

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 A.M., TUESDAY, NOVEMBER 9, 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, Frank Gross, and David Ebinger. Others present: County Administrator Stephen Larson, 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 Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda with one addition: Request for position change from a Data Coordinator/Appraiser to Appraiser.

CITIZENS TO BE HEARD

There were no citizens who wished to be heard.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board approved payment of bills and vouchers totaling \$1,962,040 from 153 vendors. From that total, 115 warrants issued were under \$2,000 (\$50,630) and the following 38 were over \$2,000:

Construction Engineers, Inc.	\$648,850	MN Life	\$5,563
Butler Machinery Co.	\$236,075	Concordance Healthcare Solutions	\$5,458
Comstock Construction, Inc.	\$218,701	McKesson Medical Surgical	\$4,250
Clay Co Public Health	\$184,144	Moore Engineering, Inc.	\$4,089
Otter Tail Co Public Health	\$182,017	Detroit Lakes Public Schools	\$4,044
Becker Co Public Health	\$ 88,913	Farmers Co-op Oil Co	\$3,333
W Central Regional Juvenile Center	\$ 65,247	Houston Engineering, Inc.	\$3,333
Clay Co Social Services	\$ 51,650	Madison National Life	\$3,133
Nelson Auto Center	\$ 32,713	Nancy Hein-Kolo, PsyD, LP	\$3,125
MEnD Correctional Care, LLC	\$ 25,698	Colonial Life	\$2,984
NetCenter Technologies	\$ 24,163	Town & Country Oil, Inc.	\$2,969
Polk-Norman-Mahnomen CHB	\$ 19,986	Ramsey Co Medical Examiner	\$2,685
Wilkin Co Public Health	\$ 16,896	Dept of Corrections	\$2,530
Lutheran Social Service of Mn	\$ 15,475	RDO Equipment Co.	\$2,510
Petro Serve USA	\$ 11,166	Benson Psychological Services, PC	\$2,450
Verizon	\$ 8,358	Rob Bentz Lock & Key, LLC	\$2,446
High Point Networks, LLC	\$ 6,722	Amazon Capital Services	\$2,347
River Valley Forensic Services, PA	\$ 6,675	Deputy Registrar #15	\$2,166
Nitzkorski, Inc.	\$ 6,548	Prairie Rose Farm	\$2,000

APPROVAL OF MINUTES FROM OCTOBER 26, 2021

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the minutes from October 26, 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 505, up from 402 last week. Total Clay County cases are at 11,068. Total deaths are at 100, up one from last week. Cass County cases are down slightly, and ND overall is up slightly. Throughout Minnesota the cases are up from 20,369 to 25,387 last week. There are active cases throughout the age groups but more in the younger age groups with the delta variant. Graphs and charts were provided for the history of cases per week and hospitalizations. The majority of cases hospitalized at the Sanford Hospitals have not been vaccinated. Breakthrough cases in ICU, on ventilators, and overall remain low. Statewide vaccine data now includes ages five and up. Currently, 66.9% of people in Minnesota have had at least one vaccine dose. CCPH vaccinated 720 last week. They noted that rapid testing is now being done at the Moorhead site. They provided vaccine opportunities for this week.

REQUEST FOR APPROVAL OF CHANGE ORDER #2 FOR RESOURCE RECOVERY FACILITY CONSTRUCTION PROJECT

Stephen Larson, Administrator, and Kirk Rosenberger, Solid Waste Manager, reviewed the Construction Engineers Change Order #2. The change order includes the following items for the 28th Street bore and existing watermain issues:

- CP-001 – 28th Street Bore Length, add approximately 55 LF (\$5,124)
- CP-002a – Existing 4" Watermain to Park Service Concessions Stand (\$23,021)
- CP-002b – Existing 4" Watermain Abandonment and Hydrant Revisions (\$15,084)
- CP-002c – 12" Watermain Extensions (approximately 270 LF) (\$94,037)

The change order adds \$137,266 to the Guaranteed Maximum Price. Mr. Rosenberger noted there were improper identifications on drawings and errors on the location of watermains that were received from the City of Moorhead. The change order will come out of the owner contingency fund. There have been several meetings on these change order items.

On motion by Commissioner Ebinger, seconded by Commissioner Gross, and unanimously carried, the Board approved Construction Engineer Change Order #2 for the Resource Recovery Facility with an additional \$137,266 added to the Guaranteed Maximum Price.

REQUEST FOR APPROVAL FROM CONSTRUCTION ENGINEERS TO BE DESIGNATED AS PRIMARY DESIGNER OF RESOURCE RECOVERY FACILITY PROJECT

Mr. Larson noted that this request is to designate Construction Engineers as the primary designer of the Resource Recovery Facility, making them eligible to utilize tax credits under the 179D Federal Energy Tax Incentive Program. This tax incentive is for buildings that include energy efficiencies such as lighting systems and HVAC systems.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board approved designating Construction Engineers as the primary designer of the Resource Recovery Facility.

REQUEST TO FILL THREE VACANCIES FOR CORRECTIONAL OFFICERS

Sheriff Emptying and Correctional Facility Administrator Justin Roberts announced that three more correctional officers are moving onto other areas of employment. A Personnel Issues Committee meeting was held yesterday. All indications are that these vacancies have nothing to do with management. The Correctional Facility is slated for 51 staff and with these resignations they will be down 13 staff. The existing staff are picking up extra shifts and hours. They have done some recent recruiting at M-State and may be a few applications from students there. They are also willing to hire variable hour positions and have received four applications for variable hours. Other facilities are experiencing the same work shortages.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved filling three vacancies for Correctional Officers.

AGENDA ADDITION: REQUEST FOR POSITION CHANGE IN ASSESSOR'S OFFICE FROM A DATA COORDINATOR/APPRaiser POSITION TO AN APPRAISER POSITION

Nancy Gunderson, County Assessor, provided a request to make a change in a position in the Assessor's Office that they have had a difficult time filling. Two short-term hires have been in the position, but it has not been filled since September 2020. After re-advertising this fall for the Data Coordinator/Appraiser position, a total of seven interviews have been conducted and one offer was made but declined. They now have an applicant who is an Accredited MN Appraiser. The current offer and wage (line 14 step 3) was not accepted. The request is to change this position to an Appraiser and move it from line 14 to line 16. The Personnel Issues Committee met and supported the change.

On motion by Commissioner Mongeau, seconded by Commissioner Gross, and unanimously carried, the Board approved the request to change a position from a Data Coordinator/Appraiser position to an Appraiser position.

APPROVAL TO ACQUIRE BRUSH MOWER FOR MAINTENANCE EQUIPMENT FLEET

David Overbo, County Engineer, stated the department has sold a tractor-mounted boom mower that was used to clear and grub ditches and right-of-way. They would like to replace it with a heavy-duty brush mower that would mount on a track skid steer. This would allow cleanup of more area than a boom mower could reach. The lowest bid that came in was for a Virnig Brush Mower from Fargo Tractor for \$13,350.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved purchasing a Virnig Brush Mower from Fargo Tractor for \$13,350 from Internal Service Funds.

APPROVAL TO SIGN BNSF RR CROSSING AGREEMENT

Part of the County State Aid Highway (CSAH) 2 reconstruction project in Comstock involves replacing the railroad crossing and spur line. An agreement was provided to initiate that work. All costs, estimated at \$113,732 will be reimbursed by the FM Diversion Project.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board provided approval to sign the BNSF Crossing Surface Installation Agreement.

APPROVAL OF GEB APPRAISAL REPORT FOR GLYNDON TURN LANE PROJECT

Mr. Sorum noted an appraisal was needed for a permanent easement at 13 Parke Avenue in Glyndon to construct a turn lane onto Parke Avenue. An additional 1,004 SF will make the turn lane wide enough for busses and semi tractor-trailers. There is also a temporary construction easement of 1,840 SF for the site. The Estimate of Just Compensation by GE Bock Real Estate Appraiser totals \$7,200. Fifty percent is to be reimbursed by the City of Glyndon. The project will be going out for bid.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board approved the GEB appraisal report totaling \$7,200 for an additional 1,004 SF of land for the Glyndon Turn Lane Project.

APPROVAL TO ACQUIRE TWO ROTARY DITCH MOWERS FOR MAINTENANCE EQUIPMENT FLEET

The Highway Department replaced two of their four rotary ditch mowers this past spring. They intended to keep the other two mowers for five years. Thus far they have held up well. Due to a recent price surge the recommendation now is to replace the last two rotary ditch mowers before the next increase expected in mid-November. The pricing from Butler Machinery includes a 32% discount and trade-ins for the used mowers. It also includes a large spike in the unit price, now at \$48,802, plus an additional steel surcharge of over \$4,000. The cost for two rotary ditch mowers is at \$63,895.08. Discussion ensued about the continued use of the used mowers as well as the large jump in the purchase price. The item will be further discussed at the Highway Tracking Committee meeting next Tuesday. No action was taken on this item today.

APPROVAL OF DNR FUNDING APPLICATION AND SPONSOR RESOLUTION 2021-50

Mr. Overbo stated this resolution is for the Agassiz Recreational Trail for fiscal year 2022. He works with the Department of Natural Resources on the costs each year.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board executed Resolution 2021-50:

RESOLUTION 2021-50

Approving Clay County as Legal Sponsor for Application for DNR Trail Assistance Programs Effective Fiscal Year 2022

WHEREAS, Clay County desires to maintain trails for the enjoyment of the public and will act as legal sponsor for an application for the DNR Trails Assistance Program, the MN DNR Grant-in-aid Trail Permit; and

WHEREAS, Clay County may enter into agreement with the State of Minnesota for the Polk-Norman-Clay Agassiz Recreational Trail, heretofore known as the Agassiz Recreational Trail, for the portion of the trail existing in Clay County; and

WHEREAS, Clay County will comply with all applicable laws and regulations as stated in the grant contract agreement(s), permits and by all applicable federal and state laws and regulations; and

WHEREAS, Clay County recognizes and assigns Clay County Administrator Stephen Larson who will act as a fiscal agent on behalf of Clay County; and

WHEREAS, Clay County approves this resolution to be effective for acting as the legal sponsor for trail administration annually for future grant applications and permits.

NOW THEREFORE BE IT RESOLVED that Clay County agrees to continue to act as legal sponsor for the above applications and agreements of the DNR Trails Assistance Program until such time that Clay County rescinds this sponsorship beginning Fiscal Year 2022.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Mongeau reported on meetings for MetroCOG Executive Committee; Comprehensive Plan Update Committee; and ARPA/CARES-2 Committee.
- Commissioner Ebinger reported on meetings for Greater Fargo Moorhead Economic Development Corp; FM Diversion Authority Finance Committee; and AMC District 4.
- Commissioner Kahly reported on meetings for a Childcare Roundtable session; Moorhead Planning Commission; Clay County Joint Powers; AMC District 4; and Local Advisory Council for Mental Health.
- Commissioner Gross reported on meetings for Beyond the Yellow Ribbon; AMC District 4; and Personnel Issues Committee.
- Commissioner Campbell reported on meetings for ARPA/CARES-2 Committee; FM Diversion Directors; Clay County Joint Powers; Comprehensive Plan Update Committee; AMC District 4; and Personnel Issues Committee.
- County Administrator Larson attended meetings for ARPA/CARES-2 Committee; Personnel Issues Committee; AMC District 4; and Comprehensive Plan Update Committee. He also met with the Sheriff regarding the RRRDC and Correctional Facility; HR Director regarding personal matters; and Planning Director regarding the Comprehensive Plan.

Mr. Larson brought forth documents for Clay County voting delegate(s) / alternate for MCIT and AMC at the annual meeting in December. He noted that Commissioner Gross will not be attending this year. Motions would be in order to appoint delegates.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board appointed Commissioner Campbell as the voting delegate for MCIT.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board appointed Commissioner Ebinger as the voting alternate for MCIT.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board appointed Mr. Larson as an AMC voting delegate for the annual meeting.

The meeting was adjourned at 10:32 a.m.

Kevin Campbell, Chair
County Board of Commissioners

Stephen Larson, County Administrator