

CLAY COUNTY BOARD OF COMMISSIONERS

Tuesday, December 12, 2006

8:30 a.m.

County Board Room - Courthouse

M I N U T E S

The Clay County Board of Commissioners met in regular session on Tuesday, December 12, 2006, with all commissioners present: Brunsvold, Campbell, Evert, McCarthy, and Waller.

APPROVAL OF AGENDA

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

APPROVAL OF 2007 HOME & COMMUNITY BASED WAIVER PROVIDERS

By consent agenda, the Board approved the 2007 list of Home & Community Based Waiver Providers as included in Attachment "A".

RESOLUTION APPROVING WEST CENTRAL MN HOUSING PARTNERSHIP FOR ADMINISTRATION OF MN HOUSING RENTAL REHABILITATION PROGRAM

By consent agenda, the Board adopted the following resolution, approving West Central MN Housing Partnership for administration of the MN Housing Rental Rehabilitation Program for Clay County:

RESOLUTION 2006-53

WHEREAS, the West Central MN Housing Partnership (WCMHP) has successfully administered the Minnesota Housing Finance Agency (MHFA) HOME Rental Rehabilitation Program for Clay County in the past; and

WHEREAS, Clay County has decided to have the WCMHP administer the MHFA HOME Rental Rehabilitation Program for Clay County.

NOW, THEREFORE, BE IT RESOLVED, by the County Commissioners of the County of Clay that the West Central Minnesota Housing Partnership is hereby authorized to administer the HOME Rental Rehabilitation Program for Clay County.

AUTHORIZATION TO EXECUTE 2007 NATURAL RESOURCES BLOCK GRANT AGREEMENT

By consent agenda, the Board authorized execution of the 2007 Natural Resources Block Grant Agreement, which provides \$48,661 for four Clay County programs. The grant period is July 1, 2006 through June 30, 2008.

APPROVAL OF MINUTES OF NOVEMBER 21 AND 28, 2006

On motion by Waller, seconded by Brunsvold, and unanimously carried, the minutes of the November 21 and 28, 2006 County Board meetings were approved as presented.

CITIZENS TO BE HEARD

There were no citizens present who wished to address the Board.

EMPLOYEE RECOGNITION

Lt. Bruce Fleury was recognized for his 20 years of service to Clay County with the presentation of a plaque of appreciation and gift certificate.

Ms. Fran Ladwig, Financial Assistance Specialist, Social Services, was named Employee of the Month for December.

Ms. Deb Reed, Office Support Staff, Social Services, received the \$100 Annual Award for Employee of the Month.

STATEMENT OF NEED FOR OUTPATIENT CHEMICAL DEPENDENCY SERVICES FOR WEST CENTRAL REGIONAL JUVENILE DETENTION CENTER

On motion by Evert, seconded by Brunsvold, and unanimously carried, the Board issued a Statement of Support for a change in the contracted provider for on-site provision of outpatient chemical dependency treatment services at the West Central Regional Juvenile Detention Center to Drake Counseling Services beginning January, 2007. This change is proposed due to the fact that the current provider, First Step, Inc., does not provide an outpatient adolescent program other than that conducted at the Detention Center.

REQUEST FOR CERTIFICATION OF EASEMENT FOR WILDLIFE HABITAT PROTECTION, KENDALL DUSBABEK AND JOANNE DUSBABEK

Mr. Don Kleven, U.S. Fish & Wildlife Service, requested the Board's certification of an easement acquisition from Kendall Dusbabek and Joanne Dusbabek for Wildlife Habitat Protection. The 121 acre property is located in Sections 10 and 11, Skree Township.

Mr. Kleven explained that the ownership of the property will not change, nor will the status of taxes payable. He added that the landowner will still be able to hay the land after July 15 each year.

Mr. Gary Bergan, Skree Township Board Chair, addressed the Board regarding high taxes and diminishing tax base, properties taken out of production through DNR Fish & Wildlife, etc.

On motion by Evert, seconded by Brunsvold, and unanimously carried, the Board certified the abovementioned easement acquisition.

BID LETTING: RUBBER TIRED TRACTOR FOR HIGHWAY DEPARTMENT

County Engineer David Overbo opened two bids received for a rubber tired tractor for the Highway Department:

RDO - Bid bond not included as required by bid document, therefore bid not read per the advice of Chief Assistant County Attorney Michelle Winkis

Butler Machinery, Fargo - 2007 Challenger, \$64,218.00 less trade-in of Unit #168 (\$21,000), for a net bid of \$43,218.

On motion by Evert, seconded by Waller, and unanimously carried, and as recommended by the County Engineer, the Board accepted the bid of Butler Machinery, Fargo, for the purchase of a 2007 Challenger rubber tired tractor to include a trade-in of Unit #168.

APPRAISAL FOR RIGHT OF WAY ACQUISITION, COUNTY 96 PROJECT

County Engineer David Overbo reminded the Board that on June 20, 2006 he presented an appraisal, conducted by Barth Company Appraisers, for right of way acquisition for the County 96

project. That appraisal was \$1850/acre for tillable farmland. Since that time the Highway Department has been negotiating with the land owners who have presented sales figures for recent transactions in their area. Barth Company Appraisers has re-evaluated their original appraisal and now recommend \$2000/acre for tillable farmland.

On motion by Waller, seconded by Evert, and unanimously carried, the Board approved the new appraisal rate for the County 96 project right of way acquisition at \$2000/acre tillable farmland.

LABOR NEGOTIATION STRATEGY (CLOSED SESSION)

On motion by Campbell, seconded by Waller, and unanimously carried, the meeting closed at 9:20 a.m. for labor negotiation strategy.

On motion by Waller, seconded by Campbell, and unanimously carried, the meeting was re-opened at 10:05 a.m.

WAGE ADJUSTMENTS: SOCIAL SERVICES

On motion by Waller, seconded by Evert, and unanimously carried, the Board approved adjustments to the base wage of Social Services employees based upon the Wage Study completed and the recommendations of the Personnel Issues Committee, with implementation effective with the first pay period of 2007 for non-union employees, and implementation for union based employees upon union ratification with intended effective date the first pay period of 2007.

UPDATE RE: BLUE CROSS BLUE SHIELD PROJECT "COMMUNITIES FOR HEALTHY AIR"

Public Health staff informed the Board of the kick-off activities for "Communities For Healthy Air", promotion of smoke-free restaurants in Moorhead, and a campaign by the local medical facilities concerning smoke-free policies in general.

Commissioner Brunsvold felt the local communities should agree to follow the other in smoking policies in order to even the playing field across the border.

AUTHORIZATION FOR OUT OF STATE TRAVEL

On motion by Brunsvold, seconded by Campbell, and unanimously carried, the Board authorized out of state travel for Public Health staff to attend an Alcohol, Tobacco & Other Drugs conference/training in Washington, DC, February 11-16, 2007, which is a mandatory grant requirement. All expenses are covered by the grant.

REQUESTS TO WAIVE PENALTIES ASSESSED FOR LATE PAYMENT OF TAXES

- Ms. Evelyn Pull (Judy Westerman) - On motion by Evert, seconded by Brunsvold, and unanimously carried, the Board waived the penalty assessed for late payment of taxes (\$60.64) due to Ms. Pull's failing health and subsequent death.

- Mr. & Mrs. Leroy Sly - On motion by Brunsvold, seconded by Campbell, and unanimously carried, the Board waived the penalty assessed for late payment of taxes (\$115.84) due to Ms. Sly's illness and hospitalization with Alzheimer's.

- Ms. Irma Gidmark - On motion by Waller, seconded by Campbell, and unanimously carried, the Board denied the request to waive penalties for late payment of taxes (\$56.48) due to the fact that enough time is allowed for payment of taxes between the mailing date of the statement

in March to their due date in the Fall. Ms. Gidmark had been out of town due to a death in the family when the tax was due.

- Mr. Boyd Kittelson - On motion by Evert, seconded by Brunsvold, and unanimously carried, the Board denied the request to waive penalties for late payment of taxes (\$105.61) due to the fact that upon refinancing the property, the homeowner made a conscious decision to discontinue escrowing for taxes, thus taking on the responsibility for payment of taxes himself.

- Mr. Kurt Krabbenhoft - On motion by Waller, seconded by Brunsvold, the Board denied the request to waive penalties for late payment of taxes (\$95.79). Commissioner Campbell was opposed to the motion. The property owner indicated that the tax payment had been mailed timely, but was apparently lost in the mail. If the original tax payment is received with a U.S. Post Office postmark indicating that it had been mailed timely, the Treasurer's Office is authorized to refund the penalty.

- Ms. Virginia Carlson - On motion by Waller, seconded by Brunsvold, and unanimously carried, the Board denied the request to waive penalties for late payment of taxes (\$184.64). The property owner indicated that the tax payment had been mailed timely, but was apparently lost in the mail. If the original tax payment is received with a U.S. Post Office postmark indicating that it had been mailed timely, the Treasurer's Office is authorized to refund the penalty.

- Roger & Pam Erlandson - On motion by Brunsvold, seconded by Waller, and unanimously carried, the Board waived the penalty (\$81.96) for late payment of taxes due to the fact that in this transfer of property situation, a duplicate statement was sent out by the Treasurer's Office for one parcel and not the other one (deed had two parcels listed on it).

- Hawley Conoco (DRMS) - On motion by Campbell, seconded by Brunsvold, and unanimously carried, the Board waived \$691.01 in penalties charged for late payment of taxes (one half of total due), due to addressing issues involved in the recent transfer of the operating note to a local bank.

REQUEST TO REPURCHASE TAX FORFEIT PROPERTY, MR. JESSE FLORES

On motion by Brunsvold, seconded by Waller, and unanimously carried, the Board approved the request of Mr. Jesse Flores to repurchase his tax forfeit property at 705 18th Street North, Moorhead, citing the fact that all delinquent taxes and fees have been paid, and an extreme hardship would occur if Mr. Flores were not allowed to repurchase the property.

APPROVAL OF BILLS & VOUCHERS

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

COMMITTEE REPORTS/COUNTY ADMINISTRATOR UPDATE

Commissioner McCarthy indicated that at a recent Regional Task Force on Smoking Issues, he had spoken on behalf of Clay County that the County Board is not in favor of a countywide ordinance telling cities what they can/cannot regarding smoking in their communities. The Board was supportive of Commissioner McCarthy's opinion and felt the decision should be local. Commissioner Evert felt it would be preferable to have a statewide action concerning smoking.

On motion by Campbell, seconded by Evert, and unanimously carried, the Board approved Commissioner McCathy's continued participation in Regional Task Force on Smoking Issues

meetings, and ratified payment of per diem for attendance at the meetings.

Commissioner Waller informed the Board that the Greater Fargo-Moorhead Economic Development Steering Committee has plans to develop opportunities for young people in the high tech job markets.

The Highway Tracking Committee will begin review of the 5-year Highway Construction plan at their January meeting. Commissioner Campbell commented that the various uses of Base One application may result in significant savings for the County and the ability to move projects ahead on the 5-year plan. He added that Oakport Township is willing to pay the County to apply Base One to certain township roads in Oakport Township.

Commissioner Waller was appreciative of the explanation provided at the Truth in Taxation meeting concerning gravel pit assessment changes and corrections being made.

Commissioner Waller informed the Board that a study is proposed to be conducted of the proposed realignment of CSAH 31 and CSAH 33 in Hawley, with the cost to be a three way split with the City of Hawley, MnDOT, and Clay County.

Commissioner Waller reported that work continues on a solution to the sidewalk issue in Hitterdal, and it looks as though curb, gutter and sidewalk will have to be replaced in order to put an appropriate slope in the street to eliminate standing water.

Commissioner Waller attended an informational meeting of the Wild Rice Watershed in Ulen concerning water retainage proposals.

Commissioner Waller reported that the work of the Personnel Issues Committee concerning elected officials' and commissioners' salaries will be presented at the December 19, 2006 County Board meeting.

Commissioner Evert reported that he has had good meetings with constituents in Eglon Township, and plans to attend a meeting of the Pollution Control Agency in Detroit Lakes concerning feed lots.

Commissioner Evert felt the "Value Added" workshop was very informative and worthwhile.

Commissioner Evert reported that it was very helpful to view, via ITV, a recent AMC Futures meeting.

Commissioner Campbell advised that he would be taking over the Chairmanship of the Eleven County Regional Chemical Dependency Treatment and Corrections Center group.

County Administrator Vijay Sethi advised that when Red River Serenity Manor (a non-profit entity) closed last year, the left-over funds have been distributed to other programs: \$18,000 to the Sheriff's Department for the canine program; and \$3000 to the West Central Regional Detention Center.

Mr. Sethi advised that Brian Melton will take his oath as County Attorney via the mail as is allowed by statute. Mr. Melton will then designate Ms. Michelle Winkis as the Chief Assistant County Attorney for the day-to-day operation of the office, and Ms. Ken Kohler as the Chief Assistant for prosecution, until his return to the States in March.

APPROVAL TO CARRYOVER EXCESS VACATION HOURS

Mr. Sethi informed the Board that he has approximately 260 hours of vacation accrued, and the excess over 240 hours will be lost as of December 15, 2006 (the last day of the pay period by

which vacation hours over 240 must be used). He requested that he be allowed until December 31, 2006 to use the excess hours.

On motion by Campbell, seconded by Evert, and unanimously carried, the Board approved County Administrator Vijay Sethi's request to carryover excess vacation hours until the end of December, 2006, with the excess hours credited at the 2006 hourly rate.

ADJOURN

The meeting adjourned at 11:50 a.m.

Mike McCarthy, Chair
Clay County Board of Commissioners

Vijay Sethi, County Administrator

CLAY COUNTY
Disabilities Unit
2007 PROVIDER LIST
MR-RC WAIVER SERVICES
CAD\CAC\VTBI AC\EW WAIVER SERVICES

All services are individually authorized and are reimbursed with Medical Assistance funds through the waiver, therefore no total "not to exceed" amounts are listed in the contract but refer to individual service agreements and authorizations.

REVISED 12/04/06

NAME OF AGENCY/PROVIDER	TYPE OF SERVICE
MR-RC CAD\CAC\VTBI AC-EW	ACCESS of the Red River Valley 403 Center Ave, Suite 512 Moorhead, MN 56560 Inhome Family Support Support Living Services-Child Support Living Services-Adult Respite In home Respite Out of home Homemaker Personal Care Assistant Personal Support Independent Living Skills Personal Care Assistant Corporate Foster Care-Adult and Child Transitional Services
MR-RC CAD\CAC\VTBI AC\EW	CCRI (Creative Living for Reaching Independence) 725 Center Ave Moorhead, MN 56560 Inhome Family Support Personal Care Assistant Respite Supported Employment SLS-Adult SLS-Child Specialist Service Independent Living Skills Personal Care Assistant Homemaker Corporate Foster Care- Adult Transitional Services
MR-RC CAD\CAC\VTBI	Connections 810 4 th Ave So #156 Moorhead, MN 56560 Extended Transportation Supported Living Adult and Child In Home Family Support Supported Employment DT and H Respite Independent Living Skills Pre-Vocational Services Corporate Foster Care- Adult Transitional Services

MR-RC CADNACACTBI AC-EW	Cost Care Medical 4325 13 th Ave SW Fargo, ND 58103	Environmental Modifications Supplies and Equipment Adaptive Modifications and Equipment
MR-RC CADNACACTBI AC-EW	Divine House 328 5 th St SW, Ste 5 Willmar, MN 56201	InHome Family Support Support Living Services-Child Support Living Services-Adult Respite In Home Respite Out of Home Personal Care Assistant Homemaker Corporate Foster Care- Adult and Child Independent Living Skills Transitional Services
MR-RC	MN State Operated Services (MSOCS) 444 Lafayette Road St Paul, MN 55155-3818	SLS respite care
MR-RC CADNACACTBIAC-EW	Fergus Falls Regional Treatment Center 1400 N Union Ave Fergus Falls, MN 56537- 1200	In Home Family Support Support Living Services-Child Support Living Services-Adult Adaptive Modifications and Equipment Crisis Services Service Specialist
MR-RC CADNACACTBI AC-EW	Handi-Cabinets Etc, Inc PO Box 155 Kindred, ND 58051	Environmental Modifications Supplies and Equipment
CADI	Carolyn Nelson 14109 Gardenview Crt Apple Valley, MN 55124-9546	Respite- one client
MR-RC CADNACACTBI AC-EW	Heartland Industries I 2510 16 th Ave So Moorhead, MN 56560 and Heartland Industries II Moorhead, MN 56560	Day Training and Habilitation Supported Employment Transportation Pre-vocational Services Chore Services Adult Day Care Structured Day Program
MR-RC CADNACACTBI AC-EW	Julie Sorenson 1932 24 th Ave So Moorhead, MN 56560	Out of Home Respite

MR-RC CAD/CAC/TBI AC-EW	Lutheran Social Services of MN PO Box 477 Fergus Falls, MN 56537	Support Living Service-Child Support Living Service-Adult In Home Family Support Caregiver Training and Education Respite Companion Services Corporate Foster Care-Adult and Child Family Counseling and Training Independent Living Skills Transitional Services
CADI	Lynn Jacobson 101 Eileen Circle Burnesville, MN 55306	Foster Care (one client)
MR-RC CAD/CAC/TBI AC-EW	MCRS (Midwest Community Residential Services, Inc) 1500 30 th Ave So Moorhead, MN 56560	Respite In home Respite Out of Home Homemaker Personal Care Attendant Support Living Services-Child Support Living Service-Adult In Home Family Support Independent Living Skills Corporate Foster Care- Adult and Child Personal Care Assistant Homemaking Transitional Services
MR-RC CAD/CAC/TBI AC-EW	Meridan Services, Inc 44 North 28 th Ave, Suite D St Cloud, MN 56303	Case Management/Service Coordination Transitional Services
MR-RC CAD/CAC/TBI AC-EW	MeritCare HealthCare Accessories, Inc 3223 32 nd Ave SW Fargo, ND 58103	Assistive Technology Environmental Modifications Supplies and Equipment
MR-RC CAD/CAC/TBI	Productive Alternatives, Inc 715 11 th St No Moorhead, MN 56560	Supported Employment Transportation Prevocational Services Structured Day Program Independent Living Services Transitional Services
MR-RC CAD/CAC/TBI AC-EW	REM-Northstar PO Box 707 Crookston, MN 56716- 0707	Respite- In home and Out of Home Supported Living Services-Child Supported Living Services- Adult Corporate Foster Care In Home Family Support

MR-RC CAD/CAC/TBI AC-EW	Solutions, Inc 1606 30 th Ave So Moorhead, MN 56560	Crisis Respite Service Specialist Family Counseling and Training Behavior Programming by Professional Cognitive Therapy by Professional Independent Living Skills Mental Health Psychological Testing Mental Health Explanation of Findings Corporate Foster Care- Child
MR-RC	Russ and Rita Hoffman 5820 1 st St NW Moorhead, MN	Personal Support (Daily Rate)
MR-RC CAD/CAC/TBI AC-EW	MeritCare Home Care	Respite Personal Care Assistant Home Health Aide Homemaker Nursing Services Supplies and Equipment
MR-RC	Kim Thompson 2415 14 th St So Moorhead, MN 56560	Respite- no overnights
MR-RC CAD/CAC/TBI AC-EW	Comfort Keepers 1304 B 23 rd St So Fargo, ND 58103	Home making Personal Care Assistance
MR-RC	Diane Nygaard 208 11th Ave No South St Paul, MN 55075- 1949	Out of Home Respite (1 client)
MR-RC CAD/CAC/TBI AC-EW	Alliance Health Care 2260 Cliff Road Eagen, MN 55122	Fiscal Support Entity (Consumer Directed Community Supports) Personal Support
MR-RC CAD/CAC/TBI AC-EW	Fergus Falls Regional Treatment Center- Assistive Technology Dept 128 Junius Ave West Fergus Falls, MN 56537	Assistive Technology Caregiver Training and Education Specialist Service Durable Medical Equipment Home Care Training
MR-RC CAD/CAC/TBI AC-EW	Orion ISO 9400 Golden Valley Road Golden Valley, MN 55427	Fiscal Support Entity (Consumer Directed Community Supports)

MR-RC CADI\CAC\TBI AC-EW	Summit Fiscal Agency 6009 Wayzata Blvd Suite 1A St Louis Park, MN 55416 1-866-366-2787	Fiscal Support Entity (CDCS)
all	Consumer Directions, Inc 22 Wilson Ave NE Suite101 PO Box 6128 St Cloud, MN 56302	FSE
CADI\AC\EW MR-RC	Vosburg Counseling 2913 So 12 St Fargo, ND 701/235-2092	Caregiver training and Education Family Counseling and Training
MR-RC	Behavioral Health Associates 3250 40 th Ave SW Unit D Fargo, ND 58104	Specialist Service
MR-RC CADI\TBI	Speech-Language-Hearing Science of MSUM	Assistive Technology
MR-RC\CADI etc	Lindsey Ness 1820 18 th Ave So Moorhead, MN 701/361-9734 (cell)	Adult Foster Care Adult Day Care Respite
MR-RC, CADI, TBI	Blue Sky, Inc PO Box 1491 Detroit Lakes, MN 56501 218/841-5793	ILS, SLS, Respite, Family Counseling and Training, In-Home Family Support
MR-RC, CADI, TBI, CAC	Pediatric Speech Solutions 10318 6 th St So Fargo, ND 58104	Assistive Technology Specialized Supplies and Equipment
MR-RC, CADI,TBI, CAC	Roza Yunusova 1932 20 th Ave. S. Moorhead, Minnesota 56560	Adult Foster Care Adult Day Care Respite