

# CLAY COUNTY BOARD OF COMMISSIONERS

8:30 a.m., Tuesday, February 20, 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 and Senior Administrative Assistant Colleen Eck.

### APPROVAL OF AGENDA

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board approved the agenda.

### CITIZENS TO BE HEARD

Brian Brunette asked to address the Board as a Clay County citizen. He brought up a Natural Resource Block Grant and asked how those funds are spent. He also brought up septic system inspections and land ownership issues. Brian Berg, County Administrator, and Tim Magnusson, Planning Director, helped to provide information to him.

### APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Campbell, seconded by Gross, and unanimously carried, the bills and vouchers (totaling \$1,072,918.77 from 133 vendors) were approved for payment. From that total, 83 warrants issued were under \$2,000 (\$29,759.82); and the following 50 warrants issued were over \$2,000:

Anjaam Holdings, LLC	2,591.40
Becker County Public Health	11,876.00
CDW Government, Inc	4,282.96
CHS Credit Card Dept. (Enviro)	3,865.15
City of Fargo	82,008.64
Clay Co Public Health	31,375.97
En Pointe Technologies, LLC	127,281.92
Farmers Coop Oil Co	3,032.46
FirstLink	5,000.00
Holiday Credit Office	3,459.34
Kandiyohi Co Sheriff's Office	63,342.79
MN.IT Services	2,100.00
North Point Geographic Solutions	3,352.50

Otter Tail Public Health	42,738.40
Reliance Telephone	3,000.00
The Retrofit Companies, Inc.	4,575.28
Town & Country Oil, Inc.	2,366.89
Treas Of Alliance Twsp	18,919.24
Treas Of Barnesville Twsp	17,436.62
Treas Of Cromwell Twsp	24,368.37
Treas Of Eglon Twsp	30,090.58
Treas Of Elkton Twsp	27,450.98
Treas Of Elmwood Twsp	21,798.52
Treas Of Felton Twsp	19,371.50
Treas of Flowing Twsp	16,236.03
Treas Of Georgetown Twsp	21,914.34

Treas Of Glyndon Twsp	14,587.85
Treas Of Goose Prairie Twsp.	18,525.53
Treas Of Hagen Twsp	15,792.72
Treas Of Hawley Twsp	25,575.05
Treas Of Highland Grove Twsp.	24,479.90
Treas Of Holy Cross Twsp	15,866.60
Treas Of Humboldt Twsp	20,189.17
Treas Of Keene Twsp	16,489.50
Treas Of Kragnes Twsp	23,187.38
Treas Of Kurtz Twsp	24,154.12
Treas Of Moland Twp	18,957.03
Treas Of Moorhead Twsp	11,405.51
Treas Of Morken Twsp	24,990.99

Treas Of Oakport Twsp	23,272.06
Treas Of Parke Twsp	24,569.13
Treas Of Riverton Twsp	19,776.13
Treas Of Skree Twsp	18,822.63
Treas Of Spring Prairie Twsp	18,634.36
Treas Of Tansem Twsp	20,724.53
Treas Of Ulen Twsp	20,044.25
Treas Of Viding Twsp	22,116.38
Wilkin Co Jail	4,866.87
Wright County Jail Admin	4,675.00
Xcel Energy	17,620.38

**APPROVAL OF MINUTES FROM FEBRUARY 6, 2018**

On motion by Haney, seconded by Weyland, and unanimously carried, the Board approved the Minutes from February 6, 2018.

**REQUEST TO FILL VACANCIES FOR OFFICE SUPPORT SPECIALIST POSITION AND A FINANCIAL WORKER DUE TO RETIREMENTS**

Rhonda Porter, Social Services Director, and Larry Young, Income Maintenance Supervisor, presented two requests to fill new vacancies in Social Services.

On motion by Weyland, seconded by Haney, and unanimously carried, the Board approved filling a vacancy for an Office Support Specialist and to backfill positions as necessary.

On motion by Haney, seconded by Gross, and unanimously carried, the Board approved filling the vacancy for a Financial Worker and to backfill positions as necessary.

**RECORDER’S ANNUAL DEPARTMENT UPDATE**

DiAnn Streifel, Recorder, provided an annual update from the Recorder’s Office. The office operates with a staff of four to review and record all County vitals and real estate transactions. They function as the local issuance office for the State of Minnesota and are monitored by the State. Their fees are also mandated by the State.

Commissioner Gross commented on the helpful staff in the Recorder’s Office.

**ASSESSOR’S ANNUAL DEPARTMENT UPDATE/SET DATE FOR 2018 BOARD OF APPEAL AND EQUALIZATION**

Nancy Gunderson, Assessor, provided the annual update from the Assessor's Office. She noted that Planning and Zoning staff recently relocated to the Assessor's office suite and are getting settled. On February 1 there was additional data and history added to the Recorder's website. Gunderson reviewed the minor changes in values and ratios for tillable and residential properties for Assessment 2018. She requested setting a date for the 2018 Board of Appeal and Equalization meeting.

On motion by Weyland, seconded by Gross, and unanimously carried, the Board approved scheduling the 2018 County Board of Appeal and Equalization meeting for 6:30 p.m., Tuesday, June 12, 2018.

The assessment fees were increase by .25 in August 2017. Gunderson suggested an additional .25 to the established rate every other year thru 2027.

On motion by Haney, seconded by Weyland, and unanimously carried, the Board approved increasing assessment fees by .25 every other year thru 2027.

**ADOPTION OF RESOLUTION(S) - BUFFALO RED RIVER WATERSHED DISTRICT 2018 TAX PETITIONS**

Bruce Albright, BRRWD Administrator; Jay Leitch, BRRWD Board Chair; and Mark Anderson, BRRWD Treasurer, were present to request adoption of two resolutions for 2018 tax petitions. They are currently working on three major projects. They have been successful in finding grants and obtaining funding. One Watershed One Plan will also be providing funds to the Watershed District.

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

**RESOLUTION 2018-10  
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 (2018) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$650,797) 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 ring dikes, retention studies, development of the One Watershed, One Plan (1W1P), 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 2018, as discussed at their August 28, 2017, annual budget hearing.

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

**RESOLUTION 2018-11**  
**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 (2018) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$500,000) 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 costs associated with the restoration and construction of Project No. 79, Wolverton Creek Restoration.

**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 2018, as discussed at their August 28, 2017, annual budget hearing.

**ADOPTION OF RESOLUTION SUPPORTING MOTOR VEHICLE LICENSE BUREAU**

Brian C. Berg, County Administrator, Lori J. Johnson, Auditor-Treasurer, Sheryl Grandbois, Motor Vehicle Supervisor, relayed information to the Commissioners regarding extensive issues with the updated State computer system. The inefficiencies have caused the renewal process to take longer, customers to be inconvenienced, and revenues that cannot be collected. The department has had to issue some permits which are only good for 60 days. Updates, fixes, and work-arounds are occurring daily and have led to more problems. Commissioner Mongeau commented on the phenomenal job the County Motor Vehicle staff are doing while working thru these issues. There was consensus that the State needs to be responsible for the local losses. A resolution was brought forth for approval.

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

**RESOLUTION 2018-8**  
**RESOLUTION SUPPORTING THE MAINTENANCE**  
**OF LOCAL LICENSE BUREAUS**

**WHEREAS**, the State of Minnesota established a deputy registrar network to provide our citizens with motor vehicle titling and registration services, including driver license transactions; and,

**WHEREAS**, deputy registrars are required to operate as agents on behalf of the State of Minnesota without compensation from the State for the services they offer; and,

**WHEREAS**, in 1949, the State of Minnesota established in statute a user-based filing fee on motor vehicle and driver license transactions to be retained by the deputy registrar to defray all their costs to provide this localized service to our citizens for the State; and,

**WHEREAS**, the State of Minnesota now receives over \$1 billion annually in state fees and taxes collected through the deputy registrar network; and,

**WHEREAS, the State of Minnesota has now shifted substantial clerical and auditing responsibilities onto the deputy registrar network due to the State’s conversion to their new MNLARS (Minnesota Licensing and Registration System) program; and,**

**WHEREAS, the new MNLARS regimen is now documented to have multiple shortcomings which have severely strained normal deputy registrar operations with longer processing times that greatly limit their typical volume of daily business; and,**

**WHEREAS, other MNLARS shortcomings have frequently forced deputies to conduct “no-(filing) fee” services for customers which acerbates the deputy business model; and,**

**WHEREAS, deputy registrar offices are now forced to invest in additional staff, office equipment, and more space to meet customer demand due to the MNLARS conversion; and,**

**WHEREAS, the filing fee revenue no longer covers the operational costs to maintain deputy registrar offices such that many local government-based deputies are seeking local property tax subsidies and private operators are applying for lines of credit to stave off complete closure,**

**NOW, THEREFORE, BE IT RESOLVED that Clay County calls upon the State Legislature and our Governor to enact legislation in 2018 to provide deputy registrars with proper compensation by reallocating from existing state fee structures or other appropriate filing fee adjustments to ensure their valued service and continued presence remains in our local community to serve our citizens and the State.**

#### **DISCUSSION OF PERCENTAGE ADJUSTMENT TO 2018 VARIABLE HOUR GRID – SECURE AND NON-SECURE VARIABLE HOUR POSITIONS**

Stephen Larson, Juvenile Detention Director, stated this is the second part of the two-year wage adjustment plan brought to the Board last year. This increase would bring variable hour employees from 65% to 72% of the full-time employees. The increase is included in the 2018 budget. The purpose is to help with recruitment and retention of variable hour positions at the Juvenile Center.

On motion by Weyland, seconded by Haney, and unanimously carried, the Board approved the requested percentage adjustment to the 2018 variable hour grid for secure and non-secure positions at the Juvenile Center.

#### **APPROVAL OF ANNUAL TOWNSHIP MAINTENANCE CONTRACT NUMBERS FOR 2018-2019**

Dave Overbo, County Engineer, and Lee Beaudry, Highway staff, asked for approval of the annual township maintenance contract. Using a five-year average, the proposed contract is set at \$767/mile.

On motion by Gross, seconded by Campbell, and unanimously carried, the Board approved the 2018-2019 annual township maintenance contract for \$767/mile.

#### **ADOPTION OF RESOLUTION(S) FOR 2018–2022 DEFICIENT BRIDGE PRIORITIZATION (COUNTY & TOWNSHIP)**

Overbo addressed the updated bridge prioritization replacement list and resolution. They have inspected the bridges on County and Township roads and have met with township officials as needed regarding bridge safety, eliminations, and replacements.

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

**RESOLUTION 2018-12  
AMENDING COUNTY BRIDGE PRIORITIZATION REPLACEMENT LIST**

**WHEREAS, Clay County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal supplied by local citizenry and local units of government; and**

**WHEREAS, Clay County has identified those bridges that are high priority and has previously established a list of those that require replacement, rehabilitation, or removal; and**

**WHEREAS, the following additional bridges have since been identified as also requiring replacement, rehabilitation, or removal;**

**NOW, THEREFORE BE IT RESOLVED that the following deficient bridges are added to the list of high priority bridges and Clay County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available,**

<u>Bridge No.</u>	<u>Road No.</u>	<u>Estimated Project Cost</u>	<u>Federal Funds</u>	<u>Local Funds</u>	<u>Bond Funds Needed</u>	<u>Proposed Const. Year</u>
L-8355	CSAH 12	150,000			150,000	2018
1078	CSAH 1	120,000			120,000	2018
4489	Co.Rd.100	90,000		10,000	80,000	2018
90841	Co.Rd. 68	100,000		10,000	90,000	2018
4785	CSAH 2	150,000			150,000	2018
90833	Co.Rd. 93	100,000		10,000	90,000	2018
90899	CSAH 21	120,000			120,000	2019
92445	Co.Rd. 68	750,000		50,000	700,000	2019
90836	Co.Rd. 68	90,000		10,000	80,000	2020
90916	CSAH 37	90,000			90,000	2020
90865	CSAH 10	150,000			150,000	2021
90869	CSAH 17	150,000			150,000	2021
92440	CSAH 14	1,000,000		100,000	900,000	2022
1897	CSAH 19	120,000			120,000	2022
4490	Co.Rd.100	90,000		10,000	80,000	2022
4491	Co.Rd.100	100,000		10,000	90,000	2022
90882	Co.Rd. 69	90,000		10,000	80,000	2022
90887	Co.Rd. 69	100,000		10,000	90,000	2022

**FURTHERMORE, Clay County does hereby request authorization to replace, rehabilitate, or remove such bridges.**

On motion by Campbell, seconded by Haney, and unanimously carried, the Board adopted the following resolution for Township bridges:

**RESOLUTION 2018-13  
AMENDING TOWNSHIP BRIDGE PRIORITIZATION REPLACEMENT LIST**

**WHEREAS, Clay County has reviewed the pertinent data on bridges requiring replacement, rehabilitation, or removal supplied by local citizenry and local units of government; and**

**WHEREAS, Clay County has identified those bridges that are high priority and has previously established a list of those that require replacement, rehabilitation, or removal; and**

**WHEREAS, the following additional bridges have since been identified as also requiring replacement, rehabilitation, or removal;**

NOW, THEREFORE BE IT RESOLVED that the following deficient bridges are added to the list of high priority bridges and Clay County intends to replace, rehabilitate, or remove these bridges as soon as possible when funds are available,

