

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, OCTOBER 3, 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 Krabbenhoft, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the agenda.

Employee Recognitions

The following employees were recognized; Brian Melton for 25 years with the Attorney's Office and Miriam Danielson for 30 years with Social Services.

Citizens to be Heard

James McKinstra introduced himself and stated that he lives in Moorhead, a Clay County resident, and in 2022 he was appointed by Governor Walz to serve on the Minnesota Board on Aging. Mr. McKinstra wanted to take this opportunity to let Clay County and the Board of Commissioners know that there is a Clay County citizen that serves on this Board. The purpose of this Board is to administer both federal and state funds, advocate for the elderly and aging individuals, and to advise the Governor's Office on these issues. Another item Mr. McKinstra wanted to bring attention to was how others can get involved by simply clicking a link on the Minnesota Secretary of State website, which will indicate any vacancies there might be on a variety of Boards and Commissions.

Commissioner Mongeau stated Clay County and this region is fortunate because there are many invested citizens that are willing to advocate in St. Paul for the needs of our communities and thanked Mr. McKinstra for being one of those individuals.

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 \$1,434,018 from 141 vendors. There were 103 warrants issued under \$2,000 (\$51,235) and the following 38 were over \$2,000.

Blue Cross Blue Shield Minnesota	\$ 321,273	NACO	\$ 12,367
Internal Revenue Serv	\$ 225,056	ZulaFly, Inc.	\$ 11,125
Central Specialties Inc	\$ 143,311	Crisis Prevention Institute Inc.	\$ 8,446
Kris Engineering, Inc.	\$ 75,480	Verizon-386550144	\$ 7,978
Clay County Trailblazers Snowmobile Club	\$ 75,000	Treas Of Comstock City	\$ 6,350
Clay Soil & Water Cons Dept	\$ 70,572	Forum Communications Printing	\$ 6,310

Clay County Social Services	\$	67,700	Motorola Solutions, Inc.	\$	5,961
Advanced Correctional Healthcare, Inc.	\$	39,776	Fidlar Technologies	\$	5,395
Clay Co Public Health	\$	39,468	Pemberton Law, P.L.L.P.	\$	5,234
City Of Moorhead	\$	37,545	Moorhead Public Service	\$	5,077
Mn Dept Of Revenue	\$	29,872	City of Frazee	\$	5,000
Magic Fund	\$	28,717	Town & Country Oil Inc.	\$	3,350
VEBA Select Account	\$	27,948	R Travelmart	\$	2,994
Prairie Lakes Municipal Solid Waste Auth	\$	26,028	TrueNorth Steel	\$	2,990
Historical & Cultural Society Of Clay Co	\$	16,461	Psychlogics	\$	2,580
WEX Bank - Sheriff	\$	16,189	Madison National Life	\$	2,573
Information Systems Corp	\$	15,860	City of Pelican Rapids	\$	2,494
Novanex, Inc	\$	13,624	Dakota Plains Mechanical, Inc.	\$	2,178
Widseth Smith Nolting & Associates Inc.	\$	12,459	Galls, LLC - 5287110	\$	2,029

Approval of Minutes from September 19, 2023

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minutes from September 19, 2023.

2023 Clay County United Way Campaign Presentation

Planning & Zoning Administrative Assistant/Clay County Campaign Coordinator Rita Rueckert introduced the United Way Resource Development Manager Bella Lien, Campaign Cabinet Volunteer from Bell Bank Sarah Mastera, Juvenile Detention Director James O'Donnell, Clay County Social Worker LaRae Goeden, and Clay County Social Services Supervisor Kritin LePard. Together they presented the 2023 Clay County United Way Campaign which included 2022 activities, business acknowledgements, financial information, employee participation, 2023 activities, timeline for the 2023 campaign, and future activities.

Commissioner Gross is hopeful to have more participants this year.

Request Approval to Re-hire an Open Counselor Position in Secure

Mr. Odonnell requested approval to re-hire an open Counselor position in the secure unit, with backfill. This is a budgeted item and it is a critical position as it's in the treatment program.

Commissioner Gross asked if this was due to a resignation. Mr. O'Donnell stated this individual was unfortunately not the right fit for the position.

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board approved to re-hire an open Counselor position in the Secure unit with backfill should there be any internal interest.

Request Approval to Purchase Pavillio by Cashe' Software for Billing Public Healthcare Programs.

Social Services Director Rhonda Porter requested to purchase Pavillio by Cashe' software. The company is based out of Oakdale, Minnesota – Washington County and Fiscal Supervisor Susan Roll attended a conference where a demonstration of this product was given, and she was very excited to potentially move to this software. A meeting was scheduled with Cashe' Software to provide a

demonstration to additional staff and all were impressed in regard to what this software can do in terms of billing. Particularly for the healthcare programs where we're billing Managed Care Organizations and Medicaid. This software would streamline several aspects that are currently being done manually.

Ms. Porter further discussed the cost impact, including a one-time implementation cost of \$4,000.00 and a service package that is purchased based on the number of clients being billed per month. This is a product that can capture Federal financial participation because it's billing healthcare programs. Further discussion ensued regarding the cost and the impact to the 2023 and 2024 budget.

Ms. Roll discussed not currently having a billing system and how everything is being done manually and if this was approved, it would free up a lot of time for other business to be addressed.

Commissioner Gross asked if there was billing not being completed. Ms. Roll stated it's all being done, but it's being done manually through excel spreadsheets which isn't as efficient as it could be.

Commissioner Krabbenhoft mentioned hearing about this program at the Fall conference and asked if this program helps in terms of how the state receives the information, or if they are two separate matters. Ms. Porter stated they're separate. A lot of the systems modernization efforts that AMC and MAX are pushing for are related to the systems in Child Support, Financial Services Division, and Social Services information systems. Those programs do have archaic features that require working with the state on resolving. This program is not connected to the state, however, they do work with the state regarding pulling data from certain systems that need modernization. This would also help automate the billing to Medicaid which the Department of Human Services is connected with.

Discussion ensued regarding technology and staffing.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to purchase Pavillio by Cashe' Software for Billing Public Healthcare Programs.

Request Approval of Final Contract Voucher for SP 1401-191, SAP 014-619-021'

County Engineer Justin Sorum requested approval of the final contract voucher for SP 1401-191 and SAP 014-619-021. This was for the turn lane project in Glyndon, MN. The final amount to be approved is \$517,885.50 and the initial bid was \$551,783.00. It was estimated that there were more contaminated materials than originally found, which resulted in being 6.5% below the original bid.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher in the amount of \$517,885.50 for SP 1401-191, SAP 014-619-021.

Request Approval to Change Requirements to Assistant County Engineer Position

Mr. Sorum discussed how the Assistant County Engineer position has been open for a 18 months with not qualified applicants. Currently, this position requires a four-year bachelor's degree in Civil Engineering and it's recommended to keep that requirement but to also open the applicant pool to allow a four-year bachelor's degree in Construction Management with 5-8 years of experience, or a two-year Technician degree with 7-10 years of experiences. This was discussed at both Highway Tracking and Personnel Issues Committee (PIC).

Commissioner Campbell asked if a Construction Manager (CM) were to be hired, who would be qualified to sign off on documents in the event that Mr. Sorum was absent. Mr. Sorum stated other Counties have had an MOU or agreement of some sort stating that if the County Engineer was gone for a significant amount of time, a Professional Engineer (PE) from another County could sign on their behalf. Commissioner Campbell wanted the Board to be aware of what that might look like.

Commissioner Mongeau asked if Mr. Sorum had even been put in that situation where he needed to sign for other counties. Mr. Sorum stated he hasn't but this past Spring, Becker County did reach out regarding similar issues, but nothing came of it.

Commissioner Gross asked if the Moorhead City Engineer could sign off on things. Mr. Sorum confirmed and stated that as long as the individual has a PE license, they can.

Commissioner Campbell followed up on Commissioner Mongeau's question and stated that in the past, Clay County has had requests from Wilkin and Becker counties to act in a temporary fashion and the previous Engineer did sign on behalf of those counties who were short their Engineer.

Commissioner Campbell asked based on what's being recommended, would those individuals have the knowledge and ability to design and draft plans. Mr. Sorum stated if a CM was hired, it would be preferred that they have experience in road construction. Any pavement design would need to be done by himself as it needs to be done by someone with a PE license.

Commissioner Gross asked if this would change the staffing. Mr. Sorum stated if the market changes, it would be ideal to have another engineer, however, the market is dictating that that's not the case. Commissioner Mongeau offered clarification that the only thing that is being changed are the qualifications for this position, which would allow a larger applicant pool. Commissioner Campbell asked if there would need to be an updated PDQ if the qualifications change. Mr. Sorum discussed after looking at the current PDQ, there is nothing that specifically states the position would sign plans and in his opinion, other than the education requirements, the PDQ wouldn't change because the applicant would still be capable of everything within that PDQ.

Commissioner Gross questioned what would happen if the position was filled by a CM, and then down the road, a licensed PE inquired about the position and what would happen from there. Mr. Sorum stated it's only one position so if it's filled, even by a CM, we wouldn't be looking to fill it with another engineer. County Administrator Stephen Larson stated the goal was to have someone with a PE license, however, realistically there hasn't been an applicant who has those qualifications. This is the best path forward at this time.

Discussion ensued regarding staffing.

Commissioner Ebinger asked if the title should change to the Assistant to the County Engineer. Mr. Sorum stated that has been discussed at Highway Tracking but if a CM was to be hired, it would be recommended that the title change, since that person wouldn't technically be an Engineer.

Commissioner Campbell asked Human Resources Director Darren Brooke for his thoughts regarding the title change. Mr. Brooke stated a title change is doable and if a CM were to be hired, a title change would be appropriate. It would be recommended that the title change to Construction Manager, because if it's titled Assistant to the County Engineer, the meaning leans towards an administrative assistant.

Commissioner Mongeau discussed her thoughts on keeping the title as is, because in the construction world, CM is a very different thing. If the title changes to CM it could limit an Engineer from applying.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to change the requirements for the Assistant County Engineer position as proposed, with final determination of pay grade and step to be evaluated with the Human Resources Department.

Request Approval in Allocating Public Safety Funds Provided by the 2023 Legislature

Mr. Larson provided a background on the previous meetings and timelines regarding the public safety funds.

Sheriff Mark Empting requested approval to allocate \$11,164.00 of public safety fund to move four deputies up one line on grade 18. This item was presented at PIC and it was recommended to bring the request to the public safety meeting as it could potentially affect the 2024 levy. It was determined this request was an appropriate use of public safety funds.

Commissioner Campbell asked if the first year of employment of the two new deputies that were approved at a previous meeting was also coming out of the public safety funds. Sheriff Empting confirmed that was correct.

Mr. Larson discussed the purpose behind the request is due to some current deputies would have been better served to quit their job and then reapply in order to be hired at a higher step, based on the previous advertisement for steps 1-7.

Discussion ensued regarding steps.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the allocating \$11,164.00 in Public Safety Funds to move four deputies one line on grade 18.

Request Approval in Allocating Public Safety Funds Provided by the 2023 Legislature

Mr. Larson requested to allocate public safety funds for two cameras that would be used in various assault cases.

County Attorney Brian Melton stated a lot of times, victims of domestic abuse and strangulation type cases, injuries don't show up for a few days and officers need to return to the victims' days later to gather evidence. The infrared cameras would help streamline the process of gathering such information and will show on the camera the same day of the assault. Overall, it would help with prosecution.

Commissioner Mongeau asked if having an internal service fund has been discussed for the potential replacement of cameras. Mr. Melton stated that piece hasn't been discussed yet and without having the cameras previously, it's hard to determine their lifespan at this point, but recognized that it would be a topic of conversation for future budgets.

On motion by Commissioner Ebinger, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the allocation of Public Safety Funds provided by the 2023 legislature for two cameras in the amount of \$5,200.00.

Request Approval in Allocating Public Safety Funds Provided by the 2023 Legislature

Mr. Larson stated that Clay County received \$942,019 in Public Safety Funding from the 2023 legislature. The Board of Commissioners established a committee which presented recommendations at a Work Group session on September 5th. The funding allows for counties to distribute funds to employees in certain departments.

Mr. Larson discussed stipends and the areas that will be receiving funds, which include the County Attorney's, the Sheriff Deputies and the Correctional Officers.

Commissioner Gross asked if this means the deputies that just received a step increase would also receive the stipend. Mr. Larson stated that was correct.

Commissioner Ebinger stated this provides the County the opportunity to use these funds in a one-time fashion instead of moving people up and impacting the future cost of salaries. This allows us to compensate our personnel without incurring long-term additional debt.

Discussion ensued regarding the allocation of legislative funds for specific departments.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved allocating \$267,265.00 in Public Safety Funds to Sheriff Deputies, Correctional Officers, and County Attorneys.

Discussion ensued regarding left over funds, Medicare and FICA.

Committee Reports/County Administrator Update/Discussions

- Commissioner Mongeau reported on meetings for Lakeland Mental Health Center; FM Diversion Land Management; Solid Waste Advisory Committee; Moorhead-Clay County Joint Powers Authority; fingerprinting meeting with County Administrator Stephen Larson, City of Moorhead Mayor Shelly Carlson, City Manager Dan Mahli and Derrick LaPoint; MetroCOG Policy Board; and Withdrawal Management/Detox Finance Committee.
- Commissioner Campbell reported on meetings for Prairie Lakes Municipal Solid Waste Authority; FM Diversion Land Management; Solid Waste Advisory Committee; Moorhead-Clay County Joint Powers Authority; FM Diversion Authority; Withdrawal Management/Detox Finance Committee; Highway Tracking MNDOT Facility tour and potentially acquiring.
- Commissioner Ebinger reported on meetings for Public Safety Committee; FM Diversion Finance Committee; FM Diversion Authority; and AMC Policy Committee for Chairs & Vice-Chairs.
- Commissioner Krabbenhoft reported on meetings for Historical & Cultural Society and Lakes & Prairie Community Action - CAPLP.
- Commissioner Gross reported on meetings for Highway Tracking MNDOT Facility tour and potentially acquiring.
- County Administrator Stephen Larson reported on meetings for Public Safety Committee; County Management; Solid Waste Advisory Committee; MCCJPA; met with Darren on series of HR issues; Fingerprinting meeting with the City of Moorhead; met with Matt Jacobson regarding property north of Glyndon that's experiencing significant impacts from the Buffalo River; MNDOT facility Tour; Withdrawal Management/Detox Facility Finance Committee; met with Rhonda Porter and Kathy McKay regarding the Federal shutdown; and Assessor

interview's will be conducted later today.

Adjourn

The meeting was adjourned at 10:06 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator