

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, DECEMBER 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, HR Director/Asst. Administrator Darren Brooke, and Communications Coordinator Jacqueline Finck.

Call to Order

Commissioner Gross called the meeting to order at 8:30 a.m.

Approval of Agenda

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the agenda with the agenda addition: Request Approval of K-9 Purchase Agreement Between the City of Moorhead and Clay County.

Contract with Audacious Inquiry for Minnesota Encounter Alert System

By consent the Board approved the contract with Audacious Inquiry for Minnesota Encounter Alert System.

Citizens to be Heard

There were no citizens to be heard.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the bills and vouchers totaling \$432,713 from 119 vendors. There were 89 warrants issued under \$2,000 (\$37,138) and the following 30 were over \$2,000.

Clay County Social Services	\$ 60,055	Treas Of Ulen City	\$ 5,537
Swanston Equip Corp	\$ 50,885	High Point Networks, LLC	\$ 5,259
Trinity Services Group, Inc.	\$ 40,839	MN State Community & Technical College	\$ 5,250
City Of Fargo	\$ 36,303	Mickelson Body Shop, Inc.	\$ 4,707
Houston Engineering Inc	\$ 34,082	Melanie Ferris Consulting, LLC	\$ 4,650
Randall's Excavating, Inc.	\$ 23,034	Medical Pharmacy (WCRJC)	\$ 4,439
MN Counties Computer Coop	\$ 16,224	Moorhead Public Service	\$ 3,838
Xcel Energy	\$ 15,067	Wegner Psychological & Therapeutic Svc	\$ 3,750
Enterprise FM Trust	\$ 14,244	Association Of Minnesota Counties	\$ 3,600
Elan Financial Services	\$ 9,682	Solutions Behavioral Health PC	\$ 3,452
Verizon-386550144	\$ 8,421	Johnson Controls, Inc.	\$ 3,375
Marco Technologies LLC	\$ 8,335	ANJAAM HOLDINGS, LLC	\$ 2,770
Nitzkowski, Inc.	\$ 7,973	Creating Community Consulting	\$ 2,756
Otter Tail Public Health	\$ 6,456	West Central Regional Juvenile Center	\$ 2,511

Fuchs Sanitation Inc

\$ 5,763

Green View Inc.

\$ 2,309

Clay County Treatment Court Update

Treatment Court Coordinator Kristal Kadrie, Honorable Judge Merkins, and Honorable Judge Rosenfeldt presented an update on treatment court.

Ms. Kadrie discussed making changes and updating the space in which treatment court takes place, implementation of a new handbook and manual, Veterans court, the beginning stages of DWI court, expenses, and current funding.

Judge Merkins and Judge Rosenfeldt thanked the Board for all their support and applauded Ms. Kadrie for the work that she's done.

Commissioner Campbell discussed the success of the program and stated that the allocated funds were a great investment.

Discussion ensued regarding the timeline and funding for the up-and-coming DWI court, the differentiation between drug court, DWI court and Veteran's court and the expenses.

Commissioner Mongeau extended her thanks for the programs that are in place and is appreciative of the potential that DWI Court could bring.

Commissioner Ebinger discussed the value of Drug Court and what it brings to people's lives and that the Board recognizes this and is in support of these programs.

Derrick LaPoint, Downtown Moorhead INC, President/CEO - Information Sharing

President/CEO of Downtown Moorhead INC, Derrick LaPoint provided an annual overview pertaining to economic development in the City of Moorhead and Clay County.

Mr. LaPoint discussed commercial and industrial growth, the downtown Moorhead project, the Moorhead Cultural Mall project, partnerships & communication, Legislative process, the leadership group, and business support.

The board thanked Mr. LaPoint for the update and his work on economic development in Clay County and the City of Moorhead.

AGENDA ADDITION: Request Approval of K-9 Purchase Agreement Between the City of Moorhead and Clay County.

Sheriff Mark Empting requested approval of the K-9 Purchase Agreement between the City of Moorhead and Clay County. Zach Johnson is a new hire to the Sheriff's Office, who comes to Clay County from the Moorhead Police Department (MPD). Mr. Johnson is currently a K-9 handler with the City of Moorhead. Moorhead Police Chief Shannon Monroe approached the Sheriff's Office about purchasing K-9 Cash in relation to Mr. Johnson's transition from MPD to the Sheriff's Office. K-9 Cash will be six years old and still has service life in him. This would be a good benefit to the County, and it has been assured to Chief Monroe that all Sheriff's Office K-9's will be available to the City of Moorhead, due to the unfortunate event of losing K-9 Zeke a few weeks prior. No additional funds are needed for this purchase and the agreement has been reviewed by the County Attorney.

Commissioner Ebinger asked if there will be a cost for a squad K-9 fit up. Sheriff Empting stated there

will be additional costs for that and it will be brought forth at a later Board meeting.

On motion by Commissioner Ebinger, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the K-9 Purchase Agreement between the City of Moorhead and Clay County.

Request Approval to Pay Moorhead Public Service - Resource Recovery Center Project (RRC)

Solid Waste Manager Corey Bang stated that in reviewing the Resource Recovery Center (RRC) project billing, it was discovered that there had been a missed bill from Moorhead Public Service to provide power and fiberoptic to the new RRC that totaled \$21,400. After discussing with the involved parties of the RRC project, it's evident that the bill was approved on a verbal basis but did not receive full approval by the Board of Commissioners.

Discussion ensued regarding information on how the bill was missed.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved payment to Moorhead Public Service totaling \$21,400.00 as a part of the Resource Recovery Project.

Request Approval for Allocating Public Safety Aid Funds for NG-911 GIS Data Validation Assistance

Information Services Director Mark Sloan stated Next Generation 9-1-1 (NG-911) systems utilize Geographic Information System (GIS) data to accurately identify the location of callers, properly route calls to the appropriate call center, and dispatch the correct emergency responders. Each county in Minnesota is responsible for delivering GIS data to the NG-911 system.

As Clay County GIS staff prepare the data for use in NG-911, a series of validation steps needs to be completed. GIS data validation checks the accuracy of information and ensures that the data is in compliance with state standards. While most of the work has been completed by County GIS staff, assistance from an outside vendor, Pro-West and Associates, has been utilized. Budgeted funding for the contractor assistance has been expended, and GIS staff request the allocation of Public Safety Aid funds to continue the work. The State of Minnesota has requested that NG-911 GIS data validation be completed by the end of 2023.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board approved the allocation of \$20,900 in Public Safety Aid funds to utilize Pro-West and Associates staff in assisting with NG-911 GIS Data Validation.

Request Approval of Letter of Support for the Moorhead Cultural Mall Project

Executive Director of the Immigrant Development Center Fowzia Adde shared a presentation discussing the vision, goals and potential funding mechanisms for the establishment of the Moorhead Cultural Mall Project and has requested a letter of support from the Clay County Board of Commissioners for this project.

The Moorhead Cultural Mall will be more than a business center; it is envisioned as a cultural crossroads where residents and visitors can experience global diversity, stimulate the local economy, foster educational opportunities, and enhance quality of life.

Discussion ensued regarding the structure of the building and the opportunities that this center can provide.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved providing a letter of support for the Moorhead Cultural Mall Project.

Request Approval of Agreement with BNSF for 11th Street Underpass Project

County Engineer Justin Sorum stated that as part of the 11th street underpass project, an agreement must be executed with Clay County and MNDOT for the respective bridges that will be built as a part of the project. This agreement only encompasses maintenance activities that will take place post construction, as BNSF has taken ownership of the bridge.

Discussion ensued regarding the cost impact of \$1.5 million, construction prices and state dollars that were provided.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the BNSF Contract Number: BF: 20246690 for the 11th Street Underpass Project.

Request Approval to Hire Assistant County Engineer Position

Mr. Sorum stated that the highway tracking committee recently held interviews for the Assistant County Engineer position which has been open since June of 2022. One candidate stood out above the rest and due to his experience, it's requested to offer the position at Grade 21, Step 5.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to hire Assistant County Engineer position at Grade 21, Step 5.

Break

The Board took a break from 10:07 to 10:12 a.m.

Request Approval for Clay County's 2024 Legislative Priorities

County Administrator Stephen Larson stated on November 14th, 2023, the Clay County Board of Commissioners held a work group to identify specific legislative priorities for the upcoming 2024 Minnesota Legislative Session. After listening to presentations and discussion, the Board brought forward the following priorities for consideration;

1. Flood Diversion Funding

Commissioners Campbell and Mongeau discussed the needs of Clay County, flood mitigation, and the message in supporting the full funding of \$52.42 million dollars to complete Minnesota's financial needs for this project.

2. 911 Emergency Response Funds

Commissioner Ebinger discussed the vast difference in the percentage of funds that's returned to Clay County versus Cass County for 911 fees, Next Generation 911, and equipment replacement.

3. Mental Health Acuity - Psychiatric Residential Treatment Facility (PRFT)

Commissioners Krabbenhoft and Mongeau discussed the partnerships, community conversations and identifying the needs in this area for a Psychiatric Residential Treatment Facility.

Commissioner Mongeau stated once these are finalized it's suggested to have a meeting with Senators Johnson and Kupec and Representatives Joy, Keeler, and Kiel, to share and discuss these legislative priorities, where they come from and why.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the Clay County's 2024 Legislative Priorities.

Request Approval of Resolution 2023-35 Adopting the Clay County 2024 Budget

Mr. Larson requested approval of the Clay County 2024 budget and Resolution 2023-35. Mr. Larson stated the budget discussion process began in May 2023 with Department Heads formulating their requests for resources for 2024, those were then presented to this Board for consideration. On December 12, 2023, Truth in Taxation was held, which allowed additional feedback from this Board and citizens regarding the budget. Mr. Larson requested approval of the overall budget with expenditures totaling \$113,671,318 and Resolution 2023-35 which establishes the levy dollar amount totaling \$42,486,797. This is \$114,903 lower than what was presented at Truth in Taxation, which brings the request down from 3.89% to a 3.6% increase. The 2024 budget includes a 3% increase to all grids including elected officials, setting the Board of Commissioners wages at \$37,024 for 2024

Commissioner Campbell proposed a reallocation of funds between the Fargo Moorhead Economic Development Corporation (FMEDC) and Downtown Moorhead Inc. (DMI). The proposed idea is to reduce the ask of \$110,000 to \$85,000 for the FMEDC and reallocate that \$25,000 to DMI, resulting in an appropriation of \$50,000. This reallocation won't take away from the FMEDC nor does it change the total overall budget. The area where the Board could be helpful is in funding what Mr. LaPoint (DMI) discussed earlier in the meeting. This would not only be good for the City of Moorhead, but also for the rural cities within the County as well.

Discussion ensued regarding the reallocation of funds and Truth in Taxation.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to alter the distribution of funds for the Greater Fargo Moorhead EDC to \$85,000, The FMWF Chamber to remain at \$100,000, Downtown Moorhead Inc to increase to \$50,000 and West Central Initiative to remain at \$18,000.

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the budget totaling \$113,671,318.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved Resolution 2023-35 adopting the Clay County 2024 Budget.

RESOLUTION 2023-35

WHEREAS, The Clay County Board of Commissioners did hold a public meeting on December 12, 2023, and

WHEREAS, The Clay County Board of Commissioners has addressed the concerns of its citizens to the best of their ability, and

BE IT RESOLVED, That the Clay County Board of Commissioners hereby certifies the following levy for taxes to be collected in 2024:

Revenue Fund	\$	25,099,057
Road and Bridge Fund		4,346,640
Building Improvements		44,171
Library		288,280
Social Services		12,180,998
Debt Retirement-County Projects		527,651
Total	\$	<u>42,486,797</u>

BE IT FURTHER RESOLVED, That the Clay County Board of Commissioners hereby adopts the 2024 budget as presented.

CLOSED SESSION for Attorney-Client Privileged Pursuant to Minn. Stat. 13D, subd 2(b): County Attorney Brian Melton

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to close at 10:54 a.m. .

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board reopened the public meeting at 11:39 a.m.

Committee Reports/County Administrator Update/Discussions

- Commissioner Campbell reported on meetings for Public Safety Funds Committee; County Ordinance Update; Lakes Country Service Coop; MCCJPA; FM Diversion Authority; West Central Regional Water District Work Group; and met with Commissioner Mongeau, Mayor Shelly Carlson, Joel Paulson, and John Shockley regarding the activities for the Joint Funding request for the FM Diversion project.
- Commissioner Ebinger reported on meetings for the NW Emergency Communication Board; and RRRDC Board of Authority; FM Diversion Authority.
- Commissioner Krabbenhoft reported on meetings for Clay SWCD; and Clay County Food Partners Steering Committee.
- Commissioner Mongeau reported on meetings for Extension Committee; Clay County Ordinance Meeting; MCCJPA; Lakeland Mental Health Center; and met with Commissioner Campbell, Mayor Shelly Carlson, Joel Paulson, and John Shockley regarding the activities for the Joint Funding request for the FM Diversion project.
- Commissioner Gross reported on meetings for Wild Rice Watershed District Advisory Board; and West Central Regional Water District Work Group.
- County Administrator Stephen Larson reported on County Management; Land County Development Code; MCCJPA; virtually met with Stephen Slick, Daniel Marx and administrators and attorneys for the West Central Regional Water District; reminder was given about the last check run for December and that the County will be closed on Friday, December 22, 2023, at noon, in observation of Christmas Eve, as well as Monday, December 25, 2023, for Christmas day.

Adjourn

The meeting was adjourned at 12:04 p.m.

Frank Gross, Chair
County Board of Commissioners

Stephen Larson, County Administrator