

**CLAY COUNTY BOARD OF COMMISSIONERS**  
**8:30 A.M., TUESDAY, FEBRUARY 1, 2022**  
**Rooms A/B, 3<sup>rd</sup> Floor, Courthouse**  
**MINUTES**  
**AMENDED ON JULY 12, 2022**

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 and Administrative Asst. Rita Rueckert.

**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.

**MN MERIT SYSTEM EQUAL EMPLOYMENT OPPORTUNITY & AFFIRMATION ACTION GUIDELINES FOR SOCIAL SERVICES**

By consent the Board renewed the MN Merit Systems Equal Employment Opportunity and Affirmation Action Guidelines for Clay County Social Services.

**EMPLOYEE RECOGNITIONS**

The following employees from Social Services were recognized: Juan (Manuel) Baquera, 20 years; Desira Matthys Olien, 20 years; Sheila Madson, 20 years; Shannon Swenson, 25 years; and Rhonda Porter, 30 years.

**CITIZENS TO BE HEARD**

There were no citizens who wished to be heard.

**APPROVAL OF MINUTES**

Commissioner Mongeau requested two changes to her committee report for 1-18-22: discussion was for applying for a USDA Grant; and addition of AE2S after Eric Dodds' name.

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board approved the Minutes from January 18, 2022, with two changes.

**APPROVAL OF PAYMENT OF BILLS AND VOUCHERS**

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the payment of bills and vouchers totaling \$491,256 from 176 vendors. From that total, 150 warrants issued were under \$2,000 (\$48,256) and the following 25 were over \$2,000:

Clay Co. Social Services	\$85,080	Prosource Technologies, Inc.	\$39,598
Lake Agassiz Regional Library	\$77,441	Clay Co. Public Health	\$38,577

CCRI Inc.	\$33,284	Department of Corrections	\$ 7,130
Lakeland Mental Health Ctr, Inc	\$24,483	The Village Family Service Center	\$ 5,875
Otter Tail Co. Public Health	\$17,700	Town & Country Oil, Inc.	\$ 4,730
Historical & Cultural Society	\$16,148	Rick Electric, Inc.	\$ 3,974
Bison Plains Lodge	\$13,830	Clay Co Sheriff	\$ 3,545
Ott's Quality Painting Inc.	\$13,498	Headwaters Regional Development	\$ 3,500
Becker Co. Public Health	\$ 9,073	R Travelmart	\$ 3,211
T.F. Powers Construction Co.	\$ 8,950	Ramsey Co Med Examiner	\$ 3,007
MN Life	\$ 8,850	Johnson's Auto Repair, LLC	\$ 2,434
Lutheran Social Service of MN	\$ 7,654	Axon Enterprises, Inc.	\$ 2,166
Asso. of MN	\$ 7,423	Zendesk, Inc.	\$2,052

### **COVID-19 UPDATE**

Becky Schmidt from Clay County Public Health (CCPH) presented the weekly COVID-19 update. Although transmission remains high overall in the State, there are indicators that January may have been at peak infections. Omicron remains the prevalent variant for the past several weeks. The age group of 20-24 remain the highest number of active cases. There was one additional death in Clay County, bringing the number to 116 for the duration of the pandemic. MN statewide vaccinations for ages 5+ is 69% for fully vaccinated individuals, and a little over two million people have now received their booster vaccination statewide. Last week there were 45 doses administered by CCPH. This week there will be two more vaccination clinics on February 2, 2022: Ages 12+ from 11AM-1:00 PM, and for ages 5+ at CCPH. Total tests administered at the Moorhead Vault test site is 98,639 to date.

Mr. Larson advised there was a letter sent to MN Department of Health (MDH) and the Governor's office requesting expanded services for testing at the Moorhead Vault site. Discussions are on-going with Chair Mongeau, Rep. Keeler, Mayor Carlson, Ms. McKay, Mr. Larson and MDH with the hope of increasing testing availability and testing hours. CCPH is not currently available for testing residents.

CCPH has received a shipment of 10,000 KN95 masks and are working with a distribution plan for the community. Chair Mongeau asked that Public Health coordinate with the Senior Citizen Centers to provide these vulnerable populations with masks.

Ms. Schmidt advised she and Ms. McKay met with the CMOs of both Sanford and Essentia last week. They both state their biggest current challenge is to have enough staffed beds for the community. About one-third of their current patients are Covid-positive. There is currently only one type of monoclonal antibody drug effective against Omicron and the supply for that is limited. Sanford states they currently have over 100 people on a waitlist for that antibody drug.

### **2023 MANAGED CARE REQUEST FOR PROPOSAL (RFP) PROCESS AND COUNTY ROLE**

Social Services Director Rhonda Porter shared the history of Managed Care Procurement and how it has been administered within Clay County. Program changes have given the County opportunities to identify the best health plan choices for the County. These health plans are for one-year contracts, renewed annually and are usually the same provider for approximately five years. Plan selection is based by County throughout the State and is available as each plan determines their willingness to provide services within each County. Ms. Porter

asked for the Board's support to assign staff to assist in the scoring and selection of the best provider plan for health plans needed by the various segments of Social Service clients requiring health plan services.

There was consensus among the Board to assign Social Service staff to assist in the scoring and selection of the provider health plans.

**REQUEST FOR APPROVAL TO HIRE AN FTE ELIGIBILITY WORKER FOR LONG-TERM CARE PROGRAM**

Ms. Porter asked for a Medical Systems Long-Term Care program employee. This request was included in the budget for 2022 due to continued growth in the program.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the request to hire a FT Eligibility Worker for Long-term Care, with backfill if needed.

**REQUEST APPROVAL FOR PLACEMENT ON CLAY COUNTY WAGE GRID FOR INTERIM JAIL ADMINISTRATOR KARI TUTON**

Sheriff Mark Empting requested the Interim Jail Administrator be moved from Grade 20 Step 5 to Grade 24 Step 1. The request will be retroactive to 1-22-22 and will be an interim placement until the position is filled. This item was discussed in the Personnel Issues Committee meeting on 1-25-22.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the wage grid adjustment for the Interim Correctional Facility Administrator.

**PRESENTATION ON CASS CLAY COMMUNITY LAND TRUST**

Executive Director Trenton Gerads explained the many benefits of the Cass Clay Community Land Trust, the various programs they administer and the impacts of those programs on the community. Average existing homes on the market increased by \$14,000 in Moorhead. There are currently 44 homes for sale in Clay County with the majority of those homes being above the \$180,000 - \$200,000 market area they serve.

**REQUEST FOR APPOINTMENT OF BRAD ELDRED TO FIRST 3-YEAR TERM ON PLANNING COMMISSION**

Planning Technician Erika Franck requested the appointment of Brad Eldred to his first three-year term on the Planning Commission.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the request to appoint Brad Eldred to the Planning Commission.

**INFORMATIONAL ITEM - COMPREHENSIVE PLAN SCHEDULE**

Ms. Franck presented updates on the Comprehensive Plan Schedule and that there will be a Community Engagement meeting on February 22, 2022. The date was chosen after consultation with Clay County Public Health due to the current community spread of Covid. The presentation will be available both in person and online. Commissioner Campbell asked if there could be a presentation given to the Solid Waste Committee.

On motion by Commissioner Kahly, seconded by Ebinger, and unanimously carried, the Board approved the dates for Community Engagement, Solid Waste Committee and Board of Commissioners presentation of the Comprehensive Plan.

**REQUEST APPROVAL OF CALCULATION OF REVENUE LOSS – AMERICAN RESCUE PLAN ACT (ARPA)**

County Administrator Stephen Larson provided the timeline of the Interim Rule to the Final Rule for calculations to Replace Lost Public Sector Revenue. Mr. Larson is requesting the Board make a determination if the County wishes to opt in to use the standard deduction allowance up to \$10 million or provide itemization. Revenue Loss Formula allows Counties to calculate revenue loss on a fiscal year or calendar year basis. The document was over 400 pages, and reporting requires additional staff within the Auditor and Administration Departments to manage reporting. There is an opportunity to opt-out in April. There was a determination made yesterday to opt-in as the deadline was yesterday, but the option is still available to opt-out if there is not Board approval. Requirements for both revenue loss calculations were reviewed. The two options to calculate revenue loss are 1) up to \$10 Million of ARPA allocation standard allowance; or 2) Calculate revenue loss with Treasury formula.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the \$10 million revenue loss allowance, the “standard allowance” for calculating ARPA Revenue Loss.

**REQUEST TO APPROVE THE CREATION OF A CLAY COUNTY BOARD OF COMMISSIONERS WORKGROUP**

Chair Mongeau asked for discussion on board assignments to the Board Commissioners and to look at the option to create a Workgroup to streamline some of the processes and help eliminate some overlap of issues and committee interests. All Commissioners gave positive feedback for creation of this model and the benefits it could provide. This would not be considered as a per diem meeting.

Administrator Larson advised there would need to be an agenda for each meeting held, and that he would be the one to create each agenda. Additionally, he stated that all discussions would need to be limited to only the items on the agenda.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request to form the Board of Commissioners Workgroup.

**REQUEST TO UTILIZE ARPA FUNDING FOR DISPOSABLE MASKS**

These masks were ordered in early January before the announcement was made regarding availability of free masks. The 10,000 masks that Public Health discussed earlier at this meeting are mostly targeted for specific populations. The purchased masks are designated for customers in using our public facilities.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the request for the purchase of \$1,400 for disposable masks utilizing ARPA funds.

**APPROVAL OF THE FINAL CONTRACT VOUCHER FOR GERIT HANSON CONTRACTING, INC. FOR SAP 014-598-072**

County Engineer David Overbo and Asst Engineer Justin Sorum requested final contract Voucher for CR-68, SAP 014-598-072. The initial bid was \$681,350.50 and the final amount to be approved is \$640,908.75.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved payment of the Final Contract Voucher of \$640,908.75 for Gerit Hanson Contracting, Inc. for Sap 014-598-072.

**APPROVAL TO PURCHASE TWO WALK AND ROLL PACKERS**

Mr. Overbo stated the walk and roll packers are installed on each of the motor graders. There will be two of these units traded in. There is a 16-20-week lead-time on the ordering/receiving. These are fully funded with the Internal Service fund.

On motion by Commissioner Ebinger, seconded by Commissioner Gross, and unanimously carried, the Board approved the purchase of two walk and roll packers for a total of \$47,180.00, which includes two trade-ins and freight charges.

**APPROVAL OF GRANT AGREEMENT AND RESOLUTION 2022-07 FOR BRIDGE REPLACEMENT ON CSAH 1**

Mr. Overbo states this is a 2-part project. Mr. Sorum advised the amount of bridge funds received was \$152,080. This project is funded 50/50 by State Bridge Aid Funds. MNDOT requires an Agreement and Resolution for use of State funds.

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

**Resolution 2022-07  
For Grant Agreement to State Transportation Fund  
(Local Bridge Replacement Program)  
Grant Terms and Conditions  
SAP 014-601-007**

**WHEREAS, Clay County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 14K49; and**

**WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and**

**WHEREAS, the amount of the grant has been determined to be \$152,080.00 by reason of the lowest responsible bid;**

**NOW THEREFORE, be it resolved that Clay County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate and will return to the Minnesota State Transportation Fund any amount appropriate for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.**

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board approved Grant Agreement #1035186 for the bridge replacement on CSAH 1.

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

- Commissioner Kahly reported on meetings for Moorhead Business Association, CAPLP; and attended a Law Enforcement promotion ceremony.
- Commissioner Campbell reported on meetings for Personnel Issues Committee; Prairie Lakes Municipal Solid Waste Authority; FM Diversion Public Outreach Meeting; FM Diversion Authority Board; Red River Regional Dispatch Center, and ARPA Committee.
- Commissioner Ebinger reported on meetings for Moorhead Business Association; FM Diversion Authority Board; FM Diversion Authority Finance Committee; Red River Regional Joint Dispatch; Lake Agassiz Regional Library Board; and attended U of M Extension Service training sessions.

- Commissioner Gross reported on a Moorhead Business Association meeting and attended a Law Enforcement promotion ceremony.
- Commissioner Mongeau reported on meetings for Personnel Issues Committee; Resource Recovery Facility; met with Rep. Keeler and MN Department of Health regarding Vault Testing site issues; met with Rep. Fischbach; Northern Ag Advisory Group; Moorhead Business Association; Solid Waste Advisory Committee; Holy Cross Twp officials Re: roads near the diversion staging area; Moorhead Clay County Joint Powers Authority; Land Management Committee; CAPLP; ARPA Committee; and attended sessions for Leading Economic Transformation through U of M Extension Service.
- County Administrator Larson attended meetings for Personnel Issues Committee; Resource Recovery Facility; Joint Powers Authority; ARPA Committee; Red River Valley Dispatch Center; Moorhead Clay County Joint Powers Authority; Solid Waste Advisory Committee; Cass and Clay Law Enforcement; Moorhead Business Association; and Valley Water Rescue. He met with the Highway Engineer; Human Resources Director Re: Covid; County Auditor RE: ARPA; Facilities Director; and Information Systems Director. He also attended a promotional ceremony at the Sheriff's Office.

The meeting was adjourned at 10:45 a.m.

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Jenny Mongeau, Chair  
County Board of Commissioners

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Stephen Larson, County Administrator