

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, NOVEMBER 7, 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 omitting agenda item number 15.

Trojan Takedown Club Minnesota Lawful Gambling LG240B Application to Conduct Excluded Bingo

By consent, the Board approved the Trojan Takedown Club Minnesota Lawful Gambling LG240B application to conduct excluded bingo.

Sheriff Empting to Recognize Travis & Hunter Owens with the Sheriff's Office Citizen Citation for Distinguished Service

Sheriff Mark Empting read the nomination letter put forth by Sergeant Kyle Diekman to recognize Travis and Hunter Owens for their courageous efforts in assisting the Sheriff's Office on October 8, 2023, by providing aid to an individual who was involved in a serious vehicle crash and awarded them with the Clay County Sheriff's Office Citizen Citation for Distinguished Service Award.

Employee Recognitions

Clay County Recorder Kimberly Savageau was recognized for 20 years with the Recorder's Office.

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 Krabbenhoft, and unanimously carried, the Board approved the bills and vouchers totaling \$1,282,502 from 203 vendors. There were 143 warrants issued under \$2,000 (\$64,424) and the following 60 were over \$2,000.

Clay Co Public Health	\$ 151,693	Forum Communications Printing	\$ 6,279
Quality Concrete, Inc.	\$ 133,785	Becker County Food Pantry Inc	\$ 6,238
Gehertz Construction Services, Inc	\$ 114,327	H & R Construction Inc.	\$ 5,976
Advanced Correctional Healthcare, Inc.	\$ 98,970	Cardinal Health	\$ 5,726

White Cap, L.P.	\$ 84,531	Henning Public School District	\$ 5,219
Specialized Loan Servicing LLC	\$ 63,082	R Travelmart	\$ 5,164
Otter Tail Public Health	\$ 51,988	Amazon Capital Services	\$ 4,927
Mortenson Masonry, Inc.	\$ 51,300	Moorhead Public Service	\$ 4,786
Grotberg Electric Inc	\$ 33,437	Kustom Signals Inc.	\$ 4,681
MinKo Construction, Inc.	\$ 32,087	Bolton & Menk, Inc.	\$ 4,192
Magic Fund	\$ 28,717	Bob Barker (Wcrjc)	\$ 4,159
Prairie Lakes Municipal Solid Waste Auth	\$ 26,028	Axon Enterprises, Inc.	\$ 4,125
CivicPlus, LLC	\$ 19,404	Lloyd's Auto Body Inc.	\$ 3,864
Mattson Excavating, Inc.	\$ 18,625	BDT Mechanical, LLC	\$ 3,667
Klein Mccarthy & Co Ltd	\$ 18,382	Independent School District No. 553	\$ 3,500
Earthwork Services Inc.	\$ 17,593	Sun Control LLC	\$ 3,290
Nitzkowski, Inc.	\$ 17,551	City of Pelican Rapids	\$ 3,118
Historical & Cultural Society Of Clay Co	\$ 16,461	Pro West & Associates Inc	\$ 3,000
WEX Bank - Sheriff	\$ 15,575	First Presbyterian Church	\$ 2,951
Lutheran Social Service Of Mn	\$ 14,721	Rick Electric Inc	\$ 2,921
Central Door & Hardware Inc.	\$ 13,851	Trinity Services Group, Inc.	\$ 2,871
Becker County Public Health	\$ 12,531	Farmers Coop Oil Co	\$ 2,856
Johnson's Auto Repair LLC	\$ 11,929	City of Perham	\$ 2,800
Xcel Energy	\$ 11,154	Pace Analytical Services, Inc.	\$ 2,760
City of Detroit Lakes	\$ 10,000	Medical Pharmacy (PH)	\$ 2,522
Powerplan	\$ 9,711	Rob Bentz Lock & Key, LLC	\$ 2,363
City Of Moorhead	\$ 8,069	Stein's Inc	\$ 2,289
Wilkin Co Public Health	\$ 7,061	Kurita America, Inc.	\$ 2,164
Code 4 Services, Inc	\$ 6,698	Ramsey County Med Exam	\$ 2,079
Town & Country Oil Inc.	\$ 6,305	Sanford Health	\$ 2,000

Approval of Minutes from October 17 & 24, 2023

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the minutes from October 17 & 24, 2023.

Request Approval to Submit Notice of Interest to Apply to the FEMA Hazard Mitigation Assistance Grant Program

Planning & Zoning Director Matthew Jacobson requested approval to submit notice of interest to apply to the FEMA Hazard Mitigation Assistance Grant Program on behalf of Chad and Shauna Dubuque. The Dubuque's live just north of Glyndon, Minnesota along the Buffalo River and are experiencing sever rotational bank slumping. A majority of the erosion took place throughout the summer and has moved fast & suddenly and in some cases the ground has dropped upward of three feet, threatening the septic system, and getting close to the home as well. A variety of agencies including the Soil and Water Conservation District (SWCD), Natural Resources Conservation Service (NRCS) Engineering, Clay County Environmental Health, Buffalo Red River Watershed District (BRRWD) and Houston Engineering, have been to the property to investigate the issues. Their thoughts were the costs of addressing this through a mitigation strategy would far exceed any benefits and if something could be done, there is no guarantee it would work. After discussing with the homeowner/landowner and the

State of Minnesota Department of Homeland Security and Emergency Management, they thought it was a good idea to pursue an acquisition.

Mr. Jacobson referenced the map and stated a lot of property is in the floodway, but the house is not in the floodplain and wouldn't be eligible for any flood mitigation assistance dollars. Therefore, it wouldn't be a flood buyout per se, so the options for funding are limited, because it's really an erosion-based hazard. The notice of interest is essentially informing the state and FEMA that if there are funds available, the County, on behalf of the landowner, would apply for those funds. Funding is not guaranteed, but this would be the first step in being invited to submit an application. If the notice of interest results in an invitation to apply, approval by the Board will be sought out. As part of the Notice of Interest, a detailed breakdown of the potential costs must be provided. How it would work would be a 75/25 Federal/Local share. At this time neither the County nor the BRRWD have any flood buyout funds available. Thus, 75% would come from the Federal Government and the 25% would come from the landowner or other funding, if available in the future.

Mr. Jacobson stated he worked with the Wild Rice Watershed District (WRWD), who has pursued a number of flood buyouts in the past, as well as Houston Engineering, to come up with the total project cost of \$511,835. The federal share would be \$383,876.25 and \$127,958.75 would be the local cost share.

Commissioner Krabbenhoft asked what would happen with the property in the meantime. Mr. Jacobson stated because this issue is based on erosion, the funding would be predicated on a geotechnical report. That report would need to demonstrate that there has been a certain 20% rate of erosion annually, over a five-year period.

Discussion ensued regarding cost, mitigation process, and future erosion.

Commissioner Gross asked if moving the house was a possibility. Mr. Jacobson stated if the house is moved to another location on the property, all funding would be required by the landowner and it's possible that the erosion has slowed or stopped for the foreseeable future, but there is no way of telling without the geotechnical report. The plan would be to try and make sure that the integrity of the septic system is there and not compromised, which is the piece of this property that's at the greatest risk.

Commissioner Campbell asked if the grant application that the County would complete would need to include the geotechnical work to be done as part of the process. Mr. Jacobson confirmed that was correct and stated that would be part of the pre-award costs. Commissioner Campbell asked whose responsibility that would be. Mr. Jacobson stated it would be the responsibility of the landowner.

Discussion ensued regarding future erosion and concern with neighboring properties and funding.

Commissioner Campbell asked if any difference was noticed in the slumping after the spring flood this year. Mr. Dubuque stated the flooding happened in May and the slumping started in June. Between June to August is when the ground fell three feet. Commissioner Campbell discussed how a state of emergency was declared for the 2023 flood and wondered if this could be submitted as a potential claim. Mr. Jacobson stated he did discuss the slumping with the Emergency Management Director Gabe Tweten but had not ask if could be covered under the state of emergency and will certainly discuss further with Mr. Tweten.

Discussion ensued regarding the septic tank and other properties in the area.

Commissioner Campbell asked if there is an opportunity to encompass the general area within the grant rather than on single parcel, especially if the erosion will continue to other properties and roads. Mr. Jacobson stated it was his understanding that it had to be lot specific, but there could be some earlier mitigation strategies for properties to the west. He will check with the state to see how other jurisdictions have handled multiple properties.

Commissioner Campbell asked for Mr. Jacobson to be in contact with the Department of Natural Resources (DNR) regarding their thoughts on what the potential erosion could be on neighboring properties.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to submit a Notice of Interest to apply to the FEMA Hazard Mitigation Assistance Grant Program on behalf of Chad and Shauna Dubuque.

Recognition - Proclamation for 2023 Fargo Moorhead Metropolitan Region National Apprenticeship Week

Building Trades Unions State President Jason Ehlert discussed the Registered Apprenticeship Program and asked to consider the joint proclamation in recognizing National Apprenticeship Week.

Commissioner Mongeau read the proclamation for 2023 Fargo Moorhead Metropolitan Region National Apprenticeship Week.

Commissioner Mongeau discussed the opportunity to attend the joint proclamation reading that took place last year at the facility and the tour that was given by some of the apprentices in training, along with the strong commitment to workforce training that Moorhead Public Schools has done with their career academy. She thanked Mr. Ehlert for his work and the visibility that he brings to these programs as they are a vital aspect of the community.

Commissioner Campbell echoed Commissioner Mongeau's comments thanking Mr. Ehlert for his efforts in promoting this and stated that years ago, it was common for young adults to attend a university, but never has there been a time like today where the trades offer a way of living. The fact that these programs are out there encourages young adults to know that there is an alternative choice.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board read and adopted the Fargo Moorhead Metropolitan Region National Apprenticeship Week Proclamation.

Request Approval of Resolution 2023-21 to be the Sponsoring Agency for LRIP Grant

County Engineer Justin Sorum stated the resolution is from the City of Hawley who is requesting sponsorship on a LRIP application for improvements on 8th street. Local Road Improvement was funded this year, and the County must sponsor the small cities in order for them to receive the funds and then it will be a state aid project. This is the first step in applying for the funds.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved Resolution 2023-21 to be the sponsoring agency for the LRIP application for improvements on 8th street in Hawley.

RESOLUTION 2023-21
RESOLUTION OF SUPPORT FROM SPONSORING AGENCY

WHEREAS, Local Road Improvement Project (LRIP) funds are available for local agency projects meeting Routes of Regional Significance criteria; and

WHEREAS, Non-State aid cities and townships must have a county sponsor to apply for LRIP funding; and

WHEREAS, the City of Hawley has requested that Clay County sponsor its application for the improvements of 8th Street South; and

WHEREAS, the City of Hawley understands that it will be responsible for all costs not covered by LRIP funding including all engineering and right of way costs and any construction costs over the funding cap; and

WHEREAS, the City of Hawley will maintain the road for the lifetime of improvements; and

WHEREAS, Clay County will have the following responsibilities if the City of Hawley is successful and awarded LRIP funds.

- Be the fiscal agent on behalf of the community and have funds flow from MnDOT to the county to the contractor
- Request SAP/SP number for the project
- Ensure the project meets milestones and dates
- Assist local agency in execution of a grant agreement
- Develop, review and/or approve the plan
- Submit plan, engineers estimate, and proposal to the DSAE
- Advertise, let, and award the project
- Submit pay requests to State Aid
- Communicate progress and updates with the DSAEs and State Aid Programs Engineer
- Ensure that the project receives adequate supervision and inspection
- Assist with project close out

NOW, THEREFORE, BE IS RESOLVED, the County of Clay hereby sponsors the City of Hawley's application for LRIP funding for the improvements to 8th Street South.

Request Approval of Resolution 2023-22 to be the Sponsoring Agency for LRIP Grant

Mr. Sorum stated the resolution is from the City of Hawley who is requesting sponsorship on a LRIP application for improvements on 15th street.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved Resolution 2023-22 to be the sponsoring agency for the LRIP application for improvements on 15th street in Hawley.

RESOLUTION 2023-22

RESOLUTION OF SUPPORT FROM SPONSORING AGENCY

WHEREAS, Local Road Improvement Project (LRIP) funds are available for local agency projects meeting Routes of Regional Significance criteria; and

WHEREAS, Non-State aid cities and townships must have a county sponsor to apply for LRIP funding; and

WHEREAS, the City of Hawley has requested that Clay County sponsor its application for the improvements of 15th Street; and

WHEREAS, the City of Hawley understands that it will be responsible for all costs not covered by LRIP funding including all engineering and right of way costs and any construction costs over the funding cap; and

WHEREAS, the City of Hawley will maintain the road for the lifetime of improvements; and

WHEREAS, Clay County will have the following responsibilities if the City of Hawley is successful and awarded LRIP funds.

- Be the fiscal agent on behalf of the community and have funds flow from MnDOT to the county to the contractor
- Request SAP/SP number for the project
- Ensure the project meets milestones and dates
- Assist local agency in execution of a grant agreement
- Develop, review and/or approve the plan
- Submit plan, engineers estimate, and proposal to the DSAE
- Advertise, let, and award the project
- Submit pay requests to State Aid
- Communicate progress and updates with the DSAEs and State Aid Programs Engineer
- Ensure that the project receives adequate supervision and inspection
- Assist with project close out

NOW, THEREFORE, BE IS RESOLVED, the County of Clay hereby sponsors the City of Hawley's application for LRIP funding for the improvements to 15th Street.

Request Approval of the Final Contract Voucher for SP 014-652-016

Mr. Sorum requested approval of the final contract voucher for SP 014-652-016 which was a mill and overlay project on CSAH 52 from Sabin to Moorhead and was completed in 2022. The final amount to be approved is \$3,534,786.76 and the original bid was \$3,497,284.49.

Commissioner Campbell asked where the funds would come from to cover the difference. Mr. Sorum stated it would be covered by state aid, and there were federal funds on this project as well.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the final contract voucher for SP 014-652-016 in the amount of \$3,534,786.76.

Commissioner Campbell stated at the last intergovernmental meeting there was some discussion about DGF schools raising the issue on 7th street and asked if Mr. Sorum had any discussions with them to bring forth an LRIP application for that street. Mr. Sorum stated he did meet with the city in the past when they met with Senator Kupec, and they were going to get an earmark for that project, but he hasn't discussed LRIP funding with them, but he will.

Request Approval of Resolution(s) 2023-23 and 2023-24 to Support Petitions for Buffalo Red River Watershed District to Utilize Taxing Authority

Buffalo Red River Watershed District (BRRWD) Administrator Kristine Altrichter introduced BRRWD Managers, Curtis Stubstad, Gerald Van Amburg and William Davis. Ms. Altrichter requested approval of two petitions for the BRRWD to utilize taxing authority under Minnesota Watershed Law 103D.905. This statute grants taxing authority to watershed districts for basic water management activities, if petitioned for by a political subdivision.

Clay County accounts for about 73% of the districts tax base, based on taxable market value. In 2024 the BRRWD is requesting the Clay County Board of Commissioners to consider two petitions. One petition is for an assessment in the amount of \$760,000, these funds will be used as contributions to the four Soil and Water Conservation District partners within the district for their programs such as Conservation Marketing, Soil Health Practices and Technical Assistance. These funds will also be used for education & outreach and watershed wide programs & activities such as stream gauging operations through the US geological service and the MN Department of Natural Resources, water quality monitoring programs, permitting and investigations of water related concerns brought to the Board by landowners. The second petition is in the amount of \$837,519.23 and these funds will contribute to project design and construction for projects such as the Barnesville Township Project, Stony Creek Restoration Project, and the Glyndon East Tributary Restoration Project. They will also be used as leverage for grant funds obtained through state and federal grant programs.

