

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, August 10, 2010

8:30 a.m.

County Board Room – 3rd Floor – Courthouse

M I N U T E S

The Clay County Board of Commissioners met in regular session on Tuesday, August 10, 2010 with all commissioners present: Campbell, Evert, Ingersoll, Waller and Weyland.

APPROVAL OF AGENDA

On motion by Weyland, seconded by Evert, and unanimously carried, the agenda was approved with the following additions:

- Appointment of two Commissioners to Canvassing Board, 8/13/10
- Authorize execution of two contracts with Minnesota State University Moorhead concerning mass clinics/dispensing site

APPROVAL OF FINAL CONTRACT VOUCHER FOR CSAH 11 BRIDGE PROJECT

By consent agenda, the Board approved payment of the final contract voucher to Schroeder Construction, Glenwood, for the CSAH 11 Bridge Project (SP 14-611-20) in the amount of \$3,103,555.46. The original bid was \$3,054,156.41, and the over run was due to poor soil encountered around the bridge abutments that had to be removed, and additional silt fence and seeding work.

APPROVAL OF FINAL CONTRACT VOUCHER FOR CSAH 11 GRADING PROJECT

By consent agenda, the Board approved payment of the final contract voucher to Sellin Brothers Construction, Hawley, for the CSAH 11 Grading Project (SP 14-611-44) in the amount of \$1,652,429.05. The original bid was \$1,638,595.78 and the under run was due to less aggregate being used in the expected soft areas once the project began.

AUTHORIZE RENEWAL OF LEASE IN FAMILY SERVICE CENTER FOR MOTIVATION,
EDUCATION & TRAINING, INC.

By consent agenda, the Board authorized renewal of an office space lease in the Family Service Center for Motivation, Education & Training, Inc. (MET), for 1553 sq.ft., at a rate of \$12.75/sq.ft., for the period 7/1/10-6/30/11.

CITIZENS TO BE HEARD

There were no citizens present who wished to address the Board.

2009 FLOOD WRAP-UP

Total Expenditures/Revenue: County Administrator Vijay Sethi informed the Board that with respect to the 2009 flood, the expenses included in the Revenue Fund totaled \$2,265,734.37. The County was reimbursed \$1,995,752.52 in 2009 and an additional amount of \$110,470.93 in 2010. With some additional revenues and final State payments yet to be received, there will be an expected unreimbursed balance of \$51,017.86. Mr. Sethi added that the County has appealed numerous items which were declined for

payment (exempt overtime, global positioning equipment, on-call labor at Minnesota State University Moorhead, etc.). Mr. Sethi added that a revision will be made to Clay County's Personnel Policy concerning payment to exempt staff for overtime worked to eliminate verbiage indicating that payment for exempt overtime is discretionary.

In the Highway Department, the total expenditures were \$229,162.04, and reimbursement over expenditures was \$112,000 (when the Highway equipment is used, FEMA reimburses on an hourly rate basis which includes wear and tear).

The combined net reimbursements over expenditures in the two funds is roughly \$61,000. One of the factors leading to reimbursements over expenditures was favorable hourly reimbursement rates used by FEMA for the use of County equipment.

Discussion re: Project description and non-federal match for FEMA flood mitigation project: Courthouse Campus Mr. Sethi advised that Clay County's proposal for a flood mitigation project at the Courthouse campus has been deemed to be eligible for funding by FEMA. The next step in the process is to submit an application for the funds. The project will involve a combination of berms, concrete walls and aluminum gates to protect the campus to a flood stage of 44'. The estimated cost of the project is \$2.3 million. The non-Federal match is 25%, to be shared by the County and the Department of Natural Resources.

Commissioner Ingersoll felt the match amount should be included in the 2011 levy.

Commissioner Campbell felt it is important to learn from the City of Moorhead as to their plans for protection of 9th Street, to what level they plan to protect, and how soon that will occur.

On motion by Waller, seconded by Ingersoll, and unanimously carried, the Board authorized moving forward with the Hazard Mitigation Assistance application and the local match commitment letter for the Courthouse Campus flood mitigation project contingent upon hearing from the City of Moorhead concerning their plans for 9th Street and hearing from the DNR as to their assistance with funding the match.

Status of funding for home buy-outs Planning & Environmental Programs Director Tim Magnusson informed the Board that Congress has approved FEMA's disaster assistance funding for the 2009 flood related home buy-outs. There are eight homes on Clay County's 'substantially damaged' list for buy-outs. Seven of these are in the Buffalo Red River Watershed District, which will pick up the 12.5% cost match. There is no commitment for the match (approximately \$20,000) for the remaining home (Kukowski), which is located in the Wild Rice Watershed District (WRWD). The WRWD has been approached several times to consider funding this match, but has declined. Clay County has offered to front the match funds until such time as the WRWD would be in a position to pay the match. WRWD declined this offer as well. Mr. Magnusson added that WRWD has two properties in their disaster assistance funding application, however, this property was not included due to the fact that it is substantially damaged. The property owner is not in a position to assist in paying the match.

Commissioner Ingersoll felt it may be the right thing to do for Clay County to pay the match, and inquired where such funds would come from.

Commissioner Evert inquired if the County were to pay the match would that set a precedent for other like instances. Mr. Magnusson stated that a policy could be established

for future buy-out circumstances where the property owners would be required to contribute something.

Commissioner Campbell commented that since the County has received revenues over expenditures in connection with the 2009 flood, it may be appropriate to use those funds to pay the 12.5% match in this unique situation.

On motion by Ingersoll, seconded by Waller, and unanimously carried, the Board agreed to fund the match for the Kukowski buy-out from 2009 FEMA reimbursement funds.

2011 BUDGET REVIEW: JUVENILE DETENTION

West Central Regional Juvenile Detention Center Director Steve Larson informed the Board that the department's 2011 budget includes the new staffing arrangement (did not fill a Supervisor position which became vacant with Mr. Larson's promotion).

The Secure Detention budget is based on 17.5 bed purchases per day. The facility is operating with \$200,000 less in funding than 2009 with no reduction in programming.

The Non-Secure Detention budget is based on 10 beds (5.5 of which are from Clay County). The Circle of Nations School has proven to be a significant user of the facility, and the School has seen a significant savings in their own budget as well.

Mr. Larson stated that if he were asked to further cut the budget due to losses of County Program Aid, he would consider reducing roster shifts.

2011 BUDGET REVIEW: SHERIFF'S OFFICE

Sheriff Bill Bergquist noted that currently his department is down two employees, with another expected this fall. He informed the Board that there is an increase to his budget in the area of boarding out prisoners, which was at 20 as of yesterday. Chief Deputy Sheriff Matt Siiro commented that Other Professional Services includes the sexual assault exams, which now cost \$960. Private companies are now being used for some inmate transports. The Auto Repair & Maintenance line item has increased, due to the fact that the department is keeping vehicles a few years longer, resulting in more repairs.

Clay County's share for the Red River Regional Dispatch Center (RRRDC) operation is \$305,031 (11% of the total). Of that amount, \$47,636 will be billed back to four communities in Clay County as their share for these services. Chief Deputy Siiro stated that in the past the RRRDC has used their fund balance for capital improvement purchases. It has been suggested that the RRRDC establish an internal service fund so that purchases can be funded appropriately.

Emergency Services Director Bryan Green informed the Board that the anticipated Emergency Management Performance Grant for 2011 is \$31,783.

Three marked squads and two unmarked squads are planned for purchase in 2011.

Lt. Green noted that in the future a presentation will be made to the Board concerning participation in the Code Red Weather Alert System.

Jail Administrator Julie Savat noted that the 2011 Corrections budget includes an increase in inmates boarded out (up from 9.5 to 11.5). Booking fees have been increased, and a decrease is noted in Huber payments.

The Sentence To Service costs have increased in 2010 and 2011 due to reductions in State funding.

In response to any additional budget cuts that may be required due to County Program Aid reductions, Sheriff Bergquist stated that the only non-mandated activity

performed by his office is uniformed patrol. A reduction in this area will impact public safety. He reminded the Board that when the smaller cities drop their police patrol activities, the County is mandated to handle their police calls.

2011 BUDGET REVIEW: PUBLIC HEALTH

Public Health Administrator Kathy McKay reviewed the mandated responsibilities of the Public Health Department and noted that 80% of the budget comes from grants and non-County sources. It was clarified that once a grant is accepted, the responsibilities of the grant become mandated.

Ms. McKay noted that the Detox Director position, which is currently vacant, is included in the 2011 budget. An Interim Director is managing the facility until such time as a plan is developed for continued operation. She reminded the Board that the bed count at the Detox facility has been reduced from 16 to 10. Staffing has been reduced through attrition.

The Barnesville Ambulance appropriation has been included in the Public Health budget in the amount of \$5451, which is their formal request for 2011 and was determined by formula.

Ms. McKay commented that if further budget reductions were necessary due to losses of County Program Aid, she would review open positions, as well as roster positions.

2011 BUDGET REVIEW: ASSESSOR'S OFFICE

County Assessor Ryan DeJong explained that the Assessor's budget for 2011 shows an increase in salaries over 2010 because a Deputy Appraiser position was vacant for much of the year. He added that all functions of the department are mandated.

If reductions were made to County Program Aid in 2011, Mr. DeJong indicated cuts would have to be made to staffing. He added that there may be a small amount of revenue to be generated if his office were to charge banks, lending institutions, and other businesses for unique information gathered for them.

APPOINTMENT OF TWO COMMISSIONERS TO CANVASSING BOARD

On motion by Evert, seconded by Waller, and unanimously carried, the Board appointed Commissioners Campbell and Ingersoll to the Canvassing Board to be held Friday, August 13, 2010.

AUTHORIZE EXECUTION OF CONTRACTS WITH MINNESOTA STATE UNIVERSITY-MOORHEAD CONCERNING CLINICS FOR DISEASE PREVENTION AND MEMORANDUM OF AGREEMENT TO BE A MASS PROPHYLAXIS ALTERNATE DISPENSING SITE

On motion by Waller, seconded by Evert, and unanimously carried, the Board authorized execution of: 1) a contract for utilization of the Minnesota State University – Moorhead (MSUM) grounds and equipment for purposes of distribution of the Strategic National Stockpile and/or mass clinics to conduct disease prevention and control activities by Clay County Public Health; and 2) a Memorandum of Agreement for MSUM to be a Mass Prophylaxis Alternate Dispensing site, with Clay County Public Health providing medications to this institution and they would assume responsibility to dispense the medications to those individuals identified in their institution according to all the policies and procedure outlined through the City Readiness Initiative.

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Weyland, seconded by Waller, and unanimously carried, the bills and vouchers were approved for payment.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Ingersoll attended meetings of the Lake Agassiz Regional Library and Moorhead Planning Commission.

Commissioner Weyland attended meetings of the Restorative Justice Committee and the Heartland Trail Extension Committee.

Commissioner Evert indicated that his meetings this past week concerned AMC issues.

Commissioner Waller attended the Highway Tracking Committee meeting.

Commissioner Campbell attended meetings of the Highway Tracking Committee, Metro Flood Study Work Group, and Joint Powers Board for the Diversion.

County Administrator Brian Berg informed the Board that he has spent time with department heads and staff this past week. He felt it would be valuable to meet with Mayors and/or Clerks of the communities in Clay County, and invited the Commissioners to attend the meetings in their District if they so choose.

2011 BUDGET REVIEW: VETERAN'S SERVICE OFFICE

Veteran's Service Officer Tom Figliuzzi reviewed the 2011 budget for the Veteran's Service Office, noting a 23.71% increase over 2010. He stated that this increase is due to several things: the fact that the Enhancement grant funding for the Administrative Assistant position in his office will expire in May, 2011; and the need for travel for Mr. Figliuzzi's required accreditation.

Commissioner Weyland commented that there is no question a full time Administrative Assistant would be beneficial. He added that he believes Mr. Figliuzzi has done an exceptional job of keeping costs down by utilizing volunteers for significant amounts of time.

Commissioner Campbell commented that a significant investment has been made in this office, and agreed that the Veterans Service Office has been very helpful for veterans and their families. However, he felt there are other departments which have pressing needs involving public safety, etc. He added that it is likely that in those areas where grant funding has expired, and the associated position eliminated, that the need for the program was still present.

Commissioner Waller commented that in Public Health or Social Services, when grant funds sunset, the position hired for that program is eliminated. He viewed this request as a "New Request" when all other departments have been asked to hold the line. County Administrator Vijay Sethi felt a key difference is that the Board approved the .5 FTE Administrative Assistant position two years ago. In response to the Board's request at that time, Mr. Figliuzzi secured enhancement grant funding for the position through May, 2011. Commissioner Evert inquired if another grant could be secured for the position. Mr. Figliuzzi felt he has exhausted all grant avenues for funding the position. He added that if he is spending his time doing the administrative tasks, he would be unable to seek

assistance for the clientele. Commissioner Campbell noted that that could be said of every department in the County.

Commissioner Ingersoll commented that if the State cuts County funding further, it will be up to the County Board to set the priorities and make budget cuts as needed. Commissioner Evert felt it is important to have the department heads' guidance in setting priorities. He suggested that Mr. Figliuzzi seek grant funding from other types of foundations that may be understanding of veterans issues.

Commissioner Waller noted that Mr. Figliuzzi's budget request is more than inflationary, in that it is a loss of revenue and an increase in expense.

County Administrator Brian Berg noted that with the financial benefits brought into the County by the Veterans program, it could be looked at as an investment rather than a cost (\$19 million Federal; \$110,000 State).

ADJOURN

The meeting adjourned at 12:20 p.m.

Kevin L. Campbell, Chair
Clay County Board of Commissioners

Vijay K. Sethi, County Administrator