

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 A.M., TUESDAY, MAY 7, 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, Jim Haney, Kevin Campbell and Jenny Mongeau. Commissioner absent: Frank Gross. Others present: County Administrator Stephen Larson, Acting County Attorney Pam Foss, and Senior Administrative Assistant Colleen Eck.

CALL TO ORDER

Chair Weyland called the meeting to order.

APPROVAL OF AGENDA

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

AMEND BUFFER ORDINANCE TO INCLUDE BUFFER MAP LINK IN PLACE OF “2017 PUBLIC WATERS MAP”

By consent the Board approved amending the County Buffer Ordinance to include the Buffer Map Link in place of “2017 Public Waters Map.”

LEASE RENEWALS FOR FAMILY SERVICE CENTER: FAMILY HEALTH CARE

By consent the Board approved the following Lease Renewals in Family Service Center: Family Health Care: Suite #106b, 2,117sf @\$9.20/sf, 7/1/19 to 6/30/20; Suite #103SE, 325sf @ \$13.25/sf, 7/1/19 to 6/30/20; Birthright: Suite #103C, 962sf @ \$13.25/sf, 6/1/19 to 5/31/21; Deaf and Hard of Hearing Services: Suite #200, 1,476 sf @ \$12.75/sf, 7/1/19 to 6/30/22; Department of Human Services Direct Care & Treatment/Community Based Services: Suite #305a, 162 sf @ \$12.55/sf, 7/1/19 to 6/30/21; Suite #305b, 175 sf @ \$12.55 sf, 7/1/19 to 6/30/21; Suite #307, 211 sf @ \$12.55/sf, 7/1/19 to 6/30/21; and Suite #310, 224 sf @ \$12.55/sf, 7/1/19 to 6/30/21.

CITIZENS TO BE HEARD

There were no citizens who wished to address the Board.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Mongeau, seconded by Haney, and unanimously carried, the Board approved bills and vouchers totaling \$2,593,472 from 193 vendors for payment. From that total, 154 warrants issued were under \$2,000 (\$55,249) and the following were over \$2,000:

Construction Engineers, Inc.	\$1,716,964	Hannaher's Inc	\$6,242
Butler Machinery Co.	\$377,095	Dakota Plains Mechanical, Inc.	\$5,382
WCRJC	\$93,691	The Retrofit Companies Inc.	\$4,971
Burns McDonnell	\$48,151	Information Systems Corp	\$4,695
CoreLogic	\$31,622	Wells Fargo Real Estate Tax Svc	\$4,390
Clay County Public Health (WCRJC)	\$25,352	Moorhead Public Service	\$3,987
Clay Co Public Health	\$22,756	Stellar Services, LLC	\$3,443
Department of Corrections	\$18,600	Madison National Life	\$3,315
Otter Tail Public Health	\$18,408	American Enterprises Inc.	\$3,103
Klein McCarthy & Co Ltd	\$17,088	Colonial Life	\$2,825
Historical & Cultural Society	\$15,578	Summit Food Service, LLC - PH	\$2,797
Becker County Public Health	\$12,149	MN Counties Inter. Trust	\$2,500
Code 4 Services, Inc.	\$12,133	Motorola Solutions, Inc.	\$2,476
American Solutions for Business	\$12,019	Farmers Coop Oil Co	\$2,413
Lakes & Prairies Community Action	\$11,875	Clay Co. Public Health	\$2,240
Clay County Treasurer	\$10,807	TCB Communications LLC	\$2,202
Magic Fund	\$8,725	CDW Government, Inc	\$2,180
Advanced Business Methods	\$7,876	Bob Barker (WCRJC)	\$2,108
PDQ.COM Corporation	\$7,200	Wilkin Co Public Health	\$2,016
Key Contracting Inc.	\$6,850		

APPROVAL OF MINUTES FROM APRIL 16 and 23, 2019

On motion by Haney, seconded by Campbell, and unanimously carried, the Board approved the minutes from April 16 and 23, 2019.

EMPLOYEE RECOGNITIONS

The following employees were recognized for longevity at Clay County: Ester Baquera, 25 years, Social Services and Kevin Braseth, 25 years, Highway Department.

ANNUAL REPORT – CHILDREN’S MENTAL HEALTH LOCAL ADVISORY COUNCIL (LAC):

Carolyn Strnad, Collaborative/Early Childhood Initiative Coordinator was present with the annual report from Children’s Mental Health Local Advisory Council (LAC) and thanked Commissioner Haney for being a part of the council.

Strnad mentioned LAC's projects and their upcoming luncheon. They recently conducted a survey and identified major issues as being transportation needs, filling out paperwork, no insurance or underinsured, and language barriers. School-based mental health needs are growing while funding stays the same. They need to advocate at the state level and with the local legislators to see that funding goes directly to Social Services and the Collaborative. A report on a Mental Health Services, Medicaid, and commercial insurance plan comparison identifies that there is a gap in services. The collaborative continues to stretch their funding to address needs and be good stewards.

PROCLAMATION FOR MENTAL HEALTH MONTH – MAY 2019 AND CHILDREN'S MENTAL HEALTH DAY – MAY 9, 2019

On motion by Campbell, seconded by Haney, and unanimously carried, the Board proclaimed May as Mental Health Month and May 9 as Children's Mental Health Day.

ANNUAL REPORT - CLAY COUNTY ADULT MENTAL HEALTH LAC

Alison Wolbeck, Adult Mental Health LAC, spoke on the needs for housing support, public transportation, and countywide broadband services for adults with mental health needs. She noted half of all renters are considered overburdened on their ability to pay rent and offered suggestions including speaking with State Representatives. Rhonda Porter, Social Services Director, also addressed the renewed effort for transportation needs in the County and mentioned a regional grant to help fund public transportation. Commissioner Campbell stated that Clay County recently joined the coalition to support broadband internet where funding has been the key issue.

On motion by Haney, seconded by Mongeau, and unanimously carried, the Board approved the current Clay County Adult Mental Health Local Advisory Council Membership List as presented.

ANNUAL REPORT – A PLACE FOR HOPE: RECOVERY AND WELLNESS CENTER

Darrel Vasvick, Executive Director of A Place for Hope, read their mission statement and presented their statistics and highlights for the year. He covered their volunteer hours, attendance and membership numbers, as well as a fundraiser. He invited the Commissioners to visit their center. They currently have a couple openings on their Board of Directors and they carry a balance in their reserves.

REQUEST OF FUNDS FOR AGREEMENT WITH TYLER TECHNOLOGY FOR NATIONAL INCIDENT BASED REPORTING PROJECT

Sheriff Mark Empting and Chief Deputy Stephen Landsem were present with a request to amend the agreement with Tyler Technology to cover the cost of the National Incident Based Reporting Project. The project has a mandatory implementation date of January 2021 for crime reporting to the FBI. They are working with City of Fargo IT on the project. They were able to secure an \$8,000 grant from Bureau of Criminal Apprehension (BCA) for the project. Clay County's share has been reduced to \$7,600, to be split between all six Law Enforcement entities in the County. They will budget for the expense for next year.

On motion by Haney, seconded by Campbell, and unanimously carried, the Board approved amending the agreement with Tyler Technology to cover the expense for National Incident Based Reporting Project.

JOINT POWERS AGREEMENT AND RESOLUTION 2019-22 BETWEEN STATE OF MN AND CLAY COUNTY RE: MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE

Sheriff Empting stated there has been an agreement in place for many years between the State of MN and the County Re: Minnesota Internet Crimes Against Children Task Force and there is an investigator assigned to this program. Resolution 2019-22 is for renewal of the Joint Powers Agreement with the State of MN for Minnesota Internet Crimes Against Children Task Force.

On motion by Campbell, seconded by Mongeau, and unanimously carried, the Board approved the following resolution, contingent on attorney's review:

RESOLUTION NO. 2019-22

RESOLUTION APPROVING STATE OF MN JOINT POWERS AGREEMENTS WITH THE COUNTY OF CLAY ON BEHALF OF ITS SHERIFF RE: MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

WHEREAS, the County of Clay on behalf of its Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation on children that is committed and/or facilitated by or through the use of computers.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of Clay County,

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Clay on behalf of its Sheriff are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.

2. That the Clay County Sheriff, Mark Empting, or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.

3. That Grant Weyland the Chair of the County Board of Commissioners of Clay County, and Steve Larson, The County Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

PROCLAMATION FOR CORRECTIONS OFFICER WEEK – MAY 7-13

Julie Savat, Correctional Facility Administrator, and Justin Roberts, Assistant Correctional Facility Administrator, asked for recognition of Clay County Corrections Officers with a proclamation that was read by Chair Weyland.

On motion by Mongeau, seconded by Haney, and unanimously carried, the Board proclaimed May 7 – 13 as Corrections Officer Week.

BAKER PROPERTY SPECIAL ASSESSMENT

Stephen Larson, County Administrator; Lori Johnson, County Auditor – Treasurer; Emma Notermann, Planning & Zoning Tech, were present with a request for a special assessment on a property in Baker. A property owner’s mobile home, deck and utilities need to be relocated to ensure compliance with the County Development Code and resolve a court-ordered issue. Johnson noted that funds, up to \$15,000, for the relocate could be paid by the County and charged back to the property owner who is unable to cover the costs at this time.

On motion by Mongeau, seconded by Haney, and unanimously carried, the Board approved the County paying for costs (up to \$15,000) associated with the relocation of a mobile home and assessing those costs to the property owner with a 7-year Annual Special Assessment at 5% interest.

APPROVAL OF RESOLUTION 2019-21 FOR AQUATIC INVASIVE SPECIES PREVENTION AID

Kevin Kassenborg, SWCD and Emma Notermann, Planning & Zoning Tech, were present with a resolution addressing Aquatic Invasive Species Prevention Aid. The County has received State-aid dollars for the Department of Natural Resources annually and previously worked with the Red River Basin Commission to utilize those funds locally. The SWCD office has now accepted that project for the County. Kassenborg mentioned the funds going toward signage at the public access lakes, working with River Keepers, and education on invasive species.

On motion by Campbell, seconded by Haney, and unanimously carried, the Board executed the following resolution:

**RESOLUTION 2019-21
RESOLUTION FOR AQUATIC INVASIVE SPECIES (AIS) PREVENTION AID**

WHEREAS, 2014 Session Law Chapter 308 enacted by the Legislature provides Minnesota counties a County Program Aid grant for Aquatic Invasive Species (AIS) prevention. The amount designated for each county is based on the number of watercraft trailer launches as well as the number of watercraft trailer parking spaces within each county; and,

WHEREAS, the legislation requires that Clay County must establish, by resolution or through adoption of a plan, guidelines for the use of the proceeds which are to prevent the introduction or limit the spread of aquatic invasive species at all access sites within the county; and,

WHEREAS, the County may appropriate the proceeds directly or may use any portion of the proceeds to provide funding for a joint powers board or cooperative agreement with another political subdivision, a soil and water conservation district in the county, a watershed district in the county, or a lake association located in the county. Any money appropriated by the county to a different entity or political subdivision must be used as required under this section; and,

WHEREAS, the County must submit a copy of its resolution or plan for use of the proceeds to the Department of Natural Resources by December 31 of the year the payments are received; and,

WHEREAS, Aquatic Invasive Species are a top priority/concern identified for waters of the state, Clay County has partnered with the Clay County Soil and Water Conservation District to fulfill the statutory requirements of Chapter 308 and provide leadership in the fight against Aquatic Invasive Species by developing proactive solutions aimed at educating and empowering local citizens.

NOW, THEREFORE, BE IT RESOLVED, the Board of Commissioners of Clay County, Minnesota designates oversight of Clay County's AIS prevention efforts to the Clay County Planning Zoning Department and delegates to them the responsibility to coordinate activities with other Counties and the Clay County Soil and Water Conservation District related to the planning, preparation, and implementation of AIS programs and the annual reporting of the allocation of AIS funding in accordance with the legislation mentioned above.

REQUEST TO APPOINT EMMA NOTERMANN AS INTERIM PLANNING & ZONING DIRECTOR

Stephen Larson, County Administrator and Darren Brooke, Human Resources Director, stated Emma Notermann has carried out all the director-related responsibilities in the Planning and Zoning Department since the director position was vacated on March 11. Her extra duties have included the Board of Adjustment and Planning Commission meetings, etc. It may be another three to four weeks until a new director comes on board. The request is to appoint Notermann as Interim Planning Director with an adjustment in her salary and backpay.

On motion by Mongeau, seconded by Campbell, and unanimously carried, the Board approved the request to appoint Planning Tech Emma Notermann as Interim Planning & Zoning Director until the first day a new Planning Director comes on board, and to adjust her salary accordingly including backpay to March 11, 2019.

REQUEST APPROVAL OF LETTER FOR BUFFALO RED RIVER WATERSHED BOARD

Stephen Larson, County Administrator, noted the Commissioners attended an informational meeting hosted by the Buffalo Red River Watershed District on April 23rd, 2019 in relation to the Watershed District's permitting process of Permit B. At the meeting, there was a time for

public comments and a request that any additional insight would be accepted in written form. A letter of support has been drafted for their Board's approval of Permit No. 19-003 for the FM Diversion Plan B.

On motion by Campbell, seconded by Haney, and carried with one nay vote by Commissioner Mongeau, the Board approved a letter to the Buffalo Red River Watershed Board for support of FM Diversion Plan B.

REQUEST AUTHORIZATION TO PURCHASE ADDITIONAL FLEET VEHICLE (VAN)

Georgia Beaudry, Building Manager, requested an additional fleet vehicle because of high usage of vehicles. She noted some of the fleet vehicles are purchased and some are leased. The vehicle is a 7-passenger Caravan from Burnsville Dodge through the MN State Contract.

On motion by Mongeau, seconded by Haney, and unanimously carried, the Board authorized the purchase of an additional fleet vehicle in the amount \$24,788 plus tax and license.

REQUEST APPROVAL OF 2019 DUST CONTROL QUOTE

David Overbo, County Engineer, and Justin Sorum, Assistant County Engineer, brought in a single bid quote for County-wide 2019 dust control.

On motion by Campbell, seconded by Haney, and unanimously carried, the Board approved the dust control quote from Knife River: \$1.20/gallon for calcium chloride and \$0.36/square yard.

UPDATE FROM NATIONAL ASSOCIATION OF COUNTY ENGINEER'S CONFERENCE

Overbo provided a brief update and handout from the National Association of County Engineers Conference he recently attended. He primarily attended sessions on pavement management and dust control.

Overbo also provided gas tax distribution fund information.

REQUEST APPROVAL TO FILL TWO POSITIONS IN PUBLIC HEALTH – WIC DIRECTOR AND PUBLIC HEALTH NURSE

Kathy McKay, Public Health Administrator, and Jamie Hennen, Director of Nursing, brought forth two upcoming open positions: WIC Director and Public Health Nurse. The WIC program is fully supported by Federal and State funding. The Public Health Nurse position generates funding through health plans and Department of Human Services based on the number of clients served. The program generates enough funding to support this nurse position.

On motion by Campbell, seconded by Haney, and unanimously carried, the Board approved the request to fill an upcoming vacancy for a Women, Infants, and Children (WIC) Program Director and to backfill positions as necessary.

On motion by Mongeau, seconded by Campbell, and unanimously carried, the Board approved the request to fill an upcoming vacancy for a Public Health Nurse and to backfill positions as necessary.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Mongeau attended meetings for County Managers Off-Site; FM Diversion Authority Land Management; Pollinator Habitat at Crestwood; interviews for Planning and Zoning Director; MetroCOG Executive Committee;
- Commissioner Campbell attended meetings Prairie Lakes Municipal Solid Waste Authority; FM Diversion Authority Public Outreach; Solid Waste Advisory Committee; FM Diversion Authority; Correctional Facility and LEC Construction Update; WCRJC Construction Update; FM Diversion Chairs Coordinator; and Joint Powers.
- Commissioner Haney attended meetings for County Managers Off-Site; City of Moorhead Planning Commission; Independency School District Legacy; and Joint Powers.
- Commissioner Weyland attended meetings for Prairie Lakes Municipal Solid Waste Authority and County Managers Off-Site.
- County Administrator Stephen Larson attended meetings for County Managers Off-Site; Buffalo Red River Watershed District; Pollinator Habitat at Crestwood; Correctional Facility and LEC Construction Update; Juvenile Center Construction Update; Region 10 Public Employees; FM Diversion Chairs Coordinator; Planning and Zoning Director Interviews; Joint Powers; Strive for Excellence; County Managers; and toured the Juvenile Center

The meeting adjourned at 10:30 a.m.

Grant Weyland, Chair, County Board of Commissioners

Stephen Larson, County Administrator