

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, JUNE 27, 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 Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the agenda.

Citizens to be Heard

There were no citizens to be heard.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the bills and vouchers totaling \$1,266,257 from 114 vendors. There were 87 warrants issued under \$2,000 (\$37,646) and the following 27 were over \$2,000.

Houle Excavating, LLC	\$ 354,823	City of Felton	\$ 11,547
Sellin Bros Inc	\$ 346,348	Kris Engineering, Inc.	\$ 11,006
Turner Sand & Gravel Inc.	\$ 110,115	Sanford Health	\$ 8,902
Clay Soil & Water Cons Dept	\$ 70,572	Camrud-Foss Concrete Constr Inc.	\$ 5,950
West Central Regional Juvenile Center	\$ 58,143	Ott's Quality Painting Inc.	\$ 4,854
City Of Moorhead	\$ 37,545	Stonebrooke Engineering Inc.	\$ 4,487
J-Tech Mechanical, LLC	\$ 33,285	Moorhead Public Service	\$ 4,106
Magic Fund	\$ 28,717	Fevig Oil Co	\$ 2,952
Cardmember Service - (Sheriff 0547)	\$ 26,434	Advanced Engineering & Environmental	\$ 2,825
Downtown Moorhead Inc.	\$ 25,000	Nelco First Aid	\$ 2,728
Thorson/Michael Duane	\$ 24,401	Rick Electric Inc	\$ 2,577
L & M Road Services LLC	\$ 22,346	Amazon Capital Services	\$ 2,525
Historical & Cultural Society Of Clay Co	\$ 22,031	Vickers Law	\$ 2,210
		Code 4 Services, Inc	\$ 2,173

Approval of Minutes from June 13, 2023

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the minutes from June 13, 2023.

West Central Initiative Update

Director of Development Rebecca Lynn Petersen and Director of Business & Economic Development Greg Wagner with West Central Initiative (WCI) gave an update and requested an increase in funding for 2024.

Ms. Petersen discussed highlights from the previous year and the annual report which included early childhood care and the Jasmine Project.

Greg Wagner gave an update on the business and economic development including information on COVID relief grants, lending programs, Clay County loan fund, and the Main Street Economic Revitalization Program statistics and funding.

Commissioner Campbell discussed the lending program to the six businesses and asked if those funds came from federal dollars or the Clay County loan fund and how many total applications were submitted from Clay County businesses. Mr. Wagner stated the Clay County loan fund was not utilized because due to timing, the federal dollars needed to be disbursed. In the last 18 months, there has only been the 6 applications for loan funds, as WCI has not denied any loans in Clay County. Typically, WCI will partner with the bank for loan requests. The bank will then fund only a portion of the project due to regulations, and WCI will provide the gap financing. Mr. Wagner further discussed details on Clay County, Moorhead, and Barnesville loan funds.

Commissioner Campbell asked if the Clay County loan fund dollars would be used on the Highway 10 corridor project. Mr. Wagner confirmed and stated that it cannot be state or federal dollars and must be an outside financing source. Therefore, the Clay County loan fund would be applicable.

Commissioner Mongeau thanked West Central Initiative for helping with the rural fire departments.

Request Approval of Amended Lease Agreements/Renewals for Family HealthCare Suites 106A and 106B Family Service Center Building

Facilities Director Joe Olson updated the Board on the construction of the dental clinic and requested approval of the amended lease agreements with Family HealthCare for Suites 106A and 106B in the Family Service Center.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the amended lease agreements with Family HealthCare for Suites 106A and 106B in the Family Service Center.

Request Approval to Purchase a Loader for the Landfill

Solid Waste Manager Corey Bang and Landfill Operations Manager Brett Rice requested approval to purchase a payloader for the Landfill as the current payloader is one year overdue for replacement. Bids were received from Bobcat, Komatsu, and John Deere. With the Komatsu being the lowest bid, it was decided that was the best option. Funds for this equipment would come out of the Internal Service Fund in the amount of \$339,000.00.

Commissioner Campbell stated that this was also discussed at the Solid Waste Advisory Committee (SWAC) meeting last week and it was recommended for approval.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the low bid of \$339,000.00 for the purchasing of a Komatsu Payloader for the Landfill.

Department of Motor Vehicle Project Overview

County Administrator Steve Larson and Auditor-Treasurer Lori Johnson gave an overview of the Department of Motor Vehicle (DMV) Project. The Clay County Board of Commissioners selected Klein McCarthy Architects to develop a pre-design building plan for a DMV construction project. The pre-design will include not only the County's needs but also the needs of the Minnesota Department of Public Safety - Driver & Vehicle Service Department. Once the MN Department of Public Safety's lease is up, they have agreed to co-locate once again.

The Building Committee considered possible locations for building, but also explored existing commercial spaces available that would meet both the square footage needs along with parking and the ability to have two semis. It has been the Board's position that the best use of tax dollars is to purchase/own the property moving forward. The current lease was a response to the COVID pandemic, which was funded through CARES dollars which was set up in response to the pandemic. However, challenges presented themselves while exploring the commercial locations due to adequate space issues.

Therefore, throughout multiple planning meetings, it was suggested to look into four location of County owned property. Of those locations it was recommended to build on the southwest corner of the 20-acre plot that includes the Resource Recover Center and the Withdrawal Management/Detox Facility, which includes several benefits to the citizens of Clay County. Klein McCarthy Architects have provided a preliminary design that will be presented for the new project.

Commissioner Ebinger asked how committed the state was to this project. Mr. Larson stated their supervisor mentioned that once they commit to a site/location, they typically don't leave unless they are asked to. The state wouldn't be funding the project, but the County would look at providing them with a long-term lease. Commissioner Ebinger asked if the state was in any position to get out of their current lease. Ms. Johnson discussed that the only way for the MN Department of Public Safety to terminate their lease was if they moved to state owned facility. Commissioner Campbell discussed how this option would be similar to when the Law Enforcement Center was built and that the City of Moorhead didn't provide funding for the construction, but entered into a long-term lease with the County, which helps with the financial package. An important point of this proposal is the licensing piece. Clay County citizens are having to leave the County for driver's license testing. That is still the responsibly of the state, however, if Clay County and the state were co-located, it would offer more opportunities for the citizens of Clay County.

Commissioner Ebinger brought to light the absence of a public bus stop in that area. Mr. Larson stated that conversations continue with the City of Moorhead regarding this issue.

Scott Fettig and Ryan Weber from Klein McCarthy Architects joined the meeting online. Mr. Weber presented the interior and exterior design and cost estimate for the DMV project. The original design was for construction to start in May of 2024, however, now there is a possibility to start construction in the Fall of 2023 and take roughly one year. Commissioner Campbell stated another reason to consider the expedited process is to save on lease payments with the Moorhead Center Mall. Mr. Larson stated that the annual lease payment for the current location is roughly \$114,000.00.

Mr. Larson asked Mr. Weber to provide an explanation of the significant difference in pricing within the estimate. Mr. Weber stated within the estimate a range is provided which basically discusses the difference in finishes based on quality. Typically, it's to be expected to fall somewhere in between said range, but initially, in this stage, a range is provided by the estimators.

Mr. Larson further discussed the bond which Ms. Johnson broke down by 10 years, 15 years and 20 years at 4%, which was based on the amounts of \$4 million, \$5 million and \$6 million dollars. Ms. Johnson also reached out to Ehlers and received a more complete example with more detail based on the interest rates.

Commissioner Krabbenhoft asked how a bond rate was configured ahead of time. Ms. Johnson stated typically, Ehlers sends a list of recent bond issues with the current rate, which was used. Commissioner Krabbenhoft further asked what the timing of a bond looks like, when it's set and when it starts. Ms. Johnson stated once the project is set and started is when the bond issue will begin and would roughly take 3 months. Commissioner Campbell stated once the Board makes the decision to purchase the bonds, the rate is locked in once a bid is accepted.

Commissioner Campbell discussed further on the investigation of commercial spaces for this project and stated that the option to build in the recommended location provides accessibility to the residents of Clay County.

Commissioner Krabbenhoft asked what was left of the County owned land after this project is completed. Commissioner Campbell stated there will still be a significant amount of land to the North after this project is complete and that County has reached the West boundary.

Discussion ensued regarding the retention pond, the western approach, and the financing.

Commissioner Krabbenhoft asked about expansion. Commissioner Campbell discussed how a plan has already been put in place for expansion of the Withdrawal Management/Detox Facility, which would be directly to the north and east of the building.

Commissioner Krabbenhoft asked about the potential growth area on the east side of DMV pre-design and what it entails. Mr. Weber stated the wall is built into the design and it wouldn't affect the structure but gives the option of expansion if necessary.

Commissioner Mongeau thanked the Building Committee for their efforts and addressed the accessibility of this new location for the residents of Clay County, the need for public transit in this area, and is a wise use of funds.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to move forward on the DMV Project, based on the pre-design estimate.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the DMV building site location on county-owned property adjacent to 34th Street North and 15th Avenue North.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to move the DMV Project from the Building Committee to the Finance Committee for the continuation of the project.

Request Authorization to Negotiate a Design Contract with Klein McCarthy Architects for the Department of Motor Vehicle Project

Mr. Larson requested authorization to negotiate a design contact with Klein McCarthy Architect for the DMV project. The contract will be presented to the Board at a later date.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved authorization to negotiate a design contract with Klein McCarthy Architects for the Department of Motor Vehicle Project.

Request to Submit RFQ (Request for Qualifications) for Construction Manager (CM)/CMAR (Construction Manager at Risk) for the Department of Motor Vehicle Construction Project

Mr. Larson requested approval to submit RFQ for CM/CMAR for the DMV construction project.

Commissioner Campbell asked what the timeline was like to go through the RFQ process. Mr. Larson stated the RFQ would have to be put together and then there is a timeline of 2 different 10-day timeframes that the project must be advertised, therefore hopefully by the end of July.

Commissioner Krabbenhoft asked if there was a reason behind requesting for both CM and CMAR. Mr. Larson stated it's presented that way so the Board can decide which route best suits the project. Commissioner Mongeau agreed with Mr. Larson and stated that the option to include both is better than excluding one or the other. Commissioner Ebinger agreed to not limit the selection at the beginning of the project.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board approved to submit a request for qualifications (RFQ) for construction manager (CM)/Construction Manager at Risk (CMAR) for the DMV Project.

Request Authorization for Commissioners Campbell and Mongeau to Approve Changes Connected to the Department of Motor Vehicle Construction Project, up to \$50,000 Prior to Coming to the full Board when both Commissioners are in Agreement

Mr. Larson requested authorization for Commissioners Campbell and Commissioner Mongeau, when in agreement, to approve changes regarding the construction of the DMV to spend up to \$50,000 prior to receiving the full Commissions authorization.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved Commissioners Campbell and Mongeau the authority to approve changes connected to the Department of Motor Vehicle construction project, up to \$50,000 prior to coming to the full Board, when both commissioners agree.

Committee Reports/County Administrator Update/Discussions

- Commissioner Mongeau reported on meetings for Lakes & Prairies Community Action - CAPLP; Lakeland Mental Health Center; ARPA Committee; Violations in Development Code meeting; and Solid Waste Advisory Committee.
- Commissioner Campbell reported on meetings for ARPA Committee; Solid Waste Advisory Committee; meeting with Commissioner Gross, Stephen Larson and Rocky Schneider from AE2S; FM Diversion Authority; and West Central Regional Water District Workgroup.
- Commissioner Ebinger reported on meetings for FM Diversion Finance Committee; FM Diversion Authority; and Dancing Sky Area Agency on Aging.
- Commissioner Krabbenhoft reported on meetings for Adult Mental Health LAC; Historical & Cultural Society; Lakes & Prairies Community Action - CAPLP; Cass-Clay Food Commission; and Public Hearing – Stoney Creek Restoration Buffalo Red River Watershed Stoney Creek meeting.
- Commissioner Gross reported on meetings for Planning Commission; West Central Regional

Water District Workgroup.

- County Administrator Steve Larson reported on meetings for ARPA Committee; met with Dara Lee and Dawn Bacon with the Clay County HRA; met with Sheriff Empting and Chief Deputy Martin regarding public safety aide; Development Code Enforcement meeting; SWAC; meeting with Commissioner Gross and Rocky Schneider from AE2S regarding updates; and West Central Regional Water District Workgroup. There is a MetroCOG Housing study meeting on Thursday June 29th; County Road 11 that was closed due to heat induced buckling is now open; MCCJPA meeting is rescheduled today at 2:00 pm; no board next week on July 4th; Budget updates will start on July 11th; County Appreciation Picnic today at 11:30.

Adjourn

The meeting was adjourned at 10:28 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator