

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 AM, TUESDAY, MAY 21, 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, Assistant County Attorney Michael Leaser, HR Director/Asst. Administrator Darren Brooke, 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.

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 \$8,879,550 from 137 vendors. There were 80 warrants issued under \$2,000 (\$43,214) and the following 57 were over \$2,000.

Independent School Dist 152	\$ 4,462,985	Motorola Solutions, Inc.	\$ 15,788
Independent School Dist 150	\$ 875,159	Ben's Structural Fabrication Inc	\$ 15,317
Independent School Dist 2164	\$ 659,024	Ellenson Caulking LLC	\$ 14,250
Independent School District 146	\$ 482,282	Xcel Energy	\$ 14,227
Air Mechanical, Inc	\$ 469,733	Amazon Capital Services	\$ 12,817
Mortenson Masonry, Inc.	\$ 224,271	Becker County Public Health	\$ 12,800
Fergus Drywall	\$ 190,154	Turnkey Corrections	\$ 12,765
Independent School Dist 914	\$ 167,734	Lemke Home Improvements, Inc	\$ 12,350
Tecta America Dakotas LLC	\$ 150,462	Independent School Dist Bc 2889	\$ 12,087
Gehrtz Construction Services, Inc	\$ 133,014	Central Door & Hardware Inc.	\$ 11,037
Northland Glass and Glazing, LLC	\$ 110,010	Solutions Behavioral Health PC	\$ 10,857
Clay Co Public Health	\$ 84,093	Wilkin Co Public Health	\$ 10,846
Grotberg Electric Inc	\$ 75,648	Culinex, Inc.	\$ 9,420
Clay County Social Services	\$ 61,985	Nitzkowski, Inc.	\$ 9,344
CoreLogic	\$ 52,392	Verizon-386550144	\$ 8,253
Great Plains Flooring	\$ 47,500	Independent School Dist Otc 548	\$ 7,861
Scott's Electric, Inc	\$ 45,628	Business Builders Inc.	\$ 4,534
MN Counties Computer Coop	\$ 41,000	Johnson's Auto Repair LLC	\$ 4,315
Otter Tail Public Health	\$ 37,526	Quality Coatings & Tile	\$ 3,800
MinKo Construction, Inc.	\$ 37,442	Clay County Attorney	\$ 3,247
Ledgestone Inc.	\$ 35,132	BDT Mechanical, LLC	\$ 3,046
Specialty Systems	\$ 33,264	Moorhead Public Service	\$ 3,043

Tony Eckert & Sons	\$	24,443	The Retrofit Companies Inc.	\$	2,961
Elan Financial Services	\$	19,080	Streicher's	\$	2,910
Ada-Borup-West ISD 2910	\$	18,795	Office of MN IT Services	\$	2,870
Klein McCarthy & Co Ltd	\$	18,217	Minnkota EnviroServices, Inc.	\$	2,618
Lereta, LLC	\$	18,028	RBS Activewear	\$	2,335
Robert Gibb & Sons, Inc.	\$	17,005	RnC Consulting P.A.	\$	2,062
Kvalvog/Raymond	\$	16,549			

Approval of Minutes from May 7, 2024

On motion by Commissioner Campbell, seconded by Commissioner Campbell, and unanimously carried, the Board approved the minutes from May 7, 2024.

Request Approval of JPA with Youthworks

Sheriff Mark Empting stated this week is Emergency Medical Services (EMS) Week and honored EMS Professionals and Fire Departments in the County.

Sheriff Empting requested approval of the Joint Powers Agreement with Youthworks and stated the purpose of this agreement is to demonstrate community support for the services provided by Youthworks to runaway youth, homeless youth, homeless young adults (including pregnant and parenting young adults), street youth, youth at risk of homelessness, and youth who are victims of sexual exploitation and human trafficking (RHTSY); and to identify collaborations important to the success of the programs that serve these youth and their families.

The Sheriff's Office will agree to utilize emergency shelter and/or Attendant Care for staff secure holding for runaway youth who cannot be safely and/or immediately returned to their homes. We will work with Youthworks to identify sites where street youth congregate and which would be appropriate for street outreach. We will also endorse Youthworks' applications for services for youth who are, or who are at risk of becoming, runaway, street youth, homeless youth, homeless young adults (including pregnant and parenting young adults) and victims of human trafficking.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the Joint Powers Agreement with Youthworks.

Adult Mental Health Local Advisory Council (LAC) Annual Report

Social Services Supervisor, Kirstin LePard, Adult Mental Health Local Advisory Council (LAC) Co-Chair, Alison Wolbeck, and Adult Mental Health LAC Secretary, Brea Krause, presented the annual report for the Adult Mental Health LAC and requested approval of the Adult Mental Health LAC Membership.

Ms. Wolbeck and Ms. Krause discussed crisis services, mental health workforce shortage, and mental illness with co-occurring Substance Use disorders (Dual Diagnosis).

Commissioner Campbell discussed the recommendations involving Department of Human Services (DHS) and asked if these are ongoing issues. Ms. Wolbeck stated they are ongoing issues and working as individual entities, it's difficult to get an organization such as DHS to move things to the top of their list. Social Services Director, Rhonda Porter, thanked the Adult Mental Health LAC and further discussed some of the recommendations including developing an Intensive Residential Treatment Services (IRTS) facility, and how that has been a topic of

conversation.

Discussion ensued regarding an IRTS facility, and looking to the state for funding these issues.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the Adult Mental Health Local Advisory Council Membership.

Request Approval of Contract for Roundabout Design

County Engineer, Justin Sorum, stated recently the Highway Department has been contracting with Bolton & Menck to apply for both a HSIP Grant and a LRIP Grant to help fund the roundabout project. We were successful in securing \$1.2 million in funding for both grants for the intersection of CSAH 12 & 52. The Highway Department worked with Bolton & Menck to provide a Scope of Services for the design of the Roundabout and now it's requested to contract with them for this project. There would be a cost impact in 2024 and 2025. Proposed construction would be in 2026. The services provided, include design, geotechnical, Environmental document for federal approval, survey, appraisals, and title work.

Commissioner Campbell stated that this was thoroughly discussed at Highway Tracking and according to MNDOT, this is warranted by the warrants and asked Mr. Sorum to further discuss what that means. Mr. Sorum stated typically when you have an intersection, which ever lag of that intersection has the most traffic, is usually the controlling lag, and depending on what happens at that intersection, such as major accidents or deaths, can warrant different things. As part of this application, an Intersection Control Evaluation (ICE) report was conducted, which goes through all different types of warrants, to determine what would be the best fit, and a roundabout was warranted.

Commissioner Campbell mentioned that when roads get realigned, often times that includes acquiring additional land, which we take very seriously. Mr. Sorum stated with the skew of CSAH 52, both sides of CSAH 12, and 52 would need to be realigned, along with the railroad, which would take significantly more right of way than the roundabout would, plus you would have to have significant railroad coordination, which isn't always easy. Other than notifying the railroad of being in the area, the roundabout design doesn't require a railroad permit.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the contract with Bolton & Menck for the Roundabout Design on CSAH 12 & 52.

PUBLIC HEARINGS: REQUEST FOR MAJOR PLATTED SUBDIVISION AND PETITION TO REZONE

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board opened the Public Hearing at 9:04 a.m.

Planning & Zoning Director Matthew Jacobson discussed the first request for a platted subdivision and stated the applicant is seeking to plat a one-lot commercial subdivision on Parcel ID: 13.005.2200, part of the SW1/4 of the SW1/4 of Section 5, Township 139N, Range 45W, Hawley Township. It's approximately 4.6-acre tract subdivided from a 319.77-acre parcel. Mr. Jacobson discussed the lot description and location, the current use being mostly agricultural and some wetlands, zoned currently as resource protection aggregate, comprehensive plan goals and objectives, the development code, improvement plans,

preliminary plan comments, Highway Department comments regarding access and access permits, public comments and concerns regarding traffic and cattle getting out, County Board public comments including concerns about consistency with agriculture and residential development in the area, potential risks to surface and ground water resources, impacts to wildlife, concerns about diminished property values, potential increase of criminal activity, impact on views from surrounding properties, and further ownership concerns.

Mr. Jacobson stated the Planning Commission's recommendation was to authorize preparation and submission of Highway 10 Store All Subdivision Final Plat with conditions to the Clay County Board of Commissioners for approval. The conditions being;

1. Final Plat must contain revisions to address items listed in the staff reporter above;
2. A Title Opinion is required;
3. If the property is rezoned to Highway Commercial, the following conditions must be met;
 - a. Wetland Consultation with Wetlands Conservation Act Coordinator.

Randy Bach, of Hawley, MN, addressed the Board and stated he lives directly across from this parcel, on Highway 10, and discussed his concerns for the current traffic at that intersection, property values, and his hopes that the Board can have thoughtful consideration to screening the site.

Commissioner Campbell asked if there was any intention of having the area fenced. Mr. Jacobson stated yes, to his knowledge, there would be a fence around the area. Commissioner Mongeau stated that typically wouldn't happen until after a permit is acquired. Commissioner Campbell stated it's important to have some type of security in these areas and asked if that was discussed through the Planning Commission. Mr. Jacobson stated that it has been brought up and this can be further discussed during the rezoning hearing.

Commissioner Krabbenhoft asked why the cattle issue was brought up in this presentation. Mr. Jacobson stated it was a public comment that was received by a neighbor at the Planning Commission meeting.

Commissioner Krabbenhoft mentioned the high water table, and asked if there were any considerations regarding the soil in that area. Mr. Jacobson stated the water table and the soil in the area would be consideration.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board closed the Public Hearing at 9:17 a.m.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the final plat for the Highway 10 Store All Subdivision.

On motion by Commissioner Mongeau, seconded by Commissioner Krabbenhoft and unanimously carried, the Board opened the Public Hearing at 9:22 a.m.

Mr. Jacobson this would be the second piece to this request on the same property. The applicant is petitioning to rezone approximately 4.54 acres of Parcel ID: 13.005.2200, part of the SW1/4 of the SW1/4 of Section 5, Township 139N, Range 45W, Hawley Township from Agricultural General; Resource Protection - Aggregate to Highway Commercial. The purpose would be to establish a commercial storage business. The current Zoning is Commercial

Storage which is not permitted and the proposed Zoning would allow for commercial storage as a permitted use. The Planning Commission made a recommendation to deny the rezoning to Highway Commercial but approve the removal of the Resource Protection – Aggregate Overlay Zoning District at their April 16, 2024 meeting.

Mr. Jacobson stated Hawley Township heard this request as they have zoning authority as well. Hawley Township denied the request to rezone to Highway Commercial, but approved the removal of the Resource Protection – Aggregate Overlay Zoning District. The Township Zoning is now Agricultural General. Within Agricultural General, commercial storage is currently allowed as a conditional use, so in that same meeting, they did approved a conditional use permit for Commercial Storage, with one condition being the business must be a minimum of 50-feet from wetland/drainage on the east side of the property.

Discussion ensued regarding fencings, lighting, security cameras, and cleanliness of the property.

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board closed the Public Hearing at 9:38 a.m.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board denied the rezoning of the subject property from Agricultural General; Resource Protection – Aggregate to Highway Commercial.

Commissioner Campbell encouraged that there be communication with the Planning Commissioner, to strongly consider the conditions that were discussed to ensure security and cleanliness of the property.

On motion by Commissioner Mongeau, seconded by Commissioner Krabbenhoft , and unanimously carried, the Board approved to rezone the subject property from Agricultural General; Resource Protection – Aggregate to Agricultural General.

BREAK

The Board took a break from 9:42 a.m. - 9:47 a.m.

