

CLAY COUNTY BOARD OF COMMISSIONERS
Tuesday, August 2, 2016
8:30 a.m.
County Board Room – 3rd Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Kevin Campbell, Frank Gross, Wayne Ingersoll, Jenny Mongeau, and Grant Weyland. County Administrator Brian C. Berg, Chief Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Colleen Eck were also present.

APPROVAL OF AGENDA

On motion by Mongeau, seconded by Weyland, and unanimously carried, the agenda was approved as presented.

CITIZENS TO BE HEARD

There were no citizens who wished to address the Board.

EMPLOYEE RECOGNITION

Cheryl Jaster, Financial Worker in Social Services, was recognized for 25 years of service to Clay County.

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 EDUCATIONAL AGREEMENT BETWEEN CONCORDIA COLLEGE AND CLAY COUNTY PUBLIC HEALTH DEPARTMENT

By consent agenda, the Board approved an Educational Agreement between Concordia College and County Public Health Department to provide supervised practicum experience for nursing students at no cost to the County.

APPROVE AGREEMENT WITH BRIDGEPOINTE COMMUNITY FOOD PANTRY TO PROVIDE APPROVED STRATEGY FUNDING THROUGH THE SHIP GRANT

By consent agenda, the Board approved an agreement with Bridgepointe Community Food Pantry to provide approved strategy funding through the SHIP Grant for purchase of a refrigerator unit to help provide healthier food options for clients.

APPROVE AGREEMENT WITH RED RIVER HUMAN SERVICES FOUNDATION TO PROVIDE STRATEGY FUNDING THROUGH THE SHIP GRANT

By consent agenda, the Board approved an agreement with Red River Human Services Foundation to provide strategy funding through the SHIP Grant for purchase of water bottles to encourage healthier habits.

UPDATE OF CIVIL RIGHTS COMPLIANCE PLAN

By consent agenda, the Board approved a requirement for Social Services to update their Civil Rights Compliance Plan which was last updated in 2006. This update will satisfy all statutory requirements of the State Department of Human Services.

APPROVE OUT-OF-STATE TRAVEL FOR PUBLIC HEALTH ADMINISTRATOR TO NATIONAL TOBACCO CONFERENCE

By consent agenda, the Board approved a request from Public Health Administrator Kathy McKay for out-of-state travel for the tobacco prevention coordinator to attend a National Tobacco Conference on March 22-24, 2017 in Austin, Texas. Funding for the conference is covered by the Clear Way Grant, with no County funding necessary.

UPDATE ON FLOODPLAIN ISSUE AT TRIEPKE PROPERTY

Planning Director Tim Magnusson presented information concerning the floodplain issue at the Triepke property. Several years ago, a building permit was issued for a modular home on the property, but staff had failed to notice the property was in the floodplain. After the modular home was placed there, an addition to the home was built without a building permit. Recently, they put their home on the market, and found that annual flood insurance for the structure would be over \$7,000. Because of the County's error in not requiring the home to meet floodplain standards, the County is in violation with FEMA and needs to remedy that situation. One option, to bring the home into compliance, is to remove the addition and install flood vents in the home and garage. Magnusson received two quotes on removing the addition and placing flood vents, with the lowest at \$34,790. Another possible option is to turn the addition into garage space rather than living space by adding an overhead garage door, and then installing flood vents. Either option would significantly reduce the flood insurance and make the property more marketable. Magnusson will verify with the Department of Natural Resources (DNR) and with FEMA that converting the addition into a garage is a viable option. The contractor who provided the lowest quote for the project is available to start the middle of August. Assistant County Attorney Steve Beidlesbacher asked to meet with the Planning Director after the meeting to discuss the issue and the County's liability.

On motion by Weyland, seconded by Ingersoll, and unanimously carried, the Board approved up to \$34,790 to bring the Triepke property into compliance with FEMA, contingent on Attorney Beidlesbacher's review of the County's responsibility to the project.

CONSIDER CSAH REDESIGNATION PLAN

Highway Engineer David Overbo and Assistant Highway Engineer Eric Hove presented a County State Aid Highway (CSAH) Redesignation Plan. The accompanying map exhibited three new CSAHs, two revoked CSAHs, and Co. Rd. 82 which will go to the City of Moorhead for a city street.

On motion by Campbell, seconded by Weyland, and unanimously approved, the Board approved moving forward with the proposed CSAH Redesignation Plan.

AWARD BID FOR SAP 014-602-029 (PAVING PROJECT ON CSAH 2)

Highway Engineer David Overbo requested approval to award the low bidder (Central Specialties) for the CSAH 2 paving project.

On motion by Mongeau, seconded by Campbell, and unanimously carried, the Board awarded the CSAH 2 Paving Project to Central Specialties in the amount of \$1,138,969.90.

APPROVAL OF STATE AID FUNDING ADVANCE RESOLUTION

Highway Engineer David Overbo stated in order to complete all the construction work planned for 2016, in addition to making the bond payment, they need to advance funds from the Fiscal Year 2017 State Aid Allotment. A similar resolution passed in January of this year, but an amendment is needed to reflect funds needed for CSAH 2 mill and overlay project. The County Auditor is in support of the request.

RESOLUTION NO. 2016-29

COUNTY STATE AID HIGHWAY FUNDS ADVANCE RESOLUTION

WHEREAS, the County of CLAY is planning to implement County State Aid Street Project(s) in 2016 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures: Account Balance as of date: 7/25/16 \$ - 460,190,87

Less estimated disbursements:

| | |
|--------------------------|-------------------|
| Project # SAP 14-602-027 | \$ (1,138,969.90) |
| Project # SAP 14-606-007 | \$ (14,513.15) |
| Project # SAP 14-618-015 | \$ (190,000.00) |
| Project # BOND PAYMENT | \$ (2,190,000) |
| 2016 Allotment | \$ 3,193,183.00 |

Advance Amount (amount in excess of acct balance) \$ 1,003,183.00

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, Be It Resolved: That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of CLAY in an amount up to \$ 506,486 in accordance with Minnesota Rules 8820.1500, Subd. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County in accordance with the schedule herein indicated:

Repayment from entire future year allocations until fully repaid.

Repayment in equal annual installments.

Repayment from future year allocations in amounts listed below until fully repaid (maximum 3-year repayment).

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved the County State Aid Highway Funds Advance Resolution 2016-19.

APPROVAL OF BORING QUOTE FOR PROPOSED LAW ENFORCEMENT CENTER

Highway Engineer David Overbo requested approval of a quote from Terracon for eight more soil borings to be used for pavement design of the parking lot, in the amount of \$16,500.

On motion by Campbell, seconded by Ingersoll, and unanimously carried, the Board accepted the quote for soil borings from Terracon for \$16,500.

OPEN BIDS FOR DEMOLITION OF BUYOUT PROPERTIES

Highway Engineer David Overbo and Assistant County Engineer Eric Hove were present to open sealed bids as follows:

- Tightline Companies - \$336,247.00
- Hough, Inc. - \$394,367.00
- Comstock Construction - \$351,500.00
- Landwehr Construction, Inc. - \$262,880.00
- Excavating, Inc. - \$247,486.69
- Schmidt & Sons Construction - \$298,890.00
- Landmark Drainage - \$448,874.90
- Key Contracting, Inc. - \$539,000.00

The demolition will include structures, trees, concrete, and backfilling of foundations for 22 buyout homes north of the County campus. The concrete may be crushed on site, but would be done during day hours.

On motion by Mongeau, seconded by Weyland, and unanimously carried, the demolition project was awarded to the low bidder, Excavating, Inc., for their bid of \$247,486.69, contingent upon there being no errors in the bid.

PUBLIC HEALTH 2017 BUDGET REVIEW

Public Health Director Kathy McKay and Mary Frahm presented the initial Public Health 2017 budget. There were no significant changes overall.

SOCIAL SERVICES 2017 BUDGET REVIEW

Social Services Director Rhonda Porter presented the initial Social Services 2017 budget with a requested levy increase of \$786,990 due to various items including: staff step increases; rent for office space on 4th floor; an increase in County-funded burials; travel expenses for out-of-home placements; and mental health commitments.

TECHNOLOGY SERVICES 2017 BUDGET REVIEW

Technology Services Director Tim Dent presented the initial 2017 Technology Services budget, and did not have any significant changes.

HISTORICAL SOCIETY OF CLAY COUNTY 2017 BUDGET REQUEST REVIEW

Historical and Cultural Society of Clay County (HCSCC) Executive Director Dr. Maureen Kelly Jonason reviewed her 2017 budget request that included a 1% increase.

LAKE AGASSIZ REGIONAL LIBRARY 2017 BUDGET REQUEST REVIEW

Lake Agassiz Regional Library Director Liz Lynch reviewed the library budget for 2017 with a 2% overall increase. The cities of Hawley and Barnesville have public libraries and Ulen has a link site. Lynch extended gratitude to Commissioner Ingersoll for the years of service on the Lake Agassiz Regional Library Board.

CLOSED SESSION: ANNUAL PERFORMANCE EVALUTION:
COUNTY ADMINISTRATOR BRIAN C. BERG

On motion by Mongeau, seconded by Weyland, and unanimously carried, the meeting was closed at 11:25 a.m. pursuant to Minnesota Statute Section 13D.05, Subdivision 3(b) for the County Administrator's Annual Performance Evaluation.

On motion by Weyland, seconded by Ingersoll, and unanimously carried, the meeting was reopened at 11: 40 a.m.

On motion by Weyland, seconded by Mongeau, and unanimously carried, the Board approved a step increase for the County Administrator.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSION

- Commissioner Mongeau attended meetings for Lakes and Prairies Community Action Partnership and Out-of-Home Placement Task Force. She also met with County residents regarding regulations for docks.
- Commissioner Weyland attended meetings for Lakes and Prairies Community Action Partnership, Solid Waste Advisory Committee, and Personnel Issues Committee.
- Commissioner Ingersoll attended a Family HealthCare meeting.
- Commissioner Gross attended meetings for Personnel Issues Committee and Out-of-Home Placement Task Force. Tonight is the annual neighborhood "Night to Unite."
- Commissioner Campbell attended meetings for Prairie Lakes Municipal Solid Waste Authority and Solid Waste Advisory Committee. Tipping fee increases were discussed and an intern from the Solid Waste Department reported on research that he completed concerning the impact of social media.

- County Administrator Brian C. Berg met with several department heads to discuss their 2017 budgets; met with a property owner to move forward with a buyout and rental agreement; met with department heads from Corrections and Probation on a matter separate from budgets; and met with the maintenance supervisor concerning asbestos and abatement for the buyout properties. He shared preliminary information regarding a decrease in State aid from \$2.9 million to \$2.85 million, although there could be some changes during the special session

ADJOURN

The meeting adjourned at 11:45 a.m.

Frank Gross, Chair
Clay County Board of Commissioners

Brian C. Berg, County Administrator