

**SPECIAL MEETING**

**CLAY COUNTY BOARD OF COMMISSIONERS**

**8:30 A.M., TUESDAY, MARCH 31, 2020**

County Board Room, 3rd Floor, Courthouse

**MINUTES**

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

**CALL TO ORDER**

Chair Gross called the meeting to order and read the announcement for Open Meeting Laws.

**APPROVAL OF AGENDA**

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

**APPROVAL OF PAYMENT OF BILLS AND VOUCHERS**

On motion by Commissioner Campbell, seconded by Commissioner Haney, and unanimously carried, the Board approved payment for bills and vouchers totaling \$979,555 from 111 vendors. From that total, 80 were under \$2,000 (\$33,327) and the following 31 were over \$2,000:

Department of Corrections	\$214,479	Pemberton Law, P.L.L.P.	\$8,285
En Pointe Technologies LLC	\$155,649	Prevent Child Abuse America	\$7,617
WCentral Regional Juvenile Center	\$78,180	Summit Food Service, LLC - Jail	\$6,825
Reserve Account	\$75,000	Schmidt/Shawn	\$6,000
Norix Group, Inc.	\$68,495	Toay/Brian P	\$6,000
Otter Tail Co. Public Health	\$55,506	Treasurer of Ulen City	\$5,829
Regents of Univ of MN	\$52,398	Servpro of Fargo/Moorhead	\$4,332
Clay Co. Public Health	\$38,006	Magic Fund	\$3,980
Becker Co. Public Health	\$31,373	Enterprise FM Trust	\$3,821
Nurse-Family Partnership, Inc.	\$18,864	Thomson Reuters - West	\$3,627
Trinity Services Group, Inc.	\$18,435	Grant's Mechanical LLC	\$3,589
Amazon Capital Services	\$17,528	Summit Food Service LLC - WCRJC	\$3,491
Historical & Cultural Society	\$15,881	Karlsson Law Office	\$3,000
Wilkin Co. Public Health	\$13,506	Express Lane - Hawley	\$2,992
Lakes & Prairies Community Action	\$12,231	Universal Services	\$2,308
Toshiba Business Solutions	\$8,999		

**APPROVAL OF MINUTES FROM MARCH 17 AND 18, 2020**

On motion by Commissioner Haney, seconded by Commissioner Campbell, and unanimously carried, the Board approved the minutes from March 17 and 18, 2020.

## **REQUEST FOR APPROVAL TO HIRE ONE SOCIAL WORK CHILD PROTECTION POSITION AND ONE CASE AIDE POSITION FOR CHILD PROTECTION SERVICES**

Social Services Director Rhonda Porter and Supervisors Michelle Thordal, Amy Amundsen, and Quinn Jaeger were present with the hiring request. Ms. Porter noted she was at the Personnel Issues Committee (PIC) meeting last week with a request to hire three additional staff positions. Today, she has compromised and requesting to hire two positions: a full-time Social Work Child Protection position and a full-time Case Aide position for Child Protection Services. She will come back for the third position later this year. The cost impact for the two positions in 2020 would be \$97,763; however, with some reduced budget expenditures to offset some of the costs, it would be reduced to \$97,000. The funds would come out of the DHS payment of \$117,000 that the County is requesting to retain.

Ms. Amundson stated that with one staff on maternity leave and one leaving Clay County, other staff are having to cover their cases. The current workload is unmanageable, and the staff and agency are facing difficulties. Out of home placement numbers are high with 153 unduplicated children in out-of-home care. The administrative requirements are difficult to meet due to the high caseload demands of placements, especially with families with large sibling groups. The sibling groups are often placed in more than one foster-care home. Coordination of court-ordered visitations with parents and kids take up a lot of time and additional time for transportation. Most of the cases also have court involvement due to the increased safety concerns. Staff turnover and FMLA also have impacts on coverage. Mr. Jaeger added that it is difficult for families when a new worker comes on board and it takes time to get to know them. The kids they serve may be with a relative or in foster-care or at the Juvenile Center. Most of their cases involve placement. This adds to the complexity of the cases. They are statutorily required to see them at least once a month as custodians of the kids. They also sign off on all their meds, shots, etc. The close proximity of kids in the non-secure unit at the Juvenile Center is helpful. Commissioner Weyland commented that there was a lengthy discussion on these needs at the PIC meeting and they are compromising with two positions at this time.

On motion by Commissioner Weyland, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the request to hire one Social Work Child Protection position and one Case Aide position for Child Protection Services and backfill positions as needed.

## **COUNTY OPERATIONS UPDATE**

County Administrator Stephen Larson commented that this continues to be a challenging time and the County is working hard to make the most appropriate adjustments in staff schedules and opportunities to work remotely. Resolution 2020-16 that was passed by the Board requires the courthouse doors to be locked. Call in numbers are posted at the doors. The courts continue to be open with all contacts going through Court Administration. Motor Vehicle first implemented procedural changes but are now closed until at least April 13. Staff with children at home may be given a flexible work schedule. Issuance of 80 hours of sick time prior to it being accrued is also an option when needed. On March 25, Governor Walz implemented a stay-at-home order for two weeks with an exception for essential workers. A PIC meeting was held after that decision with dialogue to deem all County employees critical sector workers. Access to County buildings will also be more limited to the public to abide by no face-to-face contact. Many employees will transition to working at home when possible. Extensions to expiration dates have been put in place for licenses, vehicle tabs, and REAL IDs without fees or fines.

On motion by Commissioner Campbell, seconded by Commissioner Haney, and unanimously carried, the Board approved the designation of all County employees as critical sector workers; closure of all County buildings; and if immediate decisions are needed related to the COVID-19 pandemic they can be made by the County Administrator.

Mr. Larson stated the Association for Minnesota Counties (AMC) provides government and businesses with up-to-date information related to COVID-19. Employees can also call Human Resources with their work-related questions. County burning restrictions went into effect yesterday. The landfill will remain open at this time. The Household Hazardous Waste Facility and the Electronic Recycling Center are closed for now. No drop-offs are allowed at those facilities until they reopen. The Planning Commission and Board of Adjustment will begin having virtual meetings starting in April to address applicants' needs. Information for participating in the virtual meetings will be added to the public notices.

Commissioner Gross thanked the County Administrator and the County supervisors for all their efforts in making these decisions and changes as needed.

#### **FLOOD UPDATE**

Emergency Management Director Gabe Tweten handed out the current river gage levels. He noted it has been an ideal melt and the weather has cooperated. Highway Department staff are watching roads and adding signage as needed. A half dozen roads have been closed in the Barnesville and Sabin area. One resident in Sabin was worried about their house flooding. After their draining ditch was cleaned out, the water began to go down. The Buffalo River water level has started to drop. There was one spike along the channel, but it may have been due to blockage. The Red River is expected to crest at 31 feet this Thursday and then begin receding by Saturday. A couple of the typical roads in the FM area have been temporarily closed. The County is trying to be as fiscally responsible as possible as the expense level needed for FEMA reimbursement will probably not be reached. County Engineer David Overbo stated a few ditches have been opened with backhoes and they will do more if needed. They have coverage throughout the weekends. The floodwaters have started making their way north of Highway 10. Terri Grinde at the Highway Department updates the County road closure map on the County website daily.

#### **COVID-19 UPDATE**

Public Health Director Kathy McKay was present with Nursing Director Jamie Hennen; Health Promotion Director Rory Beil, and Emergency Preparedness Coordinator Josh Ebert with their weekly COVID-19 update. Ms. McKay commented that the virus is still ramping up and is very serious. They anticipate the number of cases will continue to rise. They continue to address equipment needs and further mitigation. Critical workers are exempt from the current stay-at-home policy. A person can leave for essential needs and outdoor activities are also okay, but everyone should be mindful of the six-foot distancing.

Handouts were provided for the breakdown of COVID-19 cases in Minnesota, nationally, and globally. There are currently six positive cases in Clay County and 576 in Mn. There are 260 patients who no longer need to be isolated and 10 patients who have died. Tests done in Mn stand at 18,822. There are 56 patients in hospitals and 24 in Intensive Care Units. The number of US confirmed cases stands at 164,345 with 3,171 deaths and 5,945 recovered. Globally, there are 798,781 confirmed case, 38,599 deaths, and 162,937 recovered. New York is the epicenter of the virus. Testing locally is still ramping up and they are

not sure when the numbers will peak. The virus could ramp up in the fall again although that is hard to predict.

Ms. Hennen spoke on long-term care. Her area is working with the community and partners on long-term care facilities. They have experienced outbreaks including residents and healthcare workers. The virus is most deadly for those who are over 80. Good hygiene habits include washing hands before preparing food and before touching your face. The virus is more contagious than the flu. Up to 17% of the cases are asymptomatic. The new information coming out is constant. Good sites for fact checking are Minnesota Department of Health (MDH) and the Center for Disease Control (CDC). If symptoms can be managed at home, people are encouraged to stay home, rest, get plenty of liquids, and protect others who live with you. If someone becomes sick, they may want to check in with their doctor. The symptoms are generally worse during the second week. If someone at home becomes critical, they should call 911. The CDC has not changed their view on masks and still feel that six-foot distancing is most important. Outdoor distancing is just as important as indoor distancing. There is no treatment available at this time.

Commissioner Campbell mentioned websites and information he received from someone in the Infectious Disease field. One source gives COVID-19 state-by-state projections and anticipated peak times for each state. Minnesota's peak is expected to be mid to late April. Every state and county are given letter grades from information taken from cell towers. Minnesota and Clay County are both graded with C-.

