

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 A.M., TUESDAY, MAY 24, 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: HR Director and Assistant County Administrator Darren Brooke, County Attorney Brian Melton, and Sr. Admin. 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 Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda.

CITIZENS TO BE HEARD

There were no citizens to be heard.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved the payment of bills and vouchers totaling \$5,050,991 from 155 vendors. From that total, 119 warrants issued were under \$2,000 (\$33,011) and the following 36 were over \$2,000:

Independent School District 152	\$2,645,778	Ada-Borup-West ISD 2910	\$7,741
Mn Dept of Finance, Treasury Div.	\$1,055,551	Axon Enterprises, Inc.	\$6,960
Independent School District 2164	\$ 463,301	Titan Machinery	\$6,160
Independent School District 146	\$ 225,391	Netwrix Corp.	\$5,247
Independent School District 150	\$ 209,064	Independent School District Bc 2889	\$5,229
W Central Regional Juvenile Center	\$ 65,979	Delta Dental	\$4,819
Independent School District 914	\$ 59,185	Clay County Union	\$3,724
Xcel Energy	\$ 36,818	Aggressive Towing & Recovery	\$3,691
Clay Co. Public Health	\$ 26,586	Sanford Health	\$3,682
Cardmember Service	\$ 26,050	School Pride, Ltd	\$3,445
Trinity Services Group, Inc.	\$ 25,746	Stellar Services, LLC	\$3,194
Otter Tail Co. Public Health	\$ 23,130	Independent School District Otc 548	\$3,167
ADDvantage Triton, LLC	\$ 21,357	Fireguy	\$3,110
American Solutions for Business	\$ 16,506	Ramsey Co. Med Examiner	\$3,039
Becker Co. Public Health	\$ 13,050	Johnson/Jarred	\$2,773
Network Center, Inc.	\$ 11,055	McKesson Medical Surgical	\$2,736
Visto's Trailer Sales	\$ 10,195	Chiller Systems, Inc.	\$2,591
TrueNorth Steel	\$ 9,901	Kandiyohi Co Sheriff's Office	\$2,031

APPROVAL OF MINUTES FROM MAY 10, 2022

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the Minutes from May 10, 2022.

REQUEST FOR SHERIFF'S OFFICE PATROL VEHICLE PURCHASES FOR 2023

Sheriff Mark Empting addressed the Board with his request to purchase six Tahoes from Nelson Auto for patrol vehicles in 2023. The Tahoes would replace six Fords and Dodges. The Tahoes have proven to be much better in the winter months and have outperformed their other vehicles. The prices listed for the Tahoes are state bid prices. Leasing vehicles was brought up but will not be done at this time. The tear-down of equipment from an existing vehicle is over \$700 and the build-up of equipment for a new vehicle \$4,000. The cost of the new equipment or transfer kits for existing equipment is \$13,500. There are also registration costs. Those costs are paid with revenues from the spring auction (\$92,472) and the internal service fund. They would order the vehicles today and pay for them in January 2023. The six vehicles being replaced will be auctioned in 2023.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request from the Sheriff's Office to order six 2023 Chevrolet Tahoes for patrol vehicles with a total of \$273,719.10 to be paid in 2023.

The Commissioners shared favorable comments on the mutual aid from our law enforcement staff in response to the recent tragedy in Fargo, bringing the situation to a quick conclusion. The County Attorney was also recognized for the great job he has done with training sessions on the post-litigated laws.

PRESENTATION ON FAMILY HEALTHCARE DENTAL PROGRAM EXPANSION / REQUEST FOR LEASE IN FAMILY SERVICE CENTER

Facilities Director Joe Olson informed the Board that this presentation is for an expansion plan for a long-standing tenant at the Family Service Center – The Family Healthcare Dental Clinic. They have been working with the Building Committee on the plan.

Pat Gulbranson introduced himself as the Chief Executive Officer of Family Healthcare, noting this location has had a longstanding clinic for dental services. He introduced Mark Waldera, Vice-President of Operations of Family HealthCare, who will be overseeing much of the construction. Kaylin Frappier, Chief Operating Officer & Deputy CEO of Family HealthCare, referred to the handouts with the architectural views that were distributed. The current clinic (Area A) with 2,442 SF is a very busy clinic and there is very little room. The list of patients waiting to get into the dental clinic grows faster than can be addressed. When the adjacent space (Area B) with 2,964 SF became vacant, they were given the opportunity to double the dental operatory space and create a dental training facility. The dental clinic serves the underserved and low income. It is critical to still keep the operations open during the expansion. That will be achieved with a two-phase project. At this time, they are looking at a six-month lease of the Area B while they finalize their plans, go out for bids, and have it used for storage. Mr. Olson noted that the space would be rented at the cold storage rate of \$10/SF for six months. Family Healthcare has applied for a grant that will allow them to buy some of the equipment to increase the capacity and add an additional dentist and support staff as well as having room for volunteer dentistry and a training facility, similar to a residency program.

On motion by Commissioner Kahly, seconded by Commissioner Campbell, and unanimously carried, the Board approved the request for a six-month lease to Family Healthcare in the Family Service Center. The lease would be for 2,964 SF @ \$10/SF with a total of \$14,820.

REQUEST FOR APPROVAL TO PURCHASE TWO SPEED RADAR SIGNS

Interim County Engineer Justin Sorum stated that this item is for the purchase of two speed radar signs from Tapco. They will be placed on CSAH 3 near MB Johnson Park. The cost of the signs is \$11,027.60 and would be split 50/50 with the City of Moorhead. The item was discussed at the recent Highway Tracking meeting. Residents in the area have requested traffic studies for this area. If warranted, with the data obtained from these signs, a speed reduction could be requested at some point.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board approved the purchase of two (2) speed radar signs for \$11,027.60 to be split 50/50 with the City of Moorhead.

BID OPENING FOR MILL AND OVERLAY ON CSAH 52 (SP 14-652-016)

Mr. Sorum stated the engineer’s estimate for the 6.1-mile mill and overlay project on CSAH 52, from I-94 to Sabin was originally \$2,810,724 on the five-year plan. That estimate was adjusted to \$3,123,484.10.

The following electronic bids were received: Mark Sand and River - \$3,820,133.17; Knife River - \$3,560,065.52; and R.J. Zavoral and Sons - \$3,497,284.49. All three bidders had 5% bid bonds. There were no addendums for the project.

Mr. Sorum noted he briefly looked at the five-year plan and the state-aid construction fund balance and believes this project is doable. He views this road as one of the most important ones to get fixed. Commissioners Campbell and Mongeau concurred with him.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the low bid from R.J. Zavoral and Sons for \$3,497,284.49 for the Mill and Overlay on CSAH 52 (SP 14-652-016) contingent on internal legal review as well as approval from the Office of Civil Rights.

REQUEST FOR APPROVAL OF CONTRACT FOR PAVEMENT TESTING ON CSAH 26

Mr. Sorum was recently on a road tour with a couple pavement-testing engineers from Braun. The main area of concern found was the rutting on CSAH 26. This contract will cover the pavement testing on CSAH to the Red River with the emphasis on pavement preservation that is on their five-year plan. Further test would ensure that the fix they have planned is the correct one. Commissioner Gross received a complaint of deep ruts on this road after it rains.

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved the contract for pavement testing on CSAH 26.

CONSIDER RESCINDING REQUEST TO APPEAL MPCA’S YEAR-END REPORT ON CLAY COUNTY FEEDLOTS

Chair Mongeau referred to the Board action on April 19, 2022, to appeal Mn Pollution Control Agency’s (MPCA) year-end review of the Clay County Feedlot Program. Soil and Water Conservation District (SWCD) Manager Kevin Kassenborg was available for questions or comments. Recently, Commissioners Kahly and Campbell were part of a recent discussion with staff from MPCA, Clay County, and SWCD. A June 1st meeting was scheduled with MPCA to work through their paperwork needs and submittal process. MPCA had not identified a fault with the feedlot rules, but basically the fault was in the document submittal. The risk of not receiving \$3,000 from MPCA has been resolved. The request today is to rescind the appeal and work with MPCA on their documenting requirements.

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board rescinded their previous request to appeal MPCA’s Year-End Review of the Clay County Feedlot Program.

PRESENTATION OF 2023 BUDGET TIMELINE

This year's timeline was provided for the 2023 budget. Auditor – Treasurer Lori J. Johnson will provide budget sheets to each department by the end of this week. The department heads will present their budgets to the Commissioners during July and August. Truth in Taxation is scheduled for December 13th at 6:00 p.m. and adoption of the final 2023 budget is slated for December 20th.

UPDATE ON 2022 BUDGET

Auditor-Treasurer Lori J. Johnson shared a revenue expenditure report for the first third of 2022. Often times, the revenue reports lag. Overall, expenditures are on track with the majority of items at 33% or less. Some payments are made just once a year resulting in percentages already at 100%. The Emergency Management line item is at 132%, but it includes ARPA expenditures that are not part of the budget. There is a journal entry in Unallocated General which is not made anymore. Formerly, the Auditor would transfer funds from the General Fund to the Jail Bond Payment Fund. However, with sales tax revenues coming in well, that will no longer be done. The transfer had been made but will be reversed back out. Under Road and Bridge, the Administration line is at 44% because the annual insurance and worker's comp payments were already made. There were no questions on the budget update.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Ebinger reported on meetings for Greater Fargo-Moorhead Economic Development Corp; Substance Abuse & Suicide Prevention Committee; and Lake Agassiz Regional Library Board.
- Commissioner Campbell reported on meetings for Personnel Issues Committee; Prairie Lakes Municipal Solid Waste Authority; and Landfill Construction Issues.
- Commissioner Gross reported on meetings for Highway Tracking; Wild Rice Watershed District; Beyond the Yellow Ribbon; and Mn Rural Counties Caucus. He attended a Sheriff's Office appreciation event.
- Commissioner Kahly reported on meetings for Adult Mental Health Local Advisory Committee; Training for Suicide Risk Assessment provided by First Link; Fire and EMS Proclamation and Press Conference in Dilworth; Historical and Cultural Society; Substance Abuse & Suicide Prevention Committee; Mobile Mental Health stakeholders; Early Childhood Initiative; and AMC Legislative Update.
- Commissioner Mongeau reported on meetings for Personnel Issues Committee; Planning Commission; Mobile Mental Health stakeholders; Lakeland Mental Health; and AMC Legislative Update. She commented on the excellent work by law enforcement staff for the school evacuation last week. She received a certified letter from the City of Hawley Re: their Airport Board along with a request for a resolution.
- Mr. Brooke reported on meetings for Personnel Issues Committee; County Management; WEX Training; UKG Probe; UKG Payroll; Motor Vehicle interviews; Recorder's Office interviews; and Child Support interviews.
- Mr. Melton reported on training Fargo and West Fargo partners on Use of Force laws.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved appointment of two Commissioners (Gross and Mongeau) to the Airport Zoning Board for the City of Hawley.

The meeting was adjourned at 10:15 a.m.

Jenny Mongeau, Chair
County Board of Commissioners

Stephen Larson, County Administrator