

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, September 3, 2013

8:00 a.m.

County Board Room – 3rd Floor – Courthouse

The Clay County Board of Commissioners met in regular session with all Commissioners present: Campbell, Evert, Gross, Ingersoll, and Weyland. County Administrator Brian C. Berg, County Auditor-Treasurer Lori Johnson and Senior Administrative Assistant Vicki Reek were also present.

APPROVAL OF AGENDA

On motion by Evert, seconded by Campbell, and unanimously carried, the agenda was approved as presented.

APPROVE RENEWAL OF JOINT POWERS AGREEMENT WITH THE STATE OF MN FOR MN INTERNET CRIMES AGAINST CHILDREN TASKFORCE

By consent agenda, the Board approved renewal of the Joint Powers Agreement with the State of MN Internet Crimes Against Children Taskforce, whereby participating agencies receive free training regarding Internet Crimes Against Children, as well as specialized assistance in cases, if the need arises. The agreement is effective through May 31, 2016.

APPROVE RENEWAL OF FAMILY SERVICE CENTER LEASE

By consent agenda, the Board approved renewal of the Family Service Center lease for West Central Community Action Agency, Inc., for 288 sq.ft., at \$12.75 sq.ft., for the period 9/1/13-8/31/14.

REQUEST FOR EXECUTION OF REPRESENTATION LETTER TO STATE AUDITOR FOR 2012 AUDIT

By consent agenda, the Board authorized execution of the Representation Letter to the State Auditor for the 2012 Audit, outlining the responsibilities fulfilled by the County during the course of the Audit.

APPROVE MINUTES OF AUGUST 20 & 27, 2013 COUNTY BOARD MEETINGS

On motion by Gross, seconded by Weyland, and unanimously carried, the minutes of the August 20 & 27, 2013 were approved as presented.

APPROVE PAYMENT OF BILLS AND VOUCHERS

On motion by Weyland, seconded by Gross, and unanimously carried, the bills and vouchers were approved for payment.

APPROVAL OF SECOND AMENDMENT TO THE LIMITED JOINT POWERS AGREEMENT – METRO FLOOD DIVERSION PROJECT

County Administrator Brian C. Berg presented the Second Amendment to the Limited Joint Powers Agreement for the Metro Flood Diversion Project for the Board's review (See Attachment "A"). The Amendment identifies the formal name of the entity as

“Metro Flood Diversion Authority”; clarifies existing power to enter into various contracts to specifically authorize power to enter into contract with Oxbow for a ring-levee, replacement property and related matters, including advancing and recoupment of funds for such purposes; and inserts a dollar amount for the Fiscal Year 2014 budget: \$70 million overall budget with the Minnesota share proposed at \$190,000.

Mr. Berg informed the Board that the \$190,000 Minnesota share of the budget will be split between Clay County and the City of Moorhead, \$95,000 each. He noted that the County’s share is \$50,000 less than last year.

Commissioner Evert questioned whether the County should continue to obligate funds for a project that many people think will not happen. However, he felt it is better to be part of the discussion. Commissioner Campbell felt the funds are being used towards good flood protection efforts, in-town levees, the Oxbow levee, etc.

On motion by Campbell, seconded by Weyland, and unanimously carried, the Board approved the Second Amendment to the Limited Joint Powers Agreement.

On motion by Campbell, seconded by Weyland and unanimously carried, the Board authorized the County’s 2014 share of the Metro Flood Diversion Authority budget in the amount of \$95,000.

REVIEW 2014 PROPOSED BUDGET AND ADOPT PRELIMINARY LEVY

County Administrator Brian C. Berg reviewed the year to date expenses, noting that most departments are tracking within budget for 2013. He added that it appears Social Services will not need to utilize the \$450,000 in reserves which was allowed for 2013; Public Health will use \$60,000 of the \$250,000 authorized.

The proposed spread levy for 2014 is \$25,151,531, a 3.53% increase over 2013. He added that debt service payments are outside the levy limit. Mr. Berg noted that new construction growth is 1%, and the rebate program for housing starts will not impact the budget much as its start date was September, 2012. Mr. Berg reminded the Board that the New Requests total \$281,000, the largest of which is for 1 FTE in Corrections to help manage the transport of prisoners and the loss of six beds.

On motion by Campbell, seconded by Evert, and unanimously carried, the following resolution was adopted, setting the Preliminary Levy for 2014:

RESOLUTION 2013-45

WHEREAS, the Minnesota Department of Revenue has established guidelines for county government to follow in order to meet the “Truth in Taxation” requirements for taxes payable in 2014; and

WHEREAS, these guidelines state that counties must certify a proposed levy by September 15; and

WHEREAS, this certified levy must be after the deduction of County Program Aid.

NOW, THEREFORE, BE IT RESOLVED, that the Clay County Board of Commissioners hereby sets the proposed levy for taxes to be collected in 2014 as follows:

	Preliminary Levy	County Program Aid	Certified Levy
Revenue Fund	\$15,448,375	\$1,663,975	\$13,784,400
Road & Bridge Fund	3,351,171	360,961	2,990,210
Building Improvement	50,000	5,386	44,614
Library	262,610	28,286	234,324

Social Services	7,732,093	832,839	6,899,254
Debt Retirement	186,206		186,206
Debt Retirement-Road & Bridge	172,463		172,463
Debt Retirement-Courthouse	327,390		327,390
Debt Retirement-County Projects	512,671		512,671
TOTAL	\$28,042,979	\$2,891,447	\$25,151,532

BE IT FURTHER RESOLVED, that this is a proposed levy only and is subject to change.

BE IT FURTHER RESOLVED, that the Clay County Board of Commissioners confirms the date of their public budget meeting to be Thursday, December 5, 2013, at 6:00 p.m. in the Clay County Courthouse, Moorhead, Minnesota.

Commissioner Campbell reminded the Board that this is a Preliminary Levy only, and several things could be considered before the final levy is adopted in December, such as the Building Maintenance position and Extension position.

Commissioner Evert requested that the 4-H Program make a presentation to the County Board regarding their aquatic robot project.

EMPLOYEE RECOGNITION

The following employees were recognized for their years of service to Clay County: Kathleen Otte, Statistical Specialist, Auditor's Office (25 years); Michael Honek, Sheriff's Deputy (20 years); Kristy Sisk, Case Management Aide, Public Health (20 years); Brian Melton, County Attorney (15 years); Ross Olson, Landfill Operator (15 years); Vickie Mullikin, Office Associate/Corrections (15 years); Stacey Christensen, Supervisor, Social Services (15 years).

**ADOPT RESOLUTION CLASSIFYING TAX FORFEITURE LIST AS
NON-CONSERVATION LAND**

On motion by Campbell, seconded by Gross, and unanimously carried, the Board adopted the following resolution, classifying properties which have forfeited to the State of Minnesota for non-payment of taxes, as non-conservation land (See Attachment "B"):

RESOLUTION 2013-26

BE IT HEREBY RESOLVED, that the Clay County Board of Commissioners hereby approves the request of the Clay County Auditor's Office to classify the attached list of forfeited properties as 'non-conservation land' as required by MS 282.01, Subd. 1.

CLARIFICATION RE: CLAY COUNTY ECONOMIC DEVELOPMENT AUTHORITY POLICIES

FM Economic Development Corporation (EDC) representatives James Gartin, President, and Mark Vaux, Executive Vice President, were present to offer assistance to the Clay County Economic Development Authority (EDA) in developing a scoring system to evaluate potential projects in Clay County for possible incentives. This type of system is used in West Fargo, Fargo, and Cass County, and steers away from financial capabilities. With the merit system, projects would be given points based on the project type, creation of jobs, local competition, value of proposed buildings, wages, etc.

The Board welcomed the EDC's assistance and a meeting of the Clay County EDA will be scheduled to further discuss the implementation of a scoring system for potential

economic development projects. Mr. Gartin and Mr. Vaux will be invited to attend the meeting.

CLAY COUNTY HOUSING & REDEVELOPMENT AUTHORITY REQUEST FOR LEVY TO COLLECT A SPECIAL BENEFIT TAX OF \$190,000 IN 2014

Clay County Housing & Redevelopment Authority (HRA) Executive Director Dara Lee, HRA Chair Dale Rollie, and HRA Commissioner Les Bakke were present to request approval of a Special Benefit Tax Levy of \$190,000 for 2014 as requested by the HRA Board of Commissioners. The tax, which is outside the levy limits, would be levied on all of Clay County except the cities of Barnesville and Moorhead which have their own HRA's. The funds would be used for rehabilitation of owner-occupied housing through the Minnesota Department of Employment and Economic Development (DEED) match and assistance to the Group Work Camp project; support of on-going successful housing programs; and Pre-development costs for the investigation and creation of additional housing options for Clay County citizens. Ms. Lee reminded the Board that last year the HRA rescinded their request for a levy due to the negative impact property owners experienced as a result of the changes in the property tax calculations.

Commissioner Campbell expressed concern with Clay County subsidizing the State and/or Federal governments' reduction of funding in the areas of operations and development.

Commissioner Evert felt it is important to provide adequate housing for the citizens of the County. He also commended the accomplishments of the Group Work Camp.

On motion by Evert and seconded by Gross, the Board adopted a resolution setting a Special Benefit Tax levy for the Clay County Housing & Redevelopment Authority in the amount of \$190,000 for 2014, with Commissioner Campbell opposed to the motion.

RESOLUTION 2013-47

WHEREAS, The Minnesota Department of Revenue has established guidelines for county government to follow in order to meet the "Truth in Taxation" requirements for taxes payable in 2014; and

WHEREAS, these guidelines state that counties must certify a proposed levy by September 15, 2013.

NOW, THEREFORE, BE IT RESOLVED, that the Clay County Board of Commissioners hereby sets the proposed Housing and Redevelopment Authority levy for taxes to be collected in 2014 as follows:

Clay County HRA Levy - \$190,000.00

BE IT FURTHER RESOLVED, that this is a proposed levy only and is subject to change.

BE IT FURTHER RESOLVED, that the Clay County Board of Commissioners confirms the date of their public budget hearing to be Thursday, December 5, 2013, at 6:00 p.m. in the Clay County Courthouse, Moorhead, Minnesota.

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner Campbell attended the Highway Tracking Committee meeting.

Commissioner Evert attended meetings of the Highway Tracking Committee and AMC's Extension Committee.

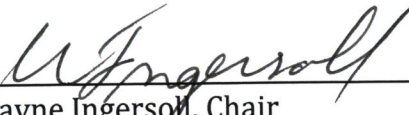
County Administrator Brian C. Berg reported on meetings of the Highway Tracking Committee, personnel issues, a presentation to the Moorhead Business Association, and an F-M Diversion strategy meeting.

VIJAY K. SETHI

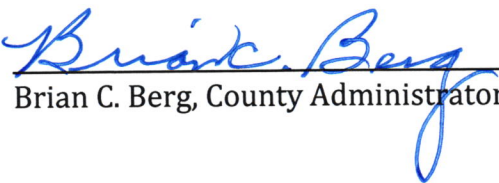
Commissioner Evert expressed the County Board's appreciation and gratitude for the dedicated service of Vijay K. Sethi, former Clay County Administrator for 25 years, who passed away August 24th.

ADJOURN

The meeting adjourned at 9:30 a.m.



Wayne Ingersoll, Chair
Clay County Board of Commissioners



Brian C. Berg, County Administrator