Mr. Ebert referred to the work going on at the State level with Mn taking a proactive approach for planning for the peak of this pandemic. Joe Kelly from Homeland Security is looking at alternative care sites for patients who are less serious. As of Sunday night, there were 255 Intensive Care Unit beds, 1,250 available ventilators, and 2,621 hospital beds available across Mn. They are hoping to increase the number of beds with alternative care sites to over 5,000. They are working with Gabe Tweten in this region. Supplies are needed to support these efforts and it has definitely been a team effort. Commissioner Campbell mentioned that it's important to consider that most Clay County people would be treated in ND health facilities.

Rory Biel stated they have obligations to help homeless folks who have had a positive test or who have come in close contact with someone who is positive with temporary isolation. They need to consider laundry, food, cleaning, etc., for the facilities. They submitted a grant application to MDH to fund it. If they don't get the funding, these could be additional County expenses that would hopefully be reimbursed as part of the Emergency Declaration. They have 112 homeless people living at Churches United but there is not a way to isolate anyone at that facility. They are trying to find some alternative temporary housing for isolation. In response to a question from Commissioner Gross, Tweten stated the school yards and playgrounds are not closed but they are hoping the parents and guardians are making good decisions with their children who are out of school. There should be 10 or less in any gathering with six-foot distancing.

Commissioner Gross brought up the fact that there are 15 people in the board room at this time and asked for recommendations on conducting further meetings. Although the board room is large enough for people to follow the six-foot distancing, people who are on the agenda should come at their appointed time and leave again when they are done. The Commissioners can make their own decision to be a part of the meeting in person or by remoting into it. Commissioner Mongeau has chosen to attend remotely at this time.

The Wednesday morning media briefings will continue with area leaders. Ms. McKay and Commissioner Haney took part in the media briefing last Wednesday and agreed to continue to do so.

On motion by Commissioner Weyland, seconded by Commissioner Campbell, and unanimously carried, the Board appointed Commissioner Haney to continue representing the Clay County Board at the weekly media briefings for COVID-19.

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

*Many of the following meetings took place remotely, by teleconference, or were set up as virtual meetings.*

- Commissioner Campbell attended meetings for Highway Tracking; Prairie Lakes Municipal Solid Waste Authority; FM Diversion Land Management; Moorhead Clay County Joint Powers Authority; and FM Diversion Authority.
- Commissioner Mongeau attended meetings for FM Diversion Land Management; Lakeland Mental Health; Cass Clay Food Commission; and had several phone conversations with Watershed members.
- Commissioner Haney participated in the weekly media briefing last Wednesday.
- Commissioner Weyland attended meetings for Personnel Issues Committee; West Central Area on Aging/Land of the Dancing Sky; Moorhead Clay County Joint Powers Authority; FM Diversion Board; and Prairie Lakes Municipal Solid Waste Authority.
- Commissioner Gross attended meetings for Personnel Issues Committee and Highway Tracking.
- County Administrator Stephen Larson attended meetings for Personnel Issues Committee; Highway Tracking; Moorhead Clay County Joint Powers Authority; Administrative Team; Planning and Zoning; and multiple discussions and calls related to COVID-19. Cass County is requesting to use the Juvenile Center overflow space for other needs at this time. He commended the technology and information supervisors for all their work in setting up staff to work remotely.
- Attorney Brian Melton stated the Board may need to take action in the near future regarding reducing the population in the jail. He has been working with the Sheriff and jail staff on releasing a few low intensity individuals, those with very low bail bond, and non-violent issues. There were a few with 30 to 90-day sentences with only four days remaining who were allowed out. The jail has shut down the section of the jail called the Wild Rice section. Jail staff is trying to quash a rumor that has been circulating that someone in the jail had the COVID-19 virus. Those coming into the jail have their temperatures taken and if they are sick in any way, they remain isolated for two days. They have the ability to isolate anyone they need to. The jail is down to 65 inmates. There has been a lower amount of arrests and fewer DWIs with people sheltering in place and bars and restaurants closed. They still need to arraign the ones who get locked up. At this time, they have no scheduled jury trials through April 22. This may create some backlog issues. With jury trials being postponed, those serious individuals remain in jail for now for public safety. They work with a company for electronic alcohol monitoring (EAM) each day. If there is an arrest for DWI and until there can be a trial, EAM can sometimes be used at that individual's expense of \$14/day. That provision comes through the court. If they can't afford the EAM, they would have to go back to jail. Attorney Melton may come back to request EAMs to be a County expense for a period of time to keep those people out of the jail. The City Prosecutor has six and the County has 10 who are currently on the monitors. They could allow some pleas through paperwork and then see if it makes sense to recommend that EAMs be a County expense for now. Attorney Melton

added that there are some staff from the Attorney's office working remotely and some meetings set up remotely. He thanked Steve Larson and Tech Services for all their efforts.

The meeting adjourned at 10:08 a.m.

---

Frank Gross, Chair  
County Board of Commissioners

---

Stephen Larson, County Administrator