

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
FEBRUARY 4, 2020

The Benton County Board of Commissioners met in regular session on February 4, 2020 in the Benton County Board Room in Foley, MN with Commissioners Spencer Buerkle, Warren Peschl, Steve Heinen and Ed Popp present and Commissioner Jake Bauerly absent (excused). Call to order by Chair Buerkle was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Peschl/Heinen unanimous to approve the amended agenda (add item: Application for MN Lawful Gambling Permit—*Northern Lights Royal Rocky Mountain Elk Foundation*).

Henry Oehrlein (3425 Golden Spike Road) was present under Open Forum, noting a number of concerns with a neighboring property, including issues with snow plowing and the many miscellaneous items being stored on the property. Also speaking under Open Forum was Trevor McConnell (1993 – 2<sup>nd</sup> Street SE, St. Cloud) who spoke of the “major drainage issues” on the western side of the county. He commented “...we had a meeting on County Road 75 behind the old Honda House...they tore that old railroad spur out of there and we had all that rain...that railroad grade is washed down into Ditch Number 3 now, causing all the water to come south across our property...the culvert under Number 8, which they are going to reclaim or are supposed to reclaim this year...the culvert can’t handle it...before the water can hit the top of that culvert even, we’ve got a foot of water in our fields...that water is supposed to run into Sauk Rapids and it can’t get there because this ditch is blocked off...this is a county ditch...I said I would personally clean part of that out...if they cleaned out the spot next to 75...and nothing has yet to be done...I think we should enlarge that culvert while we have the road torn up...” Also speaking under Open Forum was Stephen Ertl (565 – 14<sup>th</sup> Avenue NE) who stated his agreement with Trevor McConnell’s statements regarding County Ditch 3, commenting “...I’ve lived on that property for 32 years and nothing has been done...it’s all over-growth...something needs to get done now...my basement floods out every year...there’s ditch cleaning money for this to get done...”

Peschl/Popp unanimous to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of January 21, 2020 as written; 2) accept and file Management Team Meeting Minutes of December 12, 2019 as written; 3) accept and file Administrator’s Report—Monthly Financial Report as presented; 4) approve Amendment #1 to Snowmobile Safety Enforcement Grant Contract, and authorize the Chair to sign; 5) adopt Resolution 2020-#6, accepting donation to Sheriff’s K-9 Fund from the *Greater St. Cloud Public Safety Foundation*, and authorize the Chair to sign; 6) approve Application for Exempt Permit for *Turn In Poachers Duelm Banquet* to hold a raffle at Jack & Jim’s Event Center, 11025 Duelm Road NE, Foley, on March 26, 2020; 7) approve Application for Exempt permit for *Foley Area Ducks Unlimited* to hold a raffle and bingo at Jack & Jim’s Event Center, 11025 Duelm Road NE, Foley, on April 19, 2020; 8) approve amended contract with *Hoisington Koegler Group, Inc.*, extending the expiration of the contract to May 31, 2020, and authorize the Chair to sign; and 9) approve Application for MN Lawful Gambling Permit for *Northern Lights Royal Rocky Mountain Elk Foundation* to hold a raffle at Jack & Jim’s Event Center, 11025 Duelm Road NE, Foley, on February 29, 2020.

Roxanne Achman, Department of Development Director, explained that the plat of Benton County Boundary Commission Plat No. 1 was adopted by the County Board on January 21, 2020 at a public hearing; since that date, the property owners of Lots 8 and 9 have placed both of their lots into the same name, which allows the parcels to be combined due to Lot 8 being nonconforming and under common ownership with an adjacent lot. Achman stated that an easement just outside of the plat

boundaries is also being corrected to reflect a 33-foot cartway rather than the 66-foot cartway shown. Popp/Peschl unanimous to approve Resolution 2020-#7, adopting the amended plat of Benton County Boundary Commission Plat No. 1, and authorize the Chair to sign the resolution.

Steve Stang, IT Director, reported that, as part of the county's iSeries (AS400) sunset roadmap, staff have been moving applications from the AS400 to Windows-based systems; as of January 2020, there are three large programs that are still on the AS400—Tax, CAMA and Payroll. Stang noted that the AS400 is a specialized skillset in IT and the position responsible for it is planning for retirement soon; IT will not seek to replace this skillset going forward—instead, they recommend a partnership with CPS Technology Solutions to manage and support the AS400 through a managed services contract until the remaining AS400 software systems have been moved to Windows-based systems by the software vendors. Popp/ Heinen unanimous to approve the iSeries Managed Services Contract with *CPS Technology Solutions*, and authorize the Chair to sign.

Chris Byrd, County Engineer, explained that funding of specific road construction projects is often a topic of conversation; however, funding of maintenance activities is seldom talked about. He provided background information on the Highway User Tax Distribution Fund; there is general consensus amongst all 87 counties on how to split up the gas tax revenue through the CSAH fund. Byrd pointed out that Benton County's 2019 State Aid CSAH Allotment was about \$4.4 million—60% must go toward construction projects and 40% toward maintenance activities (regular CSAH and municipal). He noted that maintenance includes routine maintenance, minor surface repair, cleaning of culverts, ditches and bridges, brush and weed control, snow and ice control, and traffic services. Byrd stated that, over the last five years, Benton County received state funding totaling \$7,505,907; however, maintenance expenditures totaled \$7,852,285—the difference of \$346,378 is what the county spent on CSAH roads that were not reimbursed by state aid maintenance.

Engineer's Update: Byrd informed the Board that the annual in-service bridge safety inspections for 2019 have been completed—95 of 112 bridges were inspected, 65 of those bridges are on the CSAH system and 30 of those bridges are on township roads or in the City of Foley. He stated that, as a result of those bridge inspections, 13 bridges (12%) have been classified as structurally deficient (up from 6 bridges last year). Byrd stated his intent to bring forth a resolution at the next Board meeting that prioritizes the replacement of those bridges, which is one of the first steps in applying for state bridge bonding.

The Regular County Board meeting was recessed at 9:37 AM to conduct a Human Services Board meeting.

The Regular County Board meeting was reconvened at 9:43 AM.

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

Under Commissioner Concerns, Commissioner Peschl inquired of the highway department fee for plat review. Chris Byrd, County Engineer, explained that the \$50.00 plat review fee has been on the approved fee schedule; however, up to this point, it hasn't been charged. He stated that, going forward, this fee will be collected; staff will do their best to get the word out to potential developers.

Under Commissioner Concerns, Commissioner Buerkle reported that he had received a number of calls regarding making Benton County a sanctuary county for the second amendment. No action taken.

Peschl/Popp unanimous to set Committees of the Whole: February 13, Career Solutions Annual Workforce Development Highlights; March 18, 2020 Transportation Day at the Capitol (also to reschedule the February 24<sup>th</sup> Annual Goal-Setting).

Peschl/Heinen unanimous to conduct a closed meeting of the County Board (at 10:03 AM), pursuant to MN Statutes §13D.03, Subdivision 1, to consider strategy for labor negotiations.

The Regular County Board meeting was reconvened at 10:37 AM.

Chair Buerkle adjourned the meeting at 10:38 AM.

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Spencer C. Buerkle, Chair  
Benton County Board of Commissioners

ATTEST:

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Montgomery Headley  
Benton County Administrator