

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, August 6, 2013

10:00 a.m.

County Board Room – 3rd Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session on Tuesday, August 6, 2013 with all Commissioners present: Campbell, Evert, Gross, Ingersoll and Weyland. County Administrator Brian C. Berg, Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Campbell, seconded by Weyland, and unanimously carried, the agenda was approved with the addition of: Request for out of state travel for Welfare Fraud Investigator to attend the National Welfare Fraud Conference in Des Moines, IA, September 9-13, 2013.

EMPLOYEE RECOGNITION

Ms. Fran Ladwig, Financial Assistance Specialist, Social Services, was recognized for her 25 years of service to Clay County.

CITIZENS TO BE HEARD – MR. JIM CASS, KNIFE RIVER MATERIALS

Mr. Jim Cass, Knife River Materials, requested the Board's consideration of a waiver of the requirements for Knife River's employees to locate their campers in a licensed campground. Mr. Cass explained that the crew is working on several Clay County road projects and expect to finish the first week in September. In previous years, the campers were located in the licensed campground area of the Western MN Steam Threshers site in Rollag. The Steam Threshers had given permission to the Knife River employees to use their site until August 20th. Twenty of the campers are located on Eric Aakre's property and six on Bruce Bang's property. Mr. Cass indicated he was unaware that a permit was required to temporarily put campers on private property. He added that a septic company comes to the sites weekly to remove solid waste/sewage. Water for the campers is provided by the land owners.

Planning & Environmental Programs Director Tim Magnusson informed the Board that the normal process would be for the Aakre's/Bang's to get interim permits through the Planning Commission, requiring advertisement, payment of an after-the-fact permit fee, etc. However, the next meeting of the Planning Commission to accomplish this is September 17th, by which time the road project(s) should be complete, and the properties vacated.

Mr. Magnusson's recommendation was that given the short time frame, the campers be allowed to stay where they are; an after-the-fact permit fee (triple the usual permit fee) be charged; and the Environmental Health office be informed of the solid waste, water, and sewage arrangements for the camper/trailers.

Commissioner Campbell felt the after-the-fact permit fee was established for those instances of blatant disregard of the permitting requirements. He felt it would be difficult

to charge three times the fee when the company did not know of the permitting requirements. Commissioner Evert agreed and felt this is an entirely different situation.

Assistant County Attorney Jenny Samarzja noted that the permitting requirement falls to the Planning Commission's authority, however, the County Board has the authority to allow the camper/trailers to remain on the sites. She noted that tripling the permit fee is also at the County Board's discretion.

On motion by Weyland, seconded by Campbell, and unanimously carried, the County Board determined that the camper/trailers may stay at the Aakre/Bang sites until project completion.

On motion by Campbell, seconded by Evert, the Board determined that the fee for the interim permit will remain at \$200. Commissioner Ingersoll voted against the motion.

On motion by Evert, seconded by Campbell, and unanimously carried, the Board required Knife River to provide the Environmental Health office with data as to how the solid waste, sewage and water are being handled.

Commissioner Campbell felt the County's temporary permit policy should be reviewed, given the fact that the road projects would have been delayed if the Planning Commission's process for permitting a campsite would have been followed.

APPROVAL OF MINUTES

On motion by Weyland, seconded by Gross, and unanimously carried, the minutes of the meetings held July 16, 23, and 30, 2013, were approved as presented.

REQUEST OUT OF STATE TRAVEL FOR WELFARE FRAUD INVESTIGATOR TO ATTEND NATIONAL WELFARE FRAUD CONFERENCE

On motion by Evert, seconded by Gross, and unanimously carried, the Board approved out of state travel for Welfare Fraud Investigator Jim Backlund to attend the National Welfare Fraud Conference in Des Moines, IA, September 9-13, 2013.

COUNTY SURVEYOR BRIAN RITTENHOUSE - 2014 BUDGET DISCUSSION

County Surveyor Brian Rittenhouse and his associate, Durham Snider, presented an update concerning survey work in Clay County. Thirty-nine new monuments have been found, and 78 of 101 new Corner Certificates have been recorded. The 2013 budget of \$40,000 was exhausted by April, however, they continue to comply with information requests and updating County files.

Mr. Snider indicated that their plan with respect to monuments is to concentrate on the major highway corridors, continue working with the Highway Department concerning road construction, and update the GIS and Highway Department as the volume of change occurs.

Mr. Rittenhouse announced that he would be retiring at the end of the year, with his associates buying the business. He will remain with the company for consulting purposes for a period of time.

REQUEST BY CITY OF BARNESVILLE/BARNESVILLE EDA TO WAIVE LATE FEES, INTEREST AND PENALTIES ON A PARCEL IN BARNESVILLE AS PART OF A HOUSING REDEVELOPMENT PLAN

Barnesville Economic Development Authority Executive Director Karen Lauer was present to request that the late fees, interest, and penalties on Parcel 50.575.2350 be waived as part of a redevelopment plan to demolish several homes in an area close to downtown and create new senior housing in Barnesville.

On motion by Evert, seconded by Campbell, and unanimously carried, the Board waived \$8071.14 in penalties and interest (County share: \$453,58; City of Barnesville share: \$7617.56).

APPROVAL OF GUARANTEE WITH ROCKLAND POWER PARTNERS FOR LAKESWIND WINDTOWER PROJECT

County Engineer David Overbo requested the Board's authorization to execute a guarantee document in connection with the Lakeswind Windtower Project. The Guarantee protects the County for up to \$237,840 in potential damage to County and Township roads used during the tower construction project. Assistant County Attorney Jenny Samarzja indicated that the guarantee is different than a bond, and she will research the method of acquiring the guaranteed funds if it is necessary.

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board authorized execution of the Guarantee with Rockland Power Partners for the Lakeswind Windtower project as described above.

COMMUNICATION FROM MSUM RE: LIBERTY BELL DISPLAY

County Administrator Brian Berg presented a communication from Mr. Jeff Goebel, Physical Plant Manager at Minnesota State University Moorhead, seeking the County Board's interest in a long term loan of a liberty bell exhibit to be displayed at the Courthouse. MSUM representatives felt the Courthouse would provide more visibility and a new audience for the liberty bell.

On motion by Gross, seconded by Campbell, and unanimously carried, the Board agreed to accept MSUM's offer for the liberty bell to be displayed at the Courthouse.

2014 BUDGET UPDATE/DISCUSSION

County Administrator Brian Berg informed the Board that a \$1 million reduction is required in the increases that have been proposed for the 2014 levy. All department heads have been requested to review their requests. Several external agencies will make presentations to the County Board.

Mr. Berg reported that the County Program Aid increase is \$527,000 (rather than the expected \$500,000). The Minnesota Counties Intergovernmental Trust dividend is \$328,615. The 2014 Clay County contribution to the FM Diversion Flood Study is \$95,000 (rather than the \$145,000 included in the proposed budget request). The employee health insurance premium increase for 2014 will be available in mid-August, and a 5-15% increase is expected.

APPROVAL TO PAY BILLS AND VOUCHERS

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

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Weyland attended the State Auditor's exit meeting for the 2012 audit, and the Personnel Issues Committee meeting.

Commissioner Gross attended the Extension Committee's meeting regarding the hiring process for the 4-H Coordinator and the Ulen Township Board meeting.

Commissioner Evert attended the Basin Commission Conference Planning meeting, AMC Board meeting, and announced that Ms. Julie Ring has been named the new Executive Director of AMC. Commissioner Evert advised that he would be absent August 13, 2013.

Commissioner Ingersoll attended the State Auditor's exit meeting and the Personnel Issues Committee meeting.

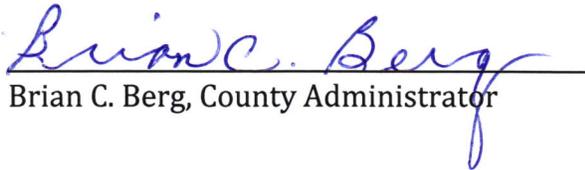
County Administrator Brian Berg attended meetings concerning the State Auditor's Exit Audit, Personnel evaluations, Management Committee, FM Flood Diversion, New Employee Orientation, Buffalo River Race Park, and Personnel Issues Committee.

ADJOURN

The meeting adjourned at 11:15 a.m.



Wayne Ingersoll, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator