

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, JANUARY 14, 2025
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, Ezra Baer, Jenny Mongeau, Kevin Campbell, and David Ebinger. Others present: County Administrator Stephen Larson, Assistant County Administrator Darren Brooke, and Communications Coordinator Jacqueline Finck.

Call to Order

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

Approval of Agenda

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda with removal of item 3: Request Approval to Purchase Replacement Laptops

Citizens to be Heard

There were no citizens to be heard.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Ebinger, seconded by Commissioner Baer, and unanimously carried, the Board approved the bills and vouchers totaling \$1,091,604 from 139 vendors. There were 91 warrants issued under \$2,000 (\$40,148) and the following 48 were over \$2,000.

Advanced Correctional Healthcare, Inc.	\$ 187,712	Forum Communications Printing	\$ 6,936
Clay Co Public Health	\$ 90,260	Wideth Smith Nolting & Associates Inc	\$ 6,597
Otter Tail Public Health	\$ 71,537	Pomp's Tire Service, Inc.	\$ 6,278
95West Aerial Mapping LLC	\$ 70,100	CivicPlus, LLC	\$ 5,477
Code 4 Services, Inc	\$ 69,139	North American Benefits Company	\$ 4,854
West Central Regional Juvenile Center	\$ 68,000	Klein McCarthy & Co Ltd	\$ 4,153
MN Counties Computer Coop	\$ 56,221	River Valley Forensic Services, PA	\$ 3,750
Moorhead Public Service	\$ 46,552	Farmers Coop Oil Co	\$ 3,553
Enterprise FM Trust	\$ 41,381	Fuchs Sanitation Inc	\$ 3,478
Trinity Services Group, Inc.	\$ 36,446	Chiller Systems Inc	\$ 3,200
Bolton & Menk, Inc.	\$ 31,536	Ramsey County Med Exam	\$ 3,182
Becker County Public Health	\$ 28,747	New Century Press	\$ 2,988
Advanced Engineering & Environmental	\$ 23,975	City of Pelican Rapids	\$ 2,806
Pro West & Associates Inc	\$ 23,900	ANJAAM HOLDINGS, LLC	\$ 2,737
ZOHO Corporation	\$ 22,694	Sabin C Store	\$ 2,699
Wilkin Co Public Health	\$ 15,410	Clay County Sheriff's	\$ 2,500
MN Life	\$ 14,019	Maco - Aitkin	\$ 2,500
Tritech Software Systems, Inc.	\$ 13,505	Flaherty & Hood, P.A.	\$ 2,475
Mn Sheriffs' Association	\$ 13,466	Salamander Technologies, LLC	\$ 2,260
Eaton Corporation	\$ 12,106	Green View Inc.	\$ 2,244
Verizon-386550144	\$ 8,211	Liberty Tire Recycling, LLC	\$ 2,169
Nitzkowski, Inc.	\$ 8,107	Mezclada	\$ 2,137
Streicher's	\$ 7,885	High Point Networks, LLC	\$ 2,125

Approval of Minutes from December 31, 2024

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minutes from December 31, 2024.

Request Approval of Letter of Support for CSAH 36 Bridge Replacement

County Engineer stated that Polk County is taking the lead on a Raise Grant application that would bundle 3 bridges across the Red River, including Clay County, Norman County, and Polk county in MN and Cass County and Traill County in ND. These bridge replacements would be funded with 80% federal funds, Bridge bonding and a local match.

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the letter of support for CSAH 36 Bridge Replacement.

Discussion on the Clay County Tobacco Ordinance

Commissioner Campbell stated that Commissioner Baer requested this item be placed on the agenda for discussion. Commissioner Baer stated he has questions regarding the update to the Tobacco Ordinance that the Board passed on December 17, 2024. Commissioner Baer asked what the process was bringing this ordinance update forward. Commissioner Krabbenhoft stated that he and Commissioner Ebinger sit on the Public Health Committee where the ordinance was brought forth through them and the committee. Further discussion ensued regarding the process and who got to see the old and new version of the ordinance.

Commission Baer stated he is not in favor of the ordinance and would like to conduct another public hearing so he has the option to review it. Commissioner Campbell stated he too would like to see a redlined version so he can see what exactly was changed in the ordinance and because there were many people who voiced their concerns for and against the ordinance, he would like time to digest the concerns before making a decision. Further discussion ensued regarding concerns on the timing of the approval of the ordinance and when the ordinance took effect.

Commissioner Ebinger discussed the process taking months through the Committee that he and Commissioner Krabbenhoft sit on and discussed his experience with carrying out state statutes and felt Public Health, the enforcing entity with this ordinance, did what they were supposed to when it came to a plan and timeline regarding the enforcement of the ordinance.

Commissioner Mongeau stated her experience with the Planning Commission and the process of multiple public hearings occurring to get public input and her frustration regarding citizens that reach out questioning the implementation timeline and not having an answer or having to read about it in an article that was published. Commissioner Mongeau stated if there are issues with youth obtaining vapes, and suggested to discuss the issue and try to figure out what can be done to help.

Commissioner Krabbenhoft stated that he had conversations with many citizens leading up to the public hearing and that the request to have a public hearing was brought to Board on October 22, 2024, which was approved. Commissioner Krabbenhoft also stated he feels there was consideration because there were two options for the ordinance. The version that was

approved, allows selling menthol cigarettes and flavored chewing tobacco.

Commissioner Baer moved to have a second public hearing regarding the Tobacco Ordinance that was passed on December 17, 2024. County Administrator Stephen Larson stated this Board has acted on this ordinance therefore the action before the Board today would be to leave it as is, or to repeal the ordinance which would also require a public hearing. This would be subject to the 10 day notice, which would result in the earliest date of February 4, 2025. Commissioner Baer corrected his motion to repeal the Tobacco Ordinance and hold a Public Hearing on the matter. Due to questions on the procedure of repealing an ordinance, Commissioner Baer rescinded his motion.

Discussion ensued regarding an additional public hearing regarding the Tobacco Ordinance and extending the date for implementation of the current ordinance.

Commissioner Krabbenhoft asked Public Health staff to speak about the roll out of enforcing the Tobacco Ordinance. Public Health Grant Program Coordinator, Jason McCoy, stated that the ordinance states that it becomes effective immediately. He stated in his experience, ordinances are always effective immediately but enforcement comes after, with consideration of the businesses it affects. Mr. McCoy stated that Public Health did discuss with the County Attorney and it was said that the enforcement plan is up to Public Health and reiterated that Public Health's goal is to allow businesses time to sell off their product while also promoting health for the community.

On motion by Commissioner Ebinger, seconded by Commissioner Krabbenhoft, with one descending vote (Commissioner Mongeau), the Board approved the implementation date of June 1, 2025 for Clay County Tobacco Ordinance 2024-04, and for Public Health staff to contact the affected business owners regarding the changes.

Public Health Administrator Kathy McKay stated she did work with Mr. McCoy regarding coming up with implementation timeline and the conversations that were had regarding it. Discussion ensued regarding holding a work group session for further discussion.

Committee Reports/County Administrator Update/Discussions

- Commissioner Mongeau reported on meetings for Legislative Priorities with the City of Moorhead lead by The Chamber; and had conversations with Representatives regarding the PRTF ask.
- Commissioner Ezra reported on meetings for Wild Rice Watershed District; met with Commissioner Campbell, Stephen Larson and staff from West Central Initiative regarding the West Central Regional Water District; and discussions with the City of Hawley regarding the West Central Regional Water District.
- Commissioner Ebinger reported on meetings for NW Emergency Communications Board; and Diversion Authority Annual meeting.
- Commissioner Krabbenhoft reported on meetings for Clay County Food Commission; and presented at the Minnesota Indian Affairs Council regarding the PRTF.
- Commissioner Campbell reported on meetings for FM Diversion Authority Planning Committee; Red River Regional Dispatch Center Budget & Finance; Lakes Country Service Coop; FM Diversion Authority; met with Commissioner Baer, Stephen Larson and staff from West Central Initiative regarding the West Central Regional Water District; and discussions with the City of Hawley regarding the West Central Regional

Water District.

- County Administrator Stephen Larson reported on meetings for County Management; Department head evaluation; met with Commissioners Campbell, Baer and West Central Initiative regarding the WCRWD; met with the City of Moorhead regarding Legislative Priorities; PRTF pre-design; Minnesota Indian Affairs Council regarding the PRTF; worked on the PRTF documentation and MMB documentation for the PRTF; met with Joe Olson looking at strategic planning for the Courthouse; reminded that legislative session started today; Moorhead day at the Capital is March 4th and 5th, 2025, Commissioner Campbell won't be available therefore Commissioner Krabbenhoft will attend in his place; reminder the EDC/EDA quarterly meeting is today at 1 p.m.; and BWSR is providing a training opportunity for Water District Orientation, so if you're interested please let us know.
- Communications Coordinator Jacqueline Finck discussed additional updates to the Commissioner's page on the webpage.

Adjourn

The meeting was adjourned at 10:16 a.m.

Kevin Campbell, Chair
County Board of Commissioners

Stephen Larson, County Administrator