

## CLAY COUNTY BOARD OF COMMISSIONERS

8:30 A.M., TUESDAY, MARCH 19, 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, Kevin Campbell, and Jenny Mongeau. Others present: County Administrator Stephen Larson, Assistant County Attorney Tony Weigel, and Senior Administrative Assistant Colleen Eck.

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 Gross, seconded by Campbell, and unanimously carried, the Board approved bills and vouchers totaling \$747,761 from 120 vendors for payment. From that total, 82 warrants issued were under \$2,000 (\$30,298) and the following 38 warrants issued were over \$2,000:

|                              |           |                              |          |
|------------------------------|-----------|------------------------------|----------|
| Dept. of Corrections         | \$193,386 | Mn State Auditor             | \$10,998 |
| Ulteig                       | \$92,010  | Becker Co. Public Health     | \$8,366  |
| Bytespeed, LLC               | \$67,100  | NW Regional Development      | \$7,499  |
| City of Fargo                | \$43,743  | Verizon-386550144            | \$6,429  |
| Network Center Inc           | \$27,461  | Sanford Health               | \$5,929  |
| Nelson Auto Center           | \$23,288  | Lakes Country Service Coop   | \$5,641  |
| High Point Networks, LLC     | \$19,650  | Franklin Industries Co.      | \$5,545  |
| City of Moorhead             | \$18,828  | Treasurer of Ulen City       | \$5,500  |
| Key Contracting Inc.         | \$17,020  | MN Dept of Finance Treasury  | \$5,000  |
| Lakeland Mental Health Ctr.  | \$16,505  | Dakota Plains Mechanical.    | \$4,630  |
| New American Consortium      | \$14,437  | Larry's Auto Body Shop, Inc. | \$4,575  |
| Cardmember Service-Sheriff   | \$14,422  | Holiday Credit Office        | \$4,031  |
| Clay Co. Public Health       | \$12,000  | DVS Renewal                  | \$3,753  |
| Otter Tail Co. Public Health | \$12,000  | Pomp's Tire Service, Inc.    | \$3,180  |
| Enterprise FM Trust          | \$11,469  | Burnn Boiler & Mech. Inc.    | \$3,126  |

|                           |         |                             |         |
|---------------------------|---------|-----------------------------|---------|
| Ramsey County Med Exam    | \$2,962 | Henning Public School Dist. | \$2,470 |
| Network Center Comm, Inc. | \$2,896 | I B M Corp                  | \$2,152 |
| Richards/Kelly            | \$2,678 | Ed's Towing Service, Inc.   | \$2,002 |
| Lutheran Social Service   | \$2,485 | State of MN                 | \$2,000 |

**APPROVAL OF MINUTES FROM FEBRUARY 26 AND MARCH 5, 2019**

On motion by Mongeau, seconded by Haney, and unanimously carried, the Board approved the minutes from February 26 and March 5, 2019.

**FLOOD UPDATE**

Gabe Tweten, Emergency Management Director, introduced Heather Winkleblack as the Region 3 Coordinator for Homeland Security Emergency Management (HSEM). She would assist Tweten with procedures for an emergency declaration if it is needed. The National Weather Service has revised their flood forecasting to bi-weekly updates. The temperatures forecasted for this week are ideal for slow snow melt, but there may be a change in the weather pattern next week. Tweten spent a day with the Moorhead Emergency Management Director Chad Stangeland who has experience with past floods. The two directors established their incident command crew and established some trigger points (river levels, overland flooding, etc.) for the Emergency Operation Center (EOC). On March 29 they will conduct a mock EOC from 9:00 a.m. until noon at the Law Enforcement Center. They are working with new technology called Web EOC that connects with the State Emergency Management office. Tweten will attend a regional Emergency Management Directors meeting tomorrow and there are several other upcoming regional coordination meetings. He is also checking the County’s emergency equipment and gear as well as revising the Flood Operations Plan. The County has 250,000 unfilled sandbags for the rural areas. If an emergency declaration gets issued, the National Guard becomes available. The Commissioners will be included on the National Weather Service updates.

**ANNUAL DEPARTMENT UPDATE – PROBATION**

Janelle Cheney, District Supervisor of Probation, provided a brief update on Adult and Juvenile Probation. In 2018, they had two staffing changes and moved from the Family Service Center to their new offices. Their caseloads remain consistent. The three juvenile agents continue to supervise approximately 34 clients apiece. The adult agents supervise gross misdemeanor and misdemeanor cases with each agent handling approximately 80 clients throughout the year. The loads are manageable as there is a variety of supervisor levels. Another agent handles 16 to 18 individuals who are in drug court and veterans court. There are also 71 clients in Domestic Violence Court with 45 of them supervised by the adult agents. There were 2862 hours assigned in community work service in 2018. The majority of those hours were completed through the Sentence to Serve program and County Maintenance work. The department also manages a Juvenile Offender Restitution Program. In 2019, they hope to re-install a security system and install a speaker in their lobby.

Commissioner Mongeau extended appreciation to the probation crew and thanked them for working with Sentence to Serve.

#### **JAIL MINISTRY UPDATE**

Chanyce Dahl from Clay County Jail Ministry expressed thanks to the Commissioners for their support of the new Correctional Facility and all the programming that has been added. The Jail Ministry has been successful in helping inmates for five years. They have expanded their services in the new facility and have 14 hours of programming weekly. They offer classes on parenting, finances, and anger management. Their goal is to provide inmates with an opportunity to seek change. Dahl noted that not all inmates are violent people. Some of them have just made poor choices. Their incarceration affects not only their family and children, but the entire community. The ministry also helped with housing needs upon release and has several faith-based houses in the County. The Jail Ministry Board members represent five different churches.

The Clay County Jail Ministry's annual fund-raising event is scheduled for Tuesday, April 2<sup>nd</sup>, from 6:00 – 8:30 p.m., at the Courtyard by Marriott, Moorhead.

#### **REQUEST APPROVAL OF AMENDMENT TO METRO COG ARTICLES OF ASSOCIATION**

Cindy Gray introduced herself as the new Executive Director of Metropolitan Council of Governments (MetroCOG). She noted the City of Horace was recently added to the MetroCOG as a dues-paying and voting member. The Articles of Association, which were last approved and signed by participating jurisdictions in 2015 requires updating to be consistent with Policy Board Bylaws and to reflect the addition of a seventh jurisdiction.

On motion by Mongeau, seconded by Campbell, and unanimously carried, the Board approved the amendment to the MetroCOG Articles of Association to include the City of Horace.

#### **PRESENTATION OF PRESALE REPORT AND CONSIDERATION OF RESOLUTION CALLING FOR SALE OF BONDS FOR BRRWD**

Bruce Albright, BRRWD Administrator, brought the proceedings as petitioned for the Buffalo Red River Watershed District Improvement of Clay-Wilkin Judicial Ditch #1. The work area would be in Sections 25, 26, and 27 of Holy Cross Township and Section 30 of Alliance Township. Ditch #1 is one of the larger drainage systems in this watershed district and is relatively flat. Three sets of road culverts need to be lowered and the ditch expanded to handle the water and help prevent further crop flooding. This project would not be affected by the diversion. Because of the expense with this project, bonding is needed. The landowners feel the improvement is needed and are in agreement with the property assessments to pay for it.

Shelly Eldridge, Ehlers and Associates, Inc., asked the board for consideration of Resolution 2019-15 calling for \$1,730,000 General Obligation Watershed Improvement Bonds, Series 2019A. The proposed bond issue would finance the project as described by Albright. The bonds would be paid 100% from special assessments and would be issued with a 16-year term. The County would be able to designate them as bank-qualified obligation bonds, broadening the market and resulting in lower interest rates. Premium bids are expected. The schedule is set for distributing an official statement during the week of April 1, conferring with the rating agency, and then making a due diligence call to review the official statement on April 4. Awarding the sale of the bonds is scheduled for the April 16 Board meeting. The estimated closing date for the bonds is May 9.

On motion by Gross, seconded by Haney, and unanimously carried, the Board approved the following resolution for the sale of bonds:

**Resolution No. 2019-15  
Resolution Providing for the Sale of  
\$1,730,000 General Obligation Watershed Improvement Bonds, Series 2019A**

**WHEREAS, the Board of Commissioners of Clay County, Minnesota has heretofore determined that it is necessary and expedient to issue the County's \$1,730,000 General Obligation Watershed Improvement Bonds, Series 2019A (the "Bonds"), to finance costs associated with the 2019 improvements to the Clay-Wilken Judicial District No. 1 within the Buffalo-Red River Watershed; and**

**WHEREAS, the County has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);**

**NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Clay County, Minnesota, as follows:**

- 1. Authorization; Findings. The Board of Commissioners hereby authorizes Ehlers to assist the County for the sale of the Bonds.**
- 2. Meeting; Proposal Opening. The Board of Commissioners shall meet at 9:00 a.m. on April 16, 2019, for the purpose of considering proposals for and awarding the sale of the Bonds.**
- 3. Official Statement. In connection with said sale, the officers or employees of the County are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.**

**APPROVAL TO ADVERTISE SEAL COAT / STRIPING PROJECT**

David Overbo, County Engineer, requested approval to advertise for a County-wide seal coat project involving approximately 30 miles of roads throughout the County that have been paved with asphalt within the last 3-5 years.

On motion by Mongeau, seconded by Haney, and unanimously carried, the Board approved the request to advertise for a 30-mile seal coat project with the proposed bid letting on April 23<sup>rd</sup>.

**PROPOSED 2019 EQUIPMENT - UNITS #164, #143W1, AND #149W1**

Overbo asked for approval to replace a backhoe (Unit #164) and two walk-n-roll packers. These items were discussed at Highway Tracking and would be paid from the Internal Service Fund. He also requested the purchase of a CAT 316FL from Butler Machinery for \$104,565, including a \$50,000 trade-in for their existing backhoe. Warranties have been addressed and the Auditor is aware of the purchase.

On motion by Gross, seconded by Mongeau, and unanimously carried, the Board approved replacement of a backhoe (Unit #164).

Two walk-n-roll packers (Units #143W1 & #149W1) were purchased from Lycox Enterprises in 2007 and need to be replaced. The new walk-n-roll packers from Lycox Enterprises are \$28,322.50 apiece. The existing units will be salvaged internally and assembled into one unit for the spare motor grader. This plan has been discussed at Highway Tracking.

On motion by Gross, seconded by Haney, and unanimously carried, the Board authorized the purchase of two walk-n-roll packers.

#### **APPROVAL OF OAKPORT MEMORANDUM OF UNDERSTANDING / APPROVAL TO ADVERTISE FOR BIDS FOR 15TH AVENUE PROJECT**

Overbo requested Board approval of an Oakport Memorandum of Understanding (MOU) for a project on 15<sup>th</sup> Avenue. Initially the County was asked to sponsor the project. Funding has now been approved and the County is now being asked to design and perform construction administration. The MOU describes the services to be performed and how the County is reimbursed. Overbo asked for approval to advertise for bids for the 15th Avenue project. He is planning for the bid letting on April 23.

On motion by Mongeau, seconded by Haney, and unanimously carried, the Board approved the Oakport Memorandum of Understanding and authorized advertising for bids for the 15th Avenue Project in Oakport.

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

- Commissioner Mongeau attended meetings for Extension Committee; Soil and Water Conservation District; Lakeland Mental Health; and Association of Township Officers.
- Commissioner Campbell attended meetings for Highway Tracking; FM Diversion Authority Executive Committee; Juvenile Center Construction Update; and Correctional Facility and Law Enforcement Center Construction Update.
- Commissioner Haney attended meetings for NW Emergency Communications Board and Soil and Water Conservation District.
- Commissioner Gross attended meetings for Highway Tracking; Morken Township; Sheriff's Deputies Awards; Extension Committee; and Association of Township Officers.

- Commissioner Weyland attended meetings for NW Emergency Communications Board; Sheriff's Deputies Awards; and West Central Area Agency on Aging – Land of the Dancing Sky.

The meeting adjourned at 9:43 a.m.

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Grant Weyland, Chair, County Board of Commissioners

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Stephen Larson, County Administrator