

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
SEPTEMBER 20, 2016

The Benton County Board of Commissioners met in regular session on September 20, 2016 in the Benton County Board Room in Foley, MN with Commissioners Spencer Buerkle, Warren Peschl, Jim McMahon, Jake Bauerly and Ed Popp present. Call to order by Chair Buerkle was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Peschl/Popp unanimous to approve the agenda as written.

No one was present to speak under Open Forum.

Bauerly/McMahon unanimous to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of September 6, 2016 as written; 2) accept and file Committee of the Whole Minutes of August 29, 2016 as written; 3) accept and file Committee of the Whole Minutes of September 6, 2016 as written; and 4) approve Application for Permit to Host a Special Event on October 13, 2016 as requested by Deanna Rosa, dba/Rollies LLC.

Phil Miller, County Attorney, explained that Benton County has been notified of an annual award of \$70,000 from the State to the Benton County Attorney's Office, Crime Victims Services Unit. He indicated that this award was increased from the previous \$42,000 renewable funding and will be used to fund a part-time position to assist Benton County crime victims as cases go through the court process; the funds will also be used to pay for training, updating materials and assistance in providing direct services to said crime victims. Peschl/Bauerly unanimous to adopt Resolution 2016-#28 authorizing Benton County Attorney, Philip Miller, to complete and sign the necessary paperwork for the MN Office of Justice Programs 2017 Victim Services Grant award so that Benton County may receive said funds.

Referencing the previous item, Attorney Miller noted that the increased Victims Services Unit award was based upon a submitted grant application which included the rising criminal case load numbers as well as the additional services the office was able to provide victims and witnesses during fiscal year 2016, with the aid of the temporary Victim Services Assistant. He noted that the county match to receive the grant is \$13,067, which would be covered by paying the Victim Services Coordinator's county-paid benefits and retirement, which the county already does, which is in excess of \$14,000. McMahon/Popp unanimous to adopt Resolution 2016-#29, authorizing the advertisement and hiring of a part-time (24 hours/week) Victim Services Assistant, said position to remain in place so long as grant funding is available (if funding dissipates, the position would be terminated unless there is County Board action to the contrary). Chair Buerkle requested that the County Attorney's Office provide the Board with periodic updates with regard to this grant-funded position.

Referencing the attack which occurred last week at Crossroads Mall, Sheriff Heck commented that "...today is a different day in Central MN than it was last week...the evil and the violence that we've seen across this country over the last 15 years and across the world has "come home" to show us that, truly, it can happen anywhere..." Heck noted that although the Benton County Sheriff's Office was not requested to respond to the mall last Saturday, Benton County did provide assistance to the St. Cloud Police Department with deputies taking calls and assisting their officers. He stated his belief that this area will continue to see changes as crime, in general, starts to accelerate, as well as events of the type which occurred at the mall. Heck commented that "...vigilance is the key and understanding how to

respond to situations like these...everyone needs to take this on as their personal responsibility...” He reported an increased call-load in the areas of assaults, thefts, burglaries, drugs, and underage consumption. Heck also updated the Board on other matters, including the current Detention Officer recruitment, recent jail inspection resulting in continued 100% compliance, and the Benton County Fair.

Joe Janish, Department of Development Director, reported that Benton County has received funding from the State of MN in regard to Aquatic Invasive Species (AIS) prevention. He noted that a group of folks was assembled to review proposals to develop a Benton County AIS plan from two organizations; this group is making a recommendation to enter into a contract with Crow River Organization of Water to develop the AIS plan for Benton County in an amount not to exceed \$14,202.50. Janish clarified that CROW would assist in developing the plan, but not specifically provide activities that are identified in the plan; the intent is that the Water Resources Advisory Committee would help formulate and steer the development of the plan and identify potential projects. He noted the plan would be brought to the County Board for adoption. McMahon/Popp unanimous to approve a contract with Crow River Organization of Water to develop an AIS Prevention Plan, and authorize the Chair to sign.

Scott Zwick, GIS Coordinator, explained that *Pictometry* has been utilized in the County since 2006 and has proven to be a useful tool for a number of county departments; the most current pictures were acquired in 2014. Noting staff’s determination that the useful life of the aerial photos is about three years, Zwick stated the request to continue to fund Pictometry flights over the next six years (through a contract with MCCC, Benton County will receive a 10% discount). Bauerly inquired if the introduction of drones could potentially drive down the cost of flights in future years. Zwick stated his belief that this may occur on a smaller scale, but not on a county-wide scale. McMahon/Peschl unanimous to approve a six-year contract with Pictometry (flights to occur in 2017 and 2020), the funding of \$119,304 over the six-year period to come from the Department of Development, Highway, Recorder and IT (the majority of the funding would be from restricted funds), and authorize the Chair to sign.

The Regular County Board meeting was recessed at 9:27 AM to conduct a Human Services Board meeting.

The Regular County Board meeting was reconvened at 10:10 AM.

Chris Byrd, County Engineer, referenced the five-year road plan (2017-2021), Plan “C”, which was part of the Board packet; this option contemplates the infusion of \$1.2 million of reserves and a \$1.2 million loan from the Solid Waste Fund into the local road fund in 2017. He noted that this option would allow for the reconstruction of Dewey Street all the way to Norman Street (county cost portion of about \$1.25 million to be paid from local dollars rather than state aid dollars); this option would also allow for the reconditioning of CR 78 from CSAH 2 to the County Line in 2019 to be fully funded. Byrd added that this option would also allow for reconstruction of CR 62 (from TH 95 to TH 23) to be funded in 2021 (right-of-way will need to be purchased to make this improvement). He pointed out that the legislature has given counties the ability to increase the wheelage fee in 2018; this plan contemplates an increase in the wheelage fee from \$10 to \$16 per vehicle in 2018, but offers potential property tax relief in 2018 (\$67,000 from the local road fund is returned to the general levy). Byrd noted that the CSAH 29 bridge rehab project originally slated for 2020 would be advanced to 2018 under this option (advance with state aid and pay back with federal dollars). Referencing the loan from the solid waste fund, Byrd stated the intent to repay this fund over 15 years with local road allotment--\$80,000 per year starting in 2018. He pointed out that by using local road dollars for a CSAH road, it opens up opportunities for CSAH turn back—i.e. if using state aid dollars for the Dewey Street project (a CSAH route entirely in the City of

Foley), the county would be bound to maintain that road as the county's for the next 20 years, or if some type of turn back agreement was reached with the City during those 20 years, a pro-rated amount would need to be paid back to the state aid fund. Byrd added that by using state aid funds for the Dewey Street project, the county would need to apply for another variance regarding the parking stalls in the city (similar to what was previously done on 4<sup>th</sup> Street). Popp clarified that there would need to be mutual agreement between the city and the county to move forward with a turn back. Byrd stated that, currently, the county and city are negotiating an agreement with regard to the Dewey Street reconstruction; perhaps the possible turn back discussion could be included in these negotiations/agreement. He noted that the county currently has a municipal maintenance agreement with the city whereby the county pays the city for maintenance provided on 4<sup>th</sup> Street and Dewey Street; the city would need to see the benefit of Dewey Street becoming their road. Peschl/McMahon unanimous to allow the County Engineer to negotiate the possible turn back of Dewey Street with the City. Bauerly commented that the county is putting a lot of money upfront toward the Dewey Street project; it is hoped that this "show of good faith" would be returned by the city. Byrd clarified that the county is allowed to carry a state aid balance equal to two year's allotment (about \$2 million per year) and not receive a "hit" to the account (i.e. the state deducts based on needs); he noted that there are a number of mill and overlays (listed under unfunded/underfunded projects) where state aid funds could be used. McMahon/Popp unanimous to approve the five-year road construction plan (2017-2021), Option C, as presented.

Byrd stated that the MN Transportation Alliance is planning a Transportation Candidate Forum at the Kelly Inn in St. Cloud on October 12<sup>th</sup>; he has been asked to attend and speak to the needs of Benton County for transportation funding. Byrd extended an invite to Board members.

Byrd updated Board members on the "3 Up the Hill" project in Sauk Rapids—paving from downtown to Summit Avenue is scheduled for this week, but may be pushed back because of the expected rain.

Monty Headley, County Administrator, explained that September 30<sup>th</sup> is the statutory deadline for certification of the County's proposed 2017 property tax levy and budget to the Auditor-Treasurer. He provided a summary of major factors in the proposed 2017 budget and levy:

- The proposed 2017 levy increases 1.8%, or \$343,505 from 2016, to a total of \$19,330,998
- The proposed levy keeps the increase below the 2.5% expected growth in the County's payable 2017 tax capacity, which translates into a small reduction in the County tax rate in 2017
- The proposed 2017 operating budget totals \$42,684,658, a reduction of \$2,417,671, or 5.4% from 2016
- The operating budget reduction is due primarily to a smaller road construction program next year
- The proposed budget adds three new positions:
  - A part-time (30 hour per week) Assistant County Attorney due to increased caseloads
  - A Case Aid/Human Resources Contact in Human Services to focus on maximizing revenue (billing for Social Worker time/relieving Social Workers of clerical tasks); and to manage recruitments for the Department
  - An Eligibility Specialist for Human Services related primarily to increased caseload from the MNSURE program
- The proposed budget adds \$25,000 to help the Benton Soil and Water Conservation District hire a Water Plan Technician to update and implement the County Water Plan

- The Highway Department maintenance budget is increased by \$100,000 to allow the Department to do more road patching (patching is typically done on short segments of road when only that segment needs immediate repair or when paved roads are dug up to replace culverts)
- \$100,000 is set aside in the proposed budget to support an update to the County's Comprehensive Land Use Plan (last updated in 2006)
- The Human Services budget for placements at the Anoka Regional Treatment Facility increases \$225,000 in the proposed budget; such placements have been occurring when a County resident who has committed a crime is placed in the facility by the Courts in its "treat to competency" program; in the short term, this cost increase is funded with reserves
- The County's Workers Compensation premiums will fall \$58,000 next year, a 24% reduction from 2016, reflecting fewer work-related injuries and less associated medical costs and lost time
- The proposed 2017 budget includes funding for the County's five-year Capital Improvement Plan (CIP), with projects totaling \$388,553 next year; replacing the County's aging telephone system is the largest project in the Plan, with an estimated cost of \$500,000 over two years; County reserves make up the primary funding source for the CIP

Peschl/McMahon unanimous to adopt Resolution 2016-#30, setting the proposed 2017 levy at \$19,330,998, and authorize the Chair to sign. Popp/Bauerly unanimous to adopt Resolution 2016-#31, establishing the proposed 2017 Benton County budget as presented, and authorize the Chair to sign.

Chair Buerkle announced that the Benton County Board of Commissioners will conduct a Truth in Taxation public meeting on Wednesday, December 7, 2016, at 7:00 PM in the Benton County Board Room.

Board members reported on recent meetings they attended on behalf of the county.

Peschl/Popp unanimous to set Committees of the Whole: October 12, Transportation Alliance St. Cloud Transportation Candidate Forum.

McMahon/Bauerly unanimous to adjourn at 11:07 AM.

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Spencer C. Buerkle, Chair  
Benton County Board of Commissioners

ATTEST:

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Montgomery Headley  
Benton County Administrator