

CLAY COUNTY BOARD OF COMMISSIONERS
8:30 A.M., TUESDAY, NOVEMBER 2, 2021
Rooms A/B, 3rd Floor, Courthouse
MINUTES

The Clay County Board of Commissioners met in regular session with the following Commissioners present: Kevin Campbell, Jenny Mongeau, Jenna Kahly and Frank Gross. Commissioner absent: David Ebinger. Others present: County Administrator Stephen Larson, County Attorney Brian Melton, Human Resource Director Darren Brooke, and Sr. Administrative Asst. Colleen Eck.

CALL TO ORDER

Chair Campbell called the meeting to order at 8:30 a.m.

APPROVAL OF AGENDA

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board approved the agenda with the cancellation of item six.

CITIZENS TO BE HEARD

There were no citizens who wished to be heard.

EMPLOYEE RECOGNITIONS

The following employees were recognized: Gabe Tweten, 15 years, Sheriff's Office; Jason Hicks, 15 years, Sheriff's Office; and James Backlund, 30 years, Social Services

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved payment of bills and vouchers totaling \$3,970,441 from 101 vendors. From that total, 79 warrants issued were under \$2,000 (\$29,550) and the following 22 were over \$2,000:

Independent School Dist 152	\$2,827,203	Magic Fund	\$9,957
Independent School Dist 2164	\$ 453,104	Independent School Dist Nc 2854	\$6,783
Independent School District 146	\$ 213,792	Turner Sand & Gravel, Inc.	\$6,331
Independent School Dist 150	\$ 207,305	Clay County Attorney	\$5,402
Independent School Dist 914	\$ 74,754	Network Cabling Services, Inc.	\$5,365
Clay Co Public Health	\$ 29,175	Moorhead Public Service	\$5,296
Otter Tail Co Public Health	\$ 28,419	Independent School Dist Bc 2889	\$4,430
Historical & Cultural Society	\$ 15,881	R Travelmart	\$3,728
Becker Co Public Health	\$ 12,547	Martin/Corey Lynn	\$3,415
Sanford Health	\$ 11,611	Independent School Dist Otc 548	\$3,100
Eaton Corp.	\$ 10,671	Fevig Oil Co	\$2,622

APPROVAL OF MINUTES FROM OCTOBER 19, 2021

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the minutes from October 19, 2021.

COVID-19 UPDATE

Clay County Public Health (CCPH) Director Kathy McKay and her staff presented the weekly update on COVID-19. Active cases in Clay County are at 402, up from 312 a week ago. This follows two weeks of slight decreases. Active cases in Cass County, ND, and MN are also up slightly. The five- to nine-year-old category has the most active cases; however, there are cases in all age groups. Cumulative cases in Clay County are at 10,717. The CDC level of community transmission is high in all MN counties except one. All the numbers, trends, and data for Covid hospitalizations were documented and reported. The number of breakthrough cases remain low. Statewide, 73.8% of people in MN over 12 years of age have had at least one vaccine dose. CCPH has administered 15,819 doses over the last 44 weeks, with 81 administered last week. Upcoming vaccine clinics and hours were listed, and the vaccine hotline is 218-299-7204. CCPH does not refuse anyone.

ACCEPTANCE OF VICTIM SERVICES GRANT AWARD

Attorney Melton noted the Clay County Victim/Witness Program received a grant award of \$140,000 for 10/1/2021–9/30/2023 to continue providing services to victims of crime. There is zero match requirement.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board accepted the Victim Services Grant Award.

REQUEST FOR SUPPORT TO CORRECT DATA FOR BROADBAND SERVICE IN RURAL BARNESVILLE AND ROLLAG

CEO Tom Steinolfson and Marketing Specialist Kari Kleingartner from Red River Communications presented to the Board. They requested support to correct an area of broadband service data in the rural areas of Barnesville and Rollag. A map of the area was provided. There had been an error on a report that was filed with the Federal Communications Commission (FCC) that eroded an area. A waiver was sent into the FCC, but the error has not been fixed. Red River Communications cannot get their funding to serve this rural area until this is corrected. A support letter to the local U.S. Senators was drafted for unified support of the correction. The City of Barnesville is also in support of the correction.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved moving forward with a letter of support to correct the data for broadband service in rural Barnesville and Rollag.

REQUEST TO EXECUTE RESOLUTION(S) 2021-48 AND 2021-49 TO SUPPORT PETITIONS FOR BUFFALO RED RIVER WATERSHED DISTRICT TO UTILIZE TAXING AUTHORITY

BRRWD Administrator Kristine Altrichter, Board Members Paul Krabbenhoft and Jerry VanAmburg, and Engineer Eric Jones were all present. Two resolutions were brought forward for Board approval. The resolutions are to support one-year General Tax Levy Petitions #1 and #2. The funds go to basic water management programs as well as to Red River Basin Commission, River Keepers, updating LiDAR, construction of Whiskey Creek Enhancement, and Lower Otter Tail River Restoration. The increase from last year's tax levy was calculated on a \$100,000 house valuation and would go from \$18.09/annually to \$18.90/annually.

Member VanAmburg stated the district has experienced many changes, things are going well, and the new administrator is doing a good job. Member Krabbenhoft added that they are developing a cohesiveness and working together well. The commissioners extended their thanks and their confidence to the administrator, board members, and their engineer.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board approved the following resolution for Tax Levy Petition #1:

Resolution 2021-48

**APPROVING 2022 GENERAL TAX LEVY PETITION #1
BUFFALO-RED RIVER WATERSHED DISTRICT**

WHEREAS, pursuant to Minnesota Statute Annotated (M.S.A.) 103D.905, Subd. 3, and any other applicable statutes, the Clay County Board of Commissioners hereby petitions for a one-year (2022) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$743,568.00) to pay the costs attributable to the basic water management features of projects and programs within the Buffalo- Red River Watershed District (BRRWD); and

WHEREAS, the BRRWD per M.S.A 103D.905, Subd. 3, will use these funds projects and programs including: financial support for the Red River Basin Commission (\$25,000.00) and River Keepers (\$55,000.00), provide funding to Soil and Water Conservation Districts, water quality monitoring, log jam removal, stream channel restoration projects, flood damage reduction (FDR) projects, and natural resource enhancement (NRE) projects.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners that the Board does hereby petition for the use of said levy by the Board of Managers, BRRWD, in 2022, as discussed at the BRRWD annual budget hearing, August 23, 2021.

Mr. Jones updated the Board on the expected length of time for some of their projects. Depending on grant funds they may or may not have requests for tax petitions again next year. Chair Campbell mentioned combining funds for financial support in the future for River Keepers and Red River Basin Commission.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved the following resolution for Tax Levy Petition #2:

Resolution 2021-49

**APPROVING 2022 GENERAL TAX LEVY PETITION #2
BUFFALO-RED RIVER WATERSHED DISTRICT**

WHEREAS, pursuant to Minnesota Statute Annotated (M.S.A.) 103D.905, Subd. 3, and any other applicable statutes, the Clay County Board of Commissioners hereby petitions for a one-year (2022) annual tax levy in an amount not to exceed 0.00798 percent of the taxable market value (\$743,568.89) to pay the costs attributable to the basic water management features of projects and programs within the Buffalo- Red River Watershed District (BRRWD); and

WHEREAS, the BRRWD, per M.S.A 103D.905, Subd. 3, will use these funds to update the light detection and ranging (LiDAR) for the District and the construction of Whiskey Creek Enhancement and Lower Otter Tail River Restoration.

NOW, THEREFORE, BE IT RESOLVED by the Clay County Board of Commissioners that the Board does hereby petition for the use of said levy by the Board of Managers, BRRWD, in 2022, as discussed at the BRRWD annual budget hearing, August 23, 2021.

Mr. Jones commented that the district recently received a draft Memorandum of Understanding (MOU) for the FM Diversion Project design work. By 2023 some of the phases of the project should be under construction. As the project develops additional staff from MnDOT will be added. There is a need for stage

monitoring equipment by Georgetown for flood monitoring. Georgetown is a unique area with three rivers coming together and then the diversion channel coming in.

REQUEST TO SELL BOOM MOWER (UNIT 255)

County Engineer David Overbo stated the Highway Department purchased a tractor-mounted boom mower (Unit 255) ten years ago and it has not been quite adequate on sloped ground. They wish to put the item on MnBid with a minimum bid of \$7,500. They are getting price quotes for a heavy-duty skid steer brush mower to replace the boom mower. The Highway Tracking Committee recommended moving forward with the request.

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request from the Highway Department to sell the tractor-mounted boom mower on MnBid.

REQUEST TO APPROVE PROPOSAL FOR ROAD-IN-LIEU PROJECT FOR ELMWOOD TOWNSHIP

Mr. Overbo stated the Highway Department has been working with Elmwood Township for two years on a bridge removal project on 110th Avenue South. He and his Assistant Engineer, Justin Sorum, described this unique area and the issue of not having an alternate traffic/emergency outlet, without the bridge, if a train is blocking the access to CSAH 52. They are seeking approval of a proposal from Houston Engineering for a Road-in-Lieu Project for one-eighth mile of road. The proposed cost and all associated construction work will be covered by state aid with no cost to the County or Township.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved the proposal for the Road-In-Lieu Project with Houston Engineering in Elmwood Township.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Mongeau reported on meetings for ARPA / CARES-2 Committee; Prairie Lakes Municipal Solid Waste Authority; FM Diversion Authority Land Management; Solid Waste Advisory Committee; Lakes and Prairies Community Action Partnership; Moorhead Clay County Joint Powers Authority; and Resource Recovery Construction Update.
- Commissioner Kahly reported on a Lakes and Prairies Community Action meeting.
- Commissioner Campbell reported on ARPA/CARES2; FM Diversion Governance; Prairie Lakes Municipal Solid Waste Authority; Solid Waste Advisory Committee; Resource Recovery Facility Construction; FM Diversion Authority Public Outreach; FM Diversion Authority Land Management; Moorhead Clay County Joint Powers Authority; and FM Division Authority Board.
- County Administrator Larson attended meetings for ARPA/CARES2; preparations for Wild Rice Watershed District Public Hearing; County Management; Capital Projects; Operating Contract for RR Facility with City of Moorhead; Area Administrators; Solid Waste Advisory Committee; State Auditor's office; conf call on labor issues; Resource Recovery Facility Construction Update; and Public Health Issues.

CLOSED SESSION: DISCUSS UNION CONTRACT NEGOTIATIONS

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board closed the public hearing and went into a closed session at 10:06 a.m.

On motion by Commissioner Kahly, seconded by Commissioner Mongeau, and unanimously carried, the Board reopened the public hearing at 10:22 a.m.

The meeting was adjourned at 10:22 a.m.

Kevin Campbell, Chair
County Board of Commissioners

Stephen Larson, County Administrator