

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 AM, TUESDAY, APRIL 2, 2024

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

Approval of Agenda

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board approved the agenda with the Agenda Addition: Request Approval for a Letter of Support for the Moorhead Center Mall Redevelopment - Tax Increment Finance (TIF) District Development Extension - 10 years.

Personnel Policy Changes

By consent, the Board approved the Personnel Policy changes.

Employee Recognitions

The Board recognized the following employees; Linda Cruz for 30 years with Social Services and Julie Kennedy for 30 years with Solid Waste.

Citizens to be Heard

There were no citizens to be heard.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the bills and vouchers totaling \$1,466,391 from 139 vendors. There were 104 warrants issued under \$2,000 (\$39,500) and the following 35 were over \$2,000.

Wallwork Truck Center	\$ 347,466	North American Benefits Company	\$ 9,669
Blue Cross Blue Shield Minnesota	\$ 331,969	Wegner Psychological & Therapeutic Svc	\$ 7,500
Internal Revenue Serv	\$ 235,929	SRF Consulting Group Inc	\$ 7,317
Clay Soil & Water Cons Dept	\$ 72,367	MN Counties Computer Coop	\$ 6,798
Clay County Social Services	\$ 59,925	Phoenix Supply	\$ 6,358
Treas Of Hawley City	\$ 32,824	Madison National Life	\$ 5,567
Mn Dept Of Revenue	\$ 31,914	Moorhead Public Service	\$ 5,158
White Cap, L.P.	\$ 31,372	City of Ulen	\$ 5,113
VEBA Select Account	\$ 30,078	Minnesota Management & Budget	\$ 4,134
Lakes & Prairies CAP, Inc.	\$ 27,552	Fidlar Technologies	\$ 3,500
Clay Co Public Health	\$ 27,241	Hands Down Flooring and Tile	\$ 3,402
Prairie Lakes Municipal Solid Waste Auth	\$ 27,168	HemoCue America/Radiometer America	\$ 3,045
Historical & Cultural Society Of Clay Co	\$ 16,781	Bob Barker (Sheriff)	\$ 2,840
Otter Tail Public Health	\$ 16,444	Wilkin Co Public Health	\$ 2,585

JT Lawn Service	\$	15,536	Lloyd's Auto Body Inc.	\$	2,495
WEX Bank - Sheriff	\$	15,340	Johnson's Auto Repair LLC	\$	2,297
Becker County Public Health	\$	13,990	R Travelmart	\$	2,184
NACO	\$	13,019			

Approval of Minutes from March 12, 2024 and March 19, 2024

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved the minutes from March 12, 2024 and March 19, 2024.

Recognition - Proclamation for National County Government Month - April 2024

County Administrator Stephen Larson stated that National County Government Month (NCGM), held each April, has been an annual celebration of county government since 1991, the National Association of Counties (NACo) has encouraged counties to actively promote county roles and responsibilities in serving residents. This year's National County Government Month theme is consistent with NACo President Mary Jo McGuire's focus for the year, **ForwardTogether**. **ForwardTogether** is about connecting, inspiring and leading - pillars of county government that build trust and drive towards solutions.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board read and adopted the Proclamation for National County Government Month - April 2024.

Request Approval for a Letter of Support for the Moorhead Center Mall Redevelopment - Tax Increment Finance (TIF) District Development Extension - 10 years

Downtown Moorhead Inc. President/CEO Derrick LaPoint stated the establishment of the Tax Increment Finance (TIF) district is a major part of the financial plan to pay for the acquisition, demolition, and public infrastructure to support the downtown vision for the City of Moorhead. Under Minnesota law, the standard time period for new construction that can be applied to the increment for repayment of TIF expenses is only 5 years. On smaller scale projects, that is generally sufficient time for the development to build out enough to cover the TIF-eligible expenses. For the Moorhead Center Mall Redevelopment, 5 years is likely insufficient to construct all projects needed to recover the amount of TIF-eligible expenses that downtown redevelopment will incur. Therefore, the city has requested legislators introduce bills to extend the TIF development period from 5 years to 10 years.

Total redevelopment consists of \$250.5 million for housing units, \$57.9 million for commercial space, \$105.9 million in civic space and \$75.4 million in parking space, resulting in an overall construction estimate of \$489.7 million.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Gross, and unanimously carried, the Board approved the Letter of Support for the Moorhead Center Mall Redevelopment – Tax Increment Finance District to extent the eligible expenses from 5 years to 10 years and to include reason on how this will benefit the development of Clay County, within the letter.

Request Approval to Restructure the Landfill Employee Structure

Solid Waste Manager Corey Bang stated with the resignation of the previous Landfill Manager, it's recommend that there be a change in the hierarchy to eliminate the Landfill Manager position, and replace it with a Landfill Technician. The Technician would have all the duties of the Landfill Manager without the supervisory role, which would then be taken on by the Solid Waste Manger. The Technician would handle the daily office duties as well as all technical aspects of the landfill, including but not limited to testing wells, monitoring the flare, and coordinating all MPCA and other reporting. The Solid

Waste Manager would be onsite daily to ensure all operation items are being done efficiently. This proposal has gone to both the Solid Waste Advisory Committee (SWAC) and the Personnel Issues Committee (PIC) and has been recommended by both to come before the full board. This action will be reviewed by SWAC after 1 year and will be reevaluated to ensure that it covers the needs of the landfill.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved the restructuring of the Landfill employee structure.

Request Approval of Resolution 2024-13 and Internet Crimes Against Children (ICAC) JPA with the State of Minnesota

Chief Deputy Chris Martin stated that this is a renewal of the current Joint Powers Agreement (JPA) that the County currently has with the state of Minnesota. It's requested to continue with the Joint Powers Agreements with the State of Minnesota, Department of Public Safety, and Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation of children that is committed and/or facilitated by or through the use of computers.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved Resolution 2024-13 and Internet Crimes Against Children (ICAC) JPA with the State of Minnesota.

RESOLUTION NO. 2024-13

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE COUNTY OF CLAY ON BEHALF OF ITS SHERIFF REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN TASK FORCE (ICAC)

WHEREAS, the County of Clay on behalf of its Sheriff desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation on children that is committed and/or facilitated by or through the use of computers.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Clay, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the County of Clay on behalf of its Sheriff are hereby approved. Copies of the Joint Powers Agreements are attached to this Resolution and made a part of it.
2. That the County Sheriff, Mark Empting, or his or her successor, is designated the Authorized Representative for the Sheriff. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the County's connection to the systems and tools offered by the State.
3. That David Ebinger, the Chair of the County of Clay, and Stephen Larson, the County Board Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this 2nd day of April 2024.

Request Approval to Designate the Existing Detoxification Facility Space Within the Family Service Center to the West Central Regional Juvenile Center and Approval to Schedule an Inspection with MN DOC for the Detoxification Space on Behalf of the West Central Regional Juvenile Center.

Mr. Larson stated on March 26th, 2024, at the request of the Clay County Building Committee, a work session of the Clay County Board of Commissioners was held to evaluate how to best utilize the space that will be vacated by the detoxification program within the Family Service Center (FSC) by the fall of 2024. The Commissioners received an overview capital plan of the FSC and heard multiple presentations about how county departments could utilize the space. After consideration, a recommendation was brought forward to designate the existing detoxification program space to the West Central Regional Juvenile Center (WCRJC) and utilize county fund balance of up to \$200,000 to complete a remodel.

WCRJC Facility Director Josh Swanson stated the proposed program would operate under the current Non-Secure detention license and offer a transitional living skills program to teenage girls who have engaged in high risk or criminal behavior who are stable but in need of a transition program. The program would be heavy on community engagement, skill building, and personal growth. This specific population has unique needs and requires a special approach and a program called 'Girls Moving On' is being considered, which addresses childhood trauma and relational violence.

Mr. Swanson stated that in early March, an informal walkthrough of the space was done with Minnesota DOC, however, a scheduled inspection with Minnesota DOC for the space is needed and required.

Discussion ensued regarding the length of stay of the youth in this program, if Moorhead Area Public Schools has the capacity to provide schooling, additional staffing, and cost.

Commissioner Mongeau asked Mr. Swanson to elaborate on where youth are placed if no beds are available. Mr. Swanson stated in some cases, youth are being supervised by social services until a bed is available.

Discussion ensued regarding the history of the WCRJC, capacity, youth we currently serve, providing services to youth from Clay County first, compensation from the other member counties, and budget funds.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved to designate the existing Detoxification Facility space within the Family Service Center to the West Central Regional Juvenile Center for the purpose of Non-Secure programming for females, the scheduling of an inspection with MN DOC for the detoxification space, and to utilize up to \$200,000 in County Fund balance dollars to remodel the existing space to MN DOC licensing requirements.

Annual Department Update - Veterans Service Office

Veterans Service Officer Curt Cannon presented the Veterans Service Office annual update where the following was discussed: staffing, National Service Organizations, MN Department of Veterans Affairs, Veterans Administration, VA Benefits, Service Connection, claim process, Veteran Treatment Court, and 2023 data.

Commissioner Campbell asked how veterans become aware of new tax breaks. Mr. Cannon stated a

summary of benefits is provided to them on an annual basis, but that word of mouth is an effective way to relay those resources as well.

Discussion ensued regarding permanent total.

Commissioner Gross discussed the benefits for funeral services and asked how widows/widowers are contacted regarding this benefit. Mr. Cannon stated that as long as the veteran is in the data base, his Administrative Assistant Bonnie Christopherson will send out letters to families regarding funeral services.

The Board thanked Mr. Cannon and his staff for the great work they do.

Committee Reports/County Administrator Update/Discussions

- Commissioner Krabbenhoft had no meeting to report on but discussed testifying in St. Paul for HF 4204 regarding the PRTF.
- Commissioner Mongeau reported on meeting with Mr. Larson, Rhonda Porter, Commissioner Krabbenhoft to complete the requirements for the bonding component before the PRTF hearing; Clay County Board of Commissioners Work Group Session; meet with the Clay County Fair Board discussing opportunities for the summer event; met with Extension Regional Supervisor; Prairie Lakes Municipal Solid Waste; SWAC; joint meeting with the City of Moorhead regarding the RRC; met with Commissioner Gross, Mr. Larson and Red River Communications regarding accessible Broadband; MCCJPA; Minnesota Rural County Caucus; and discussion with Nathan Zacharias with AMC regarding Broadband.
- Commissioner Campbell reported on meetings for Prairie Lakes Municipal Solid Waste; SWAC; joint meeting with the City of Moorhead regarding the RRC; MCCJPA; and Diversion Board of Authority.
- Commissioner Gross reported on meetings for Clay County Board of Commissioners Work Group Session; Broadband meeting with Commissioner Mongeau, Mr. Larson and Red River Communications; Minnesota Rural County Caucus; and City of Felton meeting.
- Commissioner Ebinger reported on meetings for Clay County Board of Commissioners Work Group Session; Diversion Authority Finance; and Diversion Board of Authority.
- County Administrator Stephen Larson reported on meetings for Clay County Board of Commissioners Work Group Session; in St. Paul for Committee Hearing for PRTF; meet with Senator Kupec regarding prevailing wage and full flood mitigation ask; highlighted story in the Fargo Forum regarding the PRTF hearing with Representative Keeler; SWAC; met with Commissioners Gross and Mongeau and Red River Communications regarding Broadband; Land Development Ordinance update; MACA Legislative update; met with Matt Jacobson, Karen Lauer of Barnesville and David Heyer from DEED regarding Economic Development in rural Barnesville; and met with Sheriff Empting on a series of issues.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved sending a letter of support to Senator Kupec opposing the prevailing wage requirement for broadband.

Adjourn

The meeting was adjourned at 10:08 a.m.

David Ebinger, Chair
County Board of Commissioners

Stephen Larson, County Administrator