

**CLAY COUNTY BOARD OF COMMISSIONERS**

8:30 a.m., Tuesday, June 19, 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, Kevin Campbell, and Grant Weyland. Others present: County Administrator Brian C. Berg, Assistant County Attorney Jenny Samarzja, and Sr. Administrative Assistant Colleen Eck

**CALL TO ORDER**

Chair Mongeau called the meeting to order.

**APPROVAL OF AGENDA**

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

**LEASES FOR FAMILY HEALTHCARE DENTAL**

By consent agenda, the Board approved the leases for Family Healthcare Dental in the Family Service Center.

**APPROVAL OF LIQUOR LICENSE FOR *THE SANCTUARY***

By consent agenda, the Board approved the liquor license for *The Sanctuary*.

**CITIZENS TO BE HEARD**

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

**APPROVAL OF PAYMENT OF BILLS AND VOUCHERS**

On motion by Haney, seconded by Campbell, and unanimously carried, the bills and vouchers (totaling \$2,431,204.12 from 120 vendors) were approved for payment. From that total, 91 warrants issued were under \$2,000 (\$27,639.36); and the following 29 warrants issued were over \$2,000:

Construction Engineers, Inc.	828,956.85	Klein Mccarthy & Co. Ltd	26,631.71
Ulteig	79,868.83	Turner Sand & Gravel, Inc.	22,104.63
Kandiyohi Co. Sheriff's Office	65,130.45	City of Moorhead	18,470.80
Moorhead Public Service	48,809.18	L & M Road Services, LLC	13,789.05
Tri-County Community Corrections	30,820.15	American Solutions For Business	13,681.15

Pace Analytical Services, Inc.	13,365.00	Department of Corrections	5,250.00
The Retrofit Companies, Inc.	12,599.13	Xcel Energy	3,759.37
Election Systems & Software, Inc.	12,107.41	Holiday Credit Office	3,732.23
Summit Food Service, LLC - WCRJC	10,485.35	Code 4 Services, Inc.	3,478.75
City of Fargo	9,009.00	Visions Psychological & Therapeutic	3,172.00
White Earth RTC	8,636.00	Lenovo, Inc.	2,798.00
Veolia ES Technical Solutions, LLC	6,475.97	High Point Networks, LLC	2,392.00
Crow Wing County Sheriff's Office	6,341.26	MN IT Services	2,100.00
Mn State Auditor	5,591.25	Richard/Bruce	2,000.00

**RECOGNITION OF DONATIONS TO RESTORATIVE JUSTICE PROGRAM**

Donations to Restorative Justice Program: C. Dobos \$35; S. Natal \$38; and P. Hanson \$34.

**SUPPORT FOR PROPOSED DISPOSITION OF PUBLIC HOUSING - ULEN, HAWLEY, DILWORTH; APPROVAL OF ENVIRONMENTAL REVIEWS FOR DISPOSITION OF SAID UNITS; and FIVE-YEAR CAPITAL FUND PLAN**

Dara Lee, HRA Executive Director, was present with requests of support and approval for the Housing and Redevelopment Authority of Clay County. The HRA has created the Clay County Affordable Housing, LLC, which would accept the transfer of 12 duplexes in Ulen, Hawley, and Dilworth from the HRA. The current tenants would all be allowed to remain in the units with no more than 30% of their income going toward rent. They have conducted tenant meetings and found the tenants were comfortable with the change. The HRA would take over the utilities on the units. The change would reduce administrative burdens. Lee also asked for approval of the environmental reviews for the housing units. The HRA will conduct their final public hearing on their five-year capital fund plan at 10:00 this morning.

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board approved a letter of support for the disposition of public housing units in Ulen, Hawley, and Dilworth.

On motion by Campbell, seconded by Gross, and unanimously carried, the Board approved the environmental reviews for disposition of said housing units and approved HRA's five-year capital fund plan.

**REQUEST TO FILL VACANCY FOR SOCIAL WORKER IN CHILD PROTECTION / CHILD WELFARE SERVICES UNIT**

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board approved the request from Rhonda Porter, Social Services Director, to fill a vacancy for a Social Worker in Child Protection & Child Welfare Services Unit.

**ANNUAL UPDATE FROM HISTORICAL AND CULTURAL SOCIETY OF CLAY COUNTY**

Maureen Kelly Jonason, Executive Director, presented highlights of the year from the Historical and Cultural Society of Clay County including the exhibits and cultural festivals. They had a challenging year with the road closure; but the large exhibitions: “Saint John’s Bible” and “Wet and Dry: Alcohol in Clay County” were successful in boosting the facility’s annual attendance. The organization became more financially stable over the past year. They look forward to participating in Clay County’s 150<sup>th</sup> anniversary in 2022.

Markus Krueger, Programing Director, announced the Scandinavian and Viking festival this coming weekend. He presented the Felix Battles Project and noted they have succeeded in raising funds toward the creation of a life-size statue of this prominent pioneer of the Red River Valley.

**PUBLIC HEARING - INTENT TO AMEND ZONING DISTRICT**

On motion by Weyland, seconded by Gross, and unanimously carried, the public hearing was opened.

Tim Magnusson, Planning Director, stated the intent of the request from Allen Otterson is to remove the Urban Expansion District Tier 1 (UED1) overlay zoning from a 3.12-acre parcel, leaving the zoning as Highway Commercial (HC). This would allow the applicant to apply for a Conditional Use Permit to construct a commercial storage building on the site. Currently, there is a Quonset with an office on the site. The property is adjacent to the City of Moorhead and Moorhead Planning was informed of the request. The Planning Commission heard the request on May 15 and recommended approval of the rezoning.

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

On motion by Gross, seconded by Haney, and unanimously approved, the Board approved the petition for rezoning (removing UED1 overlay district) with the following resolution:

**RESOLUTION 2018-25  
PETITION FOR REZONING**

**WHEREAS, a petition was filed to effectuate the rezoning of the following described real property: PIN 21.029.4308, located in the SW ¼ of SE ¼ Section 29, T139N, R48W (Moorhead Township); and**

**WHEREAS, the above described property is presently zoning Highway Commercial (HC) with Urban Expansion District Tier 1 (UED-1) overlay district; and**

**WHEREAS, the Clay County Planning Commission conducted a hearing on the requested rezoning on May 15, 2018 and recommended to the Clay County Board of Commissioners that a re-zoning to remove the UED-1 overly should be approved; and**

**WHEREAS, the Clay County Board of Commissioners conducted a hearing on the requested rezoning on June 19, 2018, and considered the effect of the proposed use, burden on public utilities, relationship to overall needs of the County, consistency with purpose of the development code and comprehensive plan of the County; and circumstances relating to public investment in utilities;**

**NOW THEREFORE, BE IT RESOLVED, that the following described property be rezoned to remove the UED-1 overlay district, which rezoning shall be effective as of June 19, 2017;**

**BE IT FURTHER RESOLVED, that the official Clay County Zoning Map be amended to reflect this rezoning.**

#### **AUTHORIZATION TO PURCHASE CUSTODIAL AND BUILDING MAINTENANCE EQUIPMENT**

Georgia Beaudry, Building Manager; and Joe Olson, Maintenance Supervisor, proposed a list of equipment that will be needed for custodial and building maintenance for the new Law Enforcement Center and Correctional Facility. The equipment totals \$88,193.44, and would be taken from the Furniture, Fixtures, and Equipment (FF&E) Budget.

On motion by Weyland, seconded by Haney, and unanimously approved, the Board approved the request to purchase custodial and building maintenance equipment for the Correctional Facility and Law Enforcement Center.

#### **REQUEST TO REPLACE SIDEWALK ON SOUTHSIDE OF FAMILY SERVICE CENTER**

Joe Olson stated the Campus Improvement Committee recently met and addressed the need to replace an old stretch of sidewalk and parking lot area along the southside of the Family Service Center. Olson also requested adding sidewalk along the south end of the power plant to address some safety issues. He obtained two quotes for the project with the lowest coming from Opatril Concrete Construction for \$40,440. The project could be scheduled for August.

On motion by Weyland, seconded by Gross, and unanimously carried, the Board approved replacing a stretch of sidewalk and parking lot area along the southside of the FSC and adding sidewalk along the southside of the power plant.

#### **APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) WITH CITY OF HAWLEY FOR CSAH 33 RECONSTRUCTION PROJECT**

David Overbo, County Engineer; and Eric Hove, Assistant Engineer, presented an MOU between the County and the City of Hawley for a 2021 Reconstruction Project for CSAH 33. The MOU defines the roles and responsibilities of the County and the City of Hawley for the project, and received a favorable response from the Highway Tracking Committee.

On motion by Campbell, seconded by Gross, and unanimously carried, the Board approved the Memorandum of Understanding (MOU) with City of Hawley for the CSAH 33 Reconstruction Project.

**REQUEST TO FILL VACANCIES FOR TWO SUPERVISOR POSITIONS FOR PUBLIC HEALTH**

Kathy McKay, Public Health Director, requested filling two director positions in Public Health, with some potential savings in the budget and some internal interest in both areas: Health Promotion Director and Financial Director.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved filling the vacancy for the Health Promotion Director position and to backfill positions as necessary.

On motion by Gross, seconded by Weyland, and unanimously carried, the Board approved filling an upcoming vacancy for the Financial Director position and to backfill positions as necessary.

**REQUEST APPROVAL TO CONTRACT FOR TEMPORARY PLANNING & ZONING SERVICES**

Brian Berg stated the Planning and Zoning Director will be retiring at the end of June. Until that position can be filled, there are day-to-day applications and permits that need to be managed. Commissioner Mongeau was part of a small committee that met to evaluate the direction of the Planning and Zoning office. Commissioner Campbell added that this is an opportune time to look at more user-friendly ideas. The Personnel Issues Committee (PIC) will also address this vacancy at an upcoming meeting. Any concerns or ideas the Commissioners have on the situation should be forwarded to PIC. Berg suggested contracting with one of the consulting companies for temporary services until more discussion can be had to address the needs of the office and the opportunities for improvement.

On motion by Weyland, seconded by Haney, and unanimously carried, the Board approved the request to contract for temporary Planning & Zoning services.

**ANNUAL UPDATE FROM WEST CENTRAL INITIATIVE**

Greg Wagner, Business and Economic Development Director; and Tom McSparron, Director of Community Philanthropy were present to provide the Board with an annual update from West Central Initiative. Commissioner Gross serves on the West Central Initiative Committee.

Wagner provided a five-year economic development snapshot of Clay County. He touched on the population and increased diversity with in-migration. The County currently has 9% minority groups. Employment and average wages have increased, but the poverty rate has stayed at 12%. Retail is the only area that shows a decrease which goes with the national trend.

McSparron provided a letter from President/CEO Anna Wasescha thanking the Board for their commitment to the agency and asking for continued support. Changes in their staff include Jill Amundson who was hired as their new associate planner; Tom McSparron who will be retiring; and Rebecca Peterson who will fill the role of Director of Community Philanthropy.

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

- Commissioner Campbell attended meetings for Scheduling of Events for Correctional Facility and Law Enforcement Center (LEC); Juvenile Center Construction; Correctional Facility and LEC Construction Update; and AMC District 4.
- Commissioner Gross attended meetings for Spring Prairie Township; Wild Rice Watershed District; Elder Abuse; AMC District 4; and Highland Grove Township.
- Commissioner Haney attended a Board of Equalization meeting.
- Commissioner Weyland attended meetings for Scheduling of Events for Correctional Facility and Law Enforcement Center (LEC); Correctional Facility and LEC Construction Update; Beyond the Yellow Ribbon; West Central Area Agency on Aging; AMC District 4;
- Commissioner Mongeau attended meetings for County-owned property near Moorhead; Land Management Transition for Planning and Zoning; and an Elder Abuse Prevention Event.
- Brian C. Berg attended meetings for Planning and Zoning Office Needs; Juvenile Center Construction; Correctional Facility and LEC Construction Update; Scheduling of Events for Correctional Facility and LEC.

The meeting adjourned at 10:30 a.m.

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Jenny Mongeau, Chair, County Board of Commissioners

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Brian C. Berg, County Administrator