

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: July 2, 2024

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: Interim Auditor/Treasurer Polly Heberlein, Fillmore County Journal Reporter Charlene Selbee, The Caledonia Argus Associate Editor Rose Korabek, Finance Director Carol Lapham, Board Clerk/EDA Director Allison Wagner, Recorder Mary Betz, Public Health and Human Services Director John Puleasa, Deputy Auditor/Treasurer Mark Bennett, Deputy Auditor/Treasurer Amy Sylling, Deputy Auditor/Treasurer Eliana Babinski, Engineer Brian Pogodzinski, Human Resources Director Theresa Arrick-Kruger, Kimber Frank, Rick Frank, and Mikal Sylling

Presiding: Chairperson Johnson

Call to order.

Pledge of Allegiance.

One item was added to the consent agenda prior to approval: Hire Sydney Gilbert, as a 67-day Public Health Nurse, C42, Step 4. Motion was made by Commissioner Severson, seconded by Commissioner Schuldt motion unanimously carried to approve the agenda with the addition.

Motion was made by Commissioner Burns, seconded by Commissioner Myhre, motion unanimously carried to approve the meeting minutes from June 25, 2024.

Public Comment:

Kimber Frank and her grandfather Rick Frank spoke during public comment. Kimber Frank said she was a college student who worked four jobs. She said while on her way to work a rock had went through a window in her vehicle and broke it. She said the rock had come from a highway mower. She said she had taken photos and reported it to the Highway Department. Rick Frank asked the Commissioners to consider paying for the damage. He said he knew it was an accident.

APPOINTMENTS

At 9:51 a.m. a motion was made by Commissioner Burns, seconded by Commissioner Myhre, motion unanimously carried to go into closed session pursuant to Minn. Stat. §13D.03, Subd. 1, (b) to discuss labor negotiations, including negotiation strategies or developments or discussion and review of labor negotiation proposals, conducted pursuant to sections 179A.01 to 179A.25. The Commissioners, Human Resources Director Kruger, Finance Director Lapham, and Interim Auditor/Treasurer Heberlein attended the closed session.

At 10:45 a.m. a motion was made by Commissioner Severson, seconded by Commissioner Burns, motion unanimously carried to go back into regular session. Kruger gave a summary of the closed session saying there had been general discussion. No motions or consensus had been made.

CONSENT AGENDA

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

- 1) Reassign Mark Bennett, currently a Deputy Auditor/Treasurer B22, to Probationary, Appraiser Trainee B22, effective 07/15/2024 (Lateral transfer – no change in pay rate).
- 2) Approve initiating a search for a 1.0 FTE Deputy Auditor/Treasurer (B22).
- 3) Hire Patricia Goetzinger-Krall as a probationary 1.0 FTE, Jailer/Dispatcher, B23, Step 7, effective 07/08/2024 conditioned upon successful completion of Sheriff's Office background check.
- 4) Hire Sarah Ostern as a probationary 1.0 FTE, Jailer/Dispatcher, B23, Step 1, effective 07/22/2024 conditioned upon successful completion of Sheriff's Office background check.
- 5) Hire Sydney Gilbert, as a 67-day Public Health Nurse, C42, Step 4.

ACTION ITEMS

File No. 1 – Commissioner Myhre moved, Commissioner Schuldt seconded, motion unanimously carried to approve Resolution No. 24-20 Final Acceptance for CP 2024-09, Contract #072 with Sir Lines-A-Lot LLC, for pavement marking symbols. The total cost was \$61,031.00. See resolution below.

RESOLUTION NO. 24-20

FINAL ACCEPTANCE FOR CP 2024-09 PAVEMENT MARKING SYMBOLS CONTRACT # 072

SIR LINES – A - LOT

July 2, 2024

WHEREAS, Contract No. 072 has in all things been completed, and the County Board

being fully advised in the premises,

NOW, THEN BE IT RESOLVED, That we do hereby accept said completed project for and in behalf of the County of Houston and authorize final payment as specified herein.

File No. 2 – Commissioners discussed repairs to the Spring Grove salt shed that had occurred due to an accident. A new hoop shed was needed and would cost \$58,950.00. The Highway Department would also need to remove some materials from the shed. The building had a \$2,500 deductible. MCIT was willing to cover the costs and up to 30% of a replacement cover, or the cover could be repaired. Pogodzinski suggested getting a new cover as it had held up beyond it's warranty. The new cover would have a 20 year warranty. The cost to the County would be \$10,000. Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to approve spending \$10,000 towards a new hoop shed with the rest being covered by MCIT.

File No. 3 – Commissioner Myhre moved, Commissioner Severson seconded, motion unanimously carried to approve refunds for those with short term rentals at Wildcat Park who would not be able to camp due to the park closure through July 11th, 2024. There was a possibility the park would need to be closed beyond that date if the water did not go down. The park was closed due to flood water going over the road and the park not being accessible.

File No. 4 – Commissioner Burns moved, Commissioner Severson seconded, motion unanimously carried to approve purchasing two cover tops for the Solid Waste Department with ARPA dollars. The cost would be approximately \$30,000.

File No. 5 – Commissioner Burns moved, Commissioner Myhre seconded, motion unanimously carried to review and approve payments. See payments below.

2024/07/02 COMMISSIONER'S WARRANTS:

VENDOR NAME	AMOUNT
BOND TRUST SERVICES CORPORATION	125,050.00
DELTA DENTAL	6,477.28
DS ERICKSON & ASSOCIATES PLLC	2,178.11
INSIGHT PUBLIC SECTOR	3,072.59
IUOE LOCAL 49 FRINGE BENEFIT FUNDS	25,075.00
MEDICA	186,987.84
MN LIFE INSURANCE COMPANY	2,484.65
MNCCC	3,825.00
POMPS TIRE SERVICE INC	2,046.19
SIR LINES-A-LOT LLC	3,051.55
VERIZON WIRELESS	3,393.70
	<u>363,641.91</u>
27 VENDORS PAID LESS THAN \$2000.00	<u>9,822.44</u>
	<u>373,464.35</u>
PUBLIC HEALTH & HUMAN SERVICES	<u>23,839.86</u>
	<u><u>397,304.21</u></u>

Public Comment:

None.

DISCUSSION ITEMS

Commissioners discussed recent and upcoming meetings including a Minnesota Department of Health Community meeting.

Commissioner Burns said he had attended the fly in breakfast at the Houston County Airport over the weekend, and it had been well attended.

Commissioner Johnson said he had a job description that could possibly be used for the interim administrator search. He said he would share it with the other board members.

There being no further business at 10:46 a.m., a motion was made by Commissioner Myhre, seconded by Commissioner Severson, motion unanimously carried to adjourn the meeting. The next meeting would be a workgroup session on July 9, 2024.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Eric Johnson, Chairperson

Attest: _____
Polly Heberlein, Interim Auditor/Treasurer

PROCEEDINGS OF THE BOARD OF COUNTY COMMISSIONERS

Date: July 9, 2024

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:

Interim Auditor/Treasurer Polly Heberlein, Finance Director Carol Lapham, Board Clerk/EDA Director Allison Wagner, Recorder Mary Betz, Human Resources Director Theresa Arrick-Kruger, Public Health and Human Services Director John Pugleasa, IT Director Andrew Milde, Environmental Services Director Martin Herrick, Zoning Administrator Amelia Meiners, Surveyor Eric Schmitt, Assessor Lucas Onstad, Deputy Auditor/Treasurer Mark Bennett, Deputy Auditor/Treasurer Amy Sylling, Deputy Auditor/Treasurer Eliana Babinski, City of La Crescent Community Development Director Larry Kirch, and Lawrence Stryker

Board Workgroup Session

Larry Kirch, Community Development Director from the City of La Crescent presented the Root River Trail Extension – Citizen Exploratory Committee Trail Plan to the board on behalf of the Committee. Lawrence Stryker who served on the Citizen Exploratory Committee also attended the meeting. Kirch gave a brief history of past and present efforts working on the trail. Kirch said Houston County and the cities of Houston, Hokah, and La Crescent had entered into a formal Memorandum of Agreement to Jointly Cooperate on the trail. The MOA called for the creation of a trail plan which was drafted by the committee. The trail plan confirmed that the 2011 Master Plan was approved and there was no need to recreate a completely separate plan from the Master Plan. The Citizens Exploratory Committee adopted a trail plan on June 12, 2024 acknowledging this. Kirch said so far no public outreach on the recently adopted plan had been done, but that would be one of the next steps. The plan adopted on June 12, 2024 stated: “The committee has stressed empathetically that any property acquisition or property interest be handled entirely through a willing seller/willing buyer approach”. Next steps would include executing a Joint Powers of Agreement, continuing regular meetings of the Exploratory Committee, exploring the feasibility of each segment, engaging with landowners, and seeking funding.

Environmental Services Director Martin Herrick said his last day with the County would be August 2nd. He said it had been a privilege and honor to work for the County. Zoning Administrator Amelia Meiners asked Herrick to give the board an overview of the County’s Solid Waste Department before his departure. Herrick said the County had a good program. He suggested keeping all drop sites open, and said Spring Grove was the least busy of the sites.

Zoning Administrator Meiners said her department was open to the idea of sharing a B21, basic tech clerk with the Auditor's office. She said her department would also like to see another position within the department that could help with the workload.

The board discussed the idea of sharing a tech clerk to answer phones and take questions from callers for both departments with Assessor Lucas Onstad. Onstad said voicemail was often used when people called the office as the current certified assessment technician was often assisting residents in the office with various programs.

Commissioner Johnson asked the board about the possibility of doing some restructuring and combining some departments. He said other Counties had one department head that oversaw various areas. He suggested having a Land Used Department that could possibly include Zoning and the Auditor's office. No final decisions were made on the matter.

Commissioner Johnson shared with the board a possible job description for hiring an internal interim administrator. Commissioner Severson said he liked the idea of hiring an administrator and opening the job up to external candidates. Commissioner Burns said if one of the internal department heads was appointed as administrator they would need to find additional help for the internal administrator so they were not doing two jobs. Finance Director Lapham was asked about this and said it would be doable to hire someone internally and that duties could be readjusted.

Sheriff Swedberg updated the board saying his office had gotten approval to open an eight day temporary hold facility for juveniles in the Houston County Jail. He said Attorney Jandt was currently working on a contract for other counties who may want to contract for a bed year round.

Sheriff Swedberg said he could look into the possibility of establishing an ordinance that would call for a no wake in residential areas when water was particularly high due to flooding. Commissioner Severson asked Sheriff Swedberg to look into the matter and come back with more information.

Commissioner Burns said he wanted consideration for approving a ten dollar increase from ten to twenty dollars in wheelage tax added to the next agenda.

The workgroup session ended at 11:47 a.m.

BOARD OF COUNTY COMMISSIONERS

HOUSTON COUNTY, MINNESOTA

By: _____
Eric Johnson, Chairperson

Attest: _____
Polly Heberlein, Interim Auditor/Treasurer

Southern Minnesota Regional Medical Examiner's Office

2023 Houston Report



Mayo Clinic

Regional Medical Examiner's Office

National Association of Medical Examiners

Legend:

- Primary Health System sites (Yellow Star)
- Secondary Health System sites (Orange Star)
- Hospitals without Mayo Clinic Affiliation (Green Star)
- SMRMEQ Counties (Dark Blue)
- Consult Counties (Light Blue)

Counties and Locations:

- Primary Health System sites:** Barron, Bloomer, Chippewa Falls, Eau Claire, La Crosse, La Crescent, Mankato, Rochester, Winona.
- Secondary Health System sites:** Cannon Falls, Goodhue, Lake City, Wabasha, Winona, La Crosse, La Crescent, Mankato, Rochester, Winona.
- Hospitals without Mayo Clinic Affiliation:** Bemidji, Brainerd, Cloquet, Duluth, Hibbing, Iron, Jackson, Kandake, Lino, Mankato, Marshall, Maysville, Monticello, Newburg, Ottertail, Park Rapids, Pine River, Red Lake, Roseau, St. Cloud, Thief River Falls, Wadena, Warrenton, Wausau, Winton.
- SMRMEQ Counties:** Anoka, Carver, Chisago, Cook, Dakota, Hennepin, Ramsey, Scott, St. Louis, Wabasha, Winona.
- Consult Counties:** Aitkin, Becker, Beltrami, Big Lake, Carlton, Cass, Chippewa, Clearwater, Clay, Cook, Crow Wing, Custer, DeKalb, Douglas, Fillmore, Grant, Hennepin, Houston, Kandake, Lincoln, Marshall, Martin, Mower, Olmsted, Ottertail, Ramsey, Red Lake, Rice, Rock, St. Louis, Stearns, Swift, Tazewell, Trempealeau, Wadena, Wabasha, Winona.



Medical Examiner Staff

- * R. Ross Reichard, M.D. – Chief Medical Examiner
- * Reade A. Quinton, M.D. – Assistant Chief Medical Examiner
- * Ross E. Zumwalt, M.D. – Assistant Chief Medical Examiner
- * Andrew J. Layman, M.D. – Assistant Chief Medical Examiner
- * Monica Kendall, M.S., PA (ASCP), F-ABMDI – Supervisor, Death Investigations
- * Courtney Hyland, M.H.S., PA (ASCP), F-ABMDI – Assistant Supervisor, Death Investigations
- * **Add County Fls**
- * Rachel Larsen, M.S., PA (ASCP), D-ABMDI – Central Office Investigator
- * Erica Reed, M.S., PA (ASCP), D-ABMDI – Central Office Investigator
- * Alysha Rushton, M.S., PA (ASCP), D-ABMDI – Central Office Investigator
- * Ann Marie Scazzero, M.H.S., PA (ASCP) – Central Office Investigator
- * Office of Decedent Affairs and Medical Examiner Pathology Reporting Specialists,
Division of Anatomic Pathology, Mayo Clinic

Houston County Medical Examiner Cases

Population (est.)	18,582
Total Deaths	174
Cases Reported to Medical Examiner	164
A. Number of deaths certified after postmortem examination	16
1. Number of Medical Examiner Cases with Complete Autopsy	16
2. Number of Medical Examiner Cases with External Examination	0
3. Number of Medical Examiner Cases with Limited Examination	0
B. Number of deaths certified without postmortem examination	4
C. Number of deaths not certified by Medical Examiner's Office after investigation	144

94% of deaths reported to the Medical Examiner's office



Death Certificate Information

Information included:

- * Cause of Death
- * Manner of Death
- * Did an autopsy occur?
- * Pregnancy?
- * Tobacco use
- * If Injury - Date, time, location and how occurred?
- * Injury at work?
- * If Transportation Injury, type (e.g. driver, passenger, etc...)

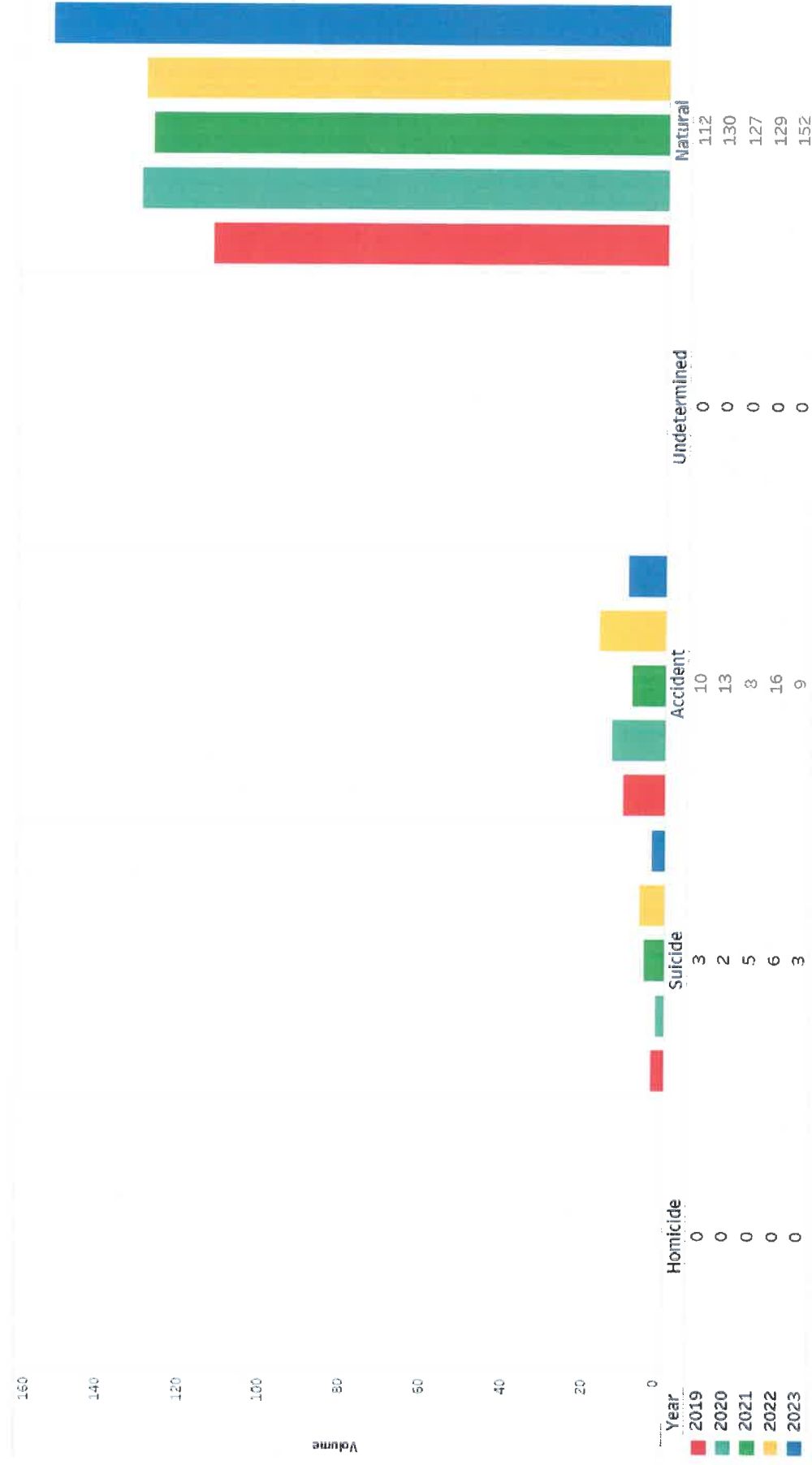
Used by:

- * Family/Relatives
- * Minnesota Department of Health/CDC-Public Health



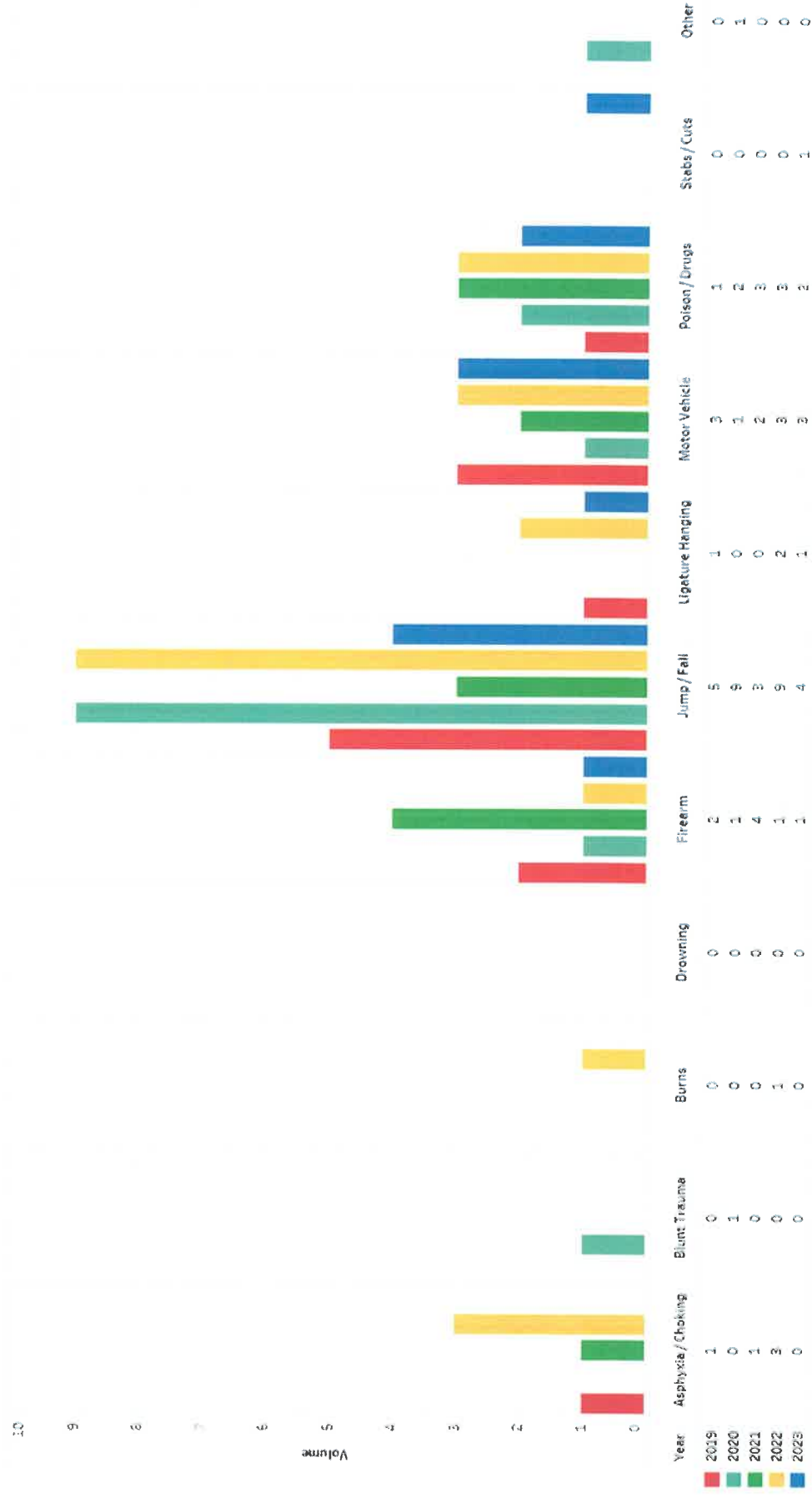
Manner of Death

Based on County of Death



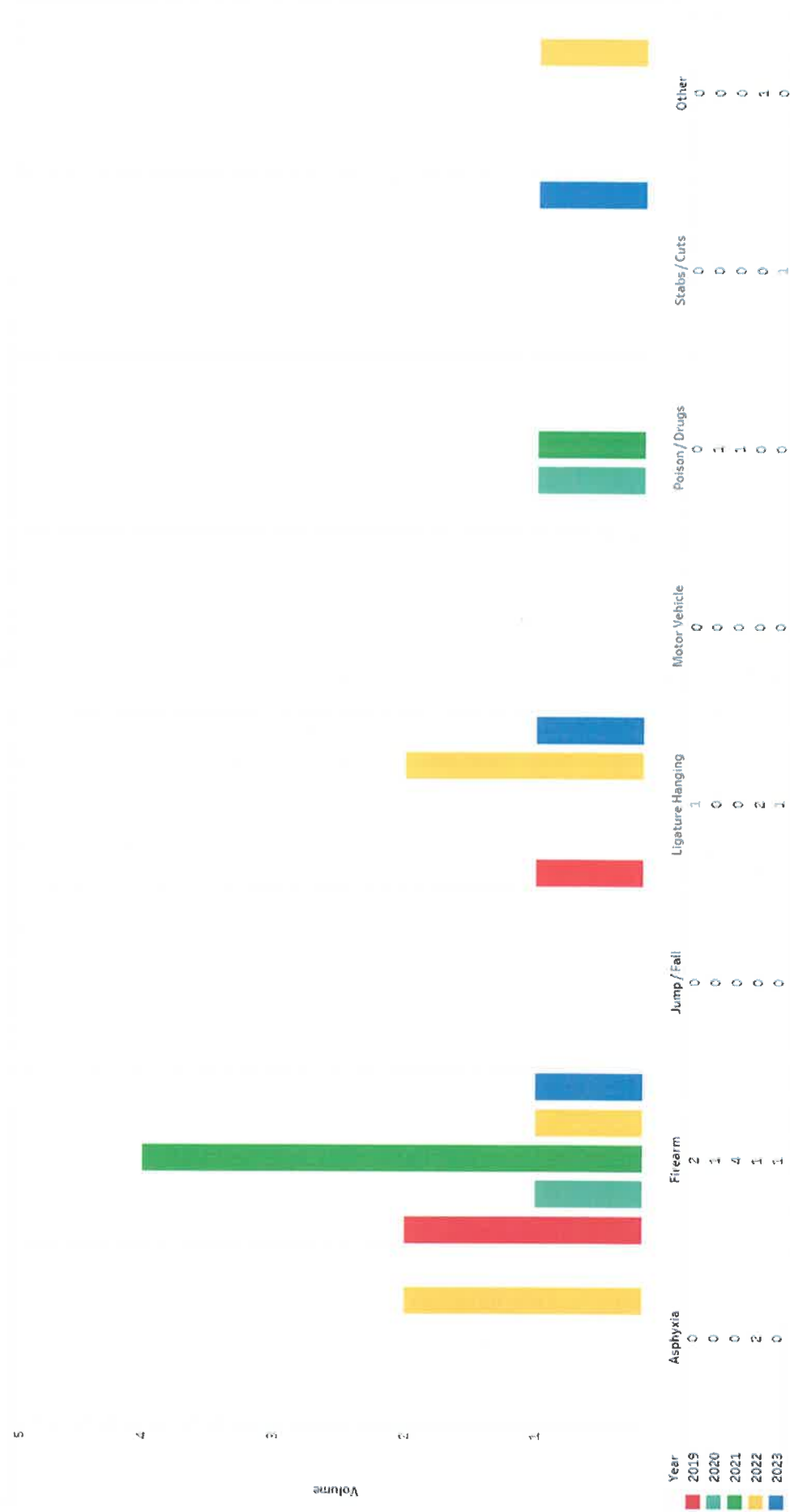
Deaths by Unnatural Causes

Based on County of Death



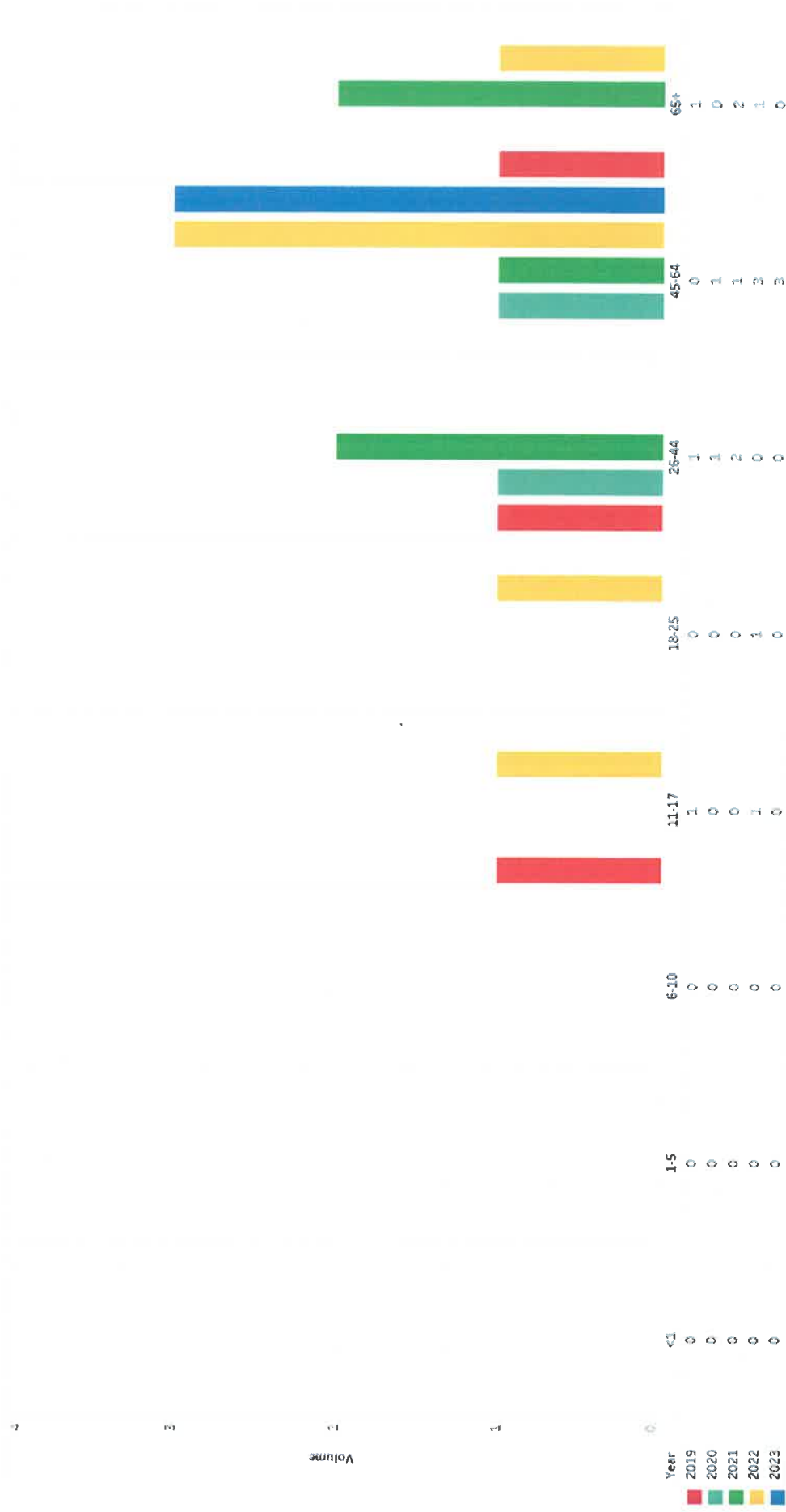
Suicide by Means

Based on County of Death



Suicide by Age

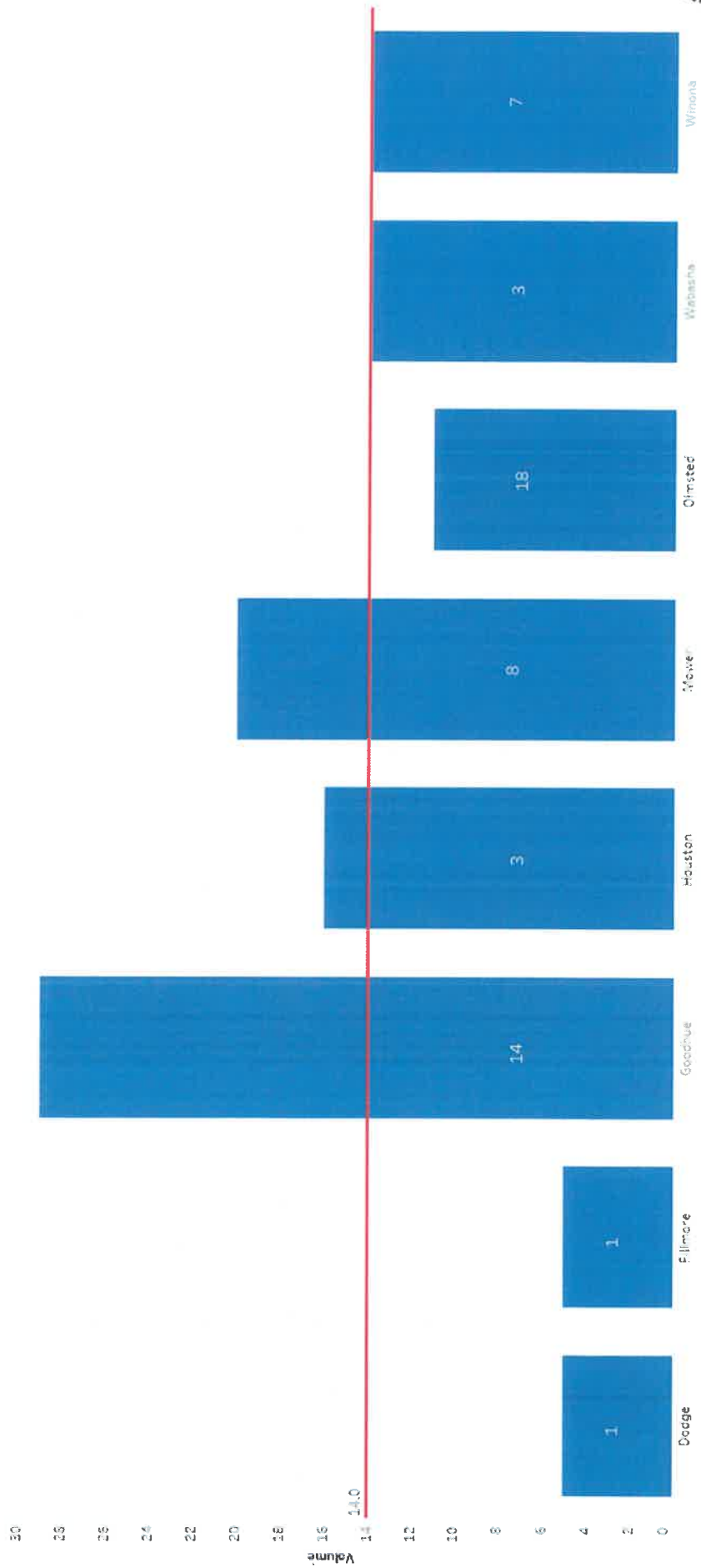
Based on County of Death



Suicide Rate per Capita

per 100,000 people

Based on county of injury



Homicide Deaths

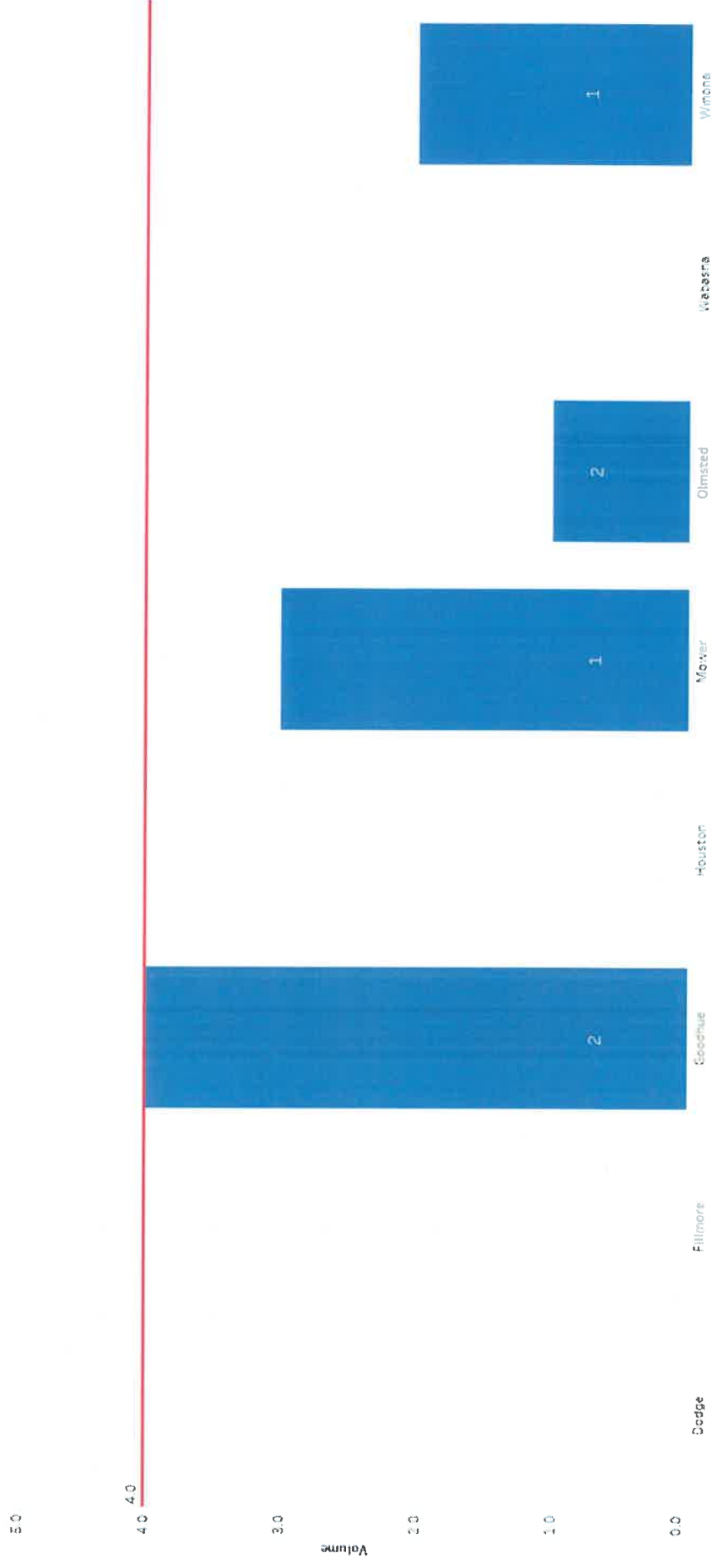
Based on County of Death



Homicide Rate per Capita

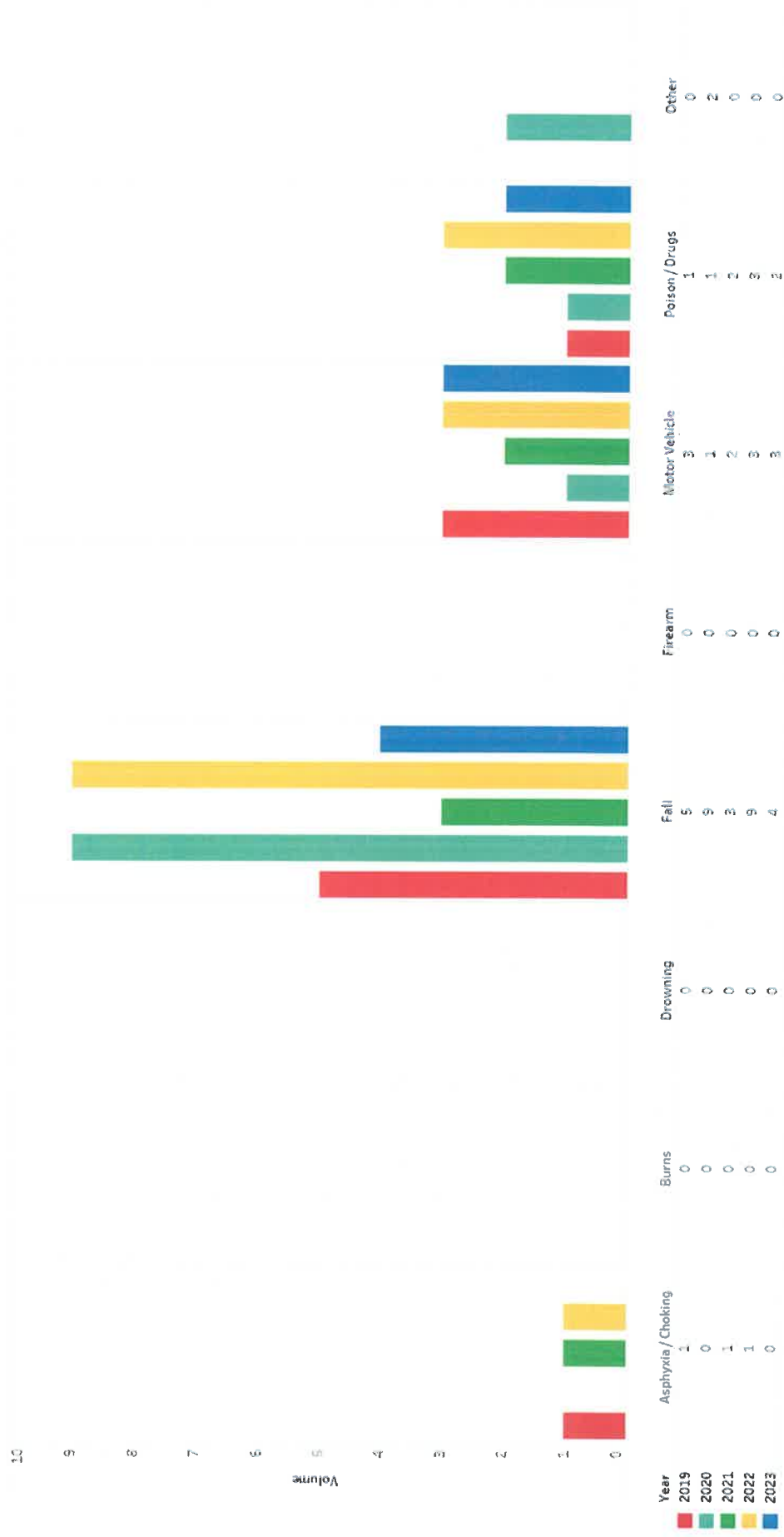
per 100,000 people

Based on county of injury



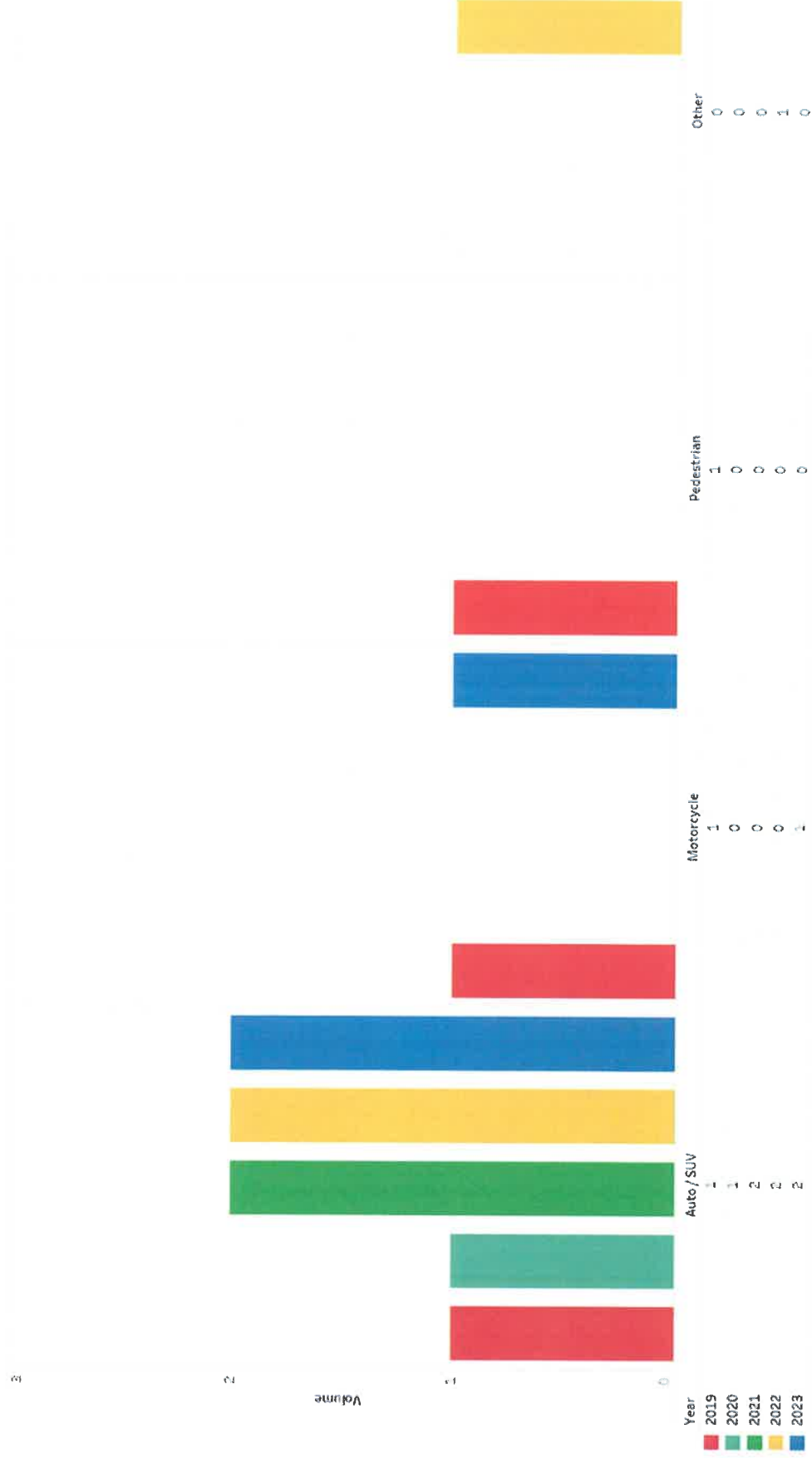
Accidental Deaths by Type

Based on County of Death



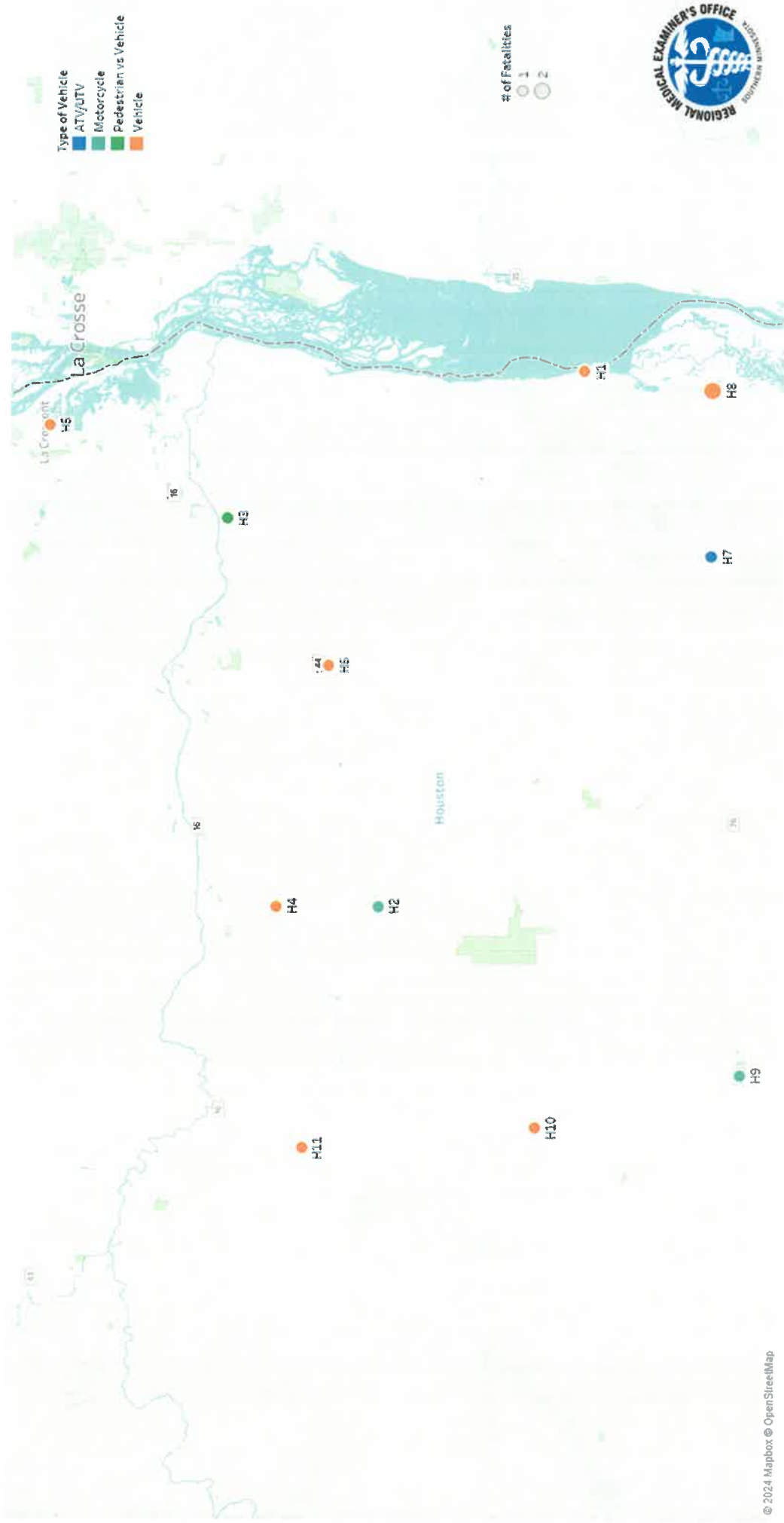
Accidental Deaths - Vehicle Crashes

Based on County of Death



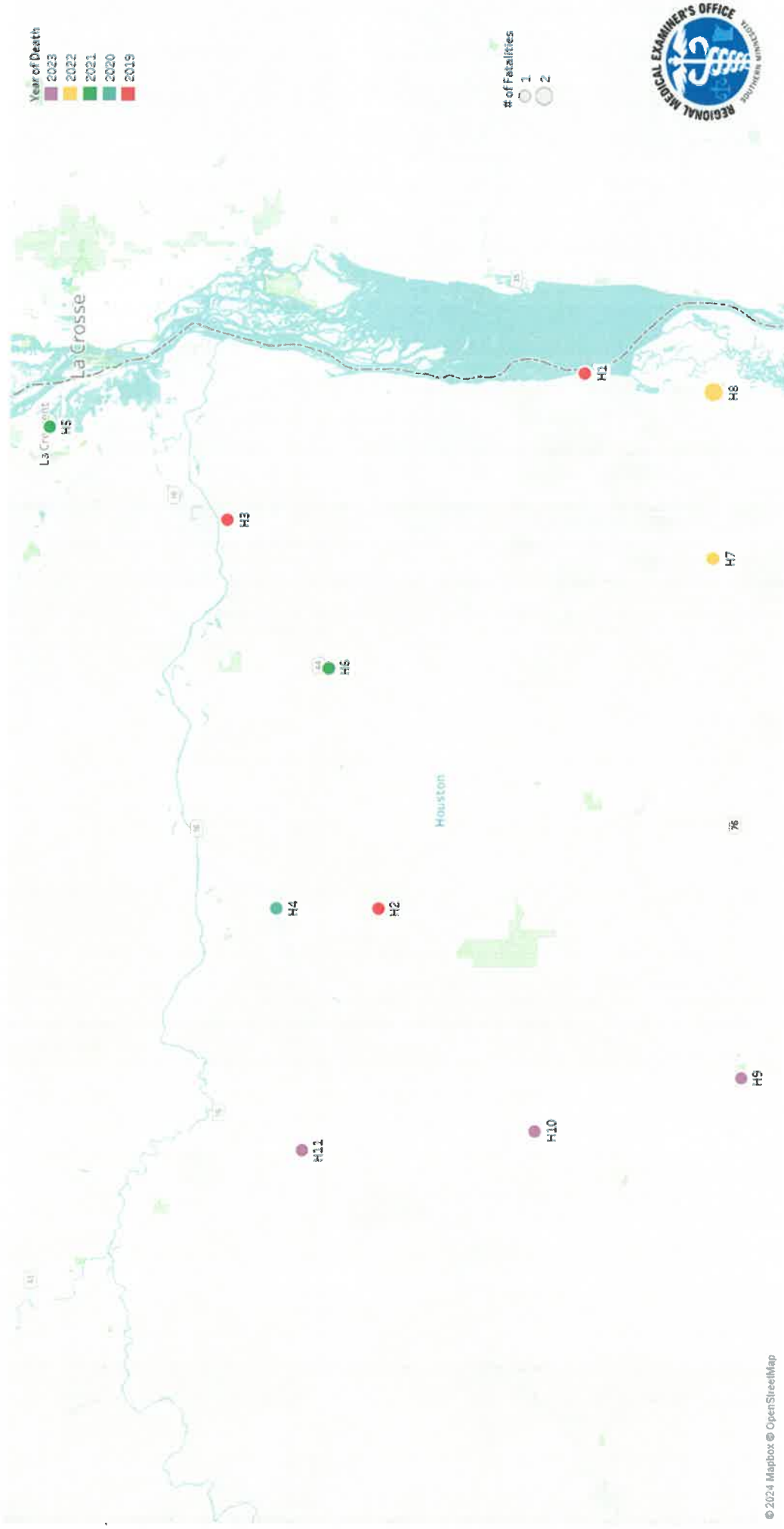
Vehicle Accidents by Type of Vehicle and Number of Fatalities Houston, MN 2019-2023

