

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, October 15, 2013

9:30 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, Assistant County Attorney Jenny Samarzja, and Senior Administrator 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: Request from the City of Dilworth to discuss Law Enforcement services.

APPROVAL TO ACCEPT DONATIONS FROM WESTERN MN STEAM THRESHERS REUNION

By consent agenda, the Board accepted donations from the Western MN Steam Threshers Reunion as follows: \$500 for Clay County Sheriff's Posse and \$500 for the Clay County Jail Work Detail.

APPROVAL TO RENEW FOOD CONTRACT WITH A'VIANDS FOR JAIL, DETOX AND JUVENILE CENTER

By consent agenda, the Board approved renewal of the food service contract with A'viands for the Jail, Detox, and Juvenile Center (Amendment Number Five), effective January 1, 2014, for a rate of \$2.14/per meal.

CITIZENS TO BE HEARD

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

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Campbell, seconded by Evert, and unanimously carried, the Board approved payment of the bills and vouchers.

REVIEW/ADOPT POLICY RE: USE OF COUNTY OWNED PROPERTY

Planning & Environmental Programs Director Tim Magnusson reminded the Board that a substantial amount of property has been acquired by the County through State and Federal flood buyouts. Land acquired by the County needs to remain in public ownership and available to the general public for their use. The County Owned Property Committee has proposed the adoption of the following policies until an ordinance is developed:

- 1) All county owned property is open to the general public for their use, unless otherwise posted, in accordance with policies adopted by the Clay County Board of Commissioners;
- 2) Hunting on County owned property shall be allowed in accordance with hunting regulations on public land as promulgated by the Minnesota DNR;

- 3) No permanent stand and or structure, for hunting or any other use, shall be placed or constructed on County owned land and temporary stands placed on County owned property are not allowed to remain overnight and shall be removed at the end of the day;
- 4) No motorized vehicular traffic shall be allowed on County owned property;
- 5) Recreational camping on County property is allowed but is limited to no more than 5 consecutive days;
- 6) Recreational fires may be allowed but no fire shall be larger than three (3) feet in diameter and any recreational fire shall be continually attended by an individual until said fire is extinguished or it has completed burned out;
- 7) Newly seeded sites on County owned property shall be posted as such and no foot traffic shall be allowed until a vegetative cover has been established.

With respect to activities deemed to be a nuisance to neighbors, the Sheriff's Office has the authority to prohibit what may be inappropriate. Mr. Magnusson noted that recently, landowners have posted County land which is adjacent to theirs for "No Hunting", and this is not allowed.

On motion by Evert, seconded by Campbell, and unanimously carried, the above mentioned policies were adopted by the County Board.

Further discussion took place regarding commercial bee keepers who have placed their colony structures on County land. With the knowledge that County owned property cannot be used for personal gain, the Sheriff will seek removal of the structures. It was also noted that some properties may have to be gated to alleviate motorized vehicle traffic.

On motion by Evert, seconded by Gross, and unanimously carried, the Board added the following verbiage to the policy: **Permanent/temporary structures for bee hives may not be located on County property.**

SINGLE LOT PLAT APPROVAL

Planning & Environmental Programs Director Tim Magnusson informed the Board that Lakeswind Power Partners has requested to create a one-lot plat for an electrical substation for the Lakeswind Power project. The lot is .86 acre in size, with easement access onto 280th Street South, located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Parke Township. The Planning Commission has approved the request with the following conditions: (single lot plat is required because it is commercial use rather than agricultural).

- 1) Final plat drawings must meet all federal, state, and local requirements before being presented to the County Board of Commissioners.
- 2) Permanent easement for access to the site will be allowed.

On motion by Evert, seconded by Campbell, and unanimously carried the Board approved the single lot plat as proposed with the conditions specified by the Planning Commission.

NEW PUBLIC DISCLOSURE REQUIREMENTS FOR COUNTY COMMISSIONERS

County Administrator Brian C. Berg distributed new Campaign Finance and Public Officials Laws, as amended by the 2013 Legislature, which are applicable to County

Commissioners. A new requirement, effective after a commissioner's next election, necessitates the filing of a statement of economic interest.

REQUEST FROM CITY OF DILWORTH TO DISCUSS LAW ENFORCEMENT SERVICES

County Administrator Brian C. Berg informed the Board that the City of Dilworth has requested Clay County officials to be part of a discussion concerning law enforcement services for the City. Currently, with the resignation of the previous Dilworth City Police Chief, an Acting Police Chief is managing the department. The City is exploring options for management of the Police Department, to include hiring a Police Chief or entering into an agreement for the Sheriff's Department to take over management of the department.

On motion by Campbell, seconded by Evert, and unanimously carried, Commissioners Gross and Weyland were appointed to an ad hoc committee, with payment of per diem, to meet with City of Dilworth and other Clay County officials to discuss the available options for management of the City of Dilworth Police Department.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Campbell attended the Joint Powers Committee meeting.

Commissioner Weyland attended the Minnesota Rural Counties Caucus and Personnel Issues Committee meetings.

Commissioner Gross attended the Soil & Water Conservation District meeting.

Commissioner Evert attended FM Diversion meetings. He toured the recycling and transfer station in Otter Tail County.

Commissioner Ingersoll attended meetings of the Clay County Collaborative Governance committee and Personnel Issues Committee.

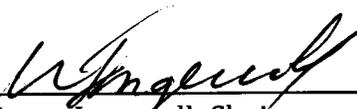
County Administrator Brian C. Berg reported on meetings concerning Central Administration staff, FM Chamber of Commerce, Management Committee, a tour of the Solid Waste/Recycling and Transfer station in Otter Tail County, Personnel Issues Committee, and FM Diversion meetings.

Mr. Berg informed the Board that Jerry Waller will be resigning from the Agassiz Recreational Trail Board effective December 31, 2013.

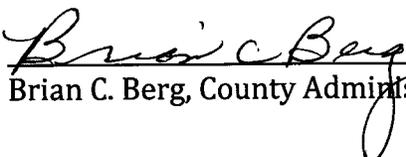
Assistant County Attorney Jenny Samarzja informed the Board that she had recently met with representatives of Minnesota Counties Intergovernmental Trust.

ADJOURN

The meeting adjourned at 10:15 a.m.



Wayne Ingersoll, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator