

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, July 16, 2013

8:30 a.m.

County Board Room – 3rd Floor – Courthouse

MINUTES

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

APPROVAL OF AGENDA

On motion by Weyland, seconded by Gross, and unanimously carried, the agenda was approved as presented.

APPROVAL OF CITY OF MOORHEAD ABATEMENT REQUESTS

By consent agenda, the Board approved abatement requests, payable 2013, as requested by the City of Moorhead Assessor's Office. The abatements are due to a clerical error, as follows:

Megan Mestery, 58.009.0070, tax reduction \$344
Bryan L. Oberg, 58.009.0140, tax reduction \$456
Benjamin S. Kostelecky, 58.172.0480, tax reduction \$328
David S. Schmidt, 58.233.0020, tax reduction \$268
Marlon & Colleen Mackowick, 58.277.0390, tax reduction \$356
Richard Lohse, 58.319.2220, tax reduction \$320
Bruce & Vikki Johnson, 58.372.0570, tax reduction \$162
Atan Beganovic, 58.428.0760, tax reduction \$280.
Todd Grugel, 58.462.0080, tax reduction \$280
Derek & Emma Schreiber, 58.466.0210, tax reduction \$324
Sarah Erickson Link, 58.610.0300, tax reduction \$324
Daniel & Wendy Hovde, 58.613.0310, tax reduction \$176
Jerome Swanson, 58.813.0036, tax reduction \$334

APPROVAL OF AMENDMENT #1 TO THE JOINT POWERS AGREEMENT FOR FEDERAL SAFETY GRANT/HIGHWAY SAFETY IMPROVEMENT PROGRAM

By consent agenda, the Board approved Amendment #1 to the Joint Powers Agreement, Project No. S.P. 088-070-034, entered into on January 22, 2013, for a Federal Safety Grant for four counties in District 4 (Becker, Clay, Douglas, and Otter Tail), to conduct highway safety improvements to include striping and curve signage. The amendment describes the inspection responsibilities of each individual county and was omitted in the original agreement (perform required field inspection and provide documentation to Otter Tail County as needed to fulfill the requirements of state and federal reports, such as notices, changes in status, diaries, change orders and payment vouchers).

CITIZENS TO BE HEARD

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

APPROVAL OF MINUTES

On motion by Gross, seconded by Campbell, and unanimously carried, the minutes of the July 2 and 9, 2013 meetings were approved as presented.

APPROVAL TO EXECUTE CONTRACT FOR CHANGE IN LONG TERM DISABILITY INSURANCE PROVIDER

Human Resources Director Darren Brooke and Human Resources Coordinator Jennifer Pierson informed the Board that Ochs, Inc. has recently changed their provider of long term disability from Assurant Benefits to Madison National Life. Madison National Life's contract matches the County's current policy and provides a 15% rate reduction effective 8/1/13 through 1/1/16. The Insurance Committee recommended approval of the change.

On motion by Campbell, seconded by Evert, and unanimously carried, the Board authorized execution of the contract with Madison National Life as described above for the County's Long Term Disability plan.

APPROVAL OF FIVE-YEAR ROAD CONSTRUCTION PLAN

Assistant County Engineer Nathan Gannon presented the Five Year Road Construction Plan, covering years 2013-2017 (See Attachment "A"). The 2013 work is under contract, with work in 2014 and 2015 completing the expenditure of Bond funds.

Mr. Gannon reported that in 2014 several grading projects will be conducted, followed by the asphalt/concrete in 2015. In 2016, the Bond projects will be completed, and bridge bonding funds will be utilized to replace culverts. In 2017, work on bridge replacements and grading will continue.

On motion by Campbell, seconded by Evert, and unanimously carried, the Five Year Highway Construction Plan for 2013-2017 was approved.

RESOLUTION FOR I-94 CORRIDOR EXPANSION IN THE MN STATE HIGHWAY INVESTMENT PLAN (MNSHIP)

Assistant County Engineer Nathan Gannon informed the Board that the St. Cloud Metropolitan Planning Organization has requested that stakeholders up and down the I-94 corridor send a resolution supporting the inclusion of expansion to the I-94 corridor within the State's MNSHIP plan, which is a 20 year investment guide to the infrastructure.

Commissioner Campbell commented that the Highway Tracking Committee supports this resolution. However, the Metropolitan Council of Governments and City of Moorhead have requested that the three entities jointly support the I-94 Corridor Expansion to make a greater impact. The Board agreed and will address this topic at a later date.

RESOLUTION TO IMPOSE WHEELAGE TAX IN CLAY COUNTY

Assistant County Engineer Nathan Gannon informed the Board that in the last legislative session, all 87 counties became authorized to impose a Wheelage Tax. Prior to

this legislative action, only seven metro counties were allowed to do so at \$5/vehicle fee. The new legislation allows all counties to impose a \$10/vehicle fee (motorcycles, trailers, collector cars and tax exempt vehicles are excluded). The Highway Tracking Committee has reviewed this option and felt approximately \$450,000 could be generated annually, which would be used to improve the condition of Clay County roads. The Highway Tracking Committee felt 30% of the funds collected could be shared with the municipalities in the County to offset their needed infrastructure costs. The municipalities would make application to the County for the funds and must equally match the requested amount. The Highway Department staff and Highway Tracking Committee will develop equitable criteria and target values to be considered when municipalities request a portion of the 30% set aside.

Commissioner Campbell commented that the funds could be accumulated in order to conduct significant projects.

Commissioner Evert felt this is an opportunity for Clay County to raise funds for improvement of local roads.

Commissioner Weyland reluctantly supported the resolution and felt this is a failure by the State to do their job.

On motion by Campbell, seconded by Gross, and unanimously carried, the Board adopted Resolution 2013-43 authorizing the cost sharing of future Wheelage Tax funds with municipalities within Clay County, contingent upon the adoption of Resolution 2013-42, authorizing imposition of Wheelage Tax in Clay County for County Highway purposes commencing January 2, 2014:

RESOLUTION 2013-43
Resolution Authorizing the Cost Sharing of future Wheelage Tax funds
With Municipalities within Clay County

WHEREAS, the Clay County Board of Commissioners desires to implement a Wheelage Tax within Clay County, and

WHEREAS, the Clay County Board of Commissioners realizes that portions of the revenue gained from the proposed Wheelage Tax will come from the areas within the small cities in Clay County as well as the City of Moorhead, and

WHEREAS, the County Board of Commissioners feels a portion of the Wheelage Tax revenue should be shared with the other Municipalities within the County to offset their needed infrastructure costs, and

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Clay County Board of Commissioners authorizes setting aside 30% of all collected Wheelage Tax revenue for the small cities within Clay County to include the City of Moorhead, and

BE IT FURTHER RESOLVED, that any funds requested be equally matched by funds from the Municipality making the request, and

BE IT FURTHER RESOLVED, that the County Board requests the Highway Department to work with the Highway Tracking Committee to develop equitable criteria and target values for the Municipalities when they are requesting a portion of the 30% set aside Wheelage Tax revenue.

On motion by Evert, seconded by Gross, and unanimously carried, the Board adopted Resolution 2013-42 authorizing imposition of Wheelage Tax in Clay County for County Highway purposes, commencing January 1, 2014:

RESOLUTION 2013-42

**Resolution Authorizing Imposition of Wheelage Tax in Clay County
for County Highway Purposes Commencing January 1, 2014**

WHEREAS, Clay County's transportation infrastructure forms the backbone of the county's economy and has a direct impact on future economic development, and

WHEREAS, the County's 2013 Five Year Capital Improvement Plan has been significantly impacted by increasing costs and demands for improvements and identifies substantial needs for increased transportation funding, and

WHEREAS, funding for highway systems in Minnesota has remained stagnant and is failing to keep pace with growing population and growing demands, and

WHEREAS, the 2013 Minnesota State Legislature has authorized expansion of the Wheelage Tax authority (Chapter 117, Article 3, Section 4) to all 87 counties, and

WHEREAS, Minn. Stat. provides, in part, that the Board of Commissioners of each county is authorized to levy a Wheelage Tax of \$10.00 on each motor vehicle which is kept in such county when not in operation and which is subject to annual registration and taxation under Chap. 168. Clay County recognizes, however, that pursuant to Minnesota statute the following motor vehicles are exempt from the Wheelage Tax: motorcycles as defined in Minn. Stat. 169.011, Subd. 44, motorized bicycles, as defined in Minn. Stat. 169.011, Subd. 27; and motorized foot scooters, as defined in Minn. Stat. 169.011, Subd. 46.

WHEREAS, Minn. Stat. 163.051 further provides that the County Board may provide by resolution for collection of the Wheelage Tax by county officials or it may request that the tax be collected by the State Registrar of motor vehicles, and the State Registrar of motor vehicles shall collect such tax on behalf of the county if requested, and

WHEREAS, Minn. Stat. 163.051, Subd. 2, provides, in part, that the Wheelage Tax levied by any county, if made collectible by the State Registrar of motor vehicles, shall be certified by the County Auditor to the Registrar not later than August 1 in the year before the calendar year or years for which the tax is levied, and the Registrar shall collect such tax with the motor vehicle taxes on the affected vehicles for such year or years, and

WHEREAS, Minn. Stat. 163.051, Subd. 4, provides that the Treasurer of each county receiving proceeds from the Wheelage Tax is to deposit such proceeds in the county Road and Bridge fund, which moneys shall be used for purposes authorized by law which are highway purposes within the meaning of the Minnesota Constitution, Article 14, and

WHEREAS, Wheelage Tax monies collected for Clay County stay in Clay County, and

WHEREAS, the Clay County Board of Commissioners desires to implement such a Wheelage Tax and have the State Registrar of motor vehicles collect the same, and

WHEREAS, the proceeds of such a Wheelage Tax could be used to help improve the quality of the road systems within Clay County, including but not limited to County-wide roadway projects.

NOW THEREFORE, BE IT FURTHER RESOLVED, that the Clay County Board of Commissioners authorizes and imposes a Wheelage Tax as provided for in Minnesota State Statute of \$10.00 for the year 2014 and each subsequent year thereafter, on each non-exempt motor vehicle, which is kept in Clay County when not in operation and which is subject to taxation and registration under Chapter 168, and

BE IT FURTHER RESOLVED, that the County requests the State Registrar of Motor Vehicles to collect the tax, and

BE IT FURTHER RESOLVED, that the Clay County Board of Commissioners hereby directs the County Auditor/Treasurer to certify the tax to the State Registrar of Motor Vehicles for collection on or before August 1, 2013.

IMPLEMENTATION OF MNSURE AND COUNTY STAFFING

Social Services Director Rhonda Porter, Financial Assistance Supervisor Mary Luhman-Olsen, and Fiscal Supervisor Susan Roll presented background information on legislation concerning the Affordable Care Act of 2010, which provides additional low

income individuals eligibility for Medicaid benefits. Ms. Porter informed the Board of Minnesota's Health Insurance Marketplace Act of 2013 which established a new online marketplace called MNsure, where individuals, families and small businesses will be able to apply for health care coverage. These programs will enable an additional 1700 Clay County citizens the eligibility for new expanded Medicaid coverage. The implementation timeline for the new enrollees is expected to be staggered over the next three years, a 19.81% growth for just the Medicaid program.

Based on the anticipated 1700 new clients, Ms. Porter felt an additional five FTEs (four Financial Workers and one Office Support Specialist) are needed for the additional workload (implementation, dual entry requirements, and the various phases of the programs). The federal financial participation (FFP) formula has increased to 75% federal/25% County. With this shift in FFP, Ms. Porter felt there would be approximately \$50,000 in revenue over expenditures for this program in 2014.

Another option to address the additional clients and workload would be to contract out particular program areas, such as administration of Child Care programs to Lakes & Prairies Community Action Partnership, thus freeing up existing staff to deal with the health care programs. In this scenario, two additional Financial Workers and one Office Support Specialist would be necessary. This option would require approximately \$33,290 in new levy dollars

Ms. Luhman-Olsen explained that in the next few months there will be important staff training events to prepare for health care changes.

The Board discussed the advantages and disadvantages of the options outlined above, acknowledging that there are many unknowns at this time. Ms. Porter felt there may be advantages to contracting out, such as staff time freed up by not having to manage providers, process vouchers, etc.

Commissioner Evert moved that the County approve contracting out the Child Care programs with Lakes & Prairies Community Action Partnership, as recommended by Ms. Porter, acknowledging that this would be at a cost to the County of \$33,290 in new levy. Commissioner Ingersoll seconded the motion which failed by the following vote: Aye: Evert, Ingersoll. Nay: Campbell, Weyland, Gross.

Commissioner Campbell was cautious about adding new staff when the impact of the programs is not fully known at this time. Human Resources Director Darren Brooke felt it is important to add staff at this time so they can take part in the training. Reductions in staff could be made in the future through normal attrition.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved the hiring of four Financial Workers and one Office Support Specialist to assist with changes due to Affordable Care Act, Minnesota's Health Insurance Marketplace Act, MinnesotaCare, expanded Medical Assistance, Medicaid, implementation of MNsure, etc.

2014 BUDGET PLANNING UPDATE

County Administrator Brian C. Berg presented introductory 2014 Budget information, noting that the complete Budget packet will be prepared for the Board's review at the July 23 meeting. Presentations by department heads will also be scheduled. Mr. Berg noted that there are \$447,000 in New Requests, requests for funding increases from external agencies, anticipated employee health insurance cost increases, etc.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Gross attended a meeting of the Soil & Water Conservation District, the Clay County Fair, and the Morken Township Annual Picnic.

Commissioner Evert attended meetings of the Highway Tracking Committee, FM Diversion Ag Subcommittee, Clay County Heritage & Cultural Society, Land Management Committee for FM Diversion, Lakes & Prairies Community Action Partnership Long Range Planning Committee, and the Clay County Fair.

Commissioner Campbell attended meetings of the Highway Tracking Committee, and FM Diversion Authority and Outreach Committees. He congratulated the City of Moorhead on their successful efforts in securing the siting of a new hotel in Moorhead.

Commissioner Weyland attended meetings of the Greater FM Economic Development Authority and the Area Agency on Aging.

Commissioner Ingersoll attended meetings of the Lakes & Prairies Community Action Partnership, Wild Rice Watershed District, and the Morken Township Annual Picnic.

County Administrator Brian Berg informed the Board of concerns regarding Environmental Health's ability (lack of staff) to continue to collect information regarding mosquito counts in the rural areas. Consensus of the Board was that this information is valuable and Environmental Health should hire the necessary assistance to continue to collect this information. Mr. Berg estimated the cost would be less than \$2500/annually.

Mr. Berg reported that Government Night at the Clay County Fair was staffed by several County departments.

APPROVAL TO PAY BILLS AND VOUCHERS

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

ADJOURN

The meeting adjourned at 10:52 a.m.



Wayne Ingersoll, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator

State Aid G.O. Bonds = \$10,513,379.50
 State Aid Reg. Const. Allotment = \$2,687,773
 State Aid Mun. Const. Allotment = \$230,000
 Clay County Const. Allotment = \$350,000

CLAY COUNTY HIGHWAY DEPARTMENT
 2013- 2017 PROPOSED CONSTRUCTION PROGRAM

Balance as of 1/1/2013		State Aid Regular Const Balance - (\$2,400,000)		State Bridge Funding	
		State Aid Municipal Const Balance - (\$70,817)		\$0	

Project Highway No.	Location	Type of Construction	Miles	ADT	YEAR	Estimated Cost	Fed. Aid Funding	State Aid Funding	County Funding	State Bridge Funding	
1	CSAH 21 to 1 mi. east of CSAH 11	Asphalt Mill & Overlay	5.0	900	2013	\$1,202,277		\$1,202,277			
2	TH 10 to I-94	Asphalt Overlay	5.0	540	2013	\$1,198,157		\$1,198,157			
3	Sect. 10/11 Elmwood Twp. over Ditch 58	Bridge Replacement	0.1	540	2013	\$110,000		\$50,000		\$60,000	
4	CSAH 19 in Averill	Bridge Replacement	0.1	75	2013	\$61,000		\$30,000		\$31,000	
5	North limits of Glyndon to CSAH 18	Finish Paving, Seeding, etc.	1.5	520	2013	\$325,000		\$325,000			
6	CSAH 19 in Averill	Asphalt Paving	0.1	75	2013	\$24,462		\$24,462			
7	CSAH 10 to CSAH 12	10 Ton Overlay/Subgrade Work	5.0	720	2013	\$1,489,135		\$1,489,135			
8	Hawley and MN TH 10	Intersection Improvements	0.29	1,100	2013	\$2,404,378		\$443,085 SA \$383,722 Mun.			
9	Sect. 6/7 Moland Twp. over Buffalo River	Bridge Replacement	0.1	25	2013	\$707,773			\$116,070	\$591,703	
10	Sect. 14/15 Viding Twp. over Lat. 2 Ditch 45	Bridge Replacement	0.1	30	2013	\$82,399			\$10,395	\$72,004	
11	Georgetown	Grading & 10 Ton Paving	0.3	355	2013	\$400,937	\$205,990		\$194,947		
12	Sect. 13/14 Georgetown Twp. over Ditch 14	Bridge Replacement	0.1	35	2013	\$63,518			\$16,253	\$47,265	
TOTAL ESTIMATED COSTS											
							\$8,069,036	\$205,990	\$4,762,096	\$337,665	\$801,972
								\$383,722 Municipal			

Balance as of 1/1/2014		State Aid Regular Const Balance - \$6,039,066		State Bridge Funding	
		State Aid Municipal Const Balance - (\$224,539)		\$12,335	

***This plan is subject to change due to uncontrollable variables
 *State Aid Regular Construction Balance Includes Bonding proceeds

State Aid Reg. Const. Allotment = \$2,600,000
 State Aid Mun. Const. Allotment = \$230,000
 Clay County Const. Allotment = \$350,000

CLAY COUNTY HIGHWAY DEPARTMENT
 2013 - 2017 PROPOSED CONSTRUCTION PROGRAM

Balance as of 1/1/2014		State Aid Regular Const Balance - \$6,039,056	State Bridge Funding
		State Aid Municipal Const Balance - (\$224,539)	\$12,335

Project No.	Highway No.	Location	Type of Construction	Miles	ADT	YEAR	Estimated Cost	Fed. Aid Funding	State Aid Funding	County Funding	State Bridge Funding
13	3	Center Ave. to CSAH 18	Asphalt Mill and Overlay	2.0	8,900	2014	\$1,400,000		\$700,000		
14	18	TH 75 to 1 mi. east of CSAH 11	Grading	5.5	1,300	2014	\$2,250,000		\$2,250,000		
15	52	TH 9 to Co Rd 55	Grading	1.6	1,300	2014	\$700,000		\$700,000		
16		BOND PAYMENT							\$850,000		
TOTAL ESTIMATED COSTS							\$4,350,000	\$0	\$4,500,000	\$0	\$0

Balance as of 1/1/2015		State Aid Regular Const Balance - \$4,139,056	State Bridge Funding
		State Aid Municipal Const Balance - \$5,461	\$362,335

7/16/2013

***This plan is subject to change due to uncontrollable variables
 *Project Number 13 is anticipating 50% funding from the City of Moorhead

State Aid Reg. Const. Allotment = \$2,600,000
 State Aid Mun. Const. Allotment = \$230,000
 Clay County Const. Allotment = \$350,000

