

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 AM, TUESDAY, APRIL 18, 2023

Meeting Room A / B – 3rd Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Paul Krabbenhoft, Frank Gross, Jenny Mongeau, Kevin Campbell, and David Ebinger. Others present: County Administrator Stephen Larson, County Attorney Brian Melton, HR Director/Asst. Administrator Darren Brooke, and Communications Coordinator Jacqueline Finck

Call to Order

Commissioner Gross called the meeting to order at 8:30 a.m.

Approval of Agenda

On motion by Commissioner Krabbenhoft, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the agenda.

Amendment to the February 28, 2023 minutes to include details on the descending vote for the Contract Amendment #3 to the Buffalo River Flood Insurance Study.

By consent, the Board approved the amendment to the February 28, 2023 minutes to include details on the descending vote for the Contract Amendment #3 to the Buffalo River Flood.

Tax Abatement for B Johnson, Moorhead, Due to Reduction in Evaluation

By consent, the Board approved the \$366.00 tax abatement for Brian Johnson due to reduction in evaluation.

Donation from Sabin Elmwood Firefighter Clay County Corrections

By consent, the Board approved the \$1,000.00 donation from Sabin Elmwood to Clay County Corrections for work detail supplies.

Citizens to be Heard

There were no citizens to be heard.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board approved the payment of bills & vouchers totaling \$644,127 from 125 vendors. There were 82 warrants issued under \$2,000 (\$32,147) and the following 43 were over \$2,000.

Sellin Bros Inc	\$ 165,170	Moorhead Public Service	\$ 7,065
Jegtvig Construction	\$ 62,690	Pomp's Tire Service, Inc.	\$ 6,473
NetCenter Technologies	\$ 49,673	Barnesville C-Store	\$ 6,192
Clay County Treasurer	\$ 28,816	Mn Unemployment Insurance	\$ 5,032
Cardmember Service - (Sheriff 0547)	\$ 24,101	Otter Tail Public Health	\$ 4,820

Connect Interiors LLC	\$ 23,116	Nancy Hein-Kolo, PsyD, LP	\$ 4,500
Creating Community Consulting	\$ 22,609	Catholic Charities	\$ 4,160
Xcel Energy	\$ 14,855	Valley Mortuary Services	\$ 3,996
Lloyd's Auto Body Inc.	\$ 14,416	Welch Law Firm, LLC	\$ 3,623
Trane U.S. Inc.	\$ 13,975	Stonebrooke Engineering Inc.	\$ 3,541
JT Lawn Service	\$ 13,788	Stantec Consulting Services, Inc.	\$ 3,395
Braun Intertec Corp	\$ 12,795	Wild Rice Electric Cooperative, Inc.	\$ 3,087
Sabin C Store	\$ 11,200	Wex Bank (fleet)	\$ 3,041
MN Department of Transportation	\$ 11,060	Stein's Inc	\$ 2,775
Enterprise FM Trust	\$ 9,316	Radio FM Media	\$ 2,500
Diamond Drugs Inc.	\$ 8,937	Johnson's Auto Repair LLC	\$ 2,473
Gate City Bank	\$ 8,604	Pemberton Law, P.L.L.P.	\$ 2,404
Clay County Social Services	\$ 8,493	City Of Moorhead	\$ 2,303
WEX Bank	\$ 8,178	Office of MN IT Services	\$ 2,162
Verizon-386550144	\$ 8,104	Creative Product Sourcing Inc.	\$ 2,072
MN Counties Computer Coop	\$ 7,243	Clay Co Public Health	\$ 2,052
Fitzgerald Construction Inc.	\$ 7,158		

Approval of Minutes from April 4, 2023

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minutes from April 4, 2023.

Spring Flood Update

Lt. Gabe Tweten and County Engineer Justin Sorum provided a spring flood update. Lt. Tweten stated that as the south branch of the Buffalo River started flowing it resulted in drainage ditches overflowing and going over their banks. The Highway Department and the Buffalo Red River Watershed District (BRRWD) did a great job at clearing those ditches in the past week. Last week, the flood hotline was in operation where many calls were received. A total of 11,500 sandbags were distributed between different townships.

Lt. Tweten extended a thank you to Terri Grinde at the Highway Department. She has been diligently updating the road closure map, which is used by citizens and emergency services. Deputies responded to 22 calls regarding flooding, most of which were citizens reporting road closures, others were homeowners with questions.

The bulk of the water that was in the south branch of the Buffalo River has made its way north. There is still water in the Rustad area where ditches need to be opened. Currently, the area that poses the most issues is in the Kragnes/Georgetown area, east of HWY 75 (NW corridor of the County). There are various roads under water and substantial overland flooding.

As for reassurance the DNR does have an air boat and a low water Jon boat at the Highway Department building in case of water related emergencies.

Commissioner Gross stated there was concern from a citizen about the opening of township ditches and not watershed ditches, causing issues. Mr. Sorum stated that this individual was already getting water in his garage and had the township ditch not been opened, the property

would have been flooded. Commissioner Gross asked if the watershed was opening any ditches. Mr. Sorum and Lt. Tweten stated the BRRWD currently has two crews still working.

Commissioner Campbell stated in the past, there were issues of flooding on County Road 26 which would flow over Highway 75, and asked if that is going to be the issue this year as well. Mr. Sorum stated that he's been watching that area and the water is not close to going over County Road 1 or 26.

Mr. Sorum stated the Highway Department has started opening some roads up in the Barnesville area and taking pictures. With FEMA, documentation is important, and the process needs to be followed to ensure reimbursement.

Lt. Tweten mentioned that this week, April 17 – 21, 2023, is Severe Weather Awareness Week in Minnesota. Thursday, April 20, 2023, is Tornado awareness day, therefore, tornado sirens will go off at 1:45 pm and 6:45 pm. This is a test throughout the County.

Request Approval of the Annual Report for the County Feedlot Program for 2022

District Technician/CAI Gabe Foltz with the Soil & Water Conservation District requested approval of the feedlot annual report for 2022.

Commissioner Gross asked what was updated from the previous year. Mr. Foltz stated the County Feedlot Officer, Craig Halverson, had to redo the inspections from 2021. Everything was done correctly in the field, but while working with the MPCA reporting system, the information wasn't provided in the way they were expecting. Therefore, Mr. Halverson redid the report as well as 7 inspections for 2022.

Commissioner Mongeau stated this is a resolution to an issue that had come up, it was just technicalities that came up in the reporting.

Commissioner Krabbenhoft asked Mr. Foltz to provide brief background on working with Mr. Halverson and the forward steps taken to be in his position. Mr. Foltz discussed how he helped Mr. Halverson with the reporting system and that he was involved with the inspections. After Mr. Halverson retired, it was a good fit for Mr. Foltz to move into that position.

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the Annual Report for the County Feedlot Program for 2022.

Request Approval of the Civil Engineer Preliminary Design Services for the DMV Project

Facilities Director Joe Olson requested approval of the civil engineering preliminary design services for the DMV project. Mr. Olson stated the DMV committee has been working with Klein McCarthy discussing preliminary brainstorming regarding what type of building would be needed. The committee agreed it would be helpful for Houston Engineering to assist Klein McCarthy in determining what type of site is needed.

Mr. Olson reached out to Mike Love from Houston Engineering, who proposed \$6,000. This cost could also come down in the future.

Commissioner Campbell discussed that the State would like to rejoin the County and be a part of

the new facility, difficulties arise with this regarding the semis. Depending on where the new facility will be, the traffic pattern will be important to know, for potential semi traffic. We would also need to determine what additional cost that would add to the facility, which would benefit the state, so the County can incorporate compensation.

Commissioner Krabbenhoft stated at some point, the County would need some type of commitment from the state, especially with their potential involvement. Commissioner Campbell stated in terms of the structure itself, that is currently being designed for our needs, and ultimately what we'd be looking for from the State would be square footage number in terms of an additional shell that would need to be constructed. What went on inside for their fit-up would be their responsibility. Another thing to discuss is how shared space would look. Commissioner Gross feels that the State would also need to be involved in the parking lot as well.

Commissioner Mongeau suggested for the Building Committee to reach out to Senator Kupec or Representatives Keeler or Joy to reiterate the importance of having testing services available in this area. This could help the state come to a decision regarding joining the County at the new facility. Commissioner Campbell stated the committee can certainly incorporate that.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the proposal from Houston Engineering for preliminary design services for the DMV in the amount of \$6,000.00.

Request Approval to Sell Unit 167-1 on MinnBid and Purchase Used Snowblower from MNDOT

Mr. Sorum discussed the purchasing of a used snowblower from MnDOT last year that mounts onto the front of a tractor. That snowblower is a good piece of equipment and the Highway Department has had good luck with it. MnDOT is selling 7 more of these snowblowers, and the Highway Department is interested in purchasing an additional unit to replace unit 167-1. Therefore, Mr. Sorum requested approval to sell unit 167-1 with the reserve price of \$2,000 and approval to purchase a heavier duty snowblower from MnDOT for \$10,000. There is money in the budget for this item.

Commissioner Campbell asked if there was any internal service fund to which Mr. Sorum stated no.

Commissioner Mongeau asked if the two snowblowers and two payloaders that the Highway Department has would be enough. Mr. Sorum confirmed that they would be.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to sell unit 167-1 on MinnBid and purchase a used snowblower from MNDOT in the amount of \$10,000.

Request Approval for New Cameras in Blind Spots at the Correctional Facility

Jail Administrator Kari Tuton and Assistant Jail Administrator Kathryn Johnson discussed that MCIT and the Sheriff's Association started a program for jail tours. Tours are conducted with Attorney Jason Hively and are set up to be risk management tours for the facility. There were two main areas that needed to be addressed. One area was providing better coverage to blind spots. The blind spots are in holding cells 3, 4, 5, 6, and 7, therefore, installing cameras to fill in those spots was suggested. Ms. Tuton received a quote for both the equipment, installation, and

electrical for a total of \$33,195.61 and the funds would come from the Inmate Welfare Fund.

Commissioner Ebinger asked if this new equipment is compatible with the existing equipment. Ms. Tuton confirmed the compatibility. The new cameras are coming from the same company as the current ones. Commissioner Ebinger asked if detention personal wear body-worn cameras. Ms. Tuton stated they do not.

Commissioner Gross asked why cameras weren't installed in these areas to begin with. Ms. Tuton did not have an answer as she was in her current position at the time of the original installation. County Administrator Stephen Larson stated that these cameras are right in front of the holding cells.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the installation of new cameras for the Correctional Facility with funds coming from the Inmate Welfare Fund in the amount of \$33,195.61.

Information on the GED Program Beginning at the Correctional Facility

Ms. Tuton and Ms. Johnson presented information on the GED Program beginning at the Correctional Facility. The GED program will be run in conjunction with the Moorhead Adult Learning Center. Ms. Tuton discussed the importance of educating inmates, which can be accomplished through this program. This program is at no cost to the public or the County as it's also funded through the Inmate Welfare fund.

Commissioner Ebinger discussed how the inmates are people and we need to treat them as human beings. Being able to provide these programs will help those individuals once they are no longer in the Correctional Facility.

Commissioner Gross asked if there was a limited number of days to which an inmate must serve before being allowed into this program. Ms. Tuton stated that there isn't. The program is all online, which makes it easier for inmates to accomplish, especially if they are transferred from one facility to another. Commissioner Krabbenhoft followed up by asking if the program has an open start date. Ms. Tuton discussed the process on which inmates were chosen to participate which was based on certain parameters. Inmates are more likely to obtain a degree when they're inside a facility, compared to when they're out. Ms. Tuton would like to see the program grow, but for the pilot program, there are only 5 candidates at this time.

Commissioner Mongeau asked what the viability of the Inmate Welfare fund was and if that account replenishes itself. Ms. Tuton stated they are anticipating anywhere between \$5,000.00 - \$10,000.00 per year. The Inmate Welfare account gets replenished from inmate's commissary and phone sales.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the GED program beginning at the Correctional Facility with funds coming from the Inmate Welfare Fund.

Request to Sign the 2023 STS Contract and Continue the Program

Probation District Supervisor Janelle Cheney requested approval to sign the 2023 STS Contract and to continue the program. The contract runs for two years and there is no increase in cost to the contract, so it will remain the same as before. Ms. Cheney extended a thank you to the

Correctional Facility for communication and providing information.

Commissioner Gross asked if money for this program ever runs out. Ms. Cheney stated the program is jointly funded, 75% from the County and 25% from the state and there haven't been any issues with funding.

Commissioner Ebinger asked if Clay County was being considered for the Dosage Model. Ms. Cheney stated that the model is being piloted in another district, she will have more information on that in a years' time.

Commissioner Gross asked about the different crews and if there is a request for more crews. Ms. Cheney stated the STS crew is with the Minnesota Department of Corrections and the Correctional Facility has a work detail crew which is separate. Each crew has a different level of risk.

Commissioner Mongeau discussed how important it for these individuals to have the opportunity to give back to their community.

Commissioner Campbell stated this program allows individuals to get back on the right track and being good productive people within the community. Having a local business see the good in these members is what this program is all about.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the 2023 STS Contract and to continue the program.

