

CLAY COUNTY BOARD OF COMMISSIONERS – WORK GROUP

1:00 PM, TUESDAY, FEBRUARY 3, 2026

Meeting Room A / B – 3rd Floor – Courthouse

MINUTES

The Clay County Board of Commissioners met in Work Group 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, Senior Administrative Assistant Sarah Hellem, and Sheriff Mark Empting

Call to Order

Commissioner Mongeau called the meeting to order at 1:00 p.m.

Clay County Board of Commissioners Will Discuss Minnesota Statute § 97B.031

County Administrator Stephen Larson stated today the Board will discuss Minnesota Statute § 97B.031. The 2025 Minnesota Legislature passed legislation that eliminates the longstanding shotgun-only (rifle-restricted) zone previously codified in Minnesota Statutes § 97B.318, effective January 1, 2026. Under the new law, all legal firearms including rifles, shotguns, muzzleloading long guns, and handguns may be used statewide during the regular firearms deer season. The repeal of § 97B.318 and the amendment to § 97B.031 reflect a uniform statewide regulatory approach to deer hunting.

While the statewide restriction is removed, the statute now authorizes county boards that were within the former shotgun zone to adopt local ordinances limiting the types of firearms used for deer hunting within their jurisdictions. To exercise this authority, a county board must provide public notice and hold a public hearing in accordance with Minn. Stat. § 97B.031, subdivision 7, before adopting such an ordinance; each ordinance is effective for up to one year and may be renewed only after additional notice and hearing. Counties that choose to enact a firearms limiting ordinance must notify the Minnesota Department of Natural Resources (DNR) of the ordinance and its specific provisions by May 5, 2026, prior to the start of the deer hunting season to ensure proper inclusion in the DNR's annual hunting regulations and public notifications.

Sheriff Empting stated we have two options, go with what the state has determined, and it becomes a rifle zone, or go back to what the County currently has which is shotgun only. Unfortunately, we can't alter the zones, meaning we can't split the county to make the west half shotgun only and the east half shotgun and rifle. If we did that, the DNR wouldn't enforce the ordinance.

Commissioner Mongeau stated it was her understanding that as long as the DNR knew what the alterations of the ordinance were, and it's not overly extenuating, that they would enforce the ordinance. Sheriff Empting stated he spoke with the DNR Captain yesterday on that specific question and they indicated that no, you can't change the zones. Commissioner Mongeau stated that was not the same information that she received at AMC. Sheriff Empting stated this isn't the first time he's heard conflicting information.

Sheriff Empting stated the County did move to an all-rifle zone at one point, and asked if anyone remembered what year that was. Commissioner Baer believed that was somewhere

between 2007 to 2009, but the County Board of Commissioners changed it back to shotgun. Sheriff Empting discussed his concerns with rifles, especially in the flatter areas of the County, and the safety of the hunters, safety of domestic animals, and homes.

County Attorney Brian Melton stated if we try and change zones from what they were previously, the DNR wouldn't enforce the ordinance. Commissioner Campbell asked what is meant by that. Sheriff Empting stated the enforcement side of this means that they won't act if someone is hunting in a shotgun zone with a rifle.

Discussion ensued regarding the increased number of hunters in Minnesota, the potential lack of enforcement by the DNR, and the contentiousness of this topic and decision.

Commissioner Mongeau asked how many zones encompass the County. Commissioner Baer stated Clay County has 4 zones including zones 262, 666, 269, and 239. Commissioner Mongeau raised the concern about neighboring counties who share a zone but choose a different options.

Commissioner Campbell stated he would like to get more information on what it would look like if the County were to split the zones based on Highway 9. Meaning everything east of Highway 9 would allow rifles and everything west of Highway 9 would be shotgun only/rifle restricted. The terrain and population of residents should all be factors when deciding this.

Discussion ensued regarding the DNR enforcing the County's decision, and the liability of the County.

Commissioner Baer stated he thinks the County shouldn't make any changes and leave it all rifle. Commissioner Krabbenhoft stated he wants a public hearing. Commissioners Mongeau and Campbell indicated they wanted a public hearing. Commissioner Campbell stated a public hearing is still a good idea, even if everything stays the same. Commissioner Baer stated he's not opposed to a public hearing, but wants more answers prior to.

Discussion ensued regarding getting more information from the DNR.

Commissioner Campbell stated in the meantime, any questions that come up, the simple answer would be that the County Board will be conducting a public hearing sometime in early April and it will be the responsibility of the citizens to pay attention to when that is. Commissioner Campbell suggested having this on the agenda for next Tuesday to establish the date for the public hearing. Discussion ensued regarding the date and time for the hearing.

Clay County Board of Commissioners Will Discuss Possible Legislative Priorities for the 2026 Session

Commissioner Mongeau stated she would like to look at two different avenues, bonding and policy priorities. For bonding, the priorities would include the Non-Secure Juvenile Detention (NSD) funding, the West Central Regional Water District (WCRWD), and Flood Mitigation. For policy the priorities would include Social Services System Modernization, Solid Waste Management Tax – SCORE funding and 911/Emergency Response Funding.

Commissioner Mongeau stated last year for bonding, the County's first priority was Flood Mitigation, and the second priority was the NSD. At that time, the WCRWD wasn't prioritized

because Clay County wasn't leading the charge in those applications. Commissioner Mongeau discussed a meeting she and Commissioner Campbell had the previous day, and stated the best avenue for funding for the Diversion project is going to be out of DNR Flood Mitigation dollars, therefore, does it make sense to have that as the #1 bonding priority, if we're going to try and go after those DNR dollars. If this approach is taken, Clay County would still fulfill the requirement for the Diversion Authority, however, it will hurt us if they look at how it's scored right now. Commissioner Campbell stated the flood mitigation dollars will only be available through bonding dollars. Therefore, if there's bonding money established for flood mitigation, it's going to be bonding dollars that will go to the DNR, and they'll be entity to determine how to distribute those funds. Discussion ensued regarding how the funds are directed to the DNR, and requesting those funds.

Commissioner Mongeau stated what if our legislative priorities are the NSD, Food Mitigation, and the WCRWD, but not prioritize them by number. Mr. Larson stated when we did the MMB request we had to prioritize, which would be the issue. Right now, the NSD is the #2 priority and Flood Mitigation is the #1 priority. However, through discussions with the lobbyist, we can still change this if we wanted to. Commissioner Campbell stated in terms of the prioritization, we have a responsibility to fulfill our obligation of the agreement with the Diversion Authority.

Discussion ensued regarding these priorities, DNR funding for flood hazard mitigation, upholding the County's part of the agreement for the Diversion project, and the scenario in which funding is only available for one of the two priorities and how to respond.

Commissioner Mongeau suggested the bonding requests being Flood Mitigation, NSD, and the WCRWD. The #1 priority of those would be the NSD, and the #1 priority for hazard mitigation would be Flood Mitigation. Commissioner Campbell stated from a flood mitigation standpoint Clay County's #1 priority is the Diversion project. In bonding dollars, the #1 priority is the NSD.

Commissioner Mongeau stated in regard to policy, it's suggested to include the Social Services System Modernization, 911/Emergency Response Funding, and Solid Waste Management Tax – SCORE funding.

Discussion ensued regarding the confidence in receiving bonding dollars for the NSD, revenues from Social Services, and SCORE funding.

Adjourn

The meeting was adjourned at 2:13 p.m.

Jenny Mongeau, Chair
County Board of Commissioners

Darren Brooke, Assistant County Administrator