

# WASECA COUNTY ATTORNEY'S OFFICE

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October 26, 2016

Waseca County Board of Commissioners  
Waseca County Courthouse  
307 North State Street  
Waseca, Minnesota 56093

RE: Minnesota Prairie County Alliance (MNP)

Dear Waseca County Commissioners:

Waseca County employees have a long established commitment to providing the best customer service possible to its citizens. That commitment is encouraged and supported by the Waseca County Board of Commissioners. Employees have been known to go above and beyond what is merely required in order to meet the needs of its citizens. Waseca County has a rich history of collaboration and cooperation in the area of child protection screening and investigation. We have had a multi-disciplinary child protection screening team for over fifteen years. Law enforcement, prosecution and social workers worked collaboratively to screen child protection reports and guide the process of child protection investigations. All parties did not always agree; however, they did communicate and work together cooperatively.

In 2014, Governor Mark Dayton created a task force to address issues involving the screening and investigation of child protection assessments. This task force was created due to the death of a young child, under the supervision of a county human services department, despite multiple reports of abuse of the child. One of the main recommendations from the task force, among others was for county human services departments to use a multi-disciplinary team for child protection screening and investigation. We are happy to say that Waseca County was already ahead of other counties and had long been following the procedures recommended by the task force. Accordingly, the task force recommendations had significant impacts on other counties; but had little to no impact on how Waseca County had long been handling screening and investigation of child protection reports.

Things began deteriorating between MNP and other agencies involved within the area of child protection in the summer of 2015. Agencies that work within the child protection area were starting to hear rumors of upcoming changes in policies and procedures. Long time employees at the Waseca site left MNP to work in other counties. Many child protection reports were being "screened out", meaning no action was taken. MNP people were not answering phone calls from local

law enforcement or returning their calls. The final straw occurred at a meeting with Waseca County law enforcement and MNP. During this meeting, Waseca Police Chief Penny Vought asked if there were going to be any changes made to the current child protection intake procedures. Shari Kottke, of MNP, answered no. Within one week of this meeting, we received notice of new intake procedures MNP was implementing. When confronted with the lie given to local law enforcement, Jane Hardwick, the Chief Executive Officer of MNP, dismissed it as a “miscommunication.”

Local law enforcement and the County Attorney’s Office saw their collaborative and cooperative working relationship slowing eroding from MNP’s actions. Numerous city and county agencies, along with Commissioners, were receiving reports, by citizens, of trouble they were having with MNP. These reports included: not being able to speak with a live person, not having telephone calls answered or returned, having to send paperwork in multiple times because it was continually being lost, lack of action on some child protection reports, a high number of child protection reports being screened out, and the use of “safety plans” to justify not removing children from the care of their custodian. Waseca County officials even received reports from citizens of Steele County of the same concerns occurring at the Steele County site.

The three County Attorneys for Dodge, Steele and Waseca began meeting to discuss mutual areas of concern involving MNP. It was noted that the issues experienced by Waseca County agencies were also occurring in Dodge and Steele counties. When the three county attorneys met with MNP supervisors to express their concerns, MNP’s response was that they would need to collect data, they would ask the State to investigate their actions in a few specific cases, and they would get back to us. MNP has not proposed any changes to their policies and procedures to address the county attorney concerns and fix the problems.

MNP also held a meeting between its supervisors and several Waseca County Commissioners. During this meeting, MNP offered only one possible solution to fix one issue. When asked when this solution would be implemented in Waseca County, we were informed that this solution only worked in Steele County. MNP did not offer any other solutions to fix any of the other concerns raised by citizens or county staff. MNP continued to explain why their changes in policies and procedures were a good thing, despite the overwhelming volume of opinions to the contrary.

Because of ongoing number of complaints involving MNP, Waseca County decided to hold a public forum. This forum was to allow the public the opportunity to address any problem areas they were having with MNP. Many members of the public were either present to express orally their concerns or submitted letters stating their concerns which have already been mentioned. Many previous MNP employees were also present, and shared that their reason for leaving was fear that a child would be hurt or injured because of MNP’s inaction in the child protection area. County attorney offices were present as well, and addressed several child protection concerns they had. This included the continued reliance on safety plans instead of removal of children, screening out of child protection complaints, and that social workers were prohibited, by their supervisor, from speaking with county attorney staff without permission of the supervisor.

At the conclusion of the public portion of the forum, Jane Hardwick, was given the opportunity to address everyone present. She told the audience that within five years, MNP would be providing excellent customer service to the public. The public has already gone through two years of chaos and to hear they will have to endure another five years before they will receive the level of services they received prior to the creation of MNP is unacceptable. It is also concerning that MNP has not made an effort to repair the strained and severed working relationship it has with other agencies involved in the child protection area.

The Joint Powers Agreement that was enacted by each of the three counties is the agreement that created MNP. In this agreement, there is one provision that allows a county to withdraw from MNP (Section 14) and a separate provision that allows a two-thirds majority of the counties to vote to terminate MNP (Section. 15). The provision allowing for withdrawal is not a feasible option for the county. The provision allowing for termination is the best option available to

the county should it decide that MNP is not providing the services required to fill the needs of Waseca County citizens. It is our recommendation that the Waseca County Board of Commissioners vote to terminate MNP, pursuant to Section 15 of the Joint Powers Agreement.

Sincerely,

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Michael Hintz  
Waseca County Commissioner

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Brenda Miller  
Waseca County Attorney