

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 AM, TUESDAY, MAY 2, 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 Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board approved the agenda.

Employee Recognitions

The following employees were recognized: Jeffrey Lee for 15 years with Law Enforcement and Steve Halverson for 30 years with the Highway Department.

Citizens to be Heard

Mr. Larson stated that he has been in contact with a citizen who wanted to speak to the Board, but wasn't currently present. Mr. Larson will keep in contact with the citizen to see if there is a different date that will work for them.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the bills and vouchers totaling \$899,952 from 107 vendors. There were 76 warrants issued under \$2,000 (\$36,188) and the following 31 were over \$2,000.

Blue Cross Blue Shield Minnesota	\$ 310,172	Becker County Public Health	\$ 8,968
Churches United For The Homeless	\$ 150,000	Diamond Drugs Inc.	\$ 8,915
Morton Buildings, Inc.	\$ 97,503	Colonial Life	\$ 6,667
Trinity Services Group, Inc.	\$ 44,393	Streicher's	\$ 5,911
Magic Fund	\$ 28,717	Larry's Excavating	\$ 4,800
Tiger Management, Inc.	\$ 23,536	MN Counties Computer Coop	\$ 4,624
Clay County Treasurer	\$ 22,152	Keller Diesel Service	\$ 4,467
CoreLogic	\$ 21,596	Reliance Telephone	\$ 3,502
Historical & Cultural Society Of Clay Co	\$ 16,461	R Travelmart	\$ 3,273
Marco Technologies LLC	\$ 16,250	Johnson's Auto Repair LLC	\$ 2,460
Clay Co Public Health	\$ 13,709	Madison National Life	\$ 2,396
Premier Designs LLC	\$ 12,800	PPI Consulting LLC	\$ 2,375
Network Center Inc	\$ 11,894	Metro Cog	\$ 2,196

PDQ.COM Corporation	\$ 11,475	WEX Bank	\$ 2,111
American Enterprises Inc.	\$ 9,300	Irmadene Hanson, LLC	\$ 2,000
Otter Tail Public Health	\$ 9,132		

Approval of Minutes from April 18, 2023

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minute from April 18, 2023.

National Center for State Courts - Court Space Redesign Challenge Recognition

Jade Rosenfeldt, 7th Judicial District Judge, discussed the award that was received from the National Center for State Courts. The National Center of State Courts was recognizing projects that occurred in courthouses during COVID, or in response to COVID. Judge Rosendfeldt nominated Courtroom 6 for recognition, after the redesign and completion. Last week courtroom 6 was selected as a recipient of the recognition. Because of the recognition, two individuals from Clay County Court Administration will be going on a three-day workshop trip to Indiana. The workshop will provide a forum for participants to share their experiences, challenges, and solutions, and discuss opportunities for innovative judicial space solutions. Judge Rosendfeldt thanked the Commission for Courtroom 6 and is excited for Court Administration's opportunity to attend this workshop to bring back ideas for further projects.

Request Approval to Re-Appoint County Engineer - Justin Sorum

Mr. Larson offered recognition to County Engineer, Justin Sorum. Over the past 10 months Mr. Sorum has been professional, strategic, collaborative, and responsive, both internally and to the citizens of Clay County. It is requested to re-appoint Mr. Sorum to a four-year term. On June 21st, 2022, the County Board of Commissioners voted to appoint Mr. Sorum to be the Clay County Engineer. Minnesota Statute 163.07, Subd 2 states a "county board may appoint a new county engineer for a term of only one year. All reappointment shall before a term of four years, and shall be made in May of the year in which the term expires."

Commissioner Campbell stated in Mr. Sorum's short time in this role, many are pleased with his efforts and his ability to collaborate with others, he deserves this and has earned this re-appointment.

Commissioner Gross thanked Mr. Sorum for his ability to always respond to the citizens. Even if issues can't be fixed in that moment, the willingness to respond and let them know you're listening speaks volumes.

Commissioner Mongeau thanked Mr. Sorum for his efforts and the fantastic job that he's done rose to the challenge of County Engineer. She appreciates his responsiveness to the needs that come his way and hopes they can soon fill the Assistant County Engineer position to alleviate some of the workload.

Commissioner Ebinger agreed with his fellow Commissioner's comments and hopes that a good candidate for the Assistant County Engineer position arises soon. This is a great opportunity for an individual who wants to be mentored and excel in the field.

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board approved to re-appoint County Engineer Justin Sorum to a 4-

year term per MN Statute 167.02 and place on Clay County Grid - Grade 27, Step 4.

Request Approval to Switch Correctional Commissary Vendors from Stellar to Turnkey

Assistant Jail Administrator Kate Johnson discussed the contract with Stellar Services is ending and there is interest in switching commissary vendors to Turnkey Corrections. Turnkey provides cheaper rates and provides vending machines for the inmates so they can purchase items on a daily basis. The warehouse for the commissary is local which allows for deliveries twice a week. The change in vendor would be at no cost to the County or the budget. The revenue made from the commissary goes into the Inmate Welfare Fund.

Commissioner Ebinger asked if Turnkey is the same company that Cass County contracts with. Ms. Johnson confirmed that is correct. Commissioner Ebinger stated that he's heard good remarks about the company.

Commissioner Campbell asked if the County Attorney, Brian Melton has reviewed the contract. Mr. Melton stated the Clay County Attorney's office hasn't reviewed the contract yet.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the contract with Turnkey contingent upon review by the County Attorney's Office.

Request Approval to Fill Vacant Full-Time Custodial Position

Facilities Director Joe Olson requested approval to fill a vacant full-time custodial position. This position covers the Correctional Facility and the Family Service Center.

Commissioner Gross asked if there was a need for advertisement or backfill. Mr. Olson confirmed that advertisement is needed as there are no internal candidates but would request backfill if that happens to be the case.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to advertise and fill the vacant full-time custodial position with backfill if necessary.

Request Approval of Out of State Travel - WCRJC

Juvenile Director James Odonnell requested approval for out-of-state travel. In conjunction with the MNJDA and the MN DOC; Mr. Odonnell would like to participate in a 5-day training/project at Georgetown University. The main topic that will be addressed is Science Based Best Practice for Discipline in Juvenile Centers. The proposal would be to capstone with Rule Revision for MN 2960 (as directed in HF 1233).

Commissioner Campbell stated this was brought forward to the West Central Regional Board and it was approved from a budgetary standpoint and unanimously supported Mr. Odonnell attending this training, as it would be worthwhile.

Commissioner Ebinger stated this is a positive thing to provide safe and effective facilities to house juveniles.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously

carried, the Board approved out-of-state travel to Georgetown University for the WCRJC.

Request Approval to Replace the Landfill GPS

Solid Waste Director Corey Bang requested to replace the GPS in the landfill compactor. The GPS is that the compactor has failed and is not worth repairing. Three quotes were received, two were for brand new GPS units which were above \$30,000 each. The third quote was for \$19,270.75 for a used refurbished GPS with the same warranty as a new unit.

Commissioner Campbell stated this was brought before SWAC and did give unanimous support for moving forward with the recommended purchase.

Commissioner Gross asked how long do the GPS units typically last. Mr. Bang stated the lifespan for these units is around four to six years.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the purchase of a GPS unit for the landfill compactor in the amount of \$19,270.75.

BREAK

The Board took a break between 8:55 – 9:00 a.m.

PUBLIC HEARING: CONSIDER ADOPTION OF TEXT AMENDMENT THROUGH PASSAGE OF ORDINANCE 2023-2 TO THE CLAY COUNTY DEVELOPMENT CODE TO AMEND TABLE 5-1 TO PERMIT THE USE, AUTOMOBILE, TRUCK, TRAILER, AND GARDEN AND FARM EQUIPMENT SALES, AS AN INTERIM USE, ADD PERFORMANCE STANDARDS IN CHAPTER 6 AND TO ADD A DEFINITION TO CHAPTER 8.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved to open the Public Hearing at 9:00 a.m.

