

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, SEPTEMBER 23, 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, County Attorney Brian Melton, Assistant County Administrator Darren Brooke, and Senior Administrative Assistant Sarah Hellem.

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.

Tax Abatement for Ulen City/Viking Manor Due to a Clerical Error

By consent, the Board approved the Tax Abatement for Ulen City/Viking Manor due to a clerical error.

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 Ebinger, and unanimously carried, the Board approved the bills and vouchers totaling \$3,090,382 from 113 vendors. There were 76 warrants issued under \$2,000 (\$38,153) and the following 37 were over \$2,000.

Sellin Bros Inc	\$ 975,315	Solutions Behavioral Health PC	\$ 9,668
Houle Excavating, LLC	\$ 615,338	Wilkin Co Public Health	\$ 9,484
Lyle Wilkens Inc.	\$ 444,631	Department Of Corrections	\$ 9,300
Hough, Inc	\$ 385,532	Moorhead Public Service	\$ 9,276
Clay Co Public Health	\$ 120,089	Radio FM Media	\$ 7,050
Otter Tail Public Health	\$ 65,024	City of Hitterdal	\$ 6,035
Clay County Social Services	\$ 64,225	Houston Engineering Inc	\$ 5,132
Ulteig Operations, LLC	\$ 59,829	Kinslow/Carrie	\$ 4,250
Lakeland Mental Health Center, Inc.	\$ 40,568	Trane U.S. Inc.	\$ 4,143
City Of Fargo	\$ 29,988	Bob Barker (Sheriff)	\$ 3,570
Becker County Public Health	\$ 28,356	Northern Improvement Co	\$ 3,440
Nurse-Family Partnership Inc.	\$ 26,736	Minnkota EnviroServices, Inc.	\$ 3,369
MN Counties Computer Coop	\$ 22,543	Johnson's Auto Repair LLC	\$ 3,133
BDT Mechanical, LLC	\$ 18,332	Diamond Drugs Inc.	\$ 2,812
MN Department of Transportation	\$ 15,481	Fevig Oil Co	\$ 2,582
Turnkey Corrections	\$ 14,856	Thomson Reuters - West 590031	\$ 2,487
Tom's Gun Sales	\$ 14,066	ALPHA Training & Tactics, LLC	\$ 2,355
Tech Tronix	\$ 11,000	Chiller Systems Inc	\$ 2,258
TrueNorth Steel	\$ 9,963		

Approval of Minutes from September 9, 2025 and Work Group Session Minutes from August 26, 2025

On motion by Commissioner Mongeau, seconded by Commissioner Baer, and unanimously carried, the Board approved the minutes from September 9, 2025, and the Work Group Session minutes from August 26, 2025.

Request Approval of Resolution 2025-23 for Setting the Date and Terms for the Tax Forfeit Property Sale and Approval of the Tax Forfeit List

Deputy Auditor Jacque Dudgeon requested approval of Resolution 2025-23 for setting the date and terms for the Tax Forfeit Property Sale and approval of the Tax Forfeit List and stated in the packet there is a list of properties that have been forfeited to the State of Minnesota for non-payment of taxes. Once approved, the resolution will be published in the legal newspaper, indicating that the properties will be sold at auction starting November 3, 2025, via the Clay County Website.

Commissioner Baer asked when the auction close date would be. Ms. Dudgeon stated per statute the auction has to run for 30 days at the estimated market value. Then for the next 30 days and thereon, a minimum bid can be placed on the properties. Commissioner Campbell asked when the minimum bid price is determined and who determines it. Ms. Dudgeon stated it will be determined by City of Moorhead and County Auditor Lori Johnson.

On motion by Commissioner Baer, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved Resolution 2025-23 for setting the date and terms for the tax forfeit property sale starting November 3, 2025, via the Clay County Website.

RESOLUTION 2025-23

BE IT RESOLVED, by the Board of Commissioners of Clay County, Minnesota this 23rd day of September, 2025, pursuant to provisions of Chapter 282, Minnesota Statutes; the County Auditor of Clay County is hereby directed to sell parcels of land that have been forfeited to the State of Minnesota for delinquent taxes and certified by the County Auditor and recorded in the Office of the County Recorder; which lands have been classified and appraised as provided by law;

BE IT FURTHER RESOLVED, **that the terms of the sale shall be cash only on all parcels.** Pursuant to MN Statute 282.241, a previous owner may not purchase a parcel of land for less than the delinquent amount, assessments, penalties, interest and costs against it.

In addition to the total sales price, there shall also be an amount added equal to 3 percent of such total sales price. Said 3 percent to be certified to the Tax Assurance Account as required under Minnesota Statute 284.28 Subd 6. A \$25.00 state deed fee and a \$46.00 recording fee must also be collected for each parcel sold. Each parcel is subject to a state deed tax of \$1.65 per each \$500.00 of sales price. There will also be an additional \$54.00 well certificate for any property that contains a well.

Purchasers of property at this sale will receive a State Deed. **CLAY COUNTY DOES NOT**

GUARANTEE CLEAR TITLE ON PURCHASES OF TAX FORFEIT LAND. IT IS THE RESPONSIBILITY OF THE PURCHASER TO TAKE WHATEVER ACTION NECESSARY TO ASSURE CLEAR TITLE.

The tax forfeit sale will be held as an online auction starting November 3, 2025, on the Clay County Website.

Request Approval to Re-Hire Two (2) Positions in Public Health

Public Health Nurse Supervisor Suzie Ouradnik stated due to the Public Health budget, she'd like to bring back the approval to hire the full-time RN in the adult health program, at a later date. County Administrator Stephen Larson stated he had a conversation with Social Services Director Quinn Jaeger and Ms. Ouradnik, and they have received some new information regarding the U-Care Program, which this position would fall under. With the uncertainty of the impact that this will cause, they are looking to bring this request back at a later date, once additional information is received, to determine if the position is needed. This information was received after the last Personnel Issues Committee meeting. Mr. Jaeger stated the new information that was received cannot be made public until October 1, 2025, and with all of the moving parts, and the smart thing to do at this time is to press pause.

Health Promotion Director Rory Beil requested approval to hire a Public Health Analyst and Child & Teen Checkup (C&TC) Outreach Coordinator. Originally, this was two separate positions, but being conscientious of the budget, it's being combined into one .8 full-time position. Both programs are funded completely by grants.

Commissioner Baer asked if the positions were both full time position when they were separate positions. Mr. Beil stated both positions were at a .8. Commissioner Ebinger asked if both positions were previously paid by grants. Mr. Beil confirmed that was correct, and the grants are still available through the Community Health Board.

Discussion ensued regarding what the grants are and what they can be used for.

On motion by Commissioner Ebinger, seconded by Mongeau, and carried, with one descending vote (Commissioner Baer) the Board approved to advertise and hire a .8 FTE Public Health Analyst/Child & Teen Checkup Outreach Coordinator.

Request Approval to Fill Full-Time Sanitarian Position

Environmental Health Director Kent Severson requested approval to fill the full-time sanitarian position. The variable-hour employee would move into this position.

Mr. Severson stated the delegated Food, Pool & Lodging (FPL) program agreement requires 1 FTE per each 200 FPL establishment. Clay County currently has 331 establishments. Additional duties in the Public Health Environmental program include septic permits/compliance inspections, demotion permits, massage facilities, plan reviews and public health nuisance complaints such as mold. The Environmental Health employee structure consists of the Environment Health Director and 2 Variable Hour (VH) employees. However, one VH positions has been open since February.

Commissioner Baer asked how many hours a week is the current VH employee working. Mr. Severson stated she is working anywhere from 35 to 40 hours a week. Commissioner Baer

asked if there was a reason the other VH position hasn't been filled since February. Mr. Severson stated that was because the previous Sanitarian was able to be on staff and conduct work for the department.

Discussion ensued regarding the Delegation Agreement, what would happen if Clay County moved to having the state conduct these inspections, the breakdown of full-time employee tasks, and trend line over the last 2 years.

Commissioner Campbell asked what the timeline looked like for hiring a new Public Health Director. Mr. Larson stated the job posting closed yesterday at 4:00 p.m. and the first round of interviews will be next Monday September 29, 2025, and Tuesday, September 30, 2025. The goal would then be to move forward with the finalists for the second round of interview, to which this Board would be involved. Commissioner Campbell discussed wanting the full Board to participate in the finalist interviews.

Commissioner Campbell discussed holding off on this request until there is a new Public Health Director in place.

Discussion ensued regarding working with Becker County on the new Delegation Agreement, and if this position is required to be within the Delegation Agreement.

Commissioner Ebinger moved to fill the vacant full-time Sanitarian position for Environmental Health. Motion died due to the lack of a second.

Mr. Larson asked if the county is subject to any ramifications from the state if this position is not filled, based on the agreement. Mr. Severson stated the only ramifications would be that the state would not grant the Delegation Agreement.

Request Approval of the Crime Victim Services Grant Award

County Attorney Brian Melton requested approval of the Crime Victim Services Grant Award, and further discussed the grant is and what it's for.

On motion by Commissioner Ebinger, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the Crime Victim Services Grant Award.

Request Approval to Purchase Replacement IT Network Switches

Technology Services Director Rory Schmitz and Cybersecurity Analyst Jocelyn Sloan requested approval to purchase replacement IT network switches. The county has 48 network switches that are either past or nearing their end-of-life and need replacing. Three quotes were received that fall under State of MN SWIFT contract number 260512. It's recommended to move forward with High Point Networks in the amount of \$358,074.00.

Commissioner Campbell asked what the lifespan is for these switches. Mr. Schmitz stated it can vary but most of them are pushing 10 years old.

Discussion ensued regarding Internal Service Fund, what an IT Network Switch is, total number of switches, and how many are being replaced.

On motion by Commissioner Krabbenhoft, seconded by Commission Ebinger, and unanimously

carried, the Board approved the order of replacement network switches through High Point Networks in the amount of \$358,074.00.

Budget Item Review — Technology Services Penetration Testing

On September 9, 2025, the Board received a presentation from Mr. Schmitz and Ms. Sloan regarding Penetration “pen” Testing for both the external and internal IT network environment. Throughout the presentation and discussion, it was suggested to see what it would potentially cost for Pen Testing for only the internal network.

Mr. Schmitz discussed the different quotes that were received.

Commissioner Baer asked what was allocated in the budget for this testing. Mr. Schmitz stated \$40,000 was requested for both external and internal IT network testing.

Discussion ensued regarding the preferred option, and if the total amount of \$40,000 was included in the preliminary levy.

Request Approval of Contract with Winthrop & Weinstein for Lobbyist Services

Mr. Larson requested approval of the contract with Winthrop & Weinstein for lobbyist services and stated on September 16, 2025, the Board was presented with a proposal for lobbyist services from Winthrop & Weinstein for \$4,000 per month, plus expenses. The proposal was approved and the Board directed county personnel to obtain a contract for services to include the remainder of 2025 through 2026.

Commissioner Campbell discussed the preliminary levy and confirmed with Mr. Larson that the Board decided to take \$48,000 from the previous Economic Development line, to fund this request. Mr. Larson confirmed that was correct. Commissioner Campbell stated it's important that we understand who the primary contacts for the Lobbyist should be and it's his recommendation that, that remain Commissioners Mongeau and Krabbenhoft, along with Mr. Larson.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the contract with Winthrop & Weinstein for Lobbyist Services for the remainder of 2025 through 2026.

Request Approval of the Following Resolutions - Resolution 2025-24 - Authorizing the County to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority, and Resolution 2025-25 - Authorizing of the Providing for the Sale of General Obligation Jail Refunding Bonds, Series 2025A

Ehlers Senior Municipal Advisor Todd Hagen requested approval of Resolution 2025-24, authorizing the County to enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority, and approval of Resolution 2025-25 authorizing of the providing for the sale of General Obligation Jail Refunding Bonds, Series 2025A.

Ehlers provides Clay County with municipal advisor advice and is required to act in a fiduciary capacity, which includes both a duty of loyalty and a duty of care. Ehlers has identified a potential saving by refunding General Obligation Jail Bonds, Series 2017A originally issued on January 5th, 2017. The County has directed Ehlers to assist in a refinancing method that would provide the highest potential savings while maintaining the original term of the bonds.

Mr. Hagen discussed the Pre-Sale Report in detail. Bids would be received October 27, 2025, for the October 28, 2025, Board meeting. Closing would be on November 13, 2025. It's recommended to go competitive because it's a high-quality rated bond, and it's 10 years in length. Discussion ensued regarding efficiencies, investments, and risk factors.

Commissioner Baer asked for clarity on if 2033 could be the earliest this could be done again. Mr. Hagen stated yes. After approval we'll put this through quality control and the call date will be monitored to see where the market is. We could push that to 6 maybe 7 years, so the farthest out would be 2033, to call it again. Commissioner Baer asked if that could be narrowed down to 3 or 4 years. Mr. Hagen stated unfortunately that timeframe is pretty tight.

Commissioner Campbell asked what's the actual impact of the federal reserve's lowering of the rates do to what's being discussed here. Mr. Hagen stated probably not as much on this bond issue, because this is called a non-bank qualified bond issue, it's over \$10 million. The federal government gives a \$10 million dollar limit each calendar year to have a bond be bank qualified. If it's bank qualified, banks are allowed to deduct up to 80% of their interest costs to buy a bond, as well as tax exempt both federal and state. So, it does bring banks into the mix, provided it's under \$10 million. Because this bond still has \$17 million, it's going to continue to be non-bank qualified, so the impact of federal reserve's will be minimal.

Discussion ensued regarding the call date.

On motion by Commissioner Baer, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved Resolution 2025-24 Authorizing the County to Enter into a Credit Enhancement Program Agreement with the Minnesota Public Facilities Authority.

On motion by Commissioner Baer, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved Resolution 2025-25 Authorizing of the Providing for the Sale of General Obligation Jail Refunding Bonds, Series 2025A.

RESOLUTION OF THE CLAY COUNTY BOARD OF COMMISSIONERS

RESOLUTION AUTHORIZING THE COUNTY TO ENTER INTO A CREDIT ENHANCEMENT PROGRAM AGREEMENT WITH THE MINNESOTA PUBLIC FACILITIES AUTHORITY

RESOLUTION 2025-24

BE IT RESOLVED by the Board of Commissioners of Clay County, Minnesota (the "County"), as follows:

SECTION 1. Authorization. The Board hereby determines that it is in the best interests of the County to submit an Application to the Minnesota Public Facilities Authority (the "Authority") Credit Enhancement Program (the "Program") with respect to the County's General Obligation Jail Refunding Bonds, Series 2025A (the "Bonds"), expect to be issued to refund in a current refunding, generating a net present value savings of debt service costs, the County's outstanding General Obligation Jail Bonds, Series 2017A that are currently guaranteed pursuant to Minnesota Statutes, Section 446A.086 (the "PFA Act").

SECTION 2. Approval of the Authority's Credit Enhancement Program Agreement. The

Program Agreement (the "Agreement") is hereby approved, the same being before the Board and made a part of this resolution by reference.

SECTION 3. Authorization to Sign Agreement and Related Forms. The Chair and the County Auditor are authorized to sign the Agreement on the County's behalf and to execute any other related forms prescribed by the Authority with respect to the Agreement.

SECTION 4. Agreement to Comply with PFA Act. The County is entering into the Agreement with the Authority pursuant to the PFA Act, and the County hereby agrees to comply with and be bound by the provisions of the PFA Act.

SECTION 5. Submission of the Agreement. The Chair and County Auditor are hereby authorized to submit, on the County's behalf, the Agreement to the Authority, together with the nonrefundable application fee.

RESOLUTION OF THE CLAY COUNTY BOARD OF COMMISSIONERS

Resolution Providing for the Sale of

General Obligation Jail Refunding Bonds, Series 2025A

RESOLUTION 2025-25

- A. WHEREAS, the Board of Commissioners ("Board") of Clay County, Minnesota (the "County"), has heretofore determined that it is necessary and expedient to issue, pursuant to Minnesota Statutes, Chapters 475 and 641, the County's General Obligation Jail Refunding Bonds, Series 2025A (the "Bonds"), in the approximate principal amount of \$17,915,000, to current refund in advance of maturity the County's outstanding General Obligation Jail Bonds, Series 2017A, dated as of January 5, 2017, and issued in the original principal amount of \$26,380,000; and
- B. WHEREAS, the County has retained Ehlers & Associates, Inc., in Roseville, Minnesota ("Ehlers"), as its independent municipal advisor for the Bonds in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

NOW, THEREFORE, BE IT RESOLVED by the Board of the County, as follows:

1. Authorization; Findings. The Board hereby authorizes Ehlers to assist the County with the sale of the Bonds.
2. Meeting; Proposal Opening. The Board shall meet at 8:30 a.m. on October 28, 2025, or on such other date and time as the Board deems desirable, for the purpose of considering proposals for and awarding the sale of the Bonds.
3. Official Statement. In connection with said sale, the officers or employees of the County are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the County upon its completion.

BREAK

The Board took a break from 9:50 a.m. to 9:56 a.m.

Committee Reports/County Administrator Update/Discussions

- Commissioner Mongeau reported on meetings for Planning Commission; MN Public Radio Event; Lakeland Mental Health Center Finance; NSJD/PRTF Legislative Planning meeting; Flood Mitigation discussion with City of Moorhead, BRRWD, and FM Diversion; Lakeland Mental Health Center Board meeting; and Moorhead City Council meeting.
- Commissioner Baer reported on meetings for Building sub-committee.
- Commissioner Ebinger reported on meetings for FM Diversion Retreat & Bus Tour; State Auditor Exit meeting; Personnel Issues Committee; and Lake Agassiz Regional Library.
- Commissioner Krabbenhoft reported on meetings for Law Library; Adult Mental Health LAC; Historical & Cultural Society; Clay County HRA Liaison; met with Quinn Jaeger regarding the 2026 budget; Early Child Initiative - The Longest Table Event; NSJD/PRTF Legislative Planning meeting; Health Insurance sub-committee; and Cass-Clay Food Commission.
- Commissioner Campbell reported on meetings for FM Diversion Retreat & Bus Tour; Personnel Issues Committee; State Auditor Exit meeting; Building sub-committee; Flood Mitigation discussion with City of Moorhead, BRRWD, and FM Diversion; and Health Insurance sub-committee.
- County Administrator Stephen Larson reported on meetings for Regional City Administrator/County Administrator meeting; State Audit Exit meeting; Personnel Issues Committee; NSJD/PRTF Legislative Planning meeting; met with Darren Brooke on a series of issues; Flood Mitigation discussion with City of Moorhead, BRRWD, and FM Diversion; Building sub-committee; Health Insurance sub-committee; RRRD open house October 28, 2025, from 4:30-7:00 p.m.; of note starting in 2 weeks there will be an additional agenda item regarding the 2026 budge; and there is no board next week due to it being the 5th Tuesday of the month.
- Assistant County Administrator Darren Brooke reported on meetings for met with Anna Moore, Quinn Jaeger, and Jessica Mickelson regarding employee movement; Safety Committee; Board of Adjustment; Planning Commission; Judicial Security Committee; State Auditor Exit meeting; Personnel Issues Committee; Lieutenants/Sergeant's 2nd Negotiations; MnCCC payroll meeting; NSJD/PRTF Legislative Planning meeting; and met with our Legal Advisor on outstanding issues.

Adjourn

The meeting was adjourned at 10:24 a.m.

Kevin Campbell, Chair
County Board of Commissioners

Stephen Larson, County Administrator