

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, July 19, 2011

8:30 a.m.

County Board Room – 3<sup>rd</sup> Floor – Courthouse

M I N U T E S

The Clay County Board of Commissioners met in regular session with all Commissioners present: Campbell, Evert, Ingersoll, Waller and Weyland. Also present were County Administrator Brian C. Berg and Senior Administrative Assistant Vicki Reek.

APPROVAL OF AGENDA

On motion by Campbell, seconded by Weyland, and unanimously carried, the agenda was approved with the addition of:

- 1) Request to fill County Attorney's Legal Assistant position;
- 2) Approval of Proclamation of "Night to Unite".

CITIZENS TO BE HEARD

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

PROCLAMATION: NIGHT TO UNITE, AUGUST 2, 2011

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board proclaimed August 2, 2011 as "Night to Unite" in the local communities:

**PROCLAMATION**

**WHEREAS, The law enforcement agencies of Cass and Clay Counties are sponsoring a unique, crime and drug prevention program on August 2, 2011, called "A Night to Unite"; and**

**WHEREAS, the 3<sup>rd</sup> annual Night to Unite provides a unique opportunity for our community to join forces with thousands of other communities across the country in promoting cooperation, police-community relationships, crime prevention efforts; and**

**WHEREAS, it is essential that all citizens for our communities be aware of the importance of crime prevention programs and impact that their participation can have on reducing crime, drugs and violence in our communities; and**

**WHEREAS, Cooperation between all law enforcement-community partnerships and neighborhood safety and awareness are important themes of Night to Unite;**

**NOW, THEREFORE, WE, MAYORS AND COMMISSION CHAIRMEN, do hereby call upon all citizens of Cass and Clay Counties to join law enforcement supporting Night to Unite on August 2, 2011.**

**FURTHER, LET IT BE RESOLVED THAT WE GOVERNMENT LEADERS, do hereby proclaim Tuesday, August 2, 2011, as A NIGHT TO UNITE in our communities.**

COMPLIANCE COMMITTEE REPORT

County Recorder Bonnie Rehder was present to recommend proposed expenditures for the 2012 Compliance Fund, which is generated by \$11 of each \$46 real estate document recording fee. Ms. Rehder reminded the Board that the compliance funds must be used to keep the Recorder's Office compliant with recording deadlines, or for other land record department expenses. The proposed expenditures are as follows:

\$15,000 Tax system: maintenance

\$40,000	Auditor's Tax Position salary (2006-2011)
\$20,000	GIS Services
\$16,000	Assessor's CAMA system
\$30,400	Various Maintenance contracts
<u>\$16,100</u>	<u>IT Supplies</u>
\$137,500	Total

Commissioner Campbell inquired if surveying (identifying corners) could be included as a qualifying expenditure from this fund. Ms. Rehder will research this matter and discuss it with the Compliance Committee.

Ms. Rehder informed the Board that \$10 of each \$46 real estate document recording fee is mandated to be used for Recorder's Technology expenses. \$100,000 is estimated to be available in 2012 and the Compliance Committee has recommended it be expended as follows: \$42,500 ESRI software which enhances Recorder's Office; \$37,500 Recorder share of Microsoft maintenance; \$20,000 IT supplies.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board adopted the above mentioned recommendations as forwarded by the Compliance Committee.

RECORDER'S OFFICE UPDATE

County Recorder Bonnie Rehder provided an update concerning activities in the Recorder's Office. Ms. Rehder advised that real estate revenue is down 4.4% over last year. Effective May 1, 2011 the office no longer issues passports. The Secretary of State's office is requiring counties with satellite agreements to pay for new programming for the filing and processing of Uniform Commercial Code documents. Ms. Rehder indicated that the costs may be too high to continue to participate as a satellite office.

On motion by Ingersoll, seconded by Weyland, and unanimously carried, the Board established a \$5 flat fee for copies of noncertified recorded documents, which more accurately covers the costs to produce the documents.

Ms. Rehder informed the Board that the credit card pilot project will be going live very soon.

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board changed the "passport photo" fee to a "photo" fee, as passports are no longer issued by the Recorder's office. This will allow the camera equipment to be used for other purposes.

REQUEST FOR CERTIFICATION OF TWO AGREEMENTS FOR U.S. FISH & WILDLIFE SERVICE EASEMENTS IN PARKE TOWNSHIP

On motion by Weyland, seconded by Ingersoll, and unanimously carried, the Board certified two agreements for U.S. Fish & Wildlife Service wetland easements in Parke Township. These private easements will protect the wetlands while allowing continued agricultural use, with the landowner responsible for paying taxes on the properties. The easements are described as follows:

Daniel M. Sheridan and Denise M. Sheridan, James P. Sheridan and Carol J. Sheridan, and John P. Sheridan and Renae M. Sheridan: Parke Township, Section 2, Government Lots Five and Six, the NW1/4SW1/4 and NE1/4SW1/4;

James P. Sheridan and Carol J. Sheridan: Parke Township, Section 10, Government Lot 1, and all that part of the NE1/4NE1/4 described as follows: Commencing at a point 11 rods West of Southeast corner of NE1/4NE1/4; thence West on the South line thereof 69 rods; thence North 80 rods; thence East 9 rods; thence South 40 rods; thence East 56 rods; thence Southeasterly 40 rods to point of beginning.

#### REINTEGRATION ADVANCE PLANNING PROGRAM (RAP) UPDATE

Ms. Jessica Fearing, AmeriCorps VISTA RAP Coordinator, updated the Board on the status of the RAP Program, which addresses post incarceration needs of inmates in an effort to reduce recidivism. She informed the Board that 18 of this year's 20 participants have not returned to incarceration. Additional programming is offered concerning child support, housing, and financial literacy. The project is planning to offer programs in parenting, nutrition, and employment workshops. The RAP program has received EMERGE grant funds for the 3<sup>rd</sup> and final year and sustainability planning will take place in the future.

The Board was very appreciative of Ms. Fearing's work over the past year.

#### INTERVIEW CANDIDATES FOR BUFFALO RED RIVER WATERSHED DISTRICT BOARD OF MANAGERS POSITIONS

Commissioner Evert expressed his appreciation to Mr. Gerald VanAmburg and Mr. Curtis Nelson whose terms as Managers on the Buffalo Red River Watershed District Board (BRRWD) will expire on August 31, 2011. Mr. VanAmburg and Mr. Nelson have both expressed interest in reappointment to the Board of Managers. No other citizens expressed interest in appointment to the BRRWD Board.

Mr. Nelson informed the Board that he has served on the BRRWD Board for 30 years, and during that time was also a delegate to the Red River Water Management Board (RRWMB) for 17 years. He indicated that he has enjoyed the work and serving on the Board.

Mr. VanAmburg informed the Board that he has been involved with resource management his entire life and feels that water is the most important resource. He added that serving on the BRRWD Board is an interesting challenge and fits his background well.

Commissioner Evert expressed his concern regarding the 'basin approach' to water issues and how the BRRWD fits into it. He noted that the BRRWD has done well in finding resources while they have not been members of the RRWMB, however, those funds are now running low. He was hopeful that the BRRWD would commit to rejoining the RRWMB.

Mr. Nelson commented that he was hopeful for a compromise with the RRWMB regarding funding of projects in the future, and the issue of rejoining the RRWMB could be brought up for a vote again.

Mr. VanAmburg commented that he was opposed to the BRRWD being a member of the RRWMB a few years ago, due to funding differences. He indicated that there is now a potential to work out those differences. Mr. VanAmburg stated that he would be supportive of the BRRWD rejoining the RRWMB, as that would be the only way to work on changing the issues the two Boards do not agree on.

