

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 A.M., TUESDAY, JANUARY 26, 2021
Community Room, 3rd Floor, Courthouse
MINUTES

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

CALL TO ORDER

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

APPROVAL OF AGENDA

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

FILL VACANCY FOR DEPUTY AUDITOR IN REAL ESTATE

By consent, the Board approved filling a vacancy for a Deputy Auditor in Real Estate in the Auditor's Office.

ANNUAL COUNTY FEEDLOT OFFICER REPORT

By consent, the Board approved the annual County feedlot officer report. Chair Campbell commented that he would like more information provided for the new Commissioners on the County Feedlot Program at a future meeting.

CITIZENS TO BE HEARD

During this pandemic, citizens continue to have the opportunity to share feedback at Board meetings via website link. There were no citizens to be heard at this time.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved payment of bills and vouchers totaling \$519,358 from 72 vendors. From that total, 57 warrants issued were under \$2,000 (\$22,736) and the following 15 were over \$2,000:

Lakes Country Service Co-op	\$289,280	Overloaded Laundry Service, LLC	\$5,435
MN Counties Computer Co-op	\$57,391	Lakes Country Service Co-op	\$5,065
Buffalo Red River Watershed	\$42,023	Servpro of Fargo/Moorhead	\$4,109
Clay Trail Alliance	\$31,039	Ehlers	\$3,800
Clay Co Public Health	\$22,952	Xcel Energy	\$3,351
Lutheran Social Service of Mn	\$10,662	Marco Technologies LLC	\$3,025
Dept of Corrections	\$9,460	Town & Country Oil, Inc.	\$2,751
Network Cabling Services, Inc.	\$6,279		

APPROVAL OF MINUTES FROM JANUARY 12, 2021

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the minutes from January 12, 2021.

ANNUAL TREATMENT COURT UPDATE

Judge Michelle Lawson and Clay/Becker Treatment Court Coordinator Don Kautzmann greeted the Board and thanked them for their support of Treatment Court. Treatment Court consists of the Drug Court Program and Veteran's Court Program. The Veteran's Court numbers have been lower than anticipated but the impact is still there. The participants of the programs have been meeting via Zoom Meetings rather than in-person. They currently have 22 participants in the Drug Court Program. Tomorrow will be the 100th Drug Court Program Graduation. From the first 99 graduates, 98 were employed and one was a full-time student at the time they graduated. All the graduates had reached one-year sobriety and all who had child support payments were current on their payments. There have been 22 who have re-offended. There have been seven graduates from Veteran's Court which is a newer program.

The program expenses are near even but they lost some of their funding. The DOC supervision fees will not be contributed this year.

Commissioner Campbell stated he has been very supportive of the program and reiterated that 77 who graduated from the program have not re-offended. Eighty percent of the graduates have become productive citizens and have stayed out of jail. Commissioner Ebinger noted that this program is money well spent and is a very effective means to help people deal with their addictions. Commissioner Mongeau added that the program is an extension of the community's request for a Correctional Facility rather than just a jail to house them. She referred back to attending a drug court graduation, watching a young man tell his tough story and then later seeing him operating a business in the community. The graduations are powerful, and the program is very worthwhile. It is a hardcore program that requires a lot of responsibility. It reunites parents, children, friends, and many fractured relationships get mended. Not all Counties in MN have the support and leadership that Clay County has been afforded. Janelle Cheney from Probation could not be here, but sent a message of wholehearted support from the Probation Department for the program.

COVID-19 UPDATE

Public Health Director Kathy McKay provided the current numbers for COVID-19 cases. In Clay County there are 6,606 cumulative cases, 6,329 out of isolation, 84 deaths, 136 active cases, and the 14-day case rate is at 36.15, down from over 100. In Minnesota, there are 6,098 cumulative deaths and 455,783 cumulative cases. Currently, hospitalizations are manageable in Fargo and in Minnesota.

In Clay County, 2,204 residents have received one dose of vaccine; 302 people completed the vaccine series; and other Clay County residents who work in ND healthcare systems were vaccinated in ND. Clay County is still in Phase 1A and ND is in Phase 1B. Some state-wide data was also provided in handouts. The case investigators and contact tracers who were hired locally have managed many of the cases in Clay County. They were allowed to carry over funds for contact tracers from 2020 in the amount of \$88,362 toward the first quarter of 2021. Commissioner Kahly mentioned that she heard on MN Public Radio that students going back to school should be tested. The saliva testing site in Moorhead is still open for testing residents from both sides of the river. There is no cost to individuals, but insurance companies can be billed. Nursing Director Jamie Hennen stated that in-home testing kits can be ordered and used for students going back to the classrooms. She commented that Ms. McKay's leadership is assuring that the vaccines are getting out as soon as possible. They are scheduled by appointment only and are focusing on Phase 1A. Public Health has provided vaccines for Moorhead Sanford Clinic. The Clay County Public Health COVID-19 vaccination site can be reached on the County website or by calling 218-299-7204. Those who are 65 and over can register

for the random drawings for vaccines. Clay County has the capacity and nursing staff and continue to push for more vaccines locally.

UPDATE ON CLAY COUNTY BUSINESS RELIEF PROGRAM

County Administrator Stephen Larson stated that Clay County received 112 applicants for the Business Relief Program. This round of relief is for businesses that were directly impacted by the Governor's Executive Order for bars and restaurants to only be allowed to do take-out and delivery service. All of the applicants will be contacted and will also receive an email with information on what will be coming in the next couple weeks. A few applicants were clearly outside the parameters of the Governor's order.

Mr. Larson also updated the Board on the 50% refund for Clay County Food, Pool and Lodging Fees with a total of approximately \$75,000 to \$80,000.

RECOMMENDATION FOR APPOINTMENT AND UPDATE / POWERPOINT ON HOUSING REDEVELOPMENT AUTHORITY (HRA) PROGRAMS

Dara A. Lee, Executive Director for Clay County HRA was present with a request to appoint a new HRA Commissioner and to provide a program update. The open position was advertised locally, and a letter of interest was received from a very qualified resident, Tia Braseth. Dale Rollie and Ione Schultz have both completed 15 years of service on the HRA Board.

On motion by Commissioner Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board appointed Tia Braseth to a three-year term on the HRA Board of Commissioners.

Ms. Lee provided a PowerPoint presentation to provide the new Commissioners with background information on the HRA. They operate as a separate entity that was created by the County Board and have been in existence for 46 years. Their main purpose is to provide a sufficient supply of safe and sanitary housing and to address blighted areas. They also help to remedy the shortage of housing for low and moderate-income residents. They have partnered with Clay County on a number of projects and have contracts with Clay County Social Services. They have authority to levy local taxes. They are allowed a maximum levy of \$1,225,975 per year but have only levied a total of \$995,000 in 46 years. They provide local options and continue to strive to meet their objectives. Before and after pictures were shared to highlight some of their residential and commercial projects in the County.

DISCUSSION ON COUNTY EXTENSION COMMITTEE MEMBERSHIP

Lisa Loegering, NW Regional Extension Director, joined the meeting virtually to discuss committee membership. She is temporarily serving the Moorhead office. The Regional Extension Director, Ben Anderson, recently resigned his position. Commissioners Mongeau and Gross currently serve on the Extension Committee. Extension Committees in Minnesota are composed of a minimum of nine members including two commissioners. The Clay County Auditor is not on the committee but designated Heather Weber to serve on it. All terms are three years and typically members can serve two three-year terms. Moorhead City Council reappointed Shelly Dahlquist to the Board. The Commissioners were asked to appoint a member-at-large position on the committee.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board appointed Kristen Voltz, Master Gardner, to a three-year term position on the Extension Committee.

REQUEST COUNTY TO APPROVE RESOLUTION 2021-12 TO SPONSOR ANOTHER FEDERAL RECREATIONAL TRAIL PROGRAM GRANT

Greg Strommen, Clay County Trailblazers, was not available for the request for Clay County to sponsor another Federal Recreational Trail Program Grant. County Administrator Stephen Larson provided the background information in his absence. The resolution being presented today allows Mr. Larson to be the fiscal agent for the grant program.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the following resolution:

RESOLUTION 2021-12

WHEREAS, the Clay County Board of Commissioners supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to purchase snowmobile grooming equipment for the trail system. It is also recognized that the Clay County Trailblazer Snowmobile Club will be the recipient of the grant. The trail system consists of 183 miles serving all the communities of Clay County, and

WHEREAS, the Clay County Board of Commissioners recognizes that Clay County Trailblazers Snowmobile Club will be the sole responsible party to secure funds for the remainder of purchase to satisfy this grant.

NOW, THEREFORE, BE IT RESOLVED, if Clay County is awarded a grant by the Minnesota Department of Natural resources, the Clay County Board of Commissioners agrees to accept the grant award, and may enter into an agreement with the State of Minnesota for the above referenced project. Clay County will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Trail Program Grant Manual and certifies it will report any actual, potential, perceived, or organizational conflicts of interest upon discovery to the state related to the application or grant award.

BE IT FURTHER RESOLVED, the Clay County Board of Commissioners names the fiscal agent for Clay County for this project as: Stephen Larson, County Administrator, Clay County, 807 11 St N, Moorhead, MN 56560.

BE IT FURTHER RESOLVED, the Clay County Board of Commissioners hereby assures the grooming equipment acquired through this grant will be maintained for no less than twenty (20) years as required by the Federal Recreational Trail Grant Program or until such time as appropriate disposition actions are approved by the Minnesota Department of Natural Resources.

ANNUAL DEPARTMENT UPDATE – ASSESSOR’S OFFICE

County Assessor Nancy Gunderson commented that there are five staff positions in the Assessor’s Office: Assessor, two Appraisers, an Office Associate, and vacant position for a Data Coordinator/Appraiser. They will try to fill the open position in the spring.

The work completed by their office for the 2021 mass appraisal consisted of assessing 3400 parcels in three cities (Barnesville, Comstock, and Glyndon) and four townships (Kragnes, Moland, Moorhead, and Oakport). Onsite visits were completed for all improved parcels. For the unimproved parcels, online GIS was utilized to review tillable land, building sites, etc. They followed up on building permits on 675 parcels. They are looking at setting rates for the 2021 assessment using their sales ratio setting from October 2019 through September of 2020. The look at ratios for their five major categories: residential, agricultural, commercial, industrial, and apartments. Their next step is to allow taxpayers their opportunity to appeal those valuations. Their local Board of Appeal and Equalization had seven jurisdictions last year that took advantage

of the local board meetings. Currently there are five jurisdictions with trained members. In February they will check with the other two jurisdictions to see if they have received training. If not, they will go to an open book environment. June 15th is the tentative date for the Board of Equalization. At this time, four entities have filed petitions in tax court: Walmart, CVS in Dilworth, 30th Avenue Partners, and Menards. They work with the County Attorney's office and City of Moorhead on these contested evaluations and/or classifications. The Assessor's office is also preparing for their move to the new Government Center in March. They will schedule appointments for residents to either come in or call into the Board of Equalization this year. Ms. Gunderson asked the Board to officially schedule the 2021 Board of Equalization meeting.

On motion by Commission Mongeau, seconded by Commissioner Ebinger, and unanimously carried the Board approved setting the County Board of Equalization meeting for 6:30 p.m. on Tuesday, June 15, 2021, and moving the County Board meeting from 8:30 a.m. to 5:30 p.m. the same day.

REQUEST FOR APPROVAL OF SPONSORING AGENCY RESOLUTIONS (RESOLUTIONS 2021-08 THRU 2021-11) FOR LOCAL ROAD IMPROVEMENT PROGRAM GRANTS

County Engineer David Overbo informed the Board that two rural cities have requested that the County sponsor applications for local road improvement program programs. The City of Dilworth has one request and the City of Hawley has three requests. There is no financial impact on the County.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the following resolution:

**RESOLUTION 2021-08
RESOLUTION OF SUPPORT FROM SPONSORING AGENCY**

WHEREAS: Local Road Improvement Program (LRIP) funds are available for local agency projects meeting Routes of Regional Significance or Rural Road Safety criteria; and

WHEREAS: Non-state aid cities and townships must have a county sponsor to apply for LRIP funding; and

WHEREAS: City of Dilworth has requested that Clay County sponsor its application for the Construction of approximately 5,050 lineal feet of 7th Street NE; and

WHEREAS: City of Dilworth understands that it will be responsible for all costs not covered by LRIP funding including engineering, materials testing, any potential right of way costs and any construction costs over the funding cap; and

WHEREAS: The City of Dilworth will maintain the road for the lifetime of improvements.

NOW, THEREFORE, BE IT RESOLVED: that the County of Clay hereby sponsors the application for LRIP funding for the Construction of approximately 5,050 lineal feet of 7th Street NE. Sponsorship includes the responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the following resolution:

**RESOLUTION 2021-09
RESOLUTION OF SUPPORT FROM SPONSORING AGENCY**

WHEREAS: Local Road Improvement Program (LRIP) funds are available for local agency projects meeting Routes of Regional Significance or Rural Road Safety criteria; and

WHEREAS: Non-state aid cities and townships must have a county sponsor to apply for LRIP funding; and

WHEREAS: City of Hawley has requested that Clay County sponsor its application for the Improvements of 750 lineal feet of 8th Street South; and

WHEREAS: City of Hawley understands that it will be responsible for all costs not covered by LRIP funding including engineering, materials testing, any potential right of way costs and any construction costs over the funding cap; and

WHEREAS: City of Hawley will maintain the road for the lifetime of improvements.

NOW, THEREFORE, BE IT RESOLVED: that the County of Clay hereby agrees to act as a sponsoring agency for the application for LRIP funding for the construction of approximately 750 lineal feet of 8th Street South. Sponsorship includes the responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved the following resolution:

**RESOLUTION 2021-10
RESOLUTION OF SUPPORT FROM SPONSORING AGENCY**

WHEREAS: Local Road Improvement Program (LRIP) funds are available for local agency projects meeting Routes of Regional Significance or Rural Road Safety criteria; and

WHEREAS: Non-state aid cities and townships must have a county sponsor to apply for LRIP funding; and

WHEREAS: City of Hawley has requested that Clay County sponsor its application for the Improvements of 3,500 lineal feet of 15th Street; and

WHEREAS: City of Hawley understands that it will be responsible for all costs not covered by LRIP funding including engineering, materials testing, any potential right of way costs and any construction costs over the funding cap; and

WHEREAS: City of Hawley will maintain the road for the lifetime of improvements.

NOW, THEREFORE, BE IT RESOLVED: that the County of Clay hereby agrees to act as a sponsoring agency for the application for LRIP funding for the construction of approximately 3,500 lineal feet of 15th Street. Sponsorship includes the responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

On motion by Commissioner Gross, seconded by Mongeau, and unanimously carried, the Board approved the following resolution:

**RESOLUTION 2021-11
RESOLUTION OF SUPPORT FROM SPONSORING AGENCY**

WHEREAS: Local Road Improvement Program (LRIP) funds are available for local agency projects meeting Routes of Regional Significance or Rural Road Safety criteria; and

WHEREAS: Non-state aid cities and townships must have a county sponsor to apply for LRIP funding; and

WHEREAS: City of Hawley has requested that Clay County sponsor its application for the Improvements of 2,350' of Rodgers Street, Elevator Street, and Yeovil Street; and

WHEREAS: City of Hawley understands that it will be responsible for all costs not covered by LRIP funding including engineering, materials testing, any potential right of way costs and any construction costs over the funding cap; and

WHEREAS: City of Hawley will maintain the road for the lifetime of improvements.

NOW, THEREFORE, BE IT RESOLVED: that the County of Clay hereby agrees to act as a sponsoring agency for the application for LRIP funding for the construction of approximately 2,350' of Rodgers Street, Elevator Street, and

Yeovil Street. Sponsorship includes the responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules, and regulations.

It was noted that Dr. Bob Zimmerman, City of Moorhead Engineer, will be recognized as City Engineer of the Year. There will be a Zoom meeting tomorrow for his award. The Commissioners expressed their support of Dr. Zimmerman receiving the award.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

Many of the following committee reports are from virtual meetings.

- Commissioner Gross attended a Building Committee meeting. He mentioned receiving good comments on recent DMV wait times.
- Commissioner Mongeau attended meetings for Red River Watershed Joint Board; Red River Basin Conference and Summit; MetroCOG Policy Board; Cass Clay Food Partners; Association of MN Counties – Extension; CARES Act Committee; and Buffalo-Red River Watershed District. She also had significant discussions with citizens and staff regarding the DMV. She noted that adjustments are being made to improve the process at the DMV and none of the complaints have been about the staff.
- Commissioner Ebinger attended the virtual two-day County Government 101 for Commissioners. He attended meetings for Substance Abuse Committee; EDC with Joe Raso; orientation for new Commissioners with EDC; Lake Agassiz Regional Library Board; and met with James O’Donnell, Superintendent of WCRJC and toured that facility.
- Commissioner Kahly attended meetings for Substance Abuse Committee; Historical and Cultural Society of MN; MetroCOG Policy Board; Law Library and attended the two-day AMC County Government Training.
- Commissioner Campbell attended meetings for Building Committee; West Central Regional Juvenile Center; FM Diversion Executive Committee; and CARES Act Committee RE: Business Relief. He mentioned that Medical Assistance is discontinued when folks are in correctional facilities, leaving the County responsible for their medical expenses. He is working with member Counties for change in that policy.
- Administrator Larson attended meetings with Ben Mattson, Construction Engineers; Information Services Director; County Management; Facilities Management re: court needs; Auditor and Human Resources; and Business Relief Program calls. He spent some time at the DMV overseeing their process; met with Dan Mahli from the City of Moorhead; checked the progress and provided a tour at the Government Center.

The meeting was adjourned at 10:47 a.m.

Kevin Campbell, Chair
County Board of Commissioners

Stephen Larson, County Administrator