<u>Bridge No.</u> <u>Year</u>	<u>Road</u>	<u>County</u> <u>Br. No.</u>	<u>Estimated</u> <u>Project Cost</u>	<u>Federal</u> <u>Funds</u>	<u>Local</u> <u>Funds</u>	<u>Town Bridge</u> <u>Funds</u>	<u>Const.</u>
L-8348 Eliminate	T-240	EL-35N	200,000		5,000	195,000	2018-
L-9845	T-26	MK-22NA	100,000		10,000	90,000	2019
L-8334	T-310	EK-33W	150,000		8,000	142,000	2019
96964	T-73	GP-12NB	100,000		10,000	90,000	2019
L-8294	T-155	FE-28WC	75,000		5,000	70,000	2020
L-8988	T-262	AL-22N	650,000		20,000	630,000	2020
1850 Eliminate	T-183	UL-20W	25,000			25,000	2021-
L-8275 Eliminate	T-76	KN-15N	25,000			25,000	2021-
L-8296	T-215	EL-16W	750,000		20,000	730,000	2021
L-8247	T-131	OP-5W	100,000		10,000	90,000	2021
4644	T-25	BA-25W	100,000		5,000	95,000	2021
L-8228	T-131	GL-16N	750,000		10,000	740,000	2022
3863	T-29	BA-12S	140,000		5,000	135,000	2022
L-8358	T-243	EK-32S	100,000		10,000	90,000	2022
L-8286	T-148	MK-23W	120,000		10,000	110,000	2022
L8359	T-243	BA-4N	100,000		10,000	90,000	2022

FURTHERMORE, Clay County does hereby request authorization to replace, rehabilitate, or remove such bridges; and

FURTHERMORE, Clay County does hereby request financial assistance with eligible approach grading and engineering costs on township bridges, as provided by law.

**ADOPT RESOLUTION TO REIMBURSE CITIES FOR MONEY SPENT ON CITY STREETS - 2017**

Overbo reviewed the formula for reimbursement to Cities for work done on non-State Aid City streets and for County roads within the City of Moorhead.

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

**RESOLUTION 2018-9**

IT IS HEREBY RESOLVED, by the Clay County Board of Commissioners that the Clay County Auditor-Treasurer shall reimburse the municipality of the City of Moorhead, a city of the second class in the State of Minnesota, for all monies expended by that government body for the establishing, locating, constructing, improving and maintaining of any County Highway or County State Aid Highway including those within the corporate limits of the City of Moorhead, Clay County, Minnesota. However, the monies expended directly by Clay County for the establishing, location, construction or improvement or maintenance of any County Highway or County State Aid Highway within the corporate limits of the City of Moorhead during the year 2017 shall be deducted prior to the reimbursement of any monies to the City of Moorhead as set forth above.

FURTHER, IT IS HEREBY RESOLVED that the City of Moorhead shall certify to the County Highway Engineer the location and the purpose for which said monies were expended and that the said monies were expended during the 2017 annual year. Monies shall not exceed \$364,719.96 and unexpended monies shall be encumbered.

FURTHER, IT IS HEREBY RESOLVED, that the following Cities be reimbursed for money spent on City Streets for 2017 in the following amount:

City of Barnesville	\$8,477.42
City of Comstock	378.36
City of Dilworth	25,013.82
City of Felton	613.73
City of Georgetown	328.39
City of Glyndon	4,774.86
City of Hawley	9,798.64
City of Hitterdal	540.15
City of Sabin	2,238.10
City of Ulen	2,142.89
TOTAL	\$54,306.36

**COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS**

- Commissioner Weyland attended meetings for Greater FM Economic Development Corp; Clay County Seniors; and Solid Waste Manager.
- Commissioner Campbell attended meetings for Highway Tracking Committee and Townships Maintenance Agreement.
- Commissioner Haney attended an Early Childhood Initiative meeting.
- Commissioner Gross attended meetings for Highway Tracking; Wild Rice Watershed Board; Drug Court; Highway Tracking; and Soil and Water Conservation District Open House.
- Commissioner Mongeau attended a MetroCOG meeting; Drug Court; Soil and Water Open House; and followed-up on an item from Planning & Zoning and Brian Brunette’s issues at Lake 15.
- Brian C. Berg attended meetings for Transportation; Highway Tracking; Sales Tax Summary on Website; AMC Policy Committee; Highway Tracking; Central Administration Manager; Township RE: Highway; Human Resources RE: Managers Training; FM Diversion (on phone); Construction Engineers RE: Change Orders; and brought up Training for Shooter Situations.

The meeting adjourned at 10:05 a.m.



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Jenny Mongeau, Chair, County Board of Commissioners

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Brian C. Berg, County Administrator