

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 a.m., Tuesday, February 13, 2018

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, Grant Weyland, and Kevin Campbell. Others present: County Administrator Brian C. Berg, Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Colleen Eck.

APPROVAL OF AGENDA

On motion by Haney, seconded by Gross, and unanimously carried, the Board approved the agenda with one addition: Approval of Easement Agreement and Memorandum of Easement for BNSF Work in Glyndon.

AUTHORIZE AMENDMENT #4 FOR LEASE WITH DEPARTMENT OF PUBLIC SAFETY; DRIVER & VEHICLES SERVICES

By consent agenda, the Board approved Lease Amendment #4 with Department of Public Safety; Driver and Vehicle Services.

REQUEST FOR RESERVE FUNDS OF \$500 FOR LANDFILL CHECKING ACCOUNT

By consent agenda, the Board approved the request for \$500 in reserve funds for the landfill checking account.

AGREEMENT WITH SE HUMAN SERVICES OF ND FOR DETOX SERVICES

By consent agenda, the Board approved an agreement with Southeast Human Services of ND, providing compensation up to \$43,080 for detox services for 1-01-18 to 6-30-19.

APPLICATION FROM "THE 34" FOR NON-PROFIT GAMBLING TO INCLUDE BINGO AND RAFFLE

By consent agenda, the Board approved a non-profit gambling application (bingo and raffle) for "The 34."

GRANT AGREEMENT AND SOFTWARE PURCHASE FOR VOTING EQUIPMENT

By consent agenda, the Board approved a grant agreement and software purchase for voting equipment.

CITIZENS TO BE HEARD

Brian Brunette asked to address the Board with concerns related to governing the lots in Lake 15 Sunset Beach Subdivision. He noted 35 feet of property was taken from his family. He also brought up safety concerns with drinking water and septic tanks, and mentioned the Natural Resource Block Grant. He is researching the responsibilities of the Environmental Protection Agency, Watershed District, and Shoreland Management.

Commissioner Mongeau and County Administrator Brian Berg commented they are well aware of Mr. Brunette’s concerns, having addressed these concerns with him during special meetings, as well as having staff assigned to investigate the situation at the Lake 15 subdivision.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Weyland, seconded by Gross, and unanimously carried, the bills and vouchers (totaling \$676,432.35 from 146 vendors) were approved for payment. From that total, 120 warrants issued were under \$2,000 (\$45,232.72); and the following 26 warrants issued were over \$2,000:

Clay County Highway Dept.	93,069.87	Xcel Energy	12,640.23
Otter Tail Public Health	67,551.24	Department of Corrections	8,680.00
Moorhead Public Service	47,219.36	Pomp's Tire Service, Inc.	8,011.59
Becker County Public Health	46,568.70	West Central Initiative	8,000.00
Michael J Burns Architects	41,835.20	Nitzkowski, Inc.	5,425.79
Clay Co Public Health	36,622.82	Verizon (380522891)	5,175.74
Historical & Cultural Society - Clay Co	35,581.82	Douglas County Jail	4,950.00
ESRI, Inc	35,000.00	Dakota Plains Mechanical, Inc.	4,812.12
Prairie Lakes Municipal Solid Waste	29,750.00	Solutions, Inc.	3,064.54
Sabo/Cherie	25,136.00	Ramsey County Med Exam	2,820.00
Otis Elevator, Inc.	24,507.53	Chiller Systems, Inc.	2,525.00
Wilkin Co Public Health	16,434.95	City of Moorhead	2,217.78
MEnD Correctional Care, LLC	16,326.63	MN IT Services	2,040.00

ADOPTION OF RESOLUTION SUPPORTING PROPOSED HEARTLAND TRAIL BONDING BILL

Brian C. Berg, County Administrator, presented the resolution which asks the State Legislature for funds to help support the Clay County Heartland Trail.

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

RESOLUTION 2018-7

Whereas, the Board of Commissioners is the duly elected governing body for Clay County, MN and is responsible for the planning and development of a county-wide infrastructure including certain trail facilities; and

Whereas, the Clay County Board of Commissioners designated the Clay County Heartland Trail Task Force on May 6th, 2014; and

Whereas, the Clay County Heartland Trail Task Force is responsible for coordinating, planning, engineering, and seeking funding of the proposed Heartland Trail serving Clay County; and

Whereas, the Minnesota State Legislature, in Minnesota Statutes, Section 85.015, Subdivision 12, authorized the extension of the Heartland Trail from Park Rapids, MN to Moorhead, MN in 2006; and

Whereas, in June 2011 the Minnesota Department of Natural Resources (DNR) completed and approved the Heartland State Trail Extension Master Plan permitting further development of the trail; and

Whereas, the development of the Heartland Trail within Clay County provides for the benefit of its citizens and visitors and provides multimodal options for travel and recreation within and through the County; and

Whereas, the development of the Heartland Trail is consistent with local master, comprehensive and long-range transportation plans; now

Therefore, Be It Resolved, that the Clay County Board of Commissioners requests that the Minnesota State Legislature include \$500,000 to the proposed 2018 Heartland Trail Minnesota State Bonding Bill to assist with funding of needed predesign and design costs for the Clay County Heartland Trail.

ANNUAL DEPARTMENT UPDATE – VETERANS SERVICES

Curt Cannon, Veterans Services Officer, provided an overview of 2017 in the Veterans Service Office. He commented his staff and volunteers are honored to serve the 3,250 veterans residing in the County. They have worked especially hard to take care of homeless veterans in the County. The department has no service fees. The Commissioners extended their appreciation to the Veterans Service Officer as well as his staff and volunteers.

ANNUAL DEPARTMENT UPDATE – SOLID WASTE MANAGEMENT

Kirk Rosenberger, Solid Waste Manager, was present with an overview of solid waste activities and highlights from the past year. Electronic recycling continues to be a very active program. Solid Waste is awaiting legislative funding for a new transfer station, Household Hazardous Waste facility, and recycling facility. Efforts and planning continue to establish a local single-sort Materials Recovery Facility (MRF). Future solid waste options and incentives were also touched upon. Tipping fees at the landfill were recently revised from volume-based to weight-based. The Solid Waste Service Charge for residents has stayed the same since 2006.

BID OPENING – CSAH 9 PAVING PROJECT

Dave Overbo, County Engineer, received five electronic bids and opened two paper bids for the County State Aid Highway 9 paving project. The Engineer's estimate for the project was \$2,401,186.05.

On motion by Weyland, seconded by Gross, and unanimously carried, the Board approved the low bid from R.J. Zavoral & Sons for \$1,802,450.32 for the CSAH 9 paving project.

APPROVAL OF LETTER OF SUPPORT FOR GLYNDON RAILROAD QUIET ZONE

On motion by Gross, seconded by Campbell, and unanimously carried, the Board endorsed a letter of support, advocated by Overbo, to the Mayor of Glyndon to proceed with establishing a Glyndon railroad quiet zone.

ADDITION: APPROVAL OF EASEMENT AGREEMENT AND MEMORANDUM FOR BNSF WORK IN GLYNDON

Overbo presented the background material for a permanent easement in Glyndon that will include new railroad gates and sidewalks in Glyndon.

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board approved an easement agreement and memorandum for easement for BNSF Railroad work in the City of Glyndon.

Overbo distributed handouts for the local road improvement program projects that were selected.

UPDATE ON CORRECTIONAL FACILITY AND LAW ENFORCEMENT CENTER

Danielle Reid and Matt Keenan, Klein McCarthy Architects, were present via telecom. Ben Matson, Construction Engineers, provided images of the housing pods, indoor\outdoor rec room, behavioral health area, and mezzanines of the new Correctional Facility. Each 70-square foot cell has its own plumbing, heating, and electronic controls; accessible with passageways. Images of the new Law Enforcement Center encompassed the garage, elevations of the building, exterior brickwork and installation of windows. Workers have also begun painting and both projects are tracking on schedule.

Matson noted he could conduct a couple tours during the first week of March for Moorhead Business Association members who are interested in seeing the progress at new Law Enforcement Center and Correctional Facility.

PRESENTATION OF WEST CENTRAL REGIONAL JUVENILE CENTER (WCRJC) EXPANSION PROJECT

Brian C. Berg, County Administrator; Stephen Larson, Juvenile Detention Director; Rhonda Porter, Social Services Director; and Lori J. Johnson, Auditor-Treasurer, were present for this item. The Juvenile Center was constructed in 1996 thru bonding and will undergo an expansion and remodeling project this year. Several committees, with Commissioners' in attendance, have worked diligently to address the increased needs for juvenile housing, services, and programming. This expansion project will keep our juveniles local which is beneficial for them and for the social workers assigned to them. The need for transitional housing and additional classrooms are part of the expansion plan.

The secure unit at the Juvenile Center operates with an 11-County consortium of partners with Cass County North Dakota the most recent partner. Cass County has agreed to pay \$2.5 million for construction and remodeling, insuring adequate space for Cass County's future juvenile placement needs. All 11 Counties have now signed twenty-year contract commitments for the secure unit which will be expanded to 65 beds. The non-secure unit, expanding to 33 beds, is to board and care for Clay County juveniles. Other Counties will be given the opportunity to utilize non-secure beds if available. The Department of Corrections regulates the staffing needs for the facility. The facility will stay 100% operational thru the project.

A Juvenile Detention bond issue at \$7.3 million, with 3.45% interest, would allow \$4,003,575 million for the secure unit and \$3,296,426 million for the non-secure unit. The estimates from Construction Engineers are \$6.366 million for the secure unit and \$3.183 million for the non-secure unit. The next step is for Construction Engineers to seek bids (by April 1) and then obtain approval of a guaranteed maximum price for the project.

APPROVAL OF AGREEMENT WITH CASS COUNTY FOR ACCEPTANCE OF \$2.5 MILLION TOWARD WCRJC

Brian C. Berg and Stephen Larson requested approval of an agreement for Cass County to pay \$2.5 million toward the Juvenile Center project.

On motion by Campbell, seconded by Weyland, and unanimously approved, the Board approved an agreement with Cass County, North Dakota for acceptance of \$2.5 million toward the West Central Regional Juvenile Center.

INFORMATIONAL: 11-COUNTY COOPERATIVE SERVICE AGREEMENT FOR WCRJC

Brian C. Berg and Stephen Larson presented documentation of the 11-County Cooperative Service Agreement that was approved in December.

APPROVAL TO ACCEPT BID(S) FOR CORRECTIONAL FACILITY & LAW ENFORCEMENT CENTER FURNITURE PACKAGE

Brian C. Berg, along with Danielle Reid, Klein McCarthy, provided the bid tabulation and recommendations for the Law Enforcement furniture package. The bids were taken for six categories of furnishing needs, and were opened at the last Board meeting.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved bids from Reardons Office Equipment for Categories A, E, and F; Coopers Office Supply for Category B; and Hannaher's, Inc. for Categories C and D; with a total of \$316,616.45; and allowing standard protocol for any change orders.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Weyland attended meetings for Juvenile Center Project; FM Diversion Authority - Special Closed Session; and Beyond the Yellow Ribbon.
- Commissioner Campbell attended meetings for Juvenile Center Project and FM Diversion Authority - Special Closed Session.
- Commissioner Haney attended a Soil and Water Conservation Board meeting.
- Commissioner Gross attended a Dilworth Planning Commission meeting. He also commented on half-cent sales tax revenues being over projections.
- Commissioner Mongeau attended meetings with Representative Marquart; Soil and Water Conservation District, MetroCOG Executive; and Lakeland Mental Health.
- Brian C. Berg attended meetings for Juvenile Center Project and FM Diversion. He also attended FEMA training.

The meeting adjourned at 10:55 a.m.

Jenny Mongeau, Chair, County Board of Commissioners

Brian C. Berg, County Administrator