

BENTON COUNTY HUMAN SERVICES BOARD
REGULAR MEETING
June 17, 2008

The Benton County Human Services Board met in regular session on June 17, 2008 in the Benton County Board Room in Foley, MN with Board members Duane Walter, Jim McMahon, Joe Wollak, Dick Soyka and Earl Bukowski present. Call to order by Chair McMahon was at 9:29 AM.

Bukowski/Wollak unanimous to approve the agenda as written.

Soyka/Walter unanimous to approve the Regular Meeting Minutes of June 3, 2008 as written.

Tim Roberts, Court Administrator for Stearns/Benton Counties, appeared before the Board to review the repercussions to counties of the legislative decision to substantially reduce public defender funding (some changes will take effect as soon as July 8, 2008); 73 attorneys were cut statewide. Roberts pointed out that the State Board of Public Defense will no longer provide representation to parents in CHIPS cases and in termination of parental rights cases; their position is that since they are not mandated to provide these services, it becomes "a county issue". Roberts commented "there is nothing that the county dislikes more than getting services dumped on them in the middle of a budget cycle with no relief and levy limits" (the State budget year runs from July 1st to July 1st while the County budget year runs from January 1st to January 1st). He noted that Benton County, along with Stearns County, currently maintains two public defender contracts with law firms in St. Cloud (for services which are different than what the State Public Defenders Office provides); if the counties are of the opinion that those State services should continue to be provided, it may be cheaper to extend one of our current public defender contracts to incorporate these services (may be equivalent to one-half position in Benton County) rather than contracting for services at an hourly rate. Robert Raupp, County Attorney, spoke to the statutory requirements for providing these services, stating that the statute requires the court to appoint attorneys to represent parents of children in child protection/termination of parental rights matters "where the court deems it is appropriate" which is rather vague language. He added that there are statutes that predated the change over to the State system which have raised conflict between the County Attorney Association and the Board of Public Defense as to whether the State or County is responsible for providing these services. Raupp asked that the Board consider extension/modification of the existing public defender contracts for the short term. He stated his opinion that there may be cases where legal representation of parents would not be needed; further, there are provisions in the statutes whereby new costs placed by judicial order wouldn't need to be paid until the next budget year. A majority of Board members (Bukowski, McMahon and Wollak) were in support of Benton County working with Stearns County to amend the existing public defender contracts to add these services previously provided by the State. Tim Martin, Human Services Director, also spoke of other legislative reductions which may, or will, affect the agency this year and in the coming year (i.e. Targeted Case Management, PMAP, Public Health grants, Child

Support incentives, Mental Health Collaborative). He also spoke of potential cost shifts in the event of closure of the OK House.

Board members welcomed Cheri Woehler, new supervisor in Benton County Court Administration.

Wollak/Bukowski unanimous to pay the bills in the amount of \$41,096.13.

Soyka/Bukowski unanimous to adjourn at 10:04 AM.

James J. McMahon, Sr.
Chair, Benton County Human Services Board

ATTEST:

Montgomery Headley
Benton County Administrator