

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 15, 2022

The Benton County Board of Commissioners met in regular session on February 15, 2022, in the Benton County Board Room in Foley, MN. Call to order by Chair Steve Heinen was at 9:00 AM followed by the Pledge of Allegiance to the flag. A roll call showed Commissioners Beth Schlangen, Scott Johnson, Steve Heinen and Ed Popp present. Commissioner Jared Gapinski was absent. Chair Heinen noted the absence excused.

County Administrator Montgomery Headley requested to amend the Regular Agenda to add the High School Property update at 9:40 AM and remove the discussion of the public documents related to the Benton County Auditor-Treasurer's residency at 10:10 AM. Due to Gapinski's absence, Headley suggested to move the discussion of the Auditor-Treasurer's residency to the next Regular Board Meeting on March 1, 2022. Motion by Popp and seconded by Johnson to approve the removal of the discussion of the public documents related to the Benton County Auditor-Treasurer's residency and to table it until the March 1, 2022 Regular Board Meeting. Motion carried unanimously. Then, Johnson motioned to approve the amended agenda. Seconded by Popp. Motion carried unanimously.

No one was present to speak under Open Forum.

Johnson requested to "pull" Consent Agenda item # 10 for further discussion. Motion by Johnson and seconded by Popp to approve the remaining Consent Agenda items 1 – 9 and 11 - 15: 1) approve the Regular Meeting Minutes of February 1, 2022 and authorize the Chair to sign; 2) approve the Letter of Support for East Central Energy's application for State Broadband grant funding and authorize the Chair to sign; 3) approve the Rum River Comprehensive Watershed Management Plan for a 90-day public comment period; 4) approve the 2022 Pay Equity Report; 5) approve the annual renewal for professional services contract with SafeAssure and authorize the Chair to sign; 6) approve an application for MN Lawful Gambling Exempt Permit for Columns Resource Group Foundations and authorize the Chair to sign; 7) approve an application for Exempt Permit for St. Elizabeth Church to conduct gambling and authorize the Chair to sign; 8) approve an application for Exempt Permit for Mid Minnesota Friends to conduct gambling and authorize the Chair to sign; 9) approve an application for Exempt Permit for Turn in Poachers (TIP) Brainerd Banquet to conduct gambling and authorize the Chair to sign; 11) approve an application for Exempt Permit for Duelm Area Lions Club to conduct gambling and authorize the Chair to sign; 12) approve the 2022 SCORE Grant Applications Round I as recommended by the SWAC; 13) approve the 2022 Solid Waste Haulers License Round II and authorize the Chair to sign; 14) approve the 2021 Federal Equitable Sharing Agreement and Certification and authorize the Chair to sign; 15) approve the two-year contract with Midwest Medical Examiner's Office of Anoka County and authorize the Chair to sign. Motion carried unanimously.

Johnson wanted to discuss Consent Agenda item # 10 regarding the application for County Combination On-Sale, Off Sale & Sunday Liquor License for 5116 TRC LLC d/b/a Two Rivers Campground. The campground's new owner Eric Kline was present to introduce himself to the County Board and provided

information about the up-grades and improvements that are being made to the campgrounds and requested the County Board to consider approving the combination On-Sale, Off Sale & Sunday Liquor license. Motion by Johnson and seconded by Popp to approve the application for County Combination On-Sale, Off Sale & Sunday Liquor License. Motion carried unanimously.

Next, Land Services Director Roxanne Achman provided a staff report regarding the public hearing to consider Ordinance #483 amending Benton County Development Codes. Achman stated that the Planning & Zoning staff and the Planning Commission have proposed the following to be amended to the Development Code: Section 3 regarding Definitions of the following: Auction Business, Feedlot, Temporary Sales, and Transient Merchant; Section 7 regarding Zoning Districts of the following: add Temporary Sales/Transient Merchant Stands to Permitted Accessory Uses and to add Auction Businesses to Interim Uses; Section 9 regarding Performance Standards of the following: correct formatting issue in Adult Uses, amend Mining Operation IUP length, add Auction Business performance standards, and add Temporary Sales/Transient Merchant stands performance standards; Section 10 regarding Subdivision Regulations: add County Engineer discretion for easement width. Chair Heinen opened the public hearing at 9:21 AM. No one from the public was present for the public hearing. The public hearing closed at 9:22 AM. Achman informed the County Board that there were no emails, letters or other communications to be read into the record. Achman also stated that the Department has not received any comments or concerns from any State agencies, cities or townships on this agenda item. Also, there was no official action required by the affected Township. Motion by Johnson and seconded by Schlagen to approve the proposed Ordinance #483 amending Benton County Development Codes. Motion carried unanimously.

Next on the Agenda was the review of the Benton County Credit Card Policy. Headley suggested that we table this until the next Regular Board Meeting because Headley has been having conversations with Auditor-Treasurer Nadean Inman on changes to the draft policy. Headley added that the Benton County Credit Card Policy should be in our fiscal policies as well. Motion by Johnson and seconded by Heinen to table until the next Regular Board Meeting. Motion carried unanimously.

Next, County Engineer Chris Byrd recommended that the County Board award a construction contract for tied projects SAP 005-599-027 & SAP 005-599-028. These two projects are bridge replacement projects on 115th St NE on the Township line between Mayhew Lake and Graham Township. The lowest responsible bidder was Marvin Tretter Inc., of Pierz, MN, which came in 13% below the Engineer's estimate. Motion by Popp and seconded by Johnson to adopt the resolution to award a construction contract to Marvin Tretter Inc. for \$383,564.50 for tied projects SAP 005-599-027 & SAP 005-599-028. Motion carried unanimously.

Next, Byrd presented the results of the Bid Opening of fiber material. The County Board had agreed to pre-purchase the fiber in hopes of getting the best price while we work on designing the project to install the fiber. On February 2, 2022 the sealed bids were opened. The County received 3 bids for the materials. Graybar from Brooklyn Park, MN was the lowest bidder with a price of \$2.19 per foot of 288 strand, single mode, armored fiber for a total of \$150,321.60. Popp had requested that we look at other grants to help fund this project. Motion by Johnson and seconded by Popp to accept the bids and to

approve the purchasing material from Graybar from Brooklyn Park, MN at the price of \$2.19 per foot of 288 strand, single mode, armored fiber. Motion carried unanimously.

Next, Byrd provided an engineer update to the County Board for informational purposes only. No motion was made; no action was taken.

The Regular County Board meeting was recessed at 9:43 AM to conduct a Human Services Board Meeting.

The Regular Board meeting reconvened at 9:44 AM.

Next, County Administrator Montgomery Headley provided the Administrator's Report through December 31, 2021. This item was for informational purposes only. No motion was made; no action was taken.

Next, Headley provided an update on redistricting and stated that redistricting would not be required at this time because all the districts fell within the threshold requirements. Headley explained changes to re-districting must be less than 414 people, or the individual must run for re-election. This item was for informational purposes only. No motion was made; no action was taken.

Next, Headley provided an update on the Old High School property. Headley stated that the City of Foley approved the rezoning of the property from Residential to Business, with the request of a 12-foot utility easement and a sidewalk along the West side of the property to be added. Headley added that Braun Intertec has tentatively completed Phase 1 of the study and will present the results at the March 1, 2022 Regular Board Meeting. The draft results show that it is still inconclusive if there are contaminated soils on the site. Headley stated that Braun Intertec proposed \$11,000 to complete Phase 2 of the study, which is less than the original quote of \$22,000, but Headley will reach out to another firm to acquire bids for an estimate of Phase 2 of the study. Headley stated that he will bring this to the next Regular Board Meeting on March 1, 2022 to be discussed and to possibly take action on. This item was for informational purposes. No motion was made; no action was taken.

Next, Headley provided an update on the County Assessor recruitment. Headley stated that they have one candidate that they would like to offer the position to upon a successful background check, and at this time, it is not necessary to use an Executive Search Firm for recruitment for our County Assessor. This was for informational purposes only. No action was taken; and no motion was made.

Next, Headley invited Benton Economic Partnership (BEP) Director Amanda Othoudt to make a request to the County Board to enter into an agreement with Maxfield Research and Consulting, LLC to complete a Comprehensive Housing Needs Analysis for Benton County and to contribute to the remaining cost of the housing study. The market study will determine the market potential for developing different types of owned and rented housing in Benton County through 2035 based on an examination of demographic and employment growth trends and current housing market conditions. The total cost of the housing study is \$34,000. The City of Rice, City of Foley and the St. Cloud HRA have committed to financially to the housing study by providing a total of \$7,500 in funding. Othoudt stated that BEP proposes to

facilitate the completion of the study with Maxfield Research and Consulting on behalf of Benton County. Motion by Popp and seconded by Johnson to approve the authorization for Benton Economic Partnership, Inc. to enter into an agreement with Maxfield Research and Consulting, LLC to complete a Comprehensive Housing Needs Analysis for Benton County and to contribute the remaining \$26,500 cost of the housing study to be paid from the County's Contingency Account fund. Motion carried unanimously.

Next, Community Health Supervisor Jaclyn Litfin provided an update on COVID-19. Litfin stated that as of yesterday, Benton County had 226 active cases, 13,618 total cases, 554 total hospitalizations, 95 total ICU cases, and 165 deaths total. Litfin reported that Benton County is still considered to be in the "High" category for level of community transmission according to the CDC guidelines, with a test positivity rate of 12.35%. Litfin stated that case counts seem to be on the decline for both adults and youth, and that hospitalizations have stabilized and testing centers have seen decreases in test positivity rates. Litfin provided the current recommendations in reducing the spread of COVID-19 are to get vaccinated, wear a mask, get tested, stay home when sick, wash hands, avoid large crowds, and avoid exposure. Litfin then provided information on getting vaccinated and testing sites. Litfin stated we will continue to monitor the data. Litfin is optimistic that we are on the decline. This item was for informational purposes. No motion was made; no action was taken.

Next, Headley requested direction on the face covering requirement for County employees set to expire on February 22, 2022. The County Board adopted a face covering requirement for County employees on January 11, 2022. The Policy included an expiration date of February 22, 2022. With the information that was provided today by Litfin, Headley was seeking direction from the County Board. Motion by Johnson to rescind the face covering requirement for County employees immediately. Seconded by Popp. Motion carried unanimously.

There were no Commissioner concerns to report at this time.

Next, County Board members reported on Commissioner updates and recent meetings they attended on behalf of the County.

Motion by Johnson and seconded by Popp to set the future Committee of the Whole Meetings: Friday, March 25, 2022 HWY 23 Coalition Annual Meeting for General Membership at the Park Event Center, 500 Division St, Waite Park, MN 56387 at 11:30 AM. Motion carried unanimously.

The Regular Board Meeting adjourned at 10:31 AM.

ATTEST:

Steven J. Heinen, Chair
Benton County Board of Commissioners

Montgomery Headley
Benton County Administrator