

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, January 12, 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, Assistant County Attorney Steven Beitelspacher, 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: Approve bargaining unit contract for Juvenile Counselors, 2016-2018; Approve increase to on-call pay for Building Maintenance personnel for 2016.

ACCEPT DONATION FROM ST. JOHN'S CHURCH, GEORGETOWN,
FOR WORK DETAIL PROGRAM

By consent agenda, the Board accepted a \$200 donation from St. John's Church, Georgetown, for the Work Detail Program.

RENEW LAKELAND MENTAL HEALTH CENTER, INC. CONTRACTS FOR SERVICES WITH
WEST CENTRAL REGIONAL JUVENILE CENTER

By consent agenda, the Board authorized execution of contracts with Lakeland Mental Health for Clinical Nurse Specialist Services, Licensed Psychologist Assessment Services, and Assessment Coordination Services for the period ending December 31, 2016 for the West Central Regional Juvenile Center.

APPROVAL OF CITY OF MOORHEAD ABATEMENT REQUEST

By consent agenda, the Board approved an abatement request provided by the City of Moorhead for Arthur and Nadezhda Bagdasarov in the amount of \$321, due to clerical error.

CITIZENS TO BE HEARD

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

APPROVE PAYMENT OF BILLS AND VOUCHERS

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

BUFFALO-RED RIVER WATERSHED DISTRICT REQUEST FOR 2016 TAXING RESOLUTION

Buffalo-Red River Watershed District (BRRWD) Board members Gerald VanAmburg, Mark Anderson, and John Hanson, and BRRWD Administrator Bruce Albright were present to seek the Board's approval of petitions for use of Taxing Authority by the Watershed.

The tax levies will be used for basic water management features of projects and programs within the District as listed in the following resolutions. Mr. Albright informed the Board that three local storage projects have been approved for funding by the FM Diversion, totaling \$450,000. Mr. VanAmburg stated that the BRRWD has received numerous awards under the leadership of Mr. Albright (DNR Watershed of the Year, Environmental Initiative for the Manston Slough project, MN Association of Watershed District's Project of the Year – Manston Slough project).

On motion by Ingersoll, seconded by Campbell, and unanimously carried, the following resolution was adopted:

RESOLUTION 2016-06
APPROVING 2016 GENERAL TAX LEVY PETITION #1-
BUFFALO-RED RIVER WATERSHED DISTRICT

WHEREAS, pursuant to Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, and any other applicable statutes, the Clay County Board of Commissioners hereby petitions for a one-year (2016) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$626,927) to pay the costs attributable to the basic water management features of project/programs within the Buffalo-Red River Watershed District (BRRWD); and

WHEREAS, the BRRWD per M.S.A. 103D.905, Subd. 3, will use these funds for a variety of projects/programs, including: financial support for the Red River Basin Commission (\$25,000) and River Keepers (\$55,000), development and implementation of total maximum daily load (TMDL) and Watershed Restoration and Protection Strategies (WRAPS) for water quality, waterway log jam removal, flood damage reduction (fdr) projects, farmstead ringdikes, retention studies, update of the Revised Watershed Management Plan (RWMP), and a variety of other fdr and natural resource enhancement projects.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners that the Board does hereby petition for the use of said levy by the Board of Managers, BRRWD, in 2016, as discussed at their August 24, 2015, annual budget hearing.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board adopted the following resolution:

RESOLUTION 2016-07
APPROVING 2016 GENERAL TAX LEVY PETITION #2-
BUFFALO-RED RIVER WATERSHED DISTRICT

WHEREAS, pursuant to Minnesota Statutes Annotated (M.S.A.) 103D.905, Subd. 3, and any other applicable statutes, the Clay County Board of Commissioners hereby petitions for a one-year (2016) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$450,000) to pay the costs attributable to the basic water management features of project/programs within the Buffalo-Red River Watershed District (BRRWD); and

WHEREAS, the BRRWD per M.S.A. 103D.905, Subd. 3, will use these funds for the following purposes: for a comprehensive study being conducted on Stony Creek (\$75,000); the BRRWD building fund (\$100,000-already authorized); Otter Tail River planning (\$150,000); finance local costs associated with the construction of Project No. 56, Manston Slough Restoration (\$100,000); Barnesville Township Comprehensive Study (\$75,000); and Reinvest in Minnesota (RIM) and Wetland Restoration Enhancement (WRE) investigation to cite projects with multi-purpose benefits (\$50,000).

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners that the Board does hereby petition for the use of said levy by the Board of Managers, BRRWD, in 2016, as discussed at their August 24, 2015, annual budget hearing.

UPDATE: REQUEST FOR QUALIFICATIONS FOR CONSTRUCTION MANAGEMENT AT RISK FOR CORRECTIONAL FACILITY PROJECT

County Administrator Brian Berg informed the Board that nine firms submitted responses for the Request For Qualifications for Construction Management At Risk for the Correctional Facility project. Consensus of the Board was that four or five firms should be interviewed on January 26, 2016 by the full Board, County Engineer David Overbo, Chief Deputy Sheriff Matt Siiro, Scott Fettig (Klein McCarthy Architects), and Mr. Berg. Mr. Berg reported that he, Overbo, and Siiro have reviewed the RFQ responses and recommend the following firms be interviewed based on their qualifications, corrections facility experience, staff experience, and best fit for Clay County: Comstock Construction, Inc., Fergus Falls, MN; Construction Engineers, Grand Forks, ND; JE Dunn, Minneapolis, MN; McGough, Fargo, ND; Adolfson & Peterson Construction, St. Louis Park, MN.

The Board was comfortable with the above recommendation and requested the firms be scheduled for interviews.

Mr. Berg reminded the Board that the Construction Manager At Risk replaces the General Contractor method of managing the project.

PUBLIC HEARING: CONSIDER GRANTING PROPERTY TAX ABATEMENTS FOR NEW CONSTRUCTION AND IMPROVEMENTS; ADOPT RESOLUTION

On motion by Mongeau, seconded by Campbell, and unanimously carried, the Public Hearing to consider granting property tax abatements for new construction and improvements was opened. County Auditor-Treasurer Lori J. Johnson informed the Board that the two-year Property Tax Abatement program has been successful with 405 parcels presented today for approval. She added that the first group of parcels approved two years ago is back on the tax rolls for payable 2016. Ms. Johnson noted that all communities in Clay County have had the opportunity to take part in this program.

Chair Gross called for comments from the audience and none were forthcoming.

On motion by Ingersoll, seconded by Campbell, and unanimously carried, the hearing was closed.

On motion by Campbell, seconded by Mongeau, and unanimously carried, **Resolution #2016-05** was adopted as included in Attachment "A".

APPROVE CONTRACT FOR JUVENILE COUNSELORS FOR 2016-2018

Human Resources Director/Assistant County Administrator Darren Brooke requested the Board's approval of the Juvenile Counselors' union contract for years 2016-2018, calling for a wage increase of 2%, 3.25%, and 2.5% respectively. He added that the Juvenile Counselors have increased the percentage of their gross pay going into their health care savings plans. Commissioner Campbell felt the contract with the County should not involve additional wage going into their health care savings plan, and this should be accomplished outside of the contract. Commissioner Weyland felt that the decision to increase the wage going to the health savings plan was a union decision made by a majority of the members, and not one the County has control over.

On motion by Ingersoll, and seconded by Weyland, the Board authorized execution of the Juvenile Counselors contract for 2016-2018. Commissioner Campbell voted against the motion.

APPROVE INCREASE TO ON-CALL PAY FOR BUILDING MAINTENANCE
PERSONNEL FOR 2016

On motion by Mongeau, seconded by Campbell, and unanimously carried, the Board approved an increase in on-call pay for Building Maintenance personnel from \$100 to \$150/week, effective with the first pay period of 2016.

REVIEW COMMITTEE APPOINTMENTS

On motion by Ingersoll, seconded by Campbell, and unanimously carried, the Commissioners' committee appointments were approved as included in Attachment "B".

DISCUSSION RE: FORMAT FOR REVIEW OF TOPICS AT COUNTY BOARD MEETINGS

The Board members discussed their roles at external entity meetings to which they are appointed, and whether their participation is as a liaison or a board member of that entity. Commissioner Gross was uncomfortable with a recent request to solicit funds for a particular entity to which he has been appointed as a board member. Commissioner Campbell commented that he has taken the position that while at external committee meetings he 'wears the hat' of that committee, and when he is at a County Board meeting he wears the hat of commissioner. Consensus of the Board was that it is inappropriate for entities to ask elected officials to solicit funds for that entity and may be a conflict of interest.

Commissioner Gross requested that each Commissioner share more information about the groups/committees to which they are appointed in order to keep all Commissioners better informed and to promote discussion. Commissioner Mongeau suggested a 'committee of the whole' format for additional discussion regarding important topics. Commissioner Weyland felt the current format is appropriate, where each Commissioner updates the Board with respect to their committee involvement. He added that County Administrator Brian Berg updates the Board concerning the larger projects. Commissioner Campbell noted that no formal action can be taken at Committee of the Whole meetings, and his preference would be no change to the current format.

With respect to the progress of the new Correctional facility project, the Klein McCarthy Architects firm will be making a presentation to the Board on January 26. Once the Construction Management firm is on board, an update will likely be made to the Board bi-weekly. Commissioner Mongeau felt the Board members need to have all the information to provide responses to constituents and advocate for the project and financing avenues.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Campbell attended interviews for the Assistant County Engineer position.

Commissioner Ingersoll attended meetings of the Moorhead Planning Commission, and Lake Agassiz Regional Library.

Commissioner Mongeau attended meetings of the Joint Powers Committee, Buffalo-Red River Watershed District Board, and Historical Society.

Commissioner Gross attended meetings of the Highway Tracking Committee, interviews for Assistant County Engineer, MetroCOG, Historical Society, preparation for the

2015 audit by the State Auditors, Moorhead City Council, and a legislative update on the work for the upcoming session.

County Administrator Brian C. Berg reported on meetings of the Highway Tracking Committee, Joint Powers Committee, FM Diversion, Management Team, upcoming 2015 Audit, Corrections Facility Construction Management process, ClearCost Health program, and personnel matters.

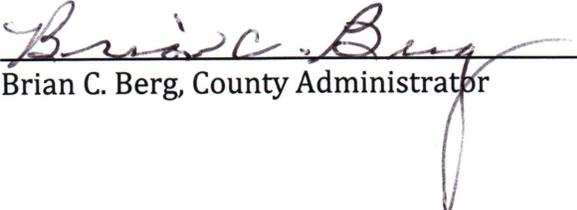
Mr. Berg noted that an exploratory meeting had been held regarding contracting with Morrie Lanning Consulting for lobbyist services for financing opportunities for the new Correctional Facility. A motion was made, seconded and subsequently withdrawn to enter into a contract for these services. This topic will be placed on the January 19, 2016 agenda for formal action.

ADJOURN

The meeting adjourned at 10:20 a.m.



Frank Gross, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator

RESOLUTION 2016-05

WHEREAS, pursuant to proper notice duly given as required by law, the Clay County Board of Commissioners met on January 12, 2016 and heard and passed upon all objections to the proposed property tax abatements granted to multiple properties located within the cities of Moorhead, Dilworth, Barnesville, and Hawley.

NOW, THEREFORE, BE IT RESOLVED, by the Clay County Board of Commissioners:

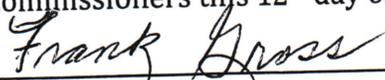
- Such proposed abatements, which apply to the properties described below that were found to qualify as determined by Resolution 2014-44 adopted on 10/14/14, are hereby accepted and shall constitute the estimated total abated value of \$389,599.63:

50.235.0070	52.761.0090	52.857.0140	58.026.0110	58.276.0170	58.337.0630	58.342.0130
50.235.0080	52.761.0100	52.857.0180	58.029.0270	58.276.0330	58.337.0850	58.342.0140
50.235.0200	52.761.0130	52.857.0230	58.029.0300	58.276.0340	58.337.0880	58.342.0150
50.235.0270	52.761.0150	52.857.0250	58.030.0040	58.276.0420	58.338.0060	58.342.0160
50.337.0060	52.761.0170	52.857.0270	58.030.0050	58.276.0670	58.338.0070	58.342.0170
50.500.0080	52.761.0180	52.857.0290	58.030.0060	58.276.0770	58.338.0110	58.342.0180
52.105.0150	52.761.0190	52.857.0300	58.030.0080	58.277.0120	58.338.0160	58.342.0190
52.615.0080	52.761.0200	52.857.0310	58.030.0100	58.277.0150	58.338.0170	58.342.0200
52.617.0030	52.761.0210	52.857.0320	58.030.0170	58.277.0300	58.338.0180	58.342.0210
52.617.0050	52.853.1360	56.401.0040	58.030.0190	58.277.0310	58.338.0190	58.342.0220
52.618.0050	52.853.1370	56.401.0110	58.030.0250	58.277.0320	58.338.0200	58.342.0230
52.750.0180	52.855.0070	56.401.0160	58.030.0260	58.277.0360	58.338.0210	58.342.0320
52.756.0020	52.855.0090	56.401.0170	58.055.0170	58.277.0370	58.338.0250	58.342.0330
52.760.0010	52.855.0160	56.685.0140	58.100.0780	58.277.0380	58.338.0290	58.342.0340
52.760.0020	52.855.0180	56.685.0620	58.159.0030	58.277.0480	58.338.0300	58.342.0350
52.760.0070	52.855.0210	56.685.0640	58.231.0230	58.277.0530	58.338.0480	58.342.0360
52.760.0100	52.855.0230	56.685.1050	58.231.0270	58.277.0600	58.338.0520	58.342.0370
52.760.0150	52.855.0270	56.685.1090	58.231.0380	58.277.0670	58.338.0580	58.342.0380
52.760.0230	52.855.0300	56.686.0220	58.233.0200	58.278.0040	58.342.0020	58.342.0390
52.760.0280	52.855.0560	56.686.0230	58.233.0210	58.278.0070	58.342.0030	58.342.0400
52.760.0320	52.856.0020	56.686.0320	58.261.0070	58.278.0090	58.342.0040	58.342.0410
52.760.0330	52.856.0030	56.687.0050	58.261.0200	58.278.0095	58.342.0050	58.348.0010
52.760.0340	52.856.0150	56.900.0315	58.261.0210	58.319.0350	58.342.0060	58.348.0100
52.760.0350	52.856.0190	58.003.0010	58.261.0240	58.324.0500	58.342.0070	58.348.0130
52.760.0360	52.856.0200	58.003.0220	58.261.0250	58.337.0120	58.342.0080	58.348.0140
52.760.0380	52.856.0230	58.009.0030	58.261.0260	58.337.0130	58.342.0090	58.348.0160
52.760.0390	52.856.0280	58.009.0060	58.261.0270	58.337.0140	58.342.0100	58.348.0250
52.760.0530	52.856.0300	58.009.0070	58.276.0070	58.337.0500	58.342.0110	58.348.0340
52.761.0060	52.857.0110	58.014.0400	58.276.0160	58.337.0530	58.342.0120	58.348.0490

58.348.0540	58.357.0850	58.408.0040	58.587.0870	58.614.0250	58.750.0050	58.767.0430
58.357.0040	58.357.0870	58.428.0720	58.587.0880	58.614.0260	58.750.0070	58.767.0440
58.357.0080	58.357.0880	58.428.0740	58.587.0910	58.614.0270	58.750.1120	58.767.0450
58.357.0090	58.357.0890	58.428.1070	58.587.0950	58.614.0280	58.750.1190	58.767.0460
58.357.0160	58.357.0900	58.428.1075	58.587.1060	58.614.0290	58.750.1200	58.767.0490
58.357.0180	58.357.0920	58.428.1080	58.587.1110	58.614.0300	58.750.1750	58.767.0500
58.357.0220	58.357.0950	58.428.1085	58.587.1130	58.614.0310	58.750.1760	58.767.0505
58.357.0280	58.357.0960	58.428.1130	58.587.1140	58.614.0320	58.753.0010	58.767.0560
58.357.0300	58.357.0970	58.428.1135	58.606.0330	58.614.0330	58.753.0020	58.767.0570
58.357.0400	58.357.1530	58.428.1140	58.608.0360	58.614.0350	58.753.0030	58.789.0060
58.357.0430	58.357.3030	58.428.1145	58.608.0370	58.614.0360	58.753.0040	58.790.0210
58.357.0440	58.357.3040	58.428.1220	58.608.0380	58.614.0370	58.753.0050	58.791.0010
58.357.0490	58.359.0490	58.429.0020	58.608.0390	58.614.0380	58.753.0060	58.791.0010
58.357.0500	58.359.0500	58.429.0040	58.608.0395	58.614.0390	58.753.0070	58.791.0050
58.357.0540	58.359.0670	58.429.0080	58.614.0010	58.614.0400	58.753.0080	58.792.0050
58.357.0550	58.359.0680	58.429.0140	58.614.0020	58.614.0410	58.753.0090	58.792.0110
58.357.0640	58.372.0050	58.429.0150	58.614.0030	58.614.0420	58.753.0100	58.792.0160
58.357.0670	58.372.0055	58.457.0460	58.614.0040	58.657.0070	58.753.0110	58.808.0050
58.357.0675	58.372.0380	58.491.0040	58.614.0050	58.665.0180	58.753.0120	58.808.0630
58.357.0690	58.372.0460	58.587.0330	58.614.0080	58.665.1020	58.753.0130	58.808.1310
58.357.0695	58.372.0660	58.587.0340	58.614.0110	58.712.0080	58.753.0140	58.808.3350
58.357.0710	58.372.0730	58.587.0430	58.614.0150	58.726.0650	58.753.0150	58.808.4170
58.357.0715	58.372.0780	58.587.0440	58.614.0160	58.728.0120	58.753.0160	58.809.0380
58.357.0730	58.372.0780(2)	58.587.0460	58.614.0170	58.728.0150	58.753.0170	58.809.0390
58.357.0735	58.373.0050	58.587.0580	58.614.0180	58.728.0180	58.753.0180	58.809.0420
58.357.0760	58.373.0060	58.587.0600	58.614.0210	58.728.0260	58.753.0190	58.809.0700
58.357.0790	58.373.0070	58.587.0610	58.614.0220	58.728.0270	58.754.0680	58.809.0720
58.357.0810	58.373.0130	58.587.0620	58.614.0230	58.728.0290	58.767.0330	58.819.0370
58.357.0830	58.373.0270	58.587.0730	58.614.0240	58.750.0010	58.767.0340	

2. Abated taxes are to be refunded at the end of the year of which they were paid.
3. The abatement shall not apply to any special assessments that are levied against a property.

Adopted by the Clay County Board of Commissioners this 12th day of January, 2016.



 Frank Gross, Chair
 Clay County Board of Commissioners

ATTEST



 Brian C. Berg, County Administrator

2016 Commissioner Committee Assignments

Frank Gross Chair	Grant Weyland	Kevin Campbell	Jenny Mongeau	Wayne Ingersoll Vice Chair
AMC General Gov't Agassiz Recreational Trails Adv Audit/Investment (Chair/Past Chair) Budget, Financial Reporting & Capital Improv (5 yr plan) Campus Improvement (on-going) Clay County Collaborative Economic Development District for West Central MN Extension Family HealthCare (Alt) Felton Prairie Stewardship Glyndon Wellhead Protection Heartland Trail Extension (Alt) Highway Tracking Historical & Cultural Society Jail Mental Health Metro COG MN Rural Counties Caucus (Alt) Partnership4Health CHB Personnel Issues (Chair/Past Chair) Planning Commission (Alt) Revolving Loan Fund Board TH 336 Corridor Jt Powers Wellhead Protection (Moorhead) Wild Rice Watershed District Advisory Board Wild Rice Watershed District Reduction/Project Team	AMC Public Safety Audit/Investment (Chair/Past Chair) Beyond The Yellow Ribbon Business Subsidy Community Facilities Planning(Alt) Correctional Facility Design, Const, & Operations Cmte Corrections Advisory F-M Ambulance Adv Board FM Diversion Authority (Alt) FM Diversion Authority Public Outreach (Alt) Greater FM Economic Dev. Corp Exec Board Heartland Trail Extension MN Rural Counties Caucus NW Emerg Communications Bd Oakport Joint Powers Partnership4Health CHB (Alt) Personnel Issues (Chair/Past Chair) Planning for Financing Jail Planning Commission (Alt) Prairie Lakes Municipal Solid Waste Authority (Alt) Radio Users Cmte Recorder's Compliance Regional Juvenile Detention Advisory Board (Alt) Restorative Justice Adv Cmte Sheriff's Posse Adv Solid Waste Advisory Cmte Veterans Service Advisory West Central Area Agency on Aging – Land/Dancing Sky	AMC Transportation Budget, Financial Reporting & Capital Improvement (5 yr plan) Buffalo Red River Watershed Ditch Coordinating (Alt) Buffalo Red River Watershed (liaison) Business Subsidy Community Facilities Planning Correctional Facility Design, Const, & Operations Cmte Emergency Services Advisory (Ad Hoc) FM Diversion Authority FM Diversion Authority Public Outreach Greater FM Economic Dev. Corp. Health Insurance (ad hoc) Highway Tracking Jt. Powers (Co/Cty/Schools/Twp) MnDOT Variance Cmte NW Emerg Comm Bd (Alt) Oakport Dike Technical Adv. Oakport Joint Powers Planning for Financing Jail Planning Commission (Alt) Prairie Lakes Municipal Solid Waste Authority Regional Juvenile Detention Adv Regional Water Plan Jt. Powers Bd Sheriff's Posse Advisory Solid Waste Advisory TH 336 Corridor Jt. Powers Wellhead Protection (Moorhead)	AMC Environmental & Natural Res Policy Buffalo Red River Watershed Ditch Coordinating Buffalo Red River Watershed (liaison) Cass-Clay Food Systems Jt. Powers Commission Clay Soil & Water Conserv Dist Community Facilities Planning County Owned Property Emergency Services Advisory (Ad Hoc) Extension FM Diversion Land Management Felton Prairie (Alt) Historical & Cultural Society (Alt) Jail Mental Health Jt. Powers (Co/Cty/Schools/Twp) Lakeland Mental Health Center Lakes & Prairies Community Action Partnership Law Library Metro COG (Alt) Metro COG 5-Yr Transit Plan Noxious Weed Planning Commission Regional Water Plan Jt. Powers Board (Alt) Wellhead Protection (Barnesville) Wild Rice Watershed Flood Reduction (Alt) Wild Rice Watershed District (liaison)	AMC Health & Human Services Adult Mental Health Local Advisory Council Campus Improvement (on-going) Children's Mental Health Local Advisory Council Clay County Collaborative Clay-Wilkin Homeless Preven. & Assistance Program Clay Soil & Water Conservation District (Alt) Corrections Advisory Economic Development District - West Central MN (Alt) Family HealthCare Health Insurance (ad hoc) Lake Agassiz Reg. Library Board Lakes & Prairies Community Action Partnership Local Water Plan Task Force Moorhead City Planning Comm Planning Commission (Alt) Restorative Justice Cmte (Alt) West Central Area Agency on Aging (Alt)

Per diem payment approved for appointees & alternates for attendance at the above meetings, and for attendance at: Intergovernmental Retreat; Township Officers Meetings; All AMC & District IV meetings; Lakeland Mental Health Annual Meeting. Commissioners are authorized to be paid mileage/expenses in performing official duties of a County Commissioner. *Updated 1-12-16*