024, May of 2024 ABBE: Who said they don't want a sound wall. ZIMMERMAN: Paul, and that is why I asked if we could talk because I have emails. SENNOTT: It's in writing. I've read it at one of these meetings and at city council meetings. ABBE: Ultimately that vote rests here. Z&FRY: No, it rests with us. FRY: But you're telling us…. ABBE: You want a sound wall. SENNOTT: Yes. ZIMMERMAN: No, we don't want one but we absolutely will vote for one to keep us safe. SENNOTT: If it's between safety and noise mitigations we'll vote for one. ABBE: Let's go to the safety thing, we should and that's what I was alluding to earlier. What mitigations should we do. If I was in your neighborhood I could tell you categorically I wouldn't want a noise in my backyard.	**Public Data**	**Minn. Stat. § 13.03** (Access to Government Data) **Minn. Stat. § 13D** (Open Meeting Law)	*- It appears Commissioner Abbe may not have been fully informed that staff did not plan to include a noise wall in the project, a detail that was not clearly communicated to either the public or decision-makers.* *- Since residents first raised the topic, there have been ongoing efforts to discourage pursuit of noise mitigation. Additionally, Commissioner Abbe may not have been provided with complete information or training regarding the noise wall eligibility process—resources and data generally common in these kinds of projects, that residents also requested but were not granted.*
		ZIMMERMAN: Right. ABBE: I think there's better options. And those. ZIMMERMAN: We do too. ABBE: Those are the discussions we should be having. ZIMMERMAN: We've been asking for that. SENNOTT: Absolutely. ABBE: We can and I said we'll get there. What's happening SENNOTT: Once it's too late? ZIMMERMAN: Yes, that's the problem. ABBE: What do you mean too late. SENNOTT: We've been craving information and discussion on this all along. ABBE: We've never been at that point. SENNOTT: Things have surprised us. ABBE: We were never at that point to have that discussion and I think SENNOTT: Surprise Surprise Surprise. ZIMMERMAN: Are we not? [at that point, we were supposed to be voting on a noise wall] SENNOTT: It was back in 2024 that would have been a great time to have that discussion	**Public Data**	13.03	*- Internal documents indicate that project decisions were being made behind closed doors or quietly progressing without the necessary public dialogue, particularly after residents directly requested such engagement. This lack of transparency raises concerns about the inclusion of the public in decision-making processes that directly affect them.*

		FRY: [Interrupting Everyone] Well if you're talking a sound wall, I'm not putting money in trees! But guess what! A tree is the most effective tool for stopping a car. So if I have to pursue a conversation about a sound wall, I'm not going to talk to you about trees. Because I can't put money in both. ZIMMERMAN: How about distance. Will you talk distance. ABBE: Ok, I can't [exasperation]. I have to go. I'm supposed to be home a long time ago. My kids are coming FRY: [Interrupting] We talked about shifting the road as far east as possible. ZIMMERMAN: How about shifting it 600-700 ft.	**Public Data**	13.03	*- No supporting data has been provided to justify the claims regarding tree impacts.* *- The absence of documentation, coupled with selective disclosures, suggests a potential disregard for regulatory requirements and objective analysis*
		Internal records show the County studied a non-public alignment known as **Option 3B**, triggered by noise studies recommending **"avoidance."** This option moves the road 600-700 feet from homes and was never disclosed to the public—residents only learned of it through data requests. County Engineer **Paul Sponholz** has repeatedly stated that if residents **vote yes** for a noise wall, the project will shift to **3B**. If they **vote no**, the road will stay just **17 feet from homes**, built in a **partial mapped right-of-way**. (See cell C16 above) This creates a coercive choice: accept the noise wall to gain basic protections—or decline and be punished with a dangerous, noncompliant alignment. The public was **never given full information**, and the approach to drop federal funds appears to be designed to **circumvent this federal oversight**.	**Public Data**	**Chapter 13 - Public Data** **13.02 Subd 7** **13.03**	*- A potential solution was identified in publicly funded studies but was never shared with the public.* *- Taxpayer dollars were used to evaluate this alternative, yet the related studies have not been made publicly available.* *- Multiple data requests seeking this information have been denied, delayed, or only partially fulfilled.* *- Inaccurate or incomplete data has been presented to the public, limiting informed engagement and transparency.*
		FRY: [Interrupting] That won't happen because the **township won't let it**. And I think you've missed that particular piece in this puzzle, it's the township. ZIMMERMAN: Absolutely we have. FRY: [Interrupting] Because the township is very clear that it will not go any further that.	**Public Data**	**13.03** **13.02 Subd 7**	*- Why have residents missed this piece to the puzzle? It's not discussed in board meetings, public data was how it was first learned, which is being denied to residents. Lack of transparency. The county has been meeting with the township to discuss this project with them, while denying impacted residents.*

		ABBE: So I haven't heard that. Where ZIMMERMAN: We have picked up on the township piece in the few emails we have but on top of that the noise reports say avoidance is necessary. FRY: Than it's a sound wall. SENNOTT: So they can overrule? They can overrule the state?	**Public Data**	**13.02 Subd 7** **13.03**	*- How does a commissioner not know about agreements with other government entities?* *- Officials must give the public accurate, timely information during the planning process. Conflicting statements between the administrator and a commissioner raise red flags about internal transparency and the legitimacy of the county's public engagement process.*
		FRY: [Interrupting] No, the land we are talking about building on is in the township. They have an orderly annexation agreement with the city of Owatonna. ABBE: We're going to have to talk about this more ZIMMERMAN: Absolutely. ABBE: Thank you. ZIMMERMAN: How do we do that? ABBE: Just like this. We'll have more. ZIMMERMAN: Ok SENNOTT: There's no eminent domain or anything that can	**Public Data**	**13.03** **13.05**	*- There are no annexation agreements in place that would permit the annexation of 1000 acres. The agreement specifies that no more than 65 acres can be annexed per year in the designated Section C areas.* *- Misrepresenting public data* *- Since then, no further conversations have taken place. In fact, all communication has been completely cut off.*
		FRY: [Interrupting] No, the township has agreed to surrender that land through an orderly annexation process. Now there might still be you know reparations owed to the land owner. But as a township, they have agreed to allow that land to be ceded to the city to allow the construction of the road. The town board has made it real clear that they'll only allow the movement of that city line east into their township as **far is necessary** to build that road. **No more no less**. So the 600 or the 1000 feet you have asked for is something that the township has said without doubt they don't agree to, they won't agree to because, it's outside the scope of their orderly annexation agreement. ZIMMERMAN: I have a little advice for you. FRY: Yup, absolutely. ZIMMERMAN: Take it or leave it. How to nicely say it. FRY: Just be blunt I'm thick skinned. ZIMMERMAN: You need some more oversight on your engineer. FRY: And I will certainly ……[nothing] ZIMMERMAN: The reason we are questioning the things we are questioning is because we have the data to back it up.	**Public Data**	**13.03** **13.05**	*- All public data must be accurate.* *- Data requests for this have gone unfullfilled.* *- This is fillfull misrepresenting data.*
		FRY: Well absolutely. If you have an email that says that I don't support it, I don't want it, that doesn't obligate that doesn't change his obligation to pursue the process. We can all have opinions of whether we think or ZIMMERMAN: The process has been pursued SENNOTT: It's the statements, it's the statement like "If it were up to me there would be no mitigations" that's not helpful. It's the statement from one of the commissioners at one of the meetings, "Hey you just need to watch your kids." It's I mean it's those thorns. FRY: This one is emotionally charged for a whole host of reasons. ZIMMERMAN: And I understand that and I am a person that tries to remove my emotions when I discuss factual things. So everything I try to discuss is based on facts.	**Public Data**	**13.03**	*- Public data has shown there is no intention to follow noise wall regulations. And that needs to be avilable to the public.*

	FRY: So I'm going to say, take a step back, and **just talk about solutions.** ZIMMERMAN: You know, we've spent a lot of time trying to do that, and it's gotten us no where.	**Public Data**	**13.03**	*- When residents were denied access to public data and meetings, they followed legal procedures. In response, the county and city chose to strip away the very solutions residents had fought for.* *- Talking about solution was how residents arrived at public data and all of it's denials and hidden information.* *- After three years of navigating the process and proposing viable solutions, residents have continued to face barrier after barrier, yet they persist in advocating for their community's needs.* *- This doesn't align with public data!*
	FRY: But I think you've got you've got an opportunity there to say **let's talk about trees.** Lets talk about things the **that are really going to stop a car,** cus if that's your concern I mean there's already been conversations about that 40-45mph. They're talking about roundabouts to bring the speeds down even lower. ZIMMERMAN: And we have emails saying no on that too. SENNOTT: We've been pretty clear, the things we want the most are safety and noise mitigations. Trees aren't the best noise mitigation. FRY: No they're not ultimately.			*- The county administrator acknowledges that the suggested mitigations are insufficient to reduce noise to safe levels.* *- The county is asking residents to accept less than what is required by established standards.*
	ZIMMERMAN: MnDOT has absolutely said you cannot use trees as a noise mitigation. FRY: [Interrupting] **I've been around the block with them on other projects.** I get it. I think the reality of it is, if you want the sound wall for noise mitigation. That process, you know, we're looking for state guidance, cus you've already mentioned they've got some sound requirements. We're going to have to look into that, we're kind of figuring it through. But if the tenor is you know balls to the wall lets whatever. That doesn't help either one of us and I realize we're reacting to you, you're reacting to us, it doesn't work very well. **But in the end if what you're talking about is you want to stop a car, yah a sound wall does that. If you don't want the sound wall tree do that very effectively.** **Public data revealed** that between **April and May 2024**, County Engineer **Paul Sponholz** actively explored **dropping federal funds** from the ESC project **solely to avoid federally required noise mitigations**. This aligns with knowledge that **MnDOT's standards are less stringent** and do **not require a noise wall**. The timing and intent appear strategic—shifting oversight to **weaken resident protections**.	**Public Data**	**13.03**	*- The overarching goal appears to be limiting public comments, which violates principles of transparent government and public data.*
	ZIMMERMAN: What we are talking about is we need the noise limit in the save level because it's not safe without it. It has FRY: [Interrupting] I grew up next to the cross town. The white noise becomes white noise after time. And I realize for you guys it is different b/c it's coming to you. ZIMMERMAN: Which is why you can't built that close. That is the exact difference. FRY: [Interrupting] But when **I <u>moved</u>** to a house and lived on the crosstown that noise becomes white noise. It's going to be there whether it's a city street of not. So I think ultimately if the sound wall is what you need for noise mitigation. Than you want to pursue a conversation of yes we want the noise wall because we want the noise mitigation. That's reasonable. That's fair. But don't say in one hand I don't want it, but on the other I want to be safe. **<u>Cus what I think you're telling me is a noise wall is a way of addressing safety but it's also a way of addressing the noise.</u>** ZIMMERMAN: It absolutely is. The truth is, we don't want the noise wall, but we aren't being given a choice, so we will vote for that noise wall. That's what we are saying. That's what we have been saying. FRY: Yup, but then don't say I don't want it. ZIMMERMAN: But that's the fact. We absolutely don't want the noise wall but we will vote for it. SENNOTT: Well it's just it. We'll change our verbiage to "that's our only choice that we're being left with" FRY: [Interrupting] Well [snarky] "that I'm being left with." I think your comment is, there's going to be a city road there we need the noise wall to help us with the noise mitigation. You know and that position makes sense. It's reasonable.	**Public Data**	**13.03**	*- Public officials are legally obligated to make decisions based on accurate publicly available data including:* *- Quantitative measurements (dBA levels),* *- Modeled predictions,* *- Federal and state regulations, not subjective perceptions of what is tolerable.* *- Data that's not publicly available and isn't being used to support decisions.*

		ZIMMERMAN: So if the noise study supported avoidance as an option are you saying we would look at that, b/c that's what the noise study said? FRY: We won't move the world. So the question is, what can we do within the design parameters moving it as close to that east edge of that corridor as we can and then what are the things we can supplement in?	**Public Data**	**13.03**	*- A 3B avoidance option was developed and studied, but never shared publicly. Now Administrator Fry is stating it cannot even be considered, despite the fact that taxpayer dollars funded that analysis. - Non-compliance and misrepresentation.*
		ZIMMERMAN: Can you. Back in, was it October. Did the board vote to increase the WSB Funds? I think it was back in October that we voted to increase those funds. FRY: Probably ZIMMERMAN: Can you tell me why we increased those funds? What are they paying for? FRY: [Interrupting] They gave us a project cost a couple of years ago, b/c we had to run the studies twice. We had to do the state concurrence and the federal concurrence. That was more time. So and then with each kind of change iteration with each kind of bend and twist. They're estimate of hours has not been accurate. They've had to increase the number of hours. Therefore, increase the cost. So every time we get up to the allotted for budget in their contract they do come back with a change order that increases that up. **Public data revealed** that project costs were increased **due to studying the 3B alternative**, yet **"3B" was deliberately excluded** from the official justification provided for the cost increase—**concealing its role** in the rising budget. ZIMMERMAN: This one almost doubled the budget. FRY: [interrupting] Yup, and I'm not surprised by that. We'll probably see one or two other. Which is actually kind of typical. ZIMMERMAN: I would be curious to see a line item as to how that increased. FRY: You could make a data request to see WSB bills. ZIMMERMAN: Yah, I might. **FRY: And that will have to go at the end of the list of other requests.**	**Public Data**	**13.03**	*- Administrator Fry had a close working relationship with WSB in her previous position, where she reportedly left under circumstances involving similar public concerns—hostility, intimidation, and manipulation.* *- Since her appointment here, public access to data has deteriorated. Residents have been restricted in who they can communicate with, and false allegations have been used to sever contact between officials and the public.* *- The cost of the East Side Corridor project has ballooned from an original estimate of $8 million to over $30 million, driven by elements such as urban roadway design, unnecessary roundabouts, noise walls, boulevards, and redundant studies. This, despite findings that avoidance was the recommended option and traffic volumes did not support roundabouts.* *- Intersections east of the original project scope have now been included, further inflating the budget. Fry has stated that these cost increases are "normal" and that she expects the cost to rise two or three more times.* *- Fry is associated with multiple LLCs, raising serious concerns about conflicts of interest and who stands to benefit from these decisions.* *- Additionally, WSB served as the consultant on the unfinished 18th Street Roundabout, which has been quietly rolled into the ESC project. There is no public record of RFP discussions in council meetings minutes, and no documentation in official minutes or journals. Fair Bids?*
		SENNOTT: I appreciate you staying after to talk to. I'd really like to be able to collaborate with you guys on that data request. We don't need thousands and thousands and thousands of pages. We need information. The data request was encompassing in all of that because we might if the information being pulled is not as relevant as some others. Then this could just drag on vs If we get what we need up front and we can work together than maybe we can just at that point be done.	**Public Data**	**13.03 Subd 2(a) acceptable and Prompt**	*- And we came back full circle to Public Data* *- Despite the hostile environment and being subjected to raised voices, residents remained composed and made every effort to engage in respectful, solution-oriented dialogue.*
		FRY: [Interrupting] I don't have the discretion to say this is what you are looking for this is not what you are looking for. We take the verbiage as presented and that's what we're required to respond to. So if you're willing to go back to the things you've seen and said these are the search parameters we want you to operate under, this is what we're looking for. Please don't tell me you're looking for a smoking gun. Cus I have no way to search for smoking gun.	**Public Data**	**13.03**	*– Residents have made efforts to prioritize their concerns, yet those priorities have been largely disregarded.* *– Even when issues are prioritized, meaningful progress is often stalled due to cited staffing shortages.*

		ZIMMERMAN: Oh man, can we look for transparency? FRY: I hate that word. I'm going to tell you right now, I hate that word with a passion. I'm sorry, but I hate the word transparency. So, I think ultimately go back to whatever has been produced and refine and you don't want to you know completely withdraw what you have asked for but just say this is we're looking for we're hoping to zero in on things a little faster. Here's what we're looking for. SENNOTT: You all will take that into account? FRY: Email it to me and to Rob and I'll circle back to Rob to let him know. ZIMMERMAN: We'll do that, cus we have sent priorities to Rob, and clearly it's not going anywhere. SENNOTT: I appreciate it. Thank you for all the information. Thanks. ZIMMERMAN: Thank You.		**Public Data**	**13.03** **Bias against transparency**	*- An attempt was made to use humor as a means of de-escalation; however, it was unsuccessful and appeared to further agitate Administrator Fry.* *– This raises significant concerns, particularly given the individual's position as a public official. Transparency is not optional within government; it is both a* ***legal obligation*** *and a* ***public expectation*** *. Her apparent disregard for these principles could point to a troubling attitude toward public accountability.* *– Transparency was identified as a concern during investigations at her previous place of employment, where it contributed to her departure.* *- Residents maintained a cordial and respectful demeanor.*
4/8/2025		**The County now refuses to respond to us at all, based on false allegations of litigation that the County Administrator admitted she didn't know it came from us, or was related to our GoFundMe which also didn't state litigations.**		**Public Data**	**13.03, subd. 3** **13.02, subd. 7** **13.05, subd. 5** **13.09**	
4/9/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:Apr 9, 2025, 9:14 PM Dear Commissioner Abbe, Thank you for taking the time to listen to our concerns last night. It was a long meeting, and I truly appreciate your willingness to hear from the community despite your busy schedule. I just wanted to follow up on something that left me a bit confused. After the meeting, I was surprised when County Administrator Fry raised her voice. I'm not sure what I may have said or done to trigger or warrant that response, and despite our efforts to remain calm and de-escalate, it felt difficult to have a productive dialogue. This isn't the first time I've encountered this situation, although previous instances were much shorter in duration. I found the interaction unprofessional and simply wanted to make sure you were aware. I truly hope we can continue working toward maintaining respectful communication moving forward. I fully recognize that emotions can sometimes run high, and I strive to address issues as respectfully as possible and appreciate when that is reciprocated. In addition, I recently came across an article that raised some concerns about the administrator's conduct, which I thought you might want to be aware of as well: https://chisagocountypress.com/news/2024/feb/09/administrator-complaints-investigation-leaves-unanswered-questions/ The article also mentioned concerns about public data practices, which seem to align with some of the difficulties we have experienced ourselves. I just wanted to flag this, as ensuring transparency and timely communication is very important to maintaining public trust. Please know that we are committed to engaging in good faith and working toward constructive solutions. Thank you again for your time and consideration. I look forward to continuing the conversation. Sincerely, Melissa Zimmerman				

4/10/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>date: Apr 10, 2025, 12:11 AM subject:Federal Funds and Noise Wall Decisions Dear Commissioner Abbe, I wanted to follow up with a question regarding the application to transfer federal funds that County Engineer Paul submitted. Were you aware that this request had already been submitted to the ATP on March 31st — eight days before the commissioners' meeting? Are there any options for extensions? Additionally, is it customary for the county engineer to have the authority to make such multi-million-dollar decisions without prior review and approval by the governing body? Shouldn't a transfer of this size typically require a vote? I did not see this addressed at the March Public Works meeting, and I have not yet received responses from Commissioners Krueger or Prokopec. You had also requested more information regarding Paul's statements about not building a noise wall. I've attached an email for your review, along with board meeting minutes that justify the need for additional funding for WSB to study various alternatives and to expand the construction limits for Westwood to accommodate more archaeological studies. In the email, you will also find discussions about dropping federal dollars — a move documented to avoid triggering noise mitigation requirements. We have uncovered a significant amount of information — much of it aligning with concerns we have been raising for some time. We have done our best to share these findings during public comment to arm you with facts, but with only two minutes allowed, it has been challenging to fully convey the breadth and depth of what we have learned. I understand there has been a perception that we are causing delays. However, if simply asking questions and presenting verifiable information has resulted in changes to project requirements, it would suggest that not all necessary information was provided at the beginning. Our goal has always been to support a transparent and accountable process — and to ensure the construction of a successful, safe roadway that truly benefits the community. I am scheduled to speak at the upcoming ATP meeting, and I would appreciate the opportunity to connect with you beforehand if your schedule allows. My goal is not to see any funding lost, but to advocate for federal oversight to ensure that the safeguards our community was entitled to are upheld. Dropping federal dollars at the point of voting on a noise wall is highly irregular and concerning. My priority remains making sure my family and neighborhood receive the safety measures we deserve. Thank you for your time and attention to these important matters. I look forward to staying in touch. Sincerely, Melissa Zimmerman **3 Attachments**		**Public Data,**	**13.03 Subd 2(a)**	*- No responses to several emails to commissioners seeking data*

4/19/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:Apr 19, 2025, 5:14 PM subject:Follow-Up and Request for Continued Conversation Dear Commissioner Abbe, I just wanted to let you know I appreciated the ability to have a conversation with you. My goal for the past three years has been to work collaboratively with the county and city to find a cost-effective, forward-thinking solution that prioritizes safety—both for our neighborhood and those traveling on the road. This process has certainly been frustrating, and I think we can all agree on that. But from the very beginning, we've believed there is a solution that works for everyone. It requires compromise, and that starts with everyone coming to the table to have respectful conversations. Last week felt like a potential step in that direction. We can't make informed decisions without access to all of the information. Submitting data requests was simply a tool we used to gather the details we couldn't obtain otherwise. It was never our intention to make every detail public—ideally, we would have shared it in one-on-one conversations. But when those opportunities were repeatedly declined, public comments became our only option. our only option was to share what we could in two-minute public comments. We've reached out multiple times before and understand you're balancing a lot—but we're still hopeful there's room for these important conversations. Deadlines for this project are coming fast. You've mentioned several times that you're open to discussing mitigation measures, but also that we're "not there yet." I'm respectfully asking: when is that point? On February 25th, Paul told the full council that the noise wall vote would occur within 1–2 months, and that the EAW comment period would begin immediately after. We're now at the two-month mark. A vote on a noise wall is the final mitigation decision. Once that vote happens, the window closes. So again, when do those conversations happen—if not now? As Matt said, it's almost too late. We've only ever tried to provide information so our elected officials could make informed decisions and advocate effectively for their constituents. Our goal has never been to delay this project; it's simply been to understand the process and protect our community. I know at times we've been blamed for contributing to the frustration, but if asking questions and sharing facts leads to delays, it's worth considering whether transparency was present from the start. Federal funding guaranteed that this project would meet noise regulations with a noise wall. Without that funding, state guidelines fall short—not because of neglect, but because the available resources are far more limited. Still, this project doesn't have to fall short. There are solutions that meet the goals of all parties—but only if we have the chance to discuss them before decisions are finalized. I'm not sure if you received my last couple of emails, as I haven't received a response. As our elected representative, would you be open to sitting down with Matt and me to continue this conversation? Is there a time that works well for you? I believe we've shown that we can approach this calmly and professionally. We just want to share what we've learned so you can effectively advocate for your constituents and maybe, together, we can finally see this project reach a successful resolution. I hope you have a wonderful Easter weekend and get to enjoy lots of time with your kids and grandkids —there's nothing quite like the joy little ones bring during the holidays. Warm regards, Melissa Zimmerman		**Public Data**	**13.03 Subd 1** **13.03 Subd 2(a)** acceptable and Prompt **13.03 Subd 3(a)**	

PUBLIC INTERACTIONS

Date	Contact Type	Description	Exhibit Number	Violation Type	Violation	*Notes*
7/19/2022	**Newspaper/Post Card**	Notified of open house on 7/21/2022 (2 day notification)	**Exhibit 76**	**Public Data**	**13.03 Subd 2** - acceptable and prompt	
7/21/2022	**Open House**	First open house Day 1 – First introduction to this project at an open house where residents were given a 2-day notice. Present were WSB, County Engineers Paul Sponholz and Greg Ilkka Sponholz: "*We don't plan to put in any mitigations. We didn't do anything on 26th St.*" • 26th St, like all major roadways in Owatonna, was built 30 years before it was lined with homes. • Sponholz has repeated this many times since. Sponholz: "*We will build the southern section first. If and when we determine there is a need, we will build the more expensive northern section crossing Maple Creek.*" • It has been confirmed by the state that the RGU (Responsible Governing Unit) has indicated they intend to run out of money and not complete the section between Dane and 26th St. while telling the public they intent to build the whole project. Sponholz: "*Traffic will be at least 5,000 vehicles per day.*" https://youtu.be/06duEJJhoWc?si=a_r7EpYA-NIQRtMa	**Exhibit 77 Link**	**Public Data**	**13.05 Subd 5**	
5/24/2023	**In-Person Meeting**	**Stake holder meeting with representatives from county engineering, commissioners, city council, city engineering, WSB, and N. Country Residents.** **Resident**: If this is going to be a truck route, how many trucks can we expect a day? **Paul Sponholz:** This will be a truck route with 15% of the traffic being trucks. **Zimmerman**: So, 750 trucks per day? That's one every 120 seconds. **Sean Murphy**: Oh no, more like 7-8%. (And then 2 minutes later it was casually changed to "4-5% of the traffic will be truck traffic.") **Residents**: What about the impacts from noise, what are you going to do to address that. **Sponholz**: Are you talking a noise wall? Because we don't want a noise wall. That's for highways like 14 or I35. **Federal and State Government**: You must Avoid, Minimize, Mitigate in that order. **MN Top Technical Noise Analyst (Phone call outside this meeting):** A noise wall is the first line of mitigation because of its foot print. We would all like nicer options include things like a berm but the problem is, it takes up a big footprint. To appropriately build a berm is must have a 6:1 ratio. For every foot high it is you have to go our 3 feet on each side. So, a 20' berm would be 120' wide. **Resident:** And then you have a water run off issue. **Technical Analyst:** No, they cannot change the water flow. They would have to add drainage to prevent more water from being dumped on your property. **Reality**: For the past 1.5 years, we've been repeatedly told that we either didn't need or weren't entitled to a noise wall, and that if we wanted one, we'd have to cover the cost ourselves. Now, it's suddenly being presented as a mitigation option. If we, as residents, were aware of this all along, why weren't the experts, engineers, or WSB? A noise wall should be considered anytime there's an increase in noise levels of 5 decibels or more. **Resident**: What are typical mitigation options in scenarios like this? **Sponholz**: It's up to residents to figure out what you want for mitigations and tell us. **Resident**: Really? Isn't that part of the project? What options are available? **Reality**: Mitigations are meant to be a collaborative effort and are still forthcoming. It's not the residents' job to propose them—that's what we hire consultants for. Engineers should know this. Yet, from the	**Exhibit 77**	**Public Data**	**13.03 Public Data** **13.05** **13.01**	*- Residents have faced ridicule from elected officials for repeating the figure of 750 trucks per day, despite this number being directly sourced from their own "experts." (inaccurate data provided?)* *- From the outset, both elected officials and staff have dismissed the need for a noise wall, claiming it was unnecessary for the project, even though a noise wall is the only feasible option to reduce noise to safe levels, given that the right of way is just 17 feet from residents' homes. This narrative continues to persist today. (misleading data)* *- Information provided to residents has been misleading, such as suggesting that residents should develop their own noise mitigations. (Unsupported Data)* *- While all alternatives were purportedly still under consideration during this meeting, just days later, at the open house, the public was informed that 29th Ave was the only alternative being studied. This represents a pattern of misinformation and deception. (Deceiving data)*

		start, we took the initiative, proposing solutions, circulating a petition that gathered over 500 signatures in support of avoidance, and providing 30 years of data to back it up. Despite this, avoidance isn't even being considered as an option. WSB was present throughout, and key mitigations like a noise wall should have been brought up—this is their area of expertise. Instead, the burden has been placed on us as residents to figure it out. Ironically, that's how we ended up learning about the noise wall in the first place! **WSB: All Alternatives are still being considered.**				
5/31/2023	**Open House**	**<u>The 2nd open house.</u>** **As the large group of residents was standing around the big map and Paul was trying to answer questions.** **Resident**: 34th Ave is an existing minimum maintenance road. Why don't we build it there? **Mark Rypka (Steele County Farmer):** Aww shit, that hasn't been at road for like 20 years now. I tilled it under back when they took that bridge out. **Reality:** 34th Ave has been a roadway dating back to at least the 1930s, with no recorded vacation of the right of way. Despite this, Rypka has been profiting by farming the land ever since he tilled it under. **WSB:** This road will help get people from this area (pointing to neighborhoods around the McKinley school area) to the high school and commercial areas faster. **Zimmerman**: Based on time, distance, and speed this route would take them longer to get there. **WSB**: That's your opinion. **Zimmerman:** Math isn't something that can be an opinion. **Reality**: This statement remains valid: 29th Ave would take longer for this population than the existing routes, as shown by WSB's own data. Currently, the intersection of 26th and Kenyon Road offers a similar travel time to the existing routes. However, anyone using that intersection would need to add additional time, making the journey longer than the current routes.	**Exhibit 77**	**Public data**	**13.03 Public Data** **13.05** **13.01**	*- There is no record of the roadway's vacation, even though the roadway has been present in plat books dating back to at least the 1930s.* *- Data to dismissed 34th Ave is not misrepresented.*
11/13/2023	**In-Person Meeting**	**<u>Neighborhood Meeting. Greg Ilkka, Paul Sponholz, Commissioner Brady, Sennott, Zimmerman, Otto, and Worke</u>** (Prior to this meeting) **Greg Ilkka and WSB:** The mapped right of way does not impact any residential properties. **Greg Ilkka:** I only just learned from the last public comment session [at the county commissioner meeting] that your properties are on the mapped right of way. **WSB**: Developed and published a map with the right of way shifted 25' to mislead people into believing that residents were overreacting to the project's impacts. This map still indicated the destruction of existing homes. **Reality**: Shouldn't this have been one of the first things reviewed and discussed by the 'experts'? This information was deliberately presented in a way that misled people.	**Exhibit 77**	**Public Data**	**13.03 Public Data** **13.05** **13.01**	*- Shifting the map 25 feet east and presenting it as the official right of way misrepresents the data.* *- County engineers claimed homes were outside the right of way, despite records showing residents own roughly one-third of it. This was only acknowledged after residents raised the issue for over a year.* *- The project places a highway ROW just 17 feet from homes to avoid condemnation or considering avoidance alternatives.* *- After federal questions were raised by residents, the county was required to restart the project with more detailed studies—an action not disclosed to the public for over six months.*

12/5/2023	**County Presentation to City Council (public comments/ questions not allowed)**	County Engineer, Greg Ilkka presentation to City Council **Nate Dotson**: Can you comment on an example in town that this would be similar to? **Greg Ilkka:** 26th St. would be a very great example. **Reality:** 26th St was developed before residents moved in, giving people options to minimize the impact, such as choosing different insulation levels and home layouts that avoid placing living spaces on the roadside. This situation is entirely different, and recognized as such in the transportation world. **Nate Dotson:** We do not set the speed limits, that is determined by MnDOT based on design. I assume with there being a walking trail that's going to have some barring on the speed, would that be correct? **Greg Ilkka**: It would probably in the urban section yes. **Reality**: The only factor affecting speed would be the urban section design—not the walking trail, as the speed limit would still remain 55 mph in the rural areas alongside the trail. **Dan Boeke:** What is 26th St's footprint? **Greg Ilkka:** Probably about 52' **Reality:** 26th St is a 120' right of way. **Greg Schultz**: Let's back up to the Environmental Report (EAW), there are several alternatives. Are we looking at all of them? **Greg Ilkka:** Well, we're looking at 5 of them. **Greg Schultz:** I just had comments from people that thought it was only 1 alternative being studied. **Greg Ilkka**: They will be in the documentation. **Reality**: Ilkka didn't specify that additional alternatives would be studied—only that they would be included in the documents. An Environmental Assessment Worksheet (EAW) typically examines just one route without considering alternatives, while the non-programmatic report required three alternatives. Over several months, Ilkka, Sponholz, WSB, and elected officials provided various responses to the same question, ranging from one alternative to all alternatives, but never specifically three, which led to further inquiries directed at the government. **Dan Boeke**: Would we be following all the State Statues for noise regulations: Avoid, Minimize, Mitigate to bring noise to the safe thresholds? **Greg Ilkka:** Most likely. **Reality**: This should have been a clear commitment: "Yes, we will prioritize avoidance, then minimization, and finally mitigation." However, the avoidance aspect remains overlooked, negatively affecting residents. This is an issue that should have already been addressed and considered as an option to ensure we are focusing on the appropriate areas.	**Exhibit 77**	**Public Data**	**13.03, Subd. 1** **13.03 Subd 2(a)** **13.03 subd 3(a)** **13.05**	*- Equating a pre-existing road to building a new highway next to homes is misleading decisions makers and the public. FHWA and MnDOT distinguish these scenarios, especially due to the costly mitigation required for new construction near residences.* *- Alternatives were dismissed through undocumented "desktop exercises." Despite resident requests for this data since 2023, no data has been provided, despite residents asking many times.* *- Information given to elected officials has often been misleading, undermining informed decision-making.* *- Federal noise mitigation regulations are clear, yet the county engineers failed to fully inform local officials about known noise impact risks, required mitigation measures, and compatible land use planning within the affected area.*

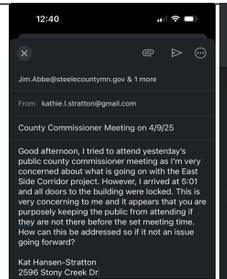
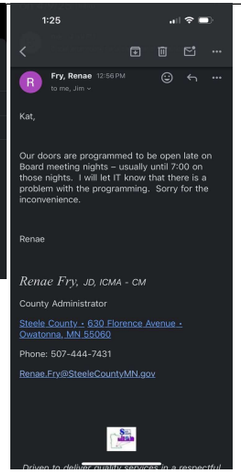
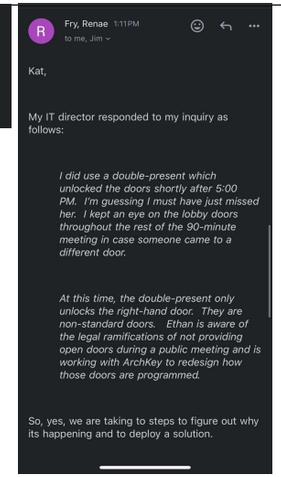
9/24/2024	**County Work Session Meeting**	The Federal Memorandum was presented publicly during a County Work Session, where WSB delivered a presentation to the board. However, the official document was not made available to the public, despite multiple requests. During this meeting, it was disclosed—for the first time—that the County would not be holding the previously expected public hearing, open house, or formal comment period following the identification of a preferred alternative. This decision directly contradicted prior communications and the expectations set by the environmental review process. Staff cited an open house held more than a year earlier as sufficient, despite the availability of new data and major project updates. This was also the first time a noise wall was formally included in the project scope. Despite the significance of these disclosures, the public was not allowed to ask questions, offer input, or submit formal comments during the session. https://youtu.be/hvH6FIRzFiQ?si=rY3MNhmxd15JJ12n	**Timeline Cell C18**	Public Data	13.03 Subd 1 13.03 Subd 2(a) 13.05 Subd 7 13.05 Subd 5	*- By denying public input, residents were effectively stripped of their ability to raise valid concerns regarding the content and accuracy of the documentation preventing public data from being collected and attachd to the project.* *- This document was Federal Memorandum was not released to the public prior to meetings. It's release didn't happen until the state stepped in and reccommended it be made available.* *- The Memorandum was not released to the public until after the public reached out to the State.*
10/1/2024	**WSB Presentation to City Council (public comments/ questions not allowed)**	WSB presented the Federal Memorandum to the City Council, delivering a version that differed in key details from the presentation given to the County. Notably, WSB cited different speed limits to each governing body, creating inconsistency in the project description. During the presentation, WSB also confirmed that the proposed right-of-way would be as close as 17 feet from some North Country homes. Despite the significance of these disclosures, the public was once again not allowed to provide input or ask questions. https://youtu.be/9t9x0eKq3z8?si=6gwpImbFT6F13OEs	**LINK**	**Public Data**	**13.01** **13.025** **13.03** **13.05**	*- There was no opportunity for public input, nor was the public formally notified about this step.* *- WSB provided inconsistent information: speed limits presented to the City Council differed from those given to County Commissioners 7 days prior.* *- Speed limits are determined by MnDOT, not by project consultants or engineers, making these assurances misleading.* *- WSB confirmed the proposed right-of-way is just 17 feet from some homes.* *- This 17-foot distance doesn't even meet Steele County's own minimum setback requirements.* *- Residents were mocked for estimating 15 feet—without access to engineering tools—yet now the official number is 17 feet. The exact distance isn't the point; it's that it's far too close, especially when federal guidelines recommend far greater separation for safety and noise mitigation.* *- Avoidance would provide hundreds of feet of separation. Instead, residents have been ignored, shut out of meaningful input, and their legitimate concerns downplayed.*

10/6/2024-10/14/2024	**Emails**	**Zimmerman**: Will avoidance options be included in the EAW/CatEx? **Sponholz**: Summarized: Long winded answer that regulations will be followed. **Zimmerman**: Will the EAW/CatEx explore avoidance options for noise impacts on the North Country Subdivision? Will the EAW/CatEx include documented avoidance recommendations? **Sponholz**: Again, beating around the bush. **Zimmerman**: Will avoidance options be included in the EAW/CatEx? You didn't answer the question. **Sponholz**: Yes, as I stated in the emails below, we will work to avoid, minimize, and mitigate impacts as per state and federal requirements and it all will be documented in the EAW/CATEX for public review and comment. **Reality**: Sponholz gives direct answers when he's telling the truth and dances around an direct answer when he's not. The EAW focuses solely on the environmental impacts, while the avoidance, minimization, and mitigation of those impacts are the responsibility of the RGU (in this case, Sponholz). Given the numerous times Paul and WSB has attempted to bully and steamroll us with inaccurate responses, it's understandable that we don't trust him with our safety and lives. He has explicitly stated that he does not intend to implement any mitigations, refused to consider a noise wall, and told us to come up with our own mitigations. How can we trust that any proposals he makes will ensure our safety and bring noise levels down to acceptable thresholds? We know that sufficient avoidance measures could achieve this, as documented 30 years ago. Since day one, we've been told that this is how things will proceed, regardless of our concerns. The process should include open houses to gather residents' input and take it into account at key points. During the Imagine Owatonna process, this input helped shape the project's direction to better meet residents' needs. However, in this project, residents and decision-makers have been given incorrect and often conflicting information, and we've been silenced by the denial of open houses at critical junctures. This has only worsened the misinformation and heightened our concerns. Moreover, Sponholz and others have indicated that they will only address additional concerns in public open house forums, which to date have not effectively heard or considered residents' voices.		**Public Data**	**13.03**	*- It took asking the same question three times before receiving a direct answer.* *- Refusing to provide direct, clear answers is a failure of professional responsibility, especially for a County Engineer.* *- The CatEx should have evaluated environmental justice concerns and noise impacts related to avoidance alternatives.* *- Despite residents repeatedly requesting this analysis and offering credible avoidance options, these were consistently denied or ignored—highlighting a serious lack of transparency, accountability, and adherence to federal standards.*
4/8/2025	**In Person Following a Board Meeting**	Residents again asked Commissioner Abbe—who had previously raised the question, "How did we get here?"—if he would be willing to meet and discuss the project. As with several prior requests (documented in emails available upon request), this request was denied. Residents have uncovered substantial information through public data and are seeking a means to share it directly with commissioners, but no opportunity has been provided. The continued denial of such requests—particularly in light of Commissioner Abbe's own public doubts—raises legitimate concerns about whether commissioners are intentionally limiting resident participation. Given that the information residents wish to share directly challenges the direction and justification for the current preferred alternative, the refusal to engage with constituents warrants serious scrutiny. This repeated exclusion creates the appearance that public input is being actively suppressed in order to advance a controversial and potentially harmful alternative.				

Open Meeting Data Violations

Date	Contact Type	What Happened	Steps Taken	Exhibit Number	Violation Type	Violation	*Notes*
12/18/2024	**Email**	from:Robert Grant <7589co13@gmail.com> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:Matthew Sennott <matt.sennott@gmail.com> date:Dec 18, 2024, 2:18 PM Is there a county commissioners meeting on 19th of December					*- Insufficient notice: The meetings and agenda were not posted on the County website until the day before the meeting, leaving only one day's notice for residents.* *****This delay in posting is a recurring issue. While we didn't document when notices weren't posted on Saturdays and typically waited until Monday, we didn't realize that the 3-day notice rule was a strict requirement until now.***** *- This specific instance was particularly concerning, as the resident impacted lives 6 hours away and was unable to make plans with such short notice.*
12/18/2024	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:Robert Grant <7589co13@gmail.com> cc:Matthew Sennott <matt.sennott@gmail.com> date:Dec 18, 2024, 2:23 PM Not per the minutes or agendas. But when I look at the calendar I do see it there. Let me check!			**Public Data**	**13.02 Subd 16(a)** **13.03 Subd 1** **13.05 Subd 5**	*- **Lack of notice and transparency:** The meeting was not listed in the agenda from the prior session, which may have hindered residents' awareness of it.* ***- Timeliness of documentation: As of 2:23 PM, the agenda for the current meeting had not yet been posted, nor were the minutes from the previous meeting available. There have also been instances in which minutes have been posted with significant delays, which has affected residents' ability to stay informed and engage effectively in the process.***
12/18/2024	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Dec 18, 2024, 2:28 PM subject:Clarification on Meeting Date Hi Renae, I noticed in the agenda/minutes from last week's meeting that the next meeting is scheduled for January 7th. However, the calendar shows a board meeting tomorrow, December 19th, at 5 PM (screenshot attached for reference). Could you please confirm which date is correct? Thanks, Melissa Zimmerman			**Public Data**	**13.02 Subd 16(a)** **13.03** **13.05 Subd 5**	*- Inaccurate Meeting Minutes* *- Agenda's Missing Information* *- Discrepancies between county webpages* *- **Impact on participation:** These issues have resulted in residents missing important meetings, a concern that has persisted since 2023.*
12/18/2024	**Email**	from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Dec 18, 2024, 3:24 PM subject:RE: Clarification on Meeting Date I think you may have called for this information, but here is the schedule from the last board meeting agenda: County Board Work Session – Thursday, December 19, 2024 at 4 p.m. in the Boardroom County Board Meeting – Thursday, December 19, 2024 at 5 p.m. in the Boardroom			**Public Data**	**13.02 Subd 16(a)** **13.03** **13.05 Subd 5**	*- Inaccurate Meeting Minutes* *- Agenda's Missing Information* *- Discrepancies between county webpages* *- **Impact on participation:** These issues have resulted in residents missing important meetings, a concern that has persisted since 2023.*
1/28/2025	**Public Meeting**	Residents locked out of Commissioner Meeting and unable to attend	Residents let residents in				
2/25/2025	**Public Meeting**	Residents locked out of Commissioner Meeting and unable to attend	Notified Commissioners immediately and resident was allowed in and to address public comment				
		Paul Sponholz told the Board of Commissioners residents would be voting on a noise wall within 1-2 months and the comment period for the EAW would follow in April/May after that vote. (video available)					
		https://youtu.be/dYiZwAV3iPY?si=KYG_kHAUbm7QDQps					
4/8/2025	**Public Meeting**	Residents locked out of Commissioner Meeting and unable to attend	Resident email Administrator and Commissioner Abbe Matt Sennott emailed ALL commissioners and Administrator Fry as this is the 3rd time this year!				
3/25/2025	**Campaign Fund**	Residents started a GoFundMe to initiate State investigations into Public Data Practice Breaches					
		www.gofundme.com/SteeleCountyFamilies					
3/27/2025	**Campaign Fund**	GoFundMe was Fully Funded					

3/27/2025	**Written Correspondence**	County Engineer, Sponholz drafted a letter and sent it to the SE Minnesota ATP Committee requesting the transfer of funds from the ESC project to another project. - 12 days before the County Board could discuss - 5 days before City Council Voted on it - Cited: Also, there is a neighborhood group adamantly opposed to this project and threatening litigation against the county which could pose significant risk to the project timeline. https://edocs-public.dot.state.mn.us/edocs_public/DMResultSet/download?docId=38805963		**Public Data**	**13.01** **13.03** **13.03 Subd 1 - Accurate records** **13.05 Subd 5(a)(1)** **§ 13.07 DUTIES OF COMMISSIONER; RULES.**	*- In accurate data recorded as to why the transfer was tking place.* *- No supporting documentation to support claims* *- No oversight recorded*
4/1/2025	**Public Meeting**	Residents first learned of the request to transfer funds at a City Council meeting, 5 days AFTER actions were taken. ESC was not mentioned on the agenda in an attempt to limit residents in attendance.				
4/1/2025	**Email**	Emails to Commissioners ensued See "04.09.2025 Federal Funds - MZ" Tab				
4/8/2025	**Public Meeting**	Twelve days after the County Engineer unilaterally decided to reallocate federal funds, the County Commissioners were given their first opportunity to publicly discuss the matter. There is no documentation in prior meeting minutes suggesting that any funding or scheduling deadlines were a concern at the time. In fact, weeks earlier, the project was reported to be on track for completion by April or May. The official meeting agenda later cited "neighborhood litigation against the project" as the reason for withdrawing federal funding—effectively eliminating NEPA oversight and federal environmental safeguards. This reallocation of federal funds appears to have been made under false pretenses. https://youtu.be/_uL4eX3shZQ?si=himanZfza8tIyr6K - The ESC project was COMPLETE. Residents were already supposed to be voting on the noise wall and the EAW was ready for comments except for that vote. - Funds are being transferred to a different local project that hasn't even signed a contract let alone done environmental studies and funding retains the same deadlines. - Engineers Sean Murphy and Paul Sponholz as well as Commissioner Abbe indicated this project is still proceeding. - Administrator Fry interjected to share that there are local tax dollars they have saved to fund these projects. - Removing federal funding removed the requirement of the noise wall that was required on this project. An option residents have advocated for years that they intend of vote for to ensure they're protections and the county has made clear they do not want to pay for. (Internal emails show April -May 2024 they discussed dropping federal dollars for the solely to avoid noise mitigations.) - Building this highway as planned will IMMEDIATELY violate MN Chapter 7030.0030 a fact residents have made known many times.		**Public Data**	**13.01** **13.03** **13.03 Subd 1 - Accurate records** **13.05 Subd 5(a)(1)** **§ 13.07 DUTIES OF COMMISSIONER; RULES.**	

4/9/2025	**Public Meeting**	 12:40 Jim.Abbe@steelecountymn.gov & 1 more From kathie.l.stratton@gmail.com County Commissioner Meeting on 4/9/25 Good afternoon, I tried to attend yesterday's public county commissioner meeting as I'm very concerned about what is going on with the East Side Corridor project. However, I arrived at 5:01 and all doors to the building were locked. This is very concerning to me and it appears that you are purposely keeping the public from attending if they are not there before the set meeting time. How can this be addressed so if it not an issue going forward? Kat Hansen-Stratton 2596 Stony Creek Dr.  1:25 Fry, Renae 12:56 PM to me, Jim Kat, Our doors are programmed to be open late on Board meeting nights – usually until 7:00 on those nights. I will let IT know that there is a problem with the programming. Sorry for the inconvenience. Renae Renae Fry, JD, ICMA - CM County Administrator Steele County - 630 Florence Avenue - Owatonna, MN 55060 Phone: 507-444-7431 Renae.Fry@SteeleCountyMN.gov	 me 1:06 PM to Renae, Jim Thanks. Can there be a process put in place to make sure the doors are still unlocked during public meetings? I've heard from others that this is not the first time this has been an issue.  Fry, Renae 1:11 PM to me, Jim Kat, My IT director responded to my inquiry as follows: *I did use a double-present which unlocked the doors shortly after 5:00 PM. I'm guessing I must have just missed her. I kept an eye on the lobby doors throughout the rest of the 90-minute meeting in case someone came to a different door.* *At this time, the double-present only unlocks the right-hand door. They are non-standard doors. Ethan is aware of the legal ramifications of not providing open doors during a public meeting and is working with ArchKey to redesign how those doors are programmed.* So, yes, we are taking to steps to figure out why its happening and to deploy a solution.				
4/9/2025	**Email**	From: Matthew Sennott <matt.sennott@gmail.com> Sent: Wednesday, April 9, 2025 1:55 PM To: Abbe, Jim <Jim.Abbe@SteeleCountyMN.gov>; Fry, Renae <Renae.Fry@SteeleCountyMN.gov>; Krueger, Greg <Greg.Krueger@SteeleCountyMN.gov>; Prokopec, Joshua <Joshua.Prokopec@SteeleCountyMN.gov>; Brady, James <James.Brady@SteeleCountyMN.gov>; Glynn, John <John.Glynn@SteeleCountyMN.gov>; Jarrett, Robert <Robert.Jarrett@SteeleCountyMN.gov> Subject: Locked doors It has come to our attention that residents were locked out of the commissioner board meeting last night, April 8th. They had arrived around 5pm. This is at least the third time this has happened which is of great concern and conflicts with the open meeting law. Residents including my wife were locked out from the meeting held on Jan 28th and I was locked out on February 25th around 5:00pm. We brought this issue to the attention of the board on February 25th. As I understand it, your IT person is working on the issue which is great, but I would appreciate being kept in the loop on this matter along with those that have also reached out so we can be assured of access to these meetings moving forward. Thanks, Matt Sennott				
4/9/2025	**Email**	From: Fry, Renae <Renae.Fry@steelecountymn.gov> Date: Wed, Apr 9, 2025, 2:05 PM Subject: RE: Locked doors To: Matthew Sennott <matt.sennott@gmail.com>, Abbe, Jim <Jim.Abbe@steelecountymn.gov>, Krueger, Greg <Greg.Krueger@steelecountymn.gov>, Prokopec, Joshua <Joshua.Prokopec@steelecountymn.gov>, Brady, James <James.Brady@steelecountymn.gov>, Glynn, John <John.Glynn@steelecountymn.gov>, Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> Yes, our IT department is aware of the seriousness of this matter and is looking into it. I will ask a staff member to monitor the door in the future and use an alternative method to ensure the doors are unlocked in the event we are unable to resolve the problem. Renae				
After 1/15/2025	**Various**	**Joint Transportation Committee Meeting** **Residents' discovered the Joint transportation meeting through Public Data.** **This committee was listed as a committee with both the city and the county.** **It consists of 2 commissioner and 2 city council members including the city council president and vice president and other members we don't know.** **We were able to find this committee in minutes dating back to at least 2022. (That's all the farther meetings were available online.)** **We asked the city about this meeting and Jeannette Clawson told it was an ad-hoc meeting that the guys sometimes have. Because of that there was no minutes, agenda, or schedule.** **Zimmerman asked the County Administrator on January 31, 2025 where the minutes and schedule could be found.** **This email resulted in the county retaliating by cutting off communication with residents to all county staff. Residents were told they could ONLY communicate with County Administrator Fry and County Attorney Jarrett from that point forward.** **On Feb 11, 2025 Zimmerman asked Commissioner Krueger about this meeting. His demeanor went from happy to very angry (body stance changed to intimidating and looming over Zimmerman sitting in a chair, with clenched fists and teeth) and said "You can't [get access to them]".** **County Administrator Fry then began to yell that it's not a public meeting because it doesn't contain a quorum. While this is accurate, public data showed multiple time that decisions were being made in this meeting, which then would be in violation of the open meeting law. (Emails showing it was used to make decisions are attached.)** **So data requests were placed (at the recommendation of the state) on 3/31/2025 asking for all information to these meetings.** **To this day, these continue to be illegally denied and ignored.** **Commissioners discussed attending this committee at the end of board meetings and from that we learned it was not an ad-hoc meeting, but a quarterly meeting, however, we also learned they'd met multiple months in a row.**		**Public Data**	**13.01** **13.025** **13.03** **13.05** **13.09** **13.07**	*- Given that this meeting involves decisions regarding the ESC, it is concerning that residents have been excluded from these discussions, while other stakeholders have been given input at least quarterly since 2022. This exclusion has resulted in residents missing at least 13 meetings.* *- Additionally, the following issues were noted:* *- No public record was made available for the meeting, preventing residents from attending.* *- No public minutes were posted or shared from the meeting.* *- Residents were denied access to the meeting.* *- The fact that residents' access to the county was cut off when inquiring about the minutes and schedule it very concerning.* *- Furthermore, the behavior exhibited by County Administrator Fry, who yelled at a resident, and Commissioner Krueger, who exhibited physical signs of aggression, contributed to a hostile*

		See Public Data Request Tab for more Information (03.31.2025 JTC - MZ)				*signs of aggression, contributed to a hostile environment. These actions, occurring simultaneously, were intimidating.* *- Holding or attending meetings that are not open to the public and then using them as decision-making tools is a clear violation of Open Meeting Law, particularly when those responsible for adhering to the law are the ones committing the violation.* *- Any city or county employee who knew about this meeting and worked to cover it up could be engaging in misconduct in their official capacity.*
5/13/2025	**County Board Meeting Agenda**	***Closed Session:*** ***The Board will be going into closed session for the purpose of labor negotiations strategy, per MN Statute Section 179A.01 & Section 13D.03*** Motion to go into closed session Discussion Motion to end closed session Action item (if necessary) ***Closed Session:*** ***The Board will be going into closed session for the purpose of discussing pending litigation - attorney/client privilege, pursuant to Minn. Stat. § 13D.05, Subd. 3(b)*** Motion to go into closed session Discussion Motion to end closed session Action item (if necessary)	**Exhibit 30**	**Public Data**	**13.03 Subd 1** **13.03 Subd 1**	*- All decisions must be made in public. Action items could indicate that decisions are being made behind closed doors.* *- You cannot close a meeting over "possible litigation" without some justification. This agenda item has no justification for what kind of possible litigation (lack of information)* *- Without a clear and specific basis in the public record, the closure may violate public data laws.*
5/27/2025	**County Board Meeting Agenda**	**Closed Session for attorney/client privilege for threatened or pending litigation, pursuant to Minn. Stat. § 13D.05, Subd. 3(b)"** Motion to go into closed Session Discussion Motion to end closed Session Action Item if necessary **Adjourn**	**Exhibit 32**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2**	*- Two sessions in a row* *- All decisions must be made in public. Action items could indicate that decisions are being made behind closed doors.* *- You cannot close a meeting over possible litigation without some justification. This agenda item has no justification for what kind of possible litigation (lack of data)* *- Without a clear and specific basis in the public record, the closure may violate public data laws.*
5/27/2025	**County Board Meeting Agenda**	22. Town Board of Owatonna Township Resolution regarding the East Side Corridor (pg. 125) **RESOLUTION** **TOWN BOARD OF OWATONNA TOWNSHIP** **WHEREAS,** the Town and the City have annually adopted an orderly Annexation Agreement to provide land areas for the growth of the City and further, to provide for the protection of agricultural and other lands within the Township from urban and suburban development and to promote an organized framework for systematic annexation, and part of that agreement, the Township does not support non-farm use of the properties in the growth area, and **WHEREAS,** the Preferred Alternative is largely in the defined growth areas and has less farmland impacts than the alternatives further east, and **WHEREAS,** the Preferred Alternative keeps development from leapfrogging into non developed area and keeps development near existing city limits, and **WHEREAS,** the Preferred Alignment best supports existing and near-term City development while preserving farmland further east, and **WHEREAS,** the city dedicated land on the east side of the North County Additions 1, 2, and 3 plats preserving land for the route, and that land is already out of farmland production, further protecting additional farmland from being removed from production through other alternative routes, and **WHEREAS,** Alternatives 4 and 5 presented in the environmental documents have greater farmland impacts, and would encourage development outside of the annexation agreement development areas. **NOW, THEREFORE, BE IT RESOLVED,** the township does not support any other alternatives that impact farmland outside of orderly annexation agreement areas, or that do not use already-dedicated lands for the route. **BE IT FURTHER RESOLVED** the Township requests that the County and City follow their previous significant planning efforts and agreements to preserve farmland and promote the orderly growth of the City. **BE IT FURTHER RESOLVED** the Township supports the selection of the preferred alternative,	**Exhibit 32**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2** **13.05 Subd 5**	

		identified as Alternative 3 as shown in the federal and state environmental documents, and commonly referred to as the 29th Avenue alignment. **ADOPTED** 5-13-25 **, 2025.** **OWATONNA TOWNSHIP BOARD** **Steele County, Minnesota** **By:** Jeremy Kotzing **Chairman** **ATTEST:** **By:** **Township Clerk** **CERTIFICATION** I hereby certify that the above *is* a true and correct copy of a Resolution duly passed, adopted, and approved by the Owatonna Township Board on the 13th day of May, 2025. Township Clerk				
6/10/2024	**In Person Meeting**	Residents were once again denied access to a public meeting—marking the fourth such occurrence this year. On this occasion, Ms. Zimmerman arrived at approximately 4:42 p.m. for a work session scheduled for 4:00 p.m., which was to be immediately followed by the regular county board meeting at 5pm. Upon arrival, she attempted to enter through multiple doors but found all of them locked. The newly appointed interim County Engineer was also unable to gain entry.	Upon discovering the doors were locked, Ms. Zimmerman texted other residents to inform them of the issue. Dave Purcell from the IT department noticed the situation and allowed residents into the building. Upon entering the boardroom, Ms. Zimmerman promptly notified Commissioner Abbe of the access issue.		**Public Data**	**13.03 Subd 1** **13.03 Subd 2**	*- Denial of timely access to public data.*