Commissioner Campbell commented that he would see the creation of a Water Management District (WMD) as a good method for funding the Minnesota share of Diversion expenses that the State does not pay for. Mr. Nelson noted that the BRRWD's overall plan did include the creation of WMD's. Mr. VanAmburg agreed that the WMB concept makes sense. Commissioner Campbell was supportive of the BRRWB rejoining the RRWMB to see if differences could be resolved. He expressed his appreciation for Mr. Nelson's and Mr. VanAmburg's service over the years.

Commissioner Waller commented that he understood the BRRWB and the RRWMB had differing ideas on how WMDs work. Mr. VanAmburg stated that the WMB would determine the benefited area and assess that particular area rather than the entire district.

Commissioner Waller commended the BRRWD Board for their work over the years, whether or not they were in the RRWMB. He felt, however, that the dynamics are changing and the BRRWB should look at rejoining the RRWMB.

Commissioner Evert felt the BRRWD needs to be a part of the RRWMB as the governance documents are being amended and BRRWD would have an opportunity for input.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board reappointed Mr. Gerald L. VanAmburg and Mr. Curtis M. Nelson to three year terms on the Buffalo Red River Watershed District Board of Managers, effective September 1, 2011.

Mr. VanAmburg expressed his appreciation to the County Board for their support over the years and the good working relationship that exists between the Boards.

#### APPROVAL OF QUOTES FOR BITUMINOUS WORK ON CSAH 52 NEAR THE 34<sup>TH</sup> STREET INTERSECTION

County Engineer David Overbo presented an abstract of bids received for shoulder repair on CSAH 52 near the 34<sup>th</sup> Street intersection (Central Specialties - \$47,997; and Northern Improvement - \$40,428).

On motion by Campbell, seconded by Waller, and unanimously carried, the Board approved the low quote of Northern Improvement for the SP 14-999-05 as described above.

Mr. Overbo presented an abstract of bids received for overlay work on CSAH 52 near the 34<sup>th</sup> Street intersection (Central Specialties - \$71,987; Northern Improvement - \$72,583.30).

On motion by Waller, seconded by Ingersoll, and unanimously carried, the low quote of Central Specialties was approved for Work Order #2023 as described above.

#### UPDATE RE: STATE SHUTDOWN

Discussion on the State shutdown was brief, given the fact that a Special Session will be convened this week to resolve the budget issues.

Handouts were distributed describing Social Services and Public Health programs which have been impacted by the shutdown (See Attachment "A").

Commissioner Evert expressed his appreciation for the work done by the departments during the shutdown.

2011 EXTERNAL AGENCY PAYMENTS

County Administrator Brian Berg reminded the Board that due to the State's projected budget shortfall for 2011, a decision was made early in 2011 to pay only one-half of the 2011 appropriation to external agencies. He recommended that the remainder of the appropriation now be paid to the agencies with an explanation that "the payment is made with the understanding that some of the dollars may result in shortages to Clay County and may possibly result in a reduced appropriation to the agencies in 2012 to account for deficiencies in State revenue sharing".

On motion by Weyland, seconded by Ingersoll, and unanimously carried, the Board directed that the 2<sup>nd</sup> half appropriations be made to those external agencies which only received the 1<sup>st</sup> half appropriation.

REQUEST TO FILL COUNTY ATTORNEY'S LEGAL ASSISTANT POSITION

Chief Assistant County Attorney Michelle Lawson informed the Board that for over a year, the County Attorney's Office has had a Legal Assistant vacancy. Ms. Lawson has now received a resignation notice which will be effective August 18<sup>th</sup>. She requested approval to fill the position which will be vacant as of August 18<sup>th</sup>.

On motion by Weyland, seconded by Campbell, and unanimously carried, the Board approved filling the Legal Assistant position described above.

APPROVAL OF BILLS AND VOUCHERS

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

COMMITTEE REPORTS

Commissioner Weyland attended a meeting of the Regional Radio Board.

Commissioner Waller attended the Soil & Water Conservation District meeting.

Commissioner Evert attended a meeting of the Local Government Roundtable and the Extension U-Lead program. Commissioner Evert also attended the Clay County Fair over the weekend and suggested that consideration be given to hosting the "County Government Day at the Fair" on Saturday, instead of Friday, to reach a larger population of Fair visitors.

County Administrator Brian Berg informed the Board that several budget meetings with department heads have been conducted, with the preliminary 2012 budget to be presented to the Board July 26<sup>th</sup>.

JULY 26, 2011 COUNTY BOARD MEETING

On motion by Campbell, seconded by Weyland, and unanimously carried, the July 26, 2011 County Board meeting was rescheduled to 8:30 a.m., from 4:00 p.m.

ADJOURN

The meeting adjourned at 10:50 a.m.

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Jon D. Evert, Chair

Clay County Board of Commissioners

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Brian C. Berg, County Administrator

Social Services - Government Shutdown Board Review-7-19-2011

SERVICE/PROGRAM	SERVICE DELIVERED BY	PROGRAM/ SERVICE ANNUAL BUDGET	REVENUE SOURCES			GOVERNMENT SHUTDOWN DECISIONS			On AMC List	Comments			
			TAX/LEVY	FEES	STATE	FEDERAL	Essential by Court? Y or N	Risk of legislative cut			Recommendation to operate JULY?	Monthly Risk State	Monthly Risk-Federal
Fraud Prevention	Staff- 1 FTE	73,091			50%	50%	N	N	Y	3,045	3,045	No	Hold Becker Co. referrals so no mileage incurred. Cover will agency staff turnover. Spent approx. 30,000 to date. Have not used the 20,000 co. dollars budgeted.
Children's Mental Health Respite	Purchased	70,000	20,000		50,000		N	Y	Y	5,531- Actual	0	Yes	Stop Aug. Payments Ltrs to Families. Utilize available DT&H funds. 39 families- 11 ltrs out
Family Support Grant	Pass Thru	90,101			90,101		N	N	Y	4,547- Actual	0	No	
										13,123			

SERVICES DISCONTINUED

Family Group Decision Making	Contract	12,212			12,212		N	N	N	0	0	No	
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SERVICES CONTINUED AT PROVIDER RISK

SILS Non-Waiver	Purchased	257,861	60,025		195,836		N	N	N/Y	0	0	No	Provider Risk
PATH Grant		97,329			39,803		N	Y	N/Y	0	0		
CSP Grant	Contract	221,606			221,606		N	Y	N/Y	0	0	Yes	Provider Risk
SOAR Grant		90,000			90,000		N	N	N/Y	0	0		

COURT ACTION SINCE LAST BOARD REVIEW

Minnesota Family Investment Child Care Administration	Staff- 1.2 FTE Financial Worker	1.2 FW @ 76,138 Salary/Benefits 50% FFP= 38,069 Annual			11,000	20,000	Y	N	Y	2,416	5,166	No- being reviewed	
Minnesota Family Investment Program Administration	Contract- CEP	863,536			86,354 (10%)	777,182 (90%)	Y	Y	Y	7,196	64,765	Yes	
Children's MH Case Management- MA	Contract	298,925	38,700		260,225		Y	Y	Y	15,467	0	Yes	
Adult MH Case Management- MA	Contract	152,886	92,261		60,625		Y	Y	Y	5,052	0	Yes	
Children & Community Services Act Grant	Contracts	954,911			577,231	377,680	Y	Y	Y	48,102	31,473	Yes	
Relative Custody Assistance	Pass Thru	16,400			16,400		Y	N	Y	1,325	0	Yes	
Basic Sliding Fee Child Care Direct Service Allocation	Provider Payments	1,428,827	55,640		535,543	837,644	Y	Y	Y	0	0	No	
SELF Adolescent Services	Staff/Purchased	16,300				16,300	Y	N	Y	0	0	No	
Child Mental Health Screening- Fast Track & Flex Funds	Staff/Purchased	27,381			27,381		Y	Y	Y	0	0	Yes	
Adult Mental Health BCOW Flex Funds	Purchased	23,000			23,000		Y	Y	Y	0	0	Yes	

