

CLAY COUNTY BOARD OF COMMISSIONERS
TUESDAY, JANUARY 24, 2017
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: Jim Haney, Frank Gross, Jenny Mongeau, Kevin Campbell, and Grant Weyland. Brian C. Berg, County Administrator, and Colleen Eck, Sr. Administrative Assistant, were also present.

APPROVAL OF AGENDA

On motion by Haney, seconded by Weyland, and unanimously carried, the agenda was approved.

RENEW CONTRACT WITH LUTHERAN SOCIAL SERVICES

By consent agenda, the Board approved the 2017 contract with Lutheran Social Services for the West Central Regional Juvenile Center non-secure program.

2017 CONTRACT WITH BARNESVILLE AMBULANCE SERVICE

By consent agenda, the Board approved the 2017 Barnesville Ambulance Service Contract with the City of Barnesville.

AGREEMENT WITH LEGAL SERVICES OF NW MINN. FOR PROVISION OF SNOW REMOVAL SERVICES

By consent agenda, the Board approved the 2017 Agreement with Legal Services of Northwest Minnesota for snow removal services.

APPLICATION FROM TROJAN TAKEDOWN CLUB TO CONDUCT EXCLUDED BINGO AT BARNESVILLE AMERICAN LEGION

By consent agenda, the Board approved the Trojan Takedown Club's application for bingo at the Barnesville American Legion.

CITIZENS TO BE HEARD

Mark Stensland addressed the Board with comments and questions related to the location and cost of the new jail, as well as utilizing sales tax to help pay for it.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

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

APPROVAL OF MINUTES FROM JANUARY 3, 2017

On motion by Mongeau, seconded by Weyland, and unanimously carried, the minutes from January 3, 2017 were approved as written.

AWARD PRESENTATIONS:

Deputy Eli Paluga received the Commendable Service Award; Deputy Josh Schroeder and Deputy Jordan Smart received Combat Action Ribbons.

PRESENTATION AND APPROVAL OF RESOLUTION FOR F-M METROPOLITAN BICYCLE AND PEDESTRIAN PLAN

Dan Farnsworth, Metropolitan Council of Governments, presented the newly updated F-M Metropolitan Bicycle and Pedestrian Plan. Sixty percent of the recommendations from the 2011 plan have been completed. The plan is updated every five years; addressing paths, bike lanes, and sidewalks. A 20-member study review committee conducted several meetings throughout the update process. Recommendations submitted for the plan included education, safety, encouragement, and network and maintenance improvements.

On motion by Weyland, seconded by Mongeau, and unanimously carried, the following resolution was adopted:

RESOLUTION 2017-08
Resolution in Support of the
2016 Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan

WHEREAS, the Clay County Board of Commissioners is the duly elected governing body responsible for the planning and development of safe and functional transportation systems including bicycle and pedestrian facilities;

WHEREAS, the Fargo-Moorhead Metropolitan Council of Governments, as the metropolitan planning organization designated by the Governors of North Dakota and Minnesota to maintain the metropolitan area’s transportation planning process in accordance with federal regulations;

WHEREAS, the Fargo-Moorhead Metropolitan Council of Governments has undertaken the task of developing the 2016 Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan, which is a vital element of the planning process, and which makes transportation-related bicycle and pedestrian needs eligible for future federal funding;

WHEREAS, the 2016 Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan was directed by the Metropolitan Bicycle and Pedestrian Committee, comprised of a wide cross section of bicycle and pedestrian interest groups including park district representatives, law enforcement, technical city, county and state staff, citizens, and other applicable agencies/organizations;

WHEREAS, the public was invited, encouraged, and involved in this Plan’s preparation in full compliance with Metro COG’s Public Participation Plan;

WHEREAS, the 2016 Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan seeks to enhance the Fargo-Moorhead Metropolitan Area’s bicycle and pedestrian environment so as to increase mobility, health, safety, equity, and the quality of life for all citizens;

NOW, THEREFORE BE IT RESOLVED, that the Clay County Board of Commissioners does hereby adopt the 2016 Fargo-Moorhead Metropolitan Bicycle and Pedestrian Plan and agrees to use it as a tool to implement area bicycle and pedestrian goals and objectives which will complement the overall development of the Area’s transportation system.

REQUEST APPROVAL TO PURCHASE LANDFILL COMPACTOR

Kirk Rosenberger, Solid Waste Manager, and Larry Henry, Landfill Supervisor, were present to request approval to replace the compactor at the landfill. The following quotes were obtained:

- Bomag BC 772 RB-4, \$577,000
- Cat 826 K, \$735,355

The request was discussed at the Solid Waste Advisory Committee; and is included in the 2017 Solid Waste budget.

On motion by Weyland, seconded by Haney, and unanimously approved, the Board approved the purchase of the Bomag compactor for \$577,000.

REQUEST AUTHORIZATION TO REPLACE JUVENILE DETENTION FIRE PANEL AND DETECTOR

Joe Olson, Building Maintenance Supervisor, and Steve Larson, Director of West Central Regional Juvenile Center, requested the replacement of the fire panel and detector at the Juvenile Detention Center building.

The following quotes were obtained:

- Protective Systems, \$44,525, with a service rate of \$80/hour
- Simples, \$43,113, with a service rate of \$208/hour

On motion by Mongeau, seconded by Gross, and unanimously carried, the Board approved the quote from Protective Systems for \$44,525, in lieu of the significantly lower service rate.

PRESENTATION OF MOORHEAD PUBLIC SERVICE'S (MPS) COMMUNITY SOLAR GARDEN AND HOW IT COULD BENEFIT CLAY COUNTY

Dennis Eisenbraun, Energy Services Manager, and Bill Schwandt, MPS General Manager, provided handouts for MPS's Community Solar Garden and opportunities for Clay County. Commissioners Mongeau and Gross serve on the Solar Power Possibilities Committee that has addressed solar power options in conjunction with the new Correctional Facility and Law Enforcement Center. They have discussed rooftop solar panels for the new structures; however, obstacles were found with the skylights and other rooftop equipment, as well as inefficiencies with rooftop solar panels.

Eisenbraun informed the commissioners of an incentive and options with the Community Solar Garden near the wind turbines, north of Moorhead. The incentive being offered would decrease the payback from 20 years down to approximately 10 years. Currently, there are three solar arrays at the location, with plans to erect six more arrays. A full solar array has 72 individual solar modules (panels) with power going into the local distribution grid. An array has the equivalent to reduce the CO₂ emissions from 2,532 gallons of gasoline per day.

Commissioner Mongeau stated the County could diversify its energy consumption and use the credit to offset the energy costs at the new facilities. The one-time payment to MPS for a solar array would be \$30,240.00, and the energy credit would average \$2,500 annually for 20 years.

Ed Gruchalla and Paul Jensen, representing CLEAN (Citizen's Local Energy Action Network), addressed the board and stated they are in support of this project.

On motion by Gross, seconded by Mongeau, and unanimously carried, the Board approved the MPS Community Solar Garden Module Ownership Agreement, contingent on review by the County Attorney's office.

ANNUAL DEPARTMENTAL UPDATE – RECORDER

DiAnn Streifel, County Recorder, presented her annual department update and noted they plan to update their software program this year. The four-person staff in the Recorder's office work with real estate records and vital records that include birth certificates, death certificates, marriage certificates, and DD214s for veterans. The office also provides notary registrations, marriage ordinations, and recording of tax liens. Confidential information is provided to citizens with proper identification. The Recorder's fees are mandated by the State of Minnesota.

ANNUAL DEPARTMENT UPDATE AND SCHEDULE OF 2017 COUNTY BOARD OF APPEAL & EQUALIZATION MEETING

Nancy Gunderson, County Assessor, asked to schedule the County Board of Appeal and Equalization meeting for 6:30 p.m., Tuesday, June 13, 2017. Notification of class and valuation for assessment 2017, along with details of the appeal process, will be mailed with the 2017 Payable Real Estate tax statements.

Gunderson's annual update was presented with an overview of the Assessor's office consisting of a staff of five. They maintain valuations of approximately 16,000 parcels as well as various programs related to assessments. The 2017 property valuations are being completed using a new Vanguard software program. The software program will generate changes to the valuations with different methodology. This year, there will be a reduction in county-wide tillable valuations of approximately 10%. The homestead property two-tier system was clarified. Residential properties will face an increase in value, based on market conditions. Furthermore, commercial values will be reviewed again this year.

REQUEST APPROVAL OF PROPOSED CHANGES TO PERSONNEL POLICY

Darren Brooke, Human Resources Director, presented a clarification in the personnel policy, tracking research of overtime and comp time for County employees and Personnel Issues Committee meetings. The present language is vague and clarification is warranted. Ultimately, a department head or manager will determine whether overtime or comp time should be used. Commissioner Weyland encouraged department heads to use comp time as little as possible

because of the staffing issues it can create. Berg noted that it is a guideline with flexibility, and decisions can always be reviewed.

On motion by Gross, seconded by Weyland, and unanimously carried, the Board approved the proposed clarification in the Personnel Policy regarding decision-making on overtime vs. comp time.

UPDATE TO SOCIAL WORKERS' EXEMPTION STATUS

Darren Brooke, Human Resources Director, presented an update on the "pushback" that ensued with the new rules from the Department of Labor concerning social workers' exemption status last fall. A Texas judge placed the new federal labor rules from last fall on hold in November. Brian Berg stated that the Clay County social workers were changed to non-exempt status following Board approval in December.

On motion by Mongeau, seconded by Campbell, and carried with one opposing vote by Weyland, the Board approved to "stay the move" from exempt to non-exempt status for social workers until the law is further clarified or resolved, and additional discussions can be had.

REQUEST APPROVAL OF UNPAID TIME OFF

Kathy McKay, Public Health Director, presented a request from an employee, who has been employed for less than a year, for nine weeks of unpaid leave.

On motion by Weyland, seconded by Haney, and unanimously carried, the Board approved nine weeks of unpaid time off for a Public Health employee.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Mongeau attended meetings for Clay Soil and Water Conservation District; Moorhead Soroptimist; Lakeland Mental Health; Extension 4-H Steering Committee; and attended the Red River Basin Conference.
- Commissioner Weyland testified at a legislative hearing; met with Rep. Lien; and attended the Red River Basin Conference.
- Commissioner Haney attended a meeting for Lake Agassiz Regional Library; and Ag Credit Roundtable in Glyndon.
- Commissioner Gross attended meetings for Personnel Issues Committee; Historical and Cultural Society; and Ag Credit Roundtable.
- Commissioner Campbell attended meetings for Personnel Issues Committee; Solid Waste staff; FM Diversion Project; FM Diversion Authority Open House; Buffalo-Red River Watershed District; and attended the Red River Basin Conference.
- County Administrator Brian C. Berg attended meetings for Personnel Issues Committee; FM Diversion; and Lake 15 property issue; He met with Rep. Lien; attended a legislative hearing;

and attended the Red River Basin Conference. He commended the Board on their commitment to Moorhead Public Service's community solar garden.

ADJOURN

The meeting adjourned at 10:57 a.m.

Kevin Campbell, Chair, County Board of Commissioners

Brian C. Berg, County Administrator