

CLAY COUNTY BOARD OF COMMISSIONERS

8:30 A.M., TUESDAY, JULY 6, 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, Frank Gross, Jenna Kahly, 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 Mongeau, and unanimously carried, the Board approved the agenda.

VEGETATION MANAGEMENT LEASE WITH JENNIFER RICKFORD IN ELKTON TWP

By consent, the Board approved the Vegetation Management Lease with Jennifer Rickford in Elkton Township.

ANNUAL APPROVAL OF 2021 CONTRACTS AND GRANTS FOR PUBLIC HEALTH

By consent, the Board approved the annual 2021 contracts and grants for Clay County Public Health.

LEASE AGREEMENT FOR JT’S LAWN SERVICE

By consent, the Board approved a lease agreement for JT’s Lawn Service to start on July 6th, 2021, and end on April 1st, 2022.

CITIZENS TO BE HEARD

There were no citizens present who wished to be heard.

EMPLOYEE RECOGNITIONS

The following employees were recognized: Kent Severson, 20 years, Public Health Dept; Charles Swedberg, 20 years, Law Enforcement; and Tami Gehrke, 35 years, Child Support - Social Services.

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 \$893,813 from 204 vendors. From that total, 150 warrants issued were under \$2,000 (\$60,281) and the following 54 were over \$2,000:

Gerit Hanson Contracting, Inc.	\$114,554
F-M Economic Development	\$110,000

West Central Regional Juvenile Center	\$ 62,796
Knife River Materials, Inc.	\$ 43,073

Erickson Chevrolet	\$ 39,172
Turner Sand & Gravel, Inc.	\$ 32,384
Glacier Enterprises	\$ 28,916
Clay County Fair	\$ 26,609
Prairie Lakes Municipal Solid Waste	\$ 23,552
Underwood Public School	\$ 22,820
Delta Design & Construction, Inc.	\$ 21,691
Historical & Cultural Society	\$ 20,871
Clay Co Public Health	\$ 19,884
City of Moorhead	\$ 18,039
Bytespeed, LLC	\$ 15,980
Mn State Auditor	\$ 15,239
Clay Soil & Water Cons Dept	\$ 14,884
MN Dept of Transportation	\$ 11,687
Otter Tail Co. Public Health	\$ 10,138
Magic Fund	\$ 9,957
Sanford Health	\$ 9,463
Kris Engineering, Inc.	\$ 9,188
SeamlessDocs	\$ 8,570
Medical Pharmacy	\$ 8,505
Hubert Oye & Sons, Inc.	\$ 7,950
Amazon Capital Services	\$ 7,505
Becker Co. Public Health	\$ 7,145
Red River Basin Commission	\$ 7,090
The Retrofit Companies, Inc.	\$ 6,856

Moorhead Public Service	\$ 6,801
Moore Engineering, Inc.	\$ 6,573
NetCenter Technologies	\$ 6,436
Kurita America, Inc.	\$ 6,255
H & H Transport LLC	\$ 5,855
Christianson's Business Furniture	\$ 5,629
Galls LLC - DBA Keepers	\$ 5,343
Dakota Plains Mechanical, Inc.	\$ 4,981
Rick Electric, Inc.	\$ 4,685
Ramsey Co. Medical Examiner	\$ 4,412
Best Buy	\$ 4,090
Xcel Energy	\$ 3,289
Madison National Life	\$ 3,236
Colonial Life	\$ 3,002
Medical Pharmacy	\$ 2,989
Rob Bentz Lock & Key LLC	\$ 2,907
Stantec Consulting Services, Inc.	\$ 2,847
Northwestern MN Juvenile Detention	\$ 2,740
Alternative Corrections, Inc.	\$ 2,730
MN Counties Intergovernmental Trust	\$ 2,576
Clay County Sheriff's Office	\$ 2,500
MetroCOG	\$ 2,460
R Travelmart	\$ 2,316
Twin City Garage Door, Inc.	\$ 2,206
Valley Lake Boys Home	\$ 2,154

APPROVAL OF MINUTES FROM JUNE 15, 2021

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the minutes from June 15, 2021.

REQUEST TO FILL VACANCY FOR FT CORRECTIONAL OFFICER

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the request from Justin Roberts, Correctional Facility Administrator, to fill a vacancy for a FT Correctional Officer.

COVID-19 UPDATE

Public Health Director Kathy McKay reported on the most recent COVID-19 numbers and handed out updates. There are no more deaths in Clay County and only 11 active cases. Jamie Hennen, Nursing Director, noted the virus continues in the community but there is good control with the vaccine. The data shows that 53% of Clay County residents have completed the vaccine series. Public Health will conduct a vaccine clinic tomorrow from 10 a.m. to 2 p.m. The COVID-19 testing site in Moorhead will continue through the summer. The Governor has announced that they reached their goal for a 70% vaccination rate across the State of MN.

REQUEST TO APPLY FOR MN DEPARTMENT OF HUMAN SERVICES GRANT

Ms. McKay stated this grant is for a Behavioral Health Crisis Center and is similar to what Public Health applied for in 2018. The same Request for Proposal (RFP) and basic facility design would be utilized. A small group has met a few times with the County Administrator and County Attorney to talk about the grant. A new facility would provide services for substance use disorders and mental health needs replacing the current detox unit. The plan is to apply for the maximum of \$5 million. The grant application is due by August 6, 2021.

Commissioner Mongeau stated she appreciates the hard work from the team and added that substance use in the community is not going away. There is a standard detox committee that includes Commissioners Mongeau and Gross.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board approved the request to apply for a \$5 million Behavior Health Crisis Center grant from the MN Department of Human Services.

REQUEST FOR APPROVAL OF SOFT COSTS FOR RESOURCE RECOVERY CAMPUS

Solid Waste Director Kirk Rosenberger stated that the soft costs for the Resource Recovery Campus include the land purchase, equipment purchases, furniture purchases, project oversight costs, and a 3% owner contingency. Additional equipment is needed for taking over the transfers to the Clay County landfill and the Perham solid waste facility. The total estimated soft costs are \$2,540,955.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved soft costs for the Resource Recovery Campus in the amount of \$2,540,995.

REQUEST FOR APPROVAL OF AMENDMENT TO GUARANTEED MAXIMUM PRICE FOR RESOURCE RECOVERY CAMPUS

Mr. Rosenberger noted there was a value engineering item to remove the skylights from the transfer station which is part of the Resource Recovery Campus construction project. This would reduce the Guaranteed Maximum Price (GMP) by \$42,026.

Mr. Rosenberger expects to come back in a week or two with another change order to the site entrances for additional savings. The City of Moorhead is currently reviewing the plan.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board approved the amended GMP at \$18,363,607.

REQUEST FOR APPROVAL OF CONSTRUCTION SUPPORT SERVICES WITH BURNS & MCDONNELL ENGINEERING

Mr. Rosenberger stated that Burns & McDonnell Engineering has a 3% fee which is included in the GMP. The agreement with them was revised to include a limited liability of \$5 million, consistent with other projects in the County.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried, the Board approved the Construction Support Services with Burns & McDonnell Engineering with a \$5 million limited liability.

REQUEST TO ALLOW COMMISSIONERS CAMPBELL AND MONGEAU TO AUTHORIZE PURCHASES/PROJECT CHANGES UP TO \$50,000 PRIOR TO FULL BOARD APPROVAL FOR RESOURCE RECOVERY CONSTRUCTION PROJECT

County Administrator Stephen Larson stated the Resource Recovery Construction Project owner's meetings will be every Monday. In order to keep the project moving forward there may be times when change orders need to be approved during those meetings. The request is for Commissioners Campbell and Mongeau who serve on that committee to be allowed to approve changes/purchases up to \$50,000, prior to bringing it to the full County Board for final approval. There are contractor contingency funds in place, but the committee needs to approve expending those funds. If the funds are not used, they go back to the County after the project is completed.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried, the Board approved allowing Commissioners Campbell and Mongeau to authorize changes/purchases up to \$50,000 prior to full board approval for the Resource Recovery Construction Project.

REQUEST TO INCREASE RENT AT FAMILY SERVICE CENTER BY .50/SQUARE FOOT STARTING JANUARY 1ST, 2022

Facilities Director Joe Olson stated the rent at the Family Service Center (FSC) currently averages \$12.50 - \$15/square foot and has not increased in many years. Increasing the rent by .50/square foot starting in 2022 would total \$20,000 annually for rent of non-county entities. The tenants are all aware of an upcoming rent increase. The County tenants in the FSC would need to adjust their budgets accordingly for the increase and would total \$30,000.

On motion by Commissioner Gross, seconded by Commissioner Mongeau, and unanimously carried, the Board approved the rent increase at the Family Service Center by .50/square foot starting January 1, 2022.

On motion by Commissioner Mongeau, seconded by Commissioner Kahly, and unanimously carried, the Board approved five lease renewals at the Family Service Center as presented.

REQUEST TO MOVE FORWARD WITH BONDING FOR THE CAPITAL IMPROVEMENT PLAN IN THE AMOUNT OF \$3,094,647

Mr. Olson requested moving forward with bonding for the Capital Improvement Plan in the amount of \$3,094,647. The Capital Improvement Plan has been approved by both the Building and Finance Committees. The total for the capital plan includes the projects that qualify for CARES (America Recovers) dollars for heating/cooling/venting in the amount of \$953,750.

Todd Hagen, Senior Municipal Advisor for Ehlers, added that this bond process requires scheduling a public hearing. In-between now and when the public hearing notice goes in the paper, Ehlers will prepare a CIP that is more for financing with a few more project details than what was provided today. The public hearing will be on August 10. This bond will dovetail with the solid waste project bond around that time. The process

for the CIP bond is a little longer. These two bonds will follow each other for a bond sale around mid-September.

On motion by Commissioner Gross, seconded by Commissioner Ebinger, and unanimously carried by roll call vote, the Board approved the Capital Improvement Plan in the amount of \$3,094,647 and the CARES projects in the amount of \$953,750.

REQUEST TO APPROVE RESOLUTION 2021-27 FOR CALLING A PUBLIC HEARING TO ISSUE GENERAL OBLIGATION CAPITAL IMPROVEMENT PLAN BONDS; AND APPROVAL TO ADOPT A CAPITAL IMPROVEMENT PLAN

Mr. Hagen asked the Board to establish August 10 for a public hearing to issue General Obligation Bonds for the Capital Improvement Plan.

On motion by Commissioner Mongeau, seconded by Commissioner Ebinger, and unanimously carried by roll call vote, the Board approved the following resolution:

RESOLUTION 2021-27

**CALLING PUBLIC HEARING ON
THE INTENTION TO ISSUE GENERAL OBLIGATION CAPITAL
IMPROVEMENT PLAN BONDS AND THE PROPOSAL TO ADOPT A CAPITAL IMPROVEMENT
PLAN THEREFOR**

A. WHEREAS, pursuant to Minnesota Statutes, Section 373.40 the County of Clay, Minnesota (the “County”) may issue bonds to finance capital expenditures under its capital improvement plan (the “Plan”) without an election provided that, among other things, prior to issuing the bonds the County adopts the Plan after a public hearing thereon and publishes a notice of its intention to issue the bonds and the date and time of a hearing to obtain public comment on the matter; and

B. WHEREAS, the County Board intends to hold a public hearing on its intention to issue general obligation capital improvement plan bonds (the “Bonds”) and to adopt the Plan therefor pursuant thereto on August 10, 2021; and

NOW, THEREFOR, BE IT RESOLVED by the County Board of the County of Clay, Minnesota, that the County Board hereby calls for a public hearing on its intent to issue the Bonds and to adopt the Plan therefor, such hearing to be held on the date and time set forth in Exhibit A attached hereto. The County Board is hereby directed to cause the notice to be published at least 14 but not more than 28 days before the hearing in the official newspaper of the County or a newspaper of general circulation in the County.

The motion for the adoption of the foregoing resolution was made by Commissioner Mongeau and duly seconded by Commissioner Ebinger and, after full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof: Commissioners Kahly, Gross, Mongeau, Campbell and Ebinger and the following voted against: *none*.

Whereupon said resolution was declared duly passed and adopted.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE/DISCUSSIONS

- Commissioner Ebinger attended meetings for FM Diversion Authority Finance and FM Diversion Authority Executive Committee.
- Commissioner Kahly attended meetings for Clay County Collaborative; Law Library; Highway Engineers; and attended a landfill tour and a retirement event.
- Commissioner Gross attended meetings for Partnership for Health and State Community Health Services Advisory Committee. He also attended retirements and Hitterdal community festivities.

- Commissioner Mongeau attended meetings for Planning Commission; Prairie Lakes Municipal Solid Waste Authority; Solid Waste Advisory Committee; Moorhead Clay County Joint Powers Authority; Cass Clay Food Partners Committee; Lakeland Mental Health; Highway Department; Solid Waste Construction; Clay County Local Work Group; and met with the Planning Director on the Comprehensive Plan.
- Commissioner Campbell attended meetings for Prairie Lakes Municipal Solid Waste Authority Committee and Insurance Subcommittee; Moorhead Clay County Joint Powers Authority; Solid Waste Advisory Committee; Resource Recovery Facility Construction Committee; and FM Diversion Authority Executive Committee.
- County Administrator Larson attended meetings for Department of Human Services grant; Management; Juvenile Programs; Comprehensive Plan; Red River Valley Dispatch Center; AMC funding webinar; Solid Waste Advisory Committee; Moorhead Clay County Joint Powers Authority; Resource Recovery Facility access; Juvenile Center; Resource Recovery Facility Construction; Strive Committee; FM Leadership re: Red River Valley Dispatch Center; Arbitration for County Attorneys' contract; Detox staffing concerns; Solid Waste Manager; Use of Force with Law Enforcement. He attended a staff retirement and closed on the property purchase for a storage unit.

Announcements: The County picnic is scheduled for August 24 on the main campus and will be paid by the department heads. A remote work policy is being drafted. The Department of Motor Vehicle was chosen for a one-year pilot project and will receive funding for standard licenses to be printed. Law enforcement associations have filed a lawsuit on a change in the law regarding use of force.

The meeting was adjourned at 9:55 a.m.

Chair Kevin Campbell
County Board of Commissioners

Stephen Larson, County Administrator