

Monticello Times

Volume 154 Number 23

www.monticellotimes.com

THURSDAY, JAN. 20, 2022



Photo by Jeffrey Hage / Monticello Times

Mary Gardner, above, is the new executive director of the Monticello Help Center.

Tackling Help Center 'adventures'

BY JEFFREY HAGE
MONTICELLO TIMES

If there's one thing the volunteers at the Monticello Help Center have learned over the past two months, it's that the food pantry's new director is a real problem solver.

Mary Gardner, who took the reins of the Monticello Help Center after Lars-Erick Carlson resigned as executive director this fall, has a knack for solving problems.

Take Saturday, January 15 for example.

A Help Center volunteer was making a regular pick-up at Aldi as

part of the food pantry's food rescue program, through which local grocery stores donate to the Help Center produce, dairy, deli, meat, bakery and grocery items that are either overstock or nearing sell-by dates.

The volunteer picking up food at Aldi called Gardner with what he said was an emergency.

"Aldi had 800 dozen eggs for rescue," Help Center board chair Mary Van Dell told members of the Monticello Rotary Club on Monday, Jan. 17.

Mary Gardner was tasked with one of two solutions: Accept the

800 dozen eggs or reject the donation.

"Of course we'll take them," Gardner is said to have told the food rescue volunteer.

The eggs were taken to the Monticello Help Center at 224 W. Third Street in Monticello, where the eggs filled a new walk-in cooler from wall to wall.

Then Mary Gardner got to work. She contacted food shelves in Big Lake, Buffalo, and Elk River. Each food shelf committed to taking 100 dozen eggs from the Help Center.

Help Center / See page 12

Police chief resigns after ATF, FBI investigation into gun purchase

BY JEFFREY HAGE
MONTICELLO TIMES

On Wednesday, July 14, Molly Hayden was filled with pride as she pinned the police chief's badge on her husband after Matt Hayden was appointed Big Lake's police chief by the Big Lake City Council.

Six months later, Molly Hayden was fighting for her husband's honor before that same city council as it prepared to accept Matt Hayden's resignation.

Hayden tendered his resignation on January 6. Hayden was placed on paid administrative leave on Sept. 13, 2021 after being the subject of a formal complaint alleging he violated Big Lake policy when purchasing handguns in July, 2021. The act occurred about two weeks after Hayden was appointed to replace Joel Scharf as police chief, who resigned in May and relocated to Arizona after nine years on the job.

The City of Big Lake retained an outside firm to investigate the allegations made against Hayden.

By the time the 70-page report compiled by Red Cedar Consulting, LLC was received by the City on January 3, the Plymouth Police Department, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and even the Federal Bureau of Investigation (FBI) had taken close looks into what transpired the day Hayden and Scharf bought guns. The ATF and FBI forwarded the findings of their investigations to the U.S. Department of Justice (DOJ) for consideration of criminal charges. However, the DOJ declined to file charges, in part, because the agency doesn't have the resources to prosecute cases involving less than 50 weapons, according to documents with the investigation report.

However, on Dec. 14, 2021, an ATF agent went



Matt Hayden

Police / See page 14

CLAYTONS APPLIANCE REPAIR
CLAYTON'S HEATING & AIR
1194766
6 x 2 in

THIS WEEK IN SPORTS

100 for the Magic!

Monticello's Carson Kolles scored 40 points in a 100-76 Magic win over Chisago Lakes in boys basketball action.

See pages 23-27



Newstand Price: \$1.50



IN THE NEWS

Police: Chief says he did not fully understand the process of buying back guns department liquidated

Continued from page 1

to Hayen's home and served the Chief with a formal warning notice. The warning stated that it is unlawful to make a false statement on a federal firearms transfer record, which Hayen is accused of doing.

What's at issue

Police departments often purchase new service weapons and liquidate the weapons through sales to licensed gun shops. Police officers can then purchase their former service weapons from the gun shop to be used in that officer's official duties as a police officer with official paperwork from the police department or city hall.

According to the investigation report, that's what Hayen did on July 28, 2021.

Scharf had returned to the Big Lake area for three weeks in July 2021. After retiring, Scharf expressed to Hayen an interest in purchasing his former service weapon, a Kimber 1911. Hayen had a similar gun while working as Scharf's deputy chief. During Scharf's July visit, Hayen agreed to liquidate the Kimber 1911s and sell them to Streicher's Law Enforcement & Public Safety Equipment in Plymouth.

Prior to going to Streichers, Hayen completed the necessary documentation needed to complete the gun transaction and had the paperwork signed and authorized by Big Lake City Administrator Clay Wilfahrt.

Hayen and Scharf met at Streichers on the morning of July 28 and all was going well with the transaction until store personnel informed Scharf that he could not purchase his gun because he was no longer a licensed police officer in Minnesota and did not have a Minnesota address. That led to Hayen allegedly altering the form signed by Wilfahrt that authorized Hayen to purchase his former service weapon.

According to the investigation report, Hayen changed the number of guns he could buy from one to two. However, Hayen told investigators he is certain he presented two separate documents to Streichers- one for each gun purchase- and suggested a new form was created condensing the two transactions. Streichers was able to present just one form to investigators. That document, among the 70 pages the Monticello Times viewed in the investigation report obtained through a public data request, clearly shows a handwritten "2" in the otherwise typeset document.

Hayen paid for one of the guns. Scharf charged the second gun to his personal credit card, the report states.

On August 23, Scharf made a formal complaint regarding Hayen and the incident at Streichers to City Administrator Clay Wilfahrt. The investigation report suggests the complaint came after Scharf learned that earlier in the year Hayen talked with agents from the Minnesota Bureau of Criminal Apprehension about Scharf's role in an alleged election-based smear campaign geared towards keeping a 2020 city council candidate from being elected.

"This investigator finds that Scharf — who himself was directly implicated in the July 28 transaction at Streicher's — likely had ulterior motives for making his com-

plaint," Investigator Isaac Kaufman wrote in his investigation report to the city of Big Lake.

But regardless of Scharf's motives, Hayen is personally responsible for falsely stating to investigators that he was the actual buyer of the gun that was purchased by Scharf, the investigation report states.

"...Because there is no evidence in the record to support Hayen's claim that he completed two separate Firearms Transaction Record forms, this Investigator concludes that Hayen's statements to that effect during his investigative interview were untruthful," Investigator Isaac Kaufman of Red Cedar Consulting, LLC wrote in his report to the city.

And because Hayen's statements were viewed to be untruthful, Kaufman stated Hayen violated the Big Lake Police Department Code of Conduct.

Resignation under threat of termination?

Scott Zettervall, a former city council member and current chairman of the city's planning commission, addressed the city council at its Jan. 12 meeting, and asked Hayen's resignation be pulled from the consent agenda where agenda items are approved but not discussed publicly.

"It appears Matt Hayen may have submitted his resignation with short notice and under threat of termination if he refused to resign quickly," Zettervall said to the city council.

Zettervall also asked the council if it fully understood the investigation report it received and if it should hear directly from Hayen before making a decision regarding the police chief's future.

Molly Hayen addresses city council

Matt Hayen's wife, Molly Hayen, addressed members of the Big Lake City Council at its Jan. 12 meeting. She told council members that when Matt Hayen was placed on leave he was never given, or asked to sign documentation of his leave. He was given no direction regarding the leave other than to be told there was an investigation that he could know nothing about, Molly Hayen said.

Molly Hayen said the complaint came from Scharf and was the result of a falling out the two had over Matt Hayen setting boundaries with Scharf and his alleged tampering with the operations of the police department and Hayen's desire for a fresh start within the department that would create a better work environment for its officers, she said.

Molly Hayen stated the city had no communication with her husband during his leave. However, Matt Hayen did assist in resetting a computer network and setting up computer access for some Big Lake police officers at the police station. (NOTE: Wilfahrt later denied there was no communication between the city and Hayen during his leave and the city tried to be accom-

modating with answers to questions Hayen and his attorney presented to the city.)

On January 4, the office of hayen's Minneapolis-based attorney, Kelly Keegan, received correspondence from Wilfahrt stating that the city was looking at terminating Hayen. As an alternative, Hayen could resign, Molly Hayen stated. Molly Hayen alleges that the City gave her husband less than 48 hours to make a decision so the matter could be on the agenda of the January 12 meeting of the Big Lake City Council. She added that Matt Hayen did not receive the investigation report until Tuesday, January 11.

"Matt submitted his resignation because he was not sure what else to do," Molly Hayen said.

She also noted that almost a week after the submitting of the resignation letter, it had yet to be acknowledged by Wilfahrt or anyone else associated with the city.

"Matt is a good person, he's a family man, and has never wanted anything but to be an officer- and he would have never done anything to jeopardize that or your trust if he knew it was wrong," she said, noting that her husband was led towards the alleged wrongdoing by others.

Molly Hayen concluded that she wishes the outcome for her husband would have been different and that city officials would have given him a chance and responded to him.

"It's really unfortunate that the city would treat someone who has served the community with nothing but high regard for five years like this," Molly Hayen stated.

Council talks before accepting resignation

With action on Hayen's resignation pulled from the consent agenda, members of the Big Lake City Council were open to discuss the matter.

It was an emotional moment, with Mayor Paul Knier and councilors Ken Halverson, Paul Seefeld, Sam Hanson, and Kim Noding all showing sadness over accepting Hayen's resignation. Seefeld and Noding could both be seen with tears in their eyes.

Knier said, "We're not the first organization, we're not the first community that is going to have to let go a good man, a good employee, because they made a mistake."

"It's unfortunate. It's hard to do," Knier said.

While Knier said he was ready to accept Hayen's resignation he added that would be willing to give Hayen any help he needs, including a letter of recommendation as he pursues future employment.

"I'd be willing, personally, to vouch for him," Knier said.

"But in my opinion, he made a pretty gross mistake," Knier said in explaining why he would accept Hayen's resignation.

Halverson told Molly Hayen he didn't want her to leave the meeting thinking that her husband was shunned or pushed to the side. He said he did not reach out to Hayen during the investigation because he felt it would create a conflict. He said he welcomes sitting down and talking with Hayen in the future.

Halverson added that he read the report and has made his decision to accept Hayen's resignation based on what's in the report and what's in the best interest for the City of Big Lake.

"It's surely nothing against Matt. He's a very nice man," Halverson concluded. "He's always been very nice to me," Halverson said.

Noding said she holds Hayen in the highest esteem and after reading the report was very disappointed that she had to make the decision to accept Hayen's resignation.

"It's disappointing and rather devastating," Noding said.

Noding then recalled the night in mid-July that Matt Hayen was appointed police chief and Molly Hayen pinned the police chief's badge on her husband as Noding sat nearby taking pictures.

"I was very, very proud and happy and appreciate all the years he served here," said Noding, noting that she views Hayen as an exceptional human being.

Seefeld echoed everything his fellow council member said.

Sam Hanson said he was comfortable accepting Hayen's resignation, but suggested that each council member reach out to Hayen and talk with him personally.

The motion to accept Hayen's resignation passed unanimously.

Hayen issues statement

Following the acceptance of Matt Hayen's resignation by the Big Lake City Council, Hayen issued a statement through his attorney, Kelly Keegan.

"I was employed with the Big Lake Police Department for nearly six years and was promoted as a leader within the department by former Chief of Police Joel Scharf. When I would not follow Mr. Scharf's directives after his retirement, and after he learned I spoke with the Minnesota Bureau of Criminal Apprehension investigators regarding allegations he improperly campaigned against a city council member, Mr. Scharf retaliated by devising a series of events to remove me as chief," Hayen stated.

"Believing I was finalizing his employment with the department, I helped him purchase his department issued firearm — a transaction in which he was the sole beneficiary and an active participant. I never would have participated had I better understood the legal technicalities, as I relied on the advice of the federal firearms dealer/retailer and Mr. Scharf," Hayen stated.

"While I wish the outcome could be different and that the City would have been more transparent with this process, to the citizens of Big Lake, the Big Lake city staff and most importantly, to the officers of the Big Lake Police Department, I take responsibility for my actions, and I never had any intention of being dishonest or jeopardizing the public's trust. I truly enjoyed working for the City of Big Lake and looked forward to a long career serving as your chief," Hayen said.

Reach Jeff Hage at jeff.hage@ecm-inc.com