

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

Tax Abatement for D Lemke, Moorhead, Due to Clerical Error

By consent, the Board approved the tax abatement for D Lemke, Moorhead, due to clerical error.

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 bills and vouchers totaling \$1,851,490 from 146 vendors. There were 100 warrants issued under \$2,000 (\$49,673) and the following 46 were over \$2,000.

Blue Cross Blue Shield Minnesota	\$ 632,508	Galls, LLC - 1002151418	\$ 9,165
Otter Tail Public Health	\$ 181,809	Pomp's Tire Service, Inc.	\$ 7,737
		MN Counties Computer	
Johnson & Schock Excavation LLC	\$ 164,943	Coop	\$ 7,243
Dirt Dynamics	\$ 124,200	MN Life	\$ 5,859
Gehrtz Construction Services, Inc	\$ 108,067	ANJAAM HOLDINGS, LLC	\$ 5,287
Moorhead Public Service	\$ 77,662	RnC Consulting P.A.	\$ 4,790
Turner Sand & Gravel Inc.	\$ 48,659	Sabin C Store	\$ 4,292
Pace Analytical Services, Inc.	\$ 42,037	SHI International Corp	\$ 4,018
Trinity Services Group, Inc.	\$ 41,142	Rick Electric Inc	\$ 3,829
Advanced Correctional Healthcare, Inc.	\$ 38,767	Wegner Psychological & Therapeutic Svc	\$ 3,750
City Of Fargo	\$ 36,303	Marco Technologies LLC	\$ 3,458
Clay County Fair	\$ 31,084	Colonial Life	\$ 3,358
Green Construction	\$ 25,060	Uline	\$ 3,152
Earthwork Services Inc.	\$ 23,750	Barnesville C-Store	\$ 3,006

NetCenter Technologies	\$	23,378	Georgetown University	\$	3,000
Morton Buildings, Inc.	\$	16,250	Madison National Life	\$	2,934
Enterprise FM Trust	\$	15,200	Mn Dept Of Revenue	\$	2,808
Hands Down Flooring and Tile	\$	14,280	Valley Mortuary Services	\$	2,732
Ben's Structural Fabrication Inc	\$	14,250	Reliance Telephone	\$	2,535
Cardmember Service - (Sheriff 0547)	\$	14,064	Clay County Sheriff's	\$	2,500
Lakes & Prairies Community Action, Inc	\$	13,365	Office of MN IT Services	\$	2,162
Petro Serve Usa-Hwy	\$	11,663	Wex Bank (fleet)	\$	2,158
Lutheran Social Service Of Mn	\$	11,434	Express Lane - Hawley	\$	2,150

Interviews for Two Appointments/Reappointments to Buffalo-Red River Watershed District Board

The Board will be interviewing two candidates for two appointments/reappointments to the Buffalo-Red River Watershed District (BRRWD) Board, Gerald Van Amburg and Curt Stubstad. The appointments will run from September 2023 through August 2026.

Due to experience and length of service on the BRRWD Board, the Board of Commissioners decided to suspense with questions for candidate Gerald Van Amburg.

Mr. Van Amburg discussed his appreciation to the BRRWD Board and stated even though it can be challenging at times, he's enjoyed his 20 years of service.

Commissioners Krabbenhoft and Campbell extended their thanks to Mr. Van Amburg for his service.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the appointment of Gerald Van Amburg to complete a three-year term on the Buffalo-Red River Watershed District.

Commissioner Gross continued with interview questions for the second candidate, Curt Stubstad. When asked what experience he would bring to the BRRWD, Mr. Stubstad stated he's been involved in several projects including drain tile and water cleanup on County Road 21 where there had been flood issues. During that time, he attended several BRRWD meetings to ensure that ditch was cleaned out. He has also assisted in the construction of a dike around a farmstead. When asked why he wants to be on the BRRWD Board, he stated growing up, water has always been an interesting topic and he enjoys learning about the ditches throughout the County. Water has a natural flow which we try to maintain, and he hopes to help that process along and keep the watershed running as well as it has been. When it comes to managing drainage, Mr. Stubstad stated water is powerful and will flow in its natural path, regardless of where that might be. He believes, with the proper paths and systems for drainage and the least damage to everyone is the best practice. When asked if Mr. Stubstad had any experience with the BRRWD Board in the past, if it was positive experience and how that experience would affect his service as a manager. Mr. Stubstad stated he helped installing drain tile and the diking of a farmstead in the Comstock area. When asked how he would support the completion of the FM Diversion project, he stated that he has been in support of the project since it started and once it's completed it will be beneficial to all.

Commissioner Campbell discussed how he hopes Mr. Stubstad is open to some of the exceptions the BRRWD makes regarding the FM Diversion project. Mr. Stubstad stated that compromising is key

when needing to get the big projects done and is willing to be open to learning more about those exceptions.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the appointment of Curt Stubstad to complete a three-year term on the Buffalo-Red River Watershed District.

Request Approval to Purchase Two Walk and Roll Packers

County Engineer Justin Sorum requested approval to purchase two walk and roll packers to replace units 142W1 and 146W1 from Lycox Enterprises. The equipment being replaced are a 2009 and a 2012 model. The cost for Unit 142W1 would be \$28,290.00, and unit 146W1 for \$27,465.00. One is a Bobcat and the other is a John Deere, which requires a spacer, which accounts for the difference in price. It's proposed to sell the current units to another government entity, for \$7,500.00 for Unit 142W1 and \$8,500.00 for Unit 146W1. By doing this, it would save roughly \$3,000.00 in freight costs. If this route is unsuccessful, it's proposed to sell this equipment on MNBID with those numbers being the reserved prices.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to purchase two walk and roll packers in the amount of \$55,755 and to sell existing Units 142W1 and 146W1.

Request Approval for Letter of Support for the MNDOT Snow Fence Project

Mr. Sorum stated that MNDOT is applying for federal funding for a snow fence project from Moorhead to Alexandria and is requesting letters of support from local agencies. It's evident the impact that snow fences have had in our area along the interstate and Highway-10 and the letter would be a good show of support from the County.

Commissioner Gross asked if the fences were wood. Mr. Sorum stated they look like wood; however, they are in fact flexible plastic.

Commissioner Krabbenhoft discussed, even though expensive, the snow fences are beneficial to the safety of the citizens. Mr. Sorum stated the grant that MNDOT is applying for is a carbon reduction grant. Studies show a decrease in time spent snow plowing when snow fences are put in place.

Commissioner Campbell asked if additional right of ways are needed if snow fences are installed. Mr. Sorum confirmed that was correct and discussed crop damage and easements.

Commissioner Gross asked if the landowners are compensated. Commissioner Campbell stated they are through the easement process.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the letter of support for the MNDOT Snow Fence Project.

Budget Presentation - Highway Department

Mr. Sorum provided the Board with the 2024 budget presentation for the Highway department. The Highway department budget consists of four sections: maintenance, construction, administration, and shop.

Mr. Sorum first discussed maintenance, including the township maintenance contract, and the new

request for two additional maintenance workers.

Commissioner Campbell asked if the department wasn't fully staffed or wasn't adequately staffed. Mr. Sorum stated in the past year, there should have been three part-time snow plow drivers, but only had two. With the shortage of drivers other employees were picking up the slack, which is an issue that needs resolving. Mr. Sorum continued discussing maintenance items including overtime, on-call pay, CDL policy, road materials, traffic supplies, roadway maintenance cost, weed & brush control, turn backs street allotment, and gravel tax.

Next, Mr. Sorum discussed construction, which includes bridge bonding, municipal construction, expenditures, training, and construction.

Commissioner Campbell asked where in the budget the wheelage tax shows as revenue. Mr. Sorum was unsure where that would be indicated but stated he would figure it out and report on it at a later time. Discussion ensued regarding wheelage tax, gas tax and state aid allotment for construction.

Mr. Sorum then discussed administration, including overweight permits, moving permits, miscellaneous revenue, expenditures, other professional expenses, and equipment.

Lastly, Mr. Sorum discussed the final part of the budget, shop, including miscellaneous revenue, overtime, equipment repair & maintenance, cutting edges, fuel, and radio equipment.

Commissioner Krabbenhoft asked when creating the budget is there any reflection for FEMA expenses. Mr. Sorum stated FEMA expenses are not budgeted for. If FEMA assistance is granted, it would show up as miscellaneous revenue. Commissioner Krabbenhoft asked if the state provides any other assistance regarding bad snowfall. Mr. Sorum stated the state has declared emergency regarding sever blizzards, but no other assistance would be given regarding snow plowing.

Commissioner Campbell asked Mr. Sorum to further explain the wheelage tax to Commissioner Krabbenhoft. Mr. Sorum stated 70% of wheelage tax goes to the County and 30% goes to the cities. There are three different levels of funding for the cities. Of the 30%, cities with a population over 15,000 will receive 51%, which only includes Moorhead. Cities with a population larger than 1,000 but less than 15,000 will receive 7%. And cities with a population less than 1,000 will receive 3.5%. Commissioner Campbell stated that means money is allocated and dedicated to those cities. And cities have the ability to build up that fund, to then use it on a larger project. Commissioner Gross asked if the townships receive anything from this. Mr. Sorum stated not from the wheelage, but they do get town road from the gas tax, which the cities do not.

Commissioner Gross asked overall if the budget went up or down. Mr. Sorum stated the total overall levy amount is up 4.57%. If the new requests are approved, that would be an increase of 6.1%.

Request to Approve Geotechnical Evaluation and Topographic Survey Proposal for the DMV Construction Project

Facilities Director Joe Olson requested approval for the geotechnical evaluation and topographic survey proposal for the DMV construction project. Mr. Olson stated these are the first two steps which the Building Committee has pre-approved. The price for the geotechnical evaluation from Braun Intertec is \$7,475. This is for the information resulting from the drilling and testing of soil that the structural engineer needs. The price for the topographical survey from Houston Engineering was \$3,500. Resulting in a total cost of \$10,975. This is budgeted in the original budget with design costs.

Commissioner Campbell stated this was one of the decisions that he and Commissioner Mongeau were given the ability to approve, contingent on cost and agreement, regarding the construction of the new DMV.

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the geotechnical evaluation in the amount of \$7,475 using Braun Intertec and a topographic survey in the amount of \$3,500 using Houston Engineering for the DMV construction project.

Budget Presentation - Recorder's Office

County Recorder Kimberly Savageau provided the Board with the 2024 budget presentation for the Recorder's Office. Ms. Savageau discussed factoring in a decrease in revenue for the real estate recording for 2024, which is a total decrease of 8.98%.

Commissioner Gross asked what caused the decrease. Ms. Savageau stated the number of recorded documents has decreased and figured that trend would continue into the new year. Commissioner Gross asked if that number has been decreasing slowly with every passing year. Ms. Savageau stated this trend is apparent throughout the state of Minnesota and that everything is down about 30% for the number of recordings. Commissioner Krabbenhoft discussed this being the new normal but hopes with the growth in the area, that percentage will change.

Ms. Savageau moved on discussing expenses, travel & expenses, office supplies, and equipment fund. Resulting in an overall increase in expenses of 0.66%.

Commissioner Gross asked how there is an increase in office supplies. Ms. Savageau discussed how the prices of envelopes has increased and the security paper in which the birth and death records are printed on had a fee increase this year. She also anticipates the secure paper that is used for marriage certificates will probably increase within the year.

Commissioner Krabbenhoft asked about the decrease in recorded items and wondered if the 30% was also in Clay County. Ms. Savageau stated 2020 and 2021 proved to be a record high for recorded documents. There was anticipation that by this time, the number of recorded documents would be back to where it was prior to the pandemic. However, in 2023 there was actually a decrease in recorded documents by 1,500 items.

Budget Presentation - Planning & Zoning

Planning & Zoning Director Matt Jacobson provided the Board with the 2024 budget presentation for the Planning & Zoning department.

Mr. Jacobson discussed revenue including building permits, the shoreline grant and riparian aid from the state. Expenditures were discussed including per diem, printing and publishing, and travel and expenses.

Overall, there would be an increase of 4.27% for 2024.

Commissioner Gross asked what the Travel Committees was in reference to. Mr. Jacobson indicated that no money was ever spent on that line item, therefore, decided to remove it.

Commissioner Campbell asked what the \$60,000.00 was for on the Other Professional Services line.

Mr. Jacobson stated that amount is the County's share of riparian aid that would go to the Watershed District.

Committee Reports/County Administrator Update/Discussions

- Commissioner Ebinger reported on meetings for Northwest Emergency Communication Board; RRRDC Board of Authority; Clay County Fair - County Government Day, and MOU Red River Dispatch meeting with rural cities.
- Commissioner Krabbenhoft reported on meetings for Moorhead City Planning; Historical & Cultural Society; Clay Soil & Water Conservation District; Clay County Fair - County Government Day; Clay County Fair - Historical & Cultural Society; Clay County Fair - Extension; and Commissioner Krabbenhoft mentioned that he applied and has been assigned to the AMC Infrastructure Resilience Advisory Task Force.
- Commissioner Campbell reported on meetings for Highway Tracking; RRRDC Board of Authority and MOU Red River Dispatch meeting with rural cities.
- Commissioner Gross reported on meetings for Highway Tracking; WCRWD presentation at Hawley Township; Partnership4Health CHB; and the Clay County Fair - County Government Day.
- County Administrator Stephen Larson reported on meetings for Highway Tracking; County Management; Highway Department pre-budget meeting; MACA Conference; Sheriff's Department pre-budget meeting; interviews for the court appointed Commitment, Guardianship and Conservatorship Contract; and MOU Red River Dispatch meeting with rural cities.

Commissioner Ebinger acknowledged the response of Sheriff Empting, Sheriff Jahner and Chief Monroe in assisting the Fargo Police Department regarding the events that took place on July 14, 2023 and stated we are one community and the impact an incident like this has on law enforcement is profound. Commissioner Ebinger sends his condolences to the Fargo Police Department and respects what was done to stand up against an incredible threat to the community.

Adjourn

The meeting was adjourned at 10:17 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator