

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, SEPTEMBER 19, 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, 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 Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved the bills and vouchers totaling \$2,802,166 from 153 vendors. There were 108 warrants issued under \$2,000 (\$49,940) and the following 45 were over \$2,000.

Knife River Materials Inc.	\$ 1,075,168	Lakes & Prairies Community Action, Inc	\$ 13,365
Ben's Structural Fabrication Inc	\$ 251,052	NACO	\$ 12,388
Internal Revenue Serv	\$ 229,408	Pro West & Associates Inc	\$ 10,900
Dirt Dynamics	\$ 208,656	Xcel Energy	\$ 10,084
Grotberg Electric Inc	\$ 156,533	Hands Down Flooring and Tile	\$ 7,059
Earthwork Services Inc.	\$ 95,000	Otter Tail Public Health	\$ 6,501
Mortenson Masonry, Inc.	\$ 84,469	Fergus Drywall	\$ 6,375
Falk Drilling INC	\$ 79,800	Battle Lake Public School	\$ 6,228
Advanced Correctional Healthcare, Inc.	\$ 60,173	ANJAAM HOLDINGS, LLC	\$ 5,885
Gehrtz Construction Services, Inc	\$ 55,541	Pomp's Tire Service, Inc.	\$ 5,577
Turner Sand & Gravel Inc.	\$ 47,344	PowerDMS, Inc.	\$ 5,150
Lakeland Mental Health Ctr, Inc	\$ 38,993	Amherst H. Wilder Foundation	\$ 5,000
Enterprise FM Trust	\$ 37,604	LELS	\$ 4,873
City Of Fargo	\$ 36,744	Petro Serve Usa-WCRJC	\$ 3,916
Mn Dept Of Revenue	\$ 30,371	Nova Fire Protection Inc.	\$ 3,800
VEBA Select Account	\$ 28,380	TBEI, Inc.	\$ 3,093
Trinity Services Group, Inc.	\$ 22,903	Valley Mortuary Services	\$ 2,652
Lutheran Social Service Of Mn	\$ 22,244	Creating Community Consulting	\$ 2,563

Sig Olson & Sons Plastering, Inc.	\$	19,724	Lakes Community Cooperative	\$	2,503
Moorhead Public Schools	\$	15,817	Thomson Reuters - West	\$	2,348
Petro Serve Usa-Hwy	\$	15,111	231880	\$	2,182
Marco Technologies LLC	\$	14,500	City of Pelican Rapids	\$	2,180
			Reliance Telephone	\$	2,052
			Central Door & Hardware Inc.	\$	2,052

Approval of Minutes from September 5, 2023 and Workgroup Minutes from September 5, 2023

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minutes from September 5, 2023 and the Workgroup minutes from September 5, 2023.

Request Approval to Re-hire an Open Juvenile Detention Worker Position

Juvenile Detention Director James Odonnell requested permission to rehire an open position in the secure unit. This is a budgeted item.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board approved to re-hire an open Juvenile Detention worker position.

Request Approval for the Clay County HRA to Levy and Collect a Special Benefit Tax for 2024

Clay County HRA Executive Director Dara Lee stated she's willing to answer any questions and to request approval to levy a special sales tax of \$500,000, with the understanding that the Clay County HRA Board will reduce that amount contingent upon the successful application of the local aid for affordable housing from Clay County as well as the City of Moorhead. City of Moorhead staff has indicated they will forward a recommendation to the Moorhead City Council for \$85,000.00, they have also indicated they will be issuing a Request for Proposal, which the HRA would also submit an application for.

Commissioner Gross asked if the County would be responsible for the funds if the other parties denied the request. Ms. Lee stated no, the max levy must be approved by the end of September, but it would be up to the Clay County Board of Commissioners to reduce the amount prior to the end of the year.

Commissioner Krabbenhoft asked what the City of Moorhead RFP process is. Ms. Lee stated that she does not know at this time because they are in the process of developing it and they want it to be an equitable process, but they do understand that within the request there is the \$85,000.00 specifically for the City of Moorhead.

Commissioner Campbell asked if homeowners who are on fixed income have the same opportunities to get assistance. Ms. Lee stated the HRA does have a Housing Choice Voucher Homeownership program, which is typically for new homeowners who have participated in the voucher program and there are property tax reductions for the elderly or disabled in the State of Minnesota. As part of the rehabilitation funds that are requested in the levy, rehabilitation can be done for owners whose income is under 80% of area median income outside the city of Moorhead and 50% of area median income throughout Clay County. The City of Moorhead also has funds specific funds for rehabilitation for others under 80%.

Discussion ensued regarding homeowners on fixed income, inflation, and additional taxes.

Commissioner Ebinger discussed his surprise when finding out that the HRA now includes the City of Moorhead's former housing and stated he offered a second to the motion because the services that the HRA provides to the people it serves is critical and the community is in a position where housing needs are needing to be met but also acknowledges that it's difficult when funding is contingent upon another vote. He hopes that in the future the number can be reduced, if not eliminated.

Commissioner Gross asked if this would change the levy if approved. County Administrator Stephen Larson stated this request is outside of the levy.

Commissioner Mongeau thanked Ms. Lee for the presentation and agreed there are profound needs County wide, and the Board does its best to address the needs of the community in a fair and equitable manner. This is a sizable request; therefore, it might be beneficial to have additional meetings that include State Representatives. Commissioner Mongeau further stated she doesn't want to be reducing the request but has chosen not to support the full ask come December because there are additional funds available to bring the ask down and this is in no way a show of her support for the needs.

Ms. Lee clarified that the HRA has not merged with the Moorhead Public Housing Agency, they are simply managing them under a management agreement at this time. Therefore, the amounts in the levy are not specifically targeted at any Moorhead public housing agency projects. The second component for statewide appropriation was not identified until recently, and is for the entire County, including the City of Moorhead. Therefore the \$160,000.00 is based on County appropriation that is County wide. Then there are additional funds specifically for the City of Moorhead based on the legislation and how that was allocated. Commissioner Campbell stated in regard to what the state did, it's a step in the right direction for the proper responsibility for the proper government to handle some of these issues. To suggest that local communities can handle or end homelessness without the help of state or local government isn't doable.

Commissioner Campbell further discussed his proposal and personal thoughts regarding the funds and the fact that this request being reflected on the County's property taxes. He also discussed seniors who want to stay in their homes who don't want to have all the increases. Clay County is only one government entity, there's also the school board, cities, townships, and different entities that will have to add their taxes onto this. Commissioner Campbell stated he would not support this full request in December and hopes that there is some success in trying to obtain shared cost.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the Clay County HRA request to levy and collect a special benefit tax for 2024.

Request Approval to Adjust the Clay County Board of Commissioners Meeting Schedule and Set the Truth in Taxation Meeting

Mr. Larson stated each year the Board establishes the dates and times that they will meet. In certain situations, adjustments need to be made that require Board approval. First, due to the Association of Minnesota Counties Annual Conference that will be held in Minneapolis on December 4 – 6, 2023, the first request would be to cancel the County Board of Commissioners meeting on Tuesday, December 5, 2023. Second, the Truth in Taxation meeting is tentatively scheduled for December 12, 2023, at 6 p.m. In establishing the Truth in Taxation date and time, it is recommended to move the County Board of Commissioners meeting from 8:30 a.m. to 5 p.m., with Truth in Taxation to follow on December 12, 2023.

Commissioner Campbell with not having a meeting on December 5th and moving to the 12th and wanting to have that meeting at 5 pm, do you think that we might have significant staff issues where we might want to start earlier in the day so that we don't have ask them to come after 5 p.m. to give their presentations. Mr. Larson stated that could be done, however, historically, the Board has met the hour prior to the Truth in Taxation meeting and that typically, unless it's a significant issues, Department Heads will bring their agenda items at a later time.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to cancel the December 5, 2023 and move the December 12, 2023 meeting to 5 p.m. with Truth in Taxation to follow at 6 p.m.

Public Hearing – Consider Petition to Resurvey Morken Township Sections 31 & 32.

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

Information Services Director Mark Sloan discussed in 2014 Clay County decided to discontinue the office of the County Surveyor. In 2015 Geographic Information Systems (GIS) department was tasked with contracting with a firm to perform surveyor services as well as to complete the Section Corner Remonumentation Project. Mr. Sloan stated there are subject matter expertise on hand which include, Assistant County Attorney Mike Leaser, Planning & Zoning Director Matt Jacobson, County Recorder Kimberly Savageau and Registered Land Surveyor Nick Stattelmann, if there are any specific questions.

Mr. Sloan discussed how Clay County received a Petition for the resurvey of Section 31 and 32 Morken Township. Pursuant to MN Statute 381.01, at least two taxpayers in a section can request the survey. Gerald Zimmerman and Sharry Zimmerman are the landowners of record petitioning for the survey. The petition indicates that the landowners believe the previously recorded section corners are defective. All affected landowners were personally served the Notice of Public Hearing by deputies from the Sheriff's Office. In addition, notice of the Public Hearing was published in the official County newspaper three times over three weeks. All interested parties have the opportunity to appear and be heard. This issue with the defective section corners was previously addressed by the court in 2015. On October 13, 2015, Judge Galen Vaughn determined the Rittenhouse & Associates corner certificates identify the true and correct location of the section corners of these two sections.

Mr. Sloan briefly discussed the Section Corner Remonumentation project stating this project targets one township at a time.

Mr. Sloan further stated the County Board may grant or reject the application. If the petition is granted the Board will appoint a surveyor to conduct the survey and the costs of that survey will be assessed to the landowners/properties affected. If the petition is denied, the Board can direct GIS to continue the Section Corner Remonumentation project which will cover these sections when Morken Township is re-surveyed. Mr. Sloan recommends that the petition be denied since the cost of the survey must be assessed to the landowners, which creates undue financial hardship, and a court case has already taken place that addressed the issues raised by the petitioners.

Commissioner Ebinger asked, if this is denied, how long would it take for the Section Corner Remonumentation project to get to Morken Township. Mr. Sloan stated he did not have a specific timeframe. Due to the funds allocated towards this project, it only allows for one township to be completed over the course of 18 months. Depending on which direction the project will go next, it could be several years before Morken Township is addressed. Mr. Sloan referenced the map within the

presentation discussing how the County has targeted the East third of the County because a lot was taking place in the West two thirds, such as drainage ditches, buffer strips and the diversion. Therefore, corners are already being collected as part of those projects, which is why the remonumentation project focused on the areas where survey work was not being done. Commissioner Ebinger asked if any surveys of the corners in question would be done by a third-party. Mr. Sloan stated not that he was aware of.

Commissioner Campbell referred to the image of the map and asked what the areas in red meant. Mr. Sloan stated that means the County doesn't have a recorded corner certificate for those corners, meaning the corner may be lost. Therefore, the remonumentation project would have that section corner recovered and restored and then a new certificate would be filed. The green means there is a section corner certificate filed with the County Recorder's Office and there are coordinates for that corner.

Commissioner Ebinger asked how many property owners this could affect. Mr. Sloan stated there are nine property owners.

Petitioner Gerald (Gerry) Zimmerman stated that this started back in 2010 and the County stated the certificates that the surveyor filed are not complete. Commissioner Gross asked why Mr. Zimmerman feels the section corners are in the wrong location. Mr. Zimmerman stated he hired Rob Roberts to survey his portion and Ms. Rasmussen hired Brian Rittenhouse to survey the south half of section 31. The court case had gone against him and it wasn't until after the timeframe for an appeal that Roberts found a 1904 survey that corroborated the original location of the east quarter corner of section 31. This was new evidence, but since it was outside the timeframe for an appeal, it wasn't introduced. Mr. Sloan stated that Mr. Zimmerman provided a 127-page PowerPoint regarding his concerns. Commissioner Gross asked for further clarification. Mr. Zimmerman stated Rob Roberts Senior had completed a 1960's survey of section 32 and the location he had provided for the west quarter corner of section 32 which is the same as the east quarter corner of section 31, was a 3/8 inch rebar stuck in the road. When Rittenhouse resurveyed this corner he determined the new quarter corner was 33 feet to the north of that original stake. Mr. Sloan read what the Court ruling stated "*The court finds testimony of the surveying methods of the plaintiff's expert Evenson who worked for Rittenhouse & Associates at the time to be more accurate, professional and reliable compared to the surveying methods of the defendants surveyor, Robert J. Roberts II.*" Mr. Zimmerman further discussed having another surveyor, Kurt Skarphol, involved who provided an overlay of the three surveys, the 1904 survey, the Rittenhouse survey and the Roberts survey, resulting in the agreement between the 1904 and Roberts survey. And the 1904 survey is the only one that Clay County has on record at the County Recorder's Office.

Commissioner Campbell asked if any surveys were being done based on change of ownership in these areas. Mr. Sloan stated he had the surveys that were completed in 2010. Ms. Savageau stated the County only requires a survey when a tax parcel is being changed or split, not for change of ownership. Therefore, surveys that are being completed without the requirement of the County, wouldn't be recorded, which means they would not be filed in the County Recorder's Office.

Commissioner Gross asked who farms the land that is being disputed. Mr. Zimmerman stated his farming corporation and further discussed the defective survey by Rittenhouse and according to the Bureau of Land Management, something called latitudes and departures states if you travel across a traverse north, south, east and west, you should come back within a certain error of the beginning point. Which means the survey is defective because it's outside the limits of error. Commissioner Ebinger asked if that is a report from the Bureau of Land Management or if that was Mr. Zimmerman's interpretation of the situation. Mr. Zimmerman stated Rob Roberts and Kurt Skarphol corroborated that. Commissioner Gross asked if it would affect all other corners if these corners were moved now. Mr.

Sloan stated that was correct.

Commissioner Mongeau reiterated that if the petition is granted, the landowners of the two sections are required to pay for the survey services, and if it's not granted and we wait for when Morken Township is surveyed as part of the remonumentation project, the County will pay for it.

Commissioner Gross asked how it would affect the farming if the monuments were in fact in the incorrect location. Mr. Zimmerman stated the affected land in section 31 is about 3 acres and Ms. Rasmussen said it was their land. Mr. Sloan stated that is what the court case was in reference to. Commissioner Krabbenhoft asked if the changes to the survey affected the amount of land in which Mr. Zimmerman was farming. Mr. Zimmerman confirmed that was correct and it affected the boundaries between the north half and the south half. The original survey's took place in 2010 by he and Ms. Rasmussen, went to court in 2015 and that's when the Rasmussen's took possession of the 3 acres of land.

Landowner Landy Sandahl approached the Board and discussed how he was not involved in the court case but since he is a landowner within the two sections, if this petition is granted, his property taxes will increase. Commissioner Krabbenhoft asked if this would affect him in terms of the land. Mr. Sandahl was unsure at this time.

Mr. Rasmussen stated he believed Brian Rittenhouse to be a reputable surveyor and he and his wife hired him to check the property lines. Mr. Rittenhouse found that there was an encroachment on the property line of the land that his wife had inherited from her parents. There was a court case, and it appears that Mr. Zimmerman is still dissatisfied with the findings.

Commissioner Krabbenhoft asked Mr. Rasmussen if he was the one farming the land since 2010 when the new boundary was established and since the 2015 court case. Mr. Rasmussen said that land has been honored. Commissioner Ebinger asked if the remonumentation project changes the boundary, would Mr. Rasmussen honor those new boundaries. Mr. Rasmussen that he wouldn't have a choice.

Discussion ensued regarding the remonumentation of section corners, the process to certify those corners, the dispute of 33 feet from the Roberts survey versus the Rittenhouse survey, the court case, the disruption of moving corners and the assumption of defected certificates.

Landowner Robert Pearson brought forth his concerns and the cost to the property owners of these two sections is painful.

Discussion ensued regarding the disputed corners, and which direction they would move if the petition were granted.

Commissioner Gross asked how only one corner can be off but the other two aren't. Commissioner Ebinger stated that's the reason the County is systematically conducting the surveys to where they take bearings off locations that we've substantiated and we've marked, so in the future, there won't be these types of issues. Ms. Sloan stated that was correct and why a whole township is done at once because everything is connected.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to close the Public Hearing at 9:50 a.m.

Commissioner Campbell mentioned how the remonumentation process for corners started on the

eastern part of the county due to the type of activity in those areas and to prevent this type of thing from happening. A conversation needs to happen to discuss whether or not to have Morken Township wait its turn for the remonumentation project, or to shift and do that township sooner. Commissioner Gross asked if the property owners could privately hire a surveyor. Mr. Sloan stated yes, they could and they already have.

Discussion ensued regarding the Section Corner Remonumentation Project and Civil Litigation.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to deny the petition.

BREAK

The Board took a break from 9:57 a.m. to 10:03 a.m.

Substance Use Grant Presentation

Health Promotion Director Rory Beil introduced Public Health Manager Jason McCoy.

Mr. McCoy presented the Positive Community Norms with the DGF - Rebels United presentation which included the PNC Grant, Rebels United Campaign & Community coalition, the RISE (Responsible Individuals Striving for Excellence) Club, Communication, Events, Activities, Science of the Positive, and the Cycle of Transformation.

Commissioner Mongeau asked, in regard to the survey, if the question is being asked about adults in the lives of the youth and if use is correlated with the adults in their lives. Mr. McCoy stated those questions are being asked. Parents are asked about using in the home along with a series of similar questions.

Mr. Beil stated recent data from the Minnesota Student survey shows 50% of local high school students feel like they have a caring adult in the school, which is precise with the state norms, but it's also concerning. This is something that is being focused on as it's a strong predictor of resilience.

Commissioner Krabbenhoft congratulated Mr. McCoy and Mr. Biel on the grant and the continued work on this program and the success of it.

Commissioner Campbell asked what's being done to pass the positive messaging to the other school districts within Clay County. Mr. McCoy stated other school districts have been encouraged to take the Minnesota Student Survey because there needs to be data to show the need for the grant. With this grant, there are only nine awarded schools throughout the state for every five years. Commissioner Campbell asked why additional grant dollars are needed to spread the positive message to the other schools. Mr. McCoy stated additional positions would be needed to effectively push the message to other schools. Commissioner Campbell stated when he hears good things, he wants to know how to take that to the next level. Mr. McCoy agreed and stated through Partnership for Health we do try to share information through worksite wellness and school administration.

Diversity, Equality and Inclusion Presentation

Public Health Diversity Equity and Inclusion Liaison Sarah Dixon-Hackey updated the Board on the community work to advance diversity, equality, and inclusion. Ms. Dixon-Hackey discussed on communications, collaborations, and outreach.

Commissioner Mongeau thanked Ms. Dixon-Hackey for including the mission statements within the list of collaborative partners and praised Ms. Dixon-Hackey for the work that she is doing.

Commissioner Krabbenhoft asked if the collaboration efforts are continued from time to time and if there are certain focus areas. Ms. Dixon-Hackey stated her vision is a regular connection point, which is where things are moving, but at this point it's not scheduled but instead more responsive.

Commissioner Campbell thanked Ms. Dixon-Hackey for her report and the work that she does and asked how the County is sitting regarding the workforce community in the areas that she is working with. Ms. Dixon-Hackey stated one of the top emerging issues that she hears from the communities of new Americans, refugees, and immigrants. This is a concern about employment, and an access to meaningful employment, is often times not only is language a barrier, but the credit for prior learning also poses to be an obstacle for those communities. Transportation also presents challenges for these communities.

Commissioner Gross thanked both Ms. Dixon-Hackey and Mr. McCoy for their presentations.

Request to Approve Clay County Soil and Water to Participate in the Fleet Management Program Under Clay County

Facilities Director Joe Olson stated that Clay County participates in Fleet Management program through Enterprise and Clay Soil and Water Conservation District (SWCD) Manager Kevin Kassenborg asked about leasing some vehicles. Enterprise indicated they would allow the SWCD to be a sub-account under Clay County.

Commissioner Gross asked if funds would go through the County or the SWCD. Mr. Olson stated that the SWCD would make a direct payment to Enterprise.

Commissioner Mongeau stated she and commissioner Krabbenhoft are on that Board and heard the discussion about vehicle needs and brought up the idea of discussing with Mr. Olson. There would be no cost incurred by this Board directly, it would just include the SWCD under the umbrella.

Commissioner Campbell stated Clay County has a fleet policy that was just adopted. If SWCD doesn't have a fleet policy, it's encouraged that they do. Commissioner Krabbenhoft stated he would follow up on they do have a policy that covers their auto and machinery. Commissioner Mongeau clarified that Commissioner Krabbenhoft was talking in terms of insurance policy and Commissioner Campbell was talking about allowable use and stated that there is an allowable use policy but agreed it would be best to work together. Commissioner Campbell suggested that the SWCD take Clay County's Fleet Policy and take that into consideration on how they use their vehicles. Mr. Olson stated he and Mr. Kassenborg connected with MCIT and they looked into coverage and the SWCD is able to have coverage on their vehicles without putting the County at risk for liability.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved for the Clay Soil and Water Conservation District to Participate in the Fleet Management Program under Clay County and for Facilities Director Joe Olson to sign the required Amendment to Master Equity Lease Agreement.

Request Approval To Sign Amended MOA Contract Between the University of Minnesota and

Clay County for Providing Extension Programs Locally and Employing Extension Staff

Mr. Larson discussed on August 22nd, 2023, the Board requested that the University of Minnesota modify the MOA regarding the Extension programs personnel. Section 9 of the MOA allows either party to request a modification with a 90-day notice. With two recent openings, the Board asked that the changes to the MOA be expedited, which was granted.

Mr. Larson referenced the Addendum which breaks down the shift of the Extension Educator - Agriculture Natural Resource position from a 1.0 to a .8, with a price of \$71,268.00 for 2024 and for the Extension Educator 4-H Youth Development position from a 1.80 to a 2, with a price of \$161,296.00 in 2024. This would be a total of \$232,564.00 for 2024.

Commissioner Gross asked if the 2.0 positions would include benefits. Commissioner Mongeau stated those two positions would be employed through the University. Therefore, the University of Minnesota would supply benefits. Commissioner Gross asked then if the salary for two positions would be the \$161,296.00. Mr. Larson clarified and stated the County isn't billed for individual employees, the University of Minnesota charges the County based on the average number of employees, across the whole state.

Discussion ensued regarding the Extension Educator ANR position, the fluctuation in price and the effective date.

Commissioner Ebinger asked who would take on the Program Coordinator position for the Master Gardner program, as that program is suffering. Commissioner Mongeau stated it's somewhat confusing because, within the Extension Educator ANR position, it covers those components, other communities have Master Gardner only, and that's where the Program Coordinator piece comes into play. Now because the person who was previously in that position for as long as they were, it wasn't something that was added into the job responsibilities, which addresses the complaint for the lack in that program. A meeting took place last week with the supervisor of this position and it was discussed that there's been a gap that needs to be addressed and changed because that piece wasn't even included in the PDQ. And based on local feedback, there is now the requirement that includes time spent on Master Gardeners in the PDQ. Discussion ensued.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved to sign the amended MOA contract between the University of Minnesota and Clay County for providing Extension programs locally and employing Extension staff.

Request Permission to Set the 2024 Preliminary Levy Per Statute Through Resolution 2023-19

Mr. Larson stated Resolution 2023-19 allows County Auditor-Treasurer Lori Johnson to Ms. Johnson the ability to certify the preliminary levy by state statute meeting the September 30 deadline. It also sets the maximum amount Clay County citizens would be assessed in the upcoming budget cycle. It's important for our citizens to recognize that once the preliminary budget is established, it can only be reduced but not increased. Each year citizens have the opportunity to provide input on the overall budget during the Truth in Taxation session which will be held on December 12, 2023 at 6 p.m.

Mr. Larson referenced the Summary of 2024 Tax Levy by Funds sheet and discussed the total levy, new requests, steps and 3% COLA for employees, 8% insurance cap, future insurance needs, and fund balances. This is an overall net levy increase of 3.89%.

Commissioners Gross and Ebinger both stated that it's unfortunate that there is an increase, however, it's better than other counties in Minnesota, some even having to levy up to 20%.

Commissioner Campbell discussed the fund balance of \$500,000 and not having the knowledge of 2023 yet and asked if the numbers were based on the revenues over expenditures for 2022, because of being behind. Mr. Larson confirmed that was correct. Discussion ensued regarding the revenues over expenditures for 2022.

Commissioner Mongeau stated we're in a time where it costs more to provide services that meets the communities needs and the County and Legislators have worked diligently to provide County Program Aid that is legislatively appropriated. The comments made regarding the understanding of how taxes can be a burden are appreciated, and this Board is aware of that. We continue to try our best to provide services that meet the needs of the community, while not putting a burden on the people. Commissioner Mongeau further stated Mr. Larson and Ms. Johnson have done a great job working with Department Heads as the County plans for their needs over the next few years and how we can carefully apply those needs to what is being asked of the citizens and that she is hopeful that the County can find areas for savings when other revenues come in.

Commissioner Campbell stated there has been good effort in terms of taking COLA's into consideration and in order to provide adequate services to the citizens, we need to provide good compensation and benefits to our employees. Come December, Commissioner Campbell would like a better idea of what revenues over expenditures will look like for 2023 and what was asked of the people to pay and what was not used. If there were unused funds that shouldn't go into the bank, unless it's specifically pointed out that the reserves are low, and we need part of the levy to bring those reserves up. If that's the case, then that needs to be incorporated into the plan.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved Resolution 2023-19 to set the 2024 preliminary budget at 3.89%.

RESOLUTION 2023-19

WHEREAS, The Minnesota Department of Revenue has established guidelines for county government to follow in order to meet the "Truth in Taxation" requirements for taxes payable in 2024 and

WHEREAS, these guidelines state that counties must certify a proposed levy by September 30

WHEREAS, this certified levy must be after the deduction of County aid,

THEREFORE BE IT RESOLVED, That the Clay County Board of Commissioners hereby sets the proposed levy for taxes to be collected in 2024 as follows;

	County		
	Preliminary Levy	Program Aid	Certified Levy
Revenue Fund	28,741,379	3,342,336	\$25,399,043
Road and Bridge Fund	4,848,191	563,796	4,284,395
Building Improvements	50,000	5,815	44,185
Library	326,320	37,948	288,372
Social Services	13,644,810	1,586,756	12,058,054
Debt Retirement-County Proj	527,651	0	527,651
Total	<u>\$48,138,351</u>	<u>\$5,536,651</u>	<u>\$42,601,700</u>

BE IT FURTHER RESOLVED, that this is a proposed levy only and is subject to change.

BE IT FURTHER RESOLVED, that the Clay County Board of Commissioners confirms the date of their public budget meeting to be Tuesday, December 12, 2023, at 6:00 p.m. in the Clay County Courthouse, Moorhead, Minnesota.

Committee Reports/County Administrator Update/Discussions

- Commissioner Ebinger reported on meetings for Planning Commission; AMC Fall Policy Conference; and AMC Public Safety Committee.
- Commissioner Krabbenhoft reported on meetings for Clay County Extension interviews; Clay SWCD; Clay County Extension; Cass-Clay Food Commission; and AMC Fall Policy Conference.
- Commissioner Mongeau reported on meetings for University of Minnesota Extension interviews; didn't attend the AMC Fall Policy Conference but reported on priorities for Clay County; Personal Issues Committee; and State 4-H Horse Show.
- Commissioner Campbell reported on meetings for Highway Tracking; FM Diversion Authority Planning Committee; Red River Regional Dispatch Center Board of Authority Special meeting; AMC Fall Policy Conference; and West Central Regional Water District Work Group.
- Commissioner Gross reported on meetings for Highway Tracking; AMC Fall Policy Conference; West Central Regional Water District Workgroup; and Personal Issues Committee.
- County Administrator Stephen Larson reported on meetings for Highway Tracking; County Management; Board Preparation; conversations with Rocky Schneider; AMC Fall Policy Conference; met with County Attorney Brian Melton and discussed a variety of issues; West Central Regional Water District Workgroup; Personal Issue Committee; County/Rural Cities

meeting has been scheduled for October 19, 2023; Mr. Larson asked what the Board wishes for the interview process for the County Assessor position.

Adjourn

The meeting was adjourned at 11:47 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator