

CLAY COUNTY BOARD OF COMMISSIONERS
9:30 AM, TUESDAY, DECEMBER 17, 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 9:30 a.m.

Approval of Agenda

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

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

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

Temporary Liquor License for Barnesville Knights of Columbus

By consent, the Board approved the Temporary Liquor License for Barnesville Knights of Columbus.

Approval of 2025 Withdrawal Management Policy

By consent, the Board approved the Withdrawal Management Policy for 2025.

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 \$2,312,352 from 273 vendors. There were 185 warrants issued under \$2,000 (\$78,541) and the following 88 were over \$2,000.

Buffalo-Red River Watershed	\$ 456,179	Chiller Systems Inc	\$ 5,386
Blue Cross Blue Shield Minnesota	\$ 316,836	North American Benefits Company	\$ 4,839
Red River Regional Dispatch Center	\$ 123,073	Melgaard/David & Beverly	\$ 4,805
Clay Co Public Health	\$ 110,666	The Retrofit Companies Inc.	\$ 4,634
Fargo Moorhead Economic Development	\$ 85,000	Braun Intertec Corp	\$ 4,589
City Of Fargo	\$ 78,035	R&J Broadcasting, INC	\$ 4,500
Scott's Electric, Inc	\$ 74,838	Wisnewski/Wylie & Brittany	\$ 4,259
Regents Of The Univ Of MN	\$ 74,141	Ehlers	\$ 4,250
Treas Wild Rice Watershed	\$ 71,602	ANJAAM HOLDINGS, LLC	\$ 4,234
Motorola Solutions, Inc.	\$ 61,993	Central Door & Hardware Inc.	\$ 4,170
Otter Tail Public Health	\$ 57,576	Fidelity Security Life	\$ 4,128
Trinity Services Group, Inc.	\$ 57,139	Clay County Court Administration	\$ 4,072

Moorhead Public Service	\$ 45,409	Madison National Life	\$ 4,008
Pro Landscapers LLC	\$ 44,896	Alvero LLC	\$ 3,925
Enterprise FM Trust	\$ 44,497	Galls, LLC - 5287110	\$ 3,816
Ulteig Engineers, Inc.	\$ 38,618	Farmers Coop Oil Co	\$ 3,703
Xcel Energy	\$ 27,744	Johnson's Auto Repair LLC	\$ 3,644
Gehrtz Construction Services, Inc	\$ 21,718	Medical Pharmacy (PH)	\$ 3,554
Becker County Public Health	\$ 21,248	BDT Mechanical, LLc	\$ 3,412
Klein Mccarthy & Co Ltd	\$ 21,142	Stenerson Bros Lbr Co	\$ 3,316
Advanced Engineering & Environmental	\$ 19,984	Sabin C Store	\$ 3,247
Specialty Systems	\$ 19,371	Pomp's Tire Service, Inc.	\$ 3,233
Mortenson Masonry, Inc.	\$ 16,588	Karla Fischer, Ph.D., J.D.	\$ 3,225
JT Lawn Service	\$ 16,486	R Travelmart	\$ 3,186
Wilkin Co Public Health	\$ 16,448	SHI International Corp	\$ 3,087
Flaherty & Hood, P.A.	\$ 15,102	Rob Bentz Lock & Key, LLC	\$ 3,071
City Of Barnesville	\$ 14,000	All Finish Concrete, Inc.	\$ 2,920
Wegner Psychological & Therapeutic Svc	\$ 12,875	Wallwork Truck Center	\$ 2,899
Anderson/Christen	\$ 11,619	Budget Blinds of Fargo	\$ 2,860
Verizon-386550144	\$ 9,957	CB & Sons Electric, Inc.	\$ 2,824
Earthwork Services Inc.	\$ 9,937	Clay County Public Health Dept (Jail)	\$ 2,672
Town & Country Oil Inc.	\$ 9,710	Psychogics	\$ 2,580
Advanced Business Methods	\$ 9,335	Summit Fire Protection	\$ 2,527
Nitzkowski, Inc.	\$ 8,561	Green View Inc.	\$ 2,508
Lakeland Mental Health Center, Inc.	\$ 7,556	Advantage Pest Control	\$ 2,500
M-R Sign Company Inc	\$ 7,161	B&H Photo	\$ 2,348
Bytespeed, LLC	\$ 6,995	Robert Gibb & Sons, Inc.	\$ 2,331
MN Life	\$ 6,992	River Valley Forensic Services, PA	\$ 2,250
Kris Engineering, Inc.	\$ 6,701	Twin City Garage Door, Inc.	\$ 2,250
Petro Serve Usa-Hwy	\$ 6,456	Fuchs Sanitation Inc	\$ 2,150
Dean's Bulk Service	\$ 6,065	General Equipment & Supplies Inc.	\$ 2,130
H & R Construction Inc.	\$ 5,927	Sanford Health	\$ 2,110
New Roots Midwest	\$ 5,651	Butler Machinery Co	\$ 2,100
Forum Communications Printing	\$ 5,616	Stein's Inc	\$ 2,085

Approval of Minutes from November 12, 2024 Work Group Session, November 26, 2024, and December 3, 2024

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the minutes from November 12, 2024 Work Group Session, November 26, 2024, and December 3, 2024.

Annual Treatment Court Update and Approval of Resolution 2024-36 to Support DWI Court Programs in Clay County.

Treatment Court Coordinator Kristal Kadrie presented an annual update on Treatment Courts and briefly discussed the Drug Court and Veterans Court data.

Ms. Kadrie discussed starting the process for the DWI Court, successfully receiving grant funding in the amount of \$150,000.00 from the Minnesota Department of Public Safety, and DWI Court Training.

Discussion ensued regarding qualifications for DWI Court, incentives, staffing, and number of participants.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously

carried, the Board approved Resolution 2024-36 to Support DWI Court Programs in Clay County.

Support of the Clay County DWI Court
Resolution 2024 – 36

Whereas, a specialty Driving While Impaired Court (hereinafter “DWI” court) uses legal and social resources, instead of solely incarceration and probation, to create effective programs for offenders; and

Whereas, a DWI court emphasizes social engagement and responsibility, while providing strict supervision over offenders and utilizing a range of immediate sanctions and incentives to encourage behavior changes that result in a more positive future for offenders; and

Whereas, according to the Minnesota Judicial Branch, DWI courts are more effective at stopping repeat offenders, producing healthier, law-abiding citizens, improving public safety by reducing crime in the community, and saving taxpayer dollars; and

Whereas, the savings of DWI Court Programs saves the State of Minnesota at least \$700,000 a year. NPC Research Statistic (*Handout*).

Whereas, Clay County has the support and active participation from all of its partners, including the Courts, law enforcement, probation, county attorney's office, city attorney's office, public defender's office, human services, and other critical agencies; and

Whereas, the Treatment Court Coordinator for Clay County submitted an application to the Minnesota Department of Public Safety for a DWI grant in July 2024. In September 2024, Clay County was approved and awarded \$150,000 to start a DWI Court.

Whereas, ten (10) team members attended a DWI Court Foundational Training on October 22-25, 2024, in Fort Collins, Colorado through All Rise, formerly NADCP, (*paid for by City of Moorhead Opioid Funds*)

- Honorable Judge Michael Leeser, Clay County Judge
- Sheena Aaser, Licensed Addiction Counselor, Clay County Social Services
- Cheryl Duysen, City Attorney, Barnesville, Dilworth, Glyndon, Hawley and Moorhead
- Brittany Ingersoll, Compliance Officer, Clay County DWI Court
- Megan Kelly, Assistant Clay County Attorney
- Kristal Kadrie, Treatment Coordinator, Clay County
- Chris Martin, Chief Deputy, Clay County Sheriff's Office
- Mara Rausch, Managing Public Defender, Clay County
- Josh Swanson, Minnesota Department of Corrections Probation Agent
- Justin Vogel, Chief of Police, City of Glyndon

Therefore, future Clay County Board of Commissioners may be asked to consider providing financial resources to the DWI court in the future based on the success, sustainability, and needs of the DWI

court.

Now, therefore, let it be known the Clay County Board of Commissioners supports a DWI court program in Clay County.

Request Approval to Hire a Public Health Strategist Due to Resignation

Public Health Administrator Kathy McKay requested approval to hire a Public Health Strategist due to a recent resignation.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved to advertise and hire a Public Health Strategist.

BREAK

The Board took a break from 9:55 a.m. to 10:01 a.m.

Public Hearing: Clay County Tobacco Ordinance Update

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved the to go into Public Hearing at 10:01 a.m.

Public Health Grant Program Coordinator, Jason McCoy stated the current Tobacco Ordinance is twelve years old and there has been both state and national laws to raise the age to use to 21 years of age, therefore the proposed ordinance update would bring the County into compliance. Mr. McCoy stated another reason for bringing this forward is to restrict the sale of flavored tobacco.

Mr. McCoy discussed the two ordinance choices. Choice A would end the sale of all flavored tobacco products. Choice B would grandfather menthol cigarettes & flavored chewing tobacco. This would include vaping and kid-friendly nicotine pouches. Mr. McCoy discussed statistics regarding use by youth, menthol, nicotine, cigarettes versus e-cigarettes, and nicotine pouches.

Commissioner Campbell stated there were a handful of letters that were provided after the packet was published, and asked that the authors of those letters be stated and added to the record. The authors of the letters include the following: Bill Leahy – Owner of Expresslane Convenience; Jeanne Weigum – President of The Association for Nonsmokers-Minnesota; Pat McKone – Senior Director-Advocacy and Public Policy for the American Lung Association; Gameda Bultum – Outreach Coordinator for Sub-Saharan Africa Youth Family Services Minnesota (SAYFSM); Reverend Fikru Eticha – Program Supervisor for SAYFSM; Carrie Arblaster – Regional Advocacy Director, Midwest for the Campaign for Tobacco-Free Kids; and Paul Weirtz – State Government Relations Director for the American Heart Association.

Testimonies were provided to the Board by the following individuals: Jim Joy – Business Owner in Hawley, MN; Becky Anderson – Retired Registered Respiratory Therapist; Elizabeth Ellizondo – Tobacco Treatment Specialist for Sanford. Ms. Ellizondo also read a testimony from Dr. Griffin – Sanford Chief Medical Officer; Katie Oman – DGF Assistant Principal, Olivia Iverson – DGF Sophomore, Megan Carlstad – Registered Nurse/Operations Manager for Essentia Health Pulmonary Medicine; Mike Martin – Retired Hawley Principal; Sean Mork – City of Hawley; Ezra Baer – Hawley, MN resident; Cani Adan – Moorhead Area Public Schools District Liaison; Jasnid Enciso – National Association of Tobacco Outlets, and Pat McKone – Senior Director-Advocacy and Public Policy for the American Lung Association.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Gross, and unanimously carried, the Board approved Public Hearing at 10:49 a.m.

Commissioner Campbell expressed concern with Clay County doing this alone, and discussed when smoking was removed from bars and restaurants, Clay County wasn't alone in tackling that issue, there was support from the entire state of Minnesota, along with support from across the river on the North Dakota side. Commissioner Campbell stated that anyone can travel into North Dakota and buy the product that this ordinance is trying to ban. This ordinance isn't going to stop individuals from getting this product. Commissioner Campbell further discussed how there wasn't one testimony regarding where the youth are obtaining these products and stated that is an important factor to understand.

Commissioner Ebinger discussed being concerned with vapes and nicotine pouches. This ordinance will limit the convenience of obtaining these products. With cannabis becoming legal, it's only a matter of time where that will be available in vapes.

Commissioner Krabbenhoft discussed how these products have affected him on a personal level and believes that if there is anything that will help the youth from going down a bad path, that should be done. Commissioner Krabbenhoft further discussed how in his heart, he would choose option A, but is leaning towards option B, in consideration to the local business owners.

Commissioner Mongeau expressed her appreciation to those who showed up and testified during the public hearing, and stated how it's ironic that there is more attention to this ordinance, than there was for legalizing cannabis. Commissioner Mongeau discussed dealing with the discrepancies in policies with North Dakota and Minnesota and how that affects business owners, residents, and costs that schools have implementing rules and regulations, which is challenging. Commissioner Mongeau stated the Fargo-Moorhead community does a lot with one another and this issue needs to be a holistic community initiative. Commissioner Mongeau agrees that the vape is a problem among youth, and stated that she will not regulate an individual who is of age, to purchase these products. If those individuals can't get these products in Clay County, they will get them elsewhere, which is a tax revenue.

Discussion ensued regarding asking for state funding to build a Psychiatric Residential Treatment Facility (PRTF), but then doing something to reduce the sales tax capacity and revenues that come from our County.

Commissioner Gross stated we need to start somewhere.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and carried, with two descending votes (Commissioner Mongeau and Commissioner Campbell) the Board approved the tobacco ordinance verbiage option B, no person shall sell or offer for sale any flavored products, excluding menthol cigarettes and flavored chewing tobacco.

Request Approval for Out of State Travel

County Recorder Kimberly Savageau requested approval for out-of-state travel and stated the Property Record Industry Association (PRIA) was created for government and businesses to work together to address issues in property transactions. This is a national conference for County Recorders and our recording partners to come together and learn from each other.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved out-of-state travel for the County Recorder to attend the national PRIA conference in San Antonio, Texas.

Recognition - Proclamation for Health and Human Services Worker Month - December 2024

Social Services Director Quinn Jaeger stated Health and Human services workers play a crucial role in supporting the well-being of individuals and communities. They work tirelessly to provide essential services, often under challenging circumstances, ensuring access to health care, social services, and support systems. Many people are unaware of the diverse roles and responsibilities that health and human service workers take on, from crises to supporting vulnerable populations. This proclamation serves as an opportunity to educate the public about their contributions and the critical nature of their work. By celebrating the profession publicly, those actions can inspire others to pursue careers in this field. It highlights the meaningful and rewarding nature of the work, attracting new talent to meet growing community needs. Recognizing their contributions helps validate the value of their hard work and dedication to improving the quality of life for others.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board read and proclaimed December 2024 as Health and Human Services Worker Month.

Request Approval to Advertise for SAP 014-634-032

County Engineer Justin Sorum requested approval to advertise for SAP 014-634-032 and stated this is a Mill and Overlay project on CSAH 34 from Trunk Highway 9 to CSAH 11. The proposed letting date would be January 28, 2025.

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved to advertise for the Mill and Overlay project on CSAH 34 SAP 014-634-032 with a letting date of January 28, 2025.

Request Approval of Resolution 2024-37 Adopting the Fargo Moorhead Area Metropolitan Transportation Plan, Metro 2050: Transportation Moving Ahead

Mr. Sorum requested approval of Resolution 2024-37 to adopt the Fargo Moorhead Area Metropolitan Transportation Plan, Metro 2050: Transportation Moving Ahead, and stated that Metro COG recently completed their 2050 area transportation plan. Being a member of Metro COG it's required as part of the Transportation Management Area (TMA) to pass a resolution adopting the plan.

Metro COG Senior Transportation Planner Michael Maddox stated the Transportation Plan requires an update every five years, similar to a comprehensive plan. It contains federal transportation policy and how that interacts with the local environment in the Fargo-Moorhead region as well as a long range look at how our transportation system will look 25 years in the future and contains projects that will meet those needs in the future.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved Resolution 2024-37 Adopting the Fargo Moorhead Area Metropolitan Transportation Plan, Metro 2050: Transportation Moving Ahead.

Resolution 2024-37

Whereas, the Clay County Board of Commissioners is the duly elected governing body for the Clay County, Minnesota, and is responsible for the planning and development of a safe and functional

transportation system;

Whereas, the Fargo Moorhead Metropolitan Council of Governments (Metro COG), is the Metropolitan Planning Organization (MPO) designated by the Governors of North Dakota and Minnesota to maintain the metropolitan area's transportation planning process in accordance with federal regulations;

Whereas, Metro COG has undertaken the task of updating its Metropolitan Transportation Plan (MTP), Metro Grow, which is a vital element of this planning process, and which documents transportation projects' eligibility for future federal funding;

Whereas, the metropolitan transportation planning process was guided by the Metropolitan Transportation Technical Committee (TTC) composed of a wide cross-section of local multimodal technical experts including engineers, planners, transit directors, and state and federal transportation officials;

Whereas, public and private organizations representing numerous transportation interests, as well as groups and individuals from socially disadvantaged groups were invited, encouraged, and involved in the Plan's preparation, in full compliance with Metro COG's Public Participation Plan;

Whereas, Metro 2050: Transportation Moving Ahead, which covers the time horizon of 2024 to 2050 was prepared using an extensive intermodal planning process;

Whereas, Metro 2050: Transportation Moving Ahead provides a comprehensive, coordinated program of projects and strategies that will improve the urban and extraterritorial transportation system of the Fargo Moorhead metropolitan area;

Now, Therefore Be It Resolved, that Clay County does hereby adopt the Fargo Moorhead Area Metropolitan Transportation Plan, Metro 2050: Transportation Moving Ahead, and agrees to use it as a tool to implement metropolitan transportation goals and objectives, which will complement overall development of the metropolitan transportation system.

Request Approval of MNDOT Grant Agreement and Resolution 2024-38 for SAP 014-589-001

Mr. Sorum requested approval of the MNDOT Grant Agreement and Resolution 2024-38 for SAP 014-589-001 and stated that the grant agreement with MNDOT is to apply for a joint Raise Application with Norman and Polk Counties. This agreement covers the cost of the application, and is a funding opportunity as part of the IIJA Discretionary match program MNDOT has started. The application is due at the end of January. This would be the second round of funding.

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board approved the MNDOT Grant Agreement No. 1058626 and supporting resolution 2024-38 for SAP 014-589-001.

RESOLUTION 2024-38
State Funded Program for IIJA Discretionary Grant
Assistance Terms and Conditions

SAP 014-598-001

12/11/2024

WHEREAS, Clay County has applied to the Commissioner of Transportation for a grant from the State Program for IIJA Assistance; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this project is available; and

WHEREAS, the amount of the grant has been determined to be **\$ 20,000.00** by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Clay County does hereby agree to the terms and conditions of the grant consistent with Minnesota Laws 2023, Chapter 68, Article 1, Section 2, Subdivision 5(a), and will pay any additional amount by which the cost exceeds the estimate, and will return any amount appropriated for the project but not required. The proper county officers are authorized to execute a grant agreement and any amendments thereto with the Commissioner of Transportation concerning the above-referenced grant.

BREAK

The Board took a break from 11:24 a.m. to 11:29 a.m.

Request Approval to Raise the Demolition Tipping Fees

Solid Waste Manager Corey Bang requested approval to raise the demolition landfill tipping fees and stated the demolition landfill has indicated that they will be raising their tipping fees to \$16.00 per yard starting January 1, 2025. It's requested to raise the private customer rate to \$19.40 per yard and commercial loads to \$25.00 per yard. By raising the rates, it will cover the cost incurred from hauling loads to the demolition landfill and will encourage commercial trucks to take their loads there as well.

Commissioner Campbell stated this was approved at the Solid Waste Advisory Committee (SWAC) and was recommended to the full Board.

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved to increase the rate for Solid Waste to \$19.40 per yard and \$25.00 per yard as presented.

Request Approval of Pelican Rapids Leachate Treatment Contract

Mr. Bang requested the continuation of the leachate treatment contract with the City of Pelican Rapids as the 2024 contract will be expiring. By continuing this partnership, there will be a savings to the County and will allow the Solid Waste department alternative options in time of need. To date, the Solid Waste department has hauled up to 3 million gallons of leachate in a fiscal year. Any savings on the treatment of this material is crucial in keeping operation costs down.

Commissioner Campbell thanked Mr. Bang for his efforts on saving the County money and working with Pelican Rapids.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the Pelican Rapids Leachate Treatment contract.

Request for Proposal to Establish Single-Track Dirt Bike Track on County Owned Property

Planning & Zoning Director, Matt Jacobson requested that the Board of Commissioners consider the County-Owned Lands Committee recommendation to bid a lease on County property for a single-track dirt bike track to be used by a local motorcycle club, with consideration to Law Enforcement uses of the property.

Mr. Jacobson stated Buf Run, a local chapter of the American Motorcycle Association (AMA), brought a request to the Planning & Zoning Director, Commissioner Mongeau, and Administrator Larson, for a single-track dirt bike track on a County-Owned Land in Riverton Township. The property is on the north side of US Hwy 10, north of Buffalo River State Park and adjacent to the west of the Demolition Landfill. The club noted a lack of rideable trails in the area and stated that several club members must drive to Oklahoma to ride on an AMA trail established on public land. It was determined to move this request to the Clay County-Owned Lands Committee for review. The proposal was for a four-foot-wide dirt track on the Riverton Township property. The track would be designed to minimize noise from the dirt bikes, and would only be able to be used by members of the AMA. The club proposed installing a gate with key fob access for members. The group is fully insured through the AMA.

The County-Owned Land Committee discussed the proposed use, noting that the Riverton property has been used by the Highway Department for stockpiling and staging materials (this now occurs on the CSAH 26 property), and that the bomb squad and SWAT team use the property as well, with the potential for future K-9 training as well. At the time of the meeting, the Committee felt that these uses could be compatible if clear communications and schedules were established between the motorcycle club and the County. The Committee determined that the County would need to bid for leases for an outside group to use the property. Once the bid was selected, the selected bid holder would need to receive an interim use permit from the Clay County Planning Commission before a lease could be executed.

Commissioner Gross asked what the price of the lease would be. Mr. Jacobson stated that the price hasn't been determined yet but would come back to Board for that to be approved.

Commissioner Mongeau stated that she has served on County-Owned Lands Committee since she began as a Commissioner and discussed the other entities that have inquired about County owned property and stated in early 2024, this group did reach out to propose an opportunity that could be a good fit. As this piece of property holds purpose for several things, part of the dialog that as had was if there was a way to redesign the proposed trail outlook, to allow for the Sheriff's Office the space that they need while still moving forward with the opportunity for this single track course.

Commissioner Krabbenhoft asked to hear more and discussed his concern with taking opportunities away from the Sheriff's Office. Mr. Jacobson further discussed the access, scheduling and additional rules and regulations that Buf Run would need to adhere to.

Sheriff Empting stated that the bomb squad, SWAT team have been using this property since 2014. The K-9 team uses the property for tracking for rural scenarios, on shift track purposes, and required training. Sheriff Empting stated his hope for the property would be to use it for regional certifications to eliminate the need to go to the metro area, which would be a cost savings to the County. Additional utilization of this property by the Sheriff's Office was discussed.

Discussion ensued regarding insurability of dual use and liability, the County Owned Lands Committee.

Buf Run Motorcycle Club (MC) member Michael Lemke discussed not knowing that the land was

being used for as many things as it is, and stated that the club just wants a place to ride, and whether this requested is granted or not, it's good to make people aware of the need. Mr. Lemke stated he's open to other County owned land, if available, if this request falls through.

Commissioner Gross asked what days and times does the club plan to ride. Mr. Lemke stated that most members ride in the evenings on the weekends, due to work/family schedules.

Commissioner Ebinger asked if there were any additional County owned land that would be available for this use. Mr. Jacobson stated that there are a couple properties that come to mind, but for the sake of transparency, he would like to discuss those options with the County Owned Lands Committee and Departments and fully vet those, before committing to anything.

Discussion ensued regarding looking into other County owned property for this use, and additional dialogue about how this piece of property was bought from Solid Waste funds, and if Solid Waste had any intentions for the land.

Commissioner Krabbenhoft moved to deny accepting request for proposals and bids to lease the Riverton Township county-owned property for a single-track dirt bike course due to conflicts with existing and potential county uses of the property. Motion died due to the lack of a second.

A citizen of this area, Connie Ochsner spoke and discussed her concerns regarding the noise that comes with dirt bikes, and it being a disturbance to the residents that live in that area.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved to table this item until the March 4, 2025 Board meeting, and for this item to be brought back to the County Owned Lands Committee for further review.

Request Approval to Purchase New Server Hardware

Technology Services Director Rory Schmitz requested approval to purchase new server hardware and stated the current hardware is roughly 6 years old. Three quotes were received with the lowest coming in at \$74,537.34 from Marco.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the purchase of three Dell servers from Marco at \$74,537.34.

Request Approval to Purchase New Networking Hardware

Mr. Schmitz requested approval to purchase new networking hardware as the current hardware is 6 years old and has exceeded the age of the replacement schedule. Three quotes were received with the lowest coming in at \$43,390.00 from High Point Networks.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved two new networking switches from High Point Networks in the amount of \$43,390.00.

Request Approval to Renew Microsoft Software and Services Contract

Mr. Schmitz stated the technical service contracts are excluded from the bidding requirements of Minnesota State Statute 375.21. The Clay County Procurement Policy outlines additional processes and considerations. Multiple quotes from the Microsoft reseller, SHI, have been obtained. The first is without a State/Federal contract was in the amount of \$261,959.53 per year. After moving to the

National Association of State Procurement Officials (NASPO) contract, the quote is in the amount of \$253,837.52 per year. When the contract is in excess of \$25,000, Minnesota State Statute 471.345 Subd. 15 allows for purchases through cooperative purchasing venture, such as NASPO, without a bidding process or multiple quotes. This is also written in the County's Procurement Policy.

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved the Renewal of a 3-year Microsoft Contract through SHI in the amount of \$253,837.52 per year.

Request Approval of Year End Items

HR Director Darren Brooke requested approval of year-end items, and require Board approval for 2025.

1. Grid Adjustments reflecting a 3% increase.

On motion by Commissioner Mongeau, seconded by Commissioner Campbell, and unanimously carried, the Board approved the grid adjustment of 3%.

2. 3% Market Study Adjustment recommended in 2024 for year 2025.

Commissioner Gross moved to forego the 3% market study adjustment for Commissioners. Motion died due to the lack of a second.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, with one descending vote (Commissioner Gross) the Board approved the 3% increase of the market study adjustment as proposed in the preliminary levy.

3. Meal reimbursement rates remain unchanged: Breakfast at \$15, Lunch at \$20 and Dinner at \$30.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the meal reimbursement rates remain the same with breakfast at \$15, lunch at \$20, and dinner at \$30.

4. No change to per diem rates (\$100/Day).

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the per diem rates remain the same at \$100 per day for 2025.

5. IRS Mileage Rates are not currently available the mileage rate will reflect the 2025 IRS proposed rate. The 2024 rate is currently \$0.67 cents per mile.

On motion by Commissioner Campbell, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the to adopt the 2025 IRS mileage rate.

6. 2025 Furlough Program will reflect no changes. As of December 6, 2024, a total of 1,401 hours of furlough have been used in 2024, which equates for \$38,740.98 in saved wages.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and

unanimously carried, the Board approved the 2025 Furlough Program.

Request Approval of Resolution 2024-39 for Establishing Elected Official's Salaries

Mr. Brooke requested approval of Resolution 2024-39 establishing the salaries of Elected Officials.

On motion by Commissioner Campbell, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved Resolution 2024-39 Establishing Elected Official's Salaries for 2025.

Resolution 2024-39
SETTING THE 2025 SALARIES OF ELECTED OFFICIALS

WHEREAS, the Clay County Board of Commissioners is responsible for setting compensation for the elected officials, and;

WHEREAS, the Clay County Board of Commissioners considered the duties and responsibilities of each individual elected position; and

WHEREAS, the Clay County Board of Commissioners considered the salaries of elected officials in other comparable counties; and

NOW, THEREFORE BE IT RESOLVED, that the 2025 salaries of elected officials are hereby established as follows:

County Commissioners: \$39,252.41

County Attorney: \$182,910

County Sheriff: \$161,432

BREAK

The Board took a break from 12:37 p.m. to 12:44 p.m.

Request Approval of Change Order #8 for the Withdrawal Management/Detoxification Project

County Administrator Stephen Larson requested approval of change order #8 for the Withdrawal Management/Detox Facility project in the amount of \$53,223.37.

There has been an issue with some of the doors at the facility and there has been some additional work that has taken place over the last 4-6 weeks to ensure the doors are properly functioning. With that, came some additional fees totaling \$44,723.37. There is also an additional \$8,500.00 being requested from Gehrtz Construction for work outside of the contract.

On motion by Commissioner Gross, seconded by Commissioner Campbell, and unanimously carried, the Board approved Change Order #8 totaling \$53,223.37 for the Withdrawal Management/Detoxification Project.

Request Approval of the Clay County Board of Commission Appointments to the Metro Flood Diversion Authority Board and MFDA Committees

Mr. Larson stated the Clay County Board of Commissioners appoints both elected/appointed members to serve on the Metro Flood Diversion Authority Board and MFDA Committees. 2025 appointments have been requested so the Metro Flood Diversion Authority can incorporate names in a resolution recognizing appointments at the January MFDA Board meeting.

- MFDA Board of Authority - Commissioner Campbell & Commissioner Ebinger, Alternate - TBD
- MFDA Planning Committee - Commissioner Campbell
- MFDA Finance Committee - Commissioner Ebinger/Lori Johnson, Auditor/Treasurer
- MFDA Land Management Committee - Commissioner Campbell/Commissioner Mongeau

On motion by Commissioner Campbell, seconded by Commissioner Gross, and unanimously carried, the Board approved to appoint Commissioners Campbell and Ebinger to the MFDA Board of Authority with Commissioner Mongeau as the alternate; Commissioner Campbell to the MFDA Planning Committee; Commissioner Ebinger and County Auditor/Treasurer Lori Johnson to the MFDA Finance Committee; and Commissioners Campbell and Mongeau to the MFDA Land Management Committee.

Request Approval of Resolution 2024-40 Adopting the Clay County 2025 Budget

Mr. Larson requested approval of Resolution 2024-40 adopting the Clay County 2025 Budget. Mr. Larson discussed revenues and expenditures by departments, and the ½ cent sales tax update.

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the budget totaling of \$123,990,095.00

On motion by Commissioner Gross, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved Resolution 2024-40 adopting the Clay County 2025 Budget.

RESOLUTION 2024-40

WHEREAS, The Clay County Board of Commissioners did hold a public meeting on December 17, 2024, and

WHEREAS, The Clay County Board of Commissioners has addressed the concerns of its citizens to the best of their ability, and

BE IT RESOLVED, That the Clay County Board of Commissioners hereby certifies the following levy for taxes to be collected in 2025:

Revenue Fund	\$	25,825,049
Road and Bridge Fund		4,825,153
Building Improvements		44,270
Library		294,468
Social Services		13,212,211
Debt Retirement-Courthouse		141,304
Debt Retirement-County Projects		<u>524,291</u>
Total	\$	<u><u>44,866,746</u></u>

BE IT FURTHER RESOLVED, That the Clay County Board of Commissioners hereby adopts the 2025 budget as presented.

Committee Reports/County Administrator Update/Discussions

- Commissioner Campbell reported on meetings for AMC Annual Conference; Lake County Services Coop; PRTF Pre-design and non-secure Juvenile Detention Update; and Highway Tracking.
- Commissioner Gross reported on meetings for Partnership4Health; AMC Annual Conference; Beyond the Yellow Ribbon; and Highway Tracking.
- Commissioner Krabbenhoft reported on meetings for AMC Annual Conference; PRTF Legislative meeting with Representative Keeler; Clay SWCD; PRTF Legislative meeting with Representative Keeler; Extension Committee; hosted Senator Kupec and Health & Human Services Chair Hoffman for a tour at the West Central Regional Juvenile Center and meeting regarding the PRTF; and Legislative Leaders Roundtable with the Chamber.
- Commissioner Mongeau reported on meetings for numerous discussion and PRTF Legislative meetings with Representative Keeler; meeting with CAPLP and Mr. Larson regarding route addition from the DMV to the Walmart bus stop; met with Gov. Walz's aids regarding the proposal for the PRTF; AMC Annual Conference; additional discussion with House Research leadership for the PRTF Bill; Extension Committee; PRTF Legislative meeting with Representative Keeler; had additional conversations with Representative Joy regarding strategizing; hosted Senator Kupec and Health & Human Services Chair Hoffman for a tour at the West Central Regional Juvenile Center and meeting regarding the PRTF; PRTF Pre-design and non-secure Juvenile Detention Update; and Legislative Leaders Roundtable with the Chamber.
- Commissioner Ebinger reported on meetings for PRTF Legislative meeting with Representative Keeler; AMC Annual Conference; Greater Fargo Moorhead EDC; Partnership4Health; and Legislative Leaders Roundtable with the Chamber.
- County Administrator Stephen Larson reported on the onboarding with Commissioner-Elect Baer; STRIVE Leadership meeting; PRTF Legislative meetings with Representative Keeler; meeting with CAPLP and Commissioner Mongeau regarding route addition from the DMV to the Walmart bus stop; met with Dan Mahli & Derrick LaPoint regarding common issues between the County and the City of Moorhead; discussions with Mr. Melton, Corey Bang, and Joe Olson regarding the City of Moorhead's request to end the relationship at the Resource Recovery Center; met with Mr. Melton on additional county issues; Clay County Holiday Party; MACA meeting; AMC Annual Conference; talked with Kathy McKay regarding Partnership4Health; MCCJPA Prep meeting; PRTF Legislative meetings with Representative Keeler; hosted Senator Kupec and Health & Human Services Chair Hoffman for a tour at the West Central Regional Juvenile Center and meeting regarding the PRTF; PRTF Pre-design and non-secure Juvenile Detention Update; and Legislative Leaders Roundtable with the Chamber. For note, the planned date for Detox to move to the Withdrawal Management/Detox Facility is December 30th. Reminder that there is a Chamber event at M State for the Commission to attend, there is no Board next week (December 24th), and an Open House will be held here in the board room on Monday December 30th from 2:00-4:00 p.m. for Commissioner Gross' retirement.

Adjourn

The meeting was adjourned at 1:25 p.m.

David Ebinger, Chair
County Board of Commissioners

Stephen Larson, County Administrator