

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, APRIL 16, 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, and Administrative Assistant Sarah Hellem.

Call to Order

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

Approval of Agenda

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the agenda.

Donations from the VFW Auxiliary to the Veterans Service Office for Cable TV

By consent, the Board approved the donation of \$581.50 from the VFW Auxiliary to the Veterans Service Office for Cable TV.

Donation from Sabin Fire Fighters Association to Support the Clay County Sheriff's Office Work Crew

By consent, the Board approved the donation of \$1,000.00 from Sabin Fire Fighters Association to support the Clay County Sheriff's Office work crew.

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 \$2,821,096 from 143 vendors. There were 96 warrants issued under \$2,000 (\$50,246) and the following 47 were over \$2,000.

MN Department of Transportation	\$ 1,500,000	Turnkey Corrections	\$ 12,495
Air Mechanical, Inc	\$ 237,895	Pomp's Tire Service, Inc.	\$ 12,436
Internal Revenue Serv	\$ 233,630	Gehrtz Construction Services, Inc	\$ 11,714
Otter Tail Public Health	\$ 110,773	Hawley Township	\$ 7,500
Mortenson Masonry, Inc.	\$ 104,922	Hildi Inc.	\$ 7,280
Trinity Services Group, Inc.	\$ 54,188	Flaherty & Hood, P.A.	\$ 6,512
Moorhead Public Service	\$ 46,518	Advanced Engineering & Environmental	\$ 5,651
Fergus Drywall	\$ 38,000	LELS	\$ 5,442
Mn Dept Of Revenue	\$ 32,200	ND-DOCR	\$ 4,800
VEBA Select Account	\$ 30,115	Valley Mortuary Services	\$ 4,715
MinKo Construction, Inc.	\$ 28,840	North American Benefits Company	\$ 4,676
Clay County Auditor-Treasurer	\$ 27,740	Amazon Capital Services	\$ 4,473
Grotberg Electric Inc	\$ 24,087	SRF Consulting Group Inc	\$ 4,241

Code 4 Services, Inc	\$	22,125	NetCenter Technologies	\$	4,232
Lakeland Mental Health Center, Inc.	\$	19,886	RDO Equipment Co.	\$	3,329
Xcel Energy	\$	19,430	Clay Co Public Health	\$	3,000
Tony Eckert & Sons	\$	18,525	Ramsey County Med Exam	\$	2,949
MN Counties Computer Coop	\$	18,204	Sabin C Store	\$	2,679
Servpro of Fargo/Moorhead	\$	15,840	Green View Inc.	\$	2,530
Enterprise FM Trust	\$	14,596	ANJAAM HOLDINGS, LLC	\$	2,343
Nova Fire Protection Inc.	\$	14,250	Office of MN IT Services	\$	2,162
Barnesville Record-Review	\$	13,536	Fuchs Sanitation Inc	\$	2,150
Lutheran Social Service Of Mn	\$	13,144	Wex Bank (fleet)	\$	2,060
NACO	\$	13,019			

Approval of Minutes from April 2, 2024

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the minutes from April 2, 2024.

Legislative Update from Representative Heather Keeler

Representative Heather Keeler provided the Board with a legislative update regarding the Psychiatric Residential Treatment Facility (PRTF). The original plan was to ask for the full amount in 2026, but due to a grant that is being submitted, it pushed things into a quicker timeframe, which lead us to ask for bonding dollars in the amount of \$10 million this year which would get the project through phase 1. However, with the small targets in bonding, this is not panning out. Because of this, it caused us to think about something in the community that was at a smaller dollar amount which shifted to the remodel of the detention center for the female population. The project has not stopped, it's just being conducted in a different way.

Commissioner Mongeau thanked Representative Keeler for the update and stated even though the outcome of the PRTF is a painful realization for this year, she felt that the best avenue to take would be to support the remodel of the Juvenile Detention Center.

Commissioner Campbell stated that when it comes to the Juvenile Detention Center, one thing to be aware of is that the new Non-Secure programing for the female population would be for Clay County residents. However, there will be the ability to offer those services to outside counties, provided there is space, and additional dollars would be helpful.

Commissioner Ebinger stated going back to the original plan isn't a bad thing and that this is a great opportunity to take a great program and make it even better.

Commissioner Krabbenhoft asked what the next session could look like if there was a dialog with DHS. Representative Keeler stated bonding requests are typically local specific, and this has become a regional state need. Therefore, the hope is to move the bonding conversation and do the tour but to also have deeper conversation with the staff from the Human Services Committee, and look at how funds from the state could help get this off the ground so that it's successful, and to wrap in partnerships with MSUM and MState to address long term workforce to have this be sustainable in the community. The plan is to slow down, have those conversations and have real intent, so that in 2025, we can ask the Human Service Committee for funding to help as this is a state need while also asking for bonding money for the brick and mortar in 2026.

Commissioner Campbell discussed the West Central Regional Water District stated Senator Kupec is a co-author on the SF 5002 and there is an appropriation request for this project in the amount of

\$9,250,000.00, and encouraged Representative Keeler to be involved.

Commissioner Mongeau stated the request for the Juvenile Detention project is \$1,093,000.00 and thinks there should be an official stance from the Board.

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board approved Resolution 2024-16 to support the bill referenced for the Youth Transitional Housing Facility in Clay County and the appropriation in the amount of \$1,093,000.00.

RESOLUTION NO. 2024-16

WHEREAS, the Clay County Board of Commissioners have been strong advocates in providing support for local programs and facilities to enhance the continuum of care for adolescents in Clay County; and

WHEREAS, the Clay County Board of Commissioners recognize that the goal of services is to maintain youth living in or returning to their homes, while understanding that there are situations where providing an environment for youth to live away from family is needed or required; and

WHEREAS, on April 2, 2024, the Clay County Board of Commissioners unanimously approved designating existing space within the Family Service Center for a transitional program operated by the West Central Regional Juvenile Facility and allocating up to \$200,000 for the remodeling of the space; and

WHEREAS, additional funds will be needed to ensure proper resources are available to renovate, furnish, and equip a youth transitional housing facility; and

WHEREAS, the Clay County Board of Commissioners is requesting \$1,093,000 in appropriations from the bond proceeds fund to the commissioner of human services for a grant to Clay County to renovate, furnish, and equip a youth transitional housing facility in the city of Moorhead. This appropriation includes money for major projects to electrical, plumbing, and HVAC systems; energy efficiency improvements, including window replacement; Americans with Disabilities Act (ADA) compliance improvements; repairs and improvements to interior walls and surfaces; and other site renovations to support operations and bring the facility into compliance with city and state building code and licensing requirements.

BE IT FURTHER RESOLVED, that Clay County Board of Commissioners support the bonding request in the amount of \$1,093,000 to renovate, furnish, and equip a youth transitional housing facility within the Family Service Center, Moorhead, MN.

Adopted this 16th day of April 2024.

Request Approval to Consider the Hiring of a Lobbyist to Help Secure Funding for a Psychiatric Residential Treatment Facility (PRTF)

County Administrator, Stephen Larson, requested approval to consider hiring of a lobbyist to help secure funding for the PRTF and discussed the shift for those funding dollars for this year but still thinks this is a beneficial conversation to have.

Commissioner Ebinger stated Clay County is part of the second largest metro area in the state of Minnesota and we really need to have a presence at the legislative level and if there can be a lobbyist that we can find, within reason, would be beneficial.

Commissioner Mongeau stated Clay County has elevated their voice at the capitol in the last 18 months, advocating for multiple bills and needs of this area. It would be beneficial to come up with a number that can be included in the budget, that can be utilized on an as needed basis.

Commissioner Krabbenhoft proposed working with Mr. Larson to find potential lobbyists so we can continue this discussion with good background.

Commissioner Campbell discussed over the past 10 years Clay County has been very effective with what's been done, and stated the best lobbyists that Clay County has are those who Clay County appoints to the State Legislature through the election process and that Senator Kupec and Representative Keeler know more about the bonding tour than a lobbyist would.

Discussion ensued regarding the need for a lobbyist and looking for guidance on how to move forward.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved to direct the County Administrator to research what the potential would be to get the Board through to September, for the current projects that Clay County has in the legislature and to bring the findings back to this Board for an official motion for what is deemed appropriate in regards to a lobbyist.

Request Approval to Sign Public Hearing Timeline Waiver for Clay County Commission to Provide Input for Proposed Establishment of Tax Increment Financing (Redevelopment) District No. 31 - TIF District Boundaries

Downtown Moorhead Inc. President/CEO, Derrick LaPoint, stated representatives of the City of Moorhead have indicated that Minnesota Statutes, Section 469.175, Subdivision 2a, requires that notice of the creation of the Tax Increment Financing District, the general description of the proposed District, and the proposed activities to be financed by the District must be provided to each county commissioner who represents part of the area proposed to be included in the District at least 30 days prior to the publication of the notice for the public hearing to be held by the City Council. The Moorhead City Council will hold a public hearing on Monday, May 13, 2024, at approximately 5:30 pm in the Auditorium at the Hjemkomst Center. With this notice being provided to the Clay County Commission less than the required thirty (30) days, the City Council is requesting execution of the attached waiver.

Commissioner Campbell asked if this needed approval from the full Board when it only states approval from the Commissioner of the district in which the project lies. Mr. LaPoint stated by state statute it's to the Commissioner of the district in which the project sits. Commissioner Campbell stated he intends to sign the waiver, therefore, the Board would not need to take action on this item.

Discussion ensued regarding the general location map and the boundaries of the project and Tax Increment Financing.

Request Approval of Letter of Support and Resolution 2024-15 Supporting Broadband Funding Border to Border Grant Application Utilizing American Rescue Plan Act Funds.

Red River Communications General Manager/CEO, Tom Steinolfson, and Marketing Specialist, Kari Kleingartner, requested approval of a letter of support and resolution 2024-15 to help support their application to the MN Employment and Economic Development - Office of Broadband Development Border-to-Border Grant to provide broadband fiber to a portion of rural Comstock and rural Sabin.

Mr. Steinolfson stated the Border-to-Boarder Grant is administered by the Minnesota DEED Office, and this is round 10. This is the same application that was done for round 9 and will continue to stay west of highway 75, in the rural Sabin, and rural Comstock area. There are 192 locations, a little over \$7 million of total project funds which is a 75/25% match. Ms. Kleingartner stated they had a great conversation with the MN DEED Office and they indicated that the previous application was excellent, but that there simply wasn't enough funds. So they highly encouraged them to reapply.

Commissioner Mongeau discussed being in the affected area and stated the fact that West Central Minnesota was ignored in terms of the amount of funds that were provided to this side of the state versus other selected areas. If addition funds are not secured for this side of the state, it will be extremely frustrating.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved Resolution 2024-15 supporting Broadband funding Border to Border Grant Application utilizing \$25,000 in American Rescue Plan Act Funds.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to provide a letter of support to Red River Communications in support of the Border to Border Grant Application.

RESOLUTION NO. 2024-15

WHEREAS, Red River Communications plans to bring fiber broad service to an underserved area in Clay County; and

WHEREAS, businesses and residents of rural Clay County are currently only served broadband access by an out-of-state local exchange carrier that has chosen not to invest in the infrastructure necessary for our rural residents' current and future demands; and

WHEREAS, Red River Communications is applying for the Border-to-Border grant to fund a project to install fiber-optic infrastructure to provide the same reliable high-speed internet services as the rest of Clay County; and

WHEREAS, Clay County faces a deep digital divide, our rural residents' ability to consider and implement educational and economic development programs mustn't be limited. With broadband access, these residents and business owners can connect to virtual education, telehealth appointments, precision ag farming, and advanced economic development within the area; and

WHEREAS, Broadband access through Red River Communications will also allow our rural communities to attract outside companies to the region, expanding job opportunities and enticing young professionals. NOW THEREFORE, be it resolved that Clay County agrees to support Red River Communications Border-to-Border grant application.

BE IT FURTHER RESOLVED, that Clay County will support Red River Communications for the expansion of its fiber optic infrastructure within Clay County up to a total amount of \$25,000.00, to be paid for with American Rescue Plan Act funds with a successful grant application.

Adopted this 16th day of April 2024.

Request Approval to Hire a Full-Time Deputy Due to Upcoming Retirement

Sheriff Mark Empting made a brief statement indicating this week being National Public Telecommunicators which coincides with National 911 Education week and publicly recognized and thanked the 911 dispatchers at the Red River Regional Dispatch Center.

Sheriff Empting and Chief Deputy, Chris Martin requested approval to hire a full-time Deputy due to an upcoming retirement.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the hiring of a full-time Deputy for the Sheriff's Office.

Request Approval of a Letter of Support for the Prairie Lakes Municipal Solid Waste Grant Application.

Solid Waste Manager, Corey Bang, stated the ash landfill is filling up and the Perham facility is looking for alternative uses for possible disposal outlets for the ash created. The Prairie Lakes Municipal Solid Waste Grant application would be beneficial to the Perham facility and to Clay County, as being part owner of the facility. It will help create a more detailed study as well as provide infrastructure if the project moves forward.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the letter of support for the Prairie Lakes Municipal Solid Waste Grant application.

Request Approval to Replace a Child Protection Specialist Position Due to Resignation.

Social Services Director, Rhonda Porter, stated a position is being vacated in the Child Protection Assessment unit effective May 1, 2024, due to a resignation. The position has been assigned child protection/family assessment investigative work as well as child welfare assessment. It is critical that this position be filled given the caseload demands and the State and Federal guidelines relative to our agencies' response to these reports.

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved the replacement of the Child Protection Specialist position within the Child and Family Services Division with backfill should there be an internal appointment.

BREAK

The Board took a break from 9:44 a.m. – 9:49 a.m.

Annual Department Update - Social Services: Financial Services and Child Support Fraud & Collections Division

Ms. Porter introduced Collections Supervisor II, Sandy Thorne, Financial Assistance Supervisors, Karen Syverson and Mikala Wodarek. Together they provided their annual department update for the Financial Services and Child Support Fraud & Collections Division within the Social Services Department.

Ms. Thorne discussed the Child Support, Fraud, and Collections unit including staffing, welfare fraud, statistics, clay county collections, collection duties, child support enforcement, funding, FFY 2023 statistics, Federal performance measures, and changes in the unit.

Ms. Syverson and Ms. Wodarek discussed the Financial Services Division and discussed Cash Grant programs, MFIP-Minnesota Family Investment program, DWP-Diversionary work program, General Assistance, MSA-Minnesota Supplemental Assistance, HS-Housing support, RCA-Refugee cash

assistance, SNAP, MN health care programs, long term care programs, child care-MFIP and basic sliding fee, medical assistance, emergency cash assistance, family emergency assistance, and County funded burials.

Commissioner Ebinger thanked Ms. Porter and her team for all their great work.

Annual Department Update - Public Health Department

Public Health Administrator, Kathy McKay, introduced her staff including: WIC Director, Sue Olson, Family Health Supervisor, Liz Bjur, Adult Health Supervisor, Suzie Ouradnik, Environmental Health Director, Kent Severson, Emergency Preparedness Manager, Sylvanus Domah, and Health Promotions Director, Rory Beil.

Ms. Olson discussed the Women, Infants & Children (WIC) Nutrition program including individualized nutrition assessments, education & referrals, lactation education & resources, WIC cards, referrals to community resources, and provide recipe books to assist families in creating healthy meals.

Ms. McKay discussed the Foundational Public Health Services, foundational areas, foundational capabilities, Partnership4Health Community Health Board, and finance & responsibilities.

Ms. Bjur discussed Family Health, which includes family home visiting programs, school health, CCPH Clinic, car seat education & distribution, and daycare consultants.

Ms. Ouradnik discussed Adult Health, including serving the vulnerable adult community who are at risk for nursing homes or hospital level care, services for vulnerable adults, ongoing case management, low income clients, contracts with 3 health plans to serve clients, and services arranged by case managers with local providers to assist clients to remain in their homes safely.

Mr. Severson discussed Environmental Health including demolition permits for the 11th street underpass project, Moorhead Center Mall project, and Moorhead Highschool project, septic system inspections, food & beverage, lodging, mobile home parks, special events, mobile food units, campgrounds, swimming pools, and youth camps.

Mr. Domah discussed Emergency Preparedness including planning and preparation for emergencies that impact the health of Clay County residents including shelter, relocation and evacuation, Partnering with others such as Health Care, at risk populations, County Emergency Management Director, Sheriff's Office, Police & Fire Departments, Regional EMS Agencies, and managing the vulnerable population registry to identify needs during an emergency.

Mr. Beil discussed Health Promotion including Social Determinants of Health, Statewide Health Improvement Program (SHIP), child and teen checkups outreach, positive community norms, Public Health analyst-community health assessment and data analysis, DEI-Diversity, Equity, and Inclusion, suicide prevention and opioid program management.

Ms. McKay discussed Withdrawal Management and Detoxification including the new facility, 24/7 services provided, and staffing.

Request Approval to Select David Drowns Associates (DDA) for 2024 Market Study Provider

Mr. Larson requested approval to select David Drowns Associates (DDA) to conduct the 2024 market study. DDA completed the last market study for the County in 2019 and is very familiar with our

compensation grid, PDQ's and comparable counties. The total cost of the study, without wage adjustments, is \$18,675 for evaluation of 48 benchmark positions. DDA will come before the Board on May 7, 2024, to provide additional information on the conduct of the study and the expected timeline of completion.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to select David Drowns Associates for the 2024 Market Study.

Request Approval of Benchmark Positions and Comparable Counties List for 2024 Market Study

Mr. Larson requested approval of Benchmark positions and comparable counties list for the 2024 market study. There are 48 positions selected to be benchmark positions for the upcoming market study. This list has been vetted by the County Administrator, HR Director, and HR Coordinator with input from Department Heads.

Commissioner Mongeau asked if the 48 benchmark positions were presented at the Personnel Issues Committee (PIC). Mr. Larson stated it was brought to PIC and Commissioners were able to provide feedback.

Discussion ensued regarding the benchmark positions and the comparable counties.

On motion by Commissioner Campbell seconded by Commissioner Mongeau, and unanimously carried, the Board approved the 48 benchmark positions as proposed for the comparative study and to include the counties listed with the exception of Scott and Wright counties and to continue to include the City of Moorhead, City of Fargo and Cass County, ND, within the study.

Request Approval of Change Order #2 for the Department of Motor Vehicle Project (DMV)

Mr. Larson discussed the change order #2 for the DMV Project. The change order consists of a monument change, high-low roof stud and brick revision, and hydrant extensions which results in a total of \$4,666.90. The remaining project contingency is \$201,503.11.

Discussion ensued regarding the 5.5% CM fee.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved the Change Order #2 for the Department of Motor Vehicle Project (DMV) totaling \$4,666.90.

Request Approval of Change Order #5 for the Withdrawal Management/Detoxification Facility Project

Mr. Larson discussed the change order #5 for the Withdrawal Management/Detoxification Facility Project. The change order consists of additional cost to secure large frames to steel, PR-14 toilet exhaust fan controls, added sinks in the intake rooms, additional windowsill material, RFI 75 electrical equipment power, RFI 77 shower room 540 can light change, PR-15 anti-ligature door hardware at all bedrooms, and the omission of concrete bollards at the transformer, which results in a total of \$44,523.27. This would leave a remaining contingency fund of \$205,838.42.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the Change Order #5 totaling \$44,523.27 for the Withdrawal Management/Detoxification Facility Project.

BREAK

The Board took a break from 12:04-12:07 p.m.

Committee Reports/County Administrator Update/Discussions

- Commissioner Campbell reported on meetings for FM Diversion Planning Committee; FM Diversion Board of Authority Special Meeting; Red River Regional Dispatch-Board of Authority; and West Central Regional Water District-Steering Committee.
- Commissioner Gross reported on meetings for Personnel Issues Committee; Criminal Justice Advisory Board; Glyndon Township meeting; Riverton Township meeting; Spring Prairie Township meeting; Wild Rice Watershed District Advisory Board; Moland Township meeting; met with Matt Jacobson and industries in Hawley regarding expansion of buildings; West Central Regional Water District-Steering Committee; and Keene Township meeting.
- Commissioner Krabbenhoft reported on meetings for Clay Soil & Water Conservation; and Historical & Culture Society.
- Commissioner Mongeau reported on meetings for meetings with Representative Keeler, Representative Joy and Senator Kupec regarding legislative priority funding; Clay Soil and Water Conservation; and AMC Extension.
- Commissioner Ebinger reported on meetings for Personnel Issues Committee; Criminal Justice Advisory Board; FM Diversion Board of Authority Special Meeting; Red River Regional Dispatch-Board of Authority; Greater Fargo Moorhead EDC; met with Pastor Sue Koesterman with Churches United regarding Micah's Mission.
- County Administrator Stephen Larson reported on meetings for PIC; met with Derrick LaPoint and Mikaela Huot regarding the Tax Increment Financing; FM Diversion Board of Authority; met with Kathy McKay, Sheriff Empting, Brian Melton, Matt Jacobson and Darren Brook regarding cannabis; met with Representative Keeler, Representative Joy, Senator Kupec, Commissioner Mongeau, Commissioner Krabbenhoft and Rhonda Porter regarding the PRTF; met with Sheriff Empting regarding fleet vehicles and Enterprise; met with Ben Griffin from Metro COG regarding a bus stop on 15th Ave North; West Central Regional Water District; met with Daniel Marx from Flaherty & Hood, Polk County Administrator Chuck Whiting, Norman County Administrator Keith Berndt and representatives from the USACE regarding funding for the WCRWD; met with Commissioner Krabbenhoft on a series of issues; reminder, the Rural City and County meeting will be this Thursday from 4-6 p.m. at the RRC; follow up Darren Brooke regarding the change order and we did not address the \$10,000 at a previous meeting; and received a phone call from a citizen about wanting to sell her mother's house to the county.

Discussion ensued regarding the home buyouts from the LEC/Correctional Facility construction project.

Adjourn

The meeting was adjourned at 12:46 p.m.

David Ebinger, Chair
County Board of Commissioners

Stephen Larson, County Administrator