Based on County of Injury



Vehicle Accidents by Year and Number of Fatalities Houston, MN 2019-2023

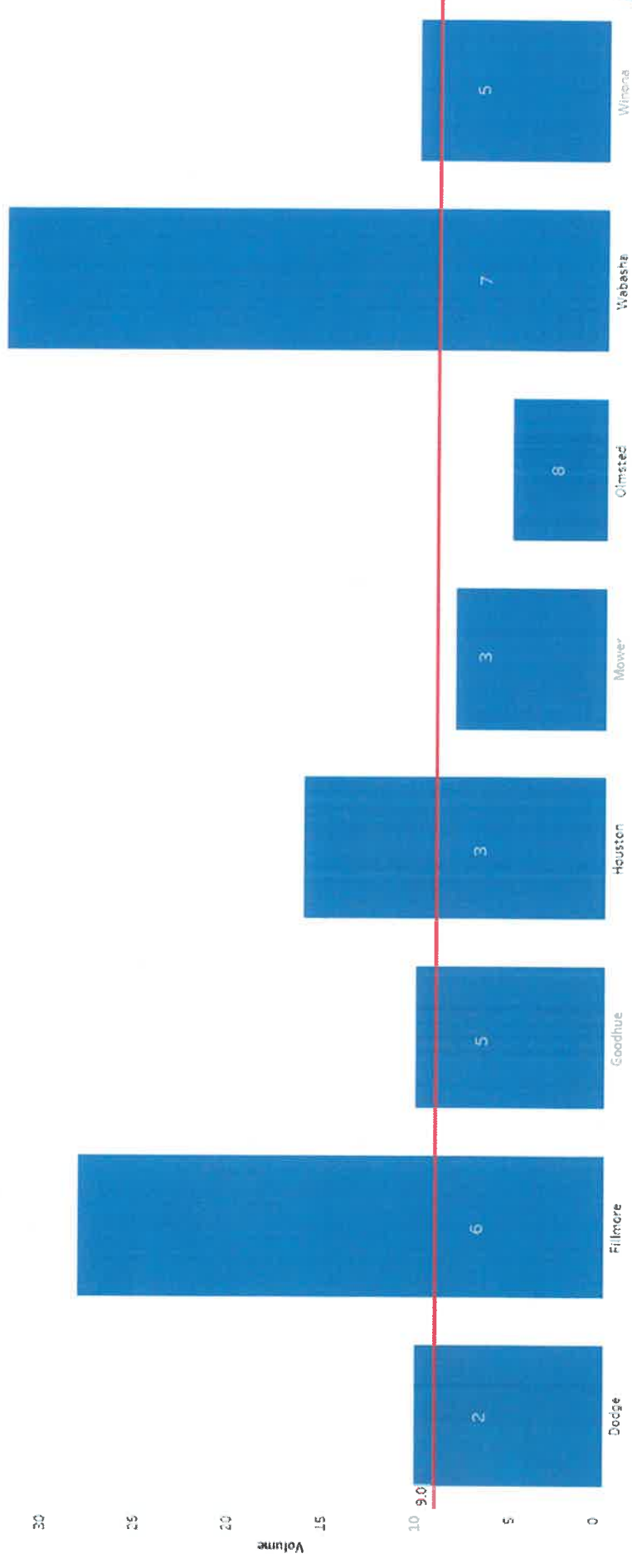
Based on County of Injury



Motor Vehicle Fatality Rate per Capita

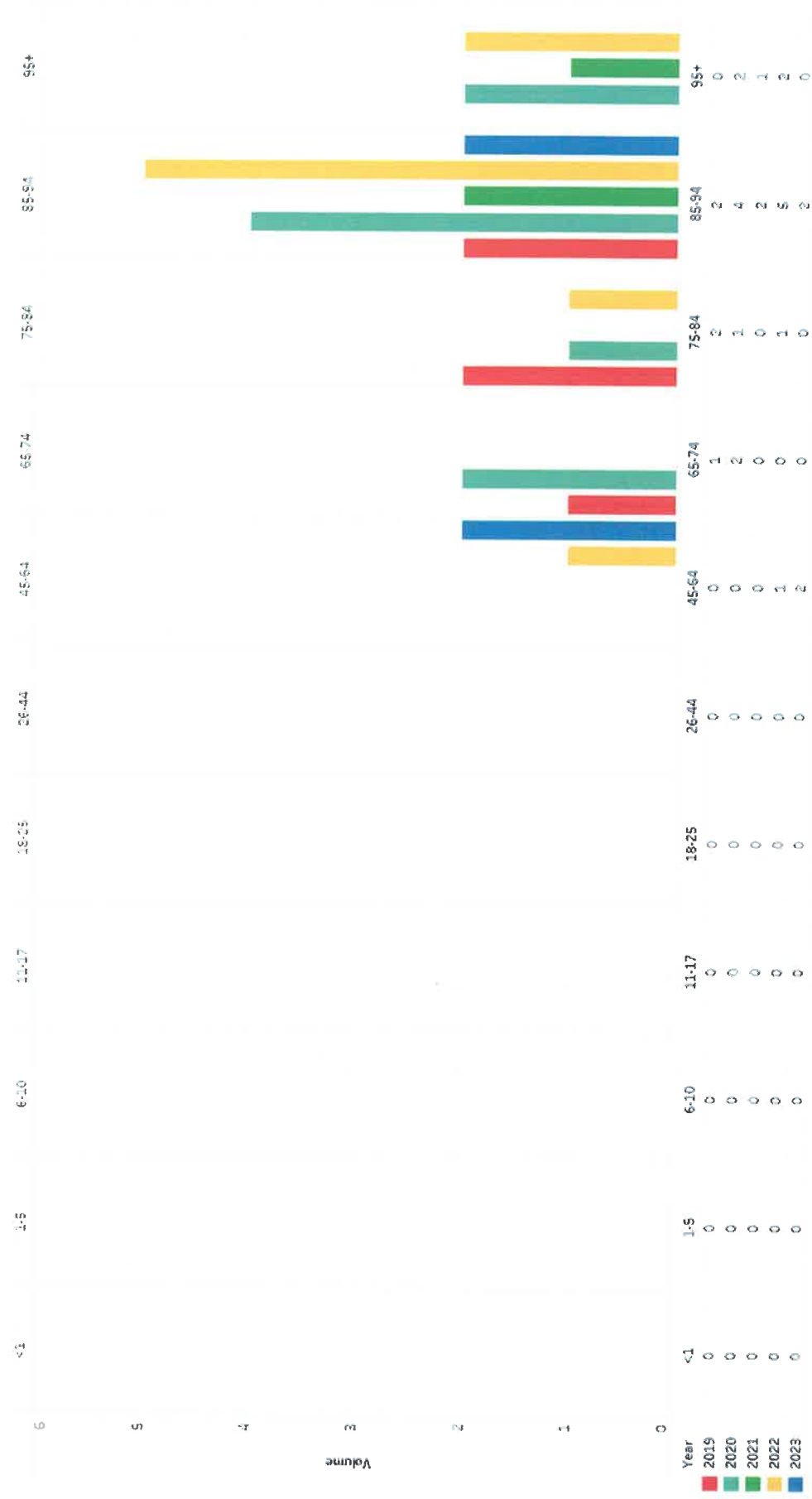
per 100,000 people

Based on county of injury



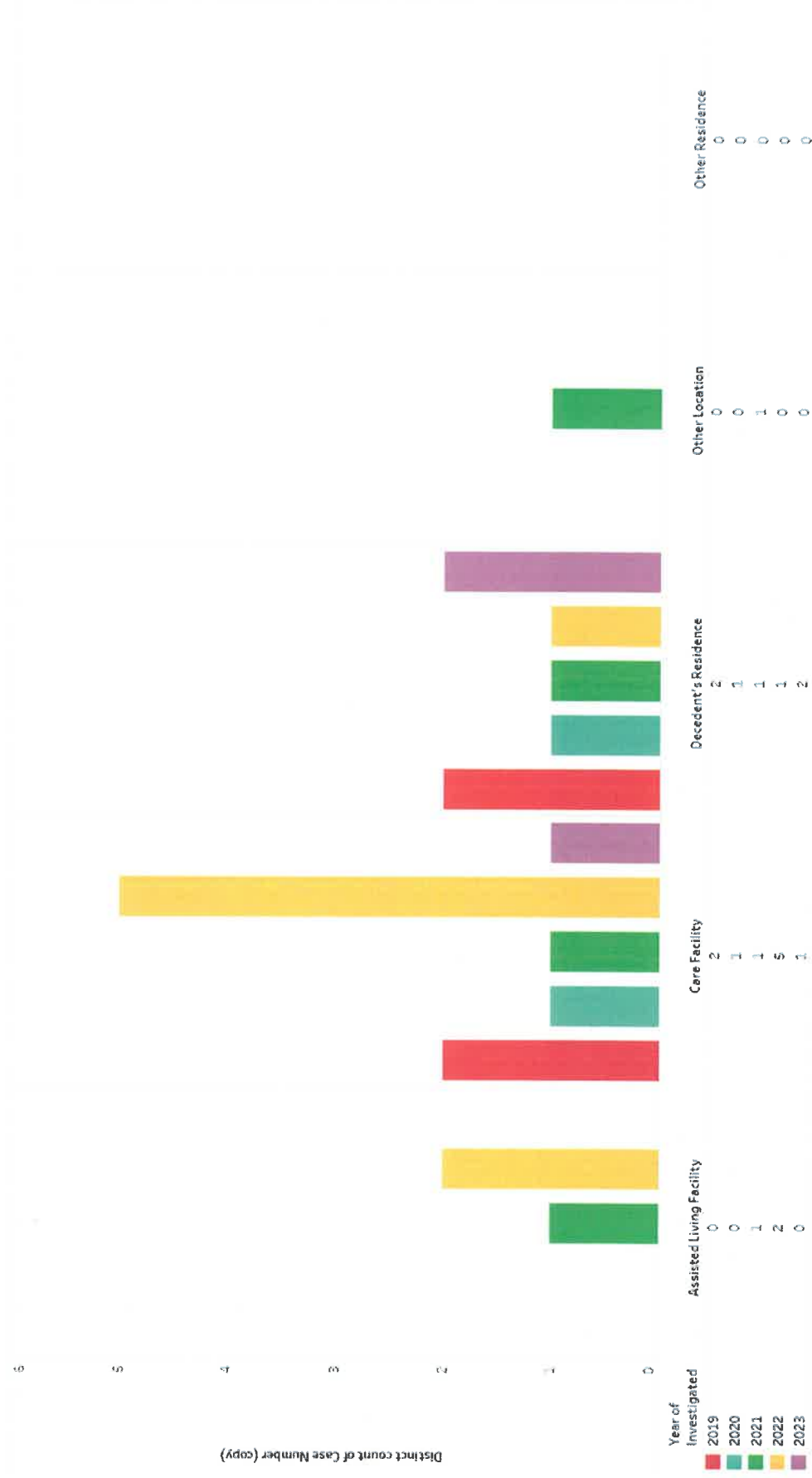
Accidental Falls by Age Group

Based on County of Death



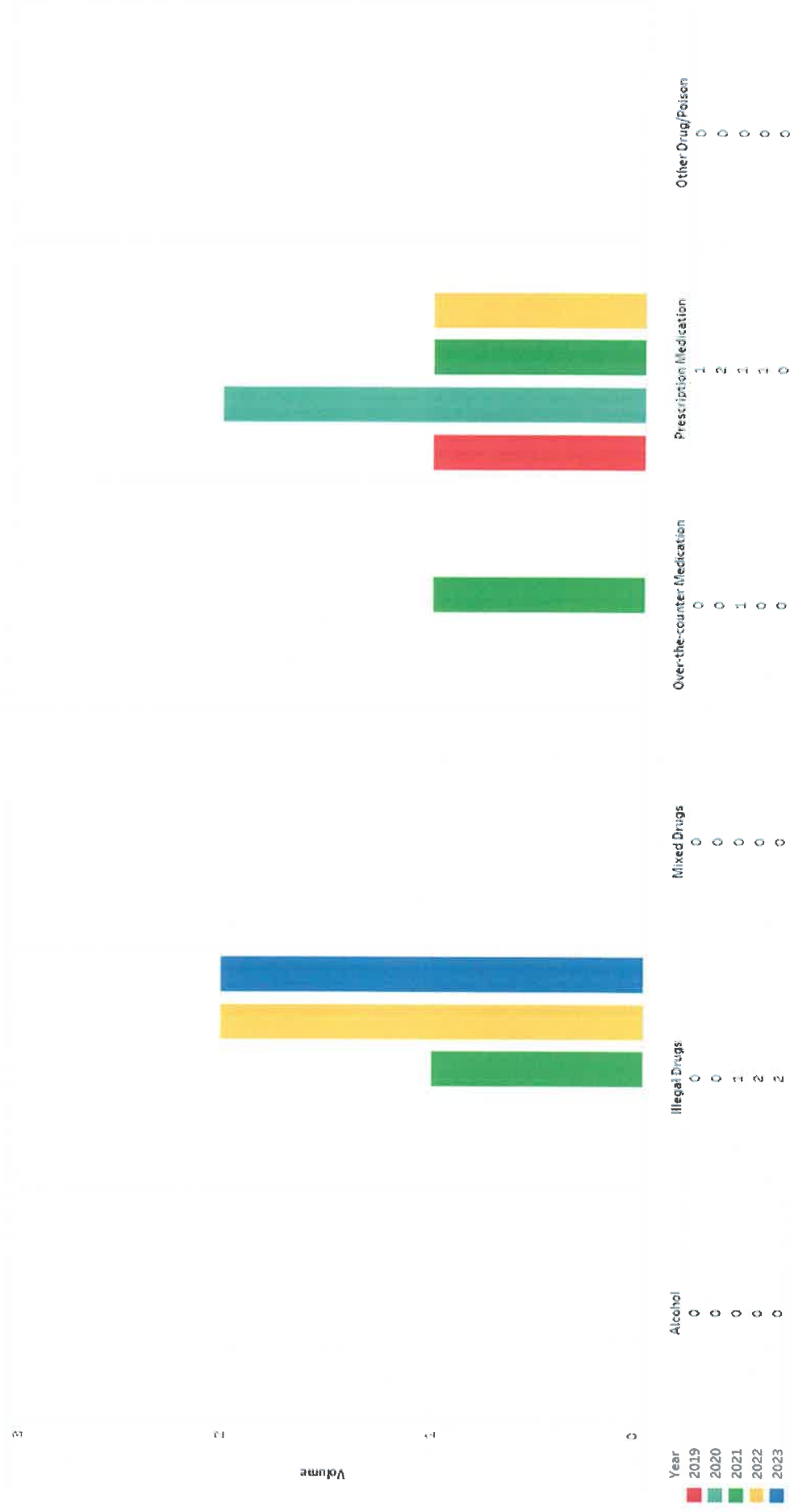
Accidental Falls by Injury Location

Based on County of Injury



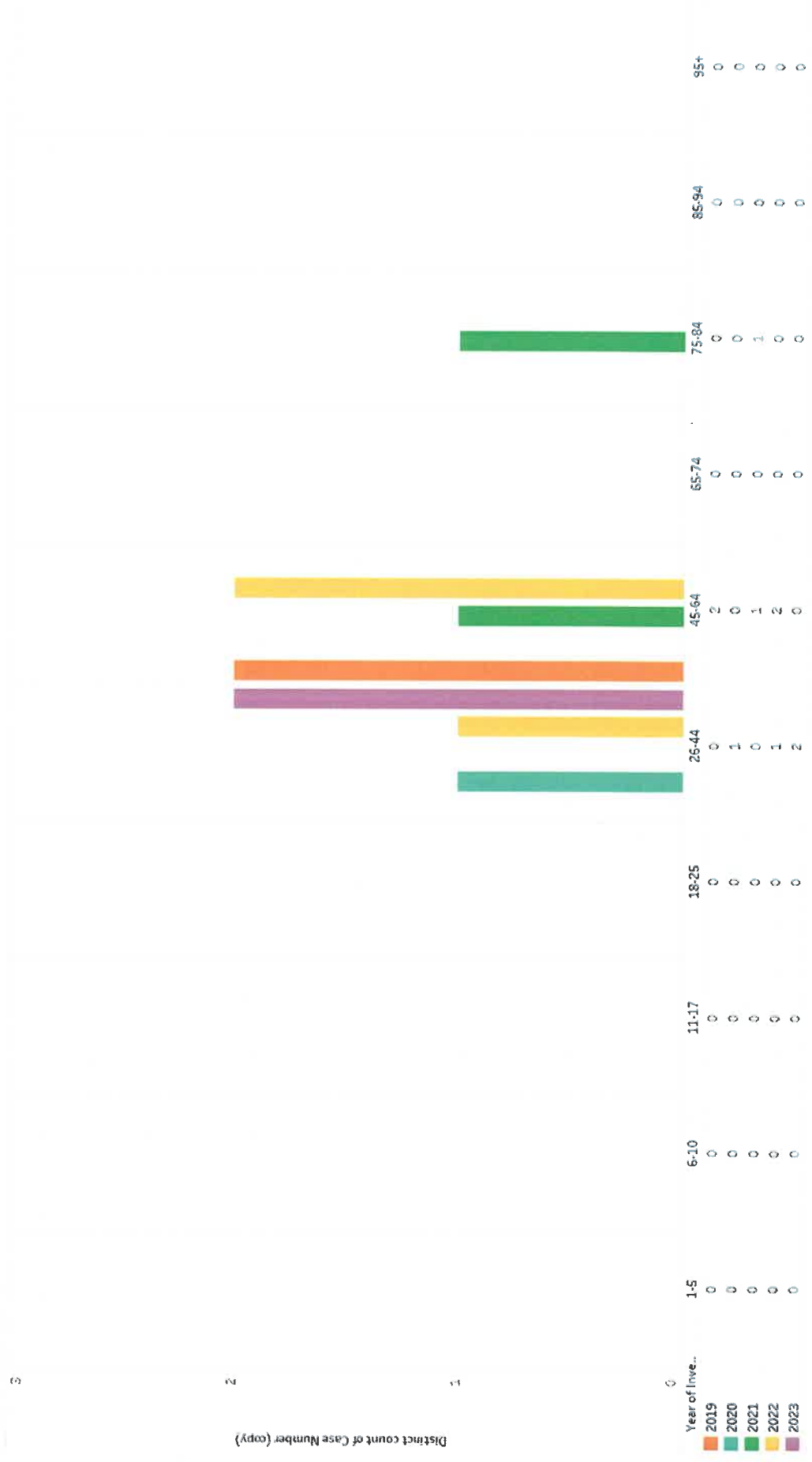
Deaths Related to Poison/Drugs

Based on County of Death



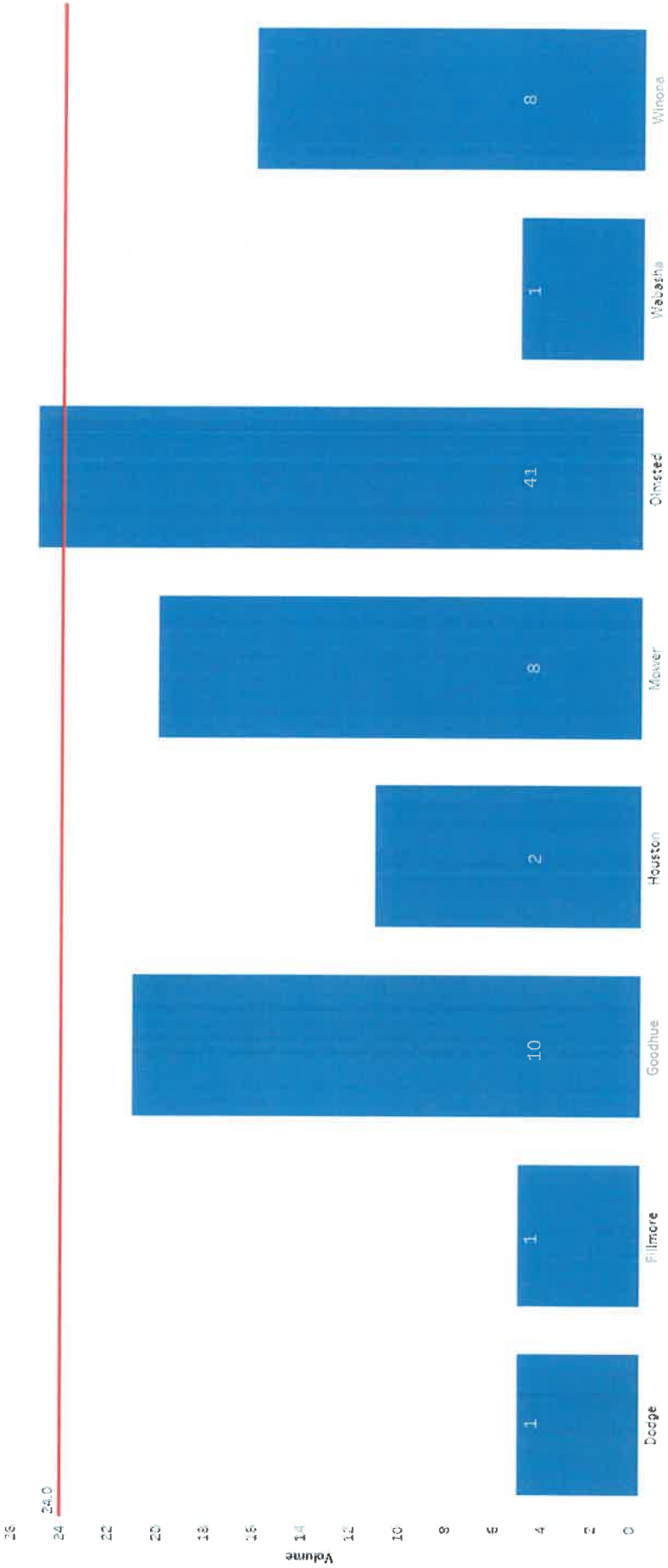
Accidental Drug Deaths by Age

Based on County of Injury



Drug Overdose Rate per Capita

per 100,000 people
Based on county of injury



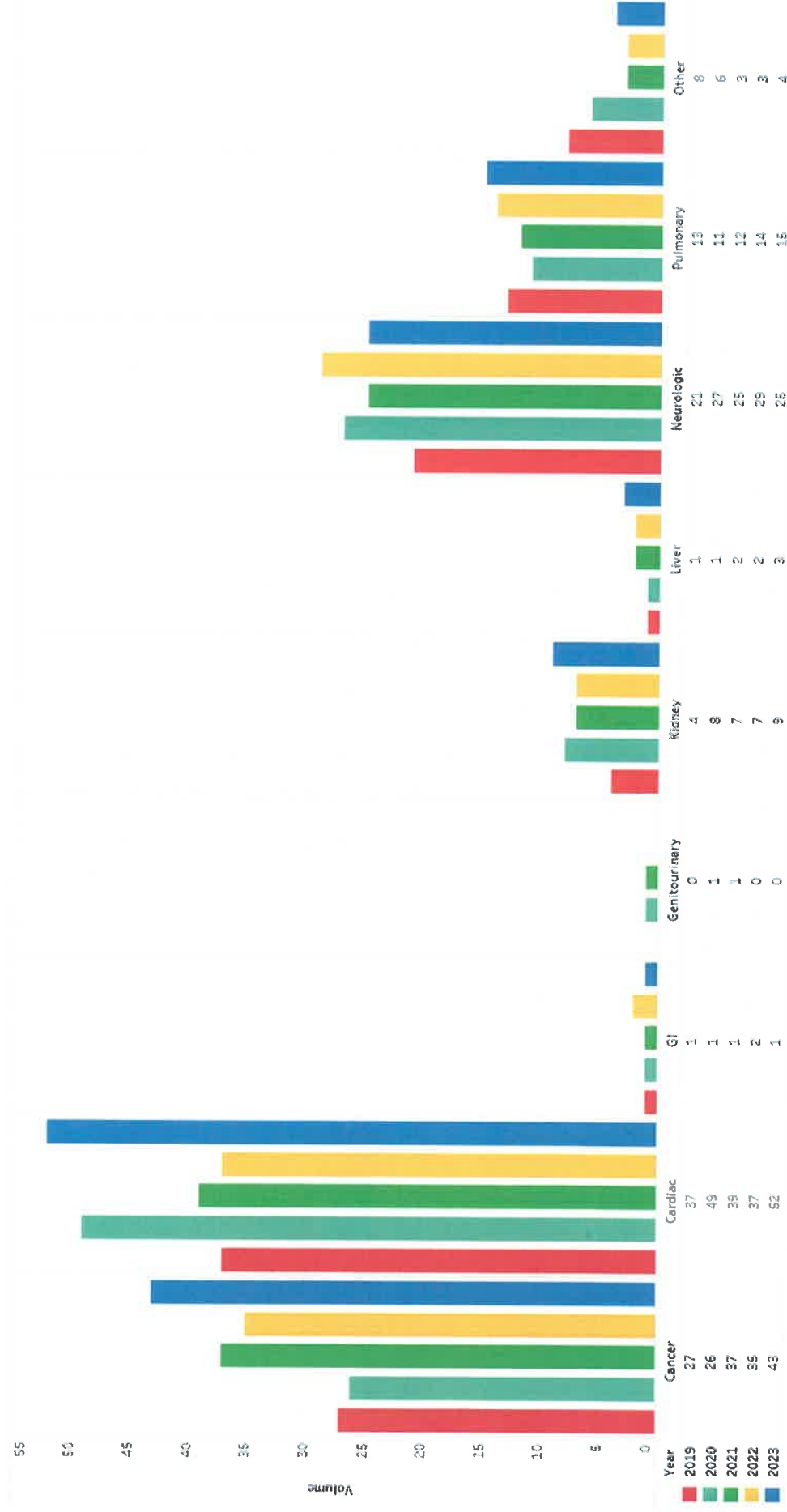
Illicit Drugs by Category

Based on County of Injury

Illicit Drug Categories	2021	2022	2023
Cocaine		1	
Cocaine & Meth	1		
Meth			1
Fentanyl		1	
Fentanyl & Multiple Other			1
Grand Total	1	2	2

Deaths by Natural Causes

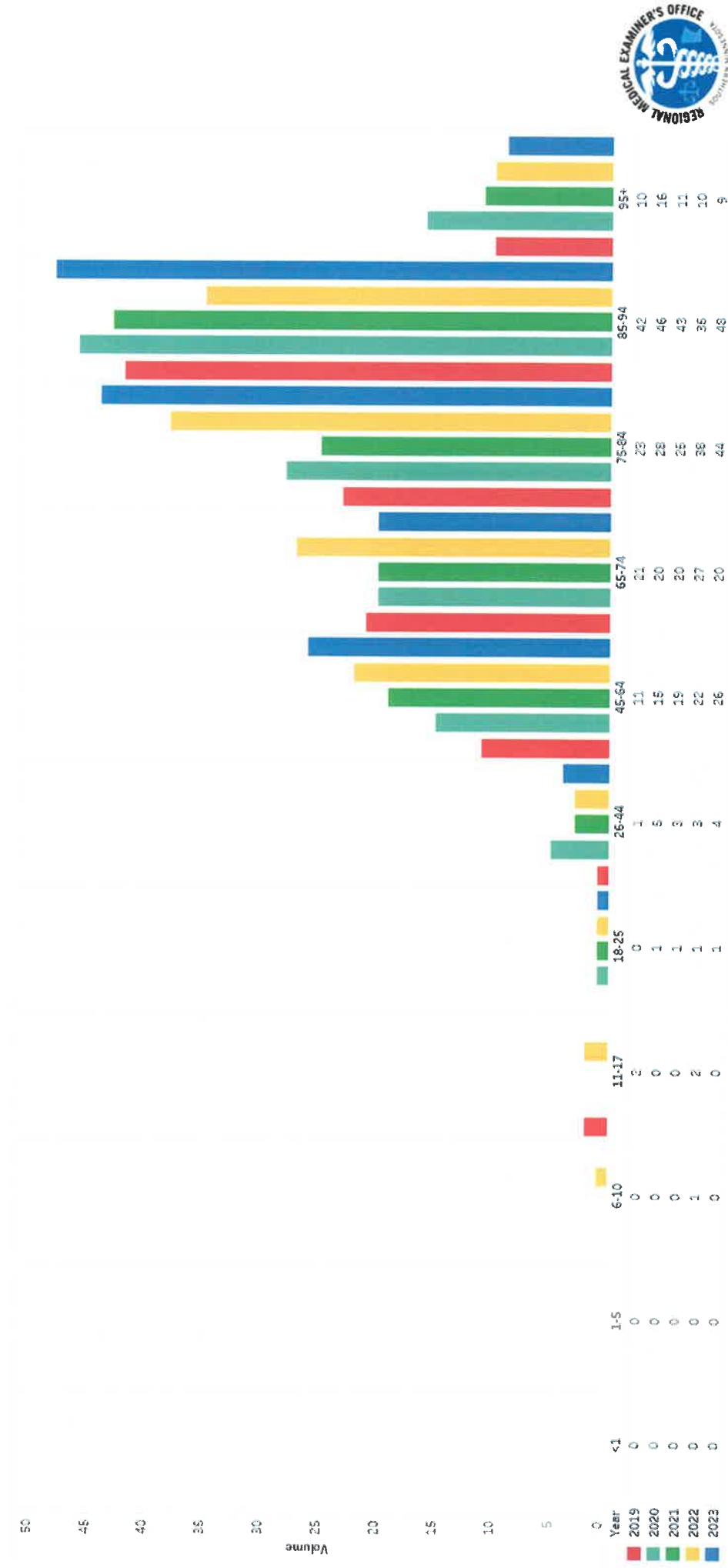
Based on County of Death



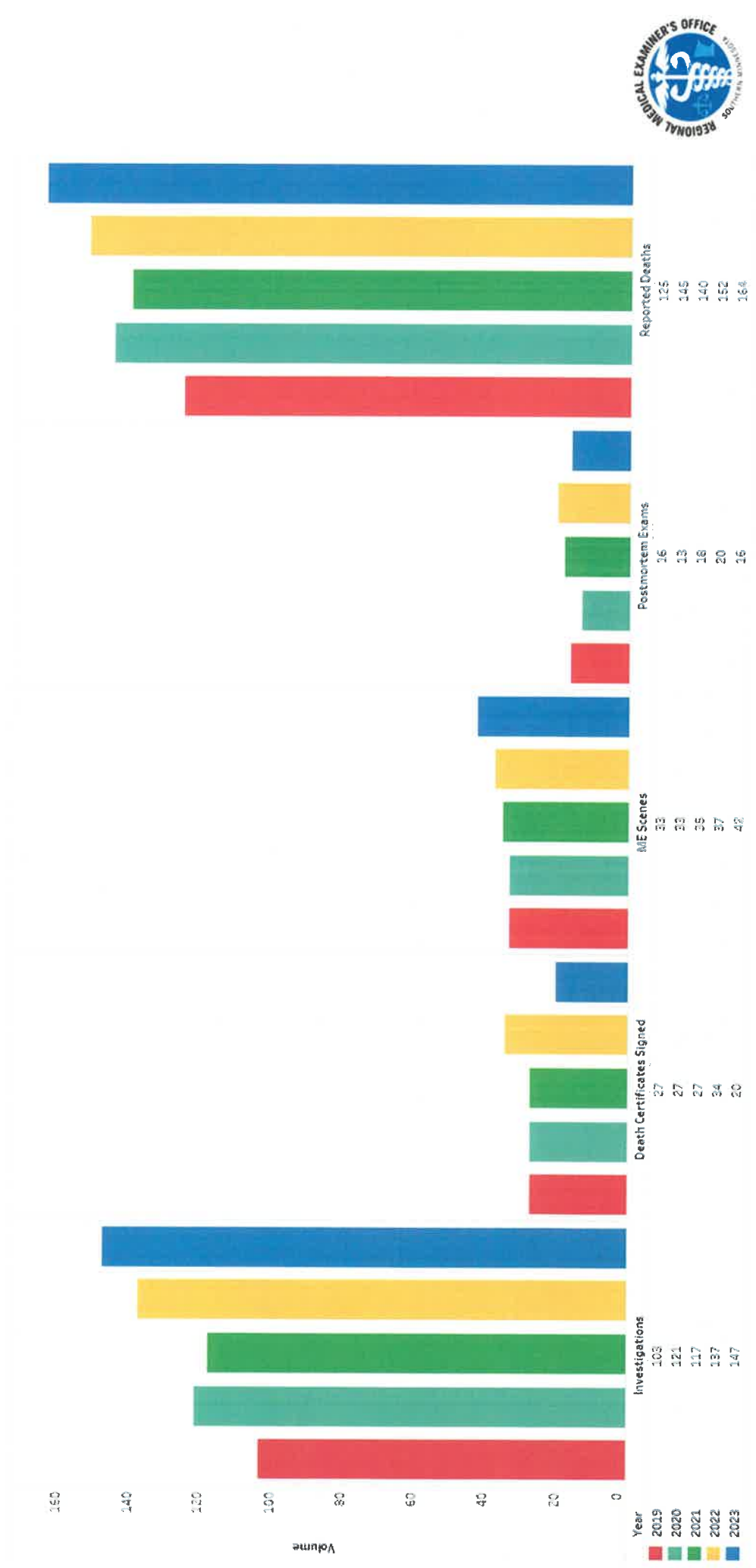
Deaths by Age Group

Based on County of Death

NOTE: Excludes Cremation Approval Only



Medical Examiner Activities



**HOUSTON COUNTY
AGENDA REQUEST FORM**

Date Submitted: 07.09.2024

By: Polly Heberlein, Interim Auditor/Treasurer

CONSENT AGENDA REQUEST:

Review Annual Disclosure of Tax Increment Districts for the Year Ended December 31, 2023 for the City of Caledonia presented by David Drown Associates, Inc. Public Finance Advisors

ACTION ITEM:

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



DDA

David Drown Associates, Inc.
Public Finance Advisors

Minneapolis Office:
5029 Upton Avenue South
Minneapolis, MN 55410-2244
(612)920-3320 xtn 107 | fax (612) 605-2375
www.daviddrown.com

July 1, 2024

Houston County Commissioners
Houston County Courthouse
304 South Marshall Street
Caledonia MN 55921

**RE: City of Caledonia
2023 TIF Reports**

Dear County Board Members:

Enclosed please find one completed copy of Caledonia's Annual Disclosure Report as it pertains to their 2023 TIF reports. Please direct any questions or concerns to this office.

On behalf of the City,

Sonya Bubany
David Drown Associates, Inc.
sonya@daviddrown.com

CITY OF CALEDONIA, MINNESOTA**Annual Disclosure of Tax Increment Districts for the Year Ended December 31, 2023**

Name of TIF District:	TIF 2 - 1 Townhomes	TIF 2 - 2 Housing
Current net tax capacity	8,927	6,854
Original net tax capacity	32	345
Captured net tax capacity	8,895	6,509
Principal and interest payment due in 2024	1,038	0
Tax increment received in 2023	0	0
Tax increment expended in 2023	1,038	1,038
First tax increment receipt	June, 1998	June, 1998
Date of required decertification	Dec. 31, 2023	Dec. 31, 2023
Increased property taxes on other properties due to Fiscal Disparities	0	0

Additional information regarding each district may be obtained from:

Jacob Dickson
City of Caledonia
231 East Main Street
Caledonia MN 55921
Phone: 507-725-3450

**HOUSTON COUNTY
AMENDED AGENDA REQUEST
July 16, 2024**

**Date Submitted: July 11, 2024
By: Tess Kruger, HRD/Facilities Mgr.**

**ACTION
NONE**

**APPOINTMENT REQUEST
NONE**

HR CONSENT AGENDA REQUEST

Environmental Services

- **Accept the resignation of Martin Herrick, Environmental Services Director, effective the end of the business day, August 2, 2024, and thank him for his 2.5 years of service to the residents of Houston County**
- ~~**Initiate a competitive search for an Environmental Services Director**~~
- **Confirm the appointment of Amelia Meiners as the Houston County Zoning Administrator pursuant to Minn. Statute 394.29, effective August 3, 2024**
- ~~**Appoint Amelia Meiners as the Interim Houston County Environmental Services Director, D61, Step 1, effective August 3, 2024**~~
- **Initiate a competitive search for a 1.0 FTE Environmental Services Specialist, B24**

Personnel

- **Accept the resignation of Theresa Arrick-Kruger, HR Director, effective at the end of the business day, September 6, 2024, and thank her for 15 years of service to the residents of Houston County**

Public Health & Human Services

- **Accept the resignation of Cynthia Melbostad, Accounting Clerk, effective at the end of the business day, August 2, 2024, and thank her for 31 years of service to the residents of Houston County**

CC:

<u> </u>	HR Director	<u> X </u>	Sheriff	
<u> X </u>	Finance Director	<u> X </u>	Engineer	
<u> </u>	IS Director	<u> X </u>	PHHS	
			(indicate	
<u> </u>	County Attorney	<u> X </u>	other dept)	<u> A/T </u>
<u> </u>	Environmental Svcs			

**HOUSTON COUNTY
AGENDA REQUEST FORM
July 16, 2024**

Date Submitted: 7/10/2024

By: Mark Olson, Emergency Management Director

ACTION REQUEST:

- **Requesting the board approve a resolution declaring a state of emergency for conditions resulting from the heavy rains and flooding event of June 16, 2024.**

CONSENT AGENDA REQUEST:

NONE

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

Resolution Declaring a State of Emergency

Resolution # 24-21

WHEREAS the heavy rains and flooding impacted the population of Houston County and its cities, townships, public utilities, and electric cooperatives; and

WHEREAS the heavy rains and flooding event has caused a significant amount of debris and power distribution system damage; and

WHEREAS the Houston County Department of Emergency Management requests the Houston County Board of Commissioners to declare Houston County in a STATE OF EMERGENCY for the June 16 event of 2024;

NOW, THEREFORE, BE IT RESOLVED, that the Houston County Board of Commissioners declares Houston County in a State of Emergency for conditions resulting from the heavy rains and flooding event of June 16, 2024.

Adopted by the Houston County Board of Commissioners this 16th day of July, 2024.

ATTEST:

I, Polly Heberlein, Auditor-Treasurer, hereby attest that the foregoing resolution was duly adopted by the Houston County Board of Commissioners on the 16th day of July, 2024.

Houston County Auditor-Treasurer

**HOUSTON COUNTY
AGENDA REQUEST FORM
July 16, 2024**

Date Submitted: July 11, 2024

By: Brian Swedberg, Sheriff

ACTION REQUEST:

CONSENT AGENDA REQUEST:

Request to approve Boat Patrol Mutual Aid Agreement between Houston County and Vernon County, WI

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

**MUTUAL AID/JOINT EXERCISE OF POWERS AGREEMENT BETWEEN THE
HOUSTON COUNTY, MINNESOTA SHERIFF'S OFFICE AND THE
VERNON COUNTY, WISCONSIN SHERIFF'S OFFICE**

This agreement supersedes any previous agreement between the parties for mutual aid/joint exercise of powers.

WHEREAS, Houston County is a political subdivision of the State of Minnesota, as defined by Minn. Stat. §2.01 and §410.01

WHEREAS, Houston County, Minnesota and Vernon County, Wisconsin are recognized as "border counties" of a "physically adjacent state," as defined by Wisconsin Statutes §175.46(1)(a) and §175.46(1)(d); and

WHEREAS, the Houston County Sheriff's Office is a law enforcement agency as defined by Minnesota Statutes §626.84; and

WHEREAS, the Vernon County Sheriff's Office is a "law enforcement agency" as defined by Wisconsin Statute §175.46; and

WHEREAS, both entities have formed this agreement for the specific goal of collaborating to provide more effective law enforcement management of threats to public health and safety on the Mississippi River and its shorelines, including both natural and man-made disasters; and

WHEREAS, neither law enforcement agency possesses all of the necessary resources to mitigate dangers to public boating safety or to address the breadth of potential law enforcement emergencies and disasters independently and recognize that an effective and efficient response will be better achieved by leveraging the collective resources of both agencies; and

WHEREAS, both law enforcement agencies desire to voluntarily aid and assist the other in patrolling the river between the counties and to respond to emergency situations on the river and shorelines to the extent it is reasonable for them to do so; and

WHEREAS, it is necessary and desirable that a mutual aid/joint exercise of powers agreement be executed for the performance of such assistance;

THEREFORE, as authorized in Wisconsin Statutes § 175.46 and Minnesota Statutes § 471.59 the Houston County Minnesota Sheriff's Office and the Vernon County Wisconsin Sheriff's Office respectively hereby grant peace officer authority to duly sworn and licensed peace officers of the other law enforcement agency under the following terms and conditions:

1. When requested by the Houston County Sheriff's Office peace officers of the Vernon County Sheriff's Office may act with all the arrest and peace officer authority of a peace officer of the Houston County Sheriff's Office while within the boundaries of Houston County, Minnesota.

2. When requested by the Vernon County Sheriff's Office peace officers of the Houston County Sheriff's Office may act with all the arrest and peace officer authority of a peace officer of the Vernon County Sheriff's Office while within the boundaries of Vernon County, Wisconsin.
3. Any peace officer acting under this agreement is considered to be acting in the ordinary course of his or her employment with his or her respective employing agency.
4. Any peace officer acting under this agreement shall continue to be covered by his or her employing agency for the purpose of worker's compensation, unemployment insurance, disability and any other employee benefits, and for civil liability for the defense and indemnification of employees as established by the law, statutes, and each agencies' policies and procedures of the officer's employing agency.
5. A peace officer acting under this agreement while performing duties in the jurisdiction to their jurisdiction of employment, is immune from liability or protected by limits on liability to the same extent as any peace officer of that adjacent agency as provided for by the statutes and laws of Wisconsin and Minnesota.
6. No peace officer acting under this agreement is considered for liability purpose an employee of the other agency or an agent of the other state or any other law enforcement agency of the other state for his or her actions regardless of the supervision or control over the officer's actions or activities.
7. Each peace officer acting under this agreement will, as soon as reasonably practical notify his or her employing agency that he or she is acting under this agreement and of the officer's presence in the jurisdiction of the other party to this agreement.

This agreement will remain in effect until such time as one or both of the law enforcement agencies to this agreement declares in writing that this agreement is terminated.

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SIGNATURE PAGE TO FOLLOW

HOUSTON COUNTY, MINNESOTA SHERIFF'S OFFICE

By: _____ Date: _____
Eric Johnson
Houston County Board Chair

By: _____ Date: _____
Brian Swedberg
Houston County Sheriff

Approved as to form and execution:

Houston County Attorney

VERNON COUNTY, WISCONSIN SHERIFF'S OFFICE

By: _____ Date: _____
Roy Torgerson
Vernon County Sheriff

Approved as to form and execution:

Vernon County Attorney

Root River State Trail Extension Houston-Hokah-La Crescent



Root River Trail Extension - Citizen Exploratory Committee
Adopted Trail Plan
June 12, 2024



HOUSTON COUNTY
MINNESOTA



Houston, Minnesota

The Best of Bluff Country

Root River Trail Extension
Houston-Hokah-La Crescent
Trail Plan

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Appendix A – Memorandum of Agreement to Jointly Cooperate

Acknowledgements

Root River Trail Extension-Citizens Exploratory Committee

- Houston County – Joe Thesing, Ben Horn, Jason Kraft
- City of Hokah – Jake Olson, Kevin Walther
- City of Houston – Jay Wheaton,
- City of La Crescent – Dick Wieser, Larry Stryker

Houston County - Board of Supervisors

Allison Wagner, Board Clerk/Economic Development Director

Sam Jandt, Houston County Attorney

Eric Schmidt, County Surveyor

City of Houston – Mayor, City Council

Michelle Quinn, Clerk/Administrator

City of Hokah – Mayor, City Council

Lindsey Martell, Clerk/Administrator

City of La Crescent – Mayor, City Council

Bill Waller, City Administrator

Larry Kirch, Community Development Director

Hein Bloem, Houston County resident

Christina Peterson, Houston County resident

Resource Groups

- Bicycle Alliance of Minnesota
- Parks and Trails Council of Minnesota
- SMART – Southeast Minnesota Association of Regional Trails
- Minnesota Department of Transportation – Active Transportation Program
- Minnesota Department of Natural Resources State Parks and Trails

Plan Partners

There are multiple organizations and entities that contributed to the formulation of this Trail Plan. The primary plan partners are Houston County and the cities of Houston, Hokah, and La Crescent. Each of the entities contributed to the extent they were able with Houston County and the City of La Crescent being able to commit staff resources to the planning effort. All the entities contributed meeting facilities and were committed to exploring the possible extension of the Root River Trail by entering into a formal Memorandum of Agreement to Jointly Cooperate.

Executive Summary

The Memorandum of Agreement to Jointly Cooperate (MOA) signed by Houston County and the cities of Houston, Hokah and La Crescent allowed for the creation of an eight member citizens committee with two representatives from each governmental organization. The MOA called for the creation of a trail plan which would be drafted by the committee. The committee of citizens discussed the name of the committee and came up with the Root River Trail Extension – Citizens Exploratory Committee (RRTE-CEC). The committee had no illusions that a trail would ever be built but that one was generally a desirable thing for the county, the three cities and for southeast Minnesota. The committee specifically used the word “Exploratory” to underscore the 40 years of previous efforts and that if a trail was a certainty, it would have been completed already.

This trail plan is an exploration of the previous planning efforts and a path forward for the possible extension of the Root River State Trail. In reviewing the previous three master planning documents, the most recent in 2011 regarding the specific extension from Houston to La Crescent, the committee noted that an ad hoc group met for 12 years before becoming part of the County Economic Development Authority as a subcommittee. That subcommittee met from 2004 to 2010 when a more formal master planning process was undertaken in 2011 which resulted in a master plan that was approved and one that meets the statutory requirements in Minnesota.

The RRTE-CEC met for a little over a year to formulate a process for preparing the “trail plan.” The trail plan was open-ended under the MOA as to its content and format. The committee determined that the trail plan, under the MOA, need not take 12 years or even seven years and that the 2011 Root River State Trail Extension Master Plan Houston to La Crescent, 2011 was the approved plan and that a committee trail plan would simply augment that master plan. The trail plan updates what has transpired over the last 12-13 years and provides community members and state and federal agencies and other stakeholders with a renewed path forward with the most likely action that the trail would be pursued in phases.

This trail plan acknowledges and confirms that the 2011 Master Plan is approved and there is no need to recreate that plan. The next step for the communities is to move forward on the implementation of the 2011 Master Plan by having conversations with landowners and working in partnership with the three communities and the county.

This plan does not indicate which segment of an extension to the Root River State Trail would be built first, just that there is a concerted effort over the long term to see the project completed. Trail development and construction can take decades. For example, the recently completed Wagon Wheel Trail in La Crescent took 21 years from conception to completion. The final segment was the construction of the bicycle-pedestrian bridge over U.S. Highways 14/61 in 2023. For the Root River State Trail, the original land acquisition from the railroad took place in the late 1970s was born in controversy and concern. Discussions regarding completing the Root River State Trail have gone on for more than 40 years. The RRTE-CEC firmly believes that connecting communities within a region is good for the communities and for visitors.

Introduction

The cities of La Crescent, Hokah and Houston have long desired to connect their communities utilizing the Root River State Trail. Houston County has supported the trail extension in a variety of ways over the years as well. The Minnesota DNR finalized a Trail Master Plan in 2011 for the extension of the trail. However, completion of a trail has been complicated for a variety of reasons including wetlands, floodplain, habitat restoration areas, wildlife management areas, MnDOT right-of-way, railroad right-of-way, federal and state ownership, private ownership, and others. A model for completing the existing Root River State Trail was through a Joint Powers Agreement amongst cities in Fillmore County.

The City of La Crescent and Houston County have allowed their staff to co-lead the coordination of trail planning efforts. The Root River Trail Extension-Citizens Exploratory Committee works alongside La Crescent's Community Development Director and Houston County's EDA Director. An eight-member citizen committee makes up the RRTE-CEC and represents the three cities and county all working toward developing a plan and strategy to complete the trail.

The value of the Root River State Trail to the region as a recreation corridor and economic driver is well known. In the short time since the opening of the Wagon Wheel Trail Bridge in La Crescent, there has been a visible and dramatic increase in people biking and walking in the community. The business community has confirmed that the increased bicycle and pedestrian use has had a positive impact on their businesses. Through careful planning and project management, it is hoped that an agreed upon Root River Trail corridor can be identified and pursued over a number of years. **The committee has stressed emphatically that any property acquisition or property interest be handled entirely through a willing seller/willing buyer approach.**

This "trail plan" is a requirement of the Memorandum of Agreement (MOA) to Jointly Cooperate executed by and between the County and the three cities. More information on the MOA is included in other sections of this document and a copy of the fully executed MOA is attached as an exhibit to this trail plan. The content of the trail plan was undefined by the MOA. The RRTE-CEC determined that there was not a need to recreate the 2011 DNR Trail Master Plan as that plan meets the Minnesota statutory requirements for preparation of state trail master plans. This planning document summarizes previous planning efforts, describes alternative routes within the corridor as well as provides an evaluation and recommendations for trail routing options. The trail plan presents options for funding the trail and working with property owners who are interested in seeing the trail come to fruition.

The idea of a trail extending from Fountain to La Crescent has been around for more than 40 years. The trail exists in Houston heading west. Positive impacts and negative feelings of the trail are well established. Previous trail planning efforts have included much public outreach over the last four decades.

This plan reaffirms the strong commitment to the willing seller/willing buyer approach to working cooperatively with any property owner who is interested in working with the three cities and county to bring a trail to reality. The trail plan also outlines the next steps for moving the plan forward.

Exploratory Committee Origin/Purpose/Function

The most recent effort to explore the possibility of extending the Root River Trail began in 2020 with a meeting between the City of La Crescent, Houston County and the Minnesota DNR. At that meeting there was discussion of past efforts and the best way to move forward. The outcome of the meeting was that a Joint Powers Agreement should be drafted and pursued by the communities. The City of La Crescent offered to commit staff resources to the project.

Tragically, the City of La Crescent's Community Development Director, Terry Erickson, passed away in a mountain biking accident in Winona in June of 2021. Terry's passing was a loss to the Winona community, Southeast Minnesota, La Crescent, and this project. Terry was involved for several years in La Crescent and assisted the city in many projects including obtaining funding for the Wagon Wheel Trail. With the loss of Terry, the Root River Trail extension project stalled until mid-2022.

In 2022, Houston County and the City of La Crescent began discussions to create a Joint Powers Agreement. The discussions were primarily between the County Attorney and City Attorney. The result of the discussions was the formulation of a Memorandum of Agreement to Jointly Cooperate. The MOA was executed in September of 2022 by the City of Houston, City of Hokah, City of La Crescent and Houston County. In October of 2022 each entity appointed two members to serve on a committee to create a "trail plan." The committee began meeting monthly in the Fall of 2022.

Early on, the committee reviewed the MOA and conducted a tabletop workshop to create a game plan for creating the trail plan. The committee agreed to work by consensus, did not create a chair or vice chair and did not create bylaws. The committee felt that time was better spent on the trail plan rather than administrative process. The task at hand was the trail plan. The committee agreed to name the committee the Root River Trail Extension – Citizen Exploratory Committee. The committee chose that name because the committee felt that the creation of a trail was not a forgone conclusion and that the committee was simply exploring the completion of a trail system. That exploration would come through drafting a trail plan.

The committee approved a Project Charter which spelled out the role of each community, the role of the committee and the role of staff. The committee next worked on a Fact Sheet and the City of La Crescent created a web page on the city's site to post information and resources for the project. The Committee spent several meetings looking at aerial photos and ownership information in the trail corridor. After meeting for approximately 18 months, the committee decided on the table of contents of the trail plan and to have staff draft a planning document. This document serves as the "trail plan" that is a requirement of the MOA.

History-Background of Trail/ Previous Trail Planning Efforts

The Root River State Trail was authorized in 1971. In 1979, the Chicago, Milwaukee, Saint Paul and Pacific Railroad was abandoned and therefore the trail planning could be undertaken. The DNR ultimately acquired 49 miles of the 100-mile corridor. Fifteen of those 49 miles were designated as a Scientific and Natural Area. Thirty-five miles were made into the Root River State Trail from Fountain to the Money Creek Woods. The balance of the abandoned rail corridor was transferred to the abutting property owners.

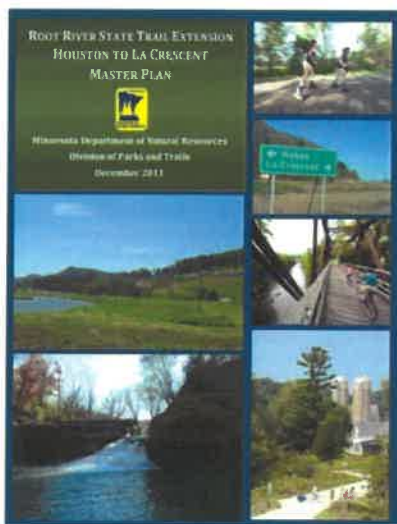
A 6.7-mile extension of the Root River State Trail to Houston was made part of a subsequent planning effort in 1998, nearly 27 years after the original authorization of the trail (Houston Extension of the Root River State Trail Master Plan, 1998). The trail was constructed in 1999 to the Houston Trailhead Park and Houston Nature Center. This extension brought the trail to a total of 41.7 miles in length and when added to the Harmony-Preston Valley trail brought the total trail length to 59.2 miles.

The Root River State Trail was constructed where the state kept ownership and was not completed east of Houston where the property was transferred to abutting property owners.



Root River State Trail Extension Master Plan – Houston-to La Crescent, 2011

In December of 2011, the Minnesota Department of Natural Resources approved the Root River State Trail Extension Master Plan. The master plan fulfilled the requirements of Minnesota Statutes, Section 86A.09 for the administration of the extension of the Root River State Trail. The plan covered the distance from the existing trail terminus in Houston to La Crescent. The trail extension was authorized in Minnesota Statutes, Section 85.015, Subdivision 7 in 1992 as one part of the Blufflands Trail System. As noted in the plan, groups in Houston County began working with the Minnesota DNR in 1992 to extend the trail. In 2004, the informal group was formed as a committee under the county's Economic Development Authority (EDA). That committee (the Houston County Trails Subcommittee) met for five years. The 2011 planning process and resulting plan evolved from that 5-year effort by the Houston County Trails Subcommittee and was folded into the Master Plan.



The 2011 Master Plan for the extension of the Root River State Trail consists of seven chapters. Chapters are devoted to the planning process, purpose and scope; potential trail uses; trail alignment in segments/subsegments; trail management, natural resources, history and cultural resources; and implementation. This document intentionally does not try to recreate the existing approved Master Plan and the reader is encouraged to peruse the 2011 Master Plan which can be found on the City of La Crescent's RRTE-CEC webpage as well as on the Minnesota DNR trails website.

Throughout the last forty years, there has been both positive and negative viewpoints to the extension of the trail system.

As the plan notes "Concerns were addressed regarding many issues with trails on private property: liability, trail maintenance, wildlife management, hunting, and safety issues. Other topics included avoiding displacement of rare species and whether a trail would bring economic benefits to the area." The central issues remain, trails on private property, liability, hunting, trespass, and safety. Displacement of rare species or more aptly, habitat loss, will be mitigated as it is a requirement of any trail construction.

The economic benefit of trails is undisputed. Minnesota now has 588.5 miles of paved state trails. Nation-wide there are 25,000 miles of these types of trails with another 9,000 miles being planned. A coast-to-coast 3,700-mile-long Great American Rail Trail is coming closer to reality. Communities are still clamoring for trail extensions to their communities. Rampant crime does not happen on the trails. Community members who did not want the trail eventually say that they were wrong. A good example is a high school class-project video from the community of Lanesboro where an outspoken trail critic, comes around to facts not fears. The trail is a good thing for their community.

How does a private property owner then co-exist with a trail and avoid liability, possible trespass issues and safety concerns? The answer lies along those 588.5 miles of existing paved trails, 41.7 of which are in the Root River Valley. The issues are real but the answer is that, the issues are manageable or not as

bad as feared. The 212-page Root River Trail Master Plan from 1983 also provides a detailed illustration of the careful consideration that was given to abutting property owners to evaluate trail impacts to properties along the trail. The 1978 plan gives ample illustration how the state worked closely with private property owners to relocate trail sections to both the benefit of the property owner and trail user.

As the 2011 Master Plan states, the recommended trail uses are the same as the rest of the Root River State Trail and include; bicycling, hiking, walking, running, X-country skiing, and similar uses. These user groups are recreation enthusiasts and good stewards of outdoor recreation facilities. Hunting will be allowed except where regulated by community ordinances. Snowmobiling will be allowed between Houston and Miller's Corner. Snowmobiling is generally not viewed as compatible with winter silent sports like cross country skiing, snowshoeing, fat tire biking, walking and could only be done if speeds were regulated and policed. Horseback riding will be accommodated on portions of the trail where sufficient right-of-way is available.

Public Outreach – 2023-24

The extension of the Root River State Trail to Hokah and La Crescent had its origins in 1992 with a Houston County subcommittee of the Economic Development Authority in 2005. That subcommittee met for approximately five years. Meetings were posted and open to the public. The 2011 master planning process for the extension of the Root River State Trail had two public meetings to gain input on the master plan. The summary of public comments is included in the appendix to the 2011 master plan.

2011 Root River State Trail Extension Houston to La Crescent Master Plan Process Chart

Trail Planning Process Chart

Who's Involved

- Houston County EDA Trails Subcommittee
- National Park Service
- US Fish and Wildlife Service
- University of Minnesota
- DNR Resource Managers
- Community Leaders
- Scenic Byways
- Elected Officials
- Other Agencies
- Citizens
- Adjacent Landowners
- Trail Users

The 2011 approved DNR approved master plan involved the list of communities, agencies, community leaders, landowners and the general public presented in the chart.

Under the MOA for this Trail Plan, it was understood that public outreach continues to be a basic requirement of any trail planning process. Early in the planning process, during a roundtable discussion, the following stakeholders were identified: Houston County, the three cities, townships, landowners, Southeast Minnesota Association of Regional Trails (SMART), Minnesota Parks and Trails Council, Bicycle Alliance of Minnesota, Harmony Trails Commission (Gabby Kinneberg, President – Preston), Root River Trail Towns, Bluff Country Scenic Byway, MnDNR, MnDOT, U.S. Fish and Wildlife, Rails to

Trails Conservancy, CPKC Rail, snowmobile clubs, landowners, Houston County residents, County Engineer, La Crescent Chamber of Commerce and Tourism, Houston Chamber Commerce, Houston Nature Center, National Owl Center.

The City of La Crescent created a resource page on the city's website under the City Government Tab, and under the Root River Trail Extension-Citizens Exploratory Committee: [Root River Trail Exploratory Committee \(cityoflacrescent-mn.gov\)](http://cityoflacrescent-mn.gov) for the work of the committee and a repository of information related to the Root River State Trail. Information includes the agendas and minutes from the committee meetings, copies of the 1983, 1988 and 2011 DNR Master Plans, the MOA, a Frequently Asked Questions information sheet, and committee member information.

The draft and final Trail Plan will be posted on the committee webpage. Public input from the general public and stakeholders will be summarized in the document. The MOA requires that the Trail Plan be presented to the County Board and the city councils of the three cities.

Alternative Routing

The 2011 Root River State Trail Master Plan to extend the state trail from Houston to Hokah to La Crescent broke the 18 miles of possible trail into five segments. The segments include connections between La Crosse and La Crescent and connections within La Crescent as Segment 1. The Wagon Wheel Trail from the West Channel Bridge/Sportsman Landing to downtown La Crescent took over 21 years to complete with multiple funding sources and years of grant writing. Segment 2 is the segment between the Wagon Wheel Trail/Bridge and Miller's Corner. The master plan recommended the trail be placed between Highway 26 and the Kansas City and Southern Rail Road (now CPKC) tracks along the east side of the highway.

The City of La Crescent has completed four phases of the Wagon Wheel Trail and the City of La Crosse, with federal money, is building a bicycle-pedestrian bridge across the West Channel of the Mississippi providing a safer and more direct route from/to Wisconsin's state trail system and La Crosse's city trail system. The City of La Crescent completed an Active Transportation Action Plan in 2023 to assist in determining a safe route from the Wagon Wheel Bridge to Miller's Corner. That plan confirmed the route identified in the 2011 Master Plan, a route between the highway and the rail road tracks with a separated path. The city then sought funding at the end of 2023 to build a portion of the path from the Wagon Wheel trail to S. 14th Street with federal Transportation Alternatives (TA) funds. That project was not funded but the city will continue to seek funding for a multi-use path to Miller's Corner. Segment 2 can be broken down into one or two phases depending on funding availability and coordination between the CPKC railroad and the County, City of La Crescent and the Minnesota Department of Transportation.

Segment 3, between Miller's Corner and Hokah, does not have a preferred trail alignment identified. The three options remain the same, use of the former rail corridor for most of the route as well as Minnesota Highways 16 or 26/County Road 7 in the state or county right-of-way. Close coordination with Houston County, the state DOT, property owners, the U.S. Fish and Wildlife Service and the DNR will be needed to acquire and construct a trail. Connections within Hokah are part of Segment 3.

Segment 4, connects Hokah and Mound Prairie. The most desirable, from a trail user perspective and natural area perspective is to use the abandoned rail corridor. Segment 5, lies between Mound Prairie and Houston. Potential alignments include the general corridor of the abandoned rail corridor, to highways and along the Root River.

As noted in many other sections of this trail plan, working cooperatively with landowners, local government and state and federal agencies is a necessary component of finalizing any of the segments. Routing will be determined by evaluating the 2011 Master Plan and informal conversations and formal discussions with all the property owners whether private or publicly owned. The challenge here is to align the desire by some to create a complete trail system and landowners seeing a benefit. Benefits could be looked at in terms of health and wellness, social connections and economic impact. Impacts or imposition to landowners include possible trespassing, loss of usable land, intrusion near homes, among other perceived or real negative impacts.

Method for Acquiring Property

At the outset of the committee meetings, the committee participants unanimously agreed that any property acquisitions would be done without condemning property. The committee was adamant in this fundamental parameter or principle. The committee reflected on the past use of condemnation in the Root River Valley to acquire property and the committee unequivocally rejected the notion that condemnation would be used. While condemnation is typically associated with government overreach, there may be tax advantages to a property owner whose property is condemned in terms of acquiring a replacement property. Regardless, the committee decided to take this off the table and any property acquisitions for trail purposes would only be done with willing buyer/willing seller approach.

The committee also discussed the history of property acquisition discussions/activities in the Root River Trail corridor. In previous discussions, if there was opposition to the acquisition of a piece of property in the corridor, it seemed to put the entire trail project on indefinite hold. The committee determined that if there were willing sellers in the overall corridor, the acquisition should move forward. The completion of a trail will never occur if the project is stopped because of 1 or 10 property owners not wishing to participate. For example, if there were 100 parcels to acquire and 10 property owners were not interested in selling, the committee stated that the other 90 properties should be acquired through the willing seller/willing buyer approach. In this way, the committee felt that alternative properties such as road right-of-way would then be pursued for acquisition. Just as there is highway right-of-way used from Houston to Rushford, that may have to be the case with segments from Houston to La Crescent.

Typically, property acquisition starts with a conversation. Is a property owner interested or not? Perhaps they are not interested in selling now but maybe someday? Or yes, I will sell if my neighbor sells or, sure, if you can get that strip from DOT, I will work with you. If you can go around at the edge of my field, then I will think about it. Regardless of the positive or negative interest, an outright purchase may not be necessary. Maybe the owner will give a right of first refusal that would give the buying entity the first right to match an offer if the property is ever sold. Property owners also have the ability to donate or sell permanent easements for trail segments. An easement or outright sale of land gives the property owner assurance that they are not liable for accidents or injuries on the trail as an easement can provide for recreational immunity to the underlying property owner. Each property owner has to decide for themselves if they are a willing seller or not. There may be tax benefits for an owner who donates property or donates an easement for trail purposes.

Readers of this Trail Plan should know that the Root River Trail Extension – Citizens Exploratory Committee would like to hear from landowners of their interest or non-interest in selling a parcel or selling an easement for trail purposes.

The committee discussed ways to purchase or obtain an “interest” in a property.

- 1) Granting a Right of First Refusal to a buyer
- 2) Entering into an Offer to Purchase with a buyer
- 3) Executing a Purchase Agreement with a buyer
- 4) Granting a permanent easement to a buyer

The actual transfer of the fee title to a property is typically done via a Warranty Deed or Quit Claim Deed. Some land is purchased/sold on a “Land Contract or Contract for Deed” where the transaction is completed once the final payment is made.

As part of the discussion of ways to acquire property, the following general real estate transfer methods were briefly mentioned. The project is a very long way out from acquiring any property and it was noted that the Trail Plan had to be approved by the County and the three cities before the project moves along. There is no funding for acquiring any property at present and one of the Trail Plan’s next steps is the identification of possible funding sources for the acquisition and construction of the trail.

Trail Implementation Funding Options

The 2011 master plan does not provide a list of possible funding sources but simply states that “State trails are typically funded through a variety of sources that include state bonding appropriations, federal Transportation Enhancement (TE) funds and federal trail grants.” The landscape for funding has improved in recent years with the advent of Federal Transportation Alternatives (TA) funds, and federal discretionary transportation programs such as RAISE funds, Safe Streets 4 All funds, and Connected Communities funding. Additionally, the Federal Highway Administration has launched the Active Transportation Infrastructure Investment Program (ATIIP) which funds projects that have to have a minimum application of \$15 Million dollars.

For many state trails, the most likely source for trails has been through the State of Minnesota Capital Budget process either as a request by state agencies or local government. This funding source is known as state bonding appropriations or “State Bonding Bill” funding approved by the state legislature every other year. The Minnesota DNR also has several trail grant programs and grants for park improvements that could be used in a city park for trail head improvements. Federal trail grants (through the MnDNR) are now available through the reauthorization of Land and Water Conservation Fund (LAWCON), funding which hadn’t been funded for over a decade.

With funding for trails being a competitive process along with funding constraints, it is likely that land acquisition for the trail will take several years. Funding for the construction of a trail will take multiple years and will very likely have to be done in phases. Most trails now are funded in phased segments as projects are generally too big to fund all at one time. This will be the case with the extension of the Root River State Trail. The trail can logically be broken down into phases with funding coming over multiple years.

The committee will collectively work to seek funding for land acquisition and construction over the next several years.

Trail Plan - Next Steps

The draft plan will be presented to the governing bodies of Houston County and the cities of Houston, Hokah, and La Crescent. Once that step is complete, it is recommended that Houston County, the City of Houston, the City of Hokah, and the City of La Crescent enter into a Joint Powers Agreement. This is the method that is most commonly (routinely) used in Minnesota by many communities who wish to work together to complete a multi-use recreational trail between their communities.

The 2011 Master Plan outlines nine next steps.

1. Complete the master plan.
2. Explore feasibility of each alignment (alignment within each segment).
3. Initial informal landowner contact.
4. Formal landowner contact; complete acquisition process.
5. Seek funding.
6. Trail engineering and design.
7. Construction on one or more segments, while the processes of negotiation and design continue on others.
8. Ongoing maintenance and stewardship.
9. Orientation and Interpretation (signage and kiosks).

Some of these next steps are complete while others are part of the design and construction phase and considerations for long-term maintenance and installation of wayfinding and cultural and natural resource informational kiosks. Item #1 is complete. Items #2, 3, and 4 are really one step. The feasibility of any trail alignment begins and ends with landowner conversations. Item 5, funding can be sought for land acquisition now and funding for construction can be applied for as property is secured for a particular phase. For item #6, this item tends to precede funding as funders want to see that preliminary engineering and design is already complete for a particular phase. Items 7 and 9 are typically done in tandem as construction must include signage for safety and funding can be sought for installation of wayfinding and kiosks for interpretive signage. Ongoing maintenance and stewardship (Item #8) will primarily be a state responsibility (DNR/DOT) for portions of a trail segment that are owned and operated by the state, whereas there may be some trail segments that are city or county maintained.

Other recommendations to keep the plan moving forward include:

- Continue regular meetings of the RRTE-CEC under the Joint Powers Agreement
- Proactively support La Crescent's efforts to obtain Federal funding to complete a trail segment from the Wagon Wheel Bridge to Miller's Corner
- Work on steps 2,3, 4, and 6 while seeking funding
- Continue to engage with all divisions within the Minnesota DNR, MnDOT and the U.S. Fish and Wildlife Service
- La Crescent and Hokah should become a member of the Root River Trail Towns organization
- Each community should join and maintain membership in the Southeastern Minnesota Association of Regional Trails (SMART)
- Each community should join and maintain membership in the Parks and Trails Council of Minnesota

Appendix A
Memorandum of Agreement to Jointly Cooperate



U.S. Department of Transportation, Federal Highway Administration
Mr. Shailen Bhatt, Administrator
1200 New Jersey Avenue, SE
Washington, DC 20590

Subject: City of La Crescent – Root River Trail Towns ATIP Planning and Design Spine Extension

Dear Review Teams and Administrator Bhatt:

It is with great pleasure that we jointly support for the City of La Crescent's ATIP Planning and Design application. Once completed, an Active Transportation plan and design can be implemented with a construction project (likely phased), to connect the cities of La Crescent, Hokah and Houston, Minnesota to the eight other Root River State Trail towns. This multi-use active transportation spine facility will connect the trail network in Minnesota to the multi-use path and trail system across the Mississippi River in La Crosse, Wisconsin (La Crosse-La Crescent MSA) and Wisconsin's state trail system.

Houston County and the three cities currently are operating under a Memorandum of Agreement to Jointly Cooperate and will continue to cooperate throughout the grant period to develop a plan and detailed design of the multi-use spine. The cities and county are also drafting a Joint Powers Agreement (JPA) under Minnesota State Statute to further cement the commitment to completing the Root River State Trail in its entirety.

For over 40 years, the cities of La Crescent, Hokah and La Crescent have been working to connect their communities to eight other trail towns along the Root River Valley in Southeast Minnesota. A Planning and Design Grant will give the three communities, Houston County and the bi-state region an implementable construction project. A robust planning process will allow the communities and the many stakeholders to create a realistic and buildable spine facility.

We believe that this grant request reflects the administration's priorities and the U.S. DOT's Strategic Plan Goals including safety, climate change and sustainability, equity and economic benefits and job creation. The application fully addresses the six merit criteria outlined in the NOFO. Collectively, we support this grant request as it will bring to fruition a feasible plan that the communities have been striving to achieve for over 40 years.

Thank you for the opportunity to submit this funding request.

Sincerely,

Houston County, Minnesota
Board Chair

City of La Crescent, Minnesota
Mayor

City of Hokah, Minnesota
Mayor

City of Houston, Minnesota
Mayor

RESOLUTION NO. 24-22

WHEELAGE TAX

July 16, 2024

WHEREAS, in accordance with MN Statute 163.051, The Houston County Board of Commissioners implemented a \$10 per year per vehicle wheelage tax on each qualifying motor vehicle kept in the county when not in operation and that is subject to annual registration and taxation under MN Statute 163; AND

WHEREAS, MN Statute 163 Subd 1.b.2 allows the county to increase the wheelage tax up to \$20 per year on or after January 1, 2018; AND

WHEREAS, the assessed wheelage tax may be used within the Road and Bridge Fund for "highway purposes" and the county anticipates reduction in future State Aid maintenance funds;

THEREFORE, BE IT RESOLVED, the Houston County Board of Commissioners hereby authorizes and imposes a wheelage tax as provided in MN Statutes 163.051 at a rate of \$20 per year on each motor vehicle, except a vehicle exempt from the tax as defined in MN Statute 163.051 Subd 1(c), which is kept in Houston County when not in operation and which is subject to annual taxation and registration under MN Statute 163; and

BE IT FURTHER RESOLVED, that the Houston County Board of Commissioners hereby requests the wheelage tax be collected at the rate of \$20 by the state registrar of motor vehicles, as provided for in MN Statute 163.051, Subd 2; and

BE IT FURTHER RESOLVED, that the Houston County Board of Commissioners hereby directs the County Auditor/Treasurer to certify the wheelage tax rate of \$20 to the state registrar of motor vehicles before August 1, 2024, and that the tax be effective January 1, 2025.

CERTIFICATION**

STATE OF MINNESOTA

COUNTY OF HOUSTON

I, Polly Heberlien, 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 July 16, 2024.

WITNESS my hand and the seal of my office this 16th day of July 2024.

Houston County Auditor-Treasurer

Houston County Agenda Request Form

Date Submitted: 7/11/2024

Person requesting appointment with County Board: John Pugleasa, Director Public Health & Human Services

Will you be doing a power point or video presentation: ☐ Yes ☒ NO

Issue:

The Opioid Settlement requires Public Health to convene a community group to get input on local use of settlement dollars. This group has been meeting for several months and is recommending the following expenditures of up to \$32,725 out of Fund 12: \$4825 for Naloxone items, \$27,000 for AEDs, and \$1000 for education/marketing items.

Attachments/Documentation for the Board's Review:

N/A

Justification:

Opioid Settlement agreement

Action Requested:

Review and approve recommendation as presented.

For County Use Only

Reviewed by:

<input type="checkbox"/> County Auditor	<input type="checkbox"/> County Attorney	<input type="checkbox"/> Zoning/Environmental Service
<input type="checkbox"/> Finance Director	<input type="checkbox"/> County Engineer	<input type="checkbox"/> HR/Personnel
<input type="checkbox"/> IS Director	<input type="checkbox"/> Other (indicate dept)	

Recommendation:

Decision:

All agenda request forms must be submitted to the County Auditor by 4:00 p.m. on Monday in order to be considered for inclusion on the following week's agenda. The Board will review all requests and schedule appointments as appropriate.



HOUSTON COUNTY

304 South Marshall Street

Internal Interim Administrator Job Duties

UPDATED

7/11/2024

Summary

This position provides guidance to the Board of County Commissioners on policies and procedures, and directs, manages and oversees County departmental operations. This position also develops and submits the annual County-wide budget and Capital Improvement Plan to the County Board.

Essential Duties

DUTY

Directs, manages, and oversees non-elected department heads and employees to include: assigning projects and objectives; conducting performance evaluations; developing, motivating, and training; and making hiring, termination and disciplinary recommendations. Directs, manages and oversees the activities of all non-County Board-appointed department heads, including elected and those appointed by the Courts.

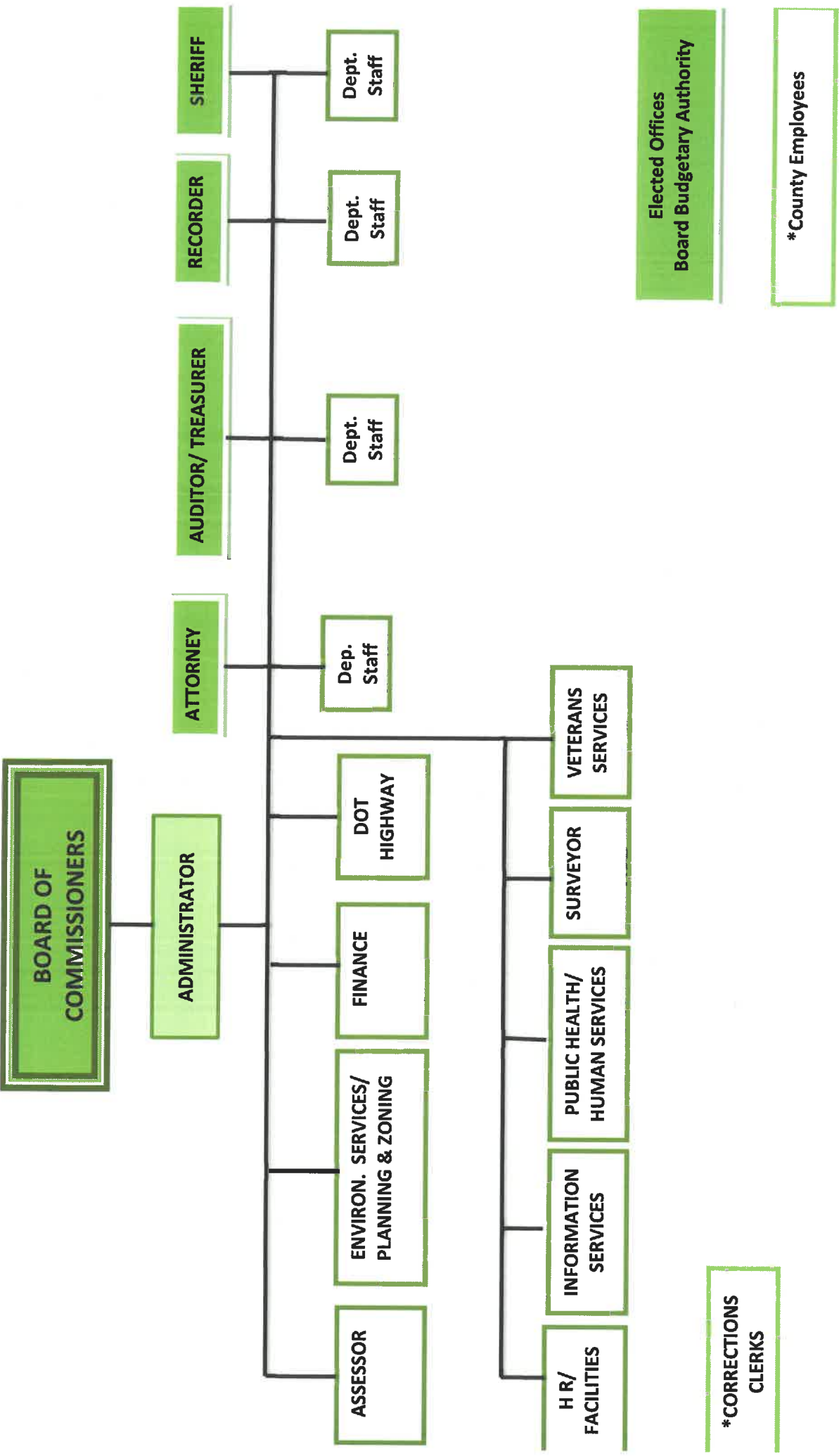
Keeps the County Board fully advised of all County-wide activities and prepares operational reports.

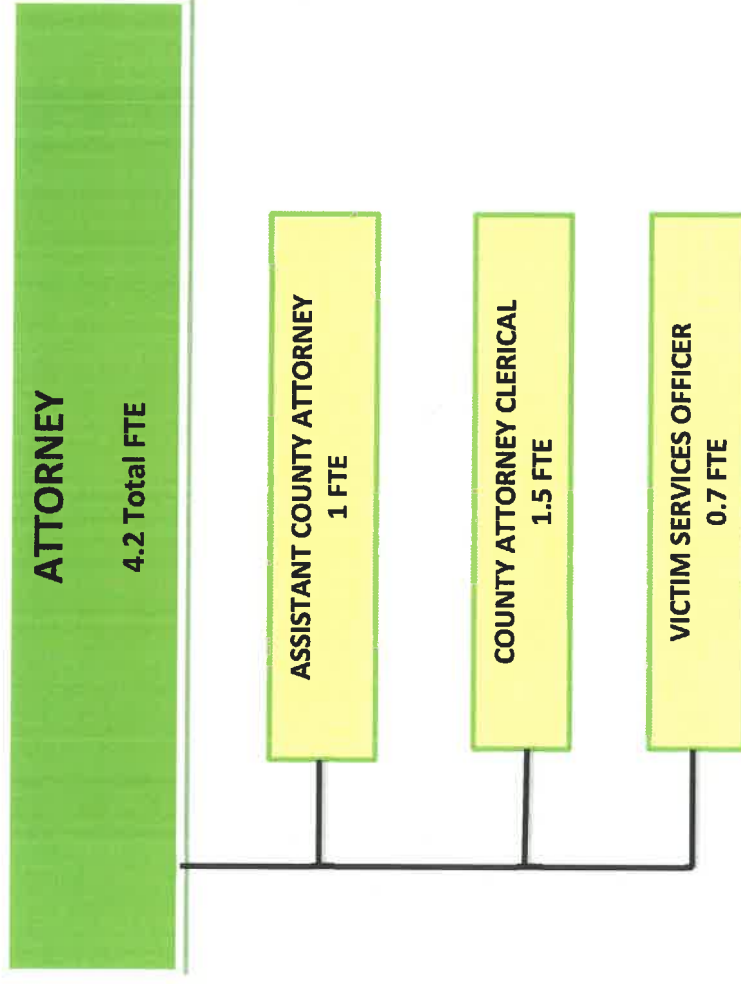
Ensures all ordinances, resolutions and orders of the County Board are executed.

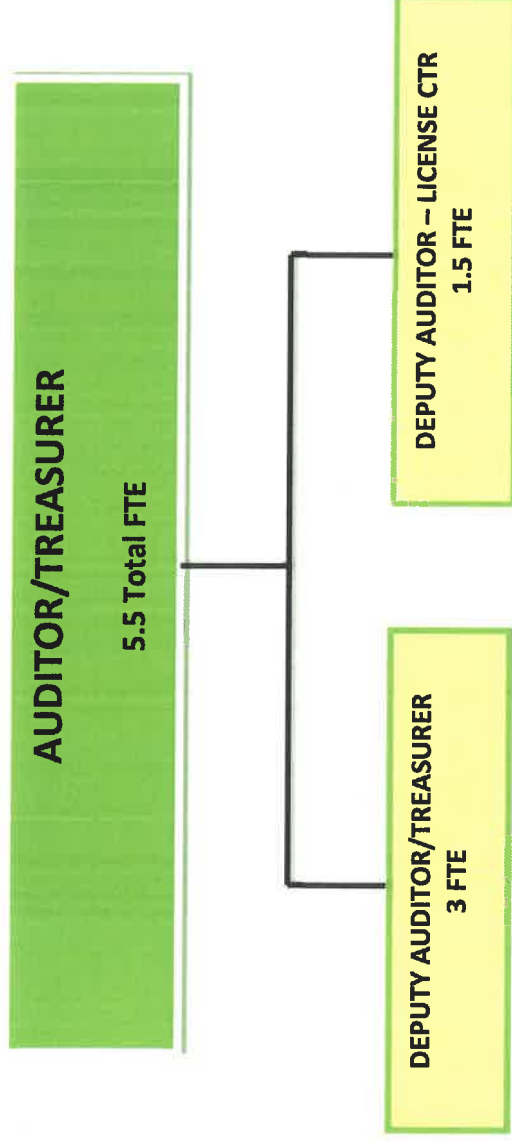
Participates in and guides the county's strategic planning by developing short and long-term goals and objectives.

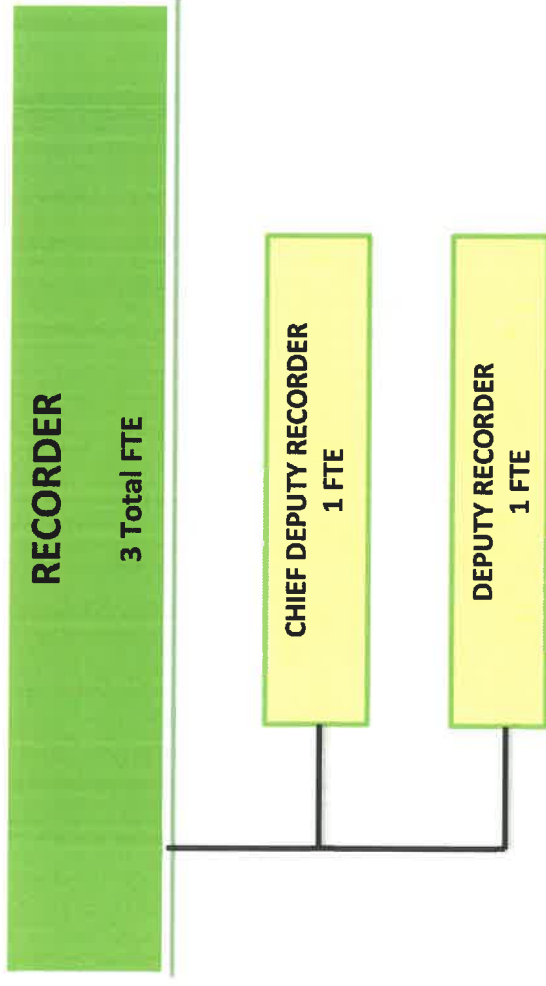
Recommends and submits the annual County-wide budget and Capital Improvement Plan to the County Board.

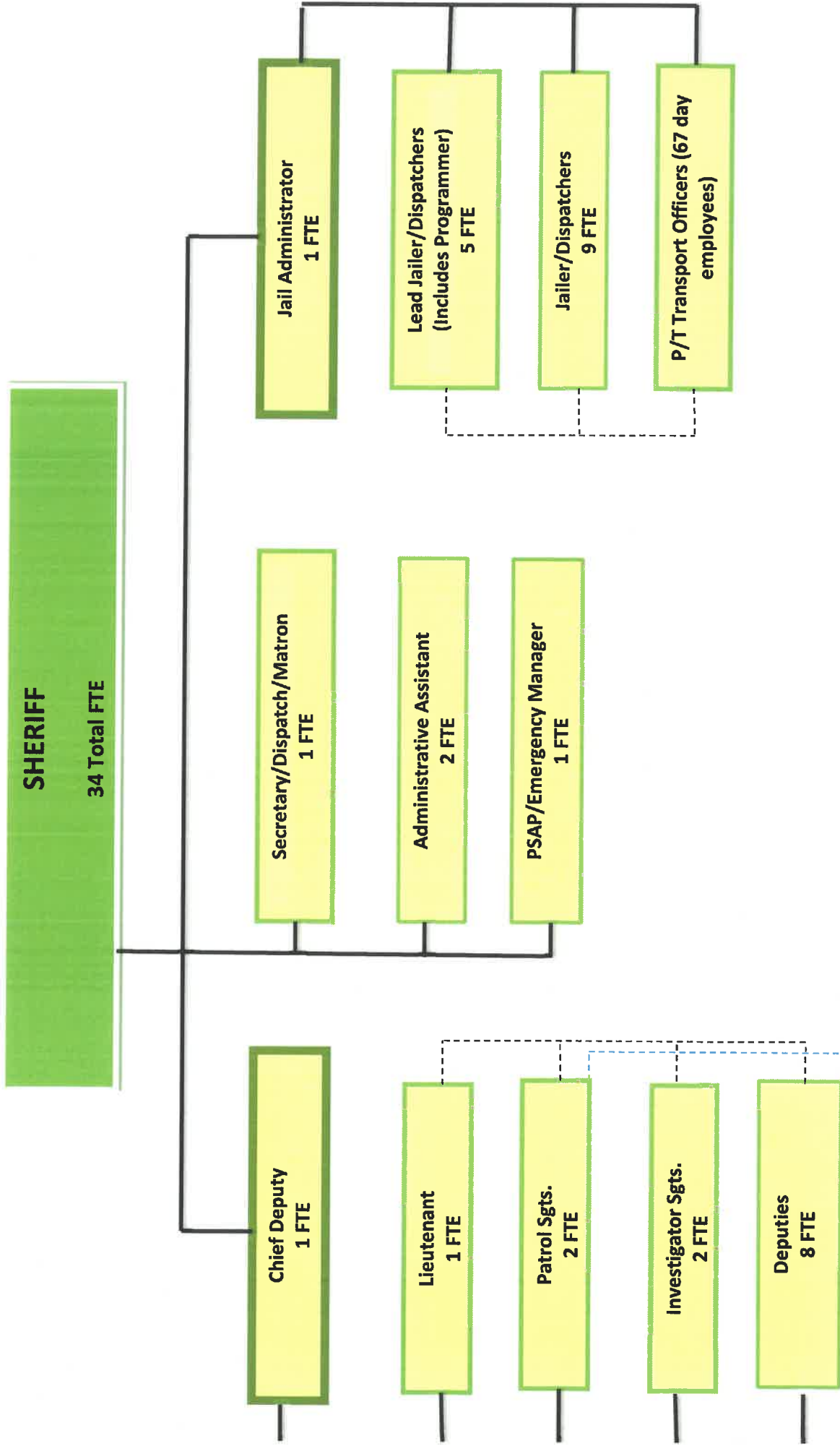
Performs other duties of a similar nature or level.

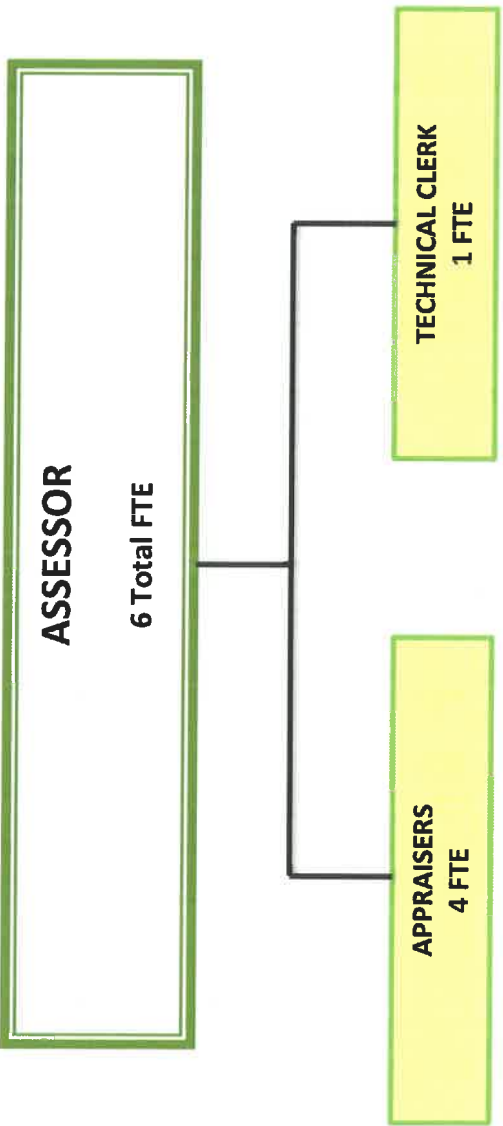


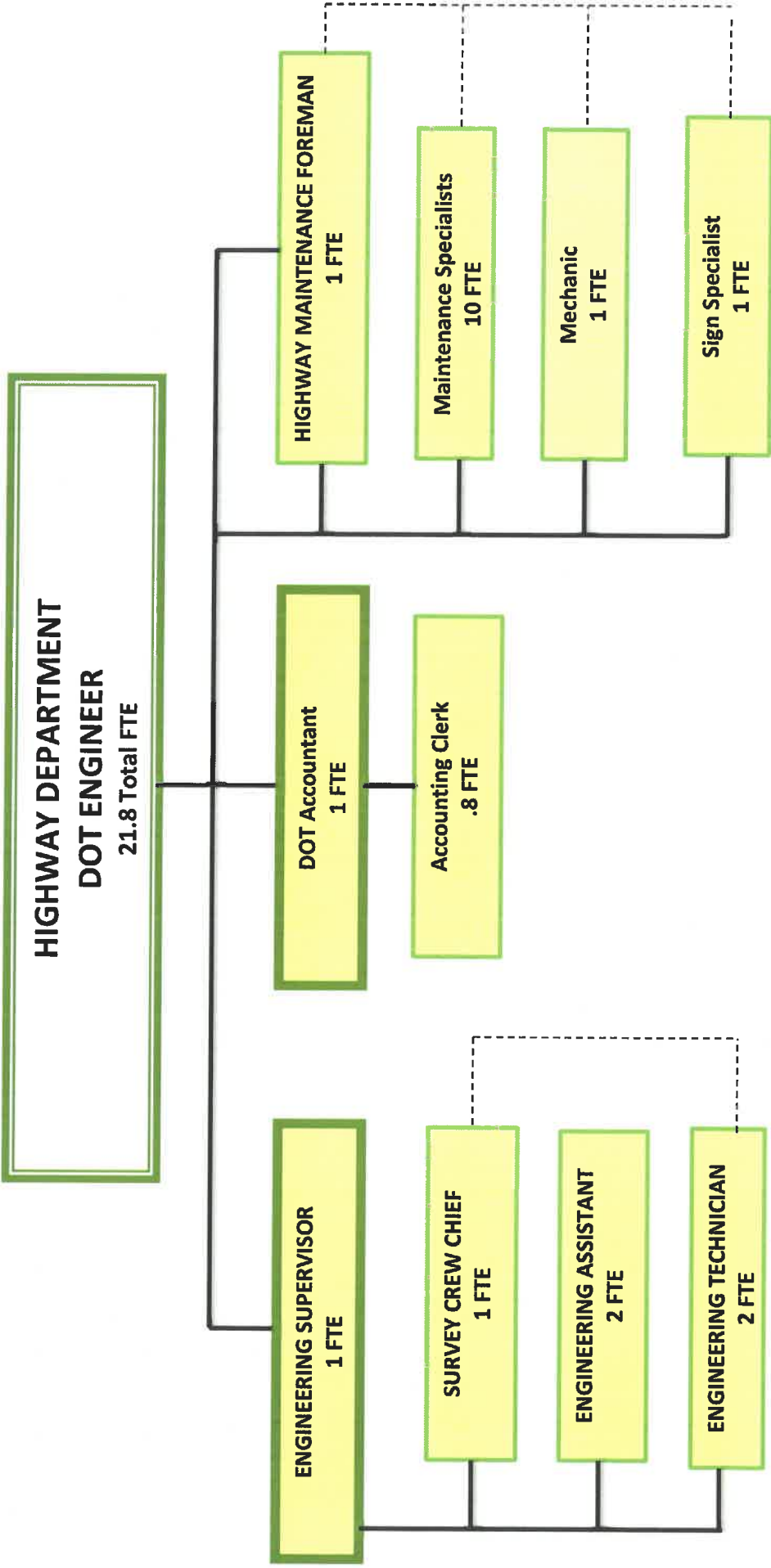


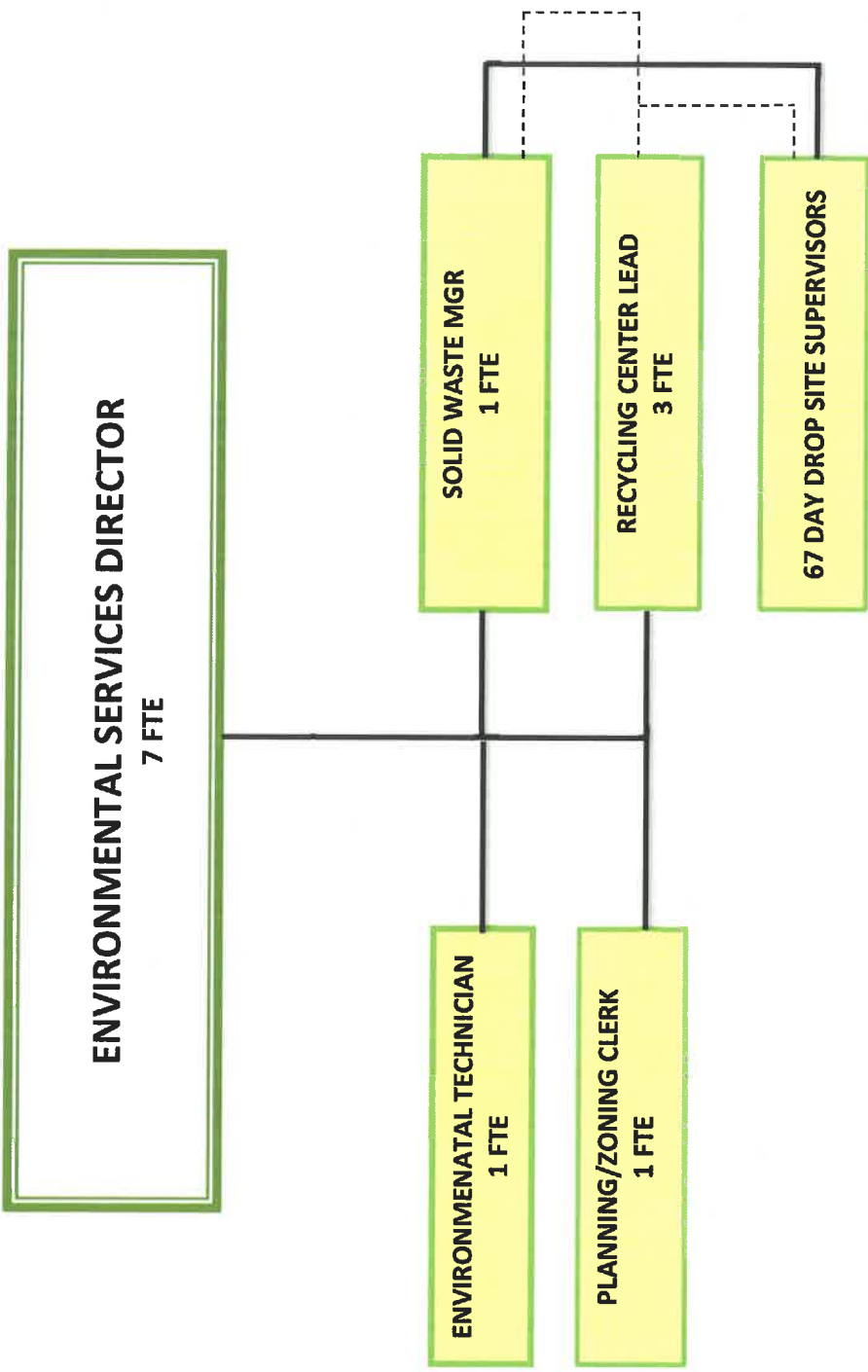


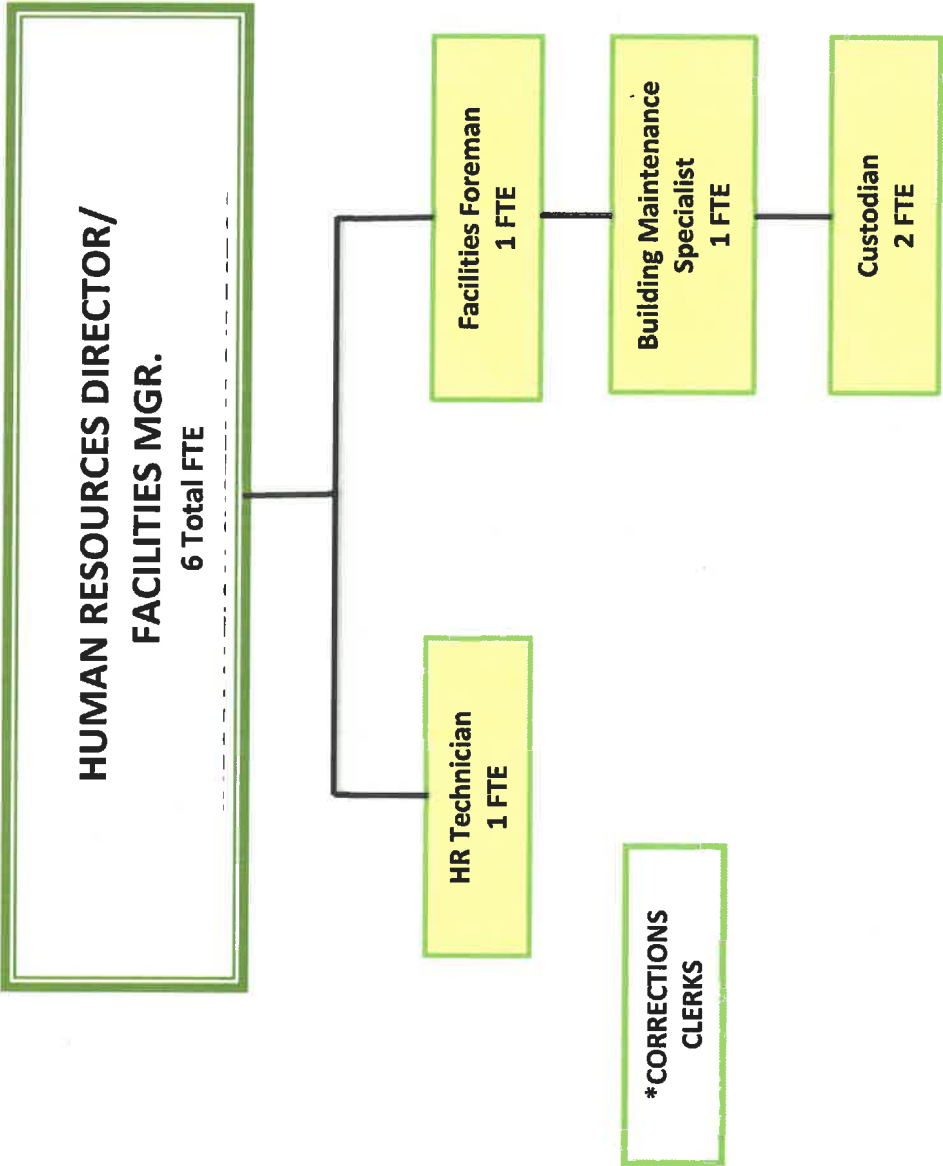


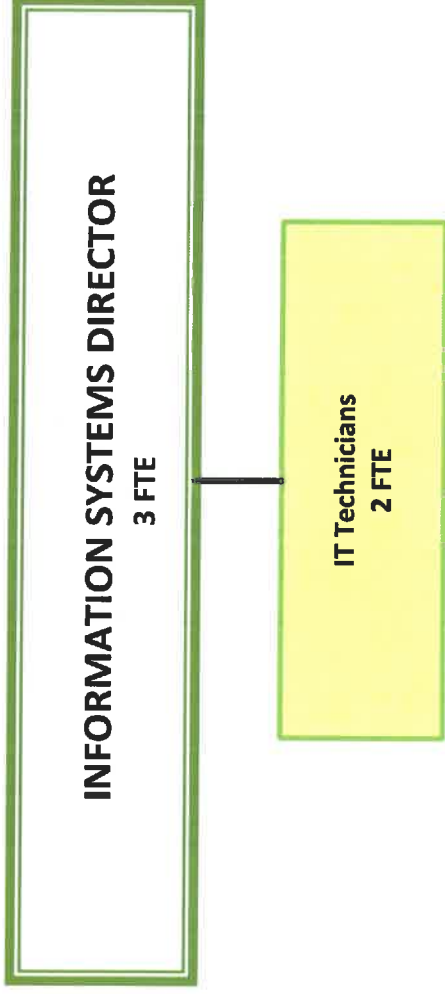


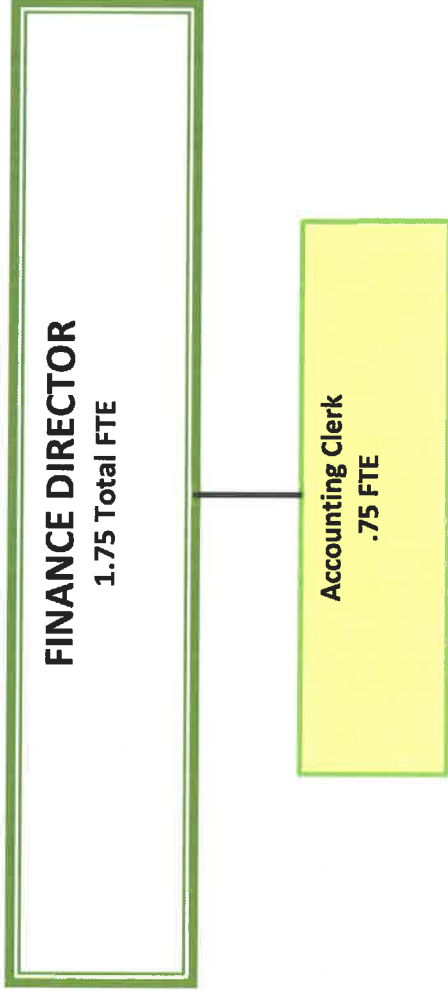






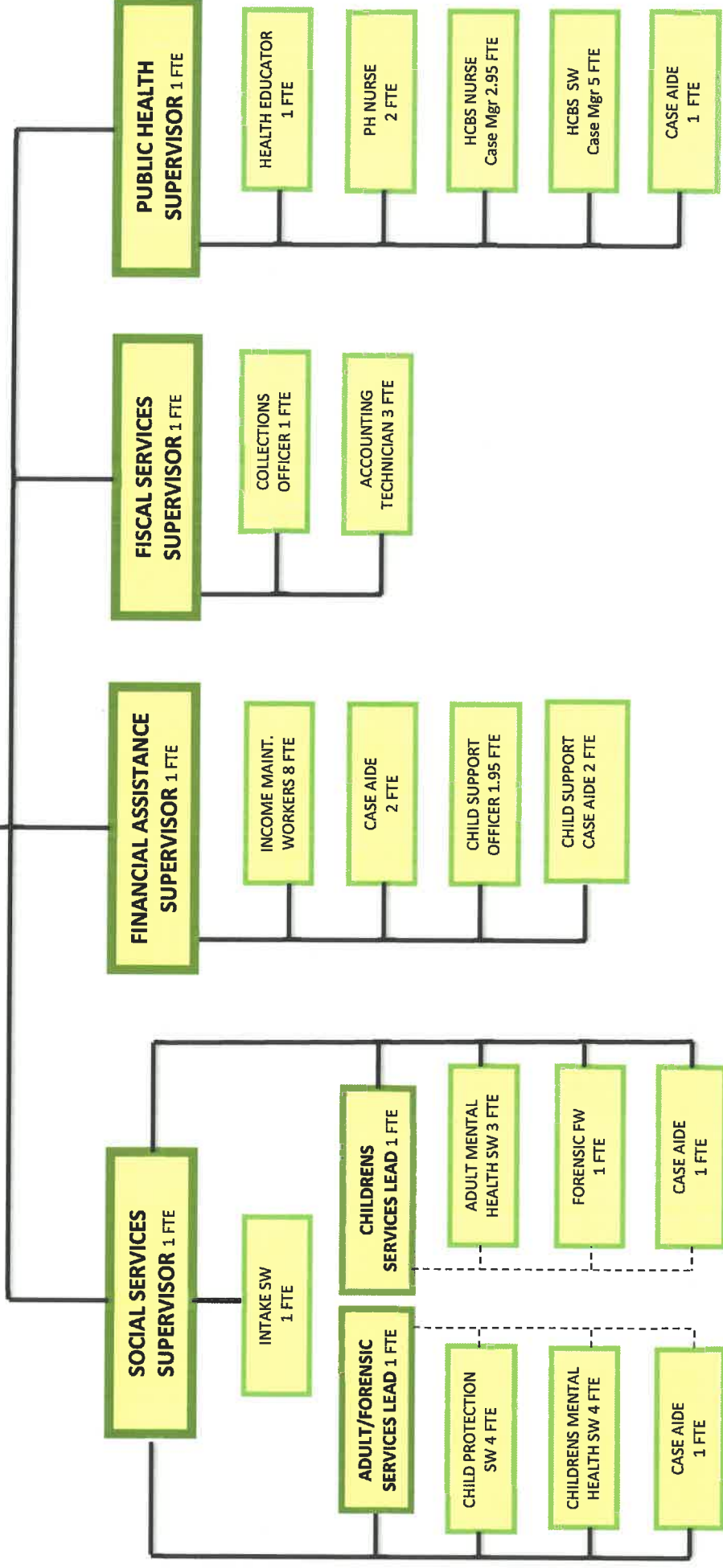


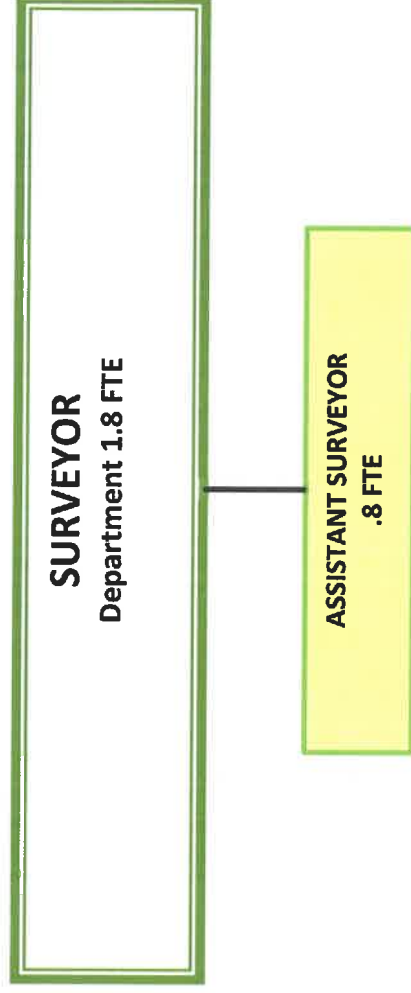


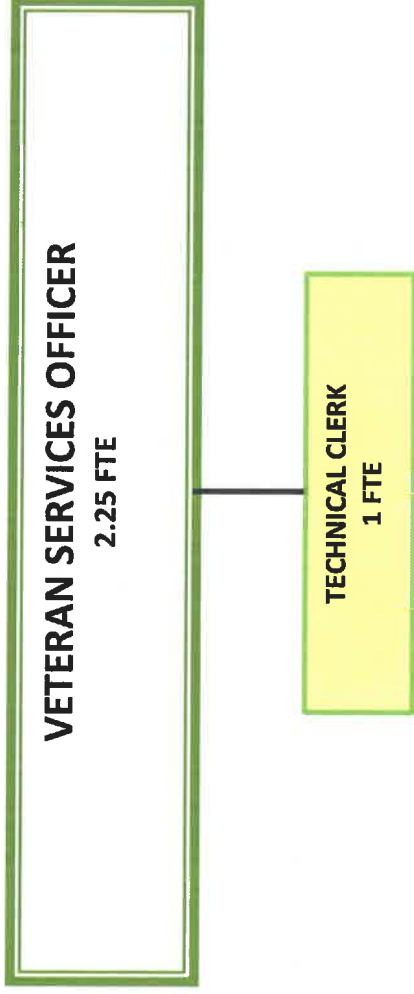


PUBLIC HEALTH & HUMAN SERVICES DIRECTOR

Department 51.95 FTE







Auditor Warrants 7/3/2024

Lynn Colsch

Thu 7/11/2024 10:43 AM

To:Houston County BOC <BOC@co.houston.mn.us>;

REVIEW LICENSE CENTER PAYMENTS

2024/07/03 AUDITOR WARRANTS:

VENDORNAMEATPAYMENT	AMOUNT
HOUSTON COUNTY TREASURER	34,416.11
ISD 300 TREASURER	149,376.58
MN PACE-ST PAUL PORT AUTHORITY	3,800.96
TREASURER CCWSD	42,187.70
TREASURER CITY OF BROWNSVILLE	95,856.05
TREASURER CITY OF CALEDONIA	738,569.86
TREASURER CITY OF EITZEN	74,133.91
TREASURER CITY OF HOKAH	199,238.18
TREASURER CITY OF HOUSTON	333,190.35
TREASURER CITY OF LA CRESCENT	2,087,407.31
TREASURER CITY OF SPRING GROVE	396,763.00
TREASURER SCHOOL DISTRICT 239	7,534.35
TREASURER SCHOOL DISTRICT 294	55,962.10
TREASURER SCHOOL DISTRICT 297	47,713.98
TREASURER SCHOOL DISTRICT 299	96,921.23
TREASURER TWP OF BLACKHAMMER	61,910.65
TREASURER TWP OF BROWNSVILLE	112,302.66
TREASURER TWP OF CALEDONIA	115,708.45
TREASURER TWP OF CROOKED CREEK	49,727.39
TREASURER TWP OF HOKAH	78,570.42
TREASURER TWP OF HOUSTON	104,762.39
TREASURER TWP OF JEFFERSON	18,650.81
TREASURER TWP OF LA CRESCENT	239,411.74
TREASURER TWP OF MAYVILLE	90,865.79
TREASURER TWP OF MONEY CREEK	159,975.79
TREASURER TWP OF MOUND PRAIRIE	199,305.71
TREASURER TWP OF SHELDON	55,204.96
TREASURER TWP OF SPRING GROVE	98,288.90
TREASURER TWP OF UNION	71,405.45
TREASURER TWP OF WILMINGTON	120,649.80
TREASURER TWP OF WINNEBAGO	72,028.47
TREASURER TWP OF YUCATAN	83,168.62
	<hr/>
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5 VENDORS PAID LESS THAN \$2000.00	<hr/>
	2,068.28

6,097,077.95

Lynn Colsch
Finance Clerk
Houston County
304 South Marshall Street
Caledonia MN 55921

Phone 507-725-5825

Commissioner Warrants 7/16/2024

Lynn Colsch

Thu 7/11/2024 11:15 AM

To:Houston County BOC <BOC@co.houston.mn.us>;

Cc:Carol Lapham <Carol.Lapham@co.houston.mn.us>; Susan Tostenson <Susan.Tostenson@co.houston.mn.us>;

REQUEST APPROVAL FOR PAYMENT

2024/07/16 COMMISSIONER'S WARRANTS:

VENDOR NAME	AMOUNT
ABILITY BUILDING COMMUNITY	2,503.84
ACENTEK	2,819.07
B & D SEALCOATING	2,050.00
BAN-KOE SYSTEMS INC	2,139.00
BLUFF COUNTRY BRINE LLC	16,141.18
BRUENING ROCK PRODUCTS INC	390,248.89
CALEDONIA OIL CO INC	7,618.00
CALEDONIA/CITY OF	14,814.99
COMPUTER FORENSIC SERVICES LLC	23,695.00
ELECTION SYSTEMS & SOFTWARE INC	7,120.77
FAHRNER ASPHALT SEALERS LLC	54,422.80
GIRARD'S BUSINESS SOLUTIONS INC	2,037.00
HOUSTON COUNTY TREASURER	29,575.86
INSIGHT PUBLIC SECTOR	3,153.67
LA CROSSE TRUCK CENTER INC	5,325.10
LA FLEUR LAW OFFICE LLC	4,725.00
MADER 3G PROPERTIES LLC	2,461.95
MN STATE TREASURER	4,059.00
MURPHY & ROVERUD LLP	3,600.00
RDO EQUIPMENT CO INC	275,605.00
REGENTS OF THE UNIVERSITY OF MINNESOTA	31,297.63
RICHARD'S SANITATION LLC	24,661.56
SEACHANGE PRINT INNOVATIONS	2,876.06
SELCO	55,872.75
SOUTHEAST MN PUBLIC INTEREST	2,000.00
STONEBROOKE ENGINEERING INC	2,054.55
STRUCTURES UNLIMITED LLC	36,700.00
VISA	9,458.10
WEX BANK	9,735.46
	<hr/>
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58 VENDORS PAID LESS THAN \$2000.00	28,577.03
	<hr/>
	1,057,349.26

PUBLIC HEALTH & HUMAN SERVICES

114,014.90

1,171,364.16

Lynn Colsch
Finance Clerk
Houston County
304 South Marshall Street
Caledonia MN 55921

Phone 507-725-5825

RESOLUTION NO. 24-23

**ESTABLISH HOUSTON COUNTY ADMINISTRATOR POSITION
AND APPOINT INTERNAL INTERIM ADMINISTRATOR**

July 16, 2024

BE IT RESOLVED, by the Houston County Board of Commissioners, that the board authorizes the establishment of an administrator position for Houston County and appoints Carol Lapham as Internal Interim Administrator.

*****CERTIFICATION*******

STATE OF MINNESOTA
COUNTY OF HOUSTON

ATTEST:

I, Polly Heberlein, Auditor-Treasurer, hereby attest that the foregoing resolution was duly adopted by the Houston County Board of Commissioners on the 16th day of July, 2024.

Houston County Auditor-Treasurer