Social Services Division Updates: Child Support, Fraud and Collections & Financial Services

Social Services Director Rhonda Porter briefly discussed the division updates on Child Support, Fraud, and Collections & Financial Services and introduced Collections Supervisor II Sandy Thorne, Financial Assistance Supervisor Jamie Stewart, and Financial Worker Karen Syverson.

Mr. Thorne discussed Welfare Fraud, Statistics: FPI Cases and Criminal Cases, Clay County Collections, Child Support Enforcement, Funding, FFY 2022 Statistics, and Changes Implemented Since COVID.

Commissioner Krabbenhoft asked, in 2019, what would create 1.2 million in Cost Avoidance. Ms. Thorne stated medical assistance will affect that number and it's usually case by case.

Commissioner Campbell asked who is doing the referring and if there are other ways of monitoring other than referred cases. Ms. Throne stated most is from Financial Workers. The other ways for monitoring are reports that compare income. Therefore, the department sometimes gets a reported income that they weren't aware of. However, most of it comes from someone calling in, a financial worker or a child support officer. Ms. Porter further discussed the process of referrals.

Commissioner Gross asked what County Burial means. Ms. Throne stated that would be an individual who doesn't have assets to pay for a burial. For example, someone who applies for a county burial, who got approved, but did have assets, this process would be collecting that back.

Ms. Stewart and Ms. Syverson discussed Financial Assistance and the different State and Federal Programs that are administered, Minnesota Family Investment Program (MFIP), Diversionary Work Program (DWP), General Assistance, Minnesota Supplemental Assistance (MSA), Housing Support (HS), SNAP, Minnesota Health Care Programs, Long Term Care Programs, Child Care-MFIP and Basic Sliding Fee, Emergency General Assistance, Family Emergency Assistance and County Burials.

Discussion ensued regarding medical assistance and collections.

Committee Reports/County Administrator Update/Discussions

- Commissioner Krabbenhoft reported on meetings for the Minnesota Business Roundtable; coffee with Food Commission; and Clay Soil & Water Conservation District.
- Commissioner Mongeau reported on meetings for Metro COG Policy Board; Planning Commission; Minnesota Business Roundtable; and Clay Soil & Water Conservation District.
- Commissioner Campbell reported on meetings for the Development Code update; FM Diversion Planning Committee; Red River Regional Dispatch Center – Budget & Finance; Red River Regional Dispatch Center – Board of Authority; and Lakes Country Services Coop-Elected. Commissioner Campbell followed up on a previous report regarding the SE Reach 4 on the Diversion project.
- Commissioner Ebinger reported on meetings for Minnesota Business Roundtable; Moorhead Business Association; GFMEDC; and Red River Regional Dispatch Center - Board of Authority.
- Commissioner Gross reported on meetings for Wild Rice Watershed District; coffee with Food Commission; and Beyond the Yellow Ribbon.
- County Administrator Steve Larson reported an update the West Central Regional Water District. On March 28, 2023, representatives from AE2S, Flaherty & Hood Law, and representatives from Polk and Norman County presented information on the West Central Regional Water District. At that meeting discussion ensued regarding Clay County's willingness to be involved. The Boards concerns and questions focused on what the cost would be to Clay County. Mr. Larson spoke further on the legal process and what the County might be liable for. He and County Attorney Brian Melton both agree that the likelihood of the Courts not approving the water district is slim. With that being said, the County would be responsible for a portion of that. Based on the population numbers that were discussed, Clay County would be responsible for 15% of the total cost, which would be around \$45,000.00. Mr. Larson discussed a governance question about a 7-member board, which Clay County would have 1 member on said board. Mr. Larson did receive correspondence from AE2S that Norman County, Felton and Climax who submitted for federal dollars through Congresswoman Fischbach's projects. Norman County would receive \$5.3 million, Felton for \$3.4 million Climax \$1.1 million. These will be evaluated further from a funding standpoint. Mr. Larson further reported on meetings for the Development Code update; County Management; discussions with Administrators in Cass County; Strive for Excellence meeting; Detox discussion with Gehrtz; MACA Legislative Update; Drug Court Graduation will be held on Wednesday, April 19 1:30 p.m. in Court Room 4; Pollinator event for SWCD event has been moved to next Tuesday, April 25, from 4-7 p.m.; and Senator Klobuchar has moved forward the Substance Use project into the Senate Appropriations and we'll find out if we're selected sometime between the end of June and early July.

Adjourn

The meeting was adjourned at 11:01 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator