

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: February 14, 2023

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present:

Dewey Severson, Eric Johnson, Robert Burns, Bob Schuldt, and Greg Myhre

Others Present:

Auditor/Treasurer Donna Trehus, Reporter Rachel Stock, IT Director Andrew Milde, Reporter Charlene Selbee, Finance Director Carol Lapham, Public Health and Human Services Director John Pugleasa, Board Clerk/EDA Director Allison Wagner, Engineer Brian Pogodzinski, Human Resources Director Theresa Arrick-Kruger, Deputy Auditor/Treasurer Nikki Konkel, Recorder Mary Betz, Jail Administrator Dean Ott, Collaborative Design Group Johona Harris, Collaborative Design Group Tamara Wylie, and Mark Bennett

Presiding: Chairperson Severson

Call to order.

Pledge of Allegiance.

Prior to any motions being made one item was added to the action items on the agenda: Consider approving Resolution No. 23-08 Establishment of Absentee Ballot Board and UOCAVA Ballot Board – M.S. 203B.121. Motion was made by Commissioner Schuldt, seconded by Commissioner Myhre, motion unanimously carried to approve the agenda with the change.

Motion was made by Commissioner Myhre, seconded by Commissioner Johnson, motion carried unanimously to approve the February 7, 2023 meeting minutes.

Public Comment: No public comments were made.

APPOINTMENTS

The Commissioners met with Johona Harris and Tamara Wylie from Collaborative Design Group to discuss preliminary draft plans from the space utilization study. Harris and Wylie showed the Commissioners three options for potentially moving some offices around to best utilize County space. The Commissioners discussed the possibility of consolidating services and potentially selling the Community Services Building along the highway in the future. Those offices would then need to be relocated possibly to the Historic Courthouse. Harris and Wylie mentioned the possibility of creating additional space by scanning some documents that were

currently taking up room in storage areas. This could possibly free up more space for additional offices. The Commissioners would review the preliminary ideas in the upcoming week and discuss the ideas again at the next workgroup session.

CONSENT AGENDA

Motion by Commissioner Myhre, seconded by Commissioner Johnson, motion unanimously carried to approve the consent agenda. Items approved are listed below.

- 1) Change Lee Langager's banding/Step from B-21 Step 4 to B-22 Step 4 effective 02/15/2023.
- 2) Change Nancy Welsh's from 0.7 FTE to 0.8 FTE, effective immediately While we work with DOC supervisor to determine appropriate FTE.
- 3) Change Ben Novak's assignment from Lead Jailer/Dispatcher (Sgt.) to 0.55 Jailer Dispatcher effective 02/26/2023. (This is a voluntary demotion and there are no plans in the foreseeable future to replace the Lead (Sgt.) position.)

ACTION ITEMS

File No. 1 – Commissioner Johnson moved, Commissioner Burns seconded, motion unanimously carried to adopt Resolution No. 23-07 Resolution to Submit, Adopt, and Implement the WinLaC Comprehensive Watershed Management Plan contingent upon BWSR approval. Commissioner Burns moved, Commissioner Myhre seconded, motion unanimously carried to approve the WinLaC (Mississippi River Winona La Crescent) Comprehensive Watershed Management Plan Joint Powers Agreement contingent upon BWSR approval.

File No. 2 – Commissioner Johnson moved, Commissioner Myhre seconded, motion unanimously carried to approve the Icon Constructions, LLC quote for Bridges 28512, 28538, 28530, 28531, 28510, and 28515 in the amount of \$117,100.00.

File No. 3 – Commissioner Johnson moved, Commissioner Severson seconded, motion unanimously carried to approve Winona County-Houston County Professional Services Inter-County Agreement.

File No. 4 – Commissioner Burns moved, Commissioner Schuldt seconded, motion unanimously carried to approve Resolution No. 23-08 Establishment of Absentee Ballot Board and UOCAVA Ballot Board – M.S. 203B.121.

