

**CLAY COUNTY BOARD OF COMMISSIONERS**

8:30 a.m., Tuesday, March 13, 2018

COUNTY BOARD ROOM, 3RD FLOOR, COURTHOUSE

**MINUTES**

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Jim Haney, Frank Gross, Jenny Mongeau, Grant Weyland, and Kevin Campbell. Others present: County Administrator Brian C. Berg, Assistant County Attorney Jenny Samarzja, and Senior Administrative Assistant Colleen Eck.

**CALL TO ORDER**

Chair Mongeau called the meeting to order.

**APPROVAL OF AGENDA**

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

**AMENDMENT TO SE HUMAN SERVICES PURCHASE OF SERVICE AGREEMENT – PUBLIC HEALTH**

By consent agenda, the Board approved the amendment to the SE Human Services Purchase of Service Agreement.

**APPROVAL OF SALES ORDER AGREEMENT FOR ELECTION EQUIPMENT AND REPORTING SOFTWARE**

By consent agenda, the Board approved the Auditor’s sales order agreement for election equipment and reporting software.

**CITIZENS TO BE HEARD**

Brian Brunette asked to address the Board regarding issues at Lake 15 that include a questionable septic system; land disturbances; shoreland damages; and questions about County grant funds.

**APPROVAL OF PAYMENT OF BILLS AND VOUCHERS**

On motion by Campbell, seconded by Haney, and unanimously carried, the bills and vouchers (totaling \$1,313,846.34 from 129 vendors) were approved for payment. From that total, 106 warrants issued were under \$2,000 (\$45,018.33); and the following 23 warrants issued were over \$2,000:

Construction Engineers, Inc.	789,600.00	Kandiyohi Co Sheriff's Office	58,942.03
Otter Tail Public Health	148,160.00	City of Fargo	37,885.82

Department Of Corrections	31,940.72
Prairie Lakes Solid Waste Authority	29,750.00
Clay Co Public Health	21,880.81
MEnD Correctional Care, LLC	16,326.63
Summit Food Service, LLC - WCRJC	10,351.40
Streamworks	10,000.00
En Pointe Technologies LLC	9,909.00
Douglas County Jail	7,902.48
Nitzkorski, Inc.	6,763.32
Ulteig	5,993.03

Clay Co Public Health Dept (Sheriff)	5,760.00
Petro Serve USA- Hwy	5,487.93
New American Consortium	4,866.40
Wilkin Co Jail	4,853.57
Farmers Coop Oil Co	4,450.04
Wright County Jail Admin	3,637.59
ANJAAM HOLDINGS, LLC	3,473.20
Town & Country Oil, Inc.	2,996.71
Wisconsin Lock & Load Prisoner Transport	2,879.00

**APPROVAL OF MINUTES FROM FEBRUARY 20, 2018**

On motion by Haney, seconded by Weyland, and unanimously carried, the Board approved the minutes from February 20, 2018.

**REQUEST FOR APPROVAL OF AMENDMENT TO JOINT POWERS AGREEMENT WITH PRAIRIE LAKES MUNICIPAL SOLID WASTE AUTHORITY**

On motion by Weyland, seconded by Gross, and unanimously carried, the Board approved the request from Kirk Rosenberger, Solid Waste Manager, to amend the Joint Powers Agreement with Prairie Lakes Municipal Solid Waste Authority to include the County’s 15% debt service obligation with respect to the general obligation bonds.

**UPDATE - FM DIVERSION AREA PROJECT**

Mayor Del Rae Williams, City of Moorhead; Rocky Schneider, Public Affairs Strategist; Bob Zimmerman, City of Moorhead Engineer; and Attorney John Shockley were present for the FM Diversion Project update.

Schneider referred to the press release on March 9 announcing the Diversion Authority’s intent to submit Plan B to Minnesota DNR; and the adoption of recommendations from the Governors’ Task Force. The notable changes in Plan B include:

- Allowing an additional two feet of water through Fargo-Moorhead during a 100-year flood.
- Incorporating a tie-back levee in MN on the east side of the southern embankment.
- Revising the western tie-back levee.
- Changing the location of the southern embankment.

The changes result in more balanced impacts between ND and MN; less frequent project operations; and reducing impacts to cemeteries and organic farms.

Commissioner Campbell communicated the importance of protecting and certifying the levee at the City of Georgetown. Commissioner Weyland extended appreciation for the work that has gone into the diversion project.

**ANNUAL DEPARTMENT UPDATE – PROBATION**

Janelle Cheney, Probation Supervisor, mentioned recent staff changes and an increase in caseloads in 2017 for both adult and juvenile cases. She commented that the specialty courts (drug court and veterans court) have been very effective. They also have 55 clients involved in Domestic Violence Court. The office facilitates the Community Work Service Program and the Juvenile Offender Restitution Program where funds are earned to repay victims. The Reentry Service Project ended in November 2017 due to a lack of grant funds. Probation works toward reducing recidivism and out-of-home placements. The felony/adult probation office will be moving in May with the expansion of the Juvenile Center.

Commissioners Mongeau and Gross acknowledged the probation staff and the successful programs they administer.

**UPDATE ON QUARTERLY REVENUES AND EXPENDITURES ENDING 12/31/17**

Brian C. Berg, County Administrator, and Lori Johnson, County Auditor-Treasurer, presented handouts for the County’s quarterly revenues and expenditures ending 12/31/17. In some areas, expenditures were up, but the revenues were up as well. Overall, the County’s expenditures and revenues are in good shape.

**FINANCIAL UPDATE ON CONSTRUCTION COSTS – CORRECTIONAL FACILITY AND LAW ENFORCEMENT CENTER**

Brian C. Berg and Lori Johnson presented a financial update on the Correctional Facility and Law Enforcement construction projects. They reviewed the expenses that have been paid to date as well as the remaining balances. With estimated revenues of \$55 million and estimated total costs of \$53 million, the project is on track.

**UPDATE ON AMENDMENTS TO ORIGINAL CONTRACT WITH KLEIN MCCARTHY ARCHITECTS**

Brian C. Berg reviewed the fees for the items that were outside the scope of the original contract with Klein McCarthy Architects. To date there are seven contract amendments for the two current building projects.

On motion by Campbell, seconded by Weyland, and unanimously approved, the Board approved the amendments to the original contract with Klein McCarthy Architects as presented.

## **ANNUAL SIGN QUOTES**

David Overbo, Highway Engineer, and Eric Hove, Assistant Highway Engineer, presented quotes for the second phase of 911 Street and Avenue sign replacements. Newman Signs submitted the lowest quote of \$17,573.68. The engineer's estimate for the project was \$20,000.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved the lowest quote for signs from Newman Signs.

## **APPROVAL OF MNDOT AC AGREEMENT AND RESOLUTION FOR CSAH 19 RECONSTRUCT IN GLYNDON**

David Overbo clarified the need for the County to temporarily provide funds on a CSAH 19 reconstruct project in lieu of federal funds becoming available in 2019. An agreement and a resolution were presented for approval.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved the MnDOT Advanced Construction Agreement and the following resolution:

### **RESOLUTION 2018-15**

**BE IT RESOLVED**, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of Clay County to accept as its agent, federal aid funds which may be made available for eligible transportation related projects.

**BE IT FURTHER RESOLVED**, the Clay County Board Chair and Clay County Administrator are hereby authorized and directed for and on behalf of the Local Government to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation MnDOT Contract Number 1030638", a copy of which said agreement was before the County Board and which is made a part hereof by reference.

## **REQUEST TO FILL DETOX LPN OR TECHNICIAN POSITION**

Kathy McKay, Public Health Administrator, and Troy Amundsen, Detox Director, requested filling an open tech position with an LPN to help meet a mandate for having a nurse in Detox during every shift.

On motion by Weyland, seconded by Haney, and unanimously carried, the Board approved the request to fill an open tech position with an LPN, or another tech if an LPN if not available.

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

- Commissioner Weyland attended FM Diversion Authority Closed Session; Planning Events for new facilities; Economic Development; and Yellow Ribbon Committee.
- Commissioner Campbell attended meetings for Personnel Issues Committee; Highway Tracking Committee; FM Diversion Authority Closed Session; Planning Events for new Facilities.

- Commissioner Gross attended meetings for Behavioral Health Subcommittee and West Central Initiative.
- Commissioner Haney attended NW Regional Emergency Communications Board; City of Moorhead Planning Commission; and Soil and Water Conservation District.
- Commissioner Mongeau attended meetings for Personnel Issues Committee; Soil and Water Conservation District; Behavioral Health Subcommittee; Interviews for Lakes and Prairies; and several meetings regarding a Planning Commission Decision.
- Brian C. Berg attended meetings for Personnel Issues Committee; Highway Tracking Committee; Behavioral Health Subcommittee; Police Department re: furniture; Chamber of Commerce; Court Administrator and security re: stair lift for accessibility; County Attorney; Dave Anderson and Tim Magnusson re: aquifer issue; Kathy McKay; Lori Johnson re: revenues and expenses; Mark Sloan and Tim Dent re: personnel change; and Planning Events for New Facilities.

The meeting adjourned at 10:25 a.m.

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Jenny Mongeau, Chair, County Board of Commissioners

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Brian C. Berg, County Administrator