A Place for Hope: Recovery and Wellness Center & Food Shelf Report

A Place for Hope Executive Director, Darrell Vasvick, provided the Board with the 2023 annual report and discussed their mission, purpose, AP4H Guiding Principles and Goals, membership requirements, programs such as recovery and wellness, food shelf, Leadership, including Board of Directors and Staff, and the Financial report, including income and expenses.

Commissioner Krabbenhoft thanked Mr. Vasvick for his efforts and all that he does for the facility.

Commissioner Gross asked what the membership requirements were. Mr. Vasvick stated to become a member, the individual must live in Clay County, have a mental health advisor sign off on mental health diagnosis and complete a successful background check.

Request Approval to Replace an Eligibility Worker Position in the Financial Services

Division Due to a Resignation.

Social Services Director, Quinn Jaeger, stated an Eligibility Worker position will be vacated in the Financial Services Division effective May 31, 2024, due to a resignation. The caseload activities for the Eligibility Worker in this position have consisted of determining eligibility and maintaining a caseload of adult healthcare programs. With current caseload responsibilities, we cannot distribute this caseload into the existing staff duties. If the position was not filled, it would be detrimental to the people we serve, and the efficient and effective delivery of services.

This position is responsible for meeting state and federal mandated services which are tied to funding.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the replacement of the Eligibility Worker position within the Financial Services Division with backfill.

Request Approval to Re-hire an Open Juvenile Detention Worker Position in the Non-Secure Unit

Juvenile Detention Director, James O'Donnell, requested approval to re-hire an open Juvenile Detention Worker position in the Non-Secure Unit. This position is in the 2024 budget and is critical for safe and effective programming.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the re-hire of an open Juvenile Detention Worker position in the Non-Secure unit, with backfill.

Recognition - Proclamation for Fire and Emergency Medical Services Appreciation Day & National Emergency Medical Services Week

County Administrator Stephen Larson stated the Clay County Board of Commissioners, in conjunction with the Intergovernmental Committee entities, wish to recognize Fire and Emergency Medical Services Appreciation Day - May 24, 2024 and National Emergency Medical Services (EMS) Week, May 19-25, 2024. The Clay County Board of Commissioners wish to acknowledge area fire departments and EMS personnel for their dedicated service in serving and protecting the citizens of Clay County. The Intergovernmental Committee will be hosting a Fire and EMS Press Conference on May 22, at 3:30 p.m. at the Dilworth Fire Station. There will also be a groundbreaking ceremony for the new Dilworth Fire Hall.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board read and adopted the Proclamation recognizing Emergency Medical Services Appreciation Day on May 24, 2024 & National Emergency Medical Services Week, May 19-25, 2024.

Request Approval in Establishing an Economic Development Quarterly Committee Meeting

Mr. Larson stated the Clay County Board of Commissioners has a long-standing precedence of working closely with individuals, legislators, committees, cities and governmental entities for the betterment of Clay County citizens. Clay County Administration was approached by economic development leaders inquiring about Clay County's willingness to host a quarterly meeting focused on economic development in Minnesota. If considered, Clay County would host four meetings a year, and would be added to the Board of Commissions committee assignments.

Commission Ebinger suggested that this be something that is done by the full Board.

Commissioner Campbell discussed the importance of whoever is involved, have knowledge/background in business.

Commissioner Krabbenhoft discussed being in favor of having the full Board being involved.

Commissioner Mongeau stated this is long overdue and agreed that having the full Board involved is what's best.

Discussion ensued regarding potential entities being involved in this quarterly meeting.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the Establishment of an Economic Development Quarterly Committee Meeting consisting of the full Board of Commissioners and for the County Administrator to provide a list of additional members who can be invited to serve on that committee.

Request Approval to Update 2025 Budget Timeline and Adjust the Clay County Board of Commissioners Meeting Schedule and Approval to Amend the Clay County Board of Commissioners Meeting Schedule.

Mr. Larson stated on January 2, 2024, the Clay County Board of Commissioners established the meeting schedule for 2024. As a part of the schedule, the commission voted to host the Truth and Taxation meeting at 6 p.m. on December 3, 2024, and the regular Clay County Board of Commissioners meeting moved to 5 p.m. A budget timeline was approved during the May 7, 2024, meeting, that reflected these dates/times. To ensure that all County Commissioners could be present for the Board meeting and Truth in Taxation, the Clay County Board of Commissioners meetings and 2025 budget timeline would need to be amended. The updated 2025 Budget Timeline would now read;

1. Preliminary budget discussions with the County Board. Set budget parameters – Tuesday, May 7, 2024.
2. Budget sheets will be provided to Department Heads and community partners will receive a letter – Friday, May 24, 2024.
3. Deadline to submit budget requests to the Auditor's Office – Friday, June 14, 2024.
4. Budget compiled and forwarded to the County Administrator's Office – Friday, July 5, 2024.
5. Presentations to the County Board. Review of budget with individual departments, as necessary – July/August 2024.
6. Set Preliminary Levy per statute – October 1, 2024.
County Board action by – Tuesday, September 17, 2024.
7. Public Meeting regarding Budget information – 5:00 p.m. Tuesday, November 26, 2024.
Truth in Taxation – 6:00 p.m. Tuesday, November 26, 2024.
8. Adoption of Final Levy and Year 2025 Budget – Tuesday, December 17, 2024.

Mr. Larson also discussed on January 2, 2024, the Clay County Board of Commissioners established the meeting schedule for 2024. Per Policy, the Clay County Board of Commissioners meet the first four Tuesdays of the month at 8:30 a.m. There are five (5) months that have five (5) Tuesdays in 2024 in which meetings are not scheduled to be held. The

Auditor's Office has requested that the Clay County Board of Commissioners consider holding a meeting on December 31, 2024, to ensure end of the year bills can be processed.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved to shift Truth in Taxation to November 26, 2024 at 6:00 p.m. with the Clay County Board of Commissioners meeting to be held at 5 p.m. instead of 8:30 a.m., to move the Clay County Board of Commissioners meeting back to 8:30 a.m. on December 3, 2024, and to amend the Clay County Board of Commissioners meeting schedule to host a meeting on Tuesday, December 31, 2024, at 8:30 a.m.

Committee Reports/County Administrator Update/Discussions

- Commissioner Campbell reported on meetings for Lakes Country Service Coop special meeting; Red River Regional Dispatch Center special meeting; and West Central Regional Water District Steering Committee.
- Commissioner Gross reported on meetings for West Central Regional Water District Steering Committee; Ulen City Council meeting; Kragnes Township meeting; Police Week Memorial Ceremony; Partnership4Health CHB; and MN Rural Counties Caucus.
- Commissioner Krabbenhoft reported on meetings for Tour of A Place for Hope; CAPLP; Historical & Cultural Society; Moorhead Matters event; Clay County HRA liaison; Metro COG Policy Board; Early Childhood Initiative; and Cass-Clay Food Commission.
- Commissioner Mongeau reported on meetings for Greater FM EDC Advisory; worked to reach out elected representatives and committee membership regarding the items Clay County prioritized; Tax Forfeiture workgroup; and MN Rural Counties Caucus.
- Commissioner Ebinger reported on meetings for Tour Place for Hope; Greater FM EDC Advisory; Police Week Memorial Ceremony; Suicide and Prevention Coalition; Red River Regional Dispatch special meeting; Lake Agassiz Regional Library; Partnership4Health CHB; and AMC Region 4 Chair meeting.
- County Administrator Stephen Larson reported on meetings for WCRWD Pre-meeting; Clay County Management; MCCJPA Pre-meeting; WCRWD; Department Head Evaluation; and met with Cecilia Amadou from Extension regarding staff pay rates. Mr. Larson provided a follow up regarding the WCRWD stating he heard from Senator Klobuchar's office on funding, which was moved forward in consideration. Mr. Larson discussed upcoming meetings for the Commission and reminded citizens of being closed on Monday, May 27, 2024, for Memorial Day.

Adjourn

The meeting was adjourned at 11:06 a.m.

David Ebinger, Chair
County Board of Commissioners

Stephen Larson, County Administrator