

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, NOVEMBER 5, 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 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.

Donation from Johnson's Auto Repair to the Clay County Sheriff's Office K9 Program

By consent, the Board approved the donation from Johnson's Auto Repair to the Clay County Sheriff's Office K9 Program in the amount of \$15.00.

Commissioner Ebinger recognized and thanked Johnson's Auto Repair for their donation.

Minnesota Lawful Gambling LG220 Application for Exempt Permit

By consent, the Board approved the Minnesota Lawful Gambling LG220 Application for Exempt Permit for Clay County Pheasants Forever Chapter 0133.

Employee Recognitions

The following employees were recognized: Michelle Carney, 15 years with the Attorney's Office; Diane Kluck, 40 years with Social Services; and Jason Bergstrand, 15 years with Public Health.

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 \$5,703,325 from 188 vendors. There were 125 warrants issued under \$2,000 (\$60,019) and the following 63 were over \$2,000.

Independent School Dist 152	\$ 2,906,130	Far-Moor Acoustics & Floors, LLC	\$ 7,766
Grotberg Electric Inc	\$ 691,549	MCM Development	\$ 7,688
Independent School Dist 2164	\$ 429,132	MN Counties Computer Coop	\$ 7,677
Independent School Dist 150	\$ 407,051	McKesson Medical Surgical	\$ 6,816
Independent School District 146	\$ 224,317	MN Counties Intergovernmental Trust	\$ 6,418
Quality Concrete, Inc.	\$ 91,199	Ada-Borup-West ISD 2910	\$ 6,119
Lemke Home Improvements, Inc	\$ 75,103	Axon Enterprises, Inc.	\$ 5,880
Gehrtz Construction Services, Inc	\$ 65,225	Dakota Plains Mechanical, Inc.	\$ 5,853

Mn State Auditor	\$ 64,666	Moorhead Public Service	\$ 5,376
MinKo Construction, Inc.	\$ 58,116	Braun Intertec Corp	\$ 5,286
Clay County Social Services	\$ 57,940	NetCenter Technologies	\$ 4,855
Independent School Dist 914	\$ 54,611	R Travelmart	\$ 4,498
City Of Moorhead	\$ 44,189	Independent School Dist Bc 2889	\$ 4,230
Twin City Garage Door, Inc.	\$ 41,233	VolP Supply LLC	\$ 3,954
Houston Engineering Inc	\$ 28,758	Johnson's Auto Repair LLC	\$ 3,933
Lakes & Prairies CAP, Inc.	\$ 27,552	Northland Glass and Glazing, LLC	\$ 3,800
Prairie Lakes Municipal Solid Waste Auth	\$ 27,168	City of Pelican Rapids	\$ 3,742
Clay Co Public Health	\$ 26,509	Sanford Health	\$ 3,641
CivicPlus, LLC	\$ 25,722	The Retrofit Companies Inc.	\$ 3,332
Lakeland Mental Health	\$ 22,670	Independent School Dist Otc 548	\$ 3,145
Madison National Life	\$ 20,160	Novanex, Inc	\$ 3,107
WEX Bank - Sheriff	\$ 14,860	Crowe LLP	\$ 2,948
Ellenson Caulking LLC	\$ 14,250	M-R Sign Company Inc	\$ 2,475
City Of Hawley	\$ 14,057	Advanced Business Methods	\$ 2,470
Amazon Capital Services	\$ 12,390	Fevig Oil Co	\$ 2,352
Uline	\$ 11,543	Rdo Truck Center Co.	\$ 2,324
T.F. Powers Construction Co.	\$ 10,895	Green View Inc.	\$ 2,299
Advanced Striping & Sealcoating, Inc.	\$ 10,467	Kitzmann/Stuart	\$ 2,230
RDO Equipment Co.	\$ 10,259	DS Solutions Inc.	\$ 2,192
Town & Country Oil Inc.	\$ 8,477	Disposal Services Inc	\$ 2,175
NEMO-Q, Inc.	\$ 8,350	Deputy Registrar #15 (A)	\$ 2,109
High Point Networks, LLC	\$ 8,051		

Approval of Minutes from October 22, 2024

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the minutes from October 22, 2024.

Request Approval to Hire a Public Health Nurse Above Step 3 for the West Central Regional Juvenile Center (WCRJC) Programs

Juvenile Detention Director, James O'Donnell, requested permission to hire a nurse for the WCRJC and stated this was approved by the Personnel Issues Committee (PIC). Mr. O'Donnell also requested that this position be allowed overtime.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved to hire a Public Health nurse at a Grade 18 Step 7 for the West Central Regional Juvenile Center Programs and to allow for overtime until January 1, 2025.

Request Approval to Re-hire an Overnight Position in the Non-Secure Unit

Mr. O'Donnell requested approval to re-hire an Overnight Position in Non-Secure Unit. This position is critical for safety and the well-being of the youth.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to hire for the open overnight position in the Non-Secure Unit.

Request Approval of Grant Funds for the Lead Agency Employment First Capacity Building Grant

Social Services Director, Quinn Jaeger, stated the Lead Agency Employment First Capacity Building Grant Program aims to support Clay County in enhancing employment opportunities

for people with disabilities. This grant seeks to bridge the gap between local businesses seeking employees and people with disabilities, by focusing on competitive integrated employment (CIE) aligned with individuals' strengths and interests, and promote the Employment First Model.

The Employment First model reflects a national movement to shift the focus of individuals being employed in segregated work environments, such as sheltered workshops, to meaningful work within the community. This model prioritizes CIE as the preferred employment outcome for people with disabilities.

CIE refers to jobs where people with disabilities work alongside individuals without disabilities, within the community in which they reside, and for wages and benefits comparable to those without disabilities. CIE jobs are in typical work environments, contributing to the broader community by benefiting both the individual and local businesses. The goal of CIE is to ensure that people with disabilities have equal opportunities for meaningful employment, career growth, and economic self-sufficiency, just like their peers without disabilities.

This grant's goal is to promote sustainable employment outcomes and support successful implementation of the Employment First model at the local level. Once funds are received, we will work with the Minnesota Transformation Initiative (MTI) to create an action plan that includes steps to increase CIE for individuals on HCBS Waivers and milestones to be achieved. After the action plan is created, we will work towards partnering with local businesses and employment service providers to support individuals in exploring and securing competitive, integrated jobs.

Clay County has the option to request continued funding for up to 3 additional years, if our action plan is successfully implemented and the milestones identified are achieved.

Discussion ensued regarding the funds and collaboration with local businesses.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to receive Lead Agency Employment First Capacity Building Grant funds.

Request Approval to Issue a Request for Proposals for Distribution of Local Homeless Prevention Aid Funds

Mr. Jaeger state the Local Homeless Prevention Aid (LHPA) was created by the 2021 Legislature to help local governments ensure no child is homeless within a local jurisdiction by keeping families from losing housing and helping those experiencing homelessness find housing. Counties must use this aid to fund new or existing family homeless prevention and assistance projects or programs and each project or program must include plans for

Targeting families with children who are eligible for a prekindergarten through grade 12 academic program and are one of the following:

1. Living in overcrowded conditions in their current housing
 2. Paying more than 50 percent of their income for rent
 3. Lacking a fixed, regular, and adequate nighttime residence
- Targeting unaccompanied youth in need of an alternative residential setting
 - Connecting families with the social services necessary to maintain the families' stability in their homes, such as housing navigation, legal representation, and family outreach

- One or both of the following:
 - Providing rental assistance for a specified period which may exceed 24 months
 - Providing support and case management services to improve housing stability, such as housing navigation and family outreach

Commissioner Krabbenhoft asked for clarification on the funds. Mr. Jaeger stated each year an allocation is received and the allocation for 2025 was \$303,126.00. The funds that are set aside for this are scheduled to occur every year, until 2028. However, the allocation will fluctuate based on spending, and school aged youth data.

Discussion ensued regarding housing agencies and the collaboration between them and the Social Services department.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to issue a Request for Proposal for distribution of the Local Homeless Prevention Aid funds allocated to Clay County.

Request Approval of Resolution 2024-32 in Support of a Residential Psychiatric Treatment Facility (PRTF) Bonding Bill

HR Director/Assistant County Administrator, Darren Brooke, stated the Clay County Board of Commissioners has long supported programs to benefit those suffering with mental health issues, and have continued to explore ways to add to our country's continuum of care both for adults and juveniles. The Board of Commissioners identified securing funding for a Residential Psychiatric Treatment Facility (PRTF) as a top priority during the 2024 legislative session. While unsuccessful, the Board has continued to explore securing a financial plan to bring the project to fruition. Resolution 2024-32 will support the request for bonding for the remodel of the existing non-secure detention facility to a PRTF and secure funding for the replacement of the existing non-secure detention facility from the 2025 legislative session.

Commissioner Mongeau clarified that this project has shifted where they are now seeking grant funding and the Governor's budget. However, the option for bonding is not completely off limits.

Mr. Jaeger stated the initial project was to build a stand-alone PRTF building. After discussion on the planning, members of the committee realized that the County already has this type of facility in the Non-Secure detention. Therefore, the thoughts were to renovate what was needed in the Non-Secure facility and then build a separate stand-alone Non-Secure facility, with the hopes of some cost savings.

Discussion ensued regarding the Department of Human Services on site visit of the facility and possibly having a portion of the PRTF being considered a locked facility, and partnering counties, Tribes, and local businesses.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved Resolution 2024-32 in Support of a Psychiatric Residential Treatment Facility (PRTF) with the modified language.

Clay County Board of
Commissioners Resolution 2024-32

WHEREAS, there is inadequate capacity across Minnesota's continuum of care to support children with high-acuity, complex, and/or co-occurring conditions, including violent or sexually inappropriate behavior and significant physical health challenges; and

WHEREAS, Psychiatric Residential Treatment Facilities (PRTF) play a critical role in serving children and youth under the age of 21 with severe mental health needs and aggression, as part of this continuum; and

WHEREAS, currently only four PRTF facilities are operational in Minnesota, offering a total of 166 beds, which is insufficient to meet the growing needs of children with serious and complex mental health conditions; and

WHEREAS, the demand for additional PRTF beds across Minnesota is urgent to ensure children receive timely and appropriate care; and

WHEREAS, equitable distribution of PRTF beds throughout the state is essential to provide children with proximity to their home communities, families, and local service providers; and

WHEREAS, Clay County is committed to addressing this critical gap in mental health services by establishing a PRTF in partnership with a qualified service provider for the delivery of these essential services; and

WHEREAS, Clay County seeks State appropriated funding through the Governor's budget and grants from the Commissioner of human services for Clay County to predesign, design, and remodel of the West Central Regional Juvenile Center non-secure unit into an 18-bed psychiatric residential treatment facility and address the predesign, design, construct, furnish, and equip of a non-secure unit within Clay County to replace the existing facility that will become a psychiatric residential treatment facility.

NOW, THEREFORE, BE IT RESOLVED, that the Clay County Board of Commissioners hereby requests Minnesota state funds to support infrastructure development for a Psychiatric Residential Treatment Facility in Clay County, ensuring access to specialized care for children with complex mental health needs across the region.

Bid Opening for SP 014-614-001

County Engineer, Justin Sorum, opened bids for the Bridge Replacement Project on CSAH 14, which is southwest of Glyndon, MN. Bids for this project were originally opened in March, but no bids were received at that time. This time around, two bids were received, both with a bid bond of 5%. The engineers' estimate for this project is \$1,530,618.50.

The first bid received was from Structural Specialties Inc. with a bid of \$1,993,377.72. The second bid received was from Red Stone Construction LLC with a bid of \$1,771,603.70.

Commissioner Campbell asked if there was a reason the engineers' estimate was significantly less than what the bids came in at. Mr. Sorum stated the difficult part of the engineers' estimate is that it's tied to the Statewide Transportation Improvement Program (STIP), which is based on last years pricing.

Mr. Sorum stated there are federal dollars that are capped on this but there is also bridge bonding, which is an estimate based on the engineers' estimate. This means there is potential to receive additional bridge bonding on top of what has already been received.

Commissioner Campbell asked what Mr. Sorum's recommendation would be on this. Mr. Sorum stated based on the importance of the bridge and the 5-year plan, it would be best to move forward with the project and to approve the low bid contingent upon approval from the Office of Civil Rights and State Aid.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved the low bid from Red Stone Construction LLC in the amount of \$1,771,603.70 contingent upon approval from the Office of Civil Rights, and State Aid.

Request Approval to Apply for 2025 Restorative Practices Initiatives Grant

County Attorney Brian Melton stated the Clay County Attorney's Office is looking for approval from the Clay County Board of Commissioners to submit a funding request to the MN Office of Justice Programs for the 2025 Restorative Practices Initiatives Grant Program. This funding opportunity and guidance came out of the establishment of the Office of Restorative Practices, MN Statute 229A.95.

Victim Witness Program Director, Michelle Carney stated while Clay County already has an established restorative justice program, this funding opportunity would expand off of that. The request for proposals/grant application states Restorative Practices focus on restoring relationships, community harmony, and individual well-being through collaborative and inclusive approaches. Restorative practices refer to a practice within a program or policy that incorporates core restorative principles, including voluntariness, prioritization of agreement by the people closest to the harm on what is needed to repair the harm, reintegration into the community, honesty, and respect. Restorative practices can involve victim-offender conferences, family group conferences, circles, community conferences, and other similar victim-centered practices. Restorative practices funded under this statute may be used at any point, before court involvement, after court involvement, to prevent court involvement, or in conjunction with court involvement.

Restorative Justice Coordinator, Lukas Brandon, discussed the opportunity and to broaden the program up.

Ms. Carney discussed training, funding, and programing & services.

Ms. Carney stated a unique part of this grant is that, in order to apply, a Restorative Advisory Committee (RPAC) needed to be created. That required commitment from 11 different entities including a Judge; County Attorney; Chief District Public Defender; a representative from the Children's Unit of a County Social Service Agency; a representative from the local probation department; a representative from a local law enforcement agency; a school administrator or designee from a school or schools; multiple community members that reflect the racial, socioeconomic, and other diversity of the population of a county that will be served; restorative

practitioners; parent, youth, and justice-impacted participants; and a representative from a victims' advocacy group. These members have all been confirmed.

The RPAC will play a crucial role in shaping the approach to restorative practices, helping create a supportive environment for conflict resolution, healing and community building. Participating would allow to contribute to the expansion of the Juvenile Diversion Program, but also help strengthen the collaborative efforts within the community.

Commissioner Campbell discussed MN Statute 229A.95 and asked if what's being requested is state funding, federal funding then state funding, or state and then local funding. Youth Restorative Workgroup Facilitator, Jeff Nyquist, stated from his understanding, these are ongoing state dollars.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to apply for the 2025 Restorative Practices Initiatives Grant.

BREAK

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

Request Approval for Out-of-State Travel - Commissioner Mongeau

Mr. Brooke stated Commissioner Mongeau has been invited by the Minnesota Pollution Control Agency to the first Sustainable Materials and Solid Waste Exchange between Minnesota and North Rhine-Westphalia, Germany. The University of Minnesota will lead the exchange with our partners from the North Rhine-Westphalia government focusing on sustainable materials management. The trip will bring together a group of twenty leaders from the private solid waste industry, state and local governments, retailers, and nonprofits to learn together. The plan is to depart Minnesota on Friday, December 6, 2024 to arrive Saturday in Düsseldorf, Germany and return on Saturday December 14, 2024.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved Out-State-Travel for Commissioner Mongeau to attend the Sustainable Materials and Solid Waste Exchange between Minnesota and North Rhine-Westphalia, Germany and approval to cover airfare and meal allowance.

Commissioner Campbell asked about making a change to the voting delegates for the AMC Annual Conference. Commissioner Mongeau stated she has discussed this with the County Administrator and no changes will be made until she knows more about the trip in the coming weeks.

Request Approval of Court Appointed Attorney Contracts

Mr. Brooke stated Clay County is required by MN Statute to provide court appointed attorneys for indigent clients. The current contracts end December 31, 2024. The contracts that are up for consideration include Brian Toay, Shawn Schmidt and Alexis Madlom, and these would be a two-year Contract from January 1, 2025–December 31, 2026. Stuart Kitzmann's contract would be for three-years and would expire on December 31, 2027. In reviewing the contracts with the County Attorney's office and Social Services personnel, all parties agreed that the contract holders had been doing an acceptable job. Each contract includes a 3% increase.

Mr. Melton gave further description of each contract.

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved the Court Appointed Attorney Contracts for Brian Toay, Shawn Schmidt and Alexis Madlom from January 1, 2025–December 31, 2026, and for Stuart Kitzmann from January 1, 2025–December 31, 2027.

Request Approval to Sign 3-Year Memorandum of Agreement – University of Minnesota Extension/Clay County

Mr. Brooke stated every 3 years, the Clay County Board of Commissioners is asked to sign a Memorandum of Agreement (MOA) with the University of MN for the Extension program. This MOA establishes each parties responsibilities and financial contributions. This contract would run from 2025 through 2027, with a 3% increase from year to year.

On motion by Commissioner Mongeau, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the signing of a 3-Year Memorandum of Agreement Between the University of Minnesota Extension and Clay County

Committee Reports/County Administrator Update/Discussions

- Commissioner Campbell reported on meetings for Prairie Lakes Municipal Solid Waste Authority; FM Diversion Land Management; MCCJPA; FM Diversion Authority; WCRWD Board meeting; met with Commissioner Ebinger, Paul Barthel, and Stephen Larson regarding funding for the Diversion; Finance Committee for Withdrawal Management/Detox Facility & DMV; design meeting for Non-Secure project and PRTF.
- Commissioner Gross reported on meetings for WCRWD Board meeting; Moorhead City Council meeting where Curt Cannon received the MoorHeart Award; PIC; and School Bus Route Forum at the Highway Department.
- Commissioner Krabbenhoft reported on meetings for Planning for Family Resource Center; and Moorhead City Planning Commission.
- Commissioner Mongeau reported on meetings for League of Minnesota Voters; Clay County & City of Moorhead Cybersecurity Tabletop; Legislative Coordinating meeting with Rep Keeler on the PRTF; Diversion Authority Land Management; FMWF Chamber Candidate Cracker-barrel; MCCJPA; Lakes & Prairies Community Action-CAPLP; worked on the PRTF proposal with Stephen Larson; work with Barnesville EDA regarding childcare; Clay County Leaders Roundtable for Legislative Priorities at MSUM; Lakeland Mental Health Center; Moorhead City Council Meeting honoring Curt Cannon receiving the MoorHeart Award; Lakeland Mental Health Center County Contracts; Inclusive Moorhead Housing Lived Experience Equity Board Forum; PRTF meeting with Rep Keeler; landowner concern regarding MCCJPA regarding the concerns; met with Kurk Kadelco with University of MN Exchange regarding the trip to Germany; met with Rep Joy; Metro COG Policy Board; design meeting for Non-Secure project and PRTF; and School Bus Route Forum at the Highway Department.
- Commissioner Ebinger reported on meetings for attended meeting with Metro COG personnel regarding the Heartland Trail; FM Diversion Authority; met with Commissioner Campbell, Paul Barthel, and Stephen Larson regarding funding for the Diversion; PIC; and Lake Agassiz Regional Library.
- HR Director/ Assistant County Administrator Darren Brooke reported on meetings for RRRDC interviews for operations manager; Cybersecurity Tabletop; HR Payroll contract and RFP process through MNCCC; final interviews of shop foreman for the Highway Department; HR Forms; PIC; conducted interviews for the Recycling & Outreach

Education Coordinator at the RRC; Union MOUs; Finance Committee for Withdrawal Management/Detox Facility & DMV; design meeting for Non-Secure project and PRTF; Open enrollment closes tomorrow, November 6, 2024; and the County will be closed on Monday, November 11, 2024 in observance of Veterans Day.

- Communications Coordinator Jacqueline Finck reported on meetings for MN Association of Government Communicators Fall Conference; and reminder that today, November 5, 2024 is Election Day and polling locations will close at 8:00 p.m. and additional information can be found on the Clay County website as well as Office of MN Secretary of State website.

Adjourn

The meeting was adjourned at 10:43 a.m.

David Ebinger, Chair
County Board of Commissioners

Stephen Larson, County Administrator