

## CLAY COUNTY BOARD OF COMMISSIONERS

8:30 A.M., TUESDAY, JANUARY 15, 2019

County Board Room, 3rd Floor, Courthouse

### MINUTES

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Grant Weyland, Frank Gross, Jim Haney and Kevin Campbell. Commissioner Jenny Mongeau was absent. Others present: County Administrator Stephen Larson, Assistant County Attorney Steven Beitelspacher, and Administrative Assistant Rita Rueckert.

Chair Weyland called the meeting to order.

#### APPROVAL OF AGENDA

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

#### 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 Campbell, seconded by Haney, and unanimously carried, the Board approved bills and vouchers totaling \$578,590 from 145 vendors for payment. From that total, 115 warrants issued were under \$2,000 (\$41,085) and the following 30 warrants issued were over \$2,000:

Buffalo-Red River Watershed	224,751	Key Contracting, Inc.	5,110
Treasurer-Wild Rice Watershed	70,906	Asso. of MN Counties	5,000
MAVO Systems Inc.	26,579	FirstLink	5,000
Prairie Lakes Solid Waste Auth.	24,600	Express Lane - Hawley	4,958
MN Counties Computer Coop	23,256	Petro Serve USA-Hwy	4,918
Clay Co Public Health	21,847	MN IT Services	4,200
Historical & Cultural Society	20,423	CDW Government, Inc	3,797
Pemberton, Sorlie, Rufer	15,226	Sanford Health	3,492
Mn Sheriffs' Asso.	12,619	FM Printing	3,202
Verizon	7,855	Holiday Credit Office	3,104
DLT Solutions LLC	7,375	Clay County Union	3,048
Otter Tail Public Health	7,360	Becker Co. Public Health	2,833
MidStates Wireless, Inc.	7,000	Anjaam Holdings, LLC	2,532
MN County Attorneys Asso.	6,464	Town & Country Oil, Inc.	2,464
American Welding & Gas Inc.	5,148	City of Moorhead	2,439

**APPROVAL OF MINUTES FROM DECEMBER 27, 2018**

On motion by Campbell, seconded by Haney, unanimously carried, the Board approved the minutes from December 27, 2018.

**RECOGNITION OF DONATION**

The Board recognized a \$200 donation from Baker-Downer Westminster Presbyterian Church for Clay County Sheriff's Office.

**REQUEST TO FILL VACANCIES FOR CHIEF ASSISTANT COUNTY ATTORNEY AND TWO ASSISTANT COUNTY ATTORNEYS**

Pam Foss, Acting County Attorney, requested to fill two attorney positions: the chief civil position which will be vacated the end of next week and a criminal position. There will be a second criminal position to be filled due to an attorney not making the probationary period. The position vacated by Attorney Duysen has been filled with a new attorney starting February 11. Foss plans to hire another temporary attorney to work up to 19 hours a week to assist with currently scheduled appeals and trials.

The civil position opening is on grade 25. The person leaving that position was at step 5. Foss requested approval to advertise for step 5 or step 6 to procure a candidate with experience. Foss indicated the current pay grades are not competitive with the neighboring counties.

On motion by Haney, seconded by Campbell, and unanimously carried, the Board approved posting the Chief Assistant Attorney - Civil position at step 6 on the salary grid.

On motion by Campbell, seconded by Haney, and unanimously carried, the Board approved posting the Assistant Attorney - Criminal position up to step 5 on the salary grid.

**DEPARTMENTAL UPDATE – SOIL AND WATER CONSERVATION DISTRICT**

Kevin Kassenborg presented the annual department update for the Soil and Water Conservation District (SWCD). He was accompanied by staff members Craig Halverson and Gabe Foltz. Halverson states County feedlot count is at 105. Their department sells 15,000 bare root trees annually with a cost share applied only to trees used as wind breaks. They own two tillers which they rent out. Foltz discussed the buffer laws, Agriculture Inspector position, and public drainage ditches. There is currently 98% compliant with the buffer laws along rivers, streams, and wetlands. The Buffalo-Red Watershed District has taken on enforcement of drainage ditches and will be purchasing easements to establish those buffers. The Wild Rice Watershed District has chosen to allow the SWCD for buffer enforcement. That district is currently 78% compliant. Kassenborg discussed a new snow fence project with MnDOT and the Agricultural Best Management Program which has a low interest loan program available to landowners, farmers, and ag businesses. A meeting was held with the County Assessor's office in December to help identify landowners with failing septic systems to utilize this program and use special assessments for repayment.

**REQUEST TO FILL VACANCY FOR FTE JUVENILE COUNSELOR IN THE SECURE PROGRAM**

James O'Donnell, Juvenile Detention Director, requested approval to fill a vacancy for a full-time

Juvenile Counselor in the Secure Program.

On motion by Gross, seconded by Haney, and unanimously carried, the Board approved request to fill a FT vacancy for a Juvenile Counselor in the Secure Program.

**REQUEST TO FILL VACANCY FOR MOTOR GRADER**

County Engineer David Overbo requested to fill a vacancy for a Motor Grader position in the Ulen district.

On motion by Haney, seconded by Campbell, and unanimously carried, the Board approved the request to fill a vacancy for a FT Motor Grader position, and to backfill positions as needed.

**REQUEST TO PURCHASE TANDEM AXLE TRUCK OFF MN STATE BID**

Overbo requested approval to purchase a tandem axle truck from the MN State Bid process. The request came before the Highway Committee. The funds would come from salvaging two older units and internal service funds. There are currently seven trucks with full-time operators and four trucks reserved for part-time snow plow operators. The trucks are rotated from full-time, to part-time, to decommissioned.

On motion by Campbell, seconded by Gross, and unanimously carried, the Board approved the request to purchase a tandem axle truck, box, hydraulics and plow equipment from the MN State Bid process.

**REQUEST APPROVAL FOR OUT-OF-STATE TRAVEL**

Overbo requested permission for Erik Hove and himself to attend National Technical Conference at Wichita, Kansas in April. The current plans are to drive and share travel expenses with Hubbard County personnel.

On motion by Gross, seconded by Haney, and unanimously carried, the Board approved out-of-state travel for David Overbo and Erik Hove to attend a national conference in Wichita, Kansas in April, with the stipulation that there is not a major flood event in Clay County at the time they leave for the conference.

**RECOMMENDATION FOR APPROVAL OF BISON RIDGE ESTATES SECOND AND THIRD SUBDIVISIONS**

Hali Durand, Planning Director, addressed the Board to obtain preliminary plat approval of Bison Ridge Estates Second Subdivision in Hawley Township. The Planning Commission has addressed this request and recommended it move forward to the County Board following the County Engineer's approval. The request meets the conditions of the County Development Code. The drainage plan, sewage treatment system plan, and Buffalo Red River Watershed District permits will be submitted following approval of this preliminary plat. FM Metrocog has acknowledged that accommodations have been made for the Heartland Trail. Hawley Township approved a Conditional Use Permit and has given preliminary plat approval.

On motion made by Gross, seconded by Campbell, and unanimously carried, the Board approved the

preliminary plat for Bison Ridge Second Subdivision.

Durand also presented documentation for Bison Ridge Estates Third Subdivision and requested approval of the preliminary plat. Lots 1 and 2 have been revised to accommodate the setbacks from a feedlot. The feedlot is unable to expand toward the subdivision due to natural barrier of a waterway separating the two parcels. The same permits will be submitted as Bison Ridge Estates Second Subdivision following preliminary plat approval.

On motion made by Gross, seconded by Haney, and unanimously carried, the Board approved the preliminary plat for Bison Ridge Third Subdivision.

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

- Commissioner Campbell attended meetings for Highway Tracking Committee; Lakes Country Service Coop; FM Diversion Authority Executive Committee; FM Diversion - MN Members; and Buffalo-Red River Watershed District.
- Commissioner Gross attended meetings for Highway Tracking; Wild Rice Watershed Board; MN Governor Inauguration Celebration in Moorhead; and attended Lakes & Prairies Open House.
- Commissioner Haney attended a SWCD meeting.
- Commissioner Weyland attended meetings for FM Diversion Authority; Buffalo-Red Watershed District; Mayor for City of Moorhead; and Attorney Office staffing issues.
- County Administrator Stephen Larson attended meetings for Highway Tracking, County Management; Strive for Excellence Committee; Buffer Strip Agreement; Personnel Issues Committee; Juvenile Center needs; FM Diversion Authority; and FM Diversion - MN Members; MN Governor Inauguration Celebration in Moorhead; and Buffalo-Red River Watershed District.

The meeting adjourned at 9:20 a.m.

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Grant Weyland, Chair, County Board of Commissioners

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Stephen Larson, County Administrator