

CLAY COUNTY BOARD OF COMMISSIONERS

5:00 PM, TUESDAY, JUNE 16, 2026

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 Mongeau called the meeting to order at 5:00 p.m.

Approval of Agenda

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda with the Agenda Addition: Request Approval of the Letter of Support to Minnesota Federal Senator Delegation Requesting a Delay in the Supplemental Nutrition Assistance Program (SNAP) Administrative and Benefit Cost Shifts Enacted H.R. 1. (P.L. 119-21)

Approval of the Minnesota Lawful Gambling LG220 Applications for Exempt Permit for Pheasants Forever

By consent, the Board approved the Minnesota Lawful Gambling LG220 Application for Exempt Permit for the July 16, 2026, and August 20, 2026, Pheasants Forever Bingo nights.

Approval to Hire an Open Overnight Juvenile Detention Worker Position in the Secure Unit

By consent, the Board approved to hire the open Overnight Juvenile Detention Worker position in the Secure Unit.

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 Krabbenhoft, and unanimously carried, the Board approved the bills and vouchers totaling \$689,536 from 125 vendors. There were 87 warrants issued under \$2,000 (\$37,636) and the following 38 were over \$2,000.

Advanced Correctional Healthcare, Inc.	\$ 66,341	Pomp's Tire Service, Inc.	\$ 6,749
Enterprise FM Trust	\$ 63,143	STEAMATIC of the Red River Valley	\$ 6,539
Moorhead Public Service	\$ 56,247	Sign Solutions USA LLC	\$ 6,309
Clay Co Public Health	\$ 48,053	Sabin C Store	\$ 6,309
Red River Regional Dispatch Center	\$ 45,328	Swanston Equip Corp	\$ 6,069
Lakeland Mental Health Center, Inc.	\$ 40,568	Elan Financial Services	\$ 5,126
Earthwork Services Inc.	\$ 38,897	Northwestern MN Juvenile Center-Secure	\$ 4,734
Department Of Corrections	\$ 38,430	City Of Fargo	\$ 4,536
Sanford Health	\$ 25,060	Network Cabling Services, Inc.	\$ 4,259

Becker County Public Health	\$ 21,500	Fevig Oil Co	\$ 4,085
Marco Technologies LLC	\$ 20,990	Wex Bank (fleet)	\$ 3,776
Stantec Consulting Services, Inc.	\$ 20,779	FIRST Insurance Funding	\$ 3,774
M-R Sign Company Inc	\$ 19,738	Disposal Services Inc	\$ 3,570
Turnkey Corrections	\$ 15,762	Pace Analytical Services, Inc.	\$ 3,431
West Central Regional Juvenile Center	\$ 12,350	Minnkota EnviroServices, Inc.	\$ 3,314
Petro Serve Usa-Hwy	\$ 10,501	High Point Networks, LLC	\$ 2,946
Code 4 Services, Inc	\$ 9,911	Psychlogics	\$ 2,710
CliftonLarsonAllen LLP	\$ 8,148	AJ Truck and Trailer	\$ 2,537
ANJAAM HOLDINGS, LLC	\$ 7,083	Amazon Capital Services	\$ 2,286

Approval of Minutes from June 2, 2026

On motion by Commissioner Baer, seconded by Commissioner Krabbenhoft, and unanimously carried, the Board approved the minutes from June 2, 2026.

Request Approval of the Advanced Correctional Healthcare Contract Renewal

Sheriff Mark Empting and Chief Deputy Chris Martin requested approval of the contract renewal with Advanced Correctional Healthcare and stated Clay County contracts with Advanced Correctional Healthcare, Inc. (ACH) to provide medical services for inmates housed at the Clay County Correctional Facility. ACH has notified the County that the contract is scheduled for renewal on July 1, 2026. As part of the renewal, ACH is requesting a 5.66% increase in contract pricing to offset wage and benefit increases, as well as increased medical malpractice and civil rights insurance costs. The proposed renewal terms include the annual contract price of \$841,152.91, the contract increase of 5.66%, the per diem rate of \$0.71, and the medical claims repricing fee of \$17.00 per claim.

ACH continues to provide comprehensive correctional healthcare services and related support resources, including officer training, mental health first aid certification training, occupational health and wellness services, PREA compliance support, discharge planning, substance abuse counseling and evaluation services, and correctional staffing solutions.

Chief Deputy Martin stated Clay County is responsible for the inmates medical care while they are in the facility. That includes not only the care that ACH provides but also anytime the county has to transport them to any other medical provider. If an inmate doesn't have insurance, the county is picking up that cost for those services, along with the cost for any medications. Over the last three years those rates have increased substantially. ACH was a known, as a contract was signed for years 2022, 2023, 2024, and 2025. And their rate increases every year were also known. What is unknown is the amount that the Sheriff's Office is spending on Sanford and Diamond Medications, which is the medication provider for the inmates. This year the Sheriff's Office budgeted \$930,00 and to date \$590,000 has already been spent. The reason is due to the substantial fees that the office is paying to the medical and medication providers. At this time, it's projected that the Sheriff's Office will be about 30% over budget for 2026.

Commissioner Baer asked if there were alternative options other than ACH. Chief Deputy Martin stated there are other options, but he doesn't feel that this is an ACH issue, as they provide above average care for the inmates. Commissioner Baer asked how many ACH medical staff are on site. Sheriff Empting stated between 4 to 5 individuals, as well as a full-time on-call doctor. Commissioner Campbell discussed the issues with the previous medical provider which resulted in the switch to ACH.

Sheriff Emptying stated in the past, inmates that came into custody who were on medications had to remain on the same brand of medication while incarcerated, which eliminated the option for generic brands. After lobbying at the legislature, come August 1, 2026, the switch to generic brands will be allowed. Therefore, when that goes into effect, cost for medications will be reviewed to determine if there is a savings.

Discussion ensued regarding inmate health insurance, and furloughing inmates who are less of a public safety risk.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the contract renewal with Advanced Correctional Healthcare, Inc. effective July 1, 2026.

Request Approval of Step Placement for a Healthcare Unit Eligibility Worker

Social Services Director requested approval of the step placement for a healthcare unit Eligibility Worker and stated there's a recommendation to appoint an internal candidate to the Eligibility Worker position at Grade 14, Step 9. The selected candidate brings nearly ten years of prior healthcare eligibility experience, including extensive work with Medical Assistance (MA) and MNCare programs. Prior to transferring to another division within the County, the candidate worked in this same classification and was frequently relied upon as a resource for other staff within the unit. The Healthcare team continues to manage high caseloads and increasing program complexity. Because of the candidate's previous experience, minimal onboarding and training will be required, allowing the Unit to restore staffing capacity more quickly and reduce the workload impacts associated with the vacancy.

While Step 9 placement is above a typical external hire placement, the employee previously held this same classification and step before transferring to another County position. The request reflects the employee's demonstrated experience, knowledge of healthcare eligibility programs, and ability to immediately assume a full caseload.

Discussion ensued regarding internal movement and the cost impact/savings.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the appointment of Eligibility Worker position at Grade 14, Step 9.

Request Approval to Apply for the Crisis Intervention & Behavioral Health Grant for the West Central Regional Juvenile Center

Juvenile Detention Director James O'Donnell requested approval to apply for the Crisis Intervention & Behavioral Health Grant for the West Central Regional Juvenile Center, and stated this is federal funding which the Minnesota Department of Public Safety oversees. This two-year grant would support stabilization of the Non-Secure Unit by covering up to \$250,000 of Variable Hour (VH) salaries. No additional staff would be hired. Rather, the anticipated funds will pay for the VH coverage needed while providing 1:1 care on high needs cases.

On motion by Commissioner Ebinger, seconded by Commissioner Baer, and unanimously carried, the Board approved the West Central Regional Juvenile Center to Apply for the Crisis Intervention & Behavioral Health Grant.

Request Approval to Refill Vacated Care Coordinator Position in the Adult Health Unit

along with the Corresponding Status Change

Public Health Director Jessica Mickelson requested approval to refill a vacated Care Coordinator position in the Adult Health Unit and to move the position from 0.8 FTE to 1.0 FTE.

Ms. Mickelson stated that Public Health received a resignation notice from a Registered Nurse in the Adult Health Unit on May 26, 2026, with her final day of employment being June 9, 2026. The outgoing employee was originally hired into a 1.0 FTE position on October 1, 2021. Following a leave of absence, they returned at a reduced 0.8 FTE schedule as a retention strategy during ongoing nursing workforce shortages. Due to continued program growth and increasing service demands, a part-time schedule no longer adequately supports the operational needs of the unit.

The Adult Health Unit has experienced sustained growth in both caseload volume and service complexity while staffing resources have declined. Adult Health Care Coordinators support individuals with complex medical, behavioral health, and social needs by coordinating healthcare services, connecting clients to community resources, monitoring health and safety needs, and working collaboratively with providers and families to help clients remain stable in the community.

As this is a backfill request, the majority of the wages and benefits associated with the position were already included in the 2026 budget. Further discussion ensued regarding wages and reimbursement rates.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to fill the Care Coordinator position and restore it to a 1.0 FTE, with backfill if there is internal interest.

Request Approval for Solid Waste to Apply for the Minnesota Pollution Control Agency Recycling Grant

Solid Waste Manager Corey Bang requested approval for the Solid Waste Department to apply for the Minnesota Pollution Control Agency (MPCA) Recycling Grant and stated the MPCA has given all solid waste authorities the goal of 35% recycling by 2030.

The Solid Waste Department is looking to increase the wood material recycling program by adding equipment that would make sorting usable wood out of the dumpsters and from the Demolition Landfill location prior to compacting. This material would be measured and tracked to increase the recycling percentage.

The application amount will be a total of \$149,961.60 with a \$25,000.00 County match. If successful, the department would purchase a mini excavator, a tracked skid steer, and a trailer to haul the equipment to and from each location.

Commissioner Mongeau asked where the county match funds would come from. Mr. Bang stated \$25,000.00 would come from the Solid Waste Internal Service Fund.

Discussion ensued regarding the goal of 35% recycling by 2030, and SCORE Funding.

Commissioner Baer asked Mr. Bang to update the Board on if the county is awarded the grant.

On motion by Commissioner Krabbenhoft, seconded by Commissioner Campbell, and unanimously carried, the Board approved the application for the MPCA Environmental Assistance Grant in the amount of \$149,961.60 with a \$25,000.00 local match.

Request Approval of Bridge Maintenance Agreement

County Engineer Justin Sorum requested approval of the Bridge Maintenance Agreement and stated similar to the Bridget Memorandum of Understanding (MOU) with Cass County, the Highway Department is updating the bridge maintenance agreement with the City of Fargo. This agreement doesn't change any responsibilities, or how things are completed and it covers the Wall Street Bridge (CSAH 22) and the CSAH 12 Bridge (60th Ave S).

The Federal Highway Administration (FHWA) is requiring more specific language in these agreements than what was included in the past, and since the NDDOT is starting to take more of an inspection role, the FHWA asked that this agreement be updated.

On motion by Commissioner Baer, seconded by Commissioner Campbell, and unanimously carried, the Board approved the Bridge Maintenance Agreement.

Request Approval of the Comment Letter to the Minnesota Pollution Control Agency

Mr. Sorum requested approval of the Comment Letter to the Minnesota Pollution Control Agency and stated the MPCA is updating the Municipal Separate Storm Sewer System (MS4) permit requirements, and they're currently in the comment phase of updating. The City of Moorhead, City of Dilworth, Clay County, Buffalo Red River Watershed District, and MSUM all participate in the MS4. With the new permit requirements one of the main things that the MPCA is trying to implement is requirements for Total Maximum Daily Load (TMDL), which is basically what goes into the river. The City of Moorhead contracted with Houston Engineering Inc. to look into this and there were major concerns and extreme costs to every entity. The comment letter would state the concerns with supportive data and a technical memo will be included as well.

Commissioner Baer why this was the concern for the Highway Department. Mr. Sorum stated the Highway Department is the permit holder for the MS4 Permit and being that we have outlets into the river, it's the Highway Department's jurisdiction. If this is implemented it would have a budget impact on the County.

On motion by Commissioner Campbell, seconded by Commissioner Baer, and unanimously carried, the Board approved the Comment Letter to the MPCA.

Request Approval of the Axon Justice Software Purchase and Application

County Attorney Brian Melton requested approval of the Axon Justice Software Purchase and Application and stated Axon Justice is a computer software utilized by prosecution offices to manage video evidence coming into the office, being disclosed to the defense, and ultimately utilized as evidence in trial. The volume of video evidence coming into the office daily and weekly has grown exponentially over the years and the current method of storing the data continues to be a constant issue for the County Attorney's Office and the Technology Services Department. The ultimate storage volume for the data, through Axon Justice, is unlimited. Additionally, the time savings that will come from the use of the software will allow for legal assistants to complete downloading tasks that are currently taking hours, to be completed in minutes, providing both a time and cost savings to the office.

Commissioner Ebinger asked if the current data could be transferred to the new system. Mr. Melton stated yes, everything will be transferred from the old system to Axon. Discussion ensued regarding redaction, and the features of this software.

Mr. Melton stated the for the first six months, July 2026 – December 2026, the funds would come from Clay County Attorney Forfeiture Funds and then would be budgeted for moving on. Discussion ensued regarding the 2027 budget.

On motion by Commissioner Ebinger, seconded by Commissioner Campbell, and unanimously carried, the Board approved the Purchase and Application of the Axon Justice Software for the Clay County Attorney's Office in the amount of 12,999.60 for July 2026 – December 2026 and for the funds to come from the Clay County Attorney Forfeiture Funds.

Request Approval of Resolution 2026-12 for Continuation of the Performance Measurement Program

Assistant County Administrator Darren Brooke requested approval of Resolution 2026-12 for the continuation of the Performance Measurement Program. Data was collected for 2025 from July 1, 2025, to December 31, 2025, and the report will be sent to the State Auditor by July 1, 2026. 2026 Data will be collected from July 1, 2026, to December 31, 2026, and reported to the State by July 1, 2027. The County received \$9,359 in December 2025 for participation in 2024. Jenny, this data is really helpful as we make decisions on programs.

On motion by Commissioner Campbell, seconded by Commissioner Baer, and unanimously carried, the Board approved Resolution 2026-12 to participate in the State Performance Measurement Program for 2026.

COUNTY BOARD OF COMMISSIONERS Clay County, Minnesota 56560

Date **June 16, 2026**
Motion by Commissioner Campbell

Resolution No. 2026-12
Seconded by Commissioner Baer

WHEREAS, Benefits to Clay County for participation in the Minnesota Council on Local Results and Innovation's comprehensive performance measurement program are outlined in MS 6.91 and include eligibility for reimbursement as set by State statute; and

WHEREAS, Any county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

WHEREAS, The Clay County Board has adopted and implemented at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes; and

NOW THEREFORE LET IT BE RESOLVED THAT, Clay County will continue to report the results of the performance measures to its citizenry by the end of the year through the county's website, or through a public hearing at which the budget and levy will be discussed and public input allowed.

BE IT FURTHER RESOLVED, Clay County will submit to the Office of the State Auditor the actual results of the performance measures adopted by the county.

Detail of Voting: Ayes – 5

Nays – None

Agenda Addition: Request Approval of the Letter of Support to Minnesota Federal Senator Delegation Requesting a Delay in the Supplemental Nutrition Assistance Program (SNAP) Administrative and Benefit Cost Shifts Enacted H.R. 1. (P.L. 119-21)

County Administrator Stephen Larson requested approval of the Letter of Support to the Minnesota Federal Senator Delegation Requesting a Delay in the Supplemental Nutrition Assistance Program (SNAP) Administrative and Benefit Cost Shifts Enacted H.R. 1. (P.L. 119-21). This letter requests support for extending this relief to all states as the Senate develops the 2026 Farm Bill. SNAP provides critical nutrition assistance to 7,704 Clay County residents, and the new federal requirements will create significant costs for the county eligibility workforce related to technology upgrades, training, outreach, and staffing.

On motion by Commissioner Campbell, seconded by Commissioner Ebinger, and unanimously carried, the Board approved sending the Letter of Support to the Minnesota Federal Senator Delegation requesting a delay in the Supplemental Nutrition Assistance Program (SNAP) Administrative and Benefit Cost Shifts.

Request Approval of the Recommendation for Heartland Trail State or Regional Trail Designation

Mr. Larson stated at the Work Group Session on June 9, 2026, Metro COG Transpiration Planner Dan Farnsworth provided the Board with the findings of the Heartland Trail Committee and distinguished the difference between the options of a state trail and a regional trail.

Metro COG is taking steps to implement the Heartland Trail through Clay County. The Heartland Trail is currently a 49-mile paved shared-use path stretching from Park Rapids, MN to Cass Lake, MN. The Heartland Trail Committee has requested that this Board provide a directive input on whether they would like to make the Heartland Trail a state or regional trail.

Commissioner Campbell discussed the work group session and how he felt that if the Board were to go with the regional trail, it would cause financial problems for the county. Commissioner Campbell stated he is in favor of designating the Heartland Trail a state trail. Commissioner Ebinger agreed with Commissioner Campbell and stated the county is not in the position to take on this responsibility. Commissioner Krabbenhoft indicated that he agreed and stated there is too much risk at this point in time. Commissioner Baer agreed and felt that it should be designated as a state trail.

Commissioner Mongeau stated the Heartland Trail is a great asset and system that can be an economic drive. However, the other counties that have these trail systems also have parks and trails departments, whereas Clay County doesn't. And if Clay County were to go the regional route, it would put a burden on the Highway Department. Commissioner Mongeau stated she is in support of following the state system and believes it would be the best option for Clay County.

On motion by Commissioner Baer, seconded by Commissioner Ebinger, and unanimously carried, the Board approved to have the Heartland Trail follow the State Trail Designation.

Committee Reports/County Administrator Update/Discussions

- Commissioner Ebinger reported on meetings for Board of Commissioner Work Group Session; met with Mike Arntson Greater FM EDC; and AMC Subcommittee - Treatment Court Initiative Advisory Committee.

- Commissioner Krabbenhoft reported on meetings for Board of Commissioners Work Group Session; Clay County Extension Committee; Clay County Collaborative Governance meeting; Clay SWCD; Historical & Cultural Society; CAPLP; Law Library; and Adult Mental Health LAC.
- Commissioner Campbell reported on meetings for Personnel Issues Committee; Board of Commissioners Work Group Session; RRRDC Budget & Finance; WCRWD; and FM Diversion Planning Committee.
- Commissioner Baer reported on meetings for WGC; Clay County Collaborative Governance meeting; WCRWD; and met with Derrick LaPoint on the WCRWD.
- Commissioner Mongeau reported on meetings for Personnel Issues Committee; Board of Commissioners Work Group Session; and Clay County Extension Committee.
- County Administrator Stephen Larson reported on meetings for Clay County Management; Personnel Issues Committee; Board of Commissioners Work Group Session; met Darren Brooke, Anna Moore, and Tessia Melvin with David Drowns Associates; met with Jessica Mickelson and Joe Olson on a series of County issues; and Open House for Peyton Mastera.
- Assistant County Administrator Darren Brooke reported on meetings for Personnel Issues Committee; Board of Commissioners Work Group Session; met with Rory Schmitz regarding the phone systems; completed 2 Department Head evaluations; and had a Loudermill Hearing.
- County Attorney Brian Melton mentioned a law change coming in effect August 1, 2026 regarding juveniles between the ages of 10 – 12 will no longer be considered capable of committing a crime. Those issues will now be going to the Social Services Department.

Adjourn

The meeting was adjourned at 6:30 p.m.

Jenny Mongeau, Chair
County Board of Commissioners

Stephen Larson, County Administrator