The assessment to the landowners of the district will be about \$19.39 per \$100,000 of land value throughout the district.

Commissioner Gross asked if any of these qualify for the One Watershed One Plan. Ms. Altrichter stated that some of the activities would qualify for that but with our funds we have very active Soil and Water Conservation Districts and the funding is spent very quickly.

Commissioner Campbell asked how these numbers compare with last year's numbers. Ms. Altrichter stated the two petitions from last year were both for \$754,234.61 and that was the maximum that was able to be assessed based on the overall taxable market value for the district.

Commissioner Krabbenhoft asked if the Watershed District had expanded. Ms. Altrichter stated no, as that took place in 2012. Commissioner Krabbenhoft asked if River Keepers was included in this. Ms. Altrichter stated as shown in the breakdown within the packet, River Keepers is included. Discussion ensued regarding River Keepers.

Commissioner Mongeau recognized the BRRWD for being active in securing grant funding and partnerships for projects and thanked them for their efforts.

Commissioner Gross asked how this would affect the 2024 levy. County Administrator stated yes, it's an increase, but it would be shown in a separate column and would not affect the Clay County levy.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Mongeau, and unanimously carried, the Board approved Resolution 2023-23 to support petition for Buffalo Red River Watershed District to utilize taxing authority.

**Resolution 2023-23
APPROVING 2024 GENERAL TAX LEVY PETITION #1-
BUFFALO-RED RIVER WATERSHED DISTRICT**

WHEREAS, pursuant to Minnesota Statute Annotated (M.S.A.) 103D.905, Subd. 3, and any other applicable statutes, the Clay County Board of Commissioners hereby petitions for a one-year (2024) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$837,519.23) to pay the costs attributable to the basic water management features of projects and programs within the Buffalo-Red River Watershed District (BRRWD);

WHEREAS, the BRRWD Board of Managers have set the 2024 assessment for the basic water management features of projects and programs #1 under M.S.A 103D.905, Subd. 3 at \$760,000.00 during their Budget Hearing held August 14, 2023; and

WHEREAS, the BRRWD per M.S.A 103D.905, Subd. 3, will use these funds to provide financial support for projects and programs including: the Red River Basin Commission (\$25,000.00) and River Keepers (\$65,000.00), Soil and Water Conservation Districts, water quality monitoring, log jam removal, stream channel restoration projects, flood damage reduction (fdr) projects, natural resource enhancement (nre) projects, and other watershed-wide activities.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners that the Board does hereby petition for the use of said levy by the Board of Managers, BRRWD, in 2024, as discussed at the BRRWD annual budget hearing, August 14, 2023.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Mongeau, and unanimously carried, the Board approved Resolution 2023-24 to support petition for Buffalo Red River Watershed District to utilize taxing authority.

**Resolution 2023-24
APPROVING 2024 GENERAL TAX LEVY PETITION #2-
BUFFALO-RED RIVER WATERSHED DISTRICT**

WHEREAS, pursuant to Minnesota Statute Annotated (M.S.A.) 103D.905, Subd. 3, and any other applicable statutes, the Clay County Board of Commissioners hereby petitions for a one-year (2024) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$837,519.23) to pay the costs attributable to the basic water management features of projects and programs within the Buffalo-Red River Watershed District (BRRWD);

WHEREAS, the BRRWD Board of Managers have set the 2024 assessment for the basic water management features of projects and programs #2 under M.S.A 103D.905, Subd. 3 at \$837,519.23 during their Budget Hearing held August 14, 2023; and

WHEREAS, the BRRWD per M.S.A 103D.905, Subd. 3, will use these funds as funding sources and grant match for project such as the South Branch Buffalo River Restoration, Stony Creek Water Resource Management, Lower Otter Tail River Restoration, Whiskey Creek Enhancement, and Glyndon East Tributary Restoration.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners that the Board does hereby petition for the use of said levy by the Board of Managers, BRRWD, in 2024, as discussed at the BRRWD annual budget hearing, August 14, 2023.

Commissioner Mongeau asked that there be information stated for the record regarding hunting on BRRWD land. Ms. Altrichter stated currently we do not authorize hunting with our projects and that the BRRWD has obtained easements to construct and maintain the projects, but the landowner still maintains full ownership, therefore, hunting is not authorized. Historically, hunting in Oakport has been authorized, however, for the past few years that has not been allowed as it's in the process of being transferred to the City of Moorhead.

Commissioner Campbell stated that one of the issues that the BRRWD is taking the lead on is the projects around Georgetown regarding the FM Diversion project and based on the timeline, the hope is to have the project operational by the Spring of 2027. Commissioner Campbell asked if there was any insight in working with MnDOT or others to ensure that Georgetown would be completely flood proof for the 100-year flood. Ms. Altrichter stated Houston Engineering is currently working through that process, and they've initiated the conversations with MnDOT and the railroad. They're working on finalizing plans now and we're hoping to do some land acquisitions starting in 2024 and then start working on construction in 2025.

Discussion ensued regarding the FM Diversion project.

Request Approval to Waive Tax Penalties and Interest for Phoenix Rising Real Estate for Year 2020

Deputy Treasurer Annette Mahler requested approval to waive tax penalties and interest on behalf of Phoenix Rising Real Estate for the year 2020. All subsequent years have been paid for in full. Phoenix Rising was able to acquire a loan to pay for the 2020 taxes in the amount of \$69,700 and would request that the interest and tax penalties of \$31,602.18 be waived, due to being closed during the COVID-19 Pandemic.

Commissioner Gross discussed not wanting to start a trend by waiving taxes from 2020, as a lot of businesses were closed for the same reasons. Mr. Larson discussed a similar request that took place in 2020 and the Board decided, per the policy that was established, that the request fell under the emergency standpoint of the pandemic.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to waive tax penalties in the amount of \$31,602.18.

BREAK

The Board took a break from 9:35 a.m. to 9:41 a.m.

Request Approval for Out-of-State Travel for the GIS Specialist

Information Services Director Mark Sloan requested approval for out-of-state travel for the GIS Specialist to attend the ESRI User conference in San Diego, California in July 2024. Attending the conference is included in the Enterprise License Agreement, therefore the only cost to the County would be travel expenses, which have been included in the 2024 budget.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved out-of-state travel for the GIS Specialist.

Request Approval of Salary Adjustment for Detox RN Supervisor Applicant

Detox Director Troy Amundsen and Public Health Administrator Kathy McKay requested approval of a salary adjustment for the Detox RN Supervisor Applicant.

Mr. Amundsen stated the Detox RN position has been open for more than 8 months with no qualified applicants. A recent application was received from an applicant who has almost 5 years of experience being a Registered Nurse with clients experiencing mental health disorders, homelessness, and substance-use disorders. She has previously worked as an LPN and variable hour RN within Detox. This applicant holds a bachelor's degree in nursing and has her MN nursing license. Her current salary is higher than what the application offers, therefore, it's requested that the salary be adjusted to grade 20 step 5 at \$38.52.

Commissioner Mongeau stated both her and Commissioner Gross were part of the discussion to make this change, which is why there's the recommendation. Given the amount of time it's taken to fill this position and particularly because of the new Withdrawal Management/Detox Facility, felt that it was imperative to have someone in this position and felt that the adjustment was warranted.

Commissioner Campbell clarified that the grade would remain the same, and that it was just the step that was being adjusted. Commissioner Mongeau confirmed that was correct.

Commissioner Gross asked if this would surpass anyone else who is currently employed. Mr. Amundsen stated no, as there were no internal applicants. Ms. McKay stated this wouldn't surpass any of the other supervisors at this time.

On motion by Commissioner Ebinger, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to offer grade 20, step 5 for the Detox RN Supervisor applicant.

Request Approval to Replace Vacated Public Health RN

Ms. McKay requested approval to replace the vacated Public Health RN due to recent resignation. This position is in the adult health programs area and is a full-time position, but it will also be advertised as part-time in case there is a candidate who is interested in a .8 position.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to advertise and recruit either a full-time or part-time Public Health registered nurse.

Request Approval to Purchase IT Equipment for New DMV

Technology Services Director Rory Schmitz requested approval to purchase IT equipment for the new DMV and presented two quotes and select the lessor of the two. Funding for this equipment has already been approved through FF&E for the project.

The first quote is from GDW in the amount of \$42,703.32 and the second quote is from High Point Networks in the amount of \$38,083. It's recommended to proceed with the low quote of \$38,083 from High Point Networks. \$38,000 was allocated in the FF&E budget for the project, and the quote is over that allotment, but there is a \$5,000 contingency fund, which will be used to cover the overage.

Commissioner Campbell asked if this equipment would be tied in with Network Center. Mr. Schmitz stated this is different equipment outside of cameras and security controls.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the low quote from High Point Networks for IT networking equipment for the new DMV building in the amount of \$38,083.00.

Request Approval of Law Enforcement Office Associates Contract for 2024 and 2025

Human Resources Director Darren Brooke requested approval of Law Enforcement Office Associates Contract for 2024 and 2025. This is a newly formed bargaining unit made up of law enforcement office associates. Negotiations were held throughout 2023 and a tentative agreement was reached in October 2023. This was discussed at the Personnel Issues Committee as well as during a Closed Session last week.

This would be a two-year contract and would start January 2024 and go through 2025, which would bring us back in line with the rest of the bargaining units. The contract would reflect a 3% wage adjustment from the current 2023 grid in 2024 and 3% in 2025 as well, Juneteenth and ½ day on Christmas Eve holiday added to the calendar, the ability to use vacation and sick as accrued, shorten the grid from 2-year steps to one-year steps in 2024, conduct market study in 2024 to implement in 2025, and no more than 40 hours banked comp time.

The only difference with this union is that they are a nonessential group, which means they would have the ability to go on strike, however, they would rather deal with grievances through the arbitration process.

Commissioner Ebinger stated it's good that there isn't a potential for them to go on strike.

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the Law Enforcement Office Associates Contract for 2024 and 2025.

Commissioner Mongeau stated Governor Walz signed a Proclamation removing the 4-year degree requirement on job applications and asked if more has been done with that. Mr. Brooke stated he would like to discuss that further at the upcoming managers' meeting to get their input.

Discuss Funding for Facility Projects and Request Permission of the Clay County Commission to Move Forward with Securing Bonding Dollars

Mr. Larson stated On October 17, 2023, the Board approved the bid of \$6,448,880.14 for the new DMV Facility and indicated that the funding would require the use of bond funds.

Mr. Larson gave a presentation on funding for facility projects and the key areas that need to be identified as bonding is considered which included bonding for the DMV project, the funding gap for the Withdrawal Management/Detox facility project, the remodel of existing Detox Facility in the Family Service Center, the remaining funds from the Correctional Center/Law Enforcement Center project, and the Finance Committee recommendations.

Commissioner Campbell referenced the presentation and stated that the \$1,546,951.96 from the Correctional/Law Enforcement Center project are the funds that the Board has the ability to transfer to the general fund. Those funds would then be committed to the Withdrawal Management/Detox Facility funding gap. After that, the \$380,955 would become the new shortfall. It was discussed to add the shortfall of \$380,955 to the approved bid of \$6,448,880 which equate to a total of \$6,829,835. This would hopefully take care of the finance needs for the DMV and the shortfall from the Withdrawal Management/Detox Facility. Lastly, the third component that was discussed was what to do with the Family Service Center once the current Detox moves to the new location. From a finance standpoint, because there's still so much to be determined, it was decided that incorporating those funds into this was not necessary at this time.

Discussion ensued regarding contingencies and winter conditions regarding the DMV project.

Commissioner Mongeau stated this was discussed for quite some time while trying to figure out which package made the most sense and looking to inform the Board about where funds would be pulled from. It's exciting to be able to build two new, fairly large facilities to meet the needs of our community, with the amount allotted. And when it comes down to the bonding piece, what's been discussed makes the most sense, it's just what the Board wants to determine on the funding. And when it comes to the space needs for the old Detox, that needs to be a Board dialog or a work session, where a tour of the facility takes place, to really determine what can fit and how to fund that remodel.

Commissioner Ebinger echoed previous comments and stated that the 15-year bond would be the best approach.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to transfer local funding used for the Correctional Facility/Law Enforcement project to the General Fund totaling \$1,546,951.96.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to commit the \$1,546,951.96 to the Withdrawal Management/Detox Facility funding gap.

Commissioner Krabbenhoft asked how often rates change when bonds are set up and if rates can be adjusted over the 15 years. County Auditor-Treasurer Lori Johnson stated rates can be refunded after a certain period of time has passed. So, if interest rates drop, a bond refunding can be done. The County's bond consultants frequently look at rates for this purpose.

Committee Reports/County Administrator Update/Discussions

- Commissioner Mongeau reported on meetings for Tax discussion with legislatures; FM Diversion Land Management; conversations with Red River Communications; discussion at the Clay County Highway Department with representatives from the school districts regarding school bus routes and inclement weather; meeting with a constituent regarding policy and what is allowed on County owned property; Red River Basin Committee; Final First Friday Update with the Cass Clay Food Commissioner; Finance Committee.
- Commissioner Campbell reported on meetings for Prairie Lakes Municipal Solid Waste; Finance Committee; FM Diversion Land Management; SWAC; MCCJPA; Diversion Board of Authority; West Central Rural Water District Work Group; Finance Committee; Clay County Intergovernmental Committee; and met with Steve Larson and Brian Melton regarding the WCRWD MOU.
- Commissioner Ebinger reported on meetings with Senator Kupec; Diversion Authority Finance Committee; Diversion Board of Authority; and Diversion Authority Lunch and Learn.
- Commissioner Krabbenhoft reported on meetings for discussion regarding UMN Extension Educator; Adult Mental Health LAC; Clay County Intergovernmental Committee; Childrens Mental Health LAC; Moorhead City Planning.
- Commissioner Gross reported on meetings for open house for rural Minnesota concentrate employment program; broadband presentation with Red River Communications; discussion at the Clay County Highway Department with representatives from the school districts regarding school bus routes and inclement weather; and met with Steve Larson and Brian Melton regarding the WCRWD MOU.

- County Administrator Stephen Larson reported on meetings for County Management; discussion with Janelle Cheney; Finance Committee; Administrators meeting with Mike Redlinger from the City of Fargo and Rober Wilson from Cass County; SWAC; MCCJPA; Risk Management Policy Committee; number of discussions regarding MOU for the WCRWD; Withdrawal Management/Detox Facility & DMV Finance meeting; met with Brian Melton on a series of County issues; Department Head evaluation; met with Rhonda Porter regarding social services issues; and Intergovernmental Committee; NACO Operation Green Light; City of Fargo homeless task force and to have a representative from this Board present at those task force meetings; and reminded citizens of being closed on Friday, November 10, 2023 for Veteran's Day.
- Communications Coordinator Jacqueline Finck reported on the MAGC conference.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board appointed Commissioner Ebinger to the City of Fargo Homeless Task Force and for it to be added to his committee assignment with per diem.

Adjourn

The meeting was adjourned at 10:45 a.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator