

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 A.M., TUESDAY, APRIL 5, 2022

Rooms A/B, 3rd Floor, Courthouse

MINUTES

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

CALL TO ORDER

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

APPROVAL OF AGENDA

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

EMPLOYEE RECOGNITIONS

The Board recognized the following employees: Wayne Leitheiser, 15 years, Solid Waste Management; Matthew Sebestl, 20 years, Maintenance; Catherine Andring, 20 years, Social Services; and Denise Steinke, 30 years, Social Services.

CITIZENS TO BE HEARD

There were no citizens who wished to be heard.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the payment of bills and vouchers totaling \$739,235 from 183 vendors. From that total, 142 warrants issued were under \$2,000 (\$64,378) and the following 41 were over \$2,000:

MN PERA	\$140,760	Dept of Corrections	\$6,860
Magic Fund	\$ 95,591	NetCenter Technologies	\$6,666
Clay SWCD	\$ 69,015	Dakota Plains Mechanical, Inc.	\$6,359
Rick Electric, Inc.	\$ 39,910	Forum Communications Printing	\$5,740
City of Moorhead	\$ 36,630	Ramsey Co Medical Examiner	\$5,629
Clay Co Public Health	\$ 28,034	Amanda B. Powers, Psy.D.	\$5,300
Tricorne Audio, Inc.	\$ 25,860	DVS Renewal	\$5,300
Prairie Lakes Solid Waste Authority	\$ 24,124	Games to Go	\$5,000
Otter Tail Co Public Health	\$ 22,338	Medical Pharmacy	\$4,342
Cardmember Service	\$ 19,042	Town & Country Oil, Inc.	\$4,293
Historical & Cultural Society	\$ 16,148	MN Management & Budget	\$4,076
KnowBe4, Inc.	\$ 14,310	Amazon Capital Services	\$3,888
Lakes & Prairies Comm Action	\$ 12,976	Jones Law Office	\$3,795
Becker Co Public Health	\$ 12,816	Fidlar Technologies	\$3,457
Northern Plumbing Supply	\$ 8,761	Little Falls Machine, Inc.	\$3,343
City of Fargo	\$ 8,238	Kurita America, Inc.	\$3,280

Widseth Smith Nolting & Asso.	\$ 3,060	Clay Co Sheriff's Office	\$2,500
High Point Networks, LLC	\$ 2,982	River Valley Forensic Services, PA	\$2,250
Kitzmann/Stuart	\$ 2,620	R Travelmart	\$2,208
Stellar Services, LLC	\$ 2,582	Moorhead Public Service	\$2,195
Psychlogics	\$ 2,580		

APPROVAL OF MINUTES FROM MARCH 15 AND 22, 2022

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the minutes from March 15 and 22, 2022.

PRESENTATION ON MOORHEAD COMMUNITY CENTER AND REGIONAL LIBRARY – HALF-CENT SALES TAX

Mayor Shelly Carlson and City Manager Dan Mahli presented information on the Moorhead Community Center and Regional Library project. Legislative approval was received for the project in May 2021; a task force formed and began meeting last fall; and Moorhead City Council voted unanimously to support the project at the end of January 2022. The project is now in the citizen-involvement stage. Public information sessions are scheduled for April 5 and 19. A detailed plan will be developed after citizen input, and the public will vote on a half-cent sales tax for the project on November 8, 2022.

Mayor Carlson reported that thirty percent of the sales tax in Moorhead comes from out-of-town visitors. They estimate \$1.6 million would be generated yearly from the half-cent sales tax. A Moorhead resident would likely average just over \$25 annually with the increase. The current Moorhead sales tax is 7.375% that includes a State sales tax of 6.875% and Clay County sales tax of .5%. The proposed sales tax would increase the sales tax to 7.875%. Moorhead would like to begin construction on the project in 2023. A central location is expected. After the 11th Street underpass project is completed there will be better traffic flow through the entire central area. The project is felt to be a vital function for Moorhead as a library is a known access point for technology for so many people in the community. Commissioner Kahly added that this project is to help shape the vision of the community.

REQUEST FOR WIC CLINIC TO LEASE TWO OFFICES IN FAMILY SERVICE CENTER

Facilities Director Joe Olson and Public Health Director Kathy McKay requested that the Public Health WIC Clinic be allowed to lease additional space. Two small offices, totaling 160 sf, adjacent to the WIC Clinic just became available and would meet their needs.

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request for the WIC Clinic to lease two additional office spaces in the Family Service Center for \$2,200 annually.

BID OPENING OR MAIN AIR HANDLER AT FAMILY SERVICE CENTER

Mr. Olson noted that the estimate for the main air handler system in the Family Service Center is \$215,000, with \$9,500 for miscellaneous costs/items related to the project. This is an ARPA funding project. Mr. Olson received and opened one bid for the project. The bid came from Dakota Plains Mechanical for \$203,500. The bid will be reviewed and discussed with the bidder. Mr. Olson will come back to the next Board meeting with a recommendation on the bid.

REQUEST TO CHANGE CURRENT COUNTY SUPPORT STAFF FOR EXTENSION FROM COUNTY-HIRED POSITION TO UNIVERSITY-HIRED POSITION

Cecilia Amadou, Regional Extension Director, advised that the support staff position is a vital position to support local Extension educators in conducting programs for Clay County residents. The position has been open since February. The position had been under the County Administrator and was supervised by the Regional Extension Director. Following a resignation in February, conversation began on changing the position to a university-hired position rather than a county position. The change would provide a cost savings of \$13,871 to the County. After discussions at the Personnel Issues Committee, there was an agreement to bring the request to the Board for action.

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request to change a County support staff position for Extension to a State position.

APPROVAL OF COOPERATIVE SERVICES AGREEMENT WITH CITY OF MOORHEAD FOR OPERATIONS AT RESOURCE RECOVERY FACILITY

Administrator Stephen Larson referred to a proposed three-year Cooperative Service Agreement to provide the framework for the responsibilities between Clay County and the City of Moorhead for ownership, operations, and expectations of the Clay County Resource Recovery Facility.

Mr. Larson has worked with Commissioners Campbell and Mongeau, Mr. Rosenberger, Attorney Melton, and City of Moorhead staff on the agreement. The new Resource Recovery Facility will consist of three main areas. The transfer station floor will be under Moorhead, the office space will be shared (Moorhead and Clay County), and the Household Hazardous Waste and citizen drop off area will be under Clay County. This agreement will also establish the liability insurance needed. They reached out to MCIT for guidance when establishing the agreement. It would run from January 1, 2023, through December 31, 2025. The City of Moorhead has already approved the agreement. If the starting date changes, it will come back to the County and City for that change. A Resource Recovery Facility Advisory Board will be established.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the three-year Cooperative Services Agreement with the City of Moorhead for Operations at Resource Recovery Facility to begin upon implementation.

ADOPT RESOLUTION 2022-12 FOR CLAY COUNTY TO ACT AS LEGAL SPONSOR FOR DNR FUNDING FOR SNOWMOBILE TRAILS MANAGED BY CLAY TRAILS ALLIANCE

Greg Strommen, Clay trail Alliance Coordinator, referred to the DNR funding that pays for trail grooming and signage. He described this past winter as very busy and semi-successful. Frequently, the trails had to be groomed multiple times after a snow event due to the wind. The club has 12 trail drivers who drove a total of 513 hours over the winter months. They experienced one major breakdown. They are looking at adding wings to the equipment to make the drags bigger. Mr. Strommen thanked the Board for acting as the legal sponsor for DNR funding.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board executed the following resolution for Clay County to Act as Legal Sponsor for DNR Funding for Clay Trails Alliance:

RESOLUTION 2022-12

BE IT RESOLVED, that Clay County act as the legal sponsor for an application for funding from the State of Minnesota Department of Natural Resources for grooming and maintaining of two-way Snowmobile Trails managed by the Clay Trails Alliance.

BE IT FURTHER RESOLVED, that upon approval of its application by the State, Clay County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED, that the County Administrator is authorized to sign such an agreement with the Department of Natural Resources.

BE IT FURTHER RESOLVED, that Clay County is hereby authorized to serve as the fiscal agenda for the above referenced project.

ANNUAL DEPARTMENT UPDATE – PLANNING AND ZONING

Planning Director Matt Jacobson presented with a brief overview of the Planning and Zoning Department and activity in the past year. He read the department’s mission statement. He noted that the boards that make the land use decisions are Board of Adjustment, Planning Commission, and ultimately the Board of Commissioners for some of the final decisions. With every land use decision they make, they consider how it affects the public.

After a Comprehensive Plan gets finalized and adopted this spring, the Development Code would be the next document to be updated and should be done within five years. Planning administration issues Building Permits, Land Alteration Permits (in shoreland areas), Minor Subdivisions, provides investigations and enforcement, and administers the Floodplain Regulations and Shoreland Program. The Commissioners have a role in several of these areas.

In 2021, 175 permits were issued, with 43 of them for new dwellings. This was the highest number of building permits in the past seven years and maybe longer. The valuations associated with the permits were also up considerably. They processed 17 Interim Use Permits and 18 Conditional Use Permits. The department experienced an increase in major and minor subdivisions as well.

The County has 65 active gravel pits. The average size is 20 acres. The estimated open acreage is 4,600 and permitted acreage is 3,496. Some of the pits were grandfathered. The department sends out gravel tax forms quarterly and the tax is self-reported. Logically, the taxes should be increasing, but the numbers are down. Clay County reports more gravel tax than Becker County.

The Buffalo River Flood Insurance Study should be completed this summer. When the new flood plain map is finished, it will come to this Board for adoption. Online building permit applications are expected to begin in May.

REQUEST TO SEND OUT RFP FOR INMATE & JUVENILE DETENTION HEALTHCARE SERVICES

Juvenile Center Superintendent James O’Donnell, Correctional Facility Administrator – presented to the Board regarding Healthcare Services for their areas.

Mr. O’Donnell stated the current contract is with MEnD Correctional Care. That contract expires on July 31, 2022, for the Juvenile Center (WCRJC) and August 31, 2022, for the Correctional Facility. They have

experienced some issues with MEnD. The proposed Request for Proposals (RFP) for healthcare services has been reviewed by the County Attorney and discussed with the County Administrator and Sheriff.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved sending out an RFP for Inmate & Juvenile Detention Healthcare Services.

REQUEST TO ACCEPT GRANT FROM MN OFFICE OF JUSTICE PROGRAMS

Mr. O'Donnell applied for a grant for costs endured over the COVID-19 pandemic. This grant will pay for some of the staff coverage. The grant, with funds up to \$24,408, can be used to pay for staffing, equipment, and cleaning chemicals.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board accepted the grant from MN Office of Justice Programs.

REQUEST TO FILL VACANCY FOR JUVENILE WORKER IN SECURE UNIT

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved filling the vacancy for a Juvenile Worker in the Secure Unit.

REQUEST FOR SUPPORT IN SEEKING ARPA FUNDS TO INCREASE CAPACITY AND RETENTION FOR FAMILY CHILD CARE AND CHILD FOSTER CARE IN CLAY COUNTY

Social Services Director Rhonda Porter, Supervisor Jessica Mickelson, and Licensor Julie Klier were present. The team met with the ARPA Committee last week and went over their proposal. The team expounded on their list of items that include funding for recruitment, retainage, increased capacity, incentives, and licensures for Family Child Care and Child Foster Care in the County. Ms. Mickelson noted they did not want to duplicate start-up care with grants being available. A huge need has been non-traditional daycare hours. Their list identifies where the funds would be spent to reimburse and compensate for COVID impacts on childcare in the County. An example pamphlet was provided with the contents for Family Child Care.

Commissioner Kahly agreed that this is a critical industry in need, but there was nothing included for childcare centers that could also benefit from incentives. She personally knows of one childcare center that is closing due to staffing issues. Other types of businesses are offering higher wages and childcare centers find it hard to compete. Ms. Porter agreed and noted there has been some discussion about supporting childcare centers and those discussions will continue. Child Care Aware has a \$2,000 start-up grant available to new providers and REETAIN grants are available to support provider education First Children's Finance also offers grants. Commissioner Ebinger would like to see AMC Committee discussion on this subject in the future.

The total request is for \$81,000 from ARPA funds over a two-year period, from May 1, 2022, through April 30, 2024.

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board approved funds totaling \$81,000 from ARPA funds to increase the capacity and retention for Family Child Care and Child Foster Care in Clay County as follows:

1. Increase recruitment efforts by utilizing digital media campaigns and other various outlets - \$10,000

2. Develop a mentor program - \$15,000
3. Offer a referral bonus to current providers - \$15,000
4. Reimburse ALL current FCC providers and new applicants licensing fees for 2 years effective May 1, 2022. Also provide all newly licensed FCC and CFC providers with a fire extinguisher – \$15,000
5. Provide up to 16 hours of paid training for two years to all FCC providers – \$10,000
6. Provide an incentive for providers to hold a Class B1 license – \$6,000
7. Improve our orientation process by offering incentives for attendance – \$6,000
8. Reinstall the after-hours drop box in the vestibule of the Family Service Center – no cost
9. Compensate current providers to hold spots for foster care children in their daycare – \$7,500
10. Provide an incentive for FCC providers to operate during non-traditional daycare hours – \$6,000

REQUEST FOR APPROVAL OF AGREEMENT AND RESOLUTION 2022-13 FOR TURN LANE IN GLYNDON

Highway Engineer David Overbo brought forth a contract agreement and resolution for a Local Partnership Program (LPP) for construction of a turn lane in the City of Glyndon.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board executed the following resolution and MnDOT Agreement #1045422 for a turn lane in Glyndon.

RESOLUTION 2022-13

IT IS RESOLVED that Clay County enter into MnDOT Agreement No. 1045422 with the State of Minnesota, Department of Transportation for the following purposes:

To provide for payment by the State to the County of the State's share of the costs of the grading, aggregate base, curb and gutter, storm sewer, traffic signal revision, concrete driveway and sidewalk construction and other associated construction to be performed upon, along, and adjacent to Trunk Highway No. 10 at C.S.A.H. 19 (Parke Avenue) within the corporate limits of the City of Glyndon under State Project No. 1401-191.

IT IS FURTHER RESOLVED that the Clay County Board Chair (Title) and the Clay County Administrator are authorized to execute the Agreement and any amendments to the Agreement.

REQUEST FOR APPROVAL OF 2022 DUST CONTROL QUOTE

Mr. Overbo noted that he received four quotes – all with calcium chloride - for 2022 dust control. The prices are up about 10% from last year due to diesel fuel and labor costs. Glacier Dust Control submitted the lowest quote. The company did the dust control in the County last year with good results reported. They apply calcium chloride on the areas of high traffic gravel roads where traffic tends to slow down. The following quotes were received:

Allstates Pavement Recycling & Stabilization	\$1.595/gallon and \$0.478/sq. yard
Glacier Dust Control (Fargo, ND)	\$1.385/gallon and \$0.415/sq. yard
Knife River (Sauk Rapids, MN)	\$2.000/gallon and \$0.600/ sq. yard
Northern Salt, Inc. (Forest Lake, MN)	\$1.540/gallon and \$0.460/sq. yard

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the low quote for 2022 dust control from Glacier Dust Control for \$1.385/gallon and \$0.415/sq. yard.

APPROVAL TO ADVERTISE CSAH 12 MILL & OVERLAY

Mr. Overbo stated this item is for a large project on CSAH 12, from the river to CSAH 11. The price per ton is up and is expected to continue to increase. They plan to advertise for a May 10th bid letting and have the project wrapped up by harvest season.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved advertising for the CSAH 12 Mill and Overlay project.

ANNUAL DEPARTMENT UPDATE – PROBATION

Janelle Cheney, District Supervisor for Probation, was present with her annual department update. She noted that the recent backfill of two positions was completed. Her staff consists of six agents and three office staff. There are three Juvenile Probation Agents who currently supervise 89 juveniles. Of those juveniles, 11 are in some type of placement. The two Adult Probation Agents supervise 104 adults with gross misdemeanors and misdemeanors. Forty-four of the adults are participating in domestic violence treatment court. With the COVID-19 pandemic, many meetings and hearings have been held through Zoom. The agents participate in the Statewide Domestic Violence Task Force. The sixth agent is for Drug Court and Veterans Court. As of last week, he had 21 adults on supervision through the specialty court programs.

A subcommittee, with representatives from Court, Probation, County Attorney's office, Correctional Center, City Attorney's Office, and Public Defender's Office, has met and plan to move forward with Pre-trial Support. This support allows individuals to remain in the community, rather than in custody, pending the outcome of their current offenses.

In 2021, the Juvenile Offender Restitution Program paid out \$1,851.33 to victims of juvenile crime in seven cases, involving six youths. This is a decrease from years past, likely due to the pandemic and extra cautions in the community. Probation offers bus passes to the summer Juvenile Work Restitution Crew and is looking into offering lunches to them this summer. The open position for the Sentence to Serve (STS) Program was recently posted and five applications were submitted. They plan to interview soon. The interview team includes Joe Olson, Kari Tuton, and Janelle Cheney.

Ms. Cheney pointed out the critical need for an Outpatient Treatment Program for youth. The program in Detroit Lakes involves a commute and there is generally a waiting list for the program in Fargo.

There was a cost savings to the County in 2021 when IT equipment and support for Probation were transitioned to the State of MN. there is proposed legislation for more funding to allow 50% reimbursement to Counties for Justice Reinvestment. The current reimbursement is 29.7% They are proposing \$25 million towards Community Supervision for the state. The Grand Inn, which was a great resource for homeless, recently sold. The other two hotels they work with will not take anyone with felony offenses within their facilities. On April 29, Probation staff will be meeting with Commissioner of Corrections, Paul Schnell in Moorhead.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSION

- Commissioner Gross reported on meetings for FM Diversion Flowage Easements; Dilworth City Council; Detox Planning; Mn Rural Counties; and attended the intergovernmental Retreat.

- Commissioner Campbell reported on meetings for Personnel Issues Committee; Prairie Lakes Municipal Solid Waste Authority; FM Diversion Land Management; Solid Waste Advisory Committee; Moorhead Clay County Joint Powers Authority; ARPA Committee; FM Diversion Authority Board; and attended the Intergovernmental Retreat.
- Commissioner Ebinger reported on meetings for FM Diversion Flowage Easements; Community Leaders Roundtable; FM Diversion Finance Committee; FM Diversion Authority Board; Detox Facility Planning; and attended the Intergovernmental Retreat.
- Commissioner Kahly reported on meetings for FM Diversion Flowage Easements; Lakes and Prairies Community Action Partnership; Early Childhood Initiative; Redistricting; Moorhead City Planning Commission; had community conversation on affordable senior housing needs; and attended the Intergovernmental Retreat.
- Commissioner Mongeau reported on meetings for Personnel Issue Committee; FM Diversion Flowage Easements; Prairie Lakes Municipal Solid Waste Authority; Community Leaders Roundtable; Business Partners Roundtable; Solid Waste Advisory Committee; Lakes and Prairies Community Action Partnership, met with Mr. Larson on work group sessions; Lakeland Mental Health; Resource Recovery Facility Construction update; Detox Facility Planning with Klein McCarthy; testified on House File 2367 on SCORE Funding; ARPA Committee; Career Academy; Rural Mn Counties; and attended the Intergovernmental Retreat.
- Mr. Larson reported on meetings for Personnel Issues Committee; Attorney Melton and Mr. Rosenberger; County Management; New County Payroll System; County Storage Facility; Commissioner meetings; Solid Waste Advisory Committee; ARPA Committee; Mn Asso. Of County Administrators; Transportation Funding; Detox Facility Planning; Safety Committee; met with Derek LaPoint re: Business Relief; Legislative Update re: Opioid Funding; Childcare Bills; and attended the Intergovernmental Retreat.

The meeting was adjourned at 11:21 a.m.

Jenny Mongeau, Chair
County Board of Commissioners

Stephen Larson, County Administrator