

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, April 12, 2011

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 with Commissioners Evert, Ingersoll, and Waller present. Commissioners Campbell and Weyland were absent. Commissioner Campbell participated in portions of the meeting via conference call. Also present were County Administrator Brian Berg and Senior Administrative Assistant Vicki Reek.

APPROVAL OF AGENDA

On motion by Waller, seconded by Ingersoll, and unanimously carried, the agenda was approved as presented.

CITIZENS TO BE HEARD

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

APPROVAL OF DONATION TO SHERIFF'S POSSE FROM
TOURNAMENTS CONCORDIA COLLEGE

By consent agenda, the Board approved and accepted a \$450 donation from Tournaments Concordia College for the Sheriff's Posse.

APPROVAL FOR CLAY COUNTY TO ACT AS SPONSOR FOR
ANNUAL SNOWMOBILE TRAILS GRANT

By consent agenda, the Board adopted the following resolution agreeing to act as the legal sponsor for the annual Snowmobile Trails Grant:

RESOLUTION 2011-20

BE IT RESOLVED, that Clay County act as the legal sponsor for an application for funding from the State of Minnesota Department of Natural Resources for grooming and maintaining of two-way Snowmobile Trails managed by the Clay Trails Alliance.

BE IT FURTHER RESOLVED, that upon approval of its application by the State, Clay County may enter into an agreement with the State of Minnesota for the above referenced project and that it will comply with all applicable laws and regulations as stated in the agreement.

BE IT FURTHER RESOLVED, that the County Administrator is authorized to sign such an agreement with the Department of Natural Resources.

BE IT FURTHER RESOLVED, that Clay County is hereby authorized to serve as the fiscal agent for the above referenced project.

RATIFY COUNTY BOARD CHAIR'S EXECUTION OF MEMORANDUM OF UNDERSTANDING
FOR THE USE OF HORIZON SCHOOL AS A MEDICAL CARE SITE

By consent agenda, the Board ratified the County Board Chair's execution of a Memorandum of Understanding for the use of Horizon School facilities as a medical care site in the event of a flood emergency.

APPROVAL OF CONTRACT WITH MN DEPARTMENT OF HUMAN SERVICES TO ACCEPT GRANT DOLLARS FOR IMPLEMENTATION OF MN CHOICES

By consent agenda, the Board accepted grant dollars in the amount of \$10,664 for implementation of the MnCHOICES program through the MN Department of Human Services, and agreed to the terms of the grant contract. The grant dollars will aid counties in technology upgrades for a new assessment tool called MnCHOICES, which will be used by Social Workers and Public Health staff for Long Term Care and Home and Community Based Waivered Services.

REVIEW ADOPTION OF THE MN MERIT SYSTEM EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION GUIDELINES FOR CLAY COUNTY SOCIAL SERVICES

By consent agenda, the Board approved adoption of the MN Merit Systems Equal Opportunity and Affirmative Action Guidelines for Clay County Social Services for the period 2011-2013, to assure compliance with Minnesota Rules, part 9575.0090, subpart 2a.

UPDATE RE: 2011 FLOOD

Emergency Services Manager Lt. Bryan Green updated the Board concerning recent flood activities:

- The Emergency Operations Center (EOC) opened on a 24/7 basis on April 7, 2011.
- The Red River crested Saturday, April 9 at 38.75'.
- The Northwest corner of Clay County has suffered overland flooding causing Georgetown to raise their levee.
- The National Guard and the EOC will stand down on April 14, 2011. Issues in the Georgetown area will be handled by the Red River Regional Dispatch Center.
- 62 roads are closed in Clay County; 100 miles of road are closed or under water.
- The Buffalo River is backing up because of increased water from ND.
- Lt. Green is working on a revised Preliminary Damage Assessment, but it is difficult to determine damage when the roads are still under water. He is hopeful to include the costs incurred in February when the greatest amount of snow fell.
- Clean-up efforts will begin when the river is at 35' or lower.
- The U.S. Corps of Engineers staff will not remove sandbags or take down the dike at Georgetown. Commissioner Campbell recalled that in 2009, after considerable persuasion, FEMA paid for this work to be completed.

Sheriff Bergquist expressed his appreciation to the City of Moorhead which provided roll-offs to a Clay County resident in an emergency situation over the weekend. He was especially appreciative of the work of Lt. Green and Chief Deputy Sheriff Matt Siiro for their hard work and extra effort in this year's flood.

WELL TESTING FEES

Mr. Bruce Jaster, Environmental Programs, informed the Board that in 2009, the Board waived well testing fees for those in flood impacted areas. 114 tests were conducted in 2009, and FEMA reimbursed Clay County for those tests (\$13/each).

On motion by Ingersoll, seconded by Waller, and unanimously carried, the Board agreed that Clay County will conduct free water testing for residents who have had their wells flooded, effective with the length of the emergency declaration.

U.S. FISH & WILDLIFE SERVICE REQUEST FOR CERTIFICATION OF A WETLAND
EASEMENT FROM JAMES & CAROL SHERIDAN

Ms. Cheri Sloneker, U.S. Fish & Wildlife Service, was present to request the Board's certification of a wetland easement to be obtained from James & Carol Sheridan in Section 3, Parke Township. The easement will protect the wetlands on the Sheridan's property (waterfowl habitat), while allowing them to retain ownership and continue to farm and pasture the land.

On motion by Ingersoll, seconded by Waller, and unanimously carried, the Board certified the above mentioned wetland easement.

REQUEST TO FILL FINANCIAL WORKER POSITION

Social Services Director Rhonda Porter was present to request authorization to fill a Financial Worker position which is vacant due to a retirement. The Board reviewed a comparison of case loads, staffing, programs, systems, and case counts. By replacing this position with a new worker at Step 1, a budget savings of \$6751 will be realized. This position receives 50% Federal Financial Participation.

On motion by Waller, seconded by Ingersoll and unanimously carried, the Board approved filling the Financial Worker position described above.

REQUEST TO FILL SOCIAL WORKER POSITION

Social Services Director Rhonda Porter requested the Board's authorization to fill a Social Worker position which is vacant due to an extended leave. Ms. Porter acknowledged that the hire is unique, in that if the person on extended leave returns to Clay County employment, the position for the person newly hired will be terminated. Ms. Porter noted that a new Social Worker hired on Step 1 will have an annual budget savings of \$16,373. The position also generates approximately \$19,000/year in Child Welfare Targeted Case Management revenue.

On motion by Ingersoll, seconded by Waller, and unanimously carried, the Board approved filling the Social Worker position which is open due to an extended leave based on the information provided above.

CHILD ABUSE PREVENTION PROCLAMATION

On motion by Ingersoll, seconded by Waller, and unanimously carried, the Board adopted the following Child Abuse Prevention Proclamation:

CHILD ABUSE PREVENTION PROCLAMATION

WHEREAS, child abuse prevention is a community problem and finding solutions depends on involvement among people throughout the community;

WHEREAS, the effects of child abuse are felt by whole communities and need to be addressed by the entire community.

WHEREAS, effective child abuse prevention succeeds because of partnerships created between parents, practitioners, schools, faith communities, healthcare organizations, law enforcement agencies, and the business community;

WHEREAS, family - serving, youth-focused prevention programs offer positive alternatives for young people and encourage parents and youth to develop strong ties to their communities;

WHEREAS, all citizens need to be more aware of child abuse and neglect and its prevention within the community, and be involved in supporting parents to raise their children in a safe, nurturing society.

NOW, THEREFORE, BE IT RESOLVED, That the Clay County Board of Commissioners hereby proclaims April, 2011 as Child Abuse Prevention Month in Clay County, and calls upon all citizens, community agencies, religious organizations, medical facilities, and businesses to increase their participation in efforts to prevent child abuse and neglect, thereby strengthening the communities in which we live.

CLOSED SESSION: LABOR NEGOTIATION STRATEGY

On motion by Waller, seconded by Ingersoll, and unanimously carried, the Board met in closed session at 9:45 a.m. to discuss labor negotiation strategy. Commissioner Campbell took part in the discussion via conference call.

On motion by Waller, seconded by Ingersoll, and unanimously carried, the meeting was re-opened at 11:00 a.m.

On motion by Waller, seconded by Ingersoll, and unanimously carried, the Board approved a mediated agreement between Clay County and Law Enforcement Labor Services - Corrections for the year 2010.

On motion by Waller, seconded by Ingersoll, and unanimously carried, the Board approved a mediated agreement between Clay County and Law Enforcement Labor Services - Corrections for a three year term, 2011-2013.

MOORHEAD PUBLIC SERVICE REQUEST RELATED TO TRANSMISSION LINE EXTENSION

Moorhead Public Service (MPS) representatives Bill Schwandt, General Manager, and Travis Schmidt, Electrical Engineering Manager, were present to seek Clay County's agreement to be the Responsible Governmental Unit (RGU) for a new 115 kV transmission line proposed to be constructed in South Moorhead/Clay County by December, 2012. The new line is 6.6 miles long and will serve a new high voltage substation in the MCCARA Business Park. Mr. Schwandt explained that if Clay County is the RGU, the permitting process will come through Clay County rather than the State, and will not be as long nor involved. Mr. Schwandt explained that Clay County's responsibilities would include the environmental assessment and to oversee the local permitting process. MPS will reimburse Clay County for all expenses, including the development and distribution of the Environmental Assessment.

On motion by Waller, seconded by Ingersoll, and unanimously carried, the Board agreed to act as the Responsible Governmental Unit for the above described project.

DEPARTMENTAL UPDATE: HIGHWAY DEPARTMENT

County Engineer David Overbo updated the Board concerning the new E-time card program which he feels will provide improved efficiency for his department as well as better communication opportunities. This program will require the installation of computers at the outlying shops, internet connections, etc.

Mr. Overbo highlighted several budgetary issues, including the overtime budget which has been spent to 101%; 31% of annual fuel budget has been expended; \$31,000 has

been spent on flood preparedness; and \$130,000 which was spent this winter on dozing roads/intersections due to heavy snowfall.

Other areas of concern included: maintenance costs for the snow blower, the fact that there is no Internal Service Fund for the improvement/replacement of the outlying shops, long term performance and condition of paved County roads, and shortfalls in Clay County's State Aid allotments.

APPROVAL OF BILLS AND VOUCHERS

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

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Ingersoll attended meetings of the Moorhead Planning Commission, Lake Agassiz Regional Library, the Legislative hearing regarding flood project needs, and several flood related meetings.

Commissioner Waller attended flood related meetings and a Wild Rice Watershed District meeting.

Commissioner Evert attended several flood related meetings, a flood meeting with Senators Klobuchar and Franken, a Buffalo Red River Watershed District meeting, and a Personnel Issues Committee meeting. He informed the Board that he had met with an engineer and a neighbor concerning their idea to get the early flood waters out of the area early by trenching ditches.

County Administrator Brian Berg attended meetings of the Management Committee, Personnel Issues Committee, several webinar flood briefings, and the legislative hearing on flood control and how to raise the required matching funds. He informed the Board that MnDOT is very receptive to Clay County locating its new Barnesville Highway Shop on the MnDOT site, and would transfer ownership of the parcel of land on which it would sit to Clay County. The re-wire of the conduit which was damaged in the basement of the Law Enforcement will be completed today, and a claim has been submitted to MCIT.

ADJOURN

The meeting adjourned at 11:30 a.m.

Jon D. Evert, Chair
Clay County Board of Commissioners

Brian C. Berg, County Administrator