Planning & Zoning Director Matthew Jacobson stated there is a petition for text amendment to the Clay County Development Code from Lexan Tahir an Talib Salman. The applicant is petitioning to amend the development code to allow for the use of Auto, Truck, Trailer, Garden and Farm Equipment Sales within the Agricultural Service Center (ASC) District. This would be a change to the use table 5.1 and add a definition for the use to Chapter 8 as well as some standards to chapter 6. The Planning Commission's recommendation is to approve the text amendment.

The petitioner would like to open a small auto sales and repair business on Trunk Highway 9 and County 10, in Downer. Downer is a zoned agricultural service center with some highway commercial. Mr. Jacobson further discussed information regarding the Zoning District, Goals and Objectives, Proposed Standards, and definitions.

Mr. Jacobson stated it was the Planning Commission's recommendation to strike the following from the Planning Commission Standards: *Display. No more than 10 vehicles may be on display for sale.* Commissioner Mongeau further explained the recommendation to strike this standard was based on acres and/or frontage footage an individual might have. Because every parcel is different in terms of acreage, permitting parcels individually would be more appropriate. Commissioner Campbell asked if the applications would consist of questions to obtain that information ahead of time. Mr. Jacobson stated it's typically asked of applicants to look for any

potential conflicts with land uses and to also include a plan with the application, in order to provide more detail.

Commissioner Gross asked for clarification on number 6 of the Planning Commission's Standards: *All vehicle services and repair work must occur indoors*. And feels that it's quite restrictive. Mr. Jacobson stated the reasoning behind this standard is to reduce the potential for nuisance and to prevent the possibility of junkyard vehicles.

Commissioner Krabbenhoft asked if the potential for fencing was discussed for standard number 6. Mr. Jacobson stated that was not discussed because this particular use is for the sales of vehicles and repair work as needed. There is already auto repair in the code. If the Board wishes to modify the standard, that is an option as well.

Commissioner Campbell asked if these standards were for just unincorporated areas. Mr. Jacobson stated that was correct. This use is currently allowed in the highway commercial and limited highway commercial zoning district and is not permitted anywhere else. Commissioner Campbell asked if the overlay districts are still present. Mr. Jacobson stated that was correct.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to close the Public Hearing at 9:17 a.m.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to adopt Ordinance 2023-2 and accept the findings of fact established by the Planning Commission.

Adult Mental Health Local Advisory Council Annual Report

Co-Chair members Ann Burrell and Alison Wolbeck presented the annual report for the Adult Mental Health Local Advisor Council (AMHLAC) and requested approval for membership with the AMHLAC.

Ms. Burrell and Ms. Wolbeck discussed Crisis Services, Housing, Mental Health Workforce Shortage, Mental Illness with co-occurring Substance Use Disorders, and Reduce Waste in Public Programs through Technology.

Commissioner Campbell discussed Mental Illness with co-occurring Substance Use Disorders and comprehensive needs assessment taking place while incarcerated. If that is being done while an individual is in jail and is being judicially requested, it could be difficult for the Board to be involved. Ms. Wolbeck stated that the issue arises after being released from jail. When that individual seeks treatment, the place of treatment also requests an assessment.

Commissioner Gross asked if the County was the entity holding up the process of switching to an online submittal process for Public Programs. Ms. Wolbeck stated she wasn't confident that the issue was ever addressed.

Commissioner Mongeau discussed the appreciation of the recommendations and is thankful that Commissioner Krabbenhoft sits on the AMC Health and Human Services committee. These are items that he can bring forward at those meetings.

Commissioner Campbell stated it would be important to review the recommendations and have

a discussion with Social Services Director Rhonda Porter. Expansion with legislature can happen but it should not be contrary to AMC's position.

Commissioner Krabbenhoft thanked Ms. Wolbeck and Ms. Burrell and is happy to support the recommendations within reason.

Commissioner Ebinger stated some of these issues are lack of state funding and resources and asks the Board to keep in mind that this community lacks emergency stabilization for people in crisis and it's a definite problem.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the membership of Adult Mental Health Local Advisory Council.

Children's Mental Health Local Advisory Council Annual Report

Social Services Supervisor Michelle Thordal and Joni Medenwalk of Village Family Service Center presented the annual report for the Children's Mental Health Local Advisory Council (CMHLAC). Ms. Thordal and Ms. Medenwalk discussed Projects, Parent Survey Results, Professional Survey Results, Success, Recommendations and the 2023 LAC Workplan.

Commissioner Campbell discussed in both adult and children's mental health LAC, there's suggestions on how the Board needs to work with the State to help resolve some of the issues. However, some of the issues need State involvement. But it's also important to be aware of what legislation is taking place, in order to provide support.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the membership of Clay County Local Advisor Council for Children's Mental Health.

Recognition - Proclamation for Mental Health Month - May 2023

Social Services Supervisor Michelle Thordal and Joni Medenwalk of Village Family Service Center brought forth a proclamation declaring May 2023 as Mental Health Month. The month of May is Mental Health Awareness month and more specifically, May 11, 2023, is Children's Mental Health Day in Clay County.

On motion by Commissioner Mongeau, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board read and adopted the Proclamation for Mental Health Month – May 2023.

Commissioner Krabbenhoft asked if there are smaller groups that come together within the Social Services Department, to discuss legislation that potentially may be coming up. Ms. Porter stated there are various committees that take place within the region as well as locally. And looking into establishing a committee within the County would be recommended. Ms. Porter discussed over the years there has been efforts made with grant applications that haven't resulted in funds to develop a crisis facility. The intent of the LAC is to keep the momentum going on certain issues.

Request Approval of Grantee Recommendation for the Local Homeless Prevention Aid

Funds

Ms. Porter discussed that on February 14, 2023, the board approved the issuance of a Request for Proposal (RFP) for the distribution of the Local Homeless Prevention Aid funds allocated to Clay County by the 2021 Legislature.

The RFP was posted, and the responder's application was fully reviewed and scored by the selection committee. The committee is recommending that the full allocation of \$223,581 be awarded to our sole responder, Lakes & Prairies Community Action Partnership (CAP-LP). CAP-LP will partner and collaborate with Churches United for the homeless to utilize the funds.

Clay County was allocated \$223,581 for SFY2023 to fund projects/proposals in Clay County. The funding is scheduled to occur every year for six years; however, the amounts may change as they will be determined by the Department of Revenue based on previous spending and reporting.

Commissioner Campbell asked for clarification that the County would turn over the funds to CAP-LP, they would administer said funds and the employees that are hired would be CAP-LP employees. Ms. Porter confirmed that was correct. The funds would come to the County to then be dispersed to CAP-LP. Commissioner Campbell asked if there was any mention of Clay County HRA. Ms. Porter stated that Clay County HRA received the RFP as well, who partnered with Churches United and CAP-LP on the development of the application.

Commissioner Ebinger discussed that these funds are great for addressing homelessness, however, this month, the shelter for women run by Churches United is closing due to a lack of funding. Ms. Porter stated it's devastating for a homeless shelter to close due to the lack of funding and there are significant mental health issues for individuals who are entering shelters. Representative Keeler had her Pathways Home Act which was significant funding to address homeless issues which unfortunately, was not as complete in the senate bill. Ms. Porter did reach out to Senator Kupec to elicit support regarding pieces of that bill because includes things that would help our community and across the state and particularly the shelters.

Commissioner Gross asked how long the funds will be available. Ms. Porter stated the legislation indicates a reoccurring allocation for the next 6 years. However, the allocation may not be consistent from year to year as it's based on a formula including population and student-based aid. The hope would be the funding would be equivalent for the next six years, however, there is no guarantee.

Commissioner Krabbenhoft stated as part of the screening committee the funding was part of the discussion. It's not 100% assured but felt strongly about the recipient. CAP-LP has a solid foundation and hopefully it will become integral within their program to give it additional support.

Commissioner Campbell asked if a new RFP would be required each year. Ms. Porter discussed that an RFP is not required each year, nor was it required at all. The County had control over how to use the funds. A decision on distribution of funds could be made each year, at the discretion of the County.

Commissioner Krabbenhoft asked when Pathways Home Act will be coming to the Senate. Ms. Porter stated as of today she's hopeful to provide information to the Board in the next couple of

days that highlights some of the priority areas. Commissioner Campbell discussed one of the responsibilities of being a member of AMC, is to follow AMC policy. If the AMC policy is going in a different direction, that could pose issues. But if it's something that isn't included in the current AMC platform then that should be advocated for.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to contract with Lakes & Prairies Community Action Partnerships effective July 1, 2023, to June 30, 2024, for utilization of the Local Homeless Prevention Aid funds in the amount of \$223,581 for the proposed services.

Committee Reports/County Administrator Update/Discussions

- Commissioner Campbell reported on meetings for Health Insurance; Prairie Lakes Municipal Solid Waste Authority; Solid Waste Advisory Committee; WCRJDC; MCCJPA; FM Diversion Authority; and ARPA Committee.
- Commissioner Ebinger reported on meetings for FM Diversion Authority Finance Committee; WCRJDC; FM Diversion Authority; and Retirement Party for Lt. Brad Penas.
- Commissioner Krabbenhoft reported on meetings for Health Insurance; FM Diversion Authority Finance Committee; Lakes & Prairies Community Action-CAPLP; training with Clay County Collaborative; and Moorhead City Planning Commission.
- Commissioner Mongeau reported on meetings for the Pollinator Habitat event at Junkyard; visited a property with Commissioner Krabbenhoft in rural Hawley regarding assessment; MCCJPA; Lakes & Prairies Community Action-CAPLP; MN Rural Counties Caucus; ARPA Committee; and worked on Withdrawal Management Center and reached out Senators Kupec & Senator Johnson, and Representatives Joy, Kiel & Keeler.
- Commissioner Gross reported on meetings for State Community Health Services Advisory Committee (SCHSAC); MN Rural Counties Caucus; and City of Felton Council meeting.
- County Administrator reported on meetings for Health Insurance; met with Judge Rosenfeldt, Renelle Fenno, Brian Melton, Janelle Cheney and Joe Olson regarding space needs within the Courthouse; Clay County Management; meeting with Brian Melton regarding County issues; meeting with Lori Johnson and Joe Olson regarding space issues for the voting equipment; worked with Commissioner Mongeau and Ryan Weber on plan reviews; MCCJPA; MACA Legislative updates; met with Rhonda Porter and Katie Stock regarding vendor contracts; met with Commissioner Krabbenhoft on a series of issues; met with Sheriff Empting on a series of issues; ARPA Committee meeting; and Substance Use Withdrawal Management contractors meeting. Reminder, the DNR did put burning ban out that covers most of MN. The Local Board of Appeals and Equalization and open book meeting started on April 2. There are open books remaining, so citizens who have concerns with their property evaluations or classifications must start prior to coming to the Board in June.

Mr. Larson followed up with the discussion from last week regarding the WCRWD and the boundaries. After that meeting, Mr. Larson reached out to Rocky Schneider from AE2S to discuss expanding the boundary to Glyndon and Hawley. This would come with an additional cost of roughly \$10,000.

Commissioner Campbell stated if Clay County wants to take the position to expand the

area, that should be done right away. Otherwise, there is potential for the established board to not approve the expansion. The time to expand the boundary is during the formation. Commissioner Gross agreed as he's already received calls from citizens regarding water issues. Commissioner Campbell thought it would be best to have AE2S come back and discuss expanding the boundary before the final establishment is completed.

Commissioner Krabbenhoft sees the need for the district and the potential expansion to the south and would appreciate further conversation and have the appropriate information before committing to an additional \$10,000 study. Mr. Larson stated the \$10,000 was only to examine 8 additional townships, not to encompass the whole County.

Commissioner Mongeau is in support of further conversation with AE2S and expanding the boundary down to Highway 10, incorporating Oakport, Moland, Spring Prairie, Cromwell and Highland Grove Townships. Commissioner Gross would like to discuss with AE2S to see if it's possible.

Mr. Larson stated he would reach out to AE2S to set up a time to come before the Board for further discussion.

Adjourn

The meeting was adjourned at 11:16 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator