CLAY COUNTY BOARD OF COMMISSIONERS
8:30 A.M., TUESDAY, NOVEMBER 30, 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, 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 Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda.

CITIZENS TO BE HEARD
There were no citizens who wished to be heard.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS
On motion by Commissioner Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board approved payment of bills and vouchers totaling $21,019,061 from 415 vendors. From that total, 76 warrants issued were under $2,000 ($38,773) and the following 339 were over $2,000: School District 152 $3,617,205; Dilworth City $1,300,458; Hawley City $651,745; Barnesville City $572,819; Glyndon City $559,501; School District 150 $523,183; School District 2164 $497,293; Buffalo-Red River Watershed Dist. $458,537; School District 146 $439,269; School District 914 $300,955; Sabin City $125,203; Ulen City $116,829; Wild Rice Watershed Dist. $107,703; Meridian Mortgage $58,101; City of Moorhead $54,486; Oakport Twp $46,438; Hawley Twp $43,154; Cromwell Twp $40,572; Eglon Twp $39,445; Morken Twp $38,613; Elmwood Twp $34,399; Highland Grove Twp $33,790; Kurtz Twp $31,805; School District Nc 2854 $30,154; Prairie Hill Investments $28,354; Goose Prairie Twp $27,790; Elkton Twp $26,761; Viding Twp $26,226; Kragnes Twp $25,579; Skree Twp $23,417; Tansem Twp $21,729; Parrow/Daniel & Shari $21,698; Georgetown Twp $21,416; Hitterdal City $19,524; Moland Twp $19,027; Barnesville Twp $18,096; Parke Twp $17,997; DIFFCHRIS LLC $17,504; School District Bc 2889 $16,100; Historical & Cultural Society $15,881; Felton Twp $15,762; School District Otc 548 $15,351; Glyndon Twp $15,309; Humboldt Twp $14,128; Holy Cross Twp $14,026; Felton City $13,206; Alliance Twp $11,697; Steen Investments $11,088; Spring Prairie Twp $10,895; Keene Twp $10,457; Hagen Twp $10,062; Magic Fund $9,957; Georgetown City $9,890; Riverton Twp $8,693; Flowing Twp $8,233; Kleist/Daniel & Kari $8,045; Bytespeed $7,780; MDW Investments $7,656; Omane/Godwin & Janet $7,516; Lammers/Matthew & Amy $7,480; Sanford Health $7,165; Lau/Matthew & Sara $7,057; Anderson/Charles & Joyce $6,876; Moorhead Twp $6,675; Hofer/William & Kristi $6,610; Holmberg/Erik & Stacy $6,432; Comstock City $6,365; Dakota Development Construction $6,173; Stark/Reginald & Donna $6,057; Schmidt/Shawn $6,000; Toay/Brian P $6,000; Lee/Vince Tsun Yin & Eliana A $5,989; Ulen Twp $5,950; Schuck/Kirk & Chalcee $5,638; Wagner/Jerrod & Sarah $5,597; Barwary/Mahdy & Soham $5,596; Bement/Joshua & Alicia $5,456; Kavanagh/Matthew &

Lacy $5,429; School District Nc 2527 $5,313; Mestery/Brent & Stephanie $5,274; Tradesman Properties of FM $5,230; Sletmoen Properties $5,172; Nyhlen/Robert & Nicole $5,005; Noyes/Robert & Julie $4,960; Ste Marie/Dominic & Jenae $4,931; Bentz/Robert & Tina $4,915; Jung/Brian & Heather $4,849; Anderson/Kirk & Ashlee $4,812; Mattson/Troy $4,807; Haataja/Andrew & Erika $4,795; Moore/Rebecca $4,742; The Retrofit Co. $4,659; Hagen/Joshua & Rebecca $4,638; Bolin/Isaac & Brittany $4,625; Johansen/Chase & Katie $4,573; Erpelding/Brett & Renae $4,530; Sefcik/Michael & Donna $4,498; Sammon/Riley & Julia $4,491; Maurer/Andrew R & Heidi C $4,403; Gunkelman/Benjamin & Amy $4,347; Stordahl/Nicholas & Jennifer $4,332; Borgstahl/Brandon & Kaitlynn $4,305; Muhammed/Hizirvan & Geehan $4,285; Thorson/Robin & Crystal $4,229; Dekrey/WM & Leah $4,199; Mohagen/John & Sharyn $4,125; Tofibam/Alfred & Naomi $4,124; Vorwerk/Joshua Michael $4,087; Anderson/Brian & Loni $4,064; Wendt/Daniel & Melina $4,062; Chebor/Nicholas & Jennifer $4,054; Reski/Matthew W & Carol $4,024; Swanson/Laurel & Ann $4,003; Anderson/Richard & Traci $3,995; Thomas/Jason & Ashley $3,990; Hohle/Hans & Phyllis $3,965; Hilde/Spencer & Erica $3,943; Muscatell/Thomas & Allison $3,940; Follingstad/Steven & Terri $3,915; Bahtiraj/Nedjmedin & Kayla $3,912; Schultz/Nicholas & Katie $3,903; Byrne/Kevin & Ashley $3,895; Uhler/Mark & Sarah $3,892; Schulze/Becky $3,871; Bischof/Stefan & Michelle $3,864; Lindberg/Eric J & Katie R $3,825; Mirabella/Shane & Isenija $3,795; Bloom/Cindy $3,743; Johnk/Christopher & Sidney $3,734; Clow/Galen & Cynthia $3,728; Borgerding/Aaron & Jill $3,725; Abdulla/Faris $3,719; Evert/Shane & Emily $3,707; Puhalla/Jeffrey S & Lynn A $3,700; Dahl/Brett & Michelle $3,696; Daniels/James & Sarah $3,690; Rippy/Grace Linda $3,662; Shipp/Jacob & Rachel $3,653; Nugent/Tim & Mary $3,610; Hoban/Jesse $3,598; Worms/Michaela Rae $3,597; Klevgaard/Nicole $3,580; Anderson/Mike & Victoria $3,578; Rosten/Alex & Rachel $3,547; Armour/Christopher & Elizabeth $3,529; Boecker/Ronald & Heather $3,504; Salmonson/Gunnar & Angelyn $3,465; Wallace/Jason $3,462; Jaster/Joshua & Nicollette $3,459; Lofgren/Beau & Tonia $3,448; Johnson/Dale & Mary $3,446; Crabtree/Cole & Jenna $3,429; Halvorson/David & Darlene $3,409; Greg Bloom Family Trust $3,401; Johnson/David & Deborah $3,391; Mujkanovic/Sefik & Sanela $3,383; Lawrence/Christine $3,374; Longtin/Troy & Ariel $3,370; Nelson/Karla $3,368; Green/Michael & Rachel $3,367; Neagbour/Kevin M & Brittany $3,361; Henning/Beverly A $3,352; Pro West & Asso. $3,335; Stickler/Nicholas & Kathryn $3,333; Brumwell/Sherry Lynn $3,327; Kienenberger/Lisa $3,305; Bahe/Brian & Casey $3,295; Mahrer/Jason $3,288; West Park II Investments $3,288; Sittig/Marty & Carrie Goeson $3,288; Schindler/Carly $3,281; Winkler/Stefan & Heather $3,276; Bakhit/Paskalina $3,270; Moore/Elzie & Kathy $3,262; Eidem/Corey & Leslie $3,259; Lyslo/Derek M & Elwood $3,254; Draeger/Daniel & Stacy $3,248; Harris/Joseph & Kristin $3,244; Austin/William & Elaine $3,237; Aidofi Mensah & Adzo Senya $3,231; Haider/Kevin & Mary $3,180; Halfpop/Kyle & Sarah $3,180; Kline/Brad & Jami $3,174; Biever/Shelly $3,172; Fetzer/Jessica $3,169; Turpin/Jennifer $3,167; Dryburgh/Louise $3,162; Hagen/Jamie $3,152; Vandenbergh/Brooke $3,137; Long/John & Joan $3,121; Ahmed/Selwa $3,107; Kippen/Carlyle $3,096; Costello/Ryan $3,089; Ward/Thomas $3,073; Kieselbach/Kay $3,066; Wichmann/Sheila Sears $3,063; Dobler/Karen $3,061; Milde/Stefani $3,057; Randall/Andrew D & Ashley L $3,057; Hohenstein/Joseph $3,054; Gill/Carrie $3,050; Fosse/Cody & Kasey $3,043; Baumann/Tyler & Jamie $3,042; Kliniske/Anthony M $3,037; Hanson/Todd $3,035; Wyland/Veronica A $3,031; Lutovsky/Sandra E $3,022; JB4 Properties $3,021; KFD Holdings $3,021; NHB Properties $3,021; Rudnick/Michael & Anna $3,001; Scheidecker/Hannah $3,000; Bultema/Jon & Tara $2,995; Colonial Life $2,984; Rott/Andrew K & Kristy K $2,965; Murphy/Patrick $2,957; Boewood/Lucas & Nicole $2,952; Petersen/Justin L & Mary L $2,943; Price/Michael & Jennifer $2,941; Tollerud/Nicholas M $2,940; Triplett/Zach $2,940; Dulka/James & Jacquelyn $2,938; Tinquist/Daniel & Danielle $2,933; Olson/Michael & April $2,922; Kosidowski/Sean & Kari $2,921; KDF Holdings $2,915; ISR Homes, Inc. $2,907; Lemar/Brennan & Amelia $2,899; Kallas/Amanda L $2,896; Beauchamp/Jeffrey & Shannon $2,893; Kolakovic/Dubravko &

Nediha $2,879; Babler/Karla $2,877; Springer/Andrew & Nichole $2,874; Christopher Van Heel & Summer Johnson $2,871; Huewe/Kyle & Amanda $2,863; Backlund/Matthew & Michaela $2,853; Haj/Fodda $2,852; Petermann/Jarid $2,848; Gerlach/Jason $2,845; Seeba/Garrett $2,836; Holweger/Tanner $2,835; Rietsema/Melissa $2,811; Christian/Bryant & Mikayla $2,804; Santiago Rios/Miguel $2,785; Wateland/Joseph & Tara $2,775; Ness/Mason A & Maggie K $2,772; Pierce/Joshua & Anna $2,765; Tangen/Steven $2,760; Lommen/Toby & Stephanie $2,759; Habib/Basim $2,756; Hammer Family Living Trust $2,747; Rice/Rhonda $2,746; Arneson/Mark & Kristen $2,729; Devries/Bryant & Rebekka $2,729; Rheault/Joseph & Toni $2,729; Teigen/Anthony & Maureen $2,729; Buth/Rodney & Rebecca $2,718; Rudnick/Jonathan K & Katie L $2,716; Hein/Judy $2,705; Collier/Jenny R $2,704; Laine/Evan $2,703; Trochmann/Raynard & Glenda $2,702; Hanson/Matthew $2,697; Mack/Patrick $2,692; Ellingson/Matthew $2,681; Brorson/Kent & Kimberly $2,680; Nesvold/Cody & Taylor $2,674; Hendrickson/Johnathan & Michelle $2,667; Mackay/James $2,664; Solie/Lucas $2,655; Strom/Alex B $2,655; Roberts/Duwayne K & Blake M $2,646; Bouma/Tyler $2,626; Kelsvan/Patricia A $2,621; Bauer/Ethan & Diana $2,613; Johnson/Cody & Lacey $2,602; Brakke/Devon & Maleah $2,593; Wendy J Schultz Living Trust $2,585; Tiedeman/Maxwell D $2,548; Paju/Ashley $2,541; Hagen/Harold & Karen $2,540; Hoffman/Jane $2,529; Hendrickson/Sharon $2,515; Hagen/Wesley $2,494; Christensen/Nathen $2,471; Stetz/Alison $2,455; Novotny/Matthew Steven $2,442; Palmer/Carl & Nancy $2,442; Perez/Samuel $2,442; Nettleton/James J $2,437; Andersen/Rachel E $2,437; Nelson/Christopher M $2,437; Odenbach/Cathryn A $2,437; Prososki/Joshua & Bethany $2,437; Rosenfeldt/Kyle J & Kami R $2,437; Stacy Reep RLT $2,437; McMahon/Brian & Natasha $2,436; Fildes/Kristen $2,430; Kaeslin/Lori $2,421; Lass/Gary & Julie $2,417; Sacrison/Ronald & Mabel $2,410; Jackson/Brian & Liz $2,408; Brown/Logan & Alyssa $2,405; Johnson/Christopher D $2,389; Arthur/Laverne & Patsy $2,373; Hoganson/Shannon K $2,370; Nguyen/Charlie $2,352; Wheeler/Joshua & Sheryl $2,348; Holten/Cory $2,347; Upton/Alexander $2,330; Klein/Kody & Julie $2,329; Ritchie/Amanda $2,326; Wilkie/Boyd & Draper $2,319; Sullivan Properties, Inc. $2,315; Spaeth/Jason & Susan $2,314; Swanson/Mckaylee $2,310; Ibrahim/Tasneem $2,304; Myers/Rachel $2,282; Schmidt/Michael $2,279; Stetz/Douglas J & Cheryl B $2,279; Abu Habib Abdallah $2,278; Puppe/Erik & Audra $2,273; Sorum/Patrick & Mackinzie $2,273; Soberg/Riley Q $2,265; Aldrich/Tiffany $2,249; Calrow/Gregory & Janet $2,249; Shiva LLC $2,249; Huard/Ronald & Tammy $2,235; Rogers/Wendell $2,196; Stockdale/Steven A $2,162; Clay County Attorney $2,135; Cadwell/Jason & Brett $2,131; Saleh/Nehad $2,126; Green View Inc. $2,118; Gilliss/Seth & Shania $2,083; Opp/Darin & Courtni $2,018; Nancy Hein-Kolo, PsyD, LP $2,000; Reliance Telephone $2,000.

APPROVAL OF MINUTES FROM NOVEMBER 16, 2021

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the minutes from November 16, 2021.

RECOGNITION OF DONATIONS FOR K-9 FOR SHERIFF’S OFFICE

Chair Campbell recognized donations from Farmstead Care for $15,000 and Johnson’s Auto Repair for $1,500 toward the purchase of a new K-9.

COVID-19 UPDATE

Kathy McKay, Clay County Public Health (CCPH) Director, and her staff presented the weekly COVID-19 update. Active cases in Clay County are down, at 386; however, the data is lagging due to the Thanksgiving holiday. Cases are also down slightly throughout the State and in Cass County and North Dakota. Cumulative cases in Clay County are at 12,032. The highest number of cases are still in adolescents and 20–24-year-olds. Total deaths are at 104 for Clay County. All of MN is still in the high transmission rate.

Becky Schmidt from CCPH commented on the Omicron variant that was discovered in South Africa. There are a large number of mutations in the spike protein with this variant. It has not yet been detected in the U.S. but is expected to start showing up. They should know more in the next week or two about the immune responses being effective for this variant. She noted that vaccines can be modified if needed. This variant is a Level 3 (out of four levels) and is a variant of concern. Ms. Schmidt answered questions about the body being able to attach the virus quicker after being vaccinated.

Last week, Sanford Health (22 hospitals) had 219 COVID patients, with 64 in the ICU and 51 on ventilators. The vast majority of them are unvaccinated.

Jamie Hennen from CCPH stated their department administered 246 more vaccine doses last week with their total at 17,512. State-wide, 69.7% of people five and over have had at least one vaccine and booster doses are at 932,115. There will be three clinics this week, one at MSUM and two at the Family Service Center. All days and times are posted on the website. They will consider scheduling some vaccine clinics on Fridays. The vault testing site in Moorhead has a current positivity rate of 10.83. The percentage of vaccines needed to reach herd immunity had been set at 70%, but that percentage has probably been raised. Vaccination is still considered the most important strategy.

REQUEST TO PURCHASE TRANSPORT VEHICLE

Superintendent James O'Donnell, Juvenile Center, requested the purchase of a 2022 Chrysler van for transports for the Juvenile Center. He would also like to keep the 2013 van that has safety partitions. The new model on MnBID is $30,937. After safety partitions are added the total is $32,727. The wait time after ordering the van is expected to be a full year. It would be paid out of internal service funds.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request to purchase a $32,727 transport vehicle (2022 Chrysler van) with safety partitions for the Juvenile Center and retain the 2013 van.

REQUEST TO SUBMIT LETTER OF INTENT TO BE CERTIFIED AS OUR OWN MERIT SYSTEM FOR ALL SOCIAL SERVICE (SS) EMPLOYEES

HR Director Darren Brooke, SS Director Rhonda Porter, and Supervisor Diane Kluck were in attendance to relay merit system information. Diane works most directly with the merit system. Ms. Porter stated this same request had been approved several years ago but was never completed. She noted that as a condition of receiving federal funds, all County Human Services Agencies must operate under a merit system that meets federal requirements. Clay County Social Services currently meets the federal requirements with the MN Merit System but is able to establish its own merit system. No additional staff would be needed. The process takes about a year and needs to be approved and certified by the State Department of Human Services. Currently there is considerable duplication of functions with the MN Merit System and the County's HR department. The participants in the MN Merit System have dropped from 72 Counties down to 39, making it more expensive for the remaining Counties. The Personnel Issues Committee reviewed and supported the request to start this process with a Letter of Intent for Clay County to be Certified as its own Merit System.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the request to submit a Letter of Intent for Clay County to be certified for a Merit System for all Social Service employees.

REQUEST TO ALLOCATE AMERICAN RESCUE PLAN ACT (ARPA) FUNDS FOR PRE-SENTENCE INVESTIGATION WRITER

This request to allocate ARPA funds for a Pre-Sentence Investigation (PSI) Writer was brought to the CARES / ARPA Committee by Ms. Janelle Cheney, Probation Supervisor. County Administrator Stephen Larson and County Attorney Brian Melton were supportive of funds going for a contracted PSI Writer. A PSI is completed after a conviction and before sentencing. The information includes background, criminal history, employment, addresses, etc. PSI reports are required in felony and domestic abuse cases. COVID-19 has created a backlog within the courts system. Failure to complete the PSIs in a timely fashion further delays the courts system backlog. The request is for $1,500 per month (10 PSIs/month x $150/PSI x 16 months) for a total of $23,400.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the request to allocate $23,400 of ARPA funds for a Pre-Sentence Investigation Writer.

REQUEST TO ALLOCATE ARPA FUNDS FOR FRONT SERVICE COUNTER PROJECT AT HIGHWAY BUILDING

Engineers David Overbo and Justin Sorum and Facilities Director Joe Olson addressed the need for a service counter at the Highway building. There is a lot of walk-in traffic and many permits given out at this building. A counter would provide a barrier for the front-end workers and would keep folks from wandering down the hall. It would still be similar to the Government Center counters with card-access doors, thus creating a small lobby. The ARPA Committee addressed this item and approved $22,794 from the ARPA fund for this improvement. The lowest quotes came from Delta Design and Construction for $14,716 (construction) and Rick's Electric for $5,200 (electrical). The building permit is $500 and card access costs are $2,378.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the request to allocate $22,794 from ARPA funds for a front service counter project at the Highway Department facility.

REQUEST FOR APPROVAL OF QUIET ZONE ESTABLISHMENT LETTER FOR GLYNDON

Mr. Sorum noted that the City of Glyndon wishes to establish a quiet zone through town as part of the Glyndon Parke Ave Project. Medians have been added at the railroad crossing to allow for Glyndon to do so. As the road authority, the County has to send a letter of support. This is standard procedure for BNRR.

On motion by Commissioner Ebinger, seconded by Commissioner Gross, and unanimously carried, the Board approved the Quiet Zone Establishment Letter for the City of Glyndon.

REQUEST FROM CITY OF MOORHEAD TO PURCHASE TAX FORFEIT PROPERTY WITH STORMWATER POND

Dr. Robert Zimmerman, Moorhead Engineer, and Attorney Shockley, presented to the Board. There is a dedicated lot in the City of Moorhead that was established for stormwater treatment adjacent to a construction project. The construction had been on hold and the lot had not been conveyed. The construction was completed in 2020. Moorhead City Council executed Resolution 2021-0927-D for conveyance of this tax forfeit property and ask for County approval.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request from the City of Moorhead for purchasing a tax forfeit property with a stormwater pond.

2022 BUDGET UPDATE

Mr. Larson and Auditor Lori J. Johnson provided material for the 2022 budget update based on the preliminary levy that was approved. The document is up for review prior to the Truth in Taxation hearing in two weeks. The Commissioners were called upon for further guidance and direction for the 2022 budget.

The sales tax summary and summary of bond payments for the Correctional Facility and Law Enforcement Center were also provided. With 10 months of sales tax recorded in 2021 the increase is already at 18% and should reach 20% by the end of the year. No tax dollars should be needed toward the project payments based on the projections. They may be able to diffuse the bonds early if the sales tax continues to increase.

The Summary of 2022 Tax Levy by Funds was reviewed. The 2022 proposed tax levy started at $43,526,268. New requests for $454,236 and a 2% Cost of Living Adjustment for $669,153 were added. With $1 million in insurance savings and $1 million in other cuts subtracted, the total levy was brought to $42,649,657. County Program Aid will provide $3,935,730. The Spread Levy, with a decrease for 1.23% new construction, shows a proposed net levy increase of 4.30%. The new requests have been brought before the Board over the last few months and were all listed and reviewed again. Ms. Johnson was asked to earmark $250,000 from reserves for future insurance needs.

A new request from an outside agency, Ignite FMWF, was brought to the Board in September. They are looking for an annual contribution of $50,000 toward this new program. This request will be sent to the ARPA Committee for consideration of ARPA funds. The program addresses work force issues that came out of the pandemic.

Commissioner Mongeau commented on the high annual compensation of $110,000 going to Greater Fargo Moorhead Economic Development Corp. She suggested a reduction in the compensation for the services that Clay County is getting, noting most of the dollars seem to stay on the ND side. Additional concerns were addressed from Commissioners Ebinger and Campbell as well.

Staff was asked to provide information on the unfilled budgeted positions and where that money was spent. The Commissioners also asked for the amount of money spent on advertising for open positions this year. They would like to see the net levy increase lowered from 4.30% to under 4%.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Gross reported on meetings for Personnel Issues Committee and N Broadway Bridge Update at Fargo City Commission.
- Commissioner Mongeau reported on meetings for AMC Environment and Natural Resources Committee; North Broadway Bridge Update at Fargo City Commission; and Resource Recovery Facility Construction Update.
- Commissioner Ebinger reported on a N Broadway Bridge Update at Fargo City Commission.

- Commissioner Kahly reported on meetings for N Broadway Bridge Update at Fargo City Commission and AMC Health and Human Services Policy.
- Commissioner Campbell reported on meetings for Personnel Issues Committee; N Broadway Bridge Update at Fargo City Commission; and Resource Recovery Facility Construction Update.
- County Administrator Larson reported on meetings for Personnel Issues Committee; Resource Recovery Facility Update; N Broadway Bridge Update; and Resource Recovery Facility Construction Update. He met on budget discussions; HR Issues; and with Attorney Melton and Mr. Rosenberger re: Mn Counties Insurance Trust.

The meeting was adjourned at 10:36 a.m.

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Kevin Campbell, Chair
County Board of Commissioners

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Stephen Larson, County Administrator