County Minutes

Date	Contact Type	Description	Exhibit Number	Type of Violation	Violation	Notes
2/13/2024	**Public Minutes**	County Minutes Say: **Public Comment: No comments.** Video Footage: 3 people spoke during pubnlic comment Supporting Evidence\County Agendas and Minutes\February 13, 2024.pdf https://youtu.be/ov7K67CGcwg?si=4r8LWS9tTPxhYQTD	**Exhibit 60**	**Public Data**	**13D.01** **13.03 Subd 1** **15.17 Subd 1**	
10/22/2024	**Public Minutes**	**County Minutes Say:** Public Comment: One person commenting against the eastside corridor location. One person from Havana township questioning the road changes, demolition of homes and notification of the meeting. **Video Footage:** The first person addressed WSB's Memorandum. Supporting Evidence\County Agendas and Minutes\October 22, 2024.pdf https://youtu.be/q6NymTJ5kJU?si=zoNwTX70KYyc67Nr	**Exhibit 61**	**Public Data**	**13D.01** **13.03 Subd 1** **15.17 Subd 1**	- These public comments in question focused extensively on concerns regarding WSB. However, the official meeting minutes inaccurately summarized the remarks as simply "one person commenting against the East Side Corridor location." This mischaracterization omits critical context, fails to record, and shifts attention away from the primary concern—WSB's involvement and associated accountability —diminishing the transparency required under MGDPA - Over the course of at least six public meetings, residents consistently provided detailed, constructive feedback regarding the East Side Corridor (ESC) project—primarily advocating for a safer alternative alignment, not opposing the project itself. However, the official meeting minutes repeatedly recorded these comments in overly broad or misleading terms, such as: "Spoke against the ESC." - This language is inaccurate and fails to reflect the actual content and intent of public input. No resident has advocated to cancel the ESC; instead, we have raised concerns about alignment, safety, environmental compliance, fiscal oversight, and process transparency. The pattern of mischaracterizing this input undermines both the spirit and requirements of the MGDPA, which calls for data such as meeting minutes to be accurate, complete, and currrent. - Such consistent omissions diminish public trust and erase critical perspectives from the permanent public record.
11/12/2024	**Public Minutes**	**County Minutes Say:** Public Comment: One person asked questions about the Eastside corridor project, eminent domain, and requests for notice. One person asked about getting notice regarding Havana project. One person spoke about the use of eminent domain in general. One person spoke about building concerns near Eastside corridor. One person spoke regarding safety of roads and Eastside corridor. **Video Footage:** The last person spoke to WSB's Memorandum regarding the ESC and the bias and misinformation Supporting Evidence\County Agendas and Minutes\November 12, 2024.pdf https://youtu.be/kP9PW0YGxxc?si=jHgerf62t-fFbdPf	**Exhibit 62**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	
11/26/2024	**Public Minutes**	**County Minutes Say:** Public Comment: One person spoke regarding the Eastside Corridor. **Video Footage:** The resident continued to address WSB's bias and misinformation in the Federal Memorandum Supporting Evidence\County Agendas and Minutes\Novemer 26, 2024.pdf https://youtu.be/-w_nyqHYdD4?si=yEVt9zeUaQmd7s5F	**Exhibit 63**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	
12/12/2024	**Public Minutes**	**County Minutes Say:** Public Comment: One person spoke regarding the Eastside Corridor. **Video Footage:** The resident continued to address WSB's inaccurate information in the Federal Memorandum Supporting Evidence\County Agendas and Minutes\December 12, 2024.pdf https://youtu.be/-w_nyqHYdD4?si=PYUxtDK27e6NGFgz	**Exhibit 64**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	
12/19/2024	**Public Minutes**	**County Minutes Say:** Public Comment: One person spoke regarding the Eastside Corridor. **Video Footage:** The resident continued to address WSB's inaccurate information in the Federal Memorandum Supporting Evidence\County Agendas and Minutes\December 19, 2024.pdf https://youtu.be/3F-W1p-9OEo?si=05Bsj7XXSL3qAOsB	**Exhibit 65**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	

1/7/2025	**Public Minutes**	**County Minutes Say:** Public Comment: One person spoke regarding the Eastside Corridor. **Video Footage:** The resident again addressed inaccurate information coming from WSB. Supporting Evidence\County Agendas and Minutes\January 7, 2025.pdf https://youtu.be/bqjSgo9GMh0?si=fReDH3VuWP5c1NB8	**Exhibit 66**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	
1/28/2025	**Public Minutes**	**County Minutes Say:** Public Comment: Five people spoke against the eastside corridor, four referenced the eastside corridor petition. **Video Footage:** 6 people spoke. 4 talked about a petition to build the East Side Corridor at 34th Ave. None spoke against the East Side Corridor - all want to see it built a safe distance from residents. Supporting Evidence\County Agendas and Minutes\January 28, 2025.pdf https://youtu.be/VWBOj24pFvQ?si=QPyaFTqYMnhPT5uY	**Exhibit 67**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	- Residents are not opposed to the ESC project—we've consistently advocated for safer design. If studies were done accurately, they would show the road needs to be built hundreds of feet from homes to meet safety standards. Mislabeling our position as "opposed" is misleading and dismissive of valid concerns.
2/11/2025	**Public Minutes**	**County Minutes Say:** Public Comment: One person spoke regarding the expansion of the landfill and requested that Steele County create a no fee composite site. One person spoke regarding the Havana intersection plans. Two people spoke against the Eastside Corridor. **Video Footage:** One person spoke regarding the expansion of the landfill and requested that Steele County create a no fee composite site. One Person spoke to a tax classification concern for a non-profit trying to work with the county to have the property classified correctly. A 3rd generation farmer spoke to the Havana Intersection project and preserving farmland. One person spoke to a large data request and the struggles to get data and addressed concerns found pleading to start working together. Another resident addressed a meeting happening behind closed doors that residents didn't know about, how residents redirected to the attorney for asking questions regarding this, was glad to see the open meeting laws were on the work study session but disappointed it was skipped over. Supporting Evidence\County Agendas and Minutes\February 11, 2025.pdf https://youtu.be/TmV6WG-McVc?si=NxrzyaeSqg8KabUl	**Exhibit 68**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	- There was no opposition to the ESC expressed during public comment—only one resident even mentioned the project. Misrepresenting the record undermines transparency.
2/25/2025	**Public Minutes**	**County Minutes Say:** Public Comment:Public Comment: 2 spoke against the Eastside Corridor. **Video Footage:** One person highlighted descrepancies with what the engineer told decision makers versus and what was happening behind the scenes, urging decisions makers to make the fiscally responsible choice. The next resident was locked out of the meeting. He addressed the forms of communication asking for 2 way dialog - didn't address the ESC project. Supporting Evidence\County Agendas and Minutes\February 25, 2025.pdf https://youtu.be/r2jcf-EYzoQ?si=otmYr5b-smfMpWvC	**Exhibit 69**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	- The County Engineer stated the noise wall vote would occur in the next month or two, and that the EAW open house was anticipated for April.
3/3/2025	**Public Minutes**	The March 3, 2025 Public works meeting didn't address any concerns about deadlines. It did discuss how the township wants a given location. **Highway Project Updates:** • CSAH 48/18th St Roundabout: The RR canceled the latest meeting to resolve agreement differences and rescheduled for a different date. • CR 180 Rail Bridge: The RR would support a rebuild of the railroad bridge(option 2A) at Steele County's cost • Eastside Corridor: The County Engineer met with Owatonna Township officials who are in support of only the 29th Ave corridor.	**Exhibit 44**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	

4/8/2025	**Public Minutes**	**Meeting Agenda**: Also, the county has received information that a **neighborhood** group may bring litigation against the project which could potentially delay construction. **Meeting:** This meeting involved the transfer of Federal Funding. County Engineer stated the project team is no longer confident in meeting the Dec 1, 2025 timeline because: - The environmental study changed (this is accurate) - It took longer than expected and they had to start over (semi accurate, we were told they could reuse a lot of the work they'd done, not start over completely) - The consultant lost the person that was writting and putting this document together (Mary Gute, the Sr. Transportation Planner left in January - prior to telling decision makers on Feb 25, 2025 to expected a vote in a month or two. The position wasn't posted until May 2025.) - A new president is changing the entire process - causeing an entire stop. - They are looking at mitigations (but we still cannot have those conversations with the staeholders) - Risks: RailRoad crossing. Previous project has taken 5 years of effort and they're back at square one. - **"Also unfortunately, We've got incresaingly notice that there might be some litigation against the project so that introduces other significant risk and then we will just not be able to use that funding if this project does nto proceed. So."** - State standards are significantly different than federal. We don't have to follow alot of the same requirements. We don't know what that means. (They do know as they looked into it in Aprl - May 2024) **Minutes: Left out the litigation (after altercation between fry and residents) and there is NO recorded vote!** Supporting Evidence\County Agendas and Minutes\BM Minutes 20250408.pdf The County Engineer reported on the Eastside Corridor Federal Funding. Steele County was awarded $3.96M dollars in Federal Funding for the Eastside Corridor project. The Engineer reviewed the stringent deadlines mandated by the federal government in order to use the funds. As a result of many delays and setbacks, the project team is not confident they can complete the required tasks on time, so the dollars are at risk of being lost. The Engineer provided examples of the setbacks, including but not limited to additional reporting and more detailed reports required by the Federal Government. The Engineer is requesting the Southeast Minnesota Area Transportation Partnership (ATP) shift the Federal funding to the Main Street project that is likely to meet the deadlines. If the change is approved, funds earmarked for the Main Street project could be used for the Eastside corridor project. If this shift is not approved by ATP, the county will need to look to other funding sources for future projects. https://youtu.be/_uL4eX3shZQ?si=iYF5OvYrrarV2ooI	**Exhibit 22**	**Public Data**	**13.03 Subd 1** **15.17 Subd 1**	- Just 2 days after our neighborhood launched a GoFundMe on March 25, 2025 for a public data investigation, "litigation" was cited as the reason for transferring federal funds. Per the County Administrator, this was their interpretation, though she admitted she could not attribute our group having said we intend to sue. (See Retaliation Tab Cell C75 for transcript) - This statement appears to have been made to influence decision-makers and discourage communication with us, effectively blocking access to a source of public data.

Obstruction

Petition & Speed Limits Processes

Date	Contact Type	Description	Exhibit Number	Type of Violation	Violation	*Notes*
12/15/2023	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Dec 15, 2024, 9:10 PM subject:Re: Request for Guidance on Submitting a Petition and Speed Limit Change Process Dear Renae, I hope this email finds you well. I am reaching out to request your guidance on two matters: Submitting a Petition: Could you please provide information on how to officially submit a petition to the county and/or state? Specifically, I would like to understand the requirements, the process, and any forms or documentation that might need to accompany the submission. Changing a Speed Limit: I would also appreciate details on the procedure for requesting a speed limit change within the county. Could you clarify the steps involved, the responsible agency, and whether a petition or additional documentation is required to initiate this process? Public Data Policies: Lastly, I would like to learn more about the county's policies regarding public data. Specifically: What types of data are considered public? Are there policies that outline how long public data is retained? Where can I access detailed guidelines or resources regarding these policies? Your assistance in outlining these processes would be greatly appreciated. If there are specific departments or resources I should contact, please let me know. Thank you in advance for your time and support. I look forward to your response. Best regards, Melissa Zimmerman	**Exhibit 70**			

12/8/2023	**Email**	from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> date:Dec 16, 2024, 8:43 AM subject:Re: Request for Guidance on Submitting a Petition and Speed Limit Change Process Melissa, Here are my initial responses: **Submitting a Petition:** Could you please provide information on how to officially submit a petition to the county and/or state? Specifically, I would like to understand the requirements, the process, and any forms or documentation that might need to accompany the submission. What action are you seeking the board to take via Petition? Consideration of some matters can be made via letter and others may require a formal request in the form of a petition or related form. If you could give me more information, I should be able to give you more specific guidance. **Changing a Speed Limit:** I would also appreciate details on the procedure for requesting a speed limit change within the county. Could you clarify the steps involved, the responsible agency, and whether a petition or additional documentation is required to initiate this process? I have copied the county engineer on this request. Paul, will you please provide Melissa with the process? **Public Data Policies:** Lastly, I would like to learn more about the county's policies regarding public data. Specifically: What types of data are considered public? Are there policies that outline how long public data is retained? Where can I access detailed guidelines or resources regarding these policies? As a general rule, all government information is considered public unless it is covered by one of the exceptions, the most notable being information that is non-public or private under applicable data privacy laws and rules. Even if a document is considered public, it might contain private or non-public data, which means that every document has to be reviewed prior to being released to the public. The county follows the state retention schedule. Some information has a very short retention period, other information must be retained indefinitely. Board meeting minutes are an example of this. What makes it challenging sometime, is the fact that much of the county's information is stored in paper format or in data bases that are not easily searchable. The county's data request procedures are available on the web page. The State of Minnesota has additional information on data requests on their web site as well. Lastly, the retention schedule is found on the Minnesota Historical Society website. I hope this helps. Renae	**Exhibit 70**			

12/16/2024	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Dec 16, 2024, 9:35 AM subject:Re: Request for Guidance on Submitting a Petition and Speed Limit Change Process Renae, Thank you for your email and for your willingness to provide guidance on this matter. We'd like to submit a formal petition regarding the East Side Corridor (ESC) project to both the county and state. Specifically, I'm seeking to ensure the petition is officially recognized and that it formally conveys residents' concerns about the project's impacts. Could you please clarify: 1. The specific requirements for submitting a petition to the county and state, including any necessary forms or documentation. 2. If there are particular offices or departments to which the petition should be addressed. The action we are seeking through the petition is to ensure a thorough review and reconsideration of the ESC project plans, particularly in terms of safety concerns, community impacts, and alignment with modern-day conditions rather than relying on outdated plans. If a letter would be sufficient for some aspects of this process, I would appreciate your advice on how to proceed in those cases as well. Thank you for your assistance, and I look forward to your guidance. Best regards, Melissa Zimmerman	**Exhibit 70**			
12/16/2024	**Email**	from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> date:Dec 16, 2024, 9:43 AM Melissa, I will forward this to the county attorney for guidance. As far as I know, there really isn't a petition for this type of request, but I will ask the county attorney to verify my understanding and provide additional direction. Renae	**Exhibit 70**			

12/16/2024	**Email**	from:Sponholz, Paul <Paul.Sponholz@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Dec 16, 2024, 11:20 AM Melissa, A speed limit request should be sent to the County Engineer by letter or email. It is good for the letter or email to provide some description or justification for the request. MnDOT has previously provided you with our process in a separate email which is as follows: The MnDOT Commissioner of Transportation sets speed limits not established by statutes. If a speed limit change is requested on county routes, the County Engineer evaluates the request. If the County Engineer determines the request has merit, then the County Engineer requests the County Board to adopt a resolution requesting MnDOT to review the speed limit. If the County Board adopts the resolution, the request is forwarded to MnDOT. MnDOT then evaluates the request with engineering and traffic investigations that evaluate driver behavior, crash history, roadway information, and area land use. The MnDOT Commissioner of Transportation then provides a letter to the County authorizing or denying changes. Then the County Engineer makes any changes authorized by the MnDOT Transportation Commissioner. For more information on how we review the request and how MnDOT sets speed limits, check out their website at https://www.dot.state.mn.us/speed/ . Often, people request slower speed limits, but please note that slower speed limits do not translate into safer roadways, but may introduce other safety hazards. The MnDOT website provides more information on that. In fact, sometimes when a speed limit reduction is requested, MnDOT has actually raised the speed limits. Please note that MnDOT currently has a backlog of two years or more for speed zone review requests, so even if the county supports the request, it will likely be several years before MnDOT completes the request. Paul Sponholz, P.E. | County Engineer				
12/16/2024	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, Lyssa Lynn <lyssalynn13@gmail.com> cc:"Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> date:Dec 16, 2024, 2:12 PM I can not provide legal advice to individuals. That being said, I am not aware of a petition process to change speed limits – especially a road that doesn't even exist yet. You certainly can advocate with the county engineer or MNDOT. Robert J. Jarrett	**Exhibit 70**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2** **13.03 Subd. 3(a)** upon request, shall be informed of the data's meaning.	*- A legal question was not posed in this request.* *- The County is responsible for making its policies available to the public.* *- Typically, the County Attorney sould provide neutral legal guidance, but in this case, delays in providing access to public data are occurring.* *- These delays are affecting the timely fulfillment of the request, and silencing residents.*

1/9/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 9, 2025, 12:48 AM Hi Jarrett, I had two separate questions and wanted to clarify that I'm seeking information on County's processes, not legal advice. 1. What is the process for submitting a petition to ensure it is officially recorded with the county and state, making them aware of community concerns? 2. How can I request a speed limit change on an existing road? I believe Paul may have already addressed this one. Any guidance you can provide on the petition process would be greatly appreciated. Thanks, Melissa	**Exhibit 70**			
1/9/2025	**Email**	from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Jan 9, 2025, 7:56 AM Sorry these are legal advice in my opinion given they ask what to do about an issue. Robert J. Jarrett	**Exhibit 70**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2** **13.03 Subd. 3(a)** upon request, shall be informed of the data's meaning.	- There seems to be a pattern of behavior where responses to requests are not being provided.
1/9/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 9, 2025, 12:25 PM I'm seeking clarification regarding the County's process for submitting a petition. I'm a bit confused as to why my request for this procedural information might be interpreted as a legal question. To be clear, my inquiry is about the formal steps required to submit a petition to the County for consideration. Could you please outline the process or direct me to the appropriate resources or guidelines that detail what is required for submission? Thank you for your assistance. Best regards, Melissa Zimmerman	**Exhibit 70**	**Public Data**	**13.03 Subd 1** **13.03 Subd 2** **13.03 Subd. 3(a)** upon request, shall be informed of the data's meaning.	- Denied access simply by ignoring residents
		No Response from County Attorney after this				

1/10/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:Jan 10, 2025, 5:09 PM subject:Assistance Needed with Submission Process Hi Commissioner Abbe, I have been inquiring since December 15th about the process to formally submit a petition so that it is on record with the county. Initially, I reached out to Renae Fry, assuming the county administrator would be best suited to address my question. However, she was unsure of the process and forwarded my inquiry to County Attorney Jarrett. Unfortunately, he has also been unable to provide an answer and has stated that he cannot provide legal advice to individuals. I want to clarify that I am not seeking legal advice—only the steps necessary to follow the proper procedure for formally submitting a petition. As this matter has been ongoing for nearly a month, I am now reaching out to you, my commissioner, for assistance with what I believed would be a straightforward question. Could you please provide clarification on the process for formally submitting a petition? Thank you for your attention to this matter. I look forward to your guidance. Sincerely, Melissa Zimmerman	**Exhibit 71**			
1/13/2025	**Email**	from:Abbe, Jim <Jim.Abbe@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Jan 13, 2025, 10:55 AM subject:Re: Assistance Needed with Submission Process Good morning, As you indicated, you are not looking for legal advice, so in no way should this be construed as such. I would recommend you bring it forward to the County as correspondence, at which time the board can choose to address it or send it to committee for discussion and possible action. Thanks Jim Abbe Steele County Commissioner	**Exhibit 71**			- Commissioner Abbe confirmed this was not seeking legal advice.
1/13/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 13, 2025, 2:48 PM Thank you for your help. Could you clarify how to "bring it forward to the County as correspondence"? Should I send an email, present it at a commissioners' meeting, or is there another method I should follow? Thanks, Melissa	**Exhibit 71**			
1/13/2025	**Email**	from:Abbe, Jim <Jim.Abbe@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Jan 13, 2025, 3:24 PM I would suggest submitting it to the administrator and ask that it be included in the board packet as correspondence	**Exhibit 71**			

1/13/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov> date:Jan 13, 2025, 3:25 PM I can do that. Thank you for the help! Melissa	**Exhibit 71**			
1/13/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> cc:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>,"Krueger, Greg" <Greg.Krueger@steelecountymn.gov>,joshua.prokopec@steelecountymn.gov,"Brady, James" <James.Brady@steelecountymn.gov>,"Glynn, John" <john.glynn@steelecountymn.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 13, 2025, 3:37 PM subject:Request to Reduce Speed Limit on Rose Street Melissa Zimmerman 2525 Stony Creek Dr Owatonna, MN 55060 January 10, 2024 Paul Sponholtz Steele County Engineer 3000 Hoffman Dr NW Owatonna, MN 55060 Request to Reduce Speed Limit on Rose Street To whom it may concern, I am writing to formally request a reduction in the speed limit on Rose Street from Partridge Avenue to the east side of the Countryview neighborhood, from the current speed to 30 mph. This change would bring the speed limit in line with similar roads in the area and better reflect the current usage and safety needs of the community. When the 45mph speed limit was established more than 20 years ago, the area was much less developed. Since then, several neighborhoods have been built along this stretch including the Countryview neighborhood, significantly increasing traffic volume, including vehicles entering and exiting from highly used side streets and driveways. A 30 mph speed limit would improve safety for all users of the road. Additionally, reduced speeds would help mitigate accidents. For example, there was a jack-knifed	**Exhibit 72**			

		semi in this area, and speeding has been a consistent problem. The higher speed limit encourages excessive speeding, with recent instances of vehicles traveling over 70 mph. I have personally experienced multiple close calls, including being run off the road while turning out of the Countryview subdivision by vehicles traveling far above the 55 mph limit east of our neighborhood. It is also worth noting that the section of Rose Street west of Partridge Avenue is already set at 30 mph. Extending this speed limit to the stretch east of Partridge Avenue would create consistency and enhance safety for the growing number of residents who rely on this road daily. I urge you to consider this request seriously and implement the necessary steps to adjust the speed limit to 30 mph. This change would greatly benefit the safety and well-being of our community. Thank you for your attention to this matter. I am happy to provide additional information or meet to discuss this request further. Sincerely, Melissa Zimmerman				
1/15/2025	**Email**	from:Sponholz, Paul <Paul.Sponholz@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>,"Krueger, Greg" <Greg.Krueger@steelecountymn.gov>,"Prokopec, Joshua" <Joshua.Prokopec@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>,"Glynn, John" <John.Glynn@steelecountymn.gov>,"Fry, Renae" <Renae.Fry@steelecountymn.gov>,"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>,"sean.murphy@owatonna.gov" <Sean.Murphy@owatonna.gov> date:Jan 15, 2025, 4:54 PM subject:RE: Request to Reduce Speed Limit on Rose Street Ms. Zimmerman, Thank you for your request. We regularly get requests to lower the speed limit for this road segment, so we recently did a speed study to review the posted limits. We have discussed our findings with the Minnesota Department of Transportation (MnDOT), the agency responsible for setting the speed limits on county routes. MnDOT has determined that the 45-mph speed limit is the safest and most appropriate speed limit for this segment of road. The email attached, which I understand MnDOT sent to you, has a link to their website on how speed limits are determined. As for traffic going significantly above the posted speed limit, that is a speed enforcement issue. I suggest you contact our Sheriff department or the city police department to address that. Paul Sponholz, P.E. | County Engineer	**Exhibit 72**			

1/15/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> cc:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>,"Krueger, Greg" <Greg.Krueger@steelecountymn.gov>,"Prokopec, Joshua" <Joshua.Prokopec@steelecountymn.gov>,"Brady, James" <James.Brady@steelecountymn.gov>,"Glynn, John" <John.Glynn@steelecountymn.gov>,"Fry, Renae" <Renae.Fry@steelecountymn.gov>,"Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>,"sean.murphy@owatonna.gov" <Sean.Murphy@owatonna.gov> bcc:Matthew Sennott <matt.sennott@gmail.com> date:Jan 15, 2025, 5:18 PM subject:Re: Request to Reduce Speed Limit on Rose Street Thank you for your response. Where can I find the results of the speed study and the MnDOT's determinations? Thanks, Melissa Zimmerman	**Exhibit 72**			
1/15/2025	**Email**	from:Sponholz, Paul <Paul.Sponholz@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov> date:Jan 15, 2025, 5:27 PM subject:RE: Request to Reduce Speed Limit on Rose StreetMs. Zimmerman, You'll need to submit a data request. Paul Sponholz, P.E. | County Engineer	**Exhibit 72**	**Public Data**	**13.03 Subd 2(a)** **13.03 Subd 3(a)** **13.03 Sudd 3(f)**	- Data requests do not have to be in a specific format. This email constitues asking for the data and this is a barrier to obtaining the data. - Given struggles to get data, residents were detered from placing this request.

1/20/2025	**Email**	from:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov>,"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>,"Glynn, John" <john.glynn@steelecountymn.gov>,"Brady, James" <James.Brady@steelecountymn.gov>,"Krueger, Greg" <Greg.Krueger@steelecountymn.gov>,"Prokopec, Joshua" <joshua.prokopec@steelecountymn.gov> date:Jan 20, 2025, 4:20 PM subject:Submission of Petition with 578 Signatures for East Side Corridor Project – Request for Public Record and Agenda Inclusion January 20, 2025 Steele County Board of Commissioners Jim Abbe, Greg Krueger, James Brady, Josh Prokopec, John Glynn 630 Florence Ave Owatonna, MN 55060 Dear Steele County Commissioners and County Administrator, We are writing to submit a petition signed by 578 residents, collected through both online and paper submissions, expressing our strong support for the East Side Corridor project to prioritize an alignment that ensures safety, mitigates noise impacts, and supports long-term community growth. 34th Ave is one option that accomplishes these goals. This petition represents a wide cross-section of our community, including many individuals who are impacted in various ways by the project, from owning properties that would be affected by the project to those with family who live in the area. The residents who signed this petition are united in advocating for a solution that prioritizes the well-being of the community while ensuring fiscal responsibility. This includes minimizing unnecessary expenditures, maximizing cost-effectiveness in construction and maintenance, and ensuring efficient use of taxpayer funds. By selecting an alignment that places distance between the roadway and existing homes and neighborhoods, we can address the immediate transportation needs while safeguarding residents' quality of life, mitigating noise and safety concerns, and allowing for strategic long-term planning. These signatures reflect a collective desire to see this project successfully address the urgent need for improved transportation infrastructure, safety, and noise impacts, while also planning for future growth, environmental sustainability, and long-term community development. We respectfully request that this petition be officially placed on record, included in the public record, and forwarded to the relevant state agencies for review. Additionally, we ask that it be attached to the East Side Corridor project and included in the correspondence portion of the agenda for the upcoming Steele County Board meeting scheduled for January 28th, 2025, for formal consideration. Please confirm receipt of this petition and let me know if any further documentation is required. I appreciate your attention to this important matter and look forward to continued collaboration on this project. Thank you for your time and consideration. Sincerely, North Country Subdivision Residents On behalf of Other Concerned Residents	**Exhibit 73**			

1/23/2025	**Email**	from:Fry, Renae <Renae.Fry@steelecountymn.gov> to:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com>, "Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, "Glynn, John" <John.Glynn@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Prokopec, Joshua" <Joshua.Prokopec@steelecountymn.gov> date:Jan 23, 2025, 1:21 PM This email confirms receipt of your petition. As it was already addressed to the five commissioners, it is not necessary to place it in correspondence on the agenda. It will be added to the files on the project as requested. Renae	**Exhibit 73**	**Public Data**	**§ 13.03 Subd 1:** The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.05: Subd. 5. Data protection** **§ 13.07 DUTIES OF COMMISSIONER; RULES.** The commissioner shall promulgate rules, in accordance with the rulemaking procedures in the Administrative Procedure Act which shall apply to government entities to implement the enforcement and administration of this chapter.	*- Residents asked for their concerns to be included on the agenda per Commissioner Abbe's recommendation/County Policy.* *- A decision was made behind closed door to exclude it.* *- This petiton was not recorded in the meeting minutes, denying public access.* *- Not including the petition does not maintain it in an easy to access format and limits public awareness and engagement.* *- Denial to include our petition denied the voices of 578 people that peacefully assembled to form a collective voice to redress the County Government in a public forum to be recorded as such.* *- Denying our petition denied the commissioners the opportunity to publicly consider resident's concerns and effectively wiped the concerns from the history of Steele County Entirely as there is no record in the minutes of the opposition to this project, a historical document.*

1/23/2025	**Email**	from:Owatonna East Side Corridor <owatonnaeastsidecorridor@gmail.com> to:"Fry, Renae" <Renae.Fry@steelecountymn.gov> cc:"Abbe, Jim" <Jim.Abbe@steelecountymn.gov>, "Glynn, John" <John.Glynn@steelecountymn.gov>, "Brady, James" <James.Brady@steelecountymn.gov>, "Krueger, Greg" <Greg.Krueger@steelecountymn.gov>, "Prokopec, Joshua" <Joshua.Prokopec@steelecountymn.gov> date:Jan 23, 2025, 2:57 PM Dear Renae, Thank you for confirming receipt of our petition and for adding it to the project files as requested. While we appreciate that the petition was addressed to the commissioners, Commissioner Abbe had informed Melissa Zimmerman that including the petition in the correspondence section of the agenda was the appropriate channel to ensure it is formally acknowledged and publicly visible. Could you please reconsider adding the petition to the agenda under correspondence to ensure it is appropriately recognized in the public record? We want to ensure this important matter is given the visibility it deserves. Thank you for your time and consideration. Sincerely, North Country Subdivision Residents On behalf of all petition signers	**Exhibit 73**	**Public Data**	**§ 13.03 Subd 1:** The responsible authority in every government entity shall keep records containing government data in such an arrangement and condition as to make them easily accessible for convenient use. **§ 13.05: Subd. 5. Data protection** **§ 13.07 DUTIES OF COMMISSIONER; RULES.** The commissioner shall promulgate rules, in accordance with the rulemaking procedures in the Administrative Procedure Act which shall apply to government entities to implement the enforcement and administration of this chapter.	
1/28/2025	**Public Meeting**	Residents that arrived at 5pm for the 5pm the commissioner board meeting, that this petition was supposed to be on the agenda of, residents were locked out. There were more than 40 residents that arrived prior to the meeting and were able to gain access, but others were locked out and				

Barriers

Questions to City - Not ESC

Date	Contact Type	Description	Exhibit Number	Type of Violation	Violation	*Notes*
1/3/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Sean P. Murphy" <Sean.Murphy@owatonna.gov> date:Jan 3, 2025, 3:28 PM subject:Rose Street Roundabout Hi Sean, Could you let me know who the consultant was for the Rose and Grove roundabout project? Additionally, do we have any documentation on whether it has reduced or increased the number of accidents at that intersection? If available, where can I find the project documentation or related studies for the roundabout? Thanks, Melissa Zimmerman	**Exhibit 74**			
1/21/2025	**Email**	Sean and I had a good conversation about this email after a city council question.				
1/21/2025	**Email**	from:Sean P. Murphy <Sean.Murphy@owatonna.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> date:Jan 21, 2025, 8:06 PM subject:RE: Rose Street Roundabout Mini-Roundabout FAQs (link: https://researchprojects.dot.state.mn.us/projectpages/pages/lrrbProjectDetails.jsf?id=27246&type=CONTRACT)	**Exhibit 74**			
2/4/2025	**Email**	from:Sean P. Murphy <Sean.Murphy@owatonna.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Sponholz, Paul" <Paul.Sponholz@steelecountymn.gov> date:Feb 4, 2025, 7:58 PM Melissa, SRF was the consultant that prepared the construction documents for the project. I have not had time to delve into our archives on this project nor was I able to assign staff to do so due to our heavy workload and understaffing. I will talk with Paul and see what we can pull together for you. Again, here is that the to MnDOT's Mini Roundabout FAQs report, that I sent you earlier. Thanks Mini-Roundabout FAQs	**Exhibit 74**			

2/5/2025	**Email**	from:Sponholz, Paul <Paul.Sponholz@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Sean P. Murphy" <Sean.Murphy@owatonna.gov>, "Jarrett, Robert" <Robert.Jarrett@steelecountymn.gov>, "Fry, Renae" <Renae.Fry@steelecountymn.gov> date:Feb 5, 2025, 7:39 AM Ms. Zimmerman, You may submit a data request to the County Attorney. Please see his email sent to you on 2/4/2025 for more information on how we are addressing your data requests. Thank you. Paul Sponholz, P.E. | County Engineer	**Exhibit 74**	**Public Data**	**§ 13.03, subd. 1–2**: All government data collected, created, received, maintained or disseminated by a government entity shall be public unless classified...The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03 Subd 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.02 Subd 16(a):** "Responsible authority" in a state agency or statewide system means the state official designated by law or by the commissioner as the individual responsible for the collection, use and dissemination of any set of data on individuals, government data, or summary data.	*- Zimmerman never contacted the county, let alone Sponholz. This was a completely unrelated question to the East Side Corridor, directed to the CITY, an entirely separate entity!* *- The response seemed to be an attempt to create unnecessary bureaucracy, deterring access rather than facilitating it, especially since this wasn't even within Sponholz's jurisdiction.* *- Just because one person is assigned to collecting data doesn't mean others can't be accessed, especially elected officials. This wasn't even the correct entity for the question!*

	Email	Reference email: from:Jarrett, Robert <Robert.Jarrett@steelecountymn.gov> to:Lyssa Lynn <lyssalynn13@gmail.com> cc:"Fry, Renae" <Renae.Fry@steelecountymn.gov>, "Kubicek, Rebecca" <Rebecca.Kubicek@steelecountymn.gov> date:Feb 4, 2025, 3:55 PM Melissa, From this point forward, please direct any requests for documents/questions regarding the East Side Corridor to only myself and Ms. Fry. We will track the requests, provide data in the order it was requested, and in compliance with the Chapter 13 Government Data Practices Act. The Act does not require specific time frames for data release and does not require government agencies to answer specific questions. The County is still working on reviewing current data requests on top of the day-to-day normal operations. I do not have an estimated time frame right now. Related to your request below for "**Joint Transportation Committee**" minutes, Steele County does not maintain those minutes, so therefore does not have the minutes to provide you. Thank you, Rob	**Exhibit 74**	**Public Data**	**Chapter 13 Data Practices:** Chapter 13 does not support the limiting access to staff **§ 13.03 Subd 2(a):** The responsible authority in every government entity shall establish procedures, consistent with this chapter, to insure that requests for government data are received and complied with in an appropriate and prompt manner. **§ 13.03 Subd 3(a):** Upon request to a responsible authority or designee, a person shall be permitted to inspect and copy public government data at reasonable times and places, and, upon request, shall be informed of the data's meaning. **§ 13.02 Subd 16(a):** "Responsible authority" in a state agency or statewide system means the state official designated by law or by the commissioner as the individual responsible for the collection, use and dissemination of any set of data on individuals, government data, or summary data. **§ 13.09:** Willful violation of this chapter, including any action subject to a criminal penalty under paragraph (a), by any public employee constitutes just cause for suspension without pay or dismissal of the public employee.	*- Limiting access to staff creates unnecessary barriers that hinder access to data and timely information.* *- Data requests cannot be delayed due to the fulfillment of previous requests that have not been completed.* *- Questions regarding data must be answered upon request.* *- The person responsible for public data should ensure it is collected and made available, not stand in the way of accessing it.*
1/5/2025	**Email**	from:Lyssa Lynn <lyssalynn13@gmail.com> to:"Sean P. Murphy" <Sean.Murphy@owatonna.gov> date:Feb 5, 2025, 9:31 AM Thanks, Sean, No need to spend much time searching for documentation—I was mostly just curious about whether it generally improved safety, such as reducing accidents. However, after our conversation following the last council meeting, where we discussed that roundabouts are more about traffic flow than safety, my understanding changed. I'm not looking to create extra work; I was just hoping for a quick answer, and again had thought it was a city project. I appreciate the roundabout study—it was helpful! Thanks, Melissa				