

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, November 15, 2005

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, November 15, 2005, with all commissioners present: Brunsvold, Campbell, Evert, McCarthy, and Waller.

APPROVAL OF AGENDA

On motion by McCarthy, seconded by Campbell, and unanimously carried, the agenda was approved with the following addition: State Auditor Patricia Anderson's visit to Clay County.

APPROVAL OF MINUTES OF NOVEMBER 1 AND 8, 2005

On motion by Campbell, seconded by Evert, and unanimously carried, the minutes of the November 1 and 8, 2005 County Board meetings were approved as presented.

CITIZENS TO BE HEARD

Mr. Casey Brantner addressed the Board regarding his concerns involving feedlots near his property in Section 25, Spring Prairie Township, and if/when they were permitted. Mr. Brantner was presented with a letter (See Attachment "A") describing the findings of the Planning Office with respect to this matter. Considerable discussion took place as to MPCA permitting, 'grandfathering' of the activities concerning animals on the properties, a change in State regulations in the late 1990's concerning registering of existing feedlots, etc. Commissioner Brantner expressed frustration with the differing sets of rules applied by the county and the state, and his belief that the county is not enforcing setbacks included in the Development Code.

Commissioner Campbell commented that Mr. Brantner was on the County Board in the 1990's when some of the changes took place.

RECORDER'S OFFICE UPDATE

Compliance fund - County Recorder Bonnie Rehder updated the Board regarding her office, noting that the 'compliance fund', which was created with a recording fee increase, is likely to generate up to \$200,000/year if the office remains in compliance. Ms. Rehder added that an ad hoc committee will be meeting later in the week to determine how to spend those funds (new technology, upgrades, staffing, etc.).

Electronic Real Estate Recording - On motion by Campbell, seconded by McCarthy, and unanimously carried, the Board adopted the following resolution certifying that Clay County complies with the standards adopted by the Electronic Real Estate Recording Task Force and uses software that was validated by that Task Force:

RESOLUTION 2005-51

BE IT RESOLVED, that Clay County wishes to move forward with the electronic recording of real estate

records in the Clay County Recorder's Office. We understand both the need and the importance of this service to our customers.

THEREFORE, HAVING ACKNOWLEDGED THIS PRIORITY,

BE IT FURTHER RESOLVED that the Clay County Board of Commissioners certified that:

- 1) Clay County complies with the standards adopted by the Electronic Real Estate Recording Task Force; and
- 2) Clay County uses software that was validated by the Electronic Real Estate Recording Task Force.

Abstractors memorandum: Ms. Rehder requested the Board's authorization to increase fees for abstractors' access to records. Ms. Rehder explained that from 1995-2002 the fee remained at \$300/month. For the years 2003-2005 the fee was \$350/month. She recommended \$385/month for 2006 and \$400/month for 2007. She added that the abstractors find it very efficient to gather their information electronically.

On motion by Waller, seconded by Evert, and unanimously carried, the Board approved a fee increase for abstractors' access to records of \$385/month for 2006 and \$400/month for 2007.

Clay County involvement in pilot projects: Ms. Rehder informed the Board that the Recorder's office is working with Fidar Software, a records management company, on several pilot projects for new processes: tracking documents through the recording process (Work In Progress); e-payments; and tracking plats and splits online.

Identity Theft: Ms. Rehder informed the Board that in connection with the increasing identity theft issues and the need to keep Social Security numbers private, there are new Federal rules for vital statistics recorders. This may mean structural changes in her office, as well as new rules for redacting Social Security numbers, signatures, etc., on documents.

Salary Increase - Ms. Rehder indicated that she would be seeking a salary adjustment for 2006. The Board acknowledged that they would be reviewing elected officials' salaries in December.

ADULT MENTAL HEALTH HOLD ORDER COSTS

Rhonda Porter and Pat Boyer, Social Services, outlined the reasons that costs have escalated in the 2005 Adult Mental Health Hold Order Budget Line Item (to date \$344,675 vs. the \$200,000 budgeted): the need for court holds in order to get someone in for treatment; Mental Health Hold Order contract with Meritcare Hospital; daily cost of care at Fergus Falls Treatment Center for Hold Orders increased 38%; process to commit persons who are nearing the end of their incarceration in the corrections system and are determined to be in need of a commitment for sexually dangerous persons; the legal right for a patient on a hold to have a second evaluation; possibility of increased numbers of new persons into the mental health system, etc.

County Attorney Lisa Borgen stated that there is no control over the above mentioned budget overruns. She added that individuals on hold orders have been determined to be dangerous to themselves or to society.

Ms. Porter was hopeful that the new facilities in Fergus Falls will be open next summer and their rates will be less and could be Medical Assistance billable.

Commissioner Brunsvold felt the cost of mental illness affects all departments.

APPROVAL OF THE 2006-2007 ADULT MENTAL HEALTH PLAN

Social Services staff provided background on the 2006-2007 Adult Mental Health Plan which is a partnership with Becker, Otter Tail, and Wilkin counties. Changes that will impact Clay County include:

- The Fergus Falls Regional Treatment Center will be moving all of their services off campus by July, 2006.
- The state will no longer employ State Operated Staff in the community for the Adult Mental Health Initiatives as of June 30, 2007.
- Gull Harbour changed it's licensing status to an Intensive Residential Treatment Services facility, whereby clients can only stay 90 days and previously could live there up to 2 years.
- The state has mandated that counties have mobile mental health crisis services available 24/7.

The Mental Health grants which have been received were reviewed.

On motion by McCarthy, seconded by Evert, and unanimously carried, the Board approved the 2006-2007 Adult Mental Health Plan application for Clay County and in partnership with Becker, Otter Tail, and Wilkin (BCOW).

OUT-OF-HOME PLACEMENT PROPOSED FEE POLICY

The Board reviewed a proposed Fee Policy for Out-of- Home Placement, whereby parents would be assessed a fee for their child's out-of-home placement.

Discussion took place as to the definition of 'hardship', and the fact that a hardship would not preclude a parent from paying a fee but merely define how they will pay back the County. Voluntary placements would require the completion of a 12-page financial form.

On motion by Campbell, seconded by McCarthy, and unanimously carried, the Board approved the Fee Policy on Out-of-Home Placement as recommended by the Social Services Director.

CONTRACTS WITH THE VILLAGE FAMILY SERVICE CENTER AND THE CLAY COUNTY COLLABORATIVE FOR CHILD WELFARE TARGETED CASE MANAGEMENT IN THE PROVISION OF TRUANCY SERVICES

Social Services Director Rhonda Porter requested the Board's authorization to enter into a contract with The Village Family Service Center for Child Welfare Targeted Case Management in the provision of Truancy Services. In order to maximize federal revenue for the program, Clay County will then enter into an agreement with the Clay County Collaborative for reimbursement of the costs of the Truancy Program.

On motion by McCarthy, seconded by Evert, and unanimously carried, the Board authorized execution of a contract with The Village Family Service Center for case management for Truancy Services, as well as the agreement with the Clay County Collaborative for reimbursement of the costs of the case management for the Truancy Program, contingent upon review and approval of the documents by the County Attorney's office.

REVIEW 2005 YEAR TO DATE REVENUE & EXPENDITURE REPORT

The Board received the 2005 Revenue & Expenditure Report for the period ending October

31, 2005. County Auditor Lori Johnson noted that the Revenue Fund is \$200,000 revenue over expenditures. In the Social Services and Juvenile Detention areas, expenditures are over revenues.

The figures for the Planning & Zoning budget are off due to the transfer of Environmental Services from Public Health to Planning & Zoning.

The Civil Defense budget includes a Federal grant/expenditures for hazardous mitigation plan development (Fargo/Cass).

UPDATE RE: 2006 BUDGET

County Auditor Lori Johnson presented the 2006 budget document with changes made as of the date the Preliminary Levy was set. The document does not include budget impact of staffing changes made since that time. Commissioner Brunsvold suggested that department heads have the opportunity to review the document again.

Commissioner McCarthy requested that the 2006 budget document include both the spread levy before the 'true growth' figure, and the spread levy figure after the 'true growth' figure (3.5%) is taken into account.

Ms. Johnson informed the Board that she has filled the Financial Manager position in her office.

The Board agreed to meet at 6:00 p.m. on December 1st, prior to the Truth in Taxation public hearing at 7:00 p.m., if there are agenda items to discuss.

STATE AUDITOR PATRICIA ANDERSON

The Board was informed that State Auditor Patricia Anderson will be visiting Clay County on Monday, November 21 at 1:30 p.m. to review mandates and waivers with County officials.

APPROVE PAYMENT OF MONTHLY BILLS AND VOUCHERS

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

COMMITTEE REPORTS

The Township Officers meeting is Monday, November 21st.

Commissioner Evert commented that reports were given at the Extension meeting regarding 4-H, Nutrition and Agriculture.

Commissioner Waller informed the Board that Assistant County Engineer interviews have taken place.

Commissioner McCarthy commented that the Area Agency on Aging has set their salaries for 2006. The Healthy Community Initiative has a fund raiser coming up. Rural Transit may see an increase in 2006 fares once a redesign of the fee structure is completed. The Transit route to Wahpeton-Breckenridge has six riders, and they may seek a subsidy for another three months.

ADJOURN

The meeting adjourned at 11:05 a.m.

Ben Brunsvold, Chair
Clay County Board of Commissioners

Vijay Sethi, County Administrator