

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, May 14, 2013

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, Evert, Gross, Ingersoll, and Weyland. County Administrator Brian C. Berg and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Weyland, seconded by Gross, and unanimously carried, the agenda was approved with the addition of the ‘after the fact’ approval of an Application for an Exempt Permit for the Barnesville Lions Club raffle held on April 11, 2013.

APPROVAL OF COUNTY ABATEMENT REQUESTS

By consent agenda, the Board approved abatement applications totaling \$138 for Maurice Jensen, parcel #21.011.1401, payable 2012 and 2013, due to the fact that a building should have been removed from the assessment.

APPROVAL OF FAMILY SERVICE CENTER LEASE FOR FAMILY HEALTHCARE DENTAL

By consent agenda, the Board approved the Family HealthCare Dental’s lease in the Family Service Center for 2117 sq.ft., at \$3.20 sq.ft., for the period 7/1/13 to 6/30/14.

APPROVAL OF AGREEMENT FOR THE JOINT EXERCISE OF PEACE OFFICER DUTIES AND SWAT ADDENDUM

By consent agenda, the Board authorized execution of the amended agreement for the Joint Exercise of Peace Officer Duties and SWAT Addendum, which provides accurate insurance coverage information.

APPROVAL TO EXECUTE EDUCATIONAL AGREEMENT WITH IOWA STATE UNIVERSITY FOR DIETETIC INTERNSHIP STUDENTS

By consent agenda, the Board approved execution of a new agreement with Iowa State University for students to work with Clay County Public Health WIC staff, by providing supervised practice experiences for dietetic internship students.

APPROVAL TO SUPPORT APPLICATION TO HOST AN AMERICORPS MEMBER FOR PARTNERSHIP 4 HEALTH ACTIVE TRANSPORTATION ACTIVITIES

By consent agenda, the Board adopted the following resolution supporting an application to host an AmeriCorps member from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency for the 2013-2014 program year for PartnerSHIP 4 Health Active Transportation activities:

RESOLUTION 2013-27

WHEREAS, Clay County Public Health has applied to host an AmeriCorps member from the Minnesota GreenCorps, a program of the Minnesota Pollution Control Agency (MPCA), for the 2013-2014 program year; and

WHEREAS, if the MPCA selects Clay County Public Health, the organization committed to implementing the proposed project as described in the host site application, and in accordance with pre-scoped position description; and

WHEREAS, the MPCA requires that Clay County Public Health enter into a host site agreement with the MPCA that identifies the terms, conditions, roles and responsibilities;

BE IT RESOLVED THAT Clay County Public Health hereby agrees to enter into and sign a host site agreement with the MPCA to carry out the member activities specified therein and to comply with all of the terms, conditions, and matching provisions of the host site agreement.

CITIZENS TO BE HEARD

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

**UPDATE REGARDING GREATER F-M ECONOMIC DEVELOPMENT
CORPORATION ACTIVITIES**

Mr. James Gartin, President, Greater FM Economic Development Corporation (EDC), was present to update the County Board regarding activities of the EDC. The EDC staff has visited with primary sector businesses in an effort to strengthen relationships, and learned there is a need for additional highly trained employees. The staff is working towards returning to a traditional Economic Development model and will seek to improve work force development. Greater emphasis is being placed on involvement with the area colleges, K-12 school districts, and technical schools. Additional focus will also be placed on entrepreneurial development across Clay and Cass Counties.

**APPROVAL TO FILL FULL TIME JUVENILE COUNSELOR POSITION IN WEST CENTRAL
REGIONAL JUVENILE CENTER**

On motion by Weyland, seconded by Evert, and unanimously carried, the Board approved filling a Full Time Juvenile Counselor position which is vacant due to resignation.

**AFTER THE FACT APPROVAL OF APPLICATION FOR EXEMPT PERMIT FOR BARNESVILLE
LIONS CLUB RAFFLE ON APRIL 11, 2013**

On motion by Campbell, seconded by Gross, the Board approved an 'after the fact' application for an Exempt Permit for the Barnesville Lions Club raffle which was held on April 11, 2013. Commissioner Evert refrained from the vote due to his membership in the Barnesville Lions Club.

**APPROVAL TO HIRE SCHOOL RESOURCE OFFICER FOR ULEN-HITTERDAL
AND HAWLEY SCHOOLS**

Sheriff Bill Bergquist and Chief Deputy Matt Siiro were present to request hiring one Full Time Deputy Sheriff to allow for the placement of a Deputy as a School Resource Officer (SRO) in the Hawley and Ulen-Hitterdal Schools on a shared basis. These school districts are very supportive of the proposal and are willing to share funding with Clay County on a "student days" basis (1/3 each: SRO regular salary and benefits for 174 student days). During school breaks and summer, the SRO would be assigned as a uniformed patrol

deputy and placed into the patrol schedule. Chief Deputy Siiro reviewed the cost breakdown, including start-up costs, additional 2013 budget costs, and future funding.

Chief Deputy Siiro noted that the Sheriff's office had met with the school administrators regarding the possibility of a grant application. However, it was learned that the only eligible grantee would be the chief law enforcement agency for the school. The City of Hawley has its own Police Department and would have to independently apply for the grant. The City of Barnesville has funded a full-time SRO for their school for some time. Commissioner Gross inquired if the Dilworth Glyndon Felton School District has an SRO. Sheriff Bergquist responded that they do not.

Commissioner Campbell commented that he is supportive of the request, however, it is outside the normal budgeting process for 2014. He added that the request timeline is unique, in that in order to have the SRO in the schools by Fall, the process must be implemented at this time.

On motion by Evert, seconded by Weyland, and unanimously carried, the Board approved the assignment of one Deputy Sheriff to serve as a School Resource Officer split between the Hawley and Ulen-Hitterdal Public Schools; approved hiring a Full Time Deputy Sheriff in June 2013; and authorized execution of the Memorandum of Understanding for the School Resource Officer program.

MINNESOTA COUNTIES INTERGOVERNMENTAL TRUST MEMBER REPORT

Ms. Jane Hennagir, MCIT Risk Management Consultant, presented the Annual Report to Members, which depicts property and casualty claims, workers' compensation claims, and annual aggregate rate changes. Ms. Hennagir reminded the Board that its dividend for 2012 was \$483,695. She cautioned that the dividends in future years would likely be less due to the performance of MCIT's investments.

Ms. Hennagir reminded the Board of the various workshops and seminars hosted by MCIT for its members: Risk Management; Police Accredited Training Online (PATROL); Defensive Driving Training; Employee Assistance Program; etc.

APPROVAL OF STATE AID REGULAR CONSTRUCTION AND STATE AID MUNICIPAL CONSTRUCTION FUNDING RESOLUTIONS

County Engineer David Overbo informed the Board of the County's ability to advance funds from the Fiscal Year 2014 State Aid Regular Construction Account as well as the Municipal Construction Account. He requested the Board's approval of resolutions to advance these funds to be used in conjunction with the 2013 portion of the Bond proceeds for the various projects.

On motion by Campbell, seconded by Gross, the following resolution was unanimously adopted, approving a request for an Advance from the State Aid Municipal Construction Account:

RESOLUTION 2013-29

County State Aid Highway Funds Advance Resolution

WHEREAS, the County of Clay is planning to implement county State Aid Street Project(s) in 2013 which will require State Aid funds in excess of those available in its State Aid Municipal Construction Account, and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Municipal Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:
Account Balance as of 4/22/13: \$159,183.05; Less estimated disbursements:

Project #SAP 14-631-022	\$691,138.79
Project #SAP 14-633-016	\$650,464.29
TOTAL	\$1,341,603.08

Advance amount (amount in excess of account balance) \$224,539.00

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-served basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway Project(s) of the County of Clay in an amount up to \$224,539 in accordance with Minnesota Rules 8820.1500, Subd. 9. I hereby authorize repayments from subsequent accruals to the Municipal Construction Account of said County in accordance with the schedule herein indicated: Repayment from entire future year allocations until fully repaid.

On motion by Evert, seconded by Gross, the following resolution was unanimously adopted, approving a request for an Advance from the State Aid Regular Construction Account:

RESOLUTION 2013-28

COUNTY STATE AID HIGHWAY FUNDS ADVANCE RESOLUTION

WHEREAS, the County of Clay is planning to implement County State Aid Street Project(s) in 2013 which will require State Aid funds in excess of those available in its State Aid Regular Construction Account; and

WHEREAS, said County is prepared to proceed with the construction of said project(s) through the use of an advance from the County State Aid Construction Fund to supplement the available funds in their State Aid Regular Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:
Account Balance as of 4/22/13: \$228,155.87; Less estimated disbursements:

Project #SAP 14-602-028	\$1,202,277.00
Project #SAP 14-617-008	\$1,098,157.00
Project #SAP 14-631-023	\$1,489,135.00
Project #SAP 14-631-022	\$691,138.79
Project #SAP 14-633-016	\$650,464.29
TOTAL	\$5,131,172.08

Advance amount (amount in excess of account balance) \$2,650,000.

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.08, Subd. 5 & 7 and Minnesota Rules, Chapter 8820, and

WHEREAS, the County acknowledges advance funds are released on a first-come-first-served basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED, That the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved County State Aid Highway

Project(s) of the County of Clay in an amount up to \$2,400,000 in accordance with Minnesota Rules 8820.1500, Subd. 9. I hereby authorize repayments from subsequent accruals to the Regular/Municipal Construction Account of said County in accordance with the schedule herein indicated: Repayment from entire future year allocations until fully repaid.

APPROVAL TO REPLACE EIGHT MOTOR GRADERS VIA MN STATE BID LIST

County Engineer David Overbo requested the Board's approval to replace eight Motor Graders via the MN State Bid List. He proposes to sell or trade-in nine existing units. Mr. Overbo felt now is an opportune time to replace the motor graders due to upcoming emissions control requirements (saving \$200,000), and most of the units to be sold or traded-in will be out of warranty in 2014.

Mr. Overbo expects to take possession of six John Deere models (from RDO) and two Caterpillar models (from Butler Machinery) in 2014, for a total of approximately \$1,196,989.98 after trade-ins, tax, etc. Funds are available in the Internal Service Fund for this purchase, however, the payment to the Internal Service Fund will increase and/or the life of the machines will be extended.

The Highway Tracking Committee has reviewed this request and recommended County Board approval.

On motion by Evert, seconded by Gross, and unanimously carried, the Board approved the equipment purchase as described above.

APPROVAL OF ALTERNATE FOR GEORGETOWN STREET PROJECT

County Engineer David Overbo requested the Board's approval to identify/award the Alternate Bid (fabric, gravel and labor for parking lot at County shop) for the Georgetown Street project to the low bidder, Central Specialties, for their bid of \$11,235.30. Central Specialties was awarded the Base Bid for the project on April 2, 2013, in the amount of \$400,936.80, however, the Alternate amount was not identified.

On motion by Weyland, seconded by Evert, and unanimously carried, the Board awarded the Alternate for the Georgetown Street project to Central Specialties for their bid of \$11,235.30.

APPROVAL TO PAY BILLS AND VOUCHERS

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

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Weyland attended a meeting regarding staffing at the Juvenile Center, a Radio Users Committee Board meeting, and a Land of the Dancing Sky Area Agency on Aging meeting.

Commissioner Campbell attended meetings concerning staffing at the Juvenile Center, Highway Tracking, and FM Diversion project.

Commissioner Gross attended meetings of the Campus Improvement Committee, Soil & Water Conservation District, Buffalo Red River Watershed District, Hitterdal City Council and Highland Grove Township.

Commissioner Evert attended several meetings concerning the FM Diversion project.

Commissioner Ingersoll attended the Campus Improvement Committee meeting. County Administrator Brian C. Berg attended meetings of the Highway Tracking Committee, FM Diversion meetings, Campus Improvement committee. He reminded the Board of the AMC District IV meeting to be held June 7th in Alexandria. Mr. Berg shared with the Board a copy of the State Auditor's recently released County Finances Report.

ADJOURN

The meeting adjourned at 10:33 a.m.



Wayne Ingersoll, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator