

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
FEBRUARY 16, 2021

The Benton County Board of Commissioners met in regular session on February 16, 2021 in the Benton County Board Room in Foley, MN with Commissioners Scott Johnson, Ed Popp, Jared Gapinski, Steve Heinen and Beth Schlangen present (Johnson and Schlangen attended virtually). Call to order by Chair Popp was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Gapinski/Heinen unanimous to approve the agenda as presented.

No one was present to speak under Open Forum.

Gapinski requested that Consent Agenda item # 7 be pulled and moved to regular agenda. Chair Popp Invited Mike Harvey, Land Services Director to speak about Agenda item # 7. Johnson/Gapinski unanimous to approve the remaining Consent Agenda: 1) approve the Regular Meeting Minutes of February 2, 2021 as written; 2) accept and file Committee of the Whole Meeting Minutes of February 2, 2021 as written; 3) approve annual renewal for professional services contract with SafeAssure and authorize Chair to sign Resolution 2021- #8; 4) increase half-time Auditor-Treasurer DMV position to 40 hours per week; 5) adopt Resolution approving application for exempt permit for Clear Lake Lions to hold a raffle at Jack and Jim's Convention Center, 11025 Duelm Road NE, Foley on March 13, 2021 and authorize Chair to sign; 6) approve application for exempt permit for St. Elizabeth Church to hold a Raffle, Bingo and Pull-Tabs at St. Elizabeth Church basement, 16454 125th Ave NE, Foley on June 27, 2021 and October 17, 2021; 8) establish a Special Board of Appeal and Equalization for the 2021 assessment year and appoint members; set compensation for members at \$150.00; set date and time of meeting for June 14, 2021 at 6:30 PM; 9) approve 2021 SCORE Grant Applications Round I as recommended by the Solid Waste Advisory Committee; 10) approve 2021 Solid Waste Hauler Licenses Round II - Pierz Sanitation Inc., Republic Services Inc. Sauk Rapids, and Vanderpoel Disposal and authorize the Chair to sign; and 11) approve administrative agreement between City of Foley and Benton County and authorize the Chair to sign.

Consent Agenda item #7 (approve Ratification and signing of Ratification Statements for Tax and CAMA contracts between MNCCC and Conduent State and Local Solutions, Inc., through December 2023), Gapinski questioned the Consent Item and Land Services Director Mike Harvey informed the Board that this would be continuing maintenance on the already existing tax and CAMA we have in place. Harvey said he wants to keep the tax and CAMA systems going for the next three years and if we don't agree to this now, there will be early withdrawal fees. Gapinski thanked Harvey for the clarification. Popp inquired about expenses and asked if there were any grants available for this new program. Harvey stated that we have already budgeted for two-thirds of the expense and would need an additional \$90,000. Gapinski/Heinen unanimous to approve Consent Agenda item # 7 regarding the approval of Ratification and signing of Ratification Statements for Tax and CAMA contracts between MNCCC and Conduent State and Local Solutions Inc., through December 2023 and authorize the Chair to sign.

The next item on the agenda was the Employee Recognition Award Ceremony, where Amanda Edwards, Office Support Specialist in Human Services, was nominated by Social Worker Lindsey Bartosch under the "Innovation and Efficiency" category. Edwards received the award and was presented with a certificate, along with a \$100.00 gift card for her efforts.

Amanda Othoudt from the Benton Economic Partnership presented BEP's "Round One" Business Assistance Grants recommendations. Othoudt gave an updated list that morning for the Board to review which stated BEP had 71 applications received totaling \$914,488.00 requested, with \$787,399.76 available to be expended. Othoudt stated that of the 71 applications received, 43 have been approved, 16 were rejected (they were either home-based businesses or the business revenues increased over comparison periods), 3 late submissions, 7 applications were waiting for additional information, and 2 were non-compliant with city or county ordinances. The total amount for the 43 applications that were approved is \$365,887.50 which leaves \$421,512 left to allocate in Round 2 March 2nd. Of the \$421,512 left over, BEP wants to review applications received to date and identify ways to reallocate funds to the businesses that have already applied. Gapinski questioned the Grant amounts and how they were calculated. Othoudt said they looked at comparison periods of November through December 2019 and November through December 2020 and they looked at the increase or loss of revenue during that time period. If the loss of revenue was greater than \$10,000, and as long as the business met the criteria, it is recommended the business receive \$10,000. However, if the loss was less than \$10,000, businesses that met the criteria are recommended to receive that amount of loss. Sole proprietors would receive half of their loss during that period as well. Popp questioned if we had enough losses to match the remaining Grant monies that are left over. Othoudt calculated the current loss of the businesses to be over \$4 million from 2019 to 2020. Motion by Heinen to approve "Round One" of Business Assistance Grant Recommendations provided no current tax liens and to review the late applications from the Benton Economic Partnership. Second by Gapinski. Motion carried per roll call vote with Gapinski, Heinen, Schlangen and Popp voting aye. Johnson abstaining from vote because of lack of time to look over new list. Johnson stated he is supportive of the Grant recommendations but feels he should abstain at this time.

Next, Othoudt requested a Resolution calling for public hearing for property tax abatement on "Project Capers", a.k.a. Performance Food Group in Rice. Benton County and the City of Rice have received a request for tax abatement assistance in the form of "pay as you go" property tax abatement financing, submitted by the developer. The request is related to a proposed expansion of an existing facility in the City of Rice which includes two phases. Phase 1 includes demolition, phase 2 adds 25,000 square feet to the plant. Estimates to create 22 new jobs within 2 years with an average salary of \$45,000 per year. The company currently employs 285 full-time employees. Total tax abatement requested is \$600,000, with \$200,000 requested from the city and \$400,000 requested from the County over a period of 15 years. The abatement request is only on the new taxable value. The assistance would be used to finance certain costs of the demolition and construction of the \$12.4 million dollar project. Othoudt is looking for approval of Resolution 2021- #9 calling for a Public Hearing March 16, 2020 on the Proposed Property Tax Abatement and authorize the Chair to sign. Motion by Johnson to approve and second by Gapinski. Motion carried per roll call vote with Johnson, Schlangen, Popp, Gapinski and Heinen voting

aye.

Department of Development Director Roxanne Achman asked the Board to consider a Resolution Proposing Benton County Boundary Commission Plat No. 1 Special Assessment Distribution, Term and Rate, and set a Public Hearing. Achman referenced the discussion on this matter at the February 2, 2021 County Board Committee of the Whole Meeting where they went over the total cost of \$66,925.63, which would be \$2,991.81 per parcel, including the township for public right of way. The term was set at 10 years with a rate of 2% from the date of the adoption of the assessment resolution. Achman would like to set the Public Hearing date for March 16, 2021 at 9:00 AM. Motion by Johnson to approve the Resolution 2021 - #10 with second by Heinen and authorize the Chair to sign. Motion carried per roll call vote with Johnson, Schlangen, Popp, Gapinski and Heinen voting aye.

The second agenda item, Achman asked to Consider Awarding RFP to Allied Waste Services of North America, LLC, d/b/a Allied Waste Services of Sauk Rapids/Republic Services of Sauk Rapids for services related to Amnesty Days for 2021-2024. Achman stated they have been working with them for the last six years and they were the only ones to submit a bid for this event. Costs do increase each year, as to be expected. It is unclear if we will have Amnesty Days at the Sauk Rapids High School in June since the school tends to be busy with activities on weekends. The school is pushing for a much cleaner sweep immediately after the event too. After discussions with Public Works, we may hold both spring and fall Amnesty Days events at the Benton County Highway Department in Foley. Motion by Gapinski to approve Allied Waste Contracts through years 2021 through 2024. Second by Heinen. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

Regular County Board meeting was recessed at 9:41 AM to conduct a Human Services Board Meeting.

Regular Board Meeting was reconvened at 9:44 AM.

County Engineer Chris Byrd presented the Agenda item regarding the Local Road Improvement Plan (LRIP) grant applications. The LRIP Grant program is available to Counties, Cities, Small Cities and Townships across the State. This Grant is intended to be used on road projects with a minimum life expectancy of 10 years as opposed to regular road maintenance project like patching or filling in cracks. Applications are due March 3, 2021. They anticipate the projects will be awarded in May. There are individual projects that have Resolutions to consider that accompany the Grant Application.

Byrd started with the County road projects. First one Byrd would like consideration on is CSAH 1. We could apply for LRIP to cover local match to Federal funding and for other project expenses to continue this reclaim project. We could also apply for doing a reclaim on this road up to CSAH 2. This would be an easy Grant to apply for and an easy project to deliver according to Byrd. Motion by Heinen to adopt the Resolution 2021 - #11 to support County Road 1 reclaim project from County Road 78 to CSAH 2 and authorize the Chair to sign. Second by Gapinski. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

The second project Byrd presented to the Board to submit was the Local Road Improvement Program Grant Solicitation/Adopt Resolution of support for CSAH 3 to reclaim project from Gilman to Morrison

County. Motion by Gapinski to adopt Resolution 2021 - #12 support the reclaim for CSAH 3 from Gilman to Morrison County and to authorize the Chair to sign. Second by Johnson. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

The third project Byrd presented to the Board for approval to submit was the Local Road Improvement Program Grant solicitation/adopt a Resolution of support for CSAH 21 to reclaim project from Rice to Morrison County. This would be ready by 2023 which would be in alignment with Grant requirements. Motion by Johnson and second by Popp to adopt Resolution 2021 - #13 to do a reclaim on CSAH 21 from Rice to the Morrison County line and authorize Chair to sign. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

The fourth project Byrd presented to the Board to submit the Grant application for local road improvement program Grant application/adopt Resolution of support for Langola Township Grant Application for "165th Street improvement". Byrd said that Townships are responsible for seeking a consultant to prepare the plans. Byrd also stated Townships are required to cover the costs that the Grant does not cover if awarded. Motion by Gapinski to approve to adopt Resolution 2021 - #14 in support of Langola Township Grant Application for "165th Street improvement" and authorize Chair to sign. Second by Heinen. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

The fifth project Byrd presented to the Board to submit the Grant application for local road improvement program Grant application/adopt Resolution of Support for Watab Township Grant application for "Sucker Creek Road Improvements". This project would happen at the same time as the County would replace the bridge over Sucker Creek Road. Motion by Johnson to approve and adopt Resolution 2021 - #15 and to authorize the Chair to sign the Grant application for improvements to "Sucker Creek Road". Second by Popp. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

The sixth project Byrd presented to the Board to submit the Grant application for local road improvement program Grant Application/Adopt Resolution of Support for the City of Rice Grant Application for "Gateway Drive Improvement Project". Motion by Heinen to approve and adopt Resolution 2021- #16 to submit Grant application for "Gateway Drive Improvement Project" and to authorize Chair to sign. Second by Johnson. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

Last project Byrd presented to the Board to submit the Grant application for local road improvement program Grant Application/Adopt Resolution of Support for Minden Township Grant Application for "Shadowwood Dr NE Project". Motion by Gapinski to approve Resolution # 2021 - #17 to submit Grant application for "Shadowwood Dr NE Project" and to authorize the Chair to sign. Second by Schlangen. Motion carried per roll call vote with Schlangen, Johnson, Popp, Gapinski and Heinen voting aye.

Headley presented the Draft Joint Powers Agreement governing the Rum River Comprehensive Water Management Plan ("One Watershed - One Plan"). Assistant County Attorney Michelle Meyer and Gerry Maciej from Benton Soil and Water Conservation District were present virtually. Headley asked the

County Board to review the documents and let staff know if the Board is comfortable with the proposed structure of this new organization. Meyer stated that the current plan is to go forward with a Joint Powers Entity and not a Joint Powers Collaboration. The goal would be to protect the individual parties, to protect the fiscal agent and to overall limit the liability that you might get when you don't have a separate entity. Proposed powers of this entity include the ability to contract, accept and apply for grants, and accept funds or accept gifts. The Joint Powers Organization would not have the power to hire employees, own real property, nor have the ability to levy or incur debt. Popp noted this was not a unanimous decision among the member counties and SWCDs. The County Board by consensus agreed to move forward with the proposed Joint Powers Agreement.

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

There were no Commissioner Concerns.

Heinen/Gapinski to set Committees of the Whole: Tuesday, March 23, 2021 at 9:00 AM Vetter Johnson office space options, local assessing options, Tax/CAMA options and 5-year road program.

Meeting adjourned at 10:52 AM

Edward D. Popp, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator