

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 A.M., TUESDAY, JANUARY 11, 2022

Rooms A/B, 3rd Floor, Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Jenna Kahly, Jenny Mongeau, Kevin Campbell, David Ebinger, and Frank Gross. Others present: County Administrator Stephen Larson, County Attorney Brian Melton, and Sr. Administrative Asst. Colleen Eck.

CALL TO ORDER

Chair Mongeau called the meeting to order at 8:30 a.m.

APPROVAL OF AGENDA

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda.

CITIZENS TO BE HEARD

There were no citizens who wished to be heard.

APPROVAL OF MINUTES

On motion by Commissioner Kahly, seconded by Commissioner Campbell, and unanimously carried, the Board approved the minutes from December 21, 2021.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Kahly, seconded by Commissioner Gross, and unanimously carried, the Board approved the payment of bills and vouchers totaling \$1,576,334 from 116 vendors. From that total, 84 warrants issued were under \$2,000 (\$42,385) and the following 32 were over \$2,000:

MN Counties Intergovernmental Trust	\$800,875	Houston Engineering, Inc.	\$11,941
Hough, Inc	\$338,975	Verizon	\$ 7,983
West Central Regional Juvenile Center	\$ 62,767	Nitzkorski, Inc.	\$ 7,024
Advanced Engineering & Environmental	\$ 42,000	City of Fargo	\$ 6,174
ESRI, Inc.	\$ 35,078	Farmers Co-op Oil Co	\$ 5,533
MN Counties Computer Co-op	\$ 30,341	Sabin C Store	\$ 5,141
JT Lawn Service	\$ 28,360	MN Management & Budget	\$ 5,000
MEnD Correctional Care, LLC	\$ 25,698	Moorhead Public Service	\$ 4,853
Asso. of MN Counties	\$ 23,945	WEX Bank	\$ 4,788
Rick Electric, Inc.	\$ 18,947	Chiller Systems, Inc.	\$ 3,780
Clay Co Public Health	\$ 18,100	Barnesville C-Store	\$ 3,391
Metro Cog	\$ 15,104	Sanford Health	\$ 3,099
T & T Tile, LLC	\$ 15,000	Stellar Services, LLC	\$ 3,097
Bison Plains Lodge	\$ 14,100	The MN Transportation Alliance, Inc.	\$ 2,745
Halvorson/Derrick	\$ 13,105	Clay County Sheriff's Office	\$ 2,500
Veolia North America	\$ 12,069	Tysver/Charles & Ivy	\$ 2,410

RECOGNITION OF DONATION FROM HITTERDAL AREA LIONS TO SHERIFF'S K-9 PROGRAM

The Hitterdal Area Lions were recognized for their donation to the Sheriff's K-9 Program.

COVID-19 UPDATE

Kathy McKay, Clay County Public Health (CCPH) Director, and her staff presented the weekly COVID-19 update. As of yesterday, there was a jump to 737 active cases reported in Clay County; 46,809 active cases throughout Minnesota; 1,172 in Cass County; and 3,860 throughout North Dakota. Total COVID-19 cases in Clay County are at 13,931. The transmission level throughout the state remains high. The age groups with the highest cases remain consistent. One additional death in Clay County brings that total to 114.

Ms. Schmidt presented the current hospitalization data and noted that hospital bed availability is still a concern. The number of breakthrough cases, following full vaccination, are 4.85% of the total cases. Ms. Hennen stated that 68% of the Minnesota population, five and over, have been fully vaccinated for COVID-19. A total of 1,806,548 (over half) have also received the booster. CCPH has administered a total of 18,792 vaccine doses. The upcoming vaccine clinic days and times were announced.

Commissioner Kahly noted that nearly all the numbers have doubled and there will be challenging weeks ahead. The City of Fargo discussed a mask mandate at their meeting yesterday but voted it down due to addressing compliance issues. Currently, masks are strongly recommended and required for those who are not vaccinated because of their risk.

Ms. Hennen noted that 1,806 were tested at the Moorhead vault site last week and the positivity rate was 13.29%. There have been delays and they have been overwhelmed at that site. Ms. McKay has reached out to the MN Department of Health about increasing the days and hours, especially earlier in the day, at the vault site and was told they could not add more hours at this time. The testing site in Fargo has been overwhelmed as well and wants to focus on the ND residents.

Mongeau addressed the upcoming OSHA Vaccination and Testing Emergency Temporary Standard. The County has asked all employees for their vaccination statuses. If someone has not been vaccinated and/or does not respond to the request, they may need to be tested weekly and to wear masks. Human Resources is working on a policy. They reported that out of 617 employees, 527 have submitted the vaccination forms; 448 (85%) are fully vaccinated; 70 are not vaccinated; and nine are partially vaccinated. Commissioner Kahly noted concern with the public coming into County spaces without a masking requirement. Joe Olson stated the FSC meeting rooms have plexiglass panels available to use when distancing at meetings cannot be maintained. Public Health and Social Services' meetings are either remote or they are requiring masks.

A motion was made by Commissioner Kahly and seconded by Commissioner Ebinger to require masks in all public spaces in Clay County buildings where spacing cannot be maintained. Motion failed with four nay votes.

FINAL REVIEW/APPROVAL OF COMMISSIONERS' 2022 COMMITTEE APPOINTMENTS

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board reviewed and approved the 2022 Committee Appointments. The appointments will be updated on the County website.

REQUEST TO PURCHASE ROLL-OFF CONTAINERS AND TRANSFER TRAILERS FOR NEW TRANSFER STATION

Solid Waste Manager Kirk Rosenberger brought forth requests for 10 roll-off containers totaling \$81,500; two new trailers for \$104,323.54 each; and retrofitting a third trailer for \$10,930.59. He noted he was not able to locate any used equipment. If ordered now, the equipment would be available in September or October. Material from the transfer station will be loaded into transfer trailers and brought to the landfill or the Perham facility. They currently have one transfer trailer that can be retrofit.

Commissioner Campbell reviewed the process of hauling material and questioned the need for three trailers for transportation. Mr. Rosenberger noted that the semi-tractor trailers that go to Perham are different than the trailers that go to the landfill. Typically, they make two trips to the Perham facility each day, but that could increase with the size of the tipping floor. The contractual obligation with Perham is for 8,400 tons. Mr. Rosenberger stated the County would be well-served with three trailers and the resale value is good on the trailers. He would like one trailer available to load while one trailer is on the road.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the purchase of 10 roll-off containers for a total of \$81,500.

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and carried with one nay vote by Commissioner Mongeau, the Board approved the purchase of one new trailer for \$104,323.54 and one retrofit trailer for \$10,930.59.

REQUEST TO FILL VACANCY FOR JUVENILE WORKER IN SECURE UNIT

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the request from James O’Donnell to fill a vacancy for a Juvenile Worker in the secure unit, with backfill if needed.

BID OPENING – POWER PLANT GENERATOR PROJECT

Joe Olson advertised for the Power Plant Generator Project and received three paper bids. The power plant serves the Family Service Center, Correctional Facility, Juvenile Center, and the power plant. A 10% bid bond was required. They will also need to replace the door that will be removed to get the old generator out of the building for approximately \$20,000. The engineer’s estimate for the project was \$275,000. The following bonds were opened:

- Bergstrom Electric: bid bond, insurance, license, \$409,986
- Magnum Electric: bid bond, insurance, license, \$394,860
- Rick’s Electric: bid bond, insurance, license, \$345,000

The prices have jumped significantly over the last six months. The goal is to get something ordered and lock in the price. Mr. Olson will review the bids and bring his recommendation to the next Board meeting.

REQUEST TO MOVE FORWARD WITH FIRE DETECTION PANEL PROJECT

Mr. Olson stated he advertised and received two quotes for the Fire Detection Panel Project in the courthouse. He has done a walk through with both contractors who submitted the quote. The quote of \$22,850 from Johnson Controls was significantly lower than the second quote.

On motion by Commissioner Kahly, seconded by Commissioner Campbell, and unanimously carried, the Board approved the quote of \$22,850 from Johnson Controls for the Fire Detection Panel Project in the courthouse.

OPEN BIDS / APPROVAL OF LOW BID FOR CSAH 1 GRADING AND BRIDGE REPLACEMENT FOR SAP 014-601-007

County Engineer David Overbo and Assistant Engineer Justin Sorum were present with three requests for the Highway Department. The first request is to open bids for a 2-mile grading project in Oakport Township, widening that stretch of road to 12-foot lanes and 4-foot shoulders, and improving the drainage. The plan is for paving it in 2023. A 5% bid bond was required. The engineer's estimate is \$1,312,139.75 and eight electronic bids were received:

- Central Specialties: 5% bid bond, \$1,445,985.70
- Dennis Drewes: bid bond, \$1,143,991.85
- Gladen Construction, Inc: bid bond, \$1,251,067.85
- Hough, Inc: bid bond, \$1,646,377.85
- Midwest Contracting LLC: bid bond, \$1,309,428.00
- Riley Bros Construction: bid bond, \$1,518,626.70
- R.J. Zavoral & Sons: bid bond, \$1,284,918.15
- Sellin Brothers, Inc: bid bond, \$1,446,488.00

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board approved the low bid from Dennis Drewes for CSAH 1 Grading and Bridge Replacement (SAP 014-601-007) for \$1,143,991.85 based on no errors in the bid packet.

APPROVAL OF FINAL CONTRACT VOUCHER FOR CENTRAL SPECIALTIES, INC. FOR SAP 014-606-009

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the Final Contract Voucher for the Mill & Overlay project on CSAH 6 (SAP 014-606-009) for \$407,176.58.

APPROVAL OF THE FINAL CONTRACT VOUCHER FOR GLADEN CONSTRUCTION FOR SAP 014-598-069, SP 014-598-070, SP 014-598-071, SP 014-598-075, SP 014-598-076, SP 014-621-008

Gladen Construction submitted a final contract voucher for six box culvert replacement projects. Funding will come from Federal BROS funding; bridge bonding, local funding, and CSAH funds. The final voucher came in 3% over the bid.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher for Gladen Construction for SAP 014-598-069 in the amount of \$159,589.55.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher for Gladen Construction for SP014-598-070 in the amount of \$154,963.87.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher for Gladen Construction for SP 014-598-071 in the amount of \$187,758.32.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher for Gladen Construction for SP 014-598-075 in the amount of \$97,417.37.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher for Gladen Construction for SP 014-598-076 in the amount of \$76,329.53.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher for Gladen Construction for SP 014-621-008 in the amount of \$229,722.32.

MORTENSON REQUEST FOR REZONING IN GOOSE PRAIRIE TWP – CONTINUED

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board tabled the item for an additional week to allow further review.

APPROVAL TO MOVE ADMINISTRATIVE ASSISTANT POSITION FROM .5 TO 1.0 FTE

Veteran’s Service Officer Curt Cannon requested moving the Administrative Assistant position from .5 to 1.0 FTE. The request received support from the Personnel Issues Committee. The number of volunteers in the Veteran’s Service Office has dropped from 17 down to 9, mainly due to COVID and age.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request to change the Administrative Assistant position in the Veteran’s Service Office from .5 to 1.0 FTE starting on January 31, 2022.

APPROVAL FOR OUT-OF-STATE TRAVEL FOR NATIONAL TRAINING IN SAN ANTONIO

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved out-of-state travel for the Veteran’s Service Officer to attend National Training in San Antonio in June 2022.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Kahly reported on meetings for Adult Mental Health Local Advisory Council and Children’s Mental Health Local Advisory Council.
- Commissioner Gross reported on a Mn Rural Counties Caucus meeting.
- Commissioner Campbell reported on meetings for Red River Valley Dispatch; FM Diversion Authority Executive Board; and Resource Recovery Facility Construction Update.
- Commissioner Ebinger reported on meetings for Dispatch Committee and FM Diversion Authority Finance.
- Commissioner Mongeau reported on meetings for Mn Rural Counties Caucus and MetroCOG Executive. She extended gratitude to the Law Enforcement staff for Law Enforcement Appreciation Day that was January 9th.
- County Administrator Larson reported on meetings with HR and Public Health; IT Director; Bargaining Unit; Otter Tail County Administrator; Clay County Recorder; OSHA webinar; Planning Director Re: Comprehensive Plan; Dan Mahli Re: shared issues; and closed on the former DMV property.

The meeting was adjourned at 10:10 a.m.

Jenny Mongeau, Chair
County Board of Commissioners

Stephen Larson, County Administrator