

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
APRIL 5, 2022

The Benton County Board of Commissioners met in regular session on April 5, 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, Jared Gapinski and Ed Popp present.

Heinen requested a moment of silence following the Pledge of Allegiance to honor the loss of Benton County Jail Administrator Todd Mastey.

Motion by Johnson and seconded by Gapinski to approve the agenda as written. Motion carried unanimously.

Tom Haaf of 2730 15th St NE Sauk Rapids, MN 56379 was present to speak at the Open Forum. Haaf shared concerns about property tax increases, as well as his concerns with an article in the Sauk Rapids Herald on February 26, 2022 regarding the City of Sauk Rapids and Sauk Rapids-Rice Schools being “better together” and Haaf stated these two entities should remain separate from each other.

Motion by Popp and seconded by Johnson to approve Consent Agenda items 1 – 10: 1) approve the Regular Meeting Minutes of March 15, 2022 and authorize the Chair to sign; 2) approve the Committee of the Whole Meeting Minutes of March 7, 2022 and authorize the Chair to sign; 3) approve the Credit Card Acceptance Policy; 4) accept and file a summary of the March 15, 2022 Department Head Performance Evaluations; 5) approve the eleven (11) permits to host special events at Rollies, LLC. requested by Deanna Rosa; 6) approve the application for County On-Sale & Sunday Sale Liquor License for Granite City Motor Park, 2540 Golden Spike Road NE, Sauk Rapids, MN 56379 and authorize the Chair to sign; 7) approve the appointment of Christopher Vannurden to the Planning Commission to fill the remaining term for Alphonse Brenny ending December 2022; 8) accept the Annual Emergency Management Grant (EMPG) for 2021 and authorize the Chair to sign; 9) approve the equipment lease agreement with Sauk Rapids and authorize the Chair to sign; 10) approve the modification of Intergovernmental Agreement with US Marshals Service and authorize the Chair to sign. Motion carried unanimously.

Regular Board Meeting recessed at 9:05 AM to conduct the Economic Development Authority (EDA) meeting.

Regular Board Meeting reconvened at 9:13 AM.

Next, Auditor-Treasurer Nadean Inman discussed the VEGA-3 election grant award. Inman stated that the VEGA-3 election equipment grant was awarded to Benton County in the amount of \$37,180.38. Minnesota Statutes §206.57, Subd. 5 requires that an assistive voting device be used in all elections. Assistive Voting Devices allow private and independent voting for voters with disabilities. They are a separate piece of equipment from the tabulators and do not tally ballots, they are simply a ballot

marking device. Inman stated the current assistive voting devices, Automark machines, were purchased May 2006 making them 16 years old. Inman requested purchasing the new tablets (24 all together) for a total of \$101,600. Inman stated that they can use the grant that was awarded to purchase the new tablets but is requesting the County Board to consider providing the additional \$65,000 to cover the remaining costs of the new tablets. Inman added that if we do not spend the grant amount that was awarded to us by April 29, 2022, we will have to send the grant money back. Motion by Johnson and seconded by Gapinski to table this discussion to the next Regular Board Meeting, where County Administrator Montgomery Headley can look at where the additional funds to cover the remaining costs of the new tables will come from. Gapinski added that he is in favor using the grant funds to purchase the new tablets, but “we need to find where the other funds will come from”. Motion carried unanimously.

Next, Chief Deputy Sheriff Neal Jacobson requested County Board approval of the proclamation for National Public Safety Telecommunicator’s Week in Benton County from April 10, 2022 to April 16, 2022. Motion by Heinen and seconded by Johnson to approve the proclamation for National Public Safety Telecommunicator’s Week in Benton County from April 10, 2022 to April 16, 2022. Motion carried unanimously.

Next, Human Services Director Robert Cornelius requested the Board to reconsider two different positions (Child Support Officer and Fiscal Supervisor) for review with David Drown and Associates (DDA). Cornelius stated that as part of the 2021 Class and Comp Study, the Fiscal Supervisor position was downgraded by two full grades. Cornelius added that there seems to be disconnect between the final DDA conclusion and the importance and complexity of the \$15 million Human Services budget and that warrants a re-evaluation of the job description. Cornelius is requesting the County Board to consider this proposal. The cost to re-evaluate the position is \$200.00. Headley noted that if the position changed, that it would retro back to today’s date. Motion by Popp and seconded by Gapinski to submit the Fiscal Supervisor position for review with David Drown and Associates. Motion carried unanimously.

Next, Cornelius stated the Child Support Officer (CSO) team has requested to have the CSO position re-evaluated by DDA to determine the need for a Lead position or a Senior position. The CSO team has made multiple requests to the Board, Admin and DH. Cornelius is requesting that the Board consider this proposal to re-evaluate the CSO position for possible career advancement Lead position and/or Senior position opportunity. Cornelius stated that whatever is decided by DDA regarding this position, whether to create a Senior position, or a Lead position or no change at all, that that decision stands, and there will be no further discussion on this position. Headley cautioned on creating additional senior positions and it is better to look at any new job additions County-wide through a Class and Comp Study. Motion by Gapinski and seconded by Popp to send the Child Support Officer position to be looked at by David Drown and Associates for their recommendation to be brought back to the County Board. Motion carried unanimously.

The Regular County Board meeting was recessed at 9:54 AM to conduct a Human Services Board Meeting.

The Regular Board meeting reconvened at 10:03 AM.

Next, Benton Soil and Water Conservation District (SWCD) District Manager Gerry Maciej provided a review of the 2021 SWCD's annual report. This topic was for informational purposes only. No action was taken; no motion was made.

Next, County Engineer Chris Byrd provided information on the MNDOT Detour Agreement 1049444. MNDOT is planning a reconstruction project on MNTH 23 starting in Foley and continuing to Milaca this summer. This project includes the construction of a roundabout at 8th/Penn Street in Foley, a road widening at Benton County CSAH 6, CSAH 7, and CSAH 9, and a mill-and-overlay in between. During construction MNDOT proposes to detour all traffic onto Benton County CSAH 4 from Foley to Mille Lacs County. For the use of our roadway for the duration of the construction, MNDOT will pay Benton County \$78,945.30. Headley added that the Sheriff's Office has been notified of how the traffic patterns are going to change. Motion by Johnson and seconded by Popp to approve the MNDOT Agreement 1049444 and authorize deposit proceeds into the Road and Bridge Fund and adopt the resolution. Motion carried unanimously.

Next, Headley requested the County Board to consider a Resolution establishing a loan from the Solid Waste Fund to the Road and Bridge Fund for the purchase of the Eisenschenk property. The County completed the purchase of the Eisenschenk property in 2021 for use as a gravel source for County roads. County Board intentions at the time were to use a loan from the County's Solid Waste Fund to finance this purchase. The Resolution formally establishes this loan to the Road and Bridge fund in the amount of \$1,203,727, with annual payments of \$60,186 over 20 years. There is no requirement for the repayment to include interest cost. Motion by Johnson and seconded by Gapinski to adopt the Resolution establishing a loan from the Solid Waste Fund to the Road and Bridge Fund for the purchase of the Eisenschenk property. Motion carried unanimously.

Next, Heinen requested the County Board to consider a Resolution to declare April 26th County Government Appreciation Day. The National Association of Counties (of which Benton County is a member) encourages counties to recognize April as "National County Government Month." Part of that recognition can involve declaring April 26th as County Government Appreciation Day to acknowledge the work of County employees and their contributions to our community. Motion by Popp and seconded by Gapinski to adopt the Resolution to declare April 26th County Government Appreciation Day. Motion carried unanimously.

There were no additional comments by Commissioners under Comments by Commissioners (general comments by Board Members on Topics not requiring County Board action).

Motion by Johnson and seconded by Heinen to conduct a closed meeting of the County Board under MN Statutes §13D.05, Subdivision 3(b), as permitted by the attorney client privilege. Attorney Scott Anderson of Rupp, Anderson, Squires & Waldspurger, PA requested that the Board's motion to move to a closed session include a statement that the purpose of the closed session today is to discuss litigation authorized by the County Board on March 1, 2022 on the question of the Auditor-Treasurer's County

residency. The proposed language was agreeable to the motion-maker and the second. Motion carried unanimously.

Motion by Johnson and seconded by Gapinski to recess the closed session at 11:50 AM to attend the Committee of the Whole Meeting Luncheon with the Benton Soil and Water Conservation District at Jack & Jim's in Duelm, MN.

Regular Board Meeting reconvened at 1:46 PM.

Motion by Johnson and seconded by Gapinski to conduct a closed session of the County Board under MN Statutes §13D.05, Subdivision 3 to evaluate the performance of an individual subject to County Board authority; Chair Heinen announced that today's closed session covers performance evaluations for the Public Works Director/County Engineer Chris Byrd and the County Administrator Montgomery Headley. Motion carried unanimously.

Motion by Gapinski and seconded by Johnson to adjourn the closed session at 2:36 PM. Motion carried unanimously.

Regular Board Meeting reconvened at 2:37 PM.

Motion by Johnson and seconded by Gapinski to set the future Committee of the Whole (COW) Meetings: amend the Monday, April 18, 2022 Public Works COW to add the topic of discussion of ARPA Funds, which will then read: 1) Discussions on Local Option Sales Tax, 2) 5-Year Road Plan, 3) Driveway Policy, 4) Discussion of ARPA Funds, Benton County Boardroom, Foley, 9:00 AM; to change the date of the Tuesday, May 24, 2022 HSEM Training for Elected Officials on emergency management responsibilities, County Boardroom to Tuesday, September 27, 2022, Foley, 9:00 AM. Motion carried unanimously.

Motion by Gapinski and seconded by Popp to adjourn the Regular Board Meeting at 2:44 PM.

ATTEST:

Steven J. Heinen, Chair
Benton County Board of Commissioners

Montgomery Headley
Benton County Administrator