DISCUSSION ITEMS

Commissioners discussed the Childcare Town Hall event that they had attended the previous week. The purpose of the event was to learn about childcare data collected in Houston County and address needs. It was the general consensus of the Commissioners that the Childcare Town Hall had been a successful event. Wagner said the main takeaway from the meeting was that

the County was short over 200 childcare slots in the 0-5 age group meaning there were more children than childcare slots available in Houston County. This was directly related to the workforce and overall economy of Houston County. She said this was the reason for the core team working with First Children's Finance to create additional childcare slots and support existing providers.

Commissioners discussed recent meetings they had attended including Public Health Advisory, Comp Plan Review with TKDA, Semcac, and Community Services meetings.

Commissioner Burns said that due to the COVID-19 pandemic emergency ending some SNAP participants in the County would no longer receive some benefits. He said he anticipated an increased demand for food from Semcac and food shelf programs in the County.

There being no further business at 11:43 a.m., a motion was made by Commissioner Myhre, seconded by Commissioner Johnson, motion unanimously carried to adjourn the meeting. The next meeting would be a workgroup session on February 21st, 2023.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Dewey Severson, Chairperson

Attest: _____
Donna Trehus, Auditor/Treasurer

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: February 21, 2023

9:00 a.m.

Place: Commissioners Room, Courthouse, Caledonia, MN

Members Present:

Dewey Severson, Eric Johnson, Robert Burns, Bob Schuldt, and Greg Myhre

Others Present:

Finance Director Carol Lapham, Auditor/Treasurer Donna Trehus, Public Health Supervisor Jordan Knoke, Social Services Supervisor Bethany Moen, Human Resources Director Theresa Arrick-Kruger, Sheriff Brian Swedberg, Engineer Brian Pogodzinski, Recorder Mary Betz and Deputy Auditor/Treasurer Polly Heberlein.

Board Workgroup Session

Call to order.

Commissioners discussed the Highway Department's equipment replacement schedule and anticipated rotation time frame of other existing equipment. Engineer Pogodzinski stated that Houston County's plow truck rotation goal is 12 to 13 years on average. A uniform equipment cost forecast is targeted to be between \$600,000 and \$700,000 annually. The question of keeping the pickup purchases with the Enterprise program will be discussed at a future Finance Committee meeting.

The Commissioners discussed the opportunity to acquire roughly 6 acres of the former Barth homestead land near the Airport. It was noted that Houston County purchasing 2 acres on the north end of the property is anticipated to be fully supported by the FAA and would help the County to obtain a non-precision instrument approach verses visual only. Land purchase cost is anticipated to be 90% FAA/5%MnDot Aeronautics/5% Local. In order for the current land owner to build a home on the remaining 4 acres, they would need FAA approval but not a variance. Engineer Pogodzinski will look into cost share availability for building and tree removal costs on the property that the County may purchase. This discussion was food-for-thought only, at this point.

The Commissioners discussed the suggestion of placing an ad in the local papers for the replacement of Lieutenant Tracie Erickson, regarding his upcoming retirement. There were two ad options suggested, with one looking at replacing the Sherriff's Lieutenant position only verses placing an ad with the option to include a Deputy and/or Sargent position, should someone from within the current Department be offered the Lieutenant position. The joint ad would not prolong the search for additional candidates if an in-house advancement would occur. It was the preference

of the Board to advertise the Sheriff's Lieutenant position only at this time for the necessary 3-week period. The Deputy and/or Sargent position will be reviewed at a later date, if necessary. There will be two Action Items included at the next Board meeting with the first being the confirmation of the retirement of Lieutenant Erickson and the second being the intent to initiate a competitive search to replace the Lieutenant position.

The Commissioners discussed the space study options presented by Collaborative Design Group, Inc. The 3 suggestions were forwarded to Department Heads in the hopes that conversation with each Department would list pros and cons to help either narrow down options or flush out more questions that would require additional research. The Board would like to hear the feedback from the Departments thru the Department Head and then ask HR Director Arrick-Kruger to forward the findings to CDG for more tweaking. More information is needed in order for the Board to move forward with a decision.

Commissioner Myhre mentioned that applications will be sought to manage Wildcat Campground for 2023. The contract, bond and insurance options are being looked into. The first year management agreement will be a 1 year contract with the hopes of extending the future term to be a possible 3 to 5 year commitment.

Commissioner Johnson asked Public Health Supervisor Knoke if comments have been received on the upcoming Public Hearing to consider a moratorium on the sale of edible cannabinoid products and/or THC food and beverages within Houston County. She confirmed that Health and Human Services Director John Pogleasa has received a few comments. He is currently working on a 1-page list of rules on this topic which is structured somewhat like a statute guide. While at the upcoming Public Meeting, Commissioner Severson has agreed to stress that the meeting is an opportunity to make a 3-minute public comment only. It is intended for the Board to listen to the public with no decisions being made that night. Commissioner Burns added that in order for the Public to speak, they will have to sign up at the entrance. Commissioner Burns has been doing research on the CBD products currently available for sale in Houston County as well as creating a list of the businesses that are selling the products.

Commissioner Burns noted that Houston County resident Paul Fruechte along with other neighboring land owners have received a letter along with a preprinted Purchase Agreement regarding an offer to purchase land in their area with the possibility of creating a housing addition of some kind on the property. The price listed within the Purchase Agreement was at a very low price. The Board suggested the County post / publish an ad of 'People Beware' to make it be known that there is a strong possibility this could be a scam. Auditor/Treasurer Trehus will get this notification in the local papers and on the Houston County website.

Commissioner Severson noted there will be a Workforce and SHAC meeting next week along with a no-wake public hearing next month with the DNR. He also mentioned the possibility of the need for a County Administrator to help clarify and delegate for approximately 200 County employees.

The meeting ended at 11:13 a.m.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Dewey Severson, Chairperson

Attest: _____
Donna Trehus, Auditor/Treasurer

**HOUSTON COUNTY
AGENDA REQUEST FORM
February 28, 2023**

Date Submitted: February 23, 2023
By: Tess Kruger, HRD/Facilities Mgr.

ACTION

- **NONE**

APPOINTMENT REQUEST

- **CLOSED SESSION** - Pursuant to Minn. Stat. 13D.05, subdivision 1 (d), *attorney – client privilege* to meet with Attorney Margaret Skelton regarding pending employment claim – 9:10 A.M. (Attorney Skelton will be attending via ZOOM)

HR CONSENT AGENDA REQUEST

Department of Corrections

- **Initiate a competitive search for a .6 FTE Technical Clerk I, B-21 (opening due to a recent resignation of a .8 FTE Tech Clerk I)**

Sheriff's Office

- **Confirm the retirement of Tracie Erickson, effective 02/28/2023**
- **Approve initiating a competitive search for a 1.0 FTE Sheriff's Lieutenant, C-43**

<u>Reviewed by:</u>	<input checked="" type="checkbox"/>	HR Director	<input checked="" type="checkbox"/>	Sheriff	
	<input checked="" type="checkbox"/>	Finance Director	<input type="checkbox"/>	Engineer	
	<input checked="" type="checkbox"/>	IS Director	<input type="checkbox"/>	PHHS	
				(indicate	
				other	
	<input checked="" type="checkbox"/>	County Attorney	<input checked="" type="checkbox"/>	dept)	<u>Corrections</u>
	<input type="checkbox"/>	Environmental Svcs			
<u>Recommendation:</u>					
<u>Decision:</u>					

**HOUSTON COUNTY
AGENDA REQUEST FORM
February 21, 2023**

Date Submitted: February 13, 2023

By: Robert Thoen

The Brownsville VFW has again donated \$185.00 to the Veteran Services Office to use for any veteran's needs. The County Board must accept this by motion.

Reviewed by:

☐ HR Director

☒ Finance Director

☐ IS Director

☐ County Attorney

☐ Environmental Svcs

County

Sheriff

County

Engineer

PHHS

Other

(indicate

dept)

VSO

Recommendation:

Decision:

HOUSTON COUNTY AGENDA REQUEST FORM

Date Submitted: 02.28.23

By: Donna Trehus-Auditor-Treasurer

Consent Agenda:

Consider approving Peddler License for Scott Allan Gibson.

Mr. Gibson is contracted through Scenic Concepts in LaCrosse, WI. to take Aerial Photos.

License is requested for March 1st thru December 31st with plans to renew each month with the Auditor's office until the job is completed in December 2023.

Reviewed by:

____ HR Director

XX

County

Sheriff

County

Engineer

____ Finance Director

____ IS Director

____ PHHS

Other

(indicate

dept)

____ County Attorney

____ Environmental Svcs

Auditor/Treasurer

Recommendation:

Decision:

Houston County, Minnesota

Peddler's License & Registration Application

In an effort to provide the public of the County of Houston with the best quality of life within its jurisdiction, the County has determined that the following information be received from any and all persons or firms wishing to conduct:

☐ Transient Merchant
☐ Canvasser/Solicitor

☒ Peddler

1. Name and description of applicant:

Name: Scott Allan Gibson
(First) (Middle) (Last)

Eyes Gr Hair Bl Height 5'11" Weight & Build 200

Date of birth Drivers License #

(Attach copy of license)

2. Permanent Home Address:

606 Liberty St.
LaCrosse WI 54603

Telephone Number:

Local Address: None - Permanent Phone #:

3. Description of vehicle(s) used for sales purposes:

Make & Year 2014 Toyota Highlander Model: Highlander

License # & State Color: Gray

4. Brief written description of the nature of the business, a description of the goods to be sold (including photographs or brochures), what company you are soliciting for and the applicant's method of operation:

Aerial Photos - Scenic Concepts
from LaCrosse WI

Continued →

5. If employed, name and address of employer: Self employed but Contracted through Scenic Concepts 115 5th Ave S. La Crosse WI 54601

6. List other cities/counties where licensed: —

7. Dates requested for permit: March 1 - Dec 31

8. Have you been convicted of a felony, gross misdemeanor or any crime of theft, fraud, or issuance of a worthless check? — Yes X No

9. If a fixed site is used for display and sale of goods, written permission of the property owner must be provided. NA

(4) 10. Providing false information in the application could result in denial of the license.

11. Signature of applicant must be notarized.

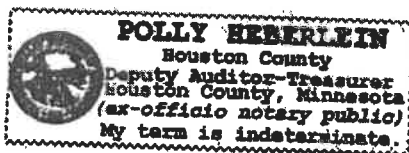
[Signature]
Signature of applicant

2-9-23
Date

Polly Heberlein
Notary

2-9-23
Date

Notary Stamp



Prior to consideration of the application an investigation shall be made by the county sheriff's department of all persons listed on the license application.

Approved: X Denied: —

Checked by: [Signature] #2807

County Auditor's Office Use Only

\$25.00 non-refundable application fee plus:

Transient Merchant (7 day license) \$25.00 per individual
☒ Peddler (30 day license) \$75.00 per individual
— Canvasser/Solicitor (30 day license) \$75.00 per individual

Date Paid — Receipt # — License # — Expiration —

Approved — Denied — By —

**HOUSTON COUNTY
AGENDA REQUEST FORM**

Date Submitted: 2.28.23

By: Donna Trehus, Auditor/Treasurer

ACTION ITEM:

Consider easement/land purchase for the Houston County Airport.

ACTION ITEM:

<u>Reviewed by:</u>	<input type="checkbox"/> HR Director	<input type="checkbox"/> County Sheriff	
	<input type="checkbox"/> Finance Director	<input checked="" type="checkbox"/> County Engineer	
	<input type="checkbox"/> IS Director	<input type="checkbox"/> PHHS	
	<input type="checkbox"/> County Attorney	<input checked="" type="checkbox"/> Other (indicate dept)	Commissioner-Myhre/Burns
	<input type="checkbox"/> Environmental Svcs		
<u>Recommendation:</u>			
<u>Decision:</u>			

RESOLUTION 23-09

AMC Community Supervision Work Group

Endorsing the efforts of the Community Supervision Work Group and urging the legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

WHEREAS, community supervision is a fundamental part of the criminal justice system in Minnesota and funding sufficient to ensure effective services is vital to public safety in all communities across the state; and

WHEREAS, community supervision includes services such as probation, supervised release, and intensive supervised release; and

WHEREAS, Minnesota's counties provide essential community supervision services both as mandated by M.S. Chapter 244.19 and also as delegated by the Department of Corrections under M.S. Chapter 401; and

WHEREAS, when the Legislature decided that community supervision was best delivered through a state-county partnership, it stated a clear intent that the state would provide significant funding to the counties for the operation of local programs; and

WHEREAS, over the past 20 years, Minnesota has become the state with the lowest level of corrections funding in the nation because the Legislature has not upheld its promise to provide adequate state resources to support community supervision; and

WHEREAS, the Legislature's failure to adequately fund community supervision has increased local property taxes on residents and businesses; and,

WHEREAS, a revised community supervision funding formula is necessary to ensure that all communities in Minnesota have enough state funding to provide a consistent standard for effective, evidence-based community supervision services, regardless of local capacity to pay; and

WHEREAS, the Association of Minnesota Counties assembled the Community Supervision Work Group including county leaders and experts in community supervision from all three supervision delivery systems to study the needs of community supervision departments statewide and develop a single funding

formula that is transparent, needs based, and equitable among county and state supervision providers; and,

WHEREAS, the Community Supervision Workgroup has taken up its charge to convene stakeholders across the three probation delivery systems to oversee a study to create a unified recommendation for an equitable and adequate funding formula and appropriation; and,

WHEREAS, the Board of Directors of the Association of Minnesota Counties that represents the diverse interests of Minnesota's 87 counties, voted to support a new funding formula that provides counties with the resources needed to keep communities safe; now, therefore,

BE IT RESOLVED, the Houston County Board of Commissioners endorses the efforts of the Community Supervision Work Group and urges the Legislature to pass a new funding formula and significant appropriation during the 2023 legislative session.

*****CERTIFICATION*****

STATE OF MINNESOTA

COUNTY OF HOUSTON

I, Donna Trehus, do hereby certify that the above is true and correct copy of a resolution adopted by the Houston County Board of Commissioners at the session dated February 28, 2023.

Witness my hand and the seal of my office this 28th day of February, 2023.

(SEAL)

Donna Trehus
Houston County Auditor/Treasurer



What is Probation?

Probation is one form of community supervision, which is an umbrella term that includes probation, supervised release, and pre-trial services. Many people use the term probation and community supervision interchangeably. Throughout this document, probation is used to refer to all parts of the community supervision system which are defined below.

Pre-Trial Supervision

Pretrial supervision is community supervision of person that has not yet been convicted of a crime. Agents ensure clients show up to court, comply with conditions of release, and connect them with voluntary services like substance use disorder and mental health treatment.

Supervised Release

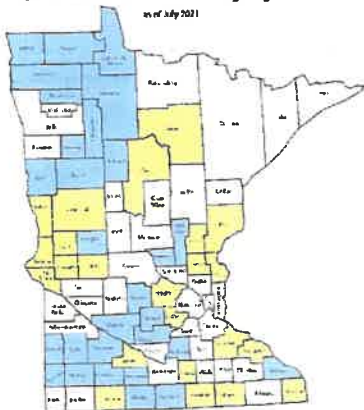
Community supervision for those who committed felony offenses are released from prison on their court-ordered release date. In Minnesota, state law requires most people serve two-thirds of their sentence in prison and one-third in the community under supervision. Some people who require greater supervision are placed on intensive supervised release.

Probation

A community supervision sanction imposed on a person by the court as an alternative to or in conjunction with confinement or intermediate sanctions. They may be convicted of felony, gross misdemeanor, or misdemeanor offenses.

Correctional Delivery Systems

as of July 2021



There are three probation delivery systems in Minnesota that use a combination of state and county provided services. **Counties provide about 80% of the probation and supervised release services in the state and the Department of Corrections (DOC) provides the other 20%.**

DOC

State Corrections Department provides all supervision services.

DOC/CPO

State Corrections Department provides services for adult felons; county provides services for juveniles/adult non-felons.

CCA

Community Corrections Act provides all supervision services.

How is Probation Funded in Minnesota?

Every probation delivery system has its own method of funding.

- The DOC receives a direct agency appropriation from the Legislature and is included in the Governor's budget request to the Legislature. The Legislative funding is the main source of funding for the DOC. For DOC contract counties, the DOC provides all supervision services and bills the county for juvenile and adult non-felony cases. The county is eligible for a 50% reimbursement of costs just like the CPO Counties described in the next paragraph.
- CPO counties provide and pay for probation services for juveniles and adult non-felons, which is reimbursable up to 50% from the DOC. If the Legislature does not appropriate enough money to the DOC to reimburse the entire 50% of costs, the DOC pro-rates the reimbursements. CPO counties have not received the complete reimbursement amount since the 1990's.
- CCA counties receive a subsidy from the Legislature after it passes through the DOC budget. The subsidy is distributed to the CCA counties through a complicated formula considering population, case filings, criminal defendants that are not sent to prison, and adjusted net tax capacity. In most counties, the state subsidy does not cover more than 1/3 of costs for probation that is provided by the county on behalf of the DOC — well below the intended 50% cost-share by the state.

The Problem – Confusion and Underfunding

The three different funding mechanisms used to fund Minnesota's probation systems are not only difficult to understand but also create inequalities in service and outcomes. Every year, the three delivery systems approach the Legislature separately for funding to provide an essential public safety service. Counties are at a disadvantage because they are not at the table as a state agency therefore, they must rely on the DOC to include county funding in the governor's proposed budget. If that does not happen, counties must bring an independent bill to ask for funding. When choosing between the state budget and county subsidies and reimbursements, legislators often cut the county funding proposals, which means that counties – who deliver more than 80% of the State's probation services – are consistently underfunded. Even when the DOC field services budget gets an increase, it has not been enough to hire additional field agents to meet the needs of Minnesota.

Minnesota is **last in the nation** when it comes to **general fund spending on corrections – institutions and probation services**. The impact is felt severely by smaller counties with fewer resources. Without proper resources, probation staff cannot do their job effectively which impacts public safety in every county regardless of delivery system.

The Solution – Modernizing and Fully Funding the Formula To Create Better Outcomes

AMC has gone to the Legislature year after year for funding to support better outcomes but has been unsuccessful in obtaining any meaningful changes. Until the outdated formula and funding structure are amended, counties will be required to make up the difference between what the state provides and what public safety necessitates through increased property tax levies. Counties have the solution and are unified in their proposal to fix the probation funding formula.

The AMC Community Supervision Workgroup is creating a better probation funding formula to apply one method of funding for all counties. All three probation delivery systems are retained in this proposal, preserving county choice. The simplified formula will be based on data from a workload study that is currently underway and will be used to calculate the actual cost for probation. The workload study is tracking the work of agents throughout the state to determine how many staff are required to provide evidence-based practices throughout the state. Once the required staffing is determined, the Workgroup will determine the daily cost of probation for each case which will be the basis for legislative appropriations. This will ensure that counties are part of the same funding stream as the DOC, so the entire system is funded as part of the state budget. Increased appropriations to accompany the new formula are necessary to ensure that all counties can maintain a base level of probation services and provide evidence-based practices that are proven to reduce the rate of reoffence.

The County Ask

AMC is asking the legislature to support Minnesota's probation system by passing the formula created by the AMC Community Supervision Workgroup and appropriate additional funding to correct decades of underfunding.

If you have questions or would like more information, please contact Carli Stark, AMC Public Safety Policy Analyst and MACCAC Director, at 651-789-4335 or cstark@mncounties.org.

January 2023