

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, April 26, 2016

8:30 a.m.

County Board Room – 3rd Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session with all Commissioners present: Campbell, Gross, Ingersoll, Mongeau, and Weyland. County Administrator Brian C. Berg, Chief Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Weyland, seconded by Campbell, and unanimously carried, the agenda was approved with the addition of: Request to fill Office Support Specialist position in Social Services.

CITIZENS TO BE HEARD

There were no citizens present who wished to address the Board.

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Campbell, seconded by Weyland, and unanimously carried, the bills and vouchers were approved for payment.

APPROVE AGREEMENTS THROUGH COMMUNITY WELLNESS GRANT WITH STONERIDGE SOFTWARE & ESSENTIA HEALTH ST. MARY'S

By consent agenda, the Board approved agreements as follows: with Stoneridge Software to provide pre-approved strategy support funding to purchase standing workstations through the Community Wellness Grant; and with Essentia Health St. Mary's to provide pre-approved strategy support funding to purchase equipment to be used for healthier eating through the Community Wellness Grant.

APPROVAL OF COUNTY ABATEMENT REQUESTS

By consent agenda, the Board approved the following abatement requests:

- William & Tammy Tickel, parcel #24.055.0114, Estimated tax reduction of \$56.00 (clerical error) payable 2016
- Mark Rickert, parcel #52.851.0010, Estimated tax reduction of \$4,322 (parcel should have received disparity reduction credit) payable 2016
- Tammy Ovsak, parcel #04.055.0120, Estimated tax reduction of \$116 (parcel should have received market value exclusion) payable 2016
- Leland & Noreen Thomas, parcel #s 18.008.1600, 18.0008.1800, 18.009.2600, 22.002.0100, 22.002.2800 payable 2015 and 2016 totaling \$12,682

CONCERNS RE: PLANNING COMMISSION PROCESS TO RECOMMEND CHANGE OF ANIMAL UNIT DEFINITIONS IN COUNTY LAND DEVELOPMENT ORDINANCE

Mr. Marvin Blakeway was present to express concerns with the Planning Commission's recent action in recommending to the County Board to change the animal unit definitions in the Land Development Ordinance without the Planning Commission first holding a public hearing.

Planning & Zoning Director Tim Magnusson indicated he was not in attendance at the Planning Commission meeting where this action took place. He noted that in his 30 plus years at the County, amendments to the Development Code have always gone through the public hearing process at the Planning Commission level. He noted that the animal unit issue was addressed in 1986 and no changes were made to the Land Development Code.

Chief Assistant County Attorney Jenny Samarzja informed the group that at the April 19th Planning Commission meeting, a citizen had addressed the Commission regarding the discrepancy in animal unit numbers between the State's regulations and the County's (the County's being more restrictive). The Planning Commission then recommended the County Board address the issue. She noted that before any amendment is made to the Land Development Ordinance, a public hearing must be held. In the past the public hearings have always happened at the Planning Commission level, but could occur at the County Board level. Ultimately, it is the County Board's decision to amend the Land Development Code.

Mr. Blakeway stated that his property borders a hog farm in Goose Prairie Township, which he has heard would double their operation if the Development Code is amended. He preferred that the County's animal unit numbers remain as is. Goose Prairie Township has its own ordinance, which is as restrictive as the County's.

Commissioner Campbell recalled that public hearings regarding Land Development Code issues have typically been handled by the Planning Commission. He noted that the County Board receives good information in the recommendations from the Planning Commission.

Commissioner Ingersoll felt the matter should return to the Planning Commission for the public hearing process. Commissioner Weyland agreed.

Zenas Baer informed the Board that on April 15, 2016 his client had submitted to the Planning & Zoning Department a petition for a text amendment to the Land Development Code to match the County's animal units to that of the State. He felt the regulators and the regulated need to be on the same page. Commissioner Mongeau felt the proposed change would create more issues for new feedlots than for existing, as it would change the criteria for permit application. Mr. Magnusson stated that Conditional Use Permit process will need review as well.

On motion by Mongeau, seconded by Weyland, and unanimously carried, the Board requested that the Planning Commission hold the public hearing regarding an amendment to the Land Development Code concerning animal unit numbers.

REQUEST TO FILL FINANCIAL WORKER & OFFICE SUPPORT SPECIALIST POSITIONS

On motion by Ingersoll, seconded by Weyland, and unanimously carried, the Board approved filling a Financial Worker position in Social Services, and to back fill if the position is filled from within.

On motion by Mongeau, seconded by Weyland, and unanimously carried, the Board approved filling an Office Support Specialist position in Social Services and to back fill if the position is filled from within.

APPROVAL TO ADVERTISE FOR COUNTY ROAD 95 GRADING PROJECT

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved advertisement for the County Road 95 grading project, with bids to be opened May 17 at 9:00 a.m.

REVIEW COUNTY ABATEMENT POLICY

The Board was informed that the homestead classification was removed from a Clay County taxpayer's agricultural properties for Payable 2014, 2015 and 2016, by a clerical error which occurred in the Assessor's Office. The County Abatement Policy allows for adjustment for current year and one previous year taxes (2015 and 2016 in this instance). County Assessor Nancy Gunderson informed the Board that MN Statutes allow for abatement of the current year and two previous years. The Board was comfortable with abating the 2014 taxes for Leland and Noreen Thomas based on the above information and the fact that the error was the County's.

On motion by Ingersoll, seconded by Mongeau, and unanimously carried, the Board abated Payable 2014 taxes in the above instance, and requested the Abatement Policy be reviewed and amended to align with MN statutes.

REQUEST TO INCREASE DETOX CAPACITY

Public Health Administrator Kathy McKay and Detox Director Troy Amundsen were present to request an expansion (re-licensure) of the bed capacity in the Detox facility to 16. Currently, Detox is a 10 bed facility which is frequently at capacity and admissions are declined from the community and other counties. Another County has expressed interest in contracting with Clay County Detox for services. Concern was expressed that the facility should meet Clay County's needs first. Ms. McKay indicated that staffing requirements will increase, but there will be new revenues coming in.

On motion by Weyland, seconded by Mongeau, and unanimously carried, the Board approved moving forward with expansion/re-licensure of the Detox facility to 16 beds.

REQUEST FOR SALARY PLACEMENT OF NURSING DIRECTOR

On motion by Mongeau, seconded by Ingersoll, and unanimously carried, the Board approved placement on the salary grid of a Nursing Director candidate on Grade 22, Step 7, based on her 30+ years in Public Health, of which 10 years was as Public Health Administrator/CHS Administrator.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSION

Commissioner Weyland attended meetings of the Personnel Issues Committee, Jail Finance, and AMC Conference Planning meeting.

Commissioner Ingersoll attended meetings of the Local Advisory Council for Adult Mental Health, and the Lakes & Prairies Annual meeting.

Commissioner Campbell informed the Board that he and County Administrator Brian C. Berg attended a meeting in St. Paul regarding the County's request of the

Legislature for bond funds for the new Correctional Facility, and received clarification from the Department of Revenue concerning the implementation of a sales tax. Commissioner Campbell attended meetings of the Jail construction and Jail Finance committees.

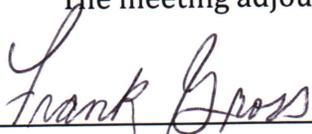
Commissioner Mongeau attended meetings of Lakes & Prairies Community Action Partnership, FM Diversion/Cemetery Committee, Lakeland Mental Health, and the County Fair Board.

Commissioner Gross attended meetings of the Personnel Issues Committee, Historical and Cultural Society of Clay County, Agassiz Recreational Trail, MetroCOG, Town Hall meetings and a Criminal/Gang presentation.

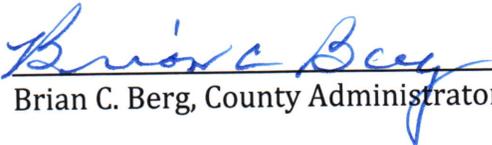
County Administrator Brian C. Berg attended meetings concerning New Hires, Jail Construction and Jail Finance. He reminded the Board of the training event today concerning recruiting and retaining employees.

ADJOURN

The meeting adjourned at 10:00 am.



Frank Gross, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator