

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 A.M., TUESDAY, MAY 21, 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, Kevin Campbell, and Jenny Mongeau. Commissioner absent: Jim Haney. Others present: County Administrator Stephen Larson, Assistant County Attorney Ashley Holo, and Senior Administrative Assistant Colleen Eck.

CALL TO ORDER

Chair Weyland called the meeting to order.

APPROVAL OF AGENDA

On motion by Mongeau, seconded by Gross, and unanimously carried, the Board approved the agenda with removal of one consent agenda item for further discussion.

OUT-OF-STATE TRAVEL REQUEST FOR NATIONAL TRAINING IN DALLAS, TX

By consent the Board approved an out-of-state travel request for a Public Health employee to attend Community Anti-Drug Coalitions of America.

RENEWAL OF LIQUOR LICENSES FOR RUSTIC OAKS, BUFFALO RIVER RACE PARK, AND J&M BAR SERVICES

By consent the Board approved renewal of liquor licenses for Rustic Oaks, Buffalo River Race Park, and J&M Bar Services.

CITIZENS TO BE HEARD

There were no citizens 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 \$700,662 from 145 vendors for payment. From that total, 110 warrants issued were under \$2,000 (\$43,398) and the following 35 were over \$2,000:

Clay Co Public Health	\$165,999	Summit Food Service, LLC - Jail	\$30,799
Nustar Pipeline Operating Par	\$57,132	Becker County Public Health	\$30,235
Clay County Social Services	\$48,230	Stavitsky & Asso., LLC	\$20,449
Goldmark Property Mgmt, Inc.	\$44,829	Clay Trail Alliance	\$18,882
Moorhead Public Service	\$42,007	Cardmember Service - (Sheriff)	\$17,676
Otter Tail Co. Public Health	\$40,567	Wilkin Co. Public Health	\$15,344

American Enterprises, Inc.	\$13,950	Johnson/Chad D	\$3,530
Xcel Energy	\$12,623	Holiday Credit Office	\$3,456
Summit Food Service, LLC - WCRJC	\$12,060	Twin City Garage Door, Inc.	\$3,320
New American Consortium	\$11,894	Wenck Associates, Inc.	\$3,248
City of Fargo	\$8,379	Interstate Power Systems, Inc.	\$3,070
High Point Networks, LLC	\$7,196	Green View, Inc.	\$2,857
Menards, Inc. /Robert Hill Trust	\$5,554	Moorhead Public Housing Agency	\$2,477
Pomp's Tire Service, Inc.	\$5,405	Rick Electric, Inc.	\$2,410
Lutheran Social Service of Mn	\$4,893	Bob Barker (WCRJC)	\$2,155
Code 4 Services, Inc.	\$4,678	Carr's Tree Service, Inc.	\$2,125
H & R Construction, Inc.	\$3,951	Stellar Services, LLC	\$2,037
Enterprise FM Trust	\$3,849		

APPROVAL OF MINUTES FROM MAY 7, 2019

On motion by Mongeau, seconded by Gross, and unanimously carried, the Board approved the minutes from May 7, 2019.

PRICE QUOTE CHANGE FOR RECENTLY AUTHORIZED FLEET VEHICLE *(removed from consent agenda)*

The Board confirmed the adjusted cost of the authorized fleet vehicle and was assured that the dollar amount would be consistent on all information including the minutes.

On motion by Campbell, seconded by Gross, and unanimously carried the Board approved the decrease in the price for a recently authorized purchase of a fleet vehicle with the adjusted cost at \$22,327, plus a \$20 metro tax.

RECOGNITION OF DONATION FOR SHERIFF'S WORK DETAIL FROM SCANDIA LUTHERAN CHURCH

The Board recognized a \$50 donation from Scandia Lutheran Church in Moorhead to go toward the Sheriff's work detail.

UPDATE ON EXTENSION'S EDUCATION RELATED TO BACKYARD CHICKENS

Noelle Harden, Regional Extension Health and Nutrition, provided a compilation of rules and regulations related to backyard chickens throughout the jurisdictions in Clay County. She also provided a blueprint developed by Cass Clay Food Partners entitled "Urban Agriculture and Backyard Chickens." The document addresses the benefits, concerns and possible solutions on the subject. Extension recently conducted a workshop on backyard chickens in Moorhead. She added the Extension Office would be happy to field questions from the public related to raising backyard chicken.

Commission Mongeau is on the Cass-Clay Food Commission and noted these rules and regulations have not changed. This document provides helpful information for the public.

REQUEST TO RE-APPOINT TWO BOARD OF ADJUSTMENT MEMBERS FOR THREE-YEAR TERMS

Emma Notermann, Acting Planning Director, requested re-appointment of Paul Krabbenhoft and Perry Bushaw to the Board of Adjustment for their third three-year terms.

On motion by Campbell, seconded by Mongeau, and unanimously carried, the Board approved three-year reappointments for Paul Krabbenhoft and Perry Bushaw to the Board of Adjustment.

PUBLIC HEARING - ADOPT ORDINANCE 2019-1 AMENDING LEGAL DESCRIPTION IN ORDINANCE 2000-3 FOR BARNESVILLE JOINT POWERS AREA

On motion by Gross, seconded by Mongeau, and unanimously carried, the Board opened the public hearing.

Emma Notermann provided documentation, along with the recommendation from the Planning Commission, to amend the Barnesville Joint Powers Area (JPA) Ordinance. The amendment would allow two parcels in Humboldt Township to be included in the Barnesville JPA. The two parcels total approximately four acres in size with a structure that was formerly the Galaxy Supper Club. The parcels are zoned agricultural. The applicant is proposing to use the building on the site for office space which would be allowed in the Barnesville JPA without any rezoning. The Barnesville JPA Board unanimously recommended approval of the request.

The applicant noted he proposes to pull permits to add office space and shop space in the building. He believes the Galaxy Supper Club pre-dated County zoning.

On motion by Campbell, seconded by Gross, and unanimously carried, the Board closed the public hearing.

On motion by Mongeau, seconded by Gross, and unanimously carried, the Board adopted Ordinance 2019-1 amending the legal description to include two more parcels in Ordinance 2000-3 for Barnesville Joint Powers Area.

REQUEST APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) FOR BUFFER ORDINANCE ADMINISTRATION

Stephen Larson, County Administrator, and Gabe Foltz, Soil and Water Conservation District (SWCD) Technician, presented the request for the MOU which is an extension of the Buffer Ordinance that was approved in 2016. The SWCD Board and our Commission have been working together on how to enforce the Buffer Ordinance. Foltz stated the MOU lays out the duties and responsibilities of the SWCD and Clay County. It includes enforcement, tracking time, and liabilities. It has been reviewed by the County Attorney's office. They will take every step possible to avoid enforcement. Compliance with the Buffer Ordinance is at 96-97% along public waters, approximately 70% along public drainage ditches and 75% along the Wild Rice River.

On motion by Mongeau, seconded by Gross, and unanimously carried, the Board approved the Memorandum of Understanding with SWCD which serves as an extension of the Buffer Ordinance.

PRELIMINARY BUDGET DISCUSSION

Stephen Larson, along with Lori Johnson, Auditor – Treasurer, provided target dates for year 2020 budget preparation and adoption. Commissioner Campbell asked that changes stemming from the market study be incorporated into the budget as a lump sum for assumed implementation. The preliminary report on the market study will be presented to Personnel Issues Committee and County Board on June 11.

On motion by Gross, seconded by Campbell, and unanimously approved, the schedule for 2020 budget preparation and adoption.

Larson reviewed the revenue and expenses from 2018 and the first quarter of 2019. He provided explanations for department budgets that were higher than anticipated in 2018. Overall, the first quarter of 2019 is at 23%.

REQUEST APPROVAL OF YEARLY SUPPLY BIDS

David Overbo, County Engineer, and Justin Sorum, Assistant County Engineer, handed out bid tabulations for four categories for yearly supplies. He was pleased with the bids. The lowest gravel bids were split 50/50.

On motion by Mongeau, seconded by Gross, and unanimously carried, the Board approved the single bid from True North Steel for the lists of diameter/gauge combinations of galvanized corrugated metal culverts.

On motion by Mongeau, seconded by Gross, and unanimously carried, the Board approved bids from four contractors (Border States Paving, Central Specialties, Northern Improvement, and FM Asphalt) for various hot bituminous mixtures.

On motion by Campbell, seconded by Gross, and unanimously carried, the Board approved the bids from six contractors (Fitzgerald Construction, Turner Sand and Gravel, Key Contracting, American Enterprises, Northern States Excavating, and Landmark Co.) for rental of various construction equipment as listed.

On motion by Gross, seconded by Campbell, and unanimously carried, the Board approved the low bids from Turner Sand and Gravel for graveling in Townships #4, 7, 8, 12, 13, 20-22, and 25-29; and from Strata for graveling in Townships #1-3, 5, 6, 9-11, 14-19, 23, 24, and 30. (The prices are all based on location of their pits and haul distance to the townships.

REQUEST APPROVAL OF EXTENDED WARRANTY FOR UNIT 151

David Overbo requested the purchase of a 7-year, 150,000-mile, bumper-to-bumper warranty in the amount of \$5175 for Unit 151, a freightliner tandem axle truck. The warranty would eliminate future costly repair expenses.

On motion by Gross, seconded by Campbell, and unanimously carried, the Board approved purchase of a warranty for a freightliner tandem axle truck (Unit 151).

REQUEST APPROVAL OF RESOLUTION 2019-25 FOR AMC TRANSPORTATION FUNDING

Overbo stated the Association of Minnesota Counties (AMC) is requesting County support of a resolution showing the need for additional transportation funding. In an effort to bridge a funding gap an additional \$1.084 billion is needed toward County and County State Aid Roadways.

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

Resolution 2019-25

Clay County Board of Commissioners

WHEREAS Minnesota Counties maintain 30,742 miles of County State Aid Highway (CSAH) roads and 14,141 miles of county roads, totaling over 30% of the state’s roadways; and

WHEREAS the total annual need is \$1.084 billion annually over the next 25 years just to maintain the current CSAH and county road system, not including expansion; and

WHEREAS the annual funding gap for counties has resulted in deferring basic maintenance, delaying expansion projects with resulting safety concerns, mounting congestion, and missed economic growth for businesses and commuters; and

WHEREAS a comprehensive and sustainable transportation solution should include adequate funding for roads, bridges, and transit, and address the varying needs in different parts of the state; and

WHEREAS increased funding for Minnesota’s Highway User Tax Distribution Fund would provide additional, stable funds for MnDOT, all 87 counties, all cities with a population of 5,000 or more, and townships across the state;

NOW THEREFORE BE IT RESOLVED that the Clay County Board of Commissioners encourages the Minnesota Legislature to pass and the Governor to sign a bill that brings adequate funding to Minnesota’s statewide transportation system.

UPDATE: BARNESVILLE SPEED LIMITS

Barnesville is looking at tweaking their speed limits with a transition of speeds. They are considering extending 40 mph past the lake. Commissioner Mongeau has spoken to Barnesville City officials and endorses the proposal. She suggested sending Barnesville a letter of support from the Board Chair.

DISCUSSION ON COUNTY LONG-RANGE PLANNING

Stephen Larson and Darren Brooke, Human Resources Director, referred to discussions at the recent management retreat hosted by Brian Erdman of AMC. A power point was provided with a recap of the goals that were identified: short- and long-term capital planning; succession

planning; recruitment and retention; and efficiency improvements. Further discussion of the goals and future committee needs ensued.

REQUEST TO SIGN CONTRACT WITH MEND TO PROVIDE HEALTHCARE SERVICES AT WEST CENTRAL REGIONAL JUVENILE CENTER (WCRJC)

James O'Donnell, WCRJC Superintendent, requested the Board sign an official contract with MEnD for healthcare services. The adjusted costs reflect a significant savings with the elimination of a second nurse. One nurse and med techs are felt to be sufficient to meet the needs at the Juvenile Center.

On motion by Campbell, seconded by Gross, and unanimously carried, the Board approved the contract with MEnD to provide Healthcare Services for the West Central Regional Juvenile Center.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Mongeau attended meetings for MetroCOG; Lakeland Mental Health; and completed a Background Study Clearance. Update: budget issue at Lakeland Mental Health for translator needs.
- Commissioner Campbell attended meetings for Highway Tracking; FM Diversion Land Management; MN Diversion Authority - JPA; and FM Diversion Chairs Coordination.
- Commissioner Gross attended meetings for Highway Tracking; Spring Prairie Township; City of Ulen; Moorhead and Greater F-M Economic Development Corp.; and Keene Township.
- Commissioner Weyland attended meetings for MN Diversion Authority – JPA and Greater F-M EDC Executive Committee.
- County Administrator Stephen Larson attended meetings for Highway Tracking; Planning & Zoning and Assessor's Office; County Fleet Usage Policy Review; Social Service Issues; County Administrators; New Hire Orientation; and FM Diversion Chairs Coordination. Updates: meeting scheduled for Friday regarding noxious weeds; road tour slated for June 20; Board of Equalization scheduled for June 18.

The meeting adjourned at 10:20 a.m.

Grant Weyland, Chair, County Board of Commissioners

Stephen Larson, County Administrator