CLAY COUNTY HIGHWAY DEPARTMENT
 2013- 2017 PROPOSED CONSTRUCTION PROGRAM

Balance as of 1/1/2015		State Aid Regular Const Balance -	\$4,139,056
		State Aid Municipal Const Balance -	\$5,461
			\$362,335

Project No.	Highway No.	Location	Miles	ADT	YEAR	Estimated Cost	Fed. Aid Funding	State Aid Funding	County Funding	State Bridge Funding	
17	18	TH 75 to 1 mi. east of CSAH 11	5.5	1,300	2015	\$3,000,000		\$3,000,000			
18	18	CSAH 3 to TH 75	0.8	760	2015	\$725,000		\$725,000			
19	52	TH 9 to CSAH 21	5.5	1,300	2015	\$3,300,000		\$3,300,000			
20		BOND PAYMENT						\$1,025,000			
TOTAL ESTIMATED COSTS								\$7,025,000	\$0	\$8,050,000	\$0

Balance as of 1/1/2016		State Aid Regular Const Balance -	(\$1,310,944)
		State Aid Municipal Const Balance -	\$235,461
			\$712,335

***This plan is subject to change due to uncontrollable variables

7/16/2013

State Aid Reg. Const. Allotment = \$2,600,000
 State Aid Mun. Const. Allotment = \$230,000
 Clay County Const. Allotment = \$400,000

CLAY COUNTY HIGHWAY DEPARTMENT
 2013 - 2017 PROPOSED CONSTRUCTION PROGRAM

Balance as of 1/1/2016		State Aid Regular Const Balance - (\$1,310,944)	\$712,335
		State Aid Municipal Const Balance - \$235,461	

Project No.	Highway No.	Location	Types of Construction	Miles	ADT	YEAR	Estimated Cost	Fed. Aid Funding	State Aid Funding	County Funding	State Bridge Funding
21	56	Sect. 22/23 Barnesville Twp. over Ditch 34	Bridge Replacement	0.1		2016	\$80,000			\$15,000	\$65,000
22	67	Sect. 7/8 Kurtz Twp. over Ditch 32	Bridge Replacement	0.1		2016	\$80,000			\$15,000	\$65,000
23	95	1 mi. north of CSAH 18 to 3 mi. north of CSAH 18	Grading	2.0	280	2016	\$700,000			\$700,000	
24		BOND PAYMENT				2016			\$2,190,000		
TOTAL ESTIMATED COSTS							\$860,000	\$0	\$2,190,000	\$730,000	\$130,000

Balance as of 1/1/2017		State Aid Regular Const Balance - (\$900,944)	\$382,335
		State Aid Municipal Const Balance - \$465,461	

***This plan is subject to change due to uncontrollable variables

State Aid Reg. Const. Allotment = \$2,600,000
 State Aid Mun. Const. Allotment = \$230,000
 Clay County Const. Allotment = \$400,000

CLAY COUNTY HIGHWAY DEPARTMENT
 2013- 2017 PROPOSED CONSTRUCTION PROGRAM

Balance as of 1/1/2017		State Aid Regular Const Balance - (\$800,944)	\$382,335
		State Aid Municipal Const Balance - \$465,461	

Project No.	Highway No.	Location	Type of Construction	Miles	ADT	YEAR	Estimated Cost	Fed. Aid Funding	State Aid Funding	County Funding	State Bridge Funding
25	68		Bridge Replacement	0.1		2017	\$80,000			\$15,000	\$65,000
26	95	From CSAH 18 to 1 mi. north and from Co. Rd. 93 to CSAH 26	Grading	3.0	280	2017	\$500,000			\$500,000	
27	117		Bridge Replacement	0.1		2017	\$80,000			\$15,000	\$65,000
28		BOND PAYMENT				2017			\$2,235,000		
TOTAL ESTIMATED COSTS							\$660,000	\$0	\$2,235,000	\$530,000	\$130,000

Balance as of 1/1/2018		State Aid Regular Const Balance - (\$535,944)	\$252,335
		State Aid Municipal Const Balance - \$695,461	

***This plan is subject to change due to uncontrollable variables