

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, February 19, 2008

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 all commissioners present: Brunsvold, Campbell, Evert, McCarthy, and Waller.

APPROVAL OF AGENDA

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

APPROVAL OF PREMISES PERMIT APPLICATION FOR DILWORTH LIONS TO CONDUCT GAMING ACTIVITIES AT BUFFALO RIVER RACE PARK

By consent agenda, the Board adopted the following resolution, approving a premises permit application for the Dilworth Lions to conduct gaming activities at the Buffalo River Race Park:

RESOLUTION 2008-13

BE IT HEREBY RESOLVED, that the Clay County Board of Commissioners hereby approves the Lawful Gambling Premises Permit Application of the Dilworth Lions Club to conduct gambling activities at the Buffalo River Race Park, 14445 East Highway 10, Glyndon, MN.

APPROVAL OF CONTRACTED PROVIDER OF HOME & COMMUNITY BASED SERVICES

By consent agenda, the Board approved VanEnk Electric as a provider of Home & Community Based Services for 2008.

CITIZENS TO BE HEARD

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

FINAL PLAT APPROVAL, BORGEN FIELDS SECOND SUBDIVISION

Planning & Environmental Programs Director Tim Magnusson informed the Board that the Planning Commission has reviewed and recommended that the County Board approve the Borgen Fields Second Subdivision in Section 10, Oakport Township (six buildable lots). The stormwater management pond for Borgen Fields First Subdivision will be expanded to accommodate the Second Subdivision. The road and cul de sac will be built to County specifications, and the road has been accepted by Oakport Township. Mr. Magnusson noted that the development is in character with other activity in the area.

Ms. Tami Norgard, representing the developer, spoke on behalf of the request, noting that Oakport Township is supportive of the request in that taxes will increase from the current \$1500 to \$30,000 with the completion of the subdivision.

On motion by Campbell, seconded by McCarthy, and unanimously carried, the Board approved the final plat for Borgen Fields Second Subdivision, as recommended by the Planning Commission.

APPROVAL TO OVERHAUL CHILLER SYSTEM FOR
FAMILY SERVICE CENTER AND JUVENILE CENTER

On motion by McCarthy, seconded by Waller, and unanimously carried, the Board approved the quote of Chiller Systems, Inc., (\$26,500) for an overhaul of the chiller system for the Family Service Center and Juvenile Center. Building Maintenance Supervisor Robbie Norman commented that upon analyzing the system this year, the wear and tear is increasing to the point where it is time to replace the system. A second quote was received from Trane in the amount of \$30,450.

APPROVAL OF RURAL TRANSIT TECHNICAL ADVISORY COMMITTEE
RECOMMENDATIONS

Clay County Rural Transit Coordinator Georgia Beaudry presented recommendations made by the Transit Advisory Committee at their recent meeting.

Authorize purchase of Class 400 Bus On motion by McCarthy, seconded by Waller, and unanimously carried, the Board adopted the following resolution, approving the purchase of a Class 400 Bus from Hoglund Bus Company, via the State bid list, for \$56,665, noting that the County is responsible for a 20% share (\$11,333) of the purchase:

RESOLUTION 2008-14

**WHEREAS, Clay County operates a transit system; and
WHEREAS, Clay County desires to purchase, through the State of Minnesota Cooperative Procurement Process, a vehicle to be used in the transit system; and
WHEREAS, the vehicle cost is allocated 20% local share and 80% State/Federal share; and
WHEREAS, Clay County staff have reviewed the vehicle options offered by approved multiple contracting vendors; and
WHEREAS, the staff recommends purchasing a vehicle from Hoglund Bus Company for the reason of service availability and past vendor performance; and
NOW, THEREFORE, BE IT RESOLVED that the Clay County Board of Commissioners hereby authorizes the purchase of a new transit bus from Hoglund Bus Company in the approximate amount of \$56,665.00.**

Presentation of 2007 Ridership and Annual Budget - Ms. Beaudry presented a summary of the 2007 ridership totals, noting that ridership was up 8000 over 2006. In reviewing the annual budget, Ms. Beaudry noted that revenues from Heartland Industries (Job Access Reverse Commute funds) were used in 2007 to make up a budget deficit. She reminded the Board that she would be submitting a grant amendment request to MnDOT to increase Rural Transit's grant award.

Increase Agency Rate from \$12 to \$15 to be consistent with Metropolitan Area Transit Clay County Rural Transit (CCRT) is requesting authorization to implement an Agency Non-Emergency Medical Trip rate of \$15.00 per person per trip effective March 1, 2008. This will put CCRT's rate the same as other Fargo-Moorhead transit providers and avoid 'client dumping' onto the CCRT system.

On motion by McCarthy, seconded by Campbell, and unanimously carried, the Board approved an Agency Non-Emergency Medical Trip rate increase to \$15.00 (from \$12.00) for Clay County Rural Transit, effective 3/1/08.

Update on Transit Garage - Ms. Beaudry informed the Board that the \$240,000 MnDOT grant has been awarded for remodeling of the former Highway Department garage

for use by Transit. However, the contract document has not yet been received. Once the contract is received, the bids can be let, and hopefully the work can commence this spring. County Administrator Vijay Sethi commented that in connection with this project, a separate private testing room will be constructed for the Drivers License Testing Bureau. He added that it is important that this component of the project be completed so the Drivers License Testing lease will be renewed in June.

Update on Shuttle Routes to F-M Businesses - Ms. Beaudry informed the Board that shuttle routes are being developed to assist in increasing ridership, specifically to Blue Cross Blue Shield and the VA, and possibly to Microsoft.

REVIEW 2007 YEAR-END REVENUE & EXPENSE REPORT

The Board reviewed the 2007 year-end Revenue & Expense report, acknowledging that there are still payables and receivables coming in yet (4th quarter state and federal dollars, 3rd party/insurance/Medical Assistance payments, etc.). Consensus of the Board was that the "Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds" will be a good budgeting document.

Discussion took place regarding the timing of the report, components of the report, how it compares to the State Audit, etc.

County Administrator Vijay Sethi reviewed those areas where there are significant differences between the budgeted and the actual amounts:

County Board of Commissioners – Conference registration, travel, etc., have increased due to commissioners needing to attend more meetings.

Court Administration – increase due to greater number of court ordered evaluations.

Interest on Investments is up due to better interest rates than expected.

Corrections – Board & Care and Electronic Home Monitoring – Mr. Sethi will research these line items with Jail Administrator.

Dispatch – A request for new Capital Improvement funding was not included in original budget.

Labor Negotiations – Higher expenses due to contracts being negotiated.

Unanticipated Expenditures includes City of Moorhead's special assessment for street/sewer repair, and Jail Planning work.

Family Service Center – Mr. Sethi commented that he is researching the best method to conduct an energy audit of the Family Service Center and other buildings on the County campus.

Social Services Director Rhonda Porter informed the Board that Social Services received 99.68% of the overall budgeted revenues, and 98% of the expenditures were realized. She noted that: 1) there is \$182,000 yet to be paid to the County Attorney's office for administration, 2) out of home placements exceeded budget, 3) day care for children in placement exceeded budget, 4) Chemical Dependency treatment costs were reduced, and 5) indigent care and hold order costs were down.

APPROVAL TO PURCHASE COMPUTER EQUIPMENT WITH FOOD SUPPORT PROGRAM
PERFORMANCE BONUS FUNDS

Ms. Rhonda Porter and Ms. Mary Luhman-Olsen, Social Services, were present to request that Food Support Program performance bonus funds for Fiscal Year 2006 be approved for the purchase of various pieces of computer equipment. Clay County has been awarded \$8748 which can be used to maintain or improve the administration of the Food Stamp Program or Minnesota Family Investment Program. Commissioner Waller inquired if the funds should go back to replenish reserve funds. Ms. Porter indicated that the funds received in 2007 (earned in 2005) were used to maintain staffing. She added that the proposed equipment purchases are not included in the budget to the level requested.

On motion by McCarthy, seconded by Brunsvold, and unanimously carried, the Board approved the expenditure of \$8748 in Food Support Program performance bonus funds for computer monitors, pc's, printers and keyboard trays.

REQUEST TO WAIVE PENALTY FOR LATE PAYMENT OF TAX: MR. SAM BRATON

Mr. Sam Braton was present to request that the penalty assessed for late payment of tax (2nd half) be waived (\$66.13). He informed the Board that he had purchased the house in July assuming that the taxes were paid in full, however that was not the case, and he only learned they were not paid in December, 2007.

On motion by McCarthy, seconded by Brunsvold, and unanimously carried, the late payment fee was waived.

Commissioner Waller suggested that Clay County adopt a policy, as is done in neighboring counties, where all current taxes need to be paid upon sale of property.

Commissioner Brunsvold commented that payment of current taxes is not required by Minnesota law in connection with the sale/transfer of property, just the delinquent tax.

The Board requested that the County Attorney's office research the possibility of implementing a policy that current taxes be paid in full prior to transfer of property.

Commissioner Campbell reiterated his opinion that Clay County should send a notice after the 1st half tax is delinquent, reminding property owners of that fact, rather than wait until the 2nd half is also delinquent. County Auditor – Treasurer Lori Johnson indicated she would research to see if the tax program allows for such a list to be generated.

DISCUSSION RE: SERGEANT POSITION IN THE COURTHOUSE

Chief Deputy Sheriff Jerome Thorsen was present to request designation of a supervisor position (Sergeant) at Court Security. Additional compensation while the deputy acts in the Sergeant capacity would be \$2.50/hour, as is the case for a Sergeant on Patrol (verbiage to the effect is included in the Deputy Union contract). The funding for the Sergeant position is available within the Law Enforcement budget for 2008 (Dept 203), due to the fact that an open deputy position will not be filled until February 23, 2008. Chief Deputy Thorsen commented that having a Sergeant assigned to the Courthouse would maximize the use of the Sheriff's office resources to minimize the cost for Clay County. The Sergeant would schedule personnel, provide direction for full and part-time deputies, delegate duty assignments, oversee operation and use of all courthouse security equipment, ensure policy and procedures are followed, act as primary liaison for Court Administration, etc.

On motion by Campbell, seconded by Brunsvold, and unanimously carried, the Board approved the designation of a Sergeant for Court Security for 2008 as described above, with further evaluation prior to approval of the position for 2009.

HAGEN TOWNSHIP BRIDGE PAYMENT

County Engineer David Overbo reminded the Board that in June, 2006, Hagen Township requested that Clay County act as the sponsor for a bridge replacement project with funds provided by FEMA. The bridge work was bid and let (\$447,320.25), and a contract was entered into between Clay County (sponsoring the project for Hagen Township) and Robert R. Schroeder Construction Company. The project was completed in 2007, with the final cost of \$455,909.65. Mr. Overbo has received a letter from FEMA indicating they will pay the cost overage, however, to date Hagen Township has only received approximately \$187,000 of the project total. The contractor is still owed \$268,909.65, and FEMA has approved payment of \$263,929.07. Hagen Township has submitted their completion report with an addendum addressing the overage. Mr. Overbo indicated there is some discrepancy between FEMA's figures and Hagen Township's figures. He suggested that the County pay the contractor for the project, for reimbursement by Hagen Township once they receive the FEMA funds.

Commissioner Brunsvold commented that this practice is in effect a loan to Hagen Township, and questioned whether the County can legally loan funds to Townships. It was noted that the County acts as fiscal agent/sponsor for numerous activities. Commissioner Campbell commented that Oakport Township annually adopts a resolution that in the event of a natural disaster, or for any activity recoverable through FEMA, the Town Board can borrow funds. He felt the other Townships should be encouraged to adopt similar resolutions to allow for a cleaner method to fund projects of this nature.

The Board requested that Mr. Overbo obtain a written document from FEMA as to their payment timetable, prior to action by the County Board.

REQUEST APPROVAL TO PURCHASE 15' MOWER FOR HIGHWAY DEPARTMENT

On motion by Brunsvold, seconded by McCarthy, and unanimously carried, the Board approved the purchase of a 15' mower for the Highway Department from Adkins Equipment per their low net bid of \$6,995. Two other quotes were received, \$18,366 and \$7885.

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by McCarthy, seconded by Campbell, and unanimously carried, the Board approved payment of the bills and vouchers.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner McCarthy attended a meeting of the Land of the Dancing Sky Area Agency on Aging, and noted that a recent survey of Senior Meal recipients indicated a high level of satisfaction. Recommendations from the meeting of the Rural Transit Advisory Committee were covered earlier in the meeting. The Moorhead Planning Commission is discussing changes to bar establishment categories.

Commissioner Campbell attended the Rural Transit Advisory Committee. The Jail Planning Committee will revisit a jail in Beltrami County where a remodeling project was

implemented rather than a new construction project. With respect to the proposed West Central Regional Treatment Facility, Human Services staff have concerns with using Consolidated Funds for treatment dollars.

Commissioner Brunsvold attended the Jail Planning Committee and requested that the County Board establish parameters for the future of the Jail project. The Greater F-M Economic Development Corporation continues to focus on tax issues in Cass County. Commissioner Brunsvold attended the State Community Health Services Advisory Committee.

Commissioner Waller reported that the Soil & Water Conservation District is conducting interviews to replace Steve Hofstad. Staff is undergoing training for the Feedlot Officer position.

Commissioner Evert attended the Resource Conservation and Development meeting in Long Prairie, the AMC Board meeting, and meeting of the Historical Society.

County Administrator Vijay Sethi reminded the Board that the Township Officers meeting is Monday, March 17, 2008.

ADJOURN

The meeting adjourned at 11:35 a.m.

Jon D. Evert, Chair
Clay County Board of Commissioners

Vijay Sethi, County Administrator