

**OFFICIAL PROCEEDINGS  
WINONA COUNTY BOARD OF COMMISSIONERS  
SESSION HELD March 28, 2023  
7:00 PM WINONA COUNTY BOARD ROOM**

The Winona County Board of Commissioners met in the Commissioners Room on the above date with Commissioner Dwayne Voegeli; Commissioner Marcia Ward; Commissioner Greg Olson; Commissioner Chris Meyer; County Attorney Karin Sonneman; County Administrator Maureen Holte; Finance Director Pat Moga; Health and Human Services Director Karen Sanness; Planning and Environmental Services Director Kay Qualley; Auditor-Treasurer Chelsi Wilbright; Executive Assistant Heidi Hund. Chairperson Meyer called the meeting to order at 7:00 p.m.

Public comments were heard by Jerry Obieglo, 84 Saratoga Court, regarding monitoring system for the jail; Richard Ahrens, 200 W. Main, regarding County Road 30 and 31 realignments; Tim Ahrens, 12969 County Road 31, regarding County Road 30 and 31 realignments; Andy Ventura, 764 W. Broadway, regarding emergency response for rail traffic; Bruce Wemette, 18379 Marie Dr., regarding CAM systems contract with HHS.

On motion by Commissioner Voegeli and seconded by Commissioner Ward, to approve the County Board minutes dated March 14, 2023. Vote: Yes – 4.

On motion by Commissioner Ward and seconded by Commissioner Voegeli, to approve the amended agenda by moving Consent Business item 8.1 to General Business item 9.00. Vote: Yes – 4.

On motion by Commissioner Olson and seconded by Commissioner Voegeli, to approve the following Consent Business:

Approve CDC Federal Infrastructure Grant Agreement.

Approve Purchase of Service and Business Associate Agreements with Partners In Excellence for Children's Mental Health Targeted Case Management.

Award Bid for 2023 Chip Seal Project to Scott Construction.

Approve "Take our Daughters and Sons to Work Day".

Adopt Minnesota Merit System Equal Opportunity and Affirmative Action Guidelines.

Approve Resolution for DNR Outdoor Recreation Grant Final Submittal for Apple Blossom Park.

**RESOLUTION #2023-11**

BE IT RESOLVED, that Winona County will act as legal sponsor for the project contained in the Outdoor Recreation Grant application to be submitted on 31/March/2023 and that Kay Qualley, Winona County Planning & Environmental Services Director is hereby authorized to apply to the Department of Natural Resources for funding of this project on behalf of Winona County.

BE IT FURTHER RESOLVED, that the applicant maintains an adequate Conflict of Interest Policy and, throughout the term of the contract, will monitor and report any actual or potential conflicts of interest to the State, upon discovery.

BE IT FURTHER RESOLVED, that Winona County has the legal authority to apply for financial assistance, and it has the financial capability to meet the match requirement (if any) and ensure adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED, that Winona County has not incurred any development costs and has not entered into a written purchase agreement to acquire the property described in the Cost Breakdown section on this application.

BE IT FURTHER RESOLVED, that Winona County has or will acquire fee title or permanent easement over the land described in the boundary map or recreational site plan included in the application.

BE IT FURTHER RESOLVED, that, upon approval of its application by the State, Winona County may enter into an agreement with the State for the above-referenced project, and that Winona County certifies that it will comply with all applicable laws and regulations as stated in the grant agreement including dedicating the park property for uses consistent with the funding grant program into perpetuity.

NOW, THEREFORE BE IT RESOLVED, that PLANNING & ENVIRONMENTAL SERVICES DIRECTOR is hereby authorized to execute such agreements as necessary to implement the project on behalf of the applicant.

Adopted in Winona, Minnesota this 28<sup>th</sup> day of March, 2023.

Approve 2023 Solid Waste Hauler and Facility License Applications.

Approve Gun Range Agreement with Winona Police Department.

Authorize Disposal of Excess Furniture and Equipment.

Approve 2022 Restricted and Assigned Reserves.

Confirmed Payment of Disbursements.

| <b>03/08/23 - 03/21/23</b> |   |                       |
|----------------------------|---|-----------------------|
| <b>Fund</b>                |   |                       |
| <b>1</b>                   | <b>Revenue</b>                          | <b>\$ 360,842.34</b>  |
| <b>2</b>                   | <b>Recycling &amp; Solid Waste Fund</b> | <b>\$ 1,245.55</b>    |
| <b>3</b>                   | <b>Road and Bridge</b>                  | <b>\$ 384,275.44</b>  |
| <b>4</b>                   | <b>Transportation Sales Tax</b>         | <b>\$ 22,811.74</b>   |
| <b>5</b>                   | <b>Health &amp; Human Services</b>      | <b>\$ 279,337.97</b>  |
| <b>7</b>                   | <b>Road and Bridge State Aid</b>        | <b>\$ 30,586.19</b>   |
| <b>27</b>                  | <b>CLFRF (Coronavirus) #21.027</b>      | <b>\$ 109,172.00</b>  |
| <b>37</b>                  | <b>Jail Expenses Fund</b>               | <b>\$ 705,727.84</b>  |
| <b>76</b>                  | <b>Employee Benefit</b>                 | <b>\$ 5,600.16</b>    |
| <b>83</b>                  | <b>State Revenue Fund</b>               | <b>\$ 36,839.78</b>   |
| <b>Total</b>               |   | <b>\$1,936,439.01</b> |

116 Vendors Paid Less Than \$2000  
totaling \$68,057.05

Vote: Yes – 4.

On motion by Commissioner Ward and seconded by Commissioner Voegeli, to Approve Resolution to Establish Ballot Boards. Vote: Yes – 4.

**RESOLUTION #2023-10**

Establish Absentee Ballot Board

WHEREAS, Winona County is required by Minnesota Statutes 203B.121, Subd. 1 to establish a Ballot Board, which is also referred to as the Absentee Ballot Board; and

WHEREAS, the duties of the Ballot Board are described in Minn. Stat. 203B.121, Subd. 2, 3, 4, and 5; and

WHEREAS, Minnesota law sets uniform requirements for processing and counting absentee ballots, and the Absentee Ballot Board will bring uniformity in the processing of accepting or rejecting returned absentee ballots in Winona County pursuant to Minnesota law; and

WHEREAS, the Absentee Ballot Board must consist of a sufficient number of election judges in equal numbers from each of the major political parties in Minnesota as provided in sections 204B.19 to 204B.22 and may also consist of deputy county auditors trained in the processing and counting of absentee ballots; and

WHEREAS, the confirmed Ballot Board election judges and deputy county auditors are listed in Appendix A of this resolution.

NOW THEREFORE BE IT RESOLVED, the Winona County Board of Commissioners hereby establishes an Absentee Ballot Board, which includes the Mail Ballot and UOCAVA Ballot Boards, that would consist of a sufficient number of election judges in equal numbers from each of the major political parties in Minnesota as provided in sections 204B.19 to 204B.22 and may also consist of deputy county auditors to perform the task.

Adopted in Winona, Minnesota this 28<sup>th</sup> day of March, 2023.

On motion by Commissioner Voegeli and seconded by Commissioner Olson, to approve Reappointment of County Engineer, Dave Kramer.

Motion withdrawn due to resolution for reappointment of County Engineer will be brought before the County Board in May 2023.

On motion by Commissioner Voegeli and seconded by Commissioner Ward, to Approve Resolution to Support and Agree to Amended Minnesota State-Subdivision Memorandum of Agreement and Authorize Execution of Approval of Multistate Opioid Settlement. Vote: Yes – 4.

#### **RESOLUTION #2023-12**

#### **Amended Minnesota Opioids State-Subdivision Memorandum of Agreement and Authorize Execution of Approval of Multi-State Opioid Settlement**

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties are engaged in nationwide civil litigation against opioid supply chain participants related to the opioid crisis; and

WHEREAS, in 2021, the State of Minnesota, Winona County, and numerous other Minnesota cities and counties previously agreed to the Minnesota Opioids State-Subdivision Memorandum of Agreement (“State-Subdivision Agreement”), which governed distribution of opioid settlement funds from multistate agreements with pharmaceutical distributors McKesson, Cardinal Health, and AmerisourceBergen, as well as opioid manufacturer Johnson & Johnson; and

WHEREAS, the State-Subdivision Agreement prioritizes flexibility for how local governments may use opioid settlement funds for opioids abatement and remediation, and which provides for 75% of the settlement funds to be distributed directly to local governments and 25% of the settlement funds to be distributed directly to the State; and

WHEREAS, the State of Minnesota and numerous Minnesota cities and counties have begun to receive distributions of settlement funds from the prior multistate settlement agreements, pursuant to the State-Subdivision Agreement; and

WHEREAS, the Minnesota Attorney General has signed on to several additional multistate settlement agreements with manufacturers Teva Pharmaceuticals and Allergan plc, as well as pharmacy companies Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc., but those settlement agreements are still subject to sign-on by local governments and final agreement by the companies and approval by the courts; and,

WHEREAS, there is a deadline of April 18, 2023, for a sufficient threshold of Minnesota cities and counties to sign on to the new, above-referenced multistate settlement agreements, and failure to timely sign on may diminish the amount of funds received by not only that city or county but by all Minnesota cities and counties from the settlement funds; and

WHEREAS, representatives of Minnesota's local governments and of the State of Minnesota through the Office of the Attorney General have reached agreement that the distribution of funds pursuant to the new settlement agreements and any future settlement agreements should be governed by the State-Subdivision Agreement, as amended, in order to prioritize flexibility for local governments and maintain the favorable 75/25 split of funds between local governments and the State.

NOW THEREFORE IT BE IT RESOLVED, Winona County supports and agrees to the Amended Minnesota Opioids State-Subdivision Agreement ("Amended State-Subdivision Agreement"), with amendments that include the multistate settlement agreements with manufacturers Teva Pharmaceuticals and Allergan plc, as well as pharmacies Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc. as well as any future multistate settlement agreements relating to the opioid litigation; and

BE IT FURTHER RESOLVED, Winona County supports and opts into the multistate settlements with Teva Pharmaceuticals, Allergan plc, Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc.; and

BE IT FURTHER RESOLVED, the Winona County Board of Commissioners authorizes Winona County Attorney Karin Sonneman to execute all necessary documents to ensure Winona County participation in the Teva Pharmaceuticals, Allergan plc, Walmart Inc., CVS Health Corp., and Walgreens Boots Alliance Inc. settlements, including the participation Agreement and accompanying Release and the Amended State-Subdivision Agreement.

Adopted in Winona, Minnesota this 28<sup>th</sup> day of March, 2023.


On motion of Commissioner Ward and seconded by Commissioner Voegeli, to change the Start Time of the Evening County Board Meetings to 6:00 p.m. Vote: Yes – 4.

Received Monthly Finance and Budget Update for December 2022, from Finance Director Pat Moga.

On motion by Commissioner Meyer and seconded by Commissioner Ward, to add discussion of legalization of cannabis, to the Committee of the Board on April 11, 2023.

On motion by Commissioner Olson and seconded by Commissioner Voegeli, to adjourn the County Board meeting at 7:39 p.m. Vote: Yes – 4.

**WINONA COUNTY BOARD OF COMMISSIONERS**

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Chris M. Meyer  
Board Chair

Attest:

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Maureen L. Holte, County Administrator