

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 P.M., TUESDAY, JULY 7, 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, Jenny Mongeau and Grant Weyland. Others present or joining remotely: County Attorney Brian Melton, County Administrator Stephen Larson, and Senior Administrative Assistant Colleen Eck.

CALL TO ORDER

Chair Gross called the meeting to order.

APPROVAL OF AGENDA

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

REQUEST TO FILL VACANCY FOR DEPUTY AUDITOR IN MOTOR VEHICLE

By consent, the Board approved the request to fill a vacancy for a FT Deputy Auditor in the Motor Vehicle Department.

REQUEST TO FILL VACANCY FOR PLANNING AND ZONING TECHNICIAN

By consent, the Board approved the request to fill a vacancy for a FT Technician in the Planning and Zoning Office.

REQUEST TO FILL VACANCY FOR LEGAL ASSISTANT IN ATTORNEY'S OFFICE

By consent, the Board approved the request to fill a vacancy for a FT Legal Assistant in the County Attorney's Office.

REQUEST TO RENEW FAMILY SERVICE CENTER LEASE FOR WEST CENTRAL COMMUNITY ACTION AGENCY

By consent, the Board approved renewal of the lease for West Central Community Action Agency in the Family Service Center: #100, 288 sf @ \$13.25/sf, 9/01/20 – 8/31/21.

AMENDMENT TO RESOLUTION 2020-18 TO CORRECT GRANT AGREEMENT AMOUNT FOR HIGHWAY DEPARTMENT

By consent, the Board approved the amendment to Resolution 2020-18 with the following revision in the grant agreement: changing \$71,799 to \$71,779.

RESOLUTION 2020-18 (AMENDED)

For Grant Agreement to State Transportation Fund (Local Bridge Replacement Program)
Grant Terms and Conditions SAP 014-612-016

WHEREAS, Clay County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 14J83; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$71,779.00 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Clay County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

CITIZENS TO BE HEARD

During this pandemic, citizens continue to have the opportunity to share feedback at Board meetings via website link. Mr. Larson noted there were no requests submitted for this meeting.

EMPLOYEE RECOGNITIONS

The following employees were recognized for their years at Clay County:

- Holly Saville, 15 years, Social Services
- Seth Pfeifer, 20 years, Highway Department
- Jennifer Thomas, 20 years, West Central Regional Juvenile Center
- Craig Reno, 20 years, Corrections
- Lt. David Johnson, 25 years, Sheriff’s Office
- Colleen Eck, 25 years, Central Administration
- Sue Olson, 30 years, Public Health

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Haney, seconded by Commissioner Campbell, and unanimously carried, the Board approved payment for bills and vouchers totaling \$1,293,886 from 184 vendors. From that total, 136 warrants issued were under \$2,000 (\$65,001) and the following 48 were over \$2,000:

Sellin Bros Inc	\$465,318	Pace Analytical Services, Inc.	\$4,851
Clay Co. Public Health	\$104,730	Butler Machinery Co.	\$4,783
Otter Tail Co. Public Health	\$92,413	The Retrofit Companies, Inc.	\$4,266
W Central Reg. Juvenile Center	\$78,180	Moorhead Public Service	\$4,118
Becker Co. Public Health	\$55,248	MN Dept of Transportation	\$4,100
Turner Sand & Gravel, Inc.	\$53,467	TrueNorth Steel	\$4,013
Regents of University of MN	\$52,398	Best Buy Business Advantage	\$4,000
Dakota Plains Mechanical, Inc.	\$44,285	Magic Fund	\$3,980
Dodge of Burnsville	\$26,266	H & H Transport LLC	\$3,778
Prairie Lakes Solid Waste Authority	\$25,840	Dakotaland Autoglass, Inc.	\$3,742
Historical & Cultural Society	\$20,871	Enterprise FM Trust	\$3,720
Trinity Services Group, Inc.	\$18,443	Thomson Reuters - West	\$3,627
Wilkin Co. Public Health	\$18,437	Key Contracting, Inc.	\$3,500
Network Center, Inc.	\$16,080	Madison National Life	\$3,145
L & M Road Services LLC	\$14,551	Fidlar Technologies	\$3,012
City of Fargo	\$12,853	Office of MN IT Services	\$3,002
Burns McDonnell	\$11,222	Truck Utilities, Inc.	\$2,868
Knowink	\$7,500	Express Lane - Hawley	\$2,860
SeamlessDocs	\$6,400	H & R Construction, Inc.	\$2,770
MN Life	\$5,569	River Valley Forensic Services, PA	\$2,750
Prosweep, Inc.	\$5,518	Liberty Tire Recycling LLC	\$2,717
Medical Pharmacy	\$5,257	Colonial Life	\$2,667

Psychlogics	\$2,580	Elsner Well Drilling, Inc.	\$2,495
Amazon Capital Services	\$2,538	Stellar Services LLC	\$2,155

APPROVAL OF MINUTES FROM JUNE 16 and 23, 2020

On motion by Commissioner Weyland, seconded by Commissioner Haney, and unanimously carried, the Board approved the minutes from June 16 and 23, 2020.

COVID-19 UPDATE

Public Health Director Kathy McKay and Public Health Nurse Cheryl Sapp provided handouts for the COVID-19 update. Currently in Clay County there are 591 cases, 507 are out of isolation, and 38 deaths are reported. The number of active cases is down to 20 and the median age also went down. Typically, the younger groups are being able to deal with the symptoms without hospitalization. The long-term care facilities are doing pretty well. The local hospitals and ICUs have not had overwhelming numbers of COVID patients. Public Health has had a couple Zoom meetings with the Moorhead colleges. They have many international students coming in from many countries. They are looking ahead at the options for testing, isolation, and quarantine for students living in the dorms. If a student lives in the region, they will be asked to isolate at their home if needed. They have another meeting scheduled this week with the Red River Valley Taskforce. NDSU is looking at testing all students, but the Moorhead colleges do not necessarily feel there is much value in that. County expenses and grant dollars for COVID-19 were also reviewed.

REQUEST APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH DGF SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER PROGRAM

Sheriff Empting asked for approval of a Memorandum of Understanding (MOU) with the Dilworth-Glyndon-Felton School District for the School Resource Officer Program. The MOU was signed by the school and has been reviewed by the County Attorney’s Office. The agreement has been updated to cover August 1, 2020 through July 31, 2025. The school district pays the officer’s salary for the schoolyear hours. Commissioner Mongeau stated Deputy Lee is a great asset to the school and the students.

On motion by Commissioner Weyland, seconded by Commissioner Campbell, and unanimously carried, the Board approved the Memorandum of Understanding with DGF School District for the School Resource Officer Program.

REQUEST APPROVAL FOR SHERIFF’S OFFICE 2021 VEHICLE PURCHASE

Sheriff Empting requested approval to replace eight vehicles in the Sheriff’s office this year. The internal service funds available are \$350,602 and the total purchase price for eight vehicles is \$252,781. Additional dollars will also be expended on the equipment that goes in the vehicles. Six used vehicles will be sold at the fall auction that would help supplement the fund. There was no spring auction. They will not receive delivery of the vehicles until 2021 but the process needs to start early. Each vehicle ends up costing \$65,000 to \$70,000 by the time they are fully equipped. They do reuse camera and computer equipment when possible.

On motion by Commissioner Campbell, seconded by Commissioner Weyland, and unanimously carried, the Board approved the Sheriff’s request for eight new Sheriff’s vehicles for 2021.

ADOPT RESOLUTION 2020-23 TO SUBMIT RECYCLING GRANT APPLICATION

Solid Waste Manager Kirk Rosenberger and Solid Waste Technician Darla Lewandowski were present with information on their proposed pilot program and the MPCA matching grant program. The local match is 25%. The proposed recycling project deals with mattresses as they are a problem material in the landfill. They take up valuable air space and they can become unsettled and rise to the surface. They are not accepted at the Perham facility. If the department receives the grant dollars, they would be used for recycling mattresses from January 2021 through November 2021. The mattresses taken at the landfill would be recycled through 7 Rivers Recycling, LLC at the cost of \$15/mattress. A large number of mattresses come from college dorms and Churches United. The landfill averages 2,000 mattresses on an annual basis. They would use a trailer to stockpile the mattresses monthly until they are picked up by Seven Rivers Recycling. Commissioner Campbell stated the plan at the new transfer station is to have a shredder. At that time, mattresses will be shredded, and that material would be hauled to the Perham facility.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the following resolution:

**RESOLUTION 2020-23
Minnesota Pollution Control Agency
Fiscal Year 2020 Grant Program Authorization Resolution**

WHEREAS, Clay County has applied for a grant from the Minnesota Pollution Control Agency (MPCA), under its FY2020 Environmental Assistance Grant Program; and

WHEREAS, if MPCA funding is received, Clay County is committed to implementing the proposed project as described in the grant application; and

WHEREAS, MPCA requires that Clay County enter into a grant agreement with the MPCA that identifies the terms and conditions of the funding award;

BE IT RESOLVED THAT Clay County hereby agrees to enter into and sign a grant agreement with the MPCA to carry out the project specified therein and to comply with all of the terms, conditions, and matching provisions of the grant agreement and authorizes and directs Clay County Board Chair to sign the grant agreement on its behalf.

REQUEST FOR LANDFILL LOCATION STIPEND PAYMENT TO HAWLEY TOWNSHIP

Solid Waste Manager Kirk Rosenberger noted that the Clay County Landfill is located in Hawley Township. Due to the landfill being there, Hawley Township is subjected to increased truck traffic, occasional odor, litter, and other nuisances. With construction activities starting at the landfill this year, he recommended that the County’s annual allocation to Hawley Township be increased to \$7,500 to help address these issues. Twenty-five percent would need to be spent for waste reduction activities, and the remaining seventy-five percent to be used as the township sees fit. The amount of the stipend would be reviewed annually. Commissioner Mongeau noted the township has been a good steward of the stipends in the past.

On motion by Commissioner Weyland, seconded by Commissioner Haney, and unanimously carried, the Board approved an annual stipend to Hawley Township in the amount of \$7,500 for costs and inconveniences due to the landfill being located in that township.

REQUEST AUTHORIZATION TO CHANGE STATUS OF MAILROOM ADMINISTRATIVE POSITION FROM TWO PT POSITIONS TO ONE FT POSITION

Family Service Center of Clay County (FSCCC) Manager Georgia Beaudry provided an explanation for the status change of the Mailroom Administrative position. The position is also shared with the Income

Maintenance Unit of Social Services. A medical situation with one of the part-time positions led to the remaining part-time position to work full-time for the past few months. The request is to change her status to full-time with benefits starting in August. The change will also lead to more consistency with the needs of the mailroom and in Income Maintenance duties. The other part-time staff person has been moved to a variable hour status. If she is able to return, she would be back-up for this position.

On motion by Commissioner Weyland, seconded by Commissioner Haney, and unanimously carried, the Board authorized the change in status of the Mailroom Administrative Clerk position from two part-time positions to one full-time position with benefits.

ADOPT RESOLUTION 2020-21 - PARTICIPATION IN STATES PERFORMANCE MEASUREMENT PROGRAM

Human Resources Director Darren Brooke asked the Board to consider continued participation in the annual Performance Measurement Program for the State of Minnesota. If the decision is to participate, a resolution is required for the State Auditor. The County received \$8,955 in December 2019 for participation in 2018. The departments provide the annual information for the program promptly and the process is pretty quick with the templates that were created. The County has received close to \$9,000 annually for participation since 2011.

On motion by Commissioner Haney, seconded by Commissioner Weyland, and unanimously carried, the Board approved the following resolution:

**RESOLUTION 2020-21
PERFORMANCE MEASUREMENT PROGRAM**

WHEREAS, Benefits to Clay County for participation in the Minnesota Council on Local Results and Innovation's comprehensive performance measurement program are outlined in MS 6.91 and include eligibility for a reimbursement as set by State statute; and

WHEREAS, Any county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, The Clay County Board has adopted and implemented at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes; and

NOW THEREFORE LET IT BE RESOLVED THAT, Clay County will continue to report the results of the performance measures to its citizenry by the end of the year through publication, direct mailing, and posting on the county's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

BE IT FURTHER RESOLVED, Clay County will submit to the Office of the State Auditor the actual results of the performance measures adopted by the county.

REQUEST FOR SUPPORT OF CHURCHES UNITED SUPPORTIVE HOUSING DEVELOPMENT PROPOSAL - SILVER LININGS

Pastor Sue Koesterman, CEO for Churches United; Joe Rizzo, Beyond Shelter, Inc.; and Social Services Director Rhonda Porter were present with the highlights for a supportive housing development. Mr. Rizzo asked that the Board consider confirmation that there is a need for the Silver Linings Supportive Housing Development. Ms. Porter could sign off on a letter of support if the Board supports the proposal.

Silver Linings would be developed as a 36-unit affordable housing development to serve vulnerable seniors (55 and over) who have suffered from homelessness and for persons with disabilities. There has been an

increase of homelessness in this age group. The apartments would be located at 3350 3rd Ave N. in Moorhead on land currently owned by Churches United for the Homeless (CUFH). The building amenities would include a secure entrance, central laundry on each floor, an elevator, a community room with a kitchen, an exercise room, computer room, and space for a nurse and service providers. Micah's Mission Emergency Shelter recognized the strong need for this type of project in the community. Churches United would provide case management services, empowerment groups, and supply an on-site food pantry.

Another project, Bright Sky Apartments, was opened in Moorhead over two years ago. There has been some turn-over of tenants, but some have stayed since it opened. Commissioner Campbell received a call from neighbors to the west of Bright Sky Apartments who were concerned about the residents cutting through private property to get to other locations. Pastor Koesterman stated they are doing everything they can to be good neighbors. They have cameras and a fence and individuals are reminded there is private property and it's not okay to cut through it.

Sources of rental assistance for these apartments are likely to come from vouchers and housing support. The goal at Silver Linings is for tenant-paid rent to be no more than 30% of their monthly income. Churches United is requesting a Housing Support Agreement with Clay County Social Services for a minimum of 20 units for individuals with disabilities who are eligible for Housing Support funds. Churches United will also be requesting 10 units be supported by Veteran Affairs Supportive Housing Vouchers from the Fargo VA Health System to help subsidize rents for those seniors who are at risk of homelessness. Churches United will be applying to the Minnesota Housing Finance Agency in the June 2020 application round. They also plan to submit an application to the Federal Home Loan Bank of Des Moines, under the Affordable Housing Program to acquire \$1,000,000 in funding for the development.

Commissioner Campbell asked to be assured that if State funding is cut that the County would not have any financial responsibility to the project. He also verified that funds would be put away for maintenance costs of the facility for the future.

On motion by Commissioner Weyland, seconded by Commissioner Mongeau, and unanimously carried, the Board confirmed that there is a need for the Silver Linings Supportive Housing Development.

DISCUSSION OF FEDERAL CARES ACT ALLOCATION AND CONSIDER ESTABLISHING A COMMITTEE TO DEVELOP A POLICY FOR DISTRIBUTION OF FUNDS

County Administrator Stephen Larson shared information on the Federal Cares Act that was signed by the president. In addition, there is a set of guidelines for using the funds. He recommended forming a committee to develop a County policy for distributing the funds. The committee members should include two Commissioners, HR Director, Auditor – Treasurer, Public Health Director, Emergency Management Director, County Attorney, and County Administrator.

On motion by Commissioner Weyland, seconded by Commissioner Haney, and unanimously carried, the Board approved establishing a committee, to include Commissioners Mongeau and Campbell, to develop a policy for distribution of Federal Care Act funds.

UPDATE ON CENSUS 2020

Mr. Larson stated the census started on April 1st and there has definitely been impacted with COVID-19. A complete census is of utmost importance for Clay County for keeping their eight representatives and for

funding. The census has only nine questions and is very easy to mail in, call in, or submit electronically. The end date has been extended to October 31, 2020. Clay County has had a 71.9% response rate. The Commissioners encouraged those who haven't responded to do so before the census workers come knocking on the door. Those who have responded can remind their neighbors and friends to participate.

APPROVAL TO DONATE BRIDGE PLANKS FOR WESTERN MN STEAM THRESHERS REUNION

Assistant County Engineer Justin Sorum informed the Board that Western MN Steam Threshers Reunion (WMSTR) has asked if the County would donate two 30-foot bridge planks to be used at their facility in Rollag. The Highway Department has eight new bridge planks in storage, and they are not generally used for bridge work anymore. Each plank is valued at \$184.

On motion by Commissioner Campbell, seconded by Commissioner Weyland, and unanimously carried, the Board approved the donation of two \$184 bridge planks to WMSTR, subject to review of donation regulations.

ADOPT RESOLUTION 2020-22 FOR GRANT AGREEMENT FOR BOX CULVERT REPLACEMENTS

Mr. Sorum stated the Highway Department received bridge bond funds for the replacement of six bridges with box culverts on CR 68, CR 93, CSAH 21, and three on CR100. Bids were opened on May 5th and Gladen Construction Inc. was approved as the low bidder.

As required by MNDOT, the County Board needs to approve a grant agreement and resolution for the use of the bridge bond funds.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved Bridge Bond Grant Agreement #1036737 and the following resolution:

RESOLUTION 2020-22
MNDOT CONTRACT #: 1036737
SP 014-598-069
FOR GRANT AGREEMENT TO STATE TRANSPORTATION FUND (LOCAL BRIDGE REPLACEMENT PROGRAM)
GRANT TERMS AND CONDITIONS
SP 014-598-069, SP 014-598-070, SP 014-598-071, SP 014-598-075, SP 014-598-076, SP 014-621-00

WHEREAS, Clay County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No's. 14K46, 14K47, 14K48, 14K51, 14K52, 14K53; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be \$159,729.20 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Clay County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

BE IT FURTHER RESOLVED, that whereas federal-aid funds are being used to participate in the cost of the bridge, the Minnesota State Transportation Fund grant shall be deposited directly into the

federal-aid agency account and that the records of the County (City) shall so state.

REQUEST TO APPROVE LETTER OF SUPPORT FOR BECKER COUNTY'S MPCA RECYCLING APPLICATION

Commissioner Campbell provided a draft letter of support of Becker County's application to MPCA for an Environmental Assistance Grant. Commissioner Knutson and Steve Skoog from Becker County contacted Commissioner Campbell regarding their plan to apply for a \$250,000 grant for an Auto Tie Baler for their recycling program. The Clay County Solid Waste Director looks at this application as being in competition with Clay County's application for grant funds; however, Commissioner Campbell noted it is an opportunity for increased processing capacity in the region which could benefit Clay County. He added that this is a long-term project and the mattress recycling is short-term.

On motion by Commissioner Campbell, seconded by Commissioner Haney, and carried with one nay vote by Commissioner Mongeau, the Board approved the letter of support for Becker County's recycling application to MPCA for an auto-tie bailer.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

Many of the following committee reports are from virtual or remote meetings.

- Commissioner Mongeau reported on meetings from Planning Commission; Lakes and Prairies Community Action Partnership; County Owned Property Committee; and Substance Abuse.
- Commissioner Campbell reported on meetings from Prairie Lakes Municipal Solid Waste Authority; Outreach Land Management and Finance Committee; Moorhead Clay County Joint Powers Authority; Health Insurance Committee; Lakes Country Services Co-op; FM Diversion Authority; and Landfill Construction Update.
- Commissioner Haney reported on meetings from FM Diversion Finance Committee and Health Insurance Committee.
- Commissioner Weyland reported on meetings from Landfill Construction Update; Moorhead Clay County Joint Powers Authority; and Personnel Issues Committee.
- Commissioner Gross reported on meetings from County Owned Property Committee and Personnel Issues Committee.
- Stephen Larson reported on the following meetings and appointments: County Owned Property Committee; Personnel Issues Committee; Department Head Evaluations; Health Insurance Committee; County Management; MCCJPA; County Association RE: CARES Act; and AMC League of Counties RE: CARES Act. Mr. Larson commented that he sent a letter to the City of Georgetown encouraging them to work with AE2S Engineering and Consulting relating to the FM Diversion; however, they have expressed they are not interested and remain the only government entity that has not responded to AE2S.

The meeting adjourned at 10:35 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator