

**CLAY COUNTY BOARD OF COMMISSIONERS**

**1:30 P.M., TUESDAY, JULY 12, 2022**

Rooms A/B, 3<sup>rd</sup> 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, HR Director/Asst. Administrator Darren Brooke, 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 Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the agenda.

**LEASE AT LANDFILL FOR VARMINT MANAGEMENT/TRAPPING**

The Board pulled this item from the consent agenda to obtain the name of the person for the lease.

On motion by Commissioner Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the lease with Jerald Clages for varmint management/trapping at the landfill.

**AMENDMENT(S) TO FEBRUARY 1, 2022, MINUTES TO REFLECT REQUESTS AND MOTIONS MORE ACCURATELY**

By consent, the board approved three modifications in the Minutes from February 1, 2022, under "Approval of Final Contract Voucher for Gerit Hanson Contracting, Inc. for SAP 014-598-072," as presented.

**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 Ebinger, and unanimously carried, the Board approved the payment of bills and vouchers totaling \$1,552,184 from 142 vendors. From that total, 109 warrants issued were under \$2,000 (\$41,875) and the following 33 were over \$2,000:

Sellin Bros, Inc.	\$917,880	Stantec Consulting Services, Inc.	\$12,059
MN PERA	\$141,158	TAPCO	\$11,028
Clay Co. Social Services	\$ 58,330	Otter Tail Co. Public Health	\$ 9,624
Turner Sand & Gravel, Inc.	\$ 57,399	Nitzkorski, Inc.	\$ 8,305
Lycox Enterprises, Inc.	\$ 47,180	Sabin C Store	\$ 7,473
Clay County Fair	\$ 31,084	Verizon	\$ 7,068
Trinity Services Group, Inc.	\$ 30,722	Interstate Power Systems, Inc.	\$ 7,016
MEnD Correctional Care LLC	\$ 30,615	MN Counties Computer Co-op	\$ 6,833
Clay Co Public Health	\$ 28,631	City of Barnesville	\$ 6,750
Petro Serve USA	\$ 25,120	Farmers Co-op Oil Co	\$ 6,495
Mn Unemployment Ins.	\$ 14,386	WEX Bank	\$ 5,390

Marco Technologies, LLC	\$5,086	Pete's Gas & Service	\$3,080
Bytespeed, LLC	\$4,715	Enterprise FM Trust	\$2,588
Forms & Systems of MN	\$4,667	WEX Bank	\$2,529
Rob Bentz Lock & Key, LLC	\$4,391	Corner Stone	\$2,500
LELS	\$4,046	Butler Machinery Co	\$2,162
Barnesville C-Store	\$3,998		

#### **APPROVAL OF MINUTES FROM JULY 5, 2022**

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the Minutes from July 5, 2022.

#### **BUDGET PRESENTATION – RECORDER’S OFFICE**

County Recorder Kimberly Savageau was present with her budget for the Recorder’s Office for 2023. She anticipates there will be a slight decrease in documents to be recorded next year and along with that a slight decrease in revenue for next year. She had no new requests brought forward for the Recorder’s Office for 2023.

#### **BUDGET PRESENTATION – TECHNOLOGY SERVICES**

Technology Services Director Rory Schmitz commented that Technology Services continues to see price increases for software and services. He will continue to check into less expense alternatives and plans to extend the life of the software as long as possible. His added expenses include funds for a Threat Vulnerability Management Solution which was a free pilot program this year; start the replacement process of the Legacy Clock System; and acquire a more robust e-mail backup system. He would like to increase funds that go into Internal Services by \$75,000 to cover future updates and replacement costs for the 300 additional laptops ordered during the COVID pandemic; and another \$20,00 for audio-video equipment.

Commissioner Gross asked about applying left-over ARPA funds toward Internal Services to cover the additional costs for the added laptops. The ARPA Committee will address the item at their next meeting.

#### **RESOLUTION 2022-24 FOR COUNTY TO PARTICIPATE IN PERFORMANCE MEASUREMENT PROGRAM**

HR Director Darren Brooke relayed that HR has participated in the State Auditor’s Performance Measurement Program annually since 2011. He asked for a commitment to continue the program for another year. Last December HR received \$90,145 for participation reimbursement. The performance results get posted on the County website. He noted that he will check back to see how much interest was generated on the performance measurement results on the website last year.

On motion by Commissioner Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board executed Resolution 2022-24 to participate in the Performance Measurement Program for 2022.

### **RESOLUTION 2022-24**

#### **CLAY COUNTY BOARD OF COMMISSIONERS**

**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.**

## **OVERVIEW AND REQUEST FOR APPROVAL OF FINANCIAL PLAN FOR SUBSTANCE ABUSE CRISIS FACILITY PROJECT**

Detox Director Troy Amundson joined County Administrator Stephen Larson who relayed that a lot of work has gone into planning for a new Substance Abuse Crisis Facility Project. Back in 2018, the Board approved a request from Public Health / Detox to apply for a \$5 million grant for a new facility. At that time, Klein McCarthy Architects has selected to draft a predesign for a new facility. The grant was not secured, but another opportunity arose in 2021 and Klein McCarthy was asked to update the first predesign. The County received preliminary approval in November 2021 and a committee formed and began meeting regularly on the project. In January of this year, the Board passed Resolution 2022-05 for receipt of partial funding of \$5 million for the Clay County Regional Substance Use Crisis Facility. They also acknowledged that the total project cost is anticipated to be over \$12 million. Two work groups have been meeting on the project. The land, at 15<sup>th</sup> Ave & 34<sup>th</sup> St N, has been surveyed, and approval was received for the building site, floor plan, and cost estimate. The site provides for extra space for future mental health needs.

The discussions were then shifted to the Finance Committee. Multiple meetings took place to review costs, predesign, and finance mechanisms available for the project. A cost estimate of \$13.9 million was provided for a one-story floor plan containing 21,771 gross square feet. The initial plan was cut by over 2,000 sf. The facility will have 32 interchangeable beds for two programs. Rule 245F is a step-up program from Rule 32 and is clinically managed with mandatory nursing at all times. The proposed funding sources are as follows:

• Department of Human Services Grant	\$5 million
• APRA	\$7.5 million
• Opioid Settlement Funds	\$1 million (half of funds)
• Social Services/County Fund Balances	\$449,198
Total	\$13,949,198

Mr. Larson noted that Mr. Amundsen works in Public Health, but the funding actually comes out of Social Services. Over the past several years, approximately \$700,000 in revenues from detox has gone into the Social Services fund balance. This new project is felt to have a legacy impact; would not need bonding funds; replaces a facility that has outlived its original intent; and would be able to adjust to the current and changing needs for Substance Abuse Programming.

Chair Mongeau noted she agrees to taking this step forward to address the services that are needed. This project will change the scope of service and should provide hope to folks who go through the program. Commissioner Ebinger stated when he arrived in Moorhead 16 years ago, he found that the County could not keep up with the demand for these services. This project helps address the huge need for mental health services, is planned with

growth in mind. Much effort has gone into finding revenues to support the project. Commissioner Campbell noted that the current location of the detox facility has never really made sense. This new location may also be able to address other mental health issues in the community at some point. He added there may be some additional insurance revenues, but they may need to find additional resources as well. Commissioner Kahly commented on the facility filling an ever-increasing need that affects everyone in some way. She believes it will have a lasting impact on so many families. Commissioner Gross relayed that with the ARPA funds and opioid funds, the County should be ready to put the plan in action and move ahead with the project.

On motion by Commissioner Campbell, seconded by Commissioner Kahly, and unanimously carried, the Board approved the financial plan provided for the Substance Abuse Crisis Facility Project.

**REQUEST AUTHORIZATION TO EXECUTE DESIGN CONTRACT WITH KLEIN MCCARTHY ARCHITECTS FOR SUBSTANCE ABUSE CRISIS FACILITY**

Mr. Larson stated this next request is to move forward with the actual design contract with Klein McCarthy Architect for the Substance Abuse Crisis Facility. This firm has been utilized on multiple occasions for pre-design work for the project.

The contract for \$838,901 is based on 6.75% of the actual construction budget of \$12,428,170 plus the reimbursable expenses as listed in the meeting packets. The Correctional Facility and LEC architectural costs were at 7%. If approved, the design process would begin immediately and last through January of 2023. Bidding would be in February 2023; construction would commence in May 2023 and be complete by November or December 2024.

Commissioner Ebinger noted this firm has been a good reliable partner on a couple other major County projects. Commissioner Campbell referred to the internal language on the how the \$5 million grant funds get paid out from the State to the County. Mr. Amundsen noted now that they have the timeline for the project, he will be working with the project manager Roy on it and will include the County Auditor on all correspondence.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board executed the Design Contract with Klein McCarthy Architects for the Substance Abuse Crisis Facility Project to include the Agreement for Transfer of Files on Electronic Media and Exhibit B for Hourly Rates and Exhibit C for Reimbursable Expenses.

**REQUEST TO SUBMIT RFQ (REQUEST FOR QUALIFICATIONS) FOR CONSTRUCTION MANAGER/CMAR (CONSTRUCTION MANAGER AT RISK) FOR SUBSTANCE ABUSE CRISIS FACILITY CONSTRUCTION PROJECT**

Chair Mongeau relayed that within their committee discussions, they had decided to open this Request for Qualifications (RFQ) for either a Construction Manager (CM) or Construction Manager At Risk (CMAR) to see what services are available. This option will afford the County the most information. A CMAR is the liaison between the architects and all the contractors. They have oversight of the project and most of the responsibilities. Generally, a Guaranteed Maximum Price (GMP) is provided upfront with a CMAR.

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the RFQ for a Construction Manager (CM)/Construction Manager At Risk (CMAR) for the Substance Abuse Crisis Facility construction project and Attorney's Office review.

**BUDGET PRESENTATION – HIGHWAY DEPARTMENT**

County Engineer Justin Sorum stated the Highway Department budget consists of four sections: 1) Maintenance; 2) Construction; 3) Administration; and 4) Shop. He noted that the township road maintenance costs are based on a five-year rolling average. He has a new request for an additional Maintenance Worker. There should be a savings from over-time pay , from an upcoming retirement; and potentially a second retirement. Overtime usually comes from weekend snowplowing. The annual gravel contract costs are up and of course the largest increase is due to the cost of fuel, doubling the fuel budget from the past year. He would like to also increase the internal service funds for their radio equipment. Other changes in the budget were minor.

**COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS**

- Commissioner Gross reported on meetings for Hagen Township and City of Hitterdal.
- Commissioner Campbell reported on a Resource Recovery Facility construction update.
- Commissioner Ebinger reported on a NW Emergency Communications Board meeting.
- Commissioner Mongeau reported on a Resource Recovery Facility Construction meeting.
- Mr. Larson attended a Resource Recovery Facility construction meeting and tour; was provided with a landfill project update and helped prepare the agenda items for today.
- Attorney Melton noted that the Attorney’s Office is undergoing some upcoming changes in their Civil Division.

The meeting was adjourned at 9:42 a.m.

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Jenny Mongeau, Chair  
County Board of Commissioners

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Stephen Larson, County Administrator