

CLAY COUNTY BOARD OF COMMISSIONERS

5:30 P.M., TUESDAY, JUNE 15, 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, Frank Gross, Jenna Kahly, and David Ebinger. Commissioner absent: Jenny Mongeau. 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 5:30 p.m.

APPROVAL OF AGENDA

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the agenda with one addition: Consideration of Terminating Resolution 2020-15 - State of Emergency for COVID-19.

CITIZENS TO BE HEARD

There were no citizens present who wished to be heard.

APPROVAL OF PAYMENT OF BILLS AND VOUCHERS

On motion by Commissioner Gross, seconded by Commissioner Kahly, and unanimously carried, the Board approved the payment of bills and vouchers from 124 vendors. From that total, 97 warrants issued were under \$2,000 (\$30,096) and the following 27 were over \$2,000:

T.F. Powers Construction Co.	\$ 106,000	Fargo Glass & Paint	\$ 7,135
Clay Co Public Health	\$ 87,790	Xcel Energy	\$ 6,959
Clay Co Social Services	\$ 58,910	Nitzkorski, Inc.	\$ 6,939
Moorhead Public Service	\$ 51,302	Becker Co Public Health	\$ 6,507
Turner Sand & Gravel, Inc.	\$ 40,554	Aggregate Industries	\$ 6,445
City of Fargo	\$ 39,671	Code 4 Services, Inc.	\$ 4,536
Trinity Services Group, Inc.	\$ 37,622	Marco Technologies, LLC	\$ 3,166
Otter Tail Co Public Health	\$ 23,459	TrueNorth Steel	\$ 3,158
Erickson Chevrolet	\$ 19,836	Family Healthcare Center	\$ 2,419
Forum Communications Printing	\$ 9,757	Asplin, Inc.	\$ 2,379
Network Center, Inc.	\$ 9,486	Ulteig Engineers, Inc.	\$ 2,136
Verizon	\$ 8,140	Stellar Services, LLC	\$ 2,111
Psychogics	\$ 7,740	Green View, Inc.	\$ 2,016
NetCenter Technologies	\$ 7,201		

APPROVAL OF MINUTES FROM JUNE 1, 2021

On motion by Commissioner Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minutes from June 1, 2021.

REQUEST TO FILL VACANCY FOR ASSISTANT COUNTY ATTORNEY

County Attorney Brian Melton stated he received notice from one of the Assistant County Attorneys who will be moving out of town and leaving Clay County on July 9.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved filling a vacancy for a FT Assistant County Attorney.

REQUEST TO FILL VACANCIES FOR A JUVENILE WORKER AND A JUVENILE COUNSELOR IN THE SECURE UNIT

WCRJC Superintendent James O'Donnell requested filling a vacancy for a Juvenile Worker and a Juvenile Counselor in the secure unit. He noted that recently positions have been tough to fill but both of these positions are in the budget.

On motion by Commissioner Ebinger, seconded by Commissioner Gross, and unanimously carried, the Board approved filling a vacancy for a FT Juvenile Worker and a FT Juvenile Counselor in the Juvenile Detention Secure Unit with backfill as needed.

REQUEST TO FILL VACANCY FOR CORRECTIONAL OFFICER

Correctional Facility Administrator Justin Roberts asked to fill another vacancy. One of the Correctional Officers has taken a position with the Moorhead Police Department. Mr. Roberts is working to fill the other recent vacancies. He has hired two variable hour positions and is waiting for background checks on another five applicants.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved filling a vacancy for a FT Correctional Officer.

PRESENTATION AND REQUEST TO ACCEPT PROPOSED GUARANTEED MAXIMUM PRICE FOR BID PACKET #2 – RESOURCE RECOVERY CAMPUS

Lance Monson and Ben Mattson from Construction Engineers joined Solid Waste Manager Kirk Rosenberger. They provided handouts for the second bid packet for the Resource Recovery Campus. Bid Packet #1 – Resource Recovery Campus was brought to the Board a couple weeks ago for a guaranteed maximum price for the construction materials. The first bid packet was approved separately as the costs for the materials were going up daily.

Mr. Monson, Construction Engineers, stated that Bid Packet #2 is for all the remaining work for the project with a Guaranteed Maximum Price of \$3,700,923. All the scopes and prices were listed in their handouts. There are three alternates that are part of the original documents. Alternate #1 is to change the site paving from asphalt from concrete; Alternate #2 is to add lightning protection; and Alternate #3 is to add a landscape irrigation system to the front lawn. The Value Engineer (VE) alternates are to remove skylights from the transfer station and to have a south entrance as a second entrance into the site in lieu of the 34th

Street improvements needed. The last alternate is the most significant with a potential savings of \$500,000. All five items were recently discussed at their Building Committee meeting.

Commissioner Campbell stated there was some conversation following the Building Committee meeting and Alternate #1 was not favored because of the significant difference in cost. He also heard the lighting protection was not necessary (Alternate #2) on this building because it is grounded. The landscape irrigation area and tree plan were pointed out in the handouts. Commissioner Gross asked about more concrete instead of landscape that needs an irrigation system. Commissioner Kahly questioned having prairie grasses. Mr. Mattson noted that concrete would be more expensive and low maintenance grasses would be around most of the perimeter of the property. The landscaped grass area would go dormant if too dry but eliminating a sprinkler system would be a savings of \$14,000. The cost of the skylights was originally higher. In removing 15 skylights from the transfer station and keeping the other 26 skylights in other parts of the building would save \$42,000. There was a consensus to eliminate the sprinkler system and the transfer station skylights.

Mr. Mattson added that there is currently \$1 million included in the bid packet to improve 34th Street which would include a new entrance at the north side of the site and a new entrance and turn lane on the south side of the site. The alternate to the second entrance would be moving the south entrance from 34th Street to 15th Avenue. Commissioner Campbell had some concerns with adding the truck traffic to 15th Avenue and would like to get the Moorhead City Engineer's opinion. The semis going to the landfill would use 34th Street to bypass city traffic. There would also be a cost savings with a 15th Avenue access but there were concerns with safety, current traffic, and future plans for that area.

Commissioner Campbell stated the total for the project is approximately \$20,864,000 with \$7.5 million coming from a grant, \$3.5 million from solid waste reserves; and another \$9.2 million in bonding. Based on 2.5%, the annual bond payments would be approximately \$650,000. The acreage for the project is part of the County's expenses. The total for Construction Engineers would be \$18,363,607.

On motion by Commissioner Kahly, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the Guaranteed Maximum Price of \$3,700,923 for Bid Packet #2 for the Resource Recovery Campus.

UPDATE ON FINANCIAL DOCUMENTS FROM 2020 AND JANUARY - MAY 2021

County Administrator Stephen Larson was prepared to present the financial documents from 2020 and a portion of 2021. Chair Campbell asked to delay this update for one week due to Commissioner Mongeau being absent today.

On motion by Commissioner Ebinger, seconded by Commissioner Kahly, and unanimously approved, the Board tabled the Financial Update to June 22, 2021.

ADDITION: CONSIDERATION OF TERMINATING RESOLUTION 2020-15 - STATE OF EMERGENCY FOR COVID-19

Mr. Larson noted that the Personnel Issues Committee met earlier today and addressed a resolution that was drafted on March 17, 2020, approving a State of Emergency. The resolution allowed some flexibility

and also provided salary employees to earn overtime instead of flextime. Emergency Manager Gabe Tweten has recommended terminating the resolution for the State of Emergency.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved terminating the State of Emergency for COVID-19 - Resolution 2020-15.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Kahly attended meetings for Extension Committee; Moorhead Business Association; LEC Awards Ceremony; Soil and Water Conservation District; Adult Mental Health Local Advisory Committee; and went on the local road tour.
- Commissioner Gross attended meetings for Highway Tracking; Personnel Issues Committee; Spring Prairie Township; Riverton Township; Wild Rice Watershed Board; Moland Township; Highland Grove Township; Cromwell Township; and Morken Township. He went on the local road tour and attended an awards ceremony at the Law Enforcement Center.
- Commissioner Ebinger attended a special meeting for West Central Regional Juvenile Center; had some calls with the FM Diversion Public Outreach Director; and attended the local road tour.
- Commissioner Campbell attended meetings for Highway Tracking; Personnel Issues Committee; West Central Regional Juvenile Center; American Rescue Act Committee (CAREs2); Resource Recovery / Transfer Station Construction Committee; FM Diversion Executive Committee; and went on the local road tour.
- County Administrator Larson attended meetings for Highway Tracking; Family Service Center space issues; County Management; NW Region Administrators; County Administrators; American Rescue Act Committee; Grant Opportunities for the Detox Facility; Personnel Issues Committee; and Resource Recovery Construction Committee. He also conducted an annual evaluation and attended the local road tour. He announced a P3 Reception at the Hjemkomst Center on Friday; AMC District 4 meeting on Friday from 8-noon; a vaccination clinic on Thursday from 9 to 1; department budget sheets are due Friday; and sales taxes continue to be strong. He noted if there were a budget impasse a State shutdown would begin on July 1.
- Attorney Melton noted there are some updates in May to the Open Meeting Law. Beginning July 1 if someone is advised by a health care professional to stay home, they could remote into a meeting up to three times. Beyond three times, wherever someone is located while remotng in needs to be advertised and open to the public.

The meeting was adjourned at 6:40 p.m.

Chair Kevin Campbell
County Board of Commissioners

Stephen Larson, County Administrator