



# GOODHUE COUNTY MINNESOTA

TO EFFECTIVELY PROMOTE THE SAFETY, HEALTH, AND WELL-BEING OF OUR RESIDENTS

## GOODHUE COUNTY PERSONNEL COMMITTEE

ADMINISTRATION CONFERENCE ROOM  
GOVERNMENT CENTER, RED WING

DECEMBER 17, 2019  
8:30 A.M.

1. Patrol Captain Staffing Overlap.

Documents:

[PATROL CAPTAIN OVERLAP.PDF](#)

2. Court Services Wages.

Documents:

[12.17.19 COURT SERVICES - BOARD REPORT.PDF](#)  
[GOODHUE COUNTY COURT SERVICES WAGE SCALE.PDF](#)



Office of the

# Goodhue County Sheriff

430 West 6th Street • Red Wing, MN 55066

## Marty Kelly

Adult Detention Center  
651-267-2804

Law Enforcement Center  
Business Hours 651-267-2600  
After Hours 651-385-3155

Fax Number  
651-267-2679

**TO:** Melissa Cushing, HR Director  
Scott Arneson, County Administrator

**FROM:** Marty Kelly, Sheriff

**DATE:** December 10, 2019

**RE:** Patrol Captain Request to Hire and Overlap

**Summary:** We are requesting to promote a Patrol Captain that will train for a one-month period with the current Patrol Captain.

### Background and Request:

We have received a resignation letter from our current Patrol Captain wanting to resign from his current position and return to the patrol division.

Due to the importance of this position, we are requesting County Board approval to allow us to promote a Patrol Captain who will train with the current Patrol Captain for up to a one-month period. This position will be posted internally and interviews would follow the posting. The selected candidate would start approximately mid-December which means the expense would be out of the 2020 Budget. Changes to the three positions in the 2020 budget will be Patrol Captain moving to the Patrol Division, Sergeant moving to the Patrol Captain position and hire an unfilled Patrol Deputy position. The salary for these 3 positions are listed below. There will be savings in 2020 for salary & benefits until the Patrol Deputy position is filled.

<b>2020 Budget</b>		
Patrol Captain	Salary + Benefits	\$ 112,637.00
Sergeant	Salary + Benefits	\$ 107,298.86
Patrol Deputy	Salary + Benefits	\$ 77,423.20
		\$ 297,359.06

<b>Expense for 1 month of Captain to train Sergeant</b>	
Cost for 1 month of Patrol Captain	\$ 8,555.46
Cost for 1 month of Sergeant	\$ 8,324.97
Cost	\$ 230.49

### Recommendation:

Allow the Goodhue County Sheriff's Office to promote a Patrol Captain who will train with the current Patrol Captain for up to a one-month period. The expense for this one month overlap is listed above.



**Melissa Cushing**  
Goodhue County Human Resource Director  
Goodhue County

*Melissa.cushing@co.goodhue.mn.us*  
509 W. Fifth St.  
Red Wing, MN 55066  
Office (651) 385.3031  
Fax -- (651) 267.4872

TO: Goodhue County Commissioners  
FROM: Melissa Cushing, Human Resource Director  
DATE: December 17, 2019  
RE: Court Services

Up until 2019, the County has received an order from the First Judicial District setting wages for the Court Services Director and the Court Services Probation Officers. The 2019 salary order is attached to this report.

Effective July, 2019, the First District moved the salary setting authority to the Goodhue County Board of Commissioners (see attached Policy 325 Delegation Order). This change involved writing job descriptions for the Director and Probation Officers and having them evaluated.

The job descriptions were sent to our compensation consultant, Ellen Benjamin, who determined the Probation Officers when compared to other jobs within the County should fall on a grade 84. She also evaluated the Court Services Director job description and determined this position should fall on a grade 86.

Since the attached salary order is through 2019, we recommend the Court Services employees be placed on the next highest step on the County pay scale effective January 1, 2020. Some employee's current wages are above the top of the County pay scale. In those cases, we recommend these employees be frozen until the pay scale catches up to their current wage. The rest of the employees will move through the pay scale just like non-union employees move through the scale. If Board approved, they will receive a general wage adjustment on January 1, 2020 and a step increase on their anniversary month.

The current Court Services Director, Mark Jaeger, was hired as the Director effective March, 2019. We recommend his anniversary date change to reflect this promotion.

Board Approval –

1. Approve Court Service Probation Officers and the Director be placed on the next highest step in the County 2020 pay scale.
2. Change the Court Service Director anniversary month to March.

*"To effectively promote the safety, health, and well-being of our residents"*

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**ORDER ESTABLISHING  
2019 COURT SERVICES  
SALARY RANGES AND PAY PLANS  
FOR CARVER AND GOODHUE COUNTY COURT SERVICES**

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**WHEREAS**, the compensation plans of various political subdivisions of local government have been reviewed for the purpose of establishing compensation for the First District Court Services employees (Agents, Supervisors and Directors) employed pursuant to Minnesota Statute section 244.19, and;

**WHEREAS**, pursuant to Minnesota Statute 244.19, the First Judicial District Administrator recommends that 2018 Court Services Salary Ranges for said First District Court Services employees be adjusted for calendar year 2019 to reflect a three and one-half percent (3.5%) top and bottom range adjustment (Exhibit A); and;

**WHEREAS**, pursuant to Minnesota Statute 244.19, it is the recommendation of the First Judicial District Administrator that said employees receive up to a three and one-half percent (3.5%) merit increase effective January 1, 2019, and;

**WHEREAS**, pursuant to Minnesota Statute 244.19, it is the recommendation of the First Judicial District Administrator that all said employee's salaries are established as shown in the attached salary schedules (Exhibits B-1 and B-2), and;

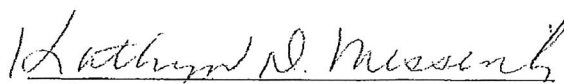
**IT IS HEREBY ORDERED**, that the Court Services Salary Ranges for Court Services employees (Agents, Supervisors and Directors) employed pursuant to Minnesota Statute section 244.19 be adjusted for calendar year 2019 to reflect a three and one-half percent (3.5%) top and bottom range adjustment (Exhibit A), and;

**IT IS FURTHER ORDERED**, that the attached salary schedules (Exhibits B-1 and B-2) shall be effective January 1, 2019 and shall set the salaries of all First Judicial District Court Services employees employed pursuant to Minnesota Statute section 244.19, and;

**IT IS FURTHER ORDERED**, that the salaries set in the attached salary schedules (Exhibits B-1 and B-2) shall remain in effect until further order of this court.

Dated this 13<sup>th</sup> day of December, 2018.

BY THE COURT:



Kathryn D. Messerich, Chief Judge  
First Judicial District



Exhibit A

<b>First Judicial District</b>			
<b>2019 Court Services Salary Ranges for Carver and Goodhue Counties</b>			
Court Services Agent I	\$	22.77	\$ 35.73
Court Services Agent II	\$	25.05	\$ 39.24
Court Services Agent III	\$	28.74	\$ 45.24
Supervisor	\$	35.76	\$ 51.75
Director	\$	40.14	\$ 65.08

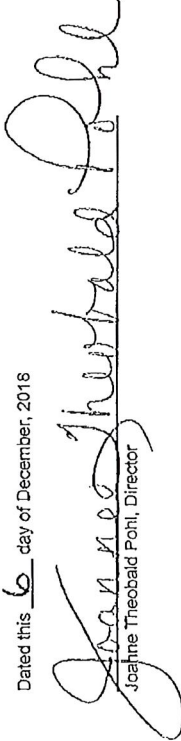
- Bottom and top of range were adjusted for 3.5% Merit Adjustment.

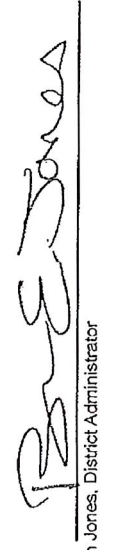
## Goodhue County Court Services

January 1, 2019 Agents, Supervisors, and Director on Staff

Employee	Title	12/31/2018 Hourly Salary	COLA			Merit Increases			Review Date (based on Hire Date)	Comments
			Effective Date	COLA (0%)	Hourly Salary (with 0% COLA)	Effective Date	Merit Increase	Hourly Salary (with up to 3.5% Merit)		
Ebert, Patrick	Court Services Agent III	\$ 32.62	1/1/2019	0%	\$ 32.62	1/1/2019	3.50%	\$ 33.76	3/5/2018	
Emery, Andrea	Court Services Agent III	\$ 41.22	1/1/2019	0%	\$ 41.22	1/1/2019	3.50%	\$ 42.66	5/10/2018	
Jaeger, Mark	Court Services Agent III	\$ 42.17	1/1/2019	0%	\$ 42.17	1/1/2019	3.50%	\$ 43.65	5/20/2018	
Kelly, Daniel	Court Services Agent III	\$ 42.17	1/1/2019	0%	\$ 42.17	1/1/2019	3.50%	\$ 43.65	12/4/2018	
Ostlund, Emily	Court Services Agent III	\$ 29.54	1/1/2019	0%	\$ 29.54	1/1/2019	3.50%	\$ 30.57	5/14/2018	
Pohl, JoAnn	Court Services Director	\$ 60.63	1/1/2019	0%	\$ 60.63	1/1/2019	3.50%	\$ 62.75	1/1/2018	
Walsh, Aric	Court Services Agent III	\$ 30.56	1/1/2019	0%	\$ 30.56	1/1/2019	3.50%	\$ 31.63	6/24/2018	
VanSchoonhoven, Rhonda	Court Services Agent III	\$ 42.17	1/1/2019	0%	\$ 42.17	1/1/2019	3.50%	\$ 43.55	12/31/2018	

Dated this 6 day of December, 2018

  
 JoAnne Theobald Pohl, Director

  
 Brian Jones, District Administrator

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**POLICY 325 DELEGATION ORDER – GOODHUE COUNTY**

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This matter came on administratively before the Honorable Kathryn D. Messerich, Chief Judge of the First Judicial District. As Chief Judge, the undersigned exercises general administrative authority over the courts of the First Judicial District. Minn. Stat. § 484.69, subd. 3. The Judicial Council has promulgated Judicial Council Policy 325, Judicial Procedures for County Probation Officers, which shall be followed in all counties which utilize the services of county probation agents, appointed pursuant to Minn. Stat. § 244.19, and commonly known as CPO (“county probation office”) counties. The Supreme Court has ordered that all Judicial Council administrative policies are binding on all Judicial Branch judges and employees. *In re Establishing Judicial Council*, No. ADM04-8003 (Minn. Dec. 10, 2004).

For CPO counties, the judges of the district in which the county is located are responsible for appointing county probation directors. Judicial Council Policy 325 requires the Chief Judge to enter orders delegating the salary-setting authority for probation directors and agents for each CPO county to the applicable county office, and delegating the appointment authority for probation agents in each CPO county to the probation director for that county. Judicial Council Policy 325 authorizes the judges of the district to delegate their authority to appoint the county probation director to the judges in the county.

Goodhue County is a CPO county. A majority of the judges of the First Judicial District have agreed to delegate the appointment authority for the county probation director for Goodhue County to the judges in that county.

Pursuant to Judicial Council Policy 325, the undersigned makes the following

**ORDER**

1. Pursuant to Judicial Council Policy 325, the authority of the judges of the First Judicial District under Minn. Stat. § 244.19 to appoint and to withdraw the



appointment of the county probation director for Goodhue County is delegated to the judges in Goodhue County with the advice and consent of Goodhue County.

2. The salary-setting authority for the probation director and agents is delegated to the Goodhue County Board of Commissioners.

3. The authority to appoint probation agents in Goodhue County is delegated to the probation director for Goodhue County subject to the approval of the Goodhue County Board of Commissioners.

4. The Goodhue County probation director and agents serve at the pleasure of the court, and appointment may be withdrawn if the court determines that the individual no longer serves at the pleasure of the court.

5. While the probation director and agents serve at the pleasure of the court, they are county employees in all other respects including discipline and discharge.

6. Judicial Council Policy 325 is attached to and made a part of this order. Goodhue County shall have all of the authorities and responsibilities described in Judicial Council Policy 325.

Dated:

BY THE COURT:

Messerich, Kathryn

*Kathryn D. Messerich* 2019.06.28

11:16:31 -05'00'

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Kathryn D. Messerich  
Chief Judge, First Judicial District





## Minnesota Judicial Branch Policy

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<b>Policy Source:</b>	Minnesota Judicial Council
<b>Policy Number:</b>	325
<b>Category:</b>	Human Resources
<b>Title:</b>	Judicial Procedures for County Probation Offices
<b>Effective Date:</b>	July 1, 2019
<b>Revision Date(s):</b>	
<b>Supersedes:</b>	

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### Judicial Procedures for County Probation Offices

#### I. POLICY STATEMENT

It is the policy of the Minnesota Judicial Branch that these Guidelines be followed in all counties which utilize the services of county probation agents, appointed pursuant to Minn. Stat. M.S. 244.19, commonly known as CPO (county probation office) counties.

#### II. DEFINITIONS

- A. Appointment – The written designation by the court to a county probation director or agent position.
- B. Court – The judges of the judicial district who appoint county probation officers, pursuant to Minn. Stat. §244.19.
- C. Serve at the pleasure - Performs the duties and responsibilities of the position in a manner that is acceptable to the court.
- D. Probation Director- The designated supervisor/manager of county probation offices and agents.

#### III. PROCESS AND PROCEDURES

- A. Appointment, Recruitment and Selection
  - 1. The judges of the district may delegate the appointment authority to the judge(s) in the county where county probation is provided pursuant to Minn. Stat. §244.19.
  - 2. Pursuant to Minn. Stat. §244.19, the court is responsible for the appointment of county probation directors. The court shall collaborate with the county in the selection process of probation directors.
  - 3. The selection of probation agents, to be appointed by the court, is delegated to the director. The director shall follow the county hiring process in the hiring of probation agents.
  - 4. All county probation directors and agents are county employees.

**B. Employment and Supervision**

1. Pursuant to Minn. Stat. §244.19, agents and directors serve at the pleasure of the court except with respect to terms and conditions of employment.
2. Compensation and benefits of county probation directors and agents are determined by the county, pursuant to Minn. Stat. §244.19.
3. The court's authority to set salaries, pursuant to Minn. Stat. §244.19, is delegated to the county.
4. The county is responsible for performance evaluations of probation directors, in accordance with county policies and procedures, subject to fulfillment of expectations of service to the court.
5. The probation director is responsible for performance evaluations of probation agents, in accordance with county policies and procedures, subject to fulfillment of expectations of service to the court.
6. All other terms and conditions of employment for probation directors and agents, including discipline and discharge, are determined by the county.

**C. Withdrawal of Appointment**

1. The court may withdraw the appointment of probation directors and agents if the court determines that the individual no longer serves at the pleasure of the court.
2. County probation directors and agents serve at the pleasure of the court, and in all other aspects are county employees including discipline and discharge.

**IV. IMPLEMENTATION AUTHORITY**

Implementation of this policy shall be the responsibility of the Chief Judges of the Judicial Districts which utilize the services of county probation agents, appointed pursuant to Minn. Stat. §244.19. The Chief Judge shall enter an order delegating salary setting authority for probation directors and agents to the applicable county office. The Chief Judge shall enter an order delegating probation agent appointment for each county probation agent to the director.

**V. EXECUTIVE LIMITATIONS**

None.

# GOODHUE COUNTY COURT SERVICES

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December 10, 2019

Goodhue County Personnel Committee

Goodhue County Board of Commissioners

Justice Center  
454 West 6th Street  
Red Wing, MN 55066  
651-267-4900  
Fax: 651-267-4921

Re: Goodhue County Court Services Wage Scale

The Goodhue County Court Services Department is composed of the Director, four Adult Probation Officers, three Juvenile Probation Officers, an Administrative Office Manager, an Adult Case Administrator and a Juvenile Case Administrator. Probation officers, or agents, provide supervision of adult misdemeanor and gross misdemeanor offenders, and all juvenile offenders placed on probation by the court. Probation officers serve at the pleasure of the court and judges have historically appointed probation officers and set salaries pursuant to M.S.

244.19. The Minnesota Department of Corrections reimburses the county up to 50% of probation officer salaries provided that salaries are commensurate with those of Department of Corrections Probation Officers. As part of the 1<sup>st</sup> Judicial District, Goodhue County Probation Officers have been paid on a district wide pay scale with annual salaries set by the Chief Judge of the 1<sup>st</sup> District and approved by the county board. Court Services continues to operate under the 2019 1<sup>st</sup> Judicial District salary order.

An effort began in outstate Minnesota in early 2018 to transfer salary setting and discipline and discharge authority from the judges to the counties by way of new policy without changing statute (244.19) that has existed for more than sixty years. Earlier this year the Minnesota Judicial Council approved Policy 325 that became effective July 1, 2019 and delegates salary setting, discipline and discharge authority to the counties. Goodhue County Administration and Human Resources are now in the process of placing all Court Services Probation Officers and Director on a corresponding Grade and Step on the 2020 county pay scale based on results of a recent pay equity evaluation.

The results of that pay study place Goodhue County Probation Officers at a much lower pay range than the 2019 1<sup>st</sup> Judicial District scale and a somewhat lower range than the Department of Corrections Probation Officers serving Goodhue County. The transition from Judicial District to county pay scale adversely affects our dedicated and professional Court Services staff who have invested great effort to meet rigorous Department of Corrections promotional requirements to achieve incrementally higher proficiency and compensation levels over their years of service (i.e. Probation Agent, Senior Agent, Career Agent). Current 1<sup>st</sup> Judicial District salaries of the top three Career level probation officers and Director of Court Services are above the new Goodhue County pay scale. I remain hopeful that further detrimental effects from the transition from judicial district to county authority can be mitigated by freezing salaries opposed to pay cuts until the county scale catches up to their current pay rate.

A separate request of the board is to change my employment anniversary date to March 15, 2019 which represents my first day of employment in the Court Services Director position following the retirement of Joanne Pohl.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mark Jaeger".

Mark Jaeger, Director

Goodhue County Court Services