

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, APRIL 23, 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 Mongeau, and unanimously carried, the Board approved the agenda including the Agenda Additions: Request Approval to Submit for Congressional Directed Funding Application – Withdrawal Management/Detoxification Facility Project. And, Request Approval to Submit for Congressional Directed Funding Application – West Central Regional Water District – Clay County Manganese & Arsenic Mitigation Project.

Tax Abatement for J Byrd, Moorhead, Due to Clerical Error

By consent, the Board approved the tax abatement for J Byrd of Moorhead due to a clerical error.

Citizens to be Heard

There were no citizens to be heard.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Krabbenhoft, seconded by Commissioner Gross, and unanimously carried, the Board approved the bills and vouchers totaling \$224,536 from 106 vendors. There were 86 warrants issued under \$2,000 (\$39,103) and the following 20 were over \$2,000.

Lake Agassiz Regional Library	\$	81,580	Office of MN IT Services	\$	4,201
Jotform Inc.	\$	15,606	Kris Engineering, Inc.	\$	3,906
Xcel Energy	\$	10,599	Red River Regional Dispatch Center	\$	3,000
City Of Fargo	\$	10,015	City of Pelican Rapids	\$	2,806
Code 4 Services, Inc	\$	10,013	Minnkota EnviroServices, Inc.	\$	2,650
Braun Intertec Corp	\$	8,879	Frontier Precision Inc	\$	2,632
Otter Tail Public Health	\$	6,665	Wild Rice Electric Cooperative, Inc.	\$	2,414
Ramsey County Med Exam	\$	4,861	Rob Bentz Lock & Key, LLC	\$	2,324
Amazon Capital Services	\$	4,800	Thomson Reuters - West 590031	\$	2,134
Elan Financial Services	\$	4,339	MidStates Wireless, Inc.	\$	2,000

Approval of Minutes from April 9, 2024, and Work Group Session Minutes from March 26, 2024

On motion by Commissioner Mongeau, seconded by Commissioner Gross, an unanimously carried, the Board approved the minutes from April 9, 2024 and the work group minutes from March 26, 2024.

Legislative Update from Senator Robert Kupec

Senator Rob Kupec provided the Board with a legislative update and discussed the Health and Human Services bill regarding Childcare Facility grants, elimination of the shotgun only zones for deer hunting within the state, Health and Human Services computer upgrades, and bonding issues.

Commissioner Gross asked if Senator Kupec was familiar with the issues regarding wolves in the area. Senator Kupec stated the Federal Government doesn't allow wolf hunting in Minnesota. If the Federal Government lifts that ban, the Department of Natural Resources (DNR) will make the determination on whether there will be a wolf hunting season. On the agricultural side, there are funds set aside for wolf depredation. Therefore, if they interact with livestock, there are ways to keep wolves away or compensate for any loss.

Commissioner Mongeau thanked Senator Kupec for being open and available for questions regarding the files that he's authored and co-authored, particularly with the Psychiatric Residential Treatment Facility (PRTF) and discussed broadband and how it would be appreciated if Senator Kupec could support and relay this need.

Family HealthCare Remodel Project Update

Family Healthcare staff including Kaylin Frappier former Chief Operating Officer, Margaret Asheim, Interim Chief Executive Officer and Acting Chief Financial Officer, CJ Sahr, Facility Manager, and Dr. Matthew Eaton, DDS, Dental Director provided the Board with an update regarding the newly remodeled space for Family Healthcare.

Mr. Frappier discussed the timeline of the project, lease details, scope of the project, number of patients, and the creation of a dental training facility.

Dr. Eaton discussed the dental need and accessibility within the community, affiliate program with the University of Minnesota, and the dental training portion of the clinic.

Commissioner Campbell thanked the Family Healthcare team for their investment, insight and vision for what they're needing for the future.

Commissioner Krabbenhoft, asked what the projected number of patients will be going forward and where does that clientele get drawn from. Dr. Eaton stated it's anticipated that just with the expansion, they should be able to add another 9,000 patients/visits, when it's fully staffed. Ms. Asheim stated they draw from Moorhead, Dilworth and the surrounding metro area. Mr. Frappier stated there was a waiting list of 2,500-3,000 new patients prior to the expansion.

Request Approval of Lease Agreement Between Clay County and Family Healthcare for Suite 106 at the Family Service Center

Facilities Director, Joe Olson, stated that Family Healthcare has worked with Clay County to remodel suite 106 at the Family Service Center (FSC). In doing so, it's proposed to enter into a

10-year lease agreement.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the lease agreement between Clay County and Family Healthcare for Suite 106 at the Family Service Center.

Request Approval for Public Health to Occupy Office 307 & 310 at the Family Service Center

Mr. Olson stated that offices 307 and 310 in the FSC, will be available May 1, 2024 for use and that Public Health is in need of some more work space and would like to use these offices to set up workstations. This plan has been approved by the Building Committee.

Public Health Administrator, Kathy McKay, discussed how second floor of the FSC is over capacity and by adding these additional offices, it will alleviate some of the space issues.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved to allow Public Health to occupy office 307 and 310 at the Family Service Center.

Request Approval to Draft a Cannabis Ordinance

Ms. McKay, Public Health Grant Program Coordinator, Jason McCoy, and Health Promotion Director, Rory Beil, discussed the cannabis legislation and the drafting of a potential cannabis ordinance.

Mr. McCoy discussed the conversations that were had with the cities within the County, suggestions for a local ordinance; public use, registration fees, zoning, distance from schools, distance from daycares, waste, and nuisance. The City Councils are interested in seeing a draft ordinance that includes; limiting the number of businesses allowed to a minimum of 1 business per 12,500 population (per state statute), cannabis businesses 1,000 feet from schools and 500 feet from daycares, and public use to be restricted to personal homes/yards and person vehicles (the minimum required by state statute).

Commissioner Campbell asked why the distance from a school is 1,000 feet and the distance from a daycare is only 500 feet. Mr. McCoy stated those distances are per state statute.

Discussion ensued regarding the ratio of cannabis businesses to population, and the determination of who is approved for a business and which department within the county is involved in the process.

Commissioner Krabbenhoft asked in terms of zoning, why only industrial is mentioned. Mr. McCoy stated he should have included other zones, but only listed industrial at this time as that zone was included in the state statute. Planning & Zoning Director, Matthew Jacobson, stated in regards to zoning, his department would probably treat this as any other business that gets permitted within the county. Anything related to zoning will have to go through the Planning Commission and will need to be incorporated into the Land Development Code. What will need to be determined is how to categorize this type of business, as there are many different zones and uses.

Mr. Larson thanked Mr. McCoy for the work that he's done on this topic and stated the

importance of this right now is to ensure that there is a limit of businesses within the county prior July 1, 2024.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to construct a Cannabis Ordinance for anything County related.

BREAK

The Board took a break from 9:45 – 9:47 a.m.

Agenda Addition: Request Approval to Submit for Congressional Directed Funding Application – Withdrawal Management/Detoxification Facility Project.

Ms. McKay and Detox Director Troy Amundsen stated Public Health/Detox is interested in submitting a Congressional Directed funding application to Senator Tina Smith, Senator Klobuchar and Representative Fischbach for the new Withdrawal Management/Detoxification Facility. This would include patio furniture, televisions with anti-ligature cases, epic software for medical records, a cell phone repeater, a client local transportation vehicle, and client care needs. Ms. McKay stated the application needs to be submitted by this Friday, April 26, 2024, and that \$2 million is the maximum limit that can be requested.

Commissioner Campbell discussed the issues regarding the transportation piece and how it's been difficult to get a bus stop at the location of the Withdrawal Management/Detoxification Facility and stated that if the application isn't successful, the conversation regarding the transportation needs will still be ongoing.

Discussion ensued regarding transportation needs.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved for Public Health to submit for a Congressional Directed Funding Application for the Withdrawal Management/Detoxification Facility.

Agenda Addition: Request Approval to Submit for Congressional Directed Funding Application – West Central Regional Water District – Clay County Manganese & Arsenic Mitigation Project.

Mr. Larson stated 39% of the wells in Clay County exceed the Environmental Protection Agency's (EPA) maximum contaminate level for Arsenic. Clay County communities and Townships are working with Norman County and Polk County to develop a regional approach to address the urgent need for safe, reliable, and sustainable drinking water supply. The application request would allow for the Study, Design, and Construct of pipelines to serve residents in all townships that preliminary phase 1 routing intersected including, but not limited to the townships of Georgetown, Viding, Felton, Kragness, Flowing, Keene, Cromwell, and Hawley.

Commissioners Gross and Campbell discussed the importance of the need for a clean water supply for rural areas of Clay County.

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved to submit for a Congressional Directed Funding Application for the West Central Regional Water District project.

Committee Reports/County Administrator Update/Discussions

- Commissioner Mongeau reported on meetings for Planning Commission; met with Representative Keeler for the testimony regarding the Juvenile Detention space for the Transitional Housing unit; and Metro COG Policy Board.
- Commissioner Gross reported on meetings for Rural Cities & County meeting.
- Commissioner Krabbenhoft reported on meetings for Adult Mental Health LAC; Lakes & Prairies Community Action-CAPLP; West Central Initiative-Economic Development; Historical & Cultural Society; Clay County HRA-Liaison; Rural Cities & County meeting; Lakes & Prairies Community Action-CAPLP Annual meeting; Early Childhood Initiative; and Cass Clay Food Commission.
- Commissioner Campbell reported on meetings for Regional Juvenile Detention Advisory Board; and Rural Cities & County meeting.
- Commissioner Ebinger reported on meetings for Clay County Substance Abuse Committee; Regional Juvenile Detention Advisory Board; Rural Cities & County meeting; met with Mr. Larson, James O'Donnell, Commissioner Mongeau, and Representative Keeler regarding funding for the Transitional Housing for Juvenile Detention.
- County Administrator Stephen Larson reported on meetings for personnel matters with HR department; met with Eric Dodds regarding the upcoming MCCJPA meeting; Rural Cities & County meeting; met Commissioner Ebinger, James O'Donnell, Commissioner Mongeau, and Representative Keeler regarding funding for the Transitional Housing for Juvenile Detention; met with Sheriff Empting regarding fleet vehicles; tomorrow is the Grand Opening of the Family Healthcare Dental Clinic, and on Thursday this week, Clay Soil and Water Conservation District is having their Pollinator Night at Junkyard, at 4 p.m.

Adjourn

The meeting was adjourned at 10:18 a.m.

David Ebinger, Chair
County Board of Commissioners

Stephen Larson, County Administrator