



THREE RIVERS COMMUNITY ACTION, INC.  
Board of Director's Meeting Minutes  
Wednesday, March 18, 2020  
Three Rivers Community Action, Inc.  
Remote Meeting via Zoom  
9:00 to 9:45

**Members Participating:** Ruth Boudet, Paul Drotos, Meredith Erickson, Jodi Johnson, Erick Maki, Galen Malecha, Martiza Navarro, Heather Robins, Mark Thein, ReJean Schulte, Jo Anne Krier

**Staff Attending:**

Jennifer Larson, Executive Director  
Kindra Papenfus, Chief Financial Officer  
Leah Hall, Community Development Director  
Vicki McKay, Human Resources Director  
Jane Adams Barber, Head Start Director  
Anna McCann, Support Staff Coordinator  
Krystal Dube, Administrative Assistant

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Suite 120  
Wabasha, MN 55981

**Members Excused:** Abdullah Hared, Dave Windhorst, Brian Goihl, Julie Steberg

**Call to Order:** Meeting was called to order at 9:00 am by Chair Galen Malecha.

**Determination of a Quorum – Quorum was met.**

**Approval of the February 19, 2020 Meeting Minutes**

Mark Thein made a motion to approve the February 19, 2020 meeting minutes, Ruth Boudet seconded, motion unanimously approved.

**Approval of the March 18, 2020 Agenda**

Jenny proposed changes to the March 18, 2020 agenda.  
Remove and reschedule:  
Case of the Month  
Policy Discussion Items

**Additions to Individual Action Items:**  
Personnel Policies to accommodate Public Health emergencies like COVID-19  
Approve and Accept federal Head Start COLA and Quality Improvement funds

Heather Robins made a motion to approve the March 18, 2020 meeting agenda with the proposed changes, Mark Thein seconded, motion unanimously approved.

## Director's Report

1. Corona Virus. As news of the COVID-19 virus continues to worsen, we are doing as much contingency planning as possible in the event of quarantines or outbreaks. We have inventoried our laptops and identified which departments and people can work remotely if necessary. We are also monitoring state and federal agency news regarding the programs we administer, and how our clients might be affected and assisted if programs or services are not operating. In the meantime, my main goal is to keep our staff calm and to keep our programs operating normally. We have instructed all staff who are sick to stay home and are employing other CDC recommended workplace strategies to minimize contamination in the workplace.
2. Transit. We have begun interviewing Transportation Director candidates, and I am hopeful I will be able to share news of a hire very soon. We have implemented route changes in Faribault, and have launched the new Northfield-Faribault Connect route that joins the two communities every weekday.
3. Winona Transit. Winona has solicited proposals for a new transit provider. We have not yet been notified who that provider will be, but we intend to work with the selected vendor to ensure a smooth transition on May 1.
4. Housing Justice Center. We have been asked by the Housing Justice Center to administer a settlement to tenants who were displaced in a recent downtown redevelopment project in Rochester. We will be working to find former residents of the building and help them qualify for any assistance they may be eligible for through the settlement, and also connect them to any other community resources they may need. Our housing advocates will be working directly with clients and Three Rivers will be paid on an hourly basis for this work.
5. Minnesota Legislature. The legislature is in session and we are connecting with our elected officials on policies that affect our agency and clients. I've met with Tina Liebling, who chairs the Health and Human Services committee, and Rep. Todd Lippert from Northfield who is again the lead author on a bill for the Community Action Grant. Head Start Director Jane Adams Barber is testifying in committee this week (3/12/20) on Head Start priorities. Several staff are attending Homeless Day on the Hill (3/11/20), meeting with many of our representatives and senators on housing issues, including a bonding request for housing.
6. Training – The All-Staff Poverty Simulation scheduled for Friday, April 17, 2020 is postponed until fall.

Jenny was asked about Head Start and Childcare. Head Start centers are closed but staff are working with families remotely. The Childcare center is still operating. We will evaluate by the end of the week whether we should stay open.

We are working closely with our local school districts to ensure that all of our Head Start families are receiving food while classrooms are closed.

**\*Policy Action Items**

**Consent Agenda Items**

- February Financial Reports
- Mutual of America - February Statement
- Head Start Credit Card Expenses Summary

***Contracts, Awards & Contributions***

**Received**

- Wabasha County Family Services Collaborative - \$5,000 - funds to contribute to family housing stability.
- Otto Bremer Trust - \$65,000 - funding to support Achieve Homeownership program activities throughout our service area
- Otto Bremer Trust - \$150,000 - partial funding of Zumbrota office addition
- Minnesota Department of Commerce - \$19,346 – A16 Proactive funds to increase households capacity to sustain housing and resolve / prevent energy crises.

**Not Received**

- None

***Grants & Requests Submitted or to be Submitted***

- Wings - \$20,000 - Grant application to support staffing ratios in Northfield Child Care Center
- Minnesota Department of Human Services - up to \$50,000 - Grant to provide services, education and resources for persons with dementia and their caregivers
- Rice County Area United Way - \$10,000 - funds to support caregivers & their families in Rice County

***Monitoring Reports & Responses***

- Minnesota Housing Finance agency letter dated March 4, 2020 – results of loan file review

***Approved Purchases between \$10,000 and \$150,000***

- None

**Individual Action Items:**

- None

ReJean Schulte made a motion to approve the consent agenda, Heather Robins seconded, motion unanimously approved.

**\*Individual Action Items**

- a) Approve Contractor and Financing Package for Zumbrota Office Addition

Jenny reviewed the document in the board day handout. We had two contractors submit bids on the Zumbrota office additions. Bid #1 was \$727,100 and bid #2 was \$646,311. We are recommending going with Bid #2. The bidder has worked with Three Rivers on past housing projects, including the construction of Wazuweeta Woods Apartments. He has experience with small office buildings. He will serve as general contractor and has identified local subcontractors to perform the work.

Mark Thein made a motion to approve the selection of RF Carlsen Enterprise and authorize staff to enter a construction contract for \$646,311, Meredith Erickson seconded, motion unanimously approved.

Otto Bremer Trust Grant has approved our capital grant request for \$150,000. We are proposing that we borrow the remaining balance from Bremer Bank. Bremer Bank is community minded and were able to offer a 25 year amortization which will lengthen the term and reduce the monthly payment. We do not anticipate rates going up but we will not know the exact rate until we close but is currently estimated at 4.10%. We built in a budget for construction costs as well as furnishings and equipment.

Paul asked when the note will be signed because interest rates might drop significantly. Jenny said we would work with the bank on a timeline. They will need an appraisal, and the contractor will need time to get a permit. We are at least a month away. The rate will not lock until the closing date so it might drop before then. Erick said interest rates will likely go down some but banks have a cost too, so it may go down but not much.

Mark Thein made a motion to approve mortgage from Bremer Bank, with a ten year term and a 25 year amortization, interest rate estimated to be 4.10%, Jo Anne Krier seconded, motion unanimously approved.

b) Adoption of Drug and Alcohol Policy for Transit

Vicki reviewed the policy. She provided the board with the revised policy and a summary document that listed all the changes recommended.

Heather Robins made a motion to approve the Drug & Alcohol Policy for Transit, Ruth Boudet seconded, motion unanimously approved.

c) Resolution Number 2020-2 – Clover Patch Apartments, St. Charles, MN

Clover Patch Apartments is a unit property in St. Charles. This 32 unit rental property is a 515 USDA Rural Development project that was constructed in 1980. In 2005, Three Rivers acquired the property in order to preserve the affordability of the units. At that time, a limited amount of funds was available from MHFA, GMHF and the USDA to rehabilitate the property and therefore only a modest level of revitalization was possible.

The property is now 35 years old and its current rehabilitation needs include exterior improvements such as new windows and siding, site grading to address water intrusion issues and repaving the parking lot. Needed interior improvements include new carpeting, improved light fixtures, new doors, new appliances, bathroom upgrades, accessibility improvements and significant updates to the emergency lighting/fire alarm system.

In 2019, Three Rivers secured an Asset Management Loan from the Minnesota Housing Finance Agency (MHFA) in the amount of \$1,167,000 to address a majority of the external improvements, which are urgently needed to address the water intrusion issues. Staff are now working with MHFA to complete final due diligence items so rehab can begin. As part of this due diligence process, staff are requesting formal approval from the Three Rivers' Board to accept the loan and execute the loan documents at closing.

ReJean Schulte made a motion to approve resolution 2020-2 and authorize the acceptance of the \$1,167,000 MHFA Asset Management Loan as outlined in the term letter for the rehabilitation of Clover Patch Apartments and authorize Jenny Larson to sign all loan documents and other due diligence items related to the MHFA Asset Management Loan, Heather Robins seconded, motion unanimously approved.

d) Personnel Policies to accommodate Public Health emergencies like COVID-19

Jenny explained that Three Rivers has a self-insured short term income continuation fund that is used to pay staff with eligible short term disabilities. In light of current events, we are looking for ways that we might pay some of our staff in the event of an emergency shutdown. Staff are recommending that we make a few changes to the short-term income continuation policy to add emergency shutdown as an eligible use of the fund. This would allow us to pay staff for up to three weeks if we are shut down, or a specific program or location is shutdown, and we are unable to pay regular income. This policy would be 67% of the normal income and staff are required to first use PTO before accessing this. This will accommodate staff who do not have accrued PTO and our part-time staff. We are doing everything we can right now to keep our staff working, but we may have a small portion of our staff that will need to utilize this. Our goal is to keep staff with regular paychecks as long as possible, and we will be working closely with funders to ensure that happens. The other policy recommendations are to add an emergency shutdown policy and make changes to the existing telecommuting policy.

Staff proposed three changes to the Three Rivers Community Action's *Employee Handbook* which is part of the Agency's Personnel Policies. With Board of Directors approval, changes will be effective March 19, 2020

- I. Add an Emergency Shutdown policy to the Employee Handbook (entirely new section):

**Emergency Shutdown**

The Agency may, at its discretion, continue to pay employees if a catastrophic emergency, disaster, public health concern, or similar event

results in the Agency's temporary shutdown of operations during which the employee is unable to perform work elsewhere including another Agency location or his/her home. For example, this may occur if tornado, flood or fire damage forces the shutdown of operations at one location, or if the Agency suspends a specific program/service/location in response to a public health emergency. In such a situation, the employee will be compensated through the relevant program funding entity(ies) or, if no such funding is available, through the Agency's Short-Term Income Continuation Policy (see Section 7.8 of Employee Handbook).

II. Update the Short-Term Income Continuation Policy (changes are highlighted)

**Short-term Income Continuation (STIC) for Disability**

The Agency provides Short-term Income Continuation when a regular, full-time employee who has completed one year of employment and worked at least 1,250 hours during the previous 12 months is not able to work due to a disability, including pregnancy and pregnancy-related illnesses, and also including a medical quarantine (or similar) ordered by a medical provider. There is a waiting period of two calendar days for an accident and seven calendar days for an illness. Income is continued at a rate of 67% of the employee's normal income beginning after the waiting period is completed which means on the eighth (8th) consecutive calendar day of disability for an illness or the third (3rd) consecutive day of disability for an accident. Short-term Income Continuation for disability ends when the employee is deemed medically able to return to work or six (6) months from the date the disability began, whichever occurs sooner. In no case will Short-term Income Continuation for disability continue after a physician indicates that the employee may return to work.

Eligibility for Short-term Income Continuation for disability is similar to Family and Medical Leave Act (FMLA) eligibility (although not identical as a part-time employee may be eligible for FMLA leave but not STD Income Continuation). Therefore, the Agency will use the FMLA Certification form completed and signed by the employee's health care provider to assess and confirm the disability and the corresponding eligibility for Short-term Income Continuation for disability.

Short-term Income Continuation for disability will not be paid:

- If the employee is not under the regular care of a licensed health care provider as defined by FMLA;
- For an injury or illness sustained while the employee is committing or attempting to commit a felony;
- For an injury or illness resulting from war or any act of war, whether declared or not;
- For any time on which the employee is performing any work, of any kind, anywhere, for compensation or profit (including self-employment);

- For any disability resulting from an injury or illness which is an occupational injury or illness that would be compensated under Workers' Compensation coverage;
- For injury or illness resulting from insurrection, rebellion or participation in a riot or civil commotion; or
- For any injury or illness while the employee is on active duty in the armed forces of any country.

An employee may opt to use accrued Paid Time Off (PTO) instead of receiving Income Continuation on a day-to-day basis.

PTO is not accrued while an employee receives Short-term Income Continuation.

***Emergency Exception(s):***

The Agency has the discretion to temporarily decrease or waive requirements for Short-term Income Continuation such as longevity of employment, hours worked in previous 12 months and/or the 2-day/8-day waiting periods if a catastrophic emergency, disaster, public health concern, or similar event occurs. If this occurs, the Agency's Executive Director or Human Resources Director will notify staff of the temporary changes.

**Short-term Income Continuation (STIC) for Emergency Shutdown**

The Agency, at its discretion, may offer Short-term Income Continuation to employees who have 24 or less hours of available accrued Paid Time Off (PTO) if a catastrophic emergency, disaster, public health concern, or similar event results in the Agency's temporary shutdown of operations/locations(s) during which the employee is available\* to work but the Agency is unable to offer the employee productive work at another Agency location or the employee's home. For example, this may occur if tornado, flood or fire damage forces the shutdown of operations at one location, or if the Agency cannot offer work to an employee during the time of a public health emergency. In such a situation, the employee's income may be continued at a rate of 67% of the employee's normal income beginning on the first day of shutdown or the first day the employee exhausts PTO, whichever occurs later. Short-term Income Continuation due to a shutdown is available for a maximum of three (3) weeks, and will end sooner if the employee is allowed to return to work. If the shutdown extends longer, the employee may apply for unemployment compensation for which the State determines eligibility.

The Agency will recover any Short-term Income Continuation payments made to employees due to a shutdown from the relevant program funding entity(ies) or government program if such reimbursement is or becomes available.

An employee may opt to use remaining accrued Paid Time Off (PTO) instead of receiving Income Continuation on a day-to-day basis.

*\*"Available to work" for purposes of Short-term Income Continuation due to a shutdown means the employees is not sick; is well enough to perform productive work even if quarantined; is not taking care of ill or healthy family members; and is not unavailable due to vacation or similar.*

### III. Update the exception to Telecommuting Policy

Staff recommend adding an emergency telecommuting component to our existing telecommuting policy to allow people to work at home so we can keep operating and keep serving clients during the public health emergency. The new section of the policy is highlighted.

#### **TELECOMMUTING POLICY**

Telecommuting is defined as an employee *regularly* working full or partial workdays from home or some other alternate work site. The Program/Department Director and Executive Director will determine, in their discretion, which positions within the department, if any, are suitable for telecommuting. The employee and the Agency (by signature of the Executive Director) will enter into a detailed agreement before such a telecommuting arrangement will begin.

This option is not available in many job classifications due to operational needs and/or additional expenses that would be incurred (e.g., phone/Internet service, copy/scanner, or other equipment).

Employees who have not entered into a signed agreement to regularly telecommute as described above may only work from home or a non-Agency location for business reasons, on an occasional basis, and with prior supervisor approval. For example, a supervisor may approve for an employee to work from home for a few hours if the employee will then be attending a meeting close to his/her home.

Any employee who is absent for personal reasons including due to his/her illness or the illness of a family member will be required to use available PTO. Hourly/Non-exempt employees may not perform any work while on PTO. Although Salaried/Exempt employees are encouraged to not work while on PTO, they may voluntarily perform work while on PTO if they deem that work necessary.

#### **Emergency Telecommuting Arrangement**

The Agency, at its discretion, may allow an employee who has not entered into a formal agreement per the above Policy to temporarily perform productive work at his/her home if a catastrophic emergency, disaster, public health concern, or similar event results in the Agency's temporary shutdown of operations/locations(s) during which the employee is available\* to work but the Agency is unable to offer the employee productive work at another Agency location. For example, this may occur if tornado, flood or fire damage forces the shutdown of operations at one location, or if the Agency suspends



a specific program/service/location in response to a public health emergency. In such a situation, the Agency and employee will develop a list of tasks and responsibilities which the employee can do in his/her home and determine what basic office equipment (such as a laptop computer) the employee may take home. The Agency will generally not cover the cost of Internet, phone service or other employee costs during an emergency telecommuting arrangement.

*\*"Available to work" for purposes of Short-term Income Continuation due to a shutdown means the employee is not sick; is well enough to perform productive work even if quarantined; is not taking care of ill or healthy family members; and is not unavailable due to vacation or similar. Under an Emergency Telecommuting Arrangement, an employee may intermittently work and take care of family members with the goal of working the employee's total hours for a regular workday.*

ACTION: Paul Drotos made a motion to approve the changes to the short-term income continuation policy, telecommuting policy, and add the emergency shutdown policy to the Personnel Policies to accommodate public health emergencies, Heather Robins seconded, motion unanimously approved.

e) Head Start COLA and Quality Improvement Funds

The federal Office of Head Start has issued a COLA in the amount of \$34,584. The COLA funds will be applied to the wage increase that the Board of Directors approved in January 2020.

The federal Office of Head Start has made Quality Improvement funds available in the amount of \$55,000. These funds will be used to hire an Emotional/Behavioral Coach to support children, classroom staff, and parents.

Ruth Boudet made a motion to approve and accept federal Head Start COLA and Quality Improvement funds, ReJean Schulte seconded, motion unanimously approved.

**Advisory Committee**


a) Head Start Policy Council – Meeting was on March 17, 2020

**Comments from the public:** None

**Date, Time and Location of Next Meeting:** 9:00 a.m., April 15, 2020, Three Rivers Community Action Conference Room, 1414 North Star Drive, Zumbrota MN

**Adjournment**

Heather Robins made a motion to adjourn, Meredith Erickson seconded, motion unanimously approved.

  
Chair

April 15, 2020  
Date