

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, MARCH 11, 2025
Meeting Room A / B – 3rd Floor – Courthouse
MINUTES

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Ezra Baer, 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 Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda with the cancelation of item #11 CLOSED SESSION for Board Discussion Re: Pending Litigation Per Minn. Stat. 13D.05, Subd. 3(b) Attorney/Client Privilege: Stephen Larson, County Administrator, and Brian Melton, County Attorney.

Citizens to be Heard

There were no citizens to be heard.

Approval of Payment of Bills and Vouchers

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the bills and vouchers totaling \$399,357 from 134 vendors. There were 105 warrants issued under \$2,000 (\$50,297) and the following 29 were over \$2,000.

Powerplan	\$ 63,487	DOW Acoustics, Inc.	\$ 7,217
All Finish Concrete, Inc.	\$ 37,526	Fidelity Security Life	\$ 4,575
Tecta America Dakotas LLC	\$ 29,162	Amazon Capital Services	\$ 4,221
Gehrtz Construction Services, Inc	\$ 25,038	Ramsey County Finance	\$ 3,885
Veolia North America	\$ 24,496	MN PERA	\$ 3,515
T.F. Powers Construction Co.	\$ 21,217	Stein's Inc	\$ 2,658
Fargo Freightliner	\$ 16,885	Farmers Coop Oil Co	\$ 2,621
Polk County Highway Dept	\$ 15,000	Little Falls Machine, Inc.	\$ 2,461
Butler Machinery Co	\$ 14,155	Disposal Services Inc	\$ 2,400
Dakota Plains Mechanical, Inc.	\$ 13,999	Pro Landscapers LLC	\$ 2,363
Widseth Smith Nolting & Associates Inc	\$ 10,000	M-R Sign Company Inc	\$ 2,322
Northern Woodwork, inc.	\$ 8,707	Sabin C Store	\$ 2,299
Town & Country Oil Inc.	\$ 8,702	STC Flooring	\$ 2,251
Otis Elevator, Inc.	\$ 8,387	Central Door & Hardware Inc.	\$ 2,218
Klein Mccarthy & Co Ltd	\$ 7,282		

Approval of Minutes from February 25, 2025

On motion by Commissioner Ebinger, seconded by Commissioner Baer, and unanimously carried, the Board approved the minutes from February 25, 2025.

Request Approval of the 2025-2026 Township Maintenance Contract

County Engineer Justin Sorum stated the 2024 Township Maintenance Costs have been calculated, and the contract rate was discussed at the Highway Tracking Committee and shared with the Township Officers on March 6, 2025. The new proposed rate is \$1,052.00 per mile using the 5-year rolling average, a \$12 increase from last year (1.1%). The contract runs from July 1, 2025 through June 30, 2026.

Discussion ensued regarding what's included in calculating and determining the rate, and the length of time used in depreciation.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the 2025-2026 Township Maintenance Contract at \$1,052.00/mile for Full-Time Maintenance.

Request Approval to Purchase Three (3) John Deere Motor Graders

Mr. Sorum requested approval to purchase three (3) Motor Graders from RDO Equipment in Moorhead, MN. A summary of pricing was included in the packet that discussed trades and internal service funds available. In the past the motor graders have been on a one-year rotation, which has always been under warranty. However, due to the sharp increase in prices, it was determined to go an additional year with the machines. This resulted in needing to replace two transmissions that were out of warranty, which cost roughly \$60,000.00 per machine.

Two quotes were received, one from RDO and the other from Butler. The Butler quote was slightly lower. However, for safety reasons, it's suggested to go with RDO and John Deere. John Deere still utilizes a steering wheel, which operators use while plowing snow. As a whole, for the 3 machines, RDO came in under Butler.

Mr. Sorum discussed working with County Auditor-Treasurer Lori Johnson and indicated that the internal service fund (ISF) was short on these pieces of equipment. Therefore, he's working to clean up pieces of equipment that have ISF funding that aren't being utilized and will not be replaced, in order to fund this purchase.

Discussion ensued regarding the ISF and the flow of funds.

Commissioner Baer asked about the warranty on these machines. Mr. Sorum stated there is a 7-year, 8,000-hour warranty on all three pieces of equipment. Discussion ensued regarding warranty hours.

On motion by Commissioner Ebinger, seconded by Commissioner Baer, and unanimously carried, the Board approved the purchase of three (3) motor graders from RDO, \$337,696.01 for Unit 142, \$369,469.01 for Unit 147, and \$321,969.01 for Unit 149 and transferring the ISF funds in the amount of \$318,844.50

Request Approval to Appoint Brad Eldred to a Second Three-Year Term on the Planning Commission

Planning Director Matthew Jacobson stated at the Planning Commission's February 18, 2025 meeting, the Planning Commission made the unanimous recommendation to the Board of Commissioners to re-appoint Brad Eldred to a second three-year term. Mr. Eldred serves on the Hawley City Council and is Vice Mayor. Mr. Eldred brings consistency, reasonableness, and

thoughtfulness to the Planning Commission. He has been a well-respected member of the Planning Commission and an asset to Clay County.

Commissioner Baer stated that when he served on the Planning Commission, Mr. Eldred did a great job and is a great asset to the Planning Commission.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the to appoint Brad Eldred to a second three-year term on the Clay County Planning Commission.

Annual Department Update - Planning & Zoning

Mr. Jacobson presented the annual update for the Planning & Zoning Department including the mission statement and visions, overall what the Planning & Zoning department does, 2024 highlights for building permits, building permit valuation, major and minor subdivisions single lot subdivisions (SLS)/Boundary line adjustments (BLA)/Plats, use trends (conditional & interim uses), use permit by types, variances, zoning violations, and gravel tax, and the 2025 plan.

Commissioner Baer asked what time of year Planning & Zoning sees an increase in citizens coming into the office to obtain a building permit. Mr. Jacobson stated springtime along with late summer into fall.

Discussion ensued regarding variances, the Development Code, and the Comprehensive Plan.

Commissioner Campbell asked when it comes to zoning violations, if those are ever compared to other counties. Mr. Jacobson stated that could happen, and that he'd be happy to reach out to other counties for that data, and would follow-up with the Board at a later date.

Commissioner Baer asked who dictates the gravel tax. Mr. Jacobson stated the state decides that. Commissioner Campbell stated the state also dictates the formula for distribution.

Commissioner Baer thanked Mr. Jacobson for his work and guidance while he served on the Planning Commission.

Commissioner Campbell thanked Mr. Jacobson and his staff for all their hard work.

Commissioner Ebinger thanked Mr. Jacobson for his guidance and work on the cannabis ordinance.

Annual Department Update - West Central Regional Juvenile Center

Juvenile Detention Director James O'Donnell presented the annual update for the West Central Regional Juvenile Center (WCRJC) including the WCRJC's mission statement, youth at the WCRJC; Secure Programs (Cooperative Service Agreement); Non-Secure Programs (Clay County), Partners, volunteers, staffing, counties using the secure program in 2024, Secure data, types of services in both secure and non-secure programs, Community Living Independent Programing and Skills (CLIPS) Program, Out-of-Home Placement, the current and future outlook, and the Female Transition Program (CLIPS).

Commissioner Baer asked how many youth can be housed in the Secure program, if there is only an average of 20. Mr. O'Donnell stated the Secure Unit has the ability and space for 65

youth but is licensed at 55. The main goal is to uphold membership with the member counties and provide solid programing, rather than warehousing youth. Discussion ensued regarding how many youth can be served based on staffing levels.

Commission Baer asked if the CLIPS program is for Clay County youth only. Mr. O'Donnell stated it's for all youth, but Clay County youth have priority.

Commissioners Ebinger and Campbell thanked Mr. O'Donnell for his work and the work of his team and staff.

BREAK

The Board took a break from 9:48 a.m. to 9:53 a.m.

Request Approval to Purchase a QED GEM 5000 Gas Monitor

Solid Waste Manager Corey Bang stated the current gas monitor is roughly 15 years old, and has become outdated. There is no longer support from QED to repair the current machine, resulting in incorrect data, which is concerning because accurate data is required by the MPCA.

Mr. Bang stated 2 quotes were obtained, one from Elkins Earthworks, LLC and one from QED. After comparing the quotes and consulting with Stantec, the QED model is the best fit for the needs of the landfill, as the Elkins model runs on a tablet that may not function in cold temps. This purchase was discussed at the Solid Waste Advisory Committee (SWAC), where it was approved and recommended to be brought to the full Board.

Commissioner Baer asked what the QED model uses if not a tablet like the Elkins model. Mr. Bang stated the QED machine is a self-contained machine where the data is stored internally, which is then transferred onto a laptop.

On motion by Ebinger, seconded by Baer, and unanimously carried, the Board approved the Motion to approve the purchase of the QED GEM 5000 gas monitor for Solid Waste in the amount of \$19,345.00.

Annual Department Update - Solid Waste

Mr. Bang presented the annual update for the Solid Waste Department including Household Hazardous Waste, the Resource Recovery Center (RRC), Recycling at the RRC and the Landfill, Trucking, Landfill statistics, leachate delivery statistics, Becker County load sharing for 2024, Freon removal, staffing, and construction & demolition materials update.

Commissioner Campbell thanked Mr. Bang and his team for their hard work.

Request Approval to Purchase Electronic Storage Appliance

Technology Services Director Rory Schmitz requested approval to purchase electronic storage appliance which will replace 3 ageing appliances. The older appliances range from 6 to 8 years old. Three quotes were received with the lowest being from Marco for Pure Storage, in the amount of \$118,617.00.

Discussion ensued regarding longevity of the new appliance and electronic storage backup/archive.

Commissioner Baer asked why all data isn't stored on a cloud server. Mr. Schmitz stated there are certain regulations that we need to follow. For example, criminal justice departments have very strict guidelines from the Minnesota Bureau of Criminal Apprehension (BCA) regarding what can and cannot be on the cloud.

On motion by Baer, seconded by Ebinger, and unanimously carried, the Board approved the Motion to approve the purchase of a replacement electronic storage appliance from Marco in the amount of \$118,617.00.

Committee Reports/County Administrator Update/Discussions

- Commissioner Baer reported on meetings for Clay County Collaborative and WCRWD.
- Commissioner Ebinger reported on meetings with Rory Beil and Quinn Jaeger regarding homeless issues; NW Emergency Communication Board; met with Commissioner Campbell and Stephen Larson regarding Flood Mitigation; met with BRRWD to discuss the MN projects associated with the Diversion Authority and the efforts for funding; and Greater FM EDC Executive Board.
- Commissioner Campbell reported on meetings for Highway Tracking; Township annual maintenance contract review; MCCJPA; SWAC; met with Commissioner Ebinger and Stephen Larson regarding Flood Mitigation; and met with BRRWD to discuss the MN projects associated with the Diversion Authority and the efforts for funding.
- County Administrator Stephen Larson reported on meetings for Highway Tracking; met with Brian Melton on a series of issues; met with Darren Brooke regarding the departments he oversees; Intergovernmental Committee; MCIT Administrative Committee; met with Commissioner Campbell and Commissioner Mongeau regarding flood topics; MCCJPA; Township annual maintenance contract review; Flood Mitigation check in with The Chamber and the City of Moorhead; met with Representative Keeler regarding Non-Secure Detention/PRTF Funding; Flood Mitigation meeting with MMB documents and DNR for funding possibilities; met with representatives from MDH for the Water District; met with Commissioner Ebinger and Commissioner Campbell regarding Flood Mitigation; and met with BRRWD to discuss the MN projects associated with the Diversion Authority and the efforts for funding; and next week the Township Spring meeting will be held at the LEC on Monday, March 17, 2025 from 8:30 a.m. – 12:30 p.m.
- Assistant County Administrator Darren Brooke reported on meetings with Corey Bang regarding the RRC Moorhead contract; met with Brian Melton and Mark Sloan regarding the County Code; SWAC; met with UKG; worked on transferring forms to Civic Clerk from Seamless Doc and JotForm; and Testimony on Paid Family Leave.

Adjourn

The meeting was adjourned at 10:38 a.m.

Jenny Mongeau, Vice-Chair
County Board of Commissioners

Stephen Larson, County Administrator