

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, MAY 16, 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 Ebinger, and unanimously carried, the Board approved the agenda.

Donation from Johnson's Auto Repair to the Sheriff's K9 Program

By consent, the Board approved the \$39.00 donation from Johnson's Auto Repair to the Clay County Sheriff's Office K9 program.

Donation from West Central MN EMS to the Sheriff's Office for Purchasing Medical Supplies for Deputy's TECMED Bags

By consent, the Board approved the \$250.00 donation from West Central MN EMS to the Clay County Sheriff's Office for purchasing medical supplies for Deputy's TACMED bags that are in their squads.

Donation from Johnson's Auto Repair to the Sheriff's Office for Purchasing a New Bite Suit for Training K9s and Handlers

By consent, the Board approved the \$1,670.00 donation from Johnson's Auto Repair to the Clay County Sheriff's Office for purchasing a new bite suit for training K9s and handlers.

Donation of a Metal Detector from MN Twins to the Sheriff's Office

By consent, the Board approved the donation of a Garrett PD6500i Metal Detector (purchased in April 2022 by MN Twins and valued at an estimated \$5,000.00) from the Minnesota Twins to the Clay County Sheriff's Office to be used in the main entrance of the Courthouse.

Minnesota Lawful Gambling LG220 Application for Exempt Permit - Barnesville Clay Busters

By consent, the Board approved the Minnesota Lawful Gambling LG220 Application for Exempt Permit - Barnesville Clay Busters.

Approval of Liquor Licenses for Buffalo River Speedway, Mainline Bar & Grill and Rustic Oaks

By consent, the Board approved the liquor licenses for Buffalo River Speedway, Mainline Bar & Grill, and Rustic Oaks.

Citizens to be Heard

County Administrator Stephen Larson stated that he has been discussing with a citizen regarding taxes and permits for demolition. There will most likely be additional feedback from the citizen at an upcoming Board meeting.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the bills and vouchers totaling \$1,031,342 from 141 vendors. There were 103 warrants issued under \$2,000 (\$42,355) and the following 38 were over \$2,000.

Otter Tail Public Health	\$ 169,108	Black Hills Window Cleaning, Inc.	\$ 4,725
Clay Co Public Health	\$ 129,527	Xcel Energy	\$ 4,667
Lakeland Mental Health Ctr, Inc	\$ 97,483	Houston Engineering Inc	\$ 4,405
Becker County Public Health	\$ 90,559	CB & Sons Electric, Inc.	\$ 4,160
City Of Moorhead	\$ 80,682	FM Truck & Trailer Repair LLC	\$ 3,952
Treas Of Barnesville City	\$ 78,312	Chiller Systems Inc	\$ 3,818
West Central Regional Juvenile Center	\$ 58,143	Holm Construction Services, LLC	\$ 3,750
Moorhead Public Service	\$ 39,191	Vision Bank	\$ 3,329
City Of Fargo	\$ 36,744	Pomp's Tire Service, Inc.	\$ 3,305
Accurate Controls, Inc.	\$ 24,495	Disposal Services Inc	\$ 3,210
Creating Community Consulting	\$ 21,404	Connect Interiors LLC	\$ 3,198
Trinity Services Group, Inc.	\$ 20,668	Enterprise FM Trust	\$ 3,063
Parsons Electric	\$ 19,941	Fuchs Sanitation Inc	\$ 3,045
Wilkin Co Public Health	\$ 19,568	Wild Rice Electric Cooperative, Inc.	\$ 2,546
Lutheran Social Service Of Mn	\$ 14,327	Radio FM Media	\$ 2,500
American Solutions For Business	\$ 10,282	Dakota Plains Mechanical, Inc.	\$ 2,489
Lloyd's Auto Body Inc.	\$ 5,595	Rob Bentz Lock & Key, LLC	\$ 2,390
FirstLink	\$ 5,000	Grover/Ralph & Barbara	\$ 2,354
ANJAAM HOLDINGS, LLC	\$ 4,814	Wex Bank (fleet)	\$ 2,225

Approval of Minutes from May 2, 2023

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the minutes from May 2, 2023.

Approval of Letter of Agreement for Preliminary Needs Survey Pertaining to the West Central Regional Water District Boundaries

Rocky Schnieder with AE2S requested approval of a letter of agreement for a preliminary needs survey pertaining to the West Central Regional Water District boundaries. If the Township or City are interested, AE2S would present the survey to the City Councils and at the Township meetings.

Mr. Schnieder mentioned that a workgroup has been put together to discuss the water district. The first meeting has been scheduled for Tuesday May 30, 2023, at 1:30 p.m. at the Telephone Company in Halstad, MN.

Mr. Schnieder discussed how there was more calculation regarding the population and Clay County is at 20% based on the current boundaries. If the boundary were to be extended, the

population percentage would double and there are pros and cons to having a bigger district.

Commissioner Gross asked about the statement in the letter regarding Clay County being responsible for printing, mailing and postage cost. Mr. Schnieder stated a mailer would be sent out to residents; however, it can be costly. Therefore, it's proposed to work with Mr. Larson to see if there is a more cost-effective way to reach the community through a QR code.

Commissioner Krabbenhoft asked, if there has been any conflicts with Moorhead Public Service (MPS), since the boundary of the district is close to the City of Moorhead, and how that would be worked around. Mr. Schnieder stated that he has been in communication with Mr. Larson regarding this topic and they are proposing a meeting with MPS to inform them of what is going on.

Commissioner Campbell asked if all the additional potential water sources been reviewed and recognized. Mr. Schneider stated that they have not. Additional water sources will be evaluated if the boundaries expand further and once the forming of the district is complete.

On motion by Commissioner Mongeau, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the letter of agreement for preliminary needs survey pertaining to the West Central Regional Water District.

Request Approval to Purchase In-car Computers for Sheriff's Office

Sheriff Empting requested to purchase seventeen new in-car computers (laptops) for the patrol division squad cars and eighteen docking/mounting stations. The additional docking/mounting station would go into the Emergency Management pickup. This was needed over the winter when patrol staff used the pickup with a plow during winter weather events. The current tablets are five years old and need to be sent in for repair.

Sheriff Empting stated there is a total of \$101,192.00 available from the Internal Service Fund. The total for purchase and installation is \$74,513.40. The new devices would be ordered after Board approval.

Commissioner Ebinger asked if this purchase would include backup laptops in case a primary one ever needs maintenance. Sheriff Empting discussed the collaboration with Technology Services, and how they will be ordering a Getac laptop for themselves which would potentially be used as a backup if necessary.

Commissioner Gross stated the total cost for each device with docking station would cost around \$4,300. Sheriff Empting confirmed that was correct and that the new laptops are less expensive than the ones that are currently being used.

Commissioner Ebinger stated that these computers are essential to the department and a good use of funds.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to purchase in-car computers for Sheriff's Office in the amount of \$73,513.40 from the Internal Service Funds.

Request Approval to Purchase and Update In-car Cameras and Body-worn Cameras for the Sheriff's Office

Currently, the Sheriff's Office has Watch Guard in-car cameras and body-worn cameras. The in-car cameras are five years old, and the body-worn cameras are coming up on three years old. The body-worn cameras are not holding a charge for the time needed and with the age of the systems, there are several maintenance issues. Due to these issues, the Sheriff's office is looking to move from Watch Guard to Getac.

Sheriff Empting stated that he has reached out to Chief Todd from Detroit Lakes, MN. She is currently operating Getac devices for in-car and body-worn cameras. Chief Todd had positive remarks about the product and the customer service. Getac is located in Bloomington, MN, which means they are in close proximity in case there are issues with cloud service. There will no longer be an internal server, as the new equipment operates better on the cloud. This would also free up time for IT. One thing to be aware of is an additional \$25,902 will need to be added to the budget to cover the cloud service for the next five years.

The initial start up fee would cost \$178,900.83 and there is currently \$172,169.00 in the Internal Service Fund (ISF), therefore an additional \$6,731.83 would be needed, which is recommended to come from the remainder ISF from the in-car computer purchase.

Commissioner Gross asked how much money is put into the ISF every year. Sheriff Empting did not have that information and suggested discussing that with Clay County Auditor-Treasurer Lori Johnson.

Commissioner Ebinger asked if retrieving, copying, redacting information would be accessible through the cloud system compared to an internal server. Sheriff Empting stated redaction is included and regarding sharing of information, it would be as easy as sending a link via email. Commissioner Ebinger asked what the warranty was on these devices. Sheriff Empting stated they have a five-year warranty.

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved purchasing in-car cameras and body-worn cameras for the Sheriff's Office in the amount of \$178,900.83 from Internal Service Funds.

Request Approval to Hire FTE Deputy Position

Sheriff Empting requested approval to hire a full-time Deputy position due to resignation. This position works in the Support Service Division providing security for the Courthouse. It is requested to hire a replacement up to grade 18, step 5 or higher. This would be in an effort to seek qualified, experienced candidates for the position. This would be a budget neutral request and no additional funds are needed. There has been three hiring processes since June of 2022 resulting in not filling the current open position because of the tight labor market. Start-up costs include normal costs associated with two FTE positions, including uniforms, equipment and training for a total of approximately \$16,000.

Commissioner Gross asked how many deputies are on a lower step. Sheriff Empting stated there were maybe 3 employees. Commissioner Gross was concerned how hiring at a higher step would affect the current employees. Sheriff Empting stated that he has spoken with the current union representative who spoke to the deputies about this issue, and it's been discussed that if others are upset about the step increase, they need to be supportive and understand this is happening

due to the difficulties surrounding hiring.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board approved to hire FTE Deputy Position at grade 18 step 5.

Request Approval to Create a DMV Assistant Supervisor Position

County Auditor-Treasurer Lori Johnson and Motor Vehicle Supervisor Chelsea Sylvester requested to create a position for Assistant Supervisor for the Motor Vehicle Department. Ms. Johnson stated that Ms. Sylvester is being pulled in several directions while at work. This new position would help with additional tasks, training, and be the point person when Ms. Sylvester is out of the office. There is approximately \$5,000 that is needed for 2023, but moving forward, there would be no additional fees needed due to retirements of other employees.

Commissioner Mongeau offered her support for this position and discussed how she recently received concerns from citizens regarding the DMV services and Ms. Sylvester did a fantastic job at addressing those concerns.

Commissioner Ebinger asked if backfill was needed. Ms. Johnson stated no backfill is needed at this time.

On motion by Commissioner Ebinger, seconded by Commissioner Mongeau, and unanimously carried, the Board approved creating a DMV Assistant Supervisor Position.

Clay County Budget Update

Mr. Larson and Ms. Johnson presented an update on the Clay County Budget. Mr. Larson reported on 2022 revenue & expenses, 2022 fund balance, 2023 revenue & expenses, and sales tax information.

The most significant area that impacts the budget and fund balance in the general revenue is the decrease of revenue for the Treasures office of 1,176%. That is recognizing a market value adjustment on paper of \$4.1 million. Ms. Johnson stated that as part of the financial statements the County is required to recognize any market value adjustments in the value of our investments, this year it's \$4.1 million due to increase in interest rates. Regarding elections, there was a 22,675% increase due to the purchase of Omni Ballot Systems, which were purchased with grant money received. Emergency Management saw a 2,429% increase which was related to ARPA funding. Extension had a 150% increase due to the recorder's equipment being purchased through this line item. Unallocated general had a 104% increase due to a land sale, a larger than anticipated MCIT dividend, increase collection of taxes, and an increase of workers compensation. Because of the decrease in the market value adjustment there was a decrease in the budgeted amount for 2022 which was \$30,587,189.00. This was offset somewhat due to the unallocated general, bringing the actual to \$28,793,779.00, which is a difference of \$1,793,410.00. Additional information was provided and discussed regarding the general revenue for 2022. Mr. Larson highlighted other areas of increase in revenue in 2022 including Road and Bridge (117%), Social Services (106%), Juvenile Detention (127%), Solid Waste (261%), and the Family Service Center (109%).

Mr. Larson highlighted and discussed the increase of expenditures in the General Revenue for 2022 including County Public Defender (136%), County Administrator (117%), Internal Accounting (167%), Elections (138%), Surveyor (143%), Grounds and Buildings (105%), Planning & Zoning (122%), Medical Examiner (115%), Juvenile Detention (114%), Emergency Management (710%),

Unallocated General (239%). Overall expenses of \$30,887,188.00 and anticipated expenses year-to-date were \$31,588,964.00 with a deficit of \$701,776.00. From an adjustment standpoint, the funds coming from ARPA for Emergency Management just about captures that amount. Mr. Larson stated that the County was in a good financial position last year.

Mr. Larson discussed the Fund Balance comparison which included the decrease in the General Fund of \$2,795,185.00 due to the market value adjustment, Road & Bridge decrease of \$1,276,312.00 which had more to do with when funding was received and when bills were paid, Social Services increase of \$1,497,885.00, Building increase of \$50,524.00, and Internal Service increase of \$1,160,117.00. The following are part of the Enterprise Fund which are not a part of the Clay County Levy and those include Public Health with an increase of \$1,082,017.00, Solid Waste increase of \$7,110,693.00, Family Service Center decrease of \$53,896.00, and Juvenile Detention increase of \$546,150.00.

Commissioner Gross asked if the Sheriff's Office was included in the Internal Service Fund (ISF) that was just discussed. Ms. Johnson stated that the Sheriff's Office is included in that fund, and they put in \$300,000.00 each year. Ms. Johnson further explained that all departments/offices put funds into the ISF and that she keeps a separate cash balance for each department.

Commissioner Krabbenhoft asked where the increase of dollars was coming from for the Social Services Department and if that was a common trajectory. Ms. Johnson stated those numbers would come from grants received and tax increase. The department has been stable overall, what fluctuates the most would be their expenditures due to out-of-home placements.

Mr. Larson briefly discussed the revenues and expenditures from January – April 2023. Emergency Management is currently at a 33,543% increase from ARPA funds. Highway Administration is at 42% for expenditures which is due to insurance. Mr. Larson stated that he and Ms. Johnson are comfortable where everything is sitting at this point regarding the 2023 budget.

Lastly, Mr. Larson discussed sales tax and stated that 2022 was the first year where additional levy dollars were not needed for repayment on the half cent sales tax for the Law Enforcement Center and the Correctional Facility. Currently, the county has collected \$1,706,363.32 in taxes and that will continue to be monitored. The anticipated payment is \$3.7 million. If this is taken out throughout the year, we still have enough dollars to fund that repayment through the sales tax. Also, have additional funding collected, approximately \$666,000, should we need address anything in the short term.

Commissioner Gross asked when the County would have the project paid off by. Mr. Larson stated it's a 20-year half cent sale tax and the first payment was made in 2018 meaning the last payment would be in 2038.

Commissioner Campbell stated that the original bond between the LEC and Correction Facility projects was about \$53 million. With a 20-year life including the interest, the total financial commitment to that project is \$80 million. When looking at the last two years, there is an average of a \$4 million collection, for 20 years, that would be \$80 million. Therefore, Clay County is on track and by the time the final payment is due, there will be enough to cover the payment with just the sales tax.

Request Approval of 2024 Budget Timeline

Mr. Larson presented the 2024 budget timeline that is brought forward every year in May to ensure the County meets statutory guidelines. May 26, 2023, packets will be sent out to the Departments and Community Partners will receive a letter. Friday, June 16, 2023, will be the deadline to submit budget requests to the Auditors Office. In July and August, budget presentations will come before the Board. Preliminary levy must be set by October 1, 2023, per statute, therefore looking to set the preliminary budget on September 19, 2023. Truth in Taxation will be held on December 12, 2023. Adoption of final levy will be December 19, 2023.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the proposed 2024 budget timeline.

Recognition - Proclamation for National Police Week - May 14-20, 2023

National Police Week offers honor, remembrance, and peer support, while allowing law enforcement, survivors, and citizens to gather and pay homage to those who gave their lives in the line of duty. National Police Week is a collaborative effort of many organizations dedicated to honoring America's Law Enforcement community.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board read and adopted the proclamation for National Police Week – May 14-20, 2023.

Committee Reports/County Administrator Update/Discussions

- Commissioner Krabbenhoft reported on meetings for Cass-Clay Food Commission and Adult Mental Health LAC.
- Commissioner Mongeau reported on meetings for the Resource Recovery Center; attended a discussion regarding a position to concentrate on opioid issues in the County; Clay Soil & Water Conservation District; had conversations with Holy Cross Township; discussed a delay with the Withdrawal Management project; Red River Basin Commission appointment.
- Commissioner Campbell reported on meetings for the Resource Recovery Center; attended a discussion regarding a position to concentrate on opioid issues in the County; Red River Regional Dispatch Center – Budget & Finance; Red River Regional Dispatch Center – Board of Authority; and Lakes Country Services Coop.
- Commissioner Ebinger reported on meetings for NW Communication Board; Leadership meeting with State Emergency Communication Network officials; Beyond the Yellow Ribbon; Red River Regional Dispatch Center – Board of Authority; and State Emergency Communications Regional meeting.
- Commissioner Gross reported on meetings with Spring Prairie Township and County Engineer Justin Sorum regarding closing 70th Ave North; met with Riverton Township and Mr. Sorum to discuss their roads and ditches; Beyond the Yellow Ribbon; State Community Health Services Advisory Committee; AMC Update; Sheriff's Office spaghetti feed; and Keene Township meeting.
- County Administrator Steve Larson reported on meetings for Resource Recovery Center; attended a discussion regarding a position to concentrate on opioid issues in the County; County Management; met with Robert Wilson from Cass County Administrator; Red River Regional Dispatch Center – Board of Authority; AMC Futures Task Force; conversations with Moorhead Center Mall; meeting with Matt Jacobson and SRF regarding the County Development Code update; budget discussions with Lori Johnson; discussions with citizen regarding property taxes. The Board of Adjustment will be on June 13, 2023. Also, on June

13, 2023, the Board of Commissioners meeting will be at 5 p.m. followed by the Board of Equalization at 6:30 p.m. Letter to the Governor's Office, Legislatures and DHS regarding fingerprinting in Clay County was sent last week. Next week, we'll have the option to sign a proclamation in support of EMT and the Fire Department.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to appoint Commissioner Mongeau to the Red River Basin Committee

Adjourn

The meeting was adjourned at 10:15 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator