

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 AM, TUESDAY, NOVEMBER 18, 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 (arrived at 8:31 a.m.), 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 Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda.

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 Baer, and unanimously carried, the Board approved the bills and vouchers totaling \$2,226,028 from 230 vendors. There were 160 warrants issued under \$2,000 (\$73,019) and the following 70 were over \$2,000.

Department Of Corrections	\$ 253,282	Winthrop & Weinstine, P.A.	\$ 6,000
Otter Tail Public Health	\$ 251,896	Farmers Coop Oil Co	\$ 5,900
Lyle Wilkens Inc.	\$ 189,701	Butler Machinery Co	\$ 5,859
Clay Co Public Health	\$ 175,652	Pace Analytical Services, Inc.	\$ 5,519
Becker County Public Health	\$ 161,718	ANJAAM HOLDINGS, LLC	\$ 5,484
Sir Lines-A-Lot, LLC	\$ 115,490	Sabin C Store	\$ 5,366
Nelson Auto Center	\$ 99,020	Petro Serve Usa-Hwy	\$ 5,330
Moorhead Public Service	\$ 66,870	Crisis Prevention Institute Inc.	\$ 4,698
Advanced Correctional Healthcare, Inc.	\$ 66,341	Tedder Industries LLC	\$ 4,645
Ulteig Operations, LLC	\$ 56,335	Fargo Glass & Paint	\$ 4,514
Mn State Auditor	\$ 55,198	Gehrtz Construction Services, Inc	\$ 4,500
T.F. Powers Construction Co.	\$ 53,342	TimeClock Plus, LLC	\$ 4,158
Houston Engineering Inc	\$ 48,327	Mn Dept Of Health	\$ 4,014
Enterprise FM Trust	\$ 48,175	Wegner Psychological & Therapeutic Svc	\$ 3,750
Red River Regional Dispatch Center	\$ 43,293	Deputy Registrar #15	\$ 3,445
Dakota Plains Mechanical, Inc.	\$ 42,629	Deputy Registrar #15 (A)	\$ 3,445
City Of Moorhead	\$ 37,641	Fevig Oil Co	\$ 3,362
Wilkin Co Public Health	\$ 31,222	Fargo Freightliner	\$ 3,227
Lutheran Social Service Of Mn	\$ 26,348	All Season's Lawncare	\$ 3,150
SHI International Corp	\$ 22,005	Disposal Services Inc	\$ 2,880
Sanford Health	\$ 21,058	Bob Barker (Wcrjc)	\$ 2,847
MN Counties Computer Coop	\$ 20,416	STEAMATIC of the Red River Valley	\$ 2,800
Xcel Energy	\$ 18,722	Amazon Capital Services	\$ 2,778
Veolia North America	\$ 16,651	Nancy Hein-Kolo, P.C.	\$ 2,750
Lakes & Prairies Community Action, Inc	\$ 15,436	River Valley Forensic Services, PA	\$ 2,650

City Of Dilworth	\$ 13,981	Petro Serve USA-SW	\$ 2,529
Pemberton Law, P.L.L.P.	\$ 12,623	CB & Sons Electric, Inc.	\$ 2,512
Nitzkowski, Inc.	\$ 10,446	Pete's Gas & Service	\$ 2,505
Town & Country Oil Inc.	\$ 9,367	Green View Inc.	\$ 2,486
Advanced Business Methods	\$ 8,597	West Central Regional Juvenile Center	\$ 2,417
SkyNorth Software	\$ 7,380	Barnesville C-Store	\$ 2,386
Forum Communications Printing	\$ 7,031	Office of MNIT Services	\$ 2,283
Fankhanel/Alex	\$ 7,000	Fuchs Sanitation Inc	\$ 2,283
Brendemuhl/Paul	\$ 6,701	Wex Bank (fleet)	\$ 2,151
Galls, LLC - 5287110	\$ 6,385	WEX Bank	\$ 2,083

Approval of Minutes from October 28, 2025 and November 4, 2025

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minutes from October 28, 2025, and November 4, 2025.

State Auditor Final Audit Findings Presentation

State Auditor Karen Stacken provided the board with the findings from the 2024 Clay County financial audit.

Ms. Stacken stated the County received an unmodified opinion on the financial statements. During the testing, three findings were identified including: segregation of duties, Eligibility – METS, and Eligibility – MAXIS. Ms. Stacken discussed these findings in further detail.

Discussion ensued regarding errors in data entry/input for the eligibility findings.

Commissioner Campbell stated these audit results are good, and thanked the County Auditor-Treasurer's office for their hard work.

Request Approval for Clay County Board of Commissioners Operating Guidelines

County Administrator Stephen Larson requested approval of the Clay County Board of Commissioners Operating Guidelines, and stated these guidelines would memorialize the established structure, procedures, ethical framework governing Board operations, meetings, and interactions with the public and staff. The guidelines define roles and responsibilities for Commissioners and the County Administrator, detail meeting types and protocols, and outline processes for agenda preparation, voting, public participation, and committee appointments. The guidelines emphasize transparency, compliance with Minnesota Statutes, and adherence to principles of open government, efficiency, and professional conduct. Upon approval, these guidelines will take effect January 6, 2026, providing consistent direction for County governance and decision-making.

Commissioner Ebinger asked if this document has been reviewed by the County Attorney. County Attorney Brian Melton confirmed that he has reviewed the document. Commissioner Ebinger stated these guidelines are and will be extremely useful.

Commissioner Bare agreed with Commissioner Ebinger's comments and stated these guidelines are very helpful for new incoming Commissioners.

Discussion ensued regarding committee reports and work group sessions.

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

unanimously carried, the Board approved the Clay County Board of Commissioners Operating Guidelines with modified language regarding committee reports.

2026 Budget Discussion

Mr. Larson discussed working with Public Health and Social Services regarding grant amounts and stated that there has been some adjustments. With those adjustments the net levy would go from 4.93% to 4.86%.

Mr. Larson discussed the Withdrawal Management/Detox Facility (WMDF) and the trends that have been observed over the last year of operation. In the last year, the facility has hit capacity on several occasions, which resulted in the need for additional staff. After discussion with the County Auditor-Treasure, an additional \$100,000 of revenue would be anticipated. If it were the Boards wishes to address this, we could take that amount off the Social Services budget that gets transferred to detox. Commissioner Baer asked if this was factored into the 4.86%. Mr. Larson indicated that it was not factored in at this time.

Discussion ensued regarding 4G Advisory Group, and trusting the current leadership.

Public Hearing: Steven and Theresa Opatril - Request for Platted Subdivision

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to open the public hearing at 9:00 a.m.

Planning & Zoning Director Matt Jacobson stated this is a request for a 1 block, 2 lot subdivision, located on the east side of US Highway 75 and north of 90th Avenue South, just south of Moorhead, MN, in Kurtz Township. Mr. Jacobson discussed the current zoning, the property information, the proposed use, improvement plans, proposed use for lot 1, Township action, public comments that were received, additional comments, the 2045 Comprehensive & Transportation Plan Goals and Objectives, and the Planning Commission's recommendation. In addition, new information has been submitted about this plat since the Planning Commission public hearing on October 21, 2025. An applicant has submitted an Interim Use Permit (IUP) request for a concrete ready-mix plant at the location of this proposed plat. The request will be heard at the November 18, 2025 Planning Commission meeting. A concrete ready-mix plant is permitted as an interim use in the Agricultural General Zoning District. Kurtz Township opposed the siting of a concrete ready-mix plant at this location.

John Lowery with Lowery engineering spoke on behalf of Steven Opatril. Mr. Lowery stated Mr. Opatril and his wife own this property and they have an individual who would like to purchase 10 acres and there is an intention for a concrete ready-mix plant and that application has been applied for as an IUP, and will be heard this evening at the Planning Commission. However, what's before the Board today is not for the use that is proposed on this property, but the ability to plat the property into a 10-acre parcel. Commissioner Campbell asked if this platted subdivision is approved, would the concrete ready-mix plant already fall within the current zoning of this property. Mr. Jacobson stated there is no zoning change. Concrete ready-mix plants and asphalt batch plants are currently allowed as interim uses under the current zoning. Discussion ensued regarding current concrete ready-mix plants and the length of their IUP.

Commissioner Campbell asked what the purpose was for the applicant going to the Planning Commissioner this evening. Mr. Jacobson stated that would be to obtain the IUP.

Discussion ensued regarding the difference between a Conditional Use Permit, an Interim Use Permit, and the original public hearing at the Planning Commission regarding the plat.

Dan Moore of Moorhead, MN, approached the Board and discussed some history on the applicant and a previous application that was denied/dropped. Mr. Moore stated this hearing does lead to the possibility of a batch plant, and the increased truck traffic and valuation of property should be taken into consideration.

Dale Schlottfeldt of Moorhead, MN, approached the Board and discussed his concerns regarding noise, increased truck traffic, and water issues and having to re-drill wells.

Commissioner Campbell asked if MnDOT had any thoughts regarding this. Mr. Jacobson stated that he did speak with MnDOT and they said based on what they've received from the applicant regarding this plat and the concrete ready-mix plant, they wouldn't require a traffic study or a turn lane.

Laura Knoll of Fargo, ND, approached the Board and stated she has a 5-generation farm in this area but is speaking on behalf of her neighbors and discussed safety concerns, that another batch plat would be devastating to this area, and wanting to protect the legacy of the farmers that came before us.

Discussion ensued regarding the upcoming Planning Commissioner meeting and the different scenarios surrounding whether the concrete ready-mix plant is approved or denied.

Commissioner Campbell asked if the Board were to approve the plat today, and the Planning Commission approved the concrete ready-mix plant this evening, what would the process be for residents who are in opposition of that outcome. Mr. Jacobson stated that would need to be challenged in District Court or Minnesota Court of Appeals.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to close the public hearing at 9:36 a.m.

Commissioner Mongeau expressed her appreciation regarding the discussion about prime farmland and the importance of retaining that character. However, not everyone can afford farmland, and when you have newer families that want to settle in Clay County, buying a quarter section of land isn't always attainable. Therefore, by doing a parcel split into a 10-acre piece, that becomes an avenue for people to acquire the purchase of farmland. And this is an important component to talk about. Commissioner Mongeau further discussed access issues, and being torn on what future uses could be, but what's being presented today is something she can support.

Commissioner Krabbenhoft stated that he disagrees, and referenced the comprehensive plan which states *"recognize and protect the agricultural character of Clay County and protect prime agricultural soils from commercial, industrial, and residential development."*

Commissioner Bare stated what's in front of the Board today is for the plat, and what happens beyond that will happen at the Planning Commission tonight. Commissioner Ebinger stated what's in front of the Board today needs to be taken at face value.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and carried, with one descending vote (Commissioner Krabbenhoft), the Board approved the Opatril Subdivision Final Plat based on the Planning Commission recommendation.

Public Hearing: Scot Manthe - Request for Platted Subdivision

On motion by Commissioner Mongeau, seconded by Commissioner Baer, and unanimously carried, the Board approved to open the public hearing at 9:46 a.m.

Mr. Jacobson stated this is a request for a 1 block, 12 lot residential subdivision and is located west and south of Hawley, MN, on the east side of Maria Lake and west side of 200th street south.

Mr. Jacobson discussed the zoning, the application request, property information, improvement plans, Township action, that no additional comments have been received, and the 2045 Comprehensive & Transportation Plan Goals and Objectives.

Applicant Scot Manthe discussed his plans for the subdivision and the importance of keeping future generations in this area.

Commissioner Campbell asked if the road would be a Township road. Mr. Manthe stated that was correct. Commissioner Campbell asked if the County Engineer needed to sign off on that. Mr. Manthe stated the County Engineer doesn't need to sign off on it, but will be part of the review process.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Mongeau, and unanimously carried, the Board approved to close the public hearing at 9:55 a.m.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the Oaks on Maria Lake Subdivision final plat based on Planning Commission recommendation.

BREAK

The Board took a break from 9:57 a.m. to 10:06 a.m.

Request Approval of the Letter of Support for Social Services Technology Modernization

Social Services Director Quinn Jaeger requested approval of the letter of support to the Commissioners of the Department of Human Services (DHS) and the Department of Child, Youth, and Families (DCYF) to support modernization efforts for Social Services technology systems. Mr. Jaeger stated there are significant changes coming in the near future that will directly impact the day-to-day work in how essential safety net programs are administered, which will dramatically increase the workload of County Eligibility Workers, and without modernized technology, the only way to meet the increased demands would be to hire additional staff. In addition, the federal government is reducing its share of administrative funding that counties rely on to support this work, leaving counties to do more work with less tools and support.

The letter of support to the Commissioners of DHS and DCYF emphasizes the need for shared governance, sustained local funding, an equal investment in counties of all sizes, and the

urgency of this work.

Commissioner Baer asked Mr. Jaeger to include Representative Gander and Senator Johnson on the letter.

Discussion ensued regarding further detail on the MAXIS, METS, MEC², PRISM, SSIS, MnCHOICES, and MMIS technology systems.

Commissioner Mongeau discussed her support for this and stated that once the committee chairs are determined for the legislative session, it would be good to forward this letter to them. Both the DFL and GOP caucuses need to have this as part of the dialogue.

On motion by Commissioner Ebinger, seconded by Commissioner Baer, and unanimously carried, the Board approved the Letter of Support to the Commissioners of the Department of Human Services and the Department of Child, Youth, and Families to support modernization efforts for Social Services technology systems, and to include the appropriate legislators identified in the discussion.

Opioid Prevention and Harm Reduction Program Update

Public Health Opioid Program Manager Annabel DuFault provided the Board with an update on the current status of Clay County's opioid settlement funds and an overview of ongoing opioid prevention and response efforts.

Ms. DuFault discussed the definitions for opioids and harm reduction, Naloxone versus Narcan, grant funding that has been secured, recommended uses of opioid settlement funds, and the settlement funds that have been received.

Discussion ensued regarding syringe services.

Ms. DuFault further discussed program components including education, prevention & awareness, harm reduction & overdose response, community collaboration & capacity building, and data, evaluation, & innovation. Upcoming priorities include sharps disposal kiosks, opioid prevention & awareness media campaign, and continued efforts to find grant funds and planning for settlement funds.

Discussion ensued regarding sharps disposal kiosks.

Request Approval to Consider the Early Retirement Incentive Program

Assistant County Administrator Darren Brooke and HR Director Anna Moore requested approval for the consideration of the Early Retirement Incentive Program.

Mr. Brooke stated the Personnel Issues Committee (PIC) was tasked with evaluating the possibility of offering an early retirement program for Clay County employees. This program would run from the date of approval until June 30, 2026, or as otherwise stated by the County Board. Eligible employees must have at least 20 years of service with Clay County and be on step 12 or 13 of the County grid. The County would pay eligible sick leave severance payments in accordance with current policy, as well as an additional \$9,600 into a Health Care Savings Account (HSA) for each employee who participates in this program. The program must be cost-effective for Clay County, and participation must be approved by the employees' Department

Head. Currently, there are 36 employees aged 55 or older who would meet the eligibility requirements; 60 employees who would meet the current criteria; and 21 employees who would not be eligible for a sick leave severance because they have a sick leave balance of less than 300 hours.

Commissioner Krabbenhoft asked where this idea came from and if there are any disadvantages to this program. Mr. Brooke stated the County had a similar program in 2010 which is where this idea stemmed from along with budget concerns for 2026. The main disadvantage would be the loss of senior talent, however, it's unknown how many individuals will take advantage of the program.

Commissioner Ebinger stated this was discussed several times at PIC and was determined to bring it before the full Board to see how everyone feels and to have the open discussion. The County isn't pressuring anyone to leave/retire, but it is an option.

Commissioner Krabbenhoft discussed his concerns regarding this program.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and carried, with two descending votes (Commissioners Mongeau and Krabbenhoft) the Board approved the creation of the Early Retirement Incentive Program for Clay County employees, effective December 1, 2025, through June 30, 2026.

Committee Reports/County Administrator Update/Discussions

- Commissioner Ebinger reported on meetings for NW Emergency Communication Board; Dancing Sky Area Agency on Aging; PIC; Dancing Sky – NW MN Age Friendly Exchange; and Association of Township Officers Fall meeting.
- Commissioner Krabbenhoft reported on meetings for Legislative Planning with Lobbyist Tom Hanson; Senate Bonding Tour; BRRWD; and Cass-Clay Food Commission.
- Commissioner Mongeau reported on meetings for Highway Tracking; County Owned Property; Metro COG Policy Board; Clay County Transportation & School Bus Forum; Legislative Planning with Lobbyist Tom Hanson; Metro COG; NSJD/PRTF Legislative strategy meeting; Flood Mitigation strategy meeting with The Chamber, FM Diversion, City of Moorhead, and BRRWD; Barnesville's Veterans Day Program; BRRWD; Cass-Clay Food partners; Clay County Legislative Strategy prep for the Senat Bonding Tour; Senate Bonding Tour; legislative strategy groups; met with Governor Walz staff, Office of Management & Budget, and the DNR regarding the remaining components of the MN Flood Mitigation needs.
- Commissioner Baer reported on meetings for County Owned Property; WRWD; Clay County Transportation & School Bus Forum; Glyndon Township meeting; Senate Bonding Tour for the WCRWD; Clay County SWCD; Senate Bonding Tour for the NSJD/PRTF; and Association of Township Officer Fall meeting.
- Commissioner Campbell reported on meetings for Highway Tracking; Clay County Intergovernmental Committee; Flood Mitigation strategy meeting with The Chamber, FM Diversion, City of Moorhead, and BRRWD; RRRDC Budget and Finance; PIC; Lakes Country Services Cooperative; and Flood Mitigation update with the Chamber.
- County Administrator Stephen Larson reported on meetings for Highway Tracking; County Owned Property; met with Darren Brooke and Brian Melton regarding Union Negotiations; WCRJC Taco Bar; met with Dan Mahli, Derrick LaPoint, and Peyton Mastera regarding White Earth Nation discussion; Clay County Intergovernmental

Committee; met with Darren Brooke and Josh Heggem regarding Union Negotiations; met with Lori Johnson regarding the on-going budget; met with Lori Johnson and Ehlers regarding the closing for the refinance of the Jail Bond; Legislative Planning with Lobbyist Tom Hanson; Flood Mitigation strategy meeting with The Chamber, FM Diversion, City of Moorhead, and BRRWD; Public Health Director Interview; Clay County Management; met with Matt Jacobson Derrick LaPoint and Kyle Roman regarding the DT Midstream Viking Gas Transmission Pipeline; Clay County Legislative planning; worked on MMB documents to receive funds for the PRTF remodel; Senate Bonding Tour; Clay County is on the MIAC Quarterly Meeting Agenda for the PRTF; AMC Futures; Association of Township Officers Fall meeting; and met with Darren Brooke and Anna Moore on a series of issues; this week is MN Winter Hazard Awareness week; today the FSC will hold the annual County Campus Craft Sale & Boutique; Public Health Director Interview will be today at 1 p.m.; and based on the action today to shift the \$100,000 from the Social Services budget to Detox, brings the levy down to 4.64%.

- Assistant County Administrator Darren Brooke reported on meetings for County Owned Property; met with Steve Larson and Brian Melton regarding the Attorney's Union Negotiations; worked on a Report for GIS/Communications; Legislative Planning with Lobbyist Tom Hanson; met with Corey Bang and Ashley Magelky regarding SCORE funding; Highway 3rd Union Negotiations; Attorney's 3rd Union Negotiations; MnCCC; Negotiation status sheets; NSJD/PRTF Legislature meeting; Public Health Interviews; County Management; Corrections 4th Union Negotiations; PIC; Senate Bonding Tour; Detox and Social Workers 4th Union Negotiations; Association of Township Officers Fall meeting; met with Kimberly Savageau and Lori Johnson regarding online payment; and Open Enrollment ends tomorrow the November 19, 2025.

Adjourn

The meeting was adjourned at 11:37 a.m.

Jenny Mongeau, Vice-Chair
County Board of Commissioners

Stephen Larson, County Administrator