

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JANUARY 22, 2019

The Benton County Board of Commissioners met in regular session on January 22, 2019 in the Benton County Board Room in Foley, MN with Commissioners Ed Popp, Spencer Buerkle, Jake Bauerly, and Steve Heinen present and Commissioner Warren Peschl absent (excused). Call to order by Chair Bauerly was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Buerkle/Heinen unanimous to approve the agenda as written.

No one was present to speak under Open Forum.

Popp/Heinen unanimous to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of January 8, 2019 as written; 2) approve 2018 Pay Equity Report for Benton County as presented; 3) accept and file VSO Quarterly Report—September to December 2018; 4) approve Application for Exempt Permit for *Mid Minnesota Friends* to conduct a raffle at Jack & Jim's Event Center, 11025 Duelm Road NE, Foley, on March 2, 2019; 5) approve Application for Exempt Permit for *St. Elizabeth Church* to conduct a raffle, bingo and pull-tabs at the St. Elizabeth Church basement, 16454 – 125th Avenue NE, Foley, on March 8, 2019, March 22, 2019, June 23, 2019 and October 27, 2019; 6) approve Application for Exempt Permit for *Turn In Poachers (TIP) Duelm Banquet* to conduct a raffle at Jack & Jim's Event Center, 11025 Duelm Road NE, Foley, on March 14, 2019; and 7) approve Purchase Money Security Agreement for S.C.O.R.E. Grant—*Independent School District 51/Foley Public Schools*—for TriMark Hockenbergs Organic Recycling Station and Signage, and authorize the Chair to sign.

Heather Bondhus, Senior Deputy Auditor, presented a request by the St. Cloud Housing and Redevelopment Authority (HRA) to purchase a house located at 127 Columbia Avenue NE, St. Cloud; the property is abandoned and boarded up. Bondhus explained that MN Statute 282.01 allows County Boards to sell tax-forfeited properties to other units of government for the removal of blight or to create affordable housing. Bondhus stated that the St. Cloud HRA plans to partner with Central MN Habitat for Humanity to tear down the existing house and build new, affordable housing on the lot; the St. Cloud HRA has offered to pay 1% below the estimated market value for the property. She noted that the Land Services Director believes the offer price is reasonable given the fact that the house must be torn down. Buerkle/Popp unanimous to adopt Resolution 2019-#4, accepting the offer of the St. Cloud HRA of \$29,700 and approving the conveyance of tax-forfeited parcel 17.00272.00 to the St. Cloud HRA, and authorize the Chair to sign.

Roxanne Achman, Department of Development Director, presented the minor final plat of "Brandon Acres" in East Langola Township, submitted by John and Helen Brandon, stating that the applicant has requested to split a 20.11 acre parcel into two 9.67 acre lots to construct two single family houses; both lots are sewerable. Buerkle inquired about the odd lot sizes below ten acres. Achman stated that the lot sizes of 9.67 acres are a result of setting aside road right-of-way. Popp/Heinen unanimous to approve the final plat of "Brandon Acres", as recommended by the Planning Commission, and authorize the Chair to sign the final plat.

Achman explained that the AIS (Aquatic Invasive Species) Task Force has been created; one responsibility of the Task Force is to consider applications for AIS funding. She stated that the Task Force is recommending a policy that would give the Task Force the authority to approve grants up to

\$2,500 (these Task Force funding decisions would still be reported to the County Board for information); any amount over \$2,500 would be brought to the County Board for Board approval. Achman clarified that grants would require a 10% match from the project applicant. She stated her recommendation that Task Force members be eligible for a \$60 per diem and mileage reimbursement at the IRS mileage rate, noting that other Boards, i.e. Planning Commission, Board of Adjustment, Solid Waste Advisory Committee, receive a per diem and mileage. Buerkle/Popp unanimous to allow the AIS Task Force to approve grants up to \$2,500 and authorize the \$60 per diem and mileage reimbursement for Task Force members.

Achman presented an amendment to extend the contract for services with Wenck Associates, Inc. to increase the cost of services to be provided in order to complete the update of Solid Waste Ordinance No. 162. Heinen/Buerkle unanimous to approve the amended contract, extending the expiration of the contract to March 31, 2019, increasing the contracted service amount by \$4,573.00, and authorize the Chair to sign.

Achman reported on a recently-released Benton County Waste Management tool that will allow users to search how and where to dispose of waste and other materials within the Tri-County area; the tool, called the Waste Wizard, can be used online or from a phone or tablet by downloading the app from Google Play or the iOS Store. She noted that, in addition to the search option, the app has an Upcoming Events calendar which will list known waste and/or recycling events; the app also has a Waste Sorting Game, *Route Your Rubbish*, which is educational and tests the user on their knowledge about sorting waste and other materials.

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

A public hearing to consider Ordinance #470, amending Benton County Development Code Ordinance #185, to amend the required setbacks from County Roads in all zoning districts, was opened at 9:32 AM. Achman explained that the Public Works Department has requested an amendment to the required setbacks of structures from county roads; staff has discovered that Benton County has some of the stricter road setbacks in comparison to other central Minnesota counties. Achman noted that, in a number of cases, the stricter road setbacks has resulted in the creation of non-conforming lots; Public Works staff and Department of Development staff worked together to adjust the required setback to best protect the property owner, the public and the County. She pointed out that the Mayhew Lake Township Board is in full agreement with the requested amendments. With no one present speaking in support or in opposition to the proposed ordinance, the public hearing was closed at 9:37 AM. Popp/Heinen unanimous to approve Ordinance #470, amending Benton County Development Code Ordinance #185, to amend the required setbacks from County Roads in all zoning districts, as recommended by the Planning Commission, and authorize the Chair to sign.

The Regular County Board meeting was recessed at 9:39 AM to conduct a Human Services Board meeting.

The Regular County Board meeting was reconvened at 9:52 AM.

Under Commissioner Concerns, Commissioner Buerkle suggested that the Board have some discussion with regard to legislative priorities/talking points to present at the February AMC Legislative Conference. Commissioner Bauerly inquired about the process for approval to participate in the APO trip to Washington, D.C. to lobby for transportation project funding. Monty Headley, County Administrator,

stated that the policy requires County Board consent for out-of-state travel; he will place these two items on the agenda for the February 5th County Board meeting.

Popp/Heinen unanimous to set Committees of the Whole: February 6, Employee Recognition; February 7, Career Solutions Annual Meeting; and February 21, Benton County Association of Township Officers Meeting.

Popp/Heinen unanimous (at 10:15 AM) to close the meeting of the County Board, pursuant to MN Statutes §13D.05, Subdivision 3(b) for attorney-client privilege discussion between the County Board and legal counsel.

The Board returned to open session at 10:52 AM.

Heinen/Buerkle unanimous to adjourn at 10:53 AM.

A. Jake Bauerly, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator