

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
FEBRUARY 19, 2019

The Benton County Board of Commissioners met in regular session on February 19, 2019 in the Benton County Board Room in Foley, MN with Commissioners Jake Bauerly, Steve Heinen, Warren Peschl, Ed Popp and Spencer Buerkle present. Call to order by Chair Bauerly was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Peschl/Heinen unanimous to approve the agenda as amended—delete the County Engineer’s eminent domain resolution item and add an Engineer’s Report.

No one was present to speak under Open Forum.

Buerkle/Popp unanimous to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of February 5, 2019 as written; 2) accept and file Committee of the Whole Minutes of February 6, 2019 as written; 3) accept and file Management Team Meeting Minutes of December 13, 2018 as written; 4) allow a marathon running event at *Bend in the River Park* on July 16, 2019 and authorize extended hours of operation on race day for access to parks facilities, as recommended by the Parks Commission; 5) approve 2019 Solid Waste Hauler Licenses Round II—*Granite City Rolloff, Waste Management of MN Inc., and E-Z Disposal*--and authorize the Chair to sign; 6) approve Application for Exempt Permit for *East Central Chapter of MN Deer Association* to conduct a raffle at Jack & Jim’s Convention Center, 11025 Duelm Road NE, Foley, on September 21, 2019; 7) adopt Resolution 2019-#6, approving Application for Exempt Permit for *Clear Lake Lions* to hold a raffle at Jack & Jim’s Convention Center, 11025 Duelm Road NE, Foley, on March 9, 2019, and authorize the Chair to sign; 8) approve 2018 Federal Equitable Sharing Agreement and Certification, and authorize the Chair to sign; 9) approve Mark Sauer from the City of Rice as the new municipality representative on the Water Resources Advisory Committee; 10) approve appointment of Jack Brosh, Foley City Council member, to the Region 7W Transportation Policy Board; and 11) adopt Resolution 2019-#7, a Resolution of Support of Benton County’s application for Local Road Improvement Program (LRIP) Grant for CSAH 7 reconstruction project, and authorize the Chair to sign.

A retirement award was presented to Mary Spiczka, Program Coordinator in the jail, in appreciation for 22 years of loyal and distinguished service to Benton County; her retirement is effective February 28, 2019.

Amanda Guertin, Benton SWCD Water Plan Technician, referenced the overview of the Rum River watershed planning process which she provided to Board members at the previous Board meeting; she requested Board direction on whether or not the County Board would like to participate in the Rum River One Watershed One Plan process. Popp inquired of potential future funding obligations for Benton County. Guertin stated that, to her knowledge, there are no initial matching fund requirements for this planning grant; additional competitive grant opportunities may require a local match. Bauerly inquired how the planning process would be sustained if the grant were to be discontinued. Guertin noted that the Rum River Watershed only encompasses a small percentage of Benton County; participation in this smaller watershed could provide a “learning opportunity” as Benton County will be required to participate in the larger Mississippi River watersheds. Heinen asked if approval today would entail a two-year commitment. Guertin clarified it would entail a two-year commitment to the policy committee to develop a plan; once the plan is developed, the committee will still exist, but meet less

frequently. Peschl/Popp unanimous that Benton County participate in the Rum River One Watershed One Plan process and authorize the Chair to sign the Memorandum of Agreement. Popp/Buerkle unanimous to appoint Commissioner Warren Peschl to serve on the Rum River One Watershed One Plan Committee. Buerkle/Peschl unanimous to appoint Commissioner Steve Heinen to serve as alternate on the Rum River One Watershed One Plan Committee.

Chris Byrd, County Engineer, explained that he “pulled” the resolution relating to eminent domain along CR 78 as one of parcel owners identified in the resolution has now settled with Benton County. He noted that this project included 34 parcels with over 20 different landowners; agreement has been reached with all but one landowner (two adjacent parcels). Byrd stated that negotiations will continue with the remaining landowner before bringing back the resolution for Board action. He indicated that bids will be opened on March 29<sup>th</sup>, with a potential construction start in May; this is a \$4.9 million project, of which about \$500,000 is Morrison County’s portion—acquiring of highway easements will cost about \$250,000 for about five miles of roadway.

Monty Headley, County Administrator, reported that, at the February 6<sup>th</sup> Parks Commission meeting, the Commission recommended that one County Board member serve as a member of the Parks Commission; further, that the County Board appoint Commissioner Ed Popp to the Parks Commission. Headley noted that adding a County Board member to the Parks Commission will require revising the Parks Commission ordinance—a public hearing/published notice will be required. Peschl/Popp unanimous that Headley move forward with scheduling a public hearing to amend the Parks Commission ordinance to include one County Board member as a member of the Parks Commission.

The next item on the agenda was consideration of a “Memorandum of Understanding” regarding a Phase 2 Study of Options for the St. Cloud Regional Airport, as drafted by the Greater St. Cloud Development Corporation (GSDC). Administrator Headley explained that, after the MOU was drafted, GSDC staff met with St. Cloud City officials, including Mayor Kleis; GSDC now reports that the City of St. Cloud does not feel it is appropriate to pursue funding, as outlined in the MOU, to support further study of an airport authority bringing aviation education back to the airport. Headley commented “...GSDC is going to step back...they will not pursue funding at the legislature...they will not be serving as a convener to bring everyone together...” He indicated that the City of St. Cloud believes the next step would be a meeting of the three County Administrators from Benton, Sherburne and Stearns Counties, along with the St. Cloud City Administrator, and begin taking the necessary steps to create this airport authority (the MOU is no longer a consideration). Headley commented “...I have been involved in many meetings about this subject...I am personally reluctant to go to more meetings...unless I understand that the County Board believes that this is a good use of my time...” Bauerly commented “...for me, it’s a double-edged sword...if we were part of the authority, we’d have more political influence in the State of Minnesota and nationally to be able to secure funding and help the airport...the bad news is we’d have to help fund the deficit...” Buerkle noted that the optimization study did not present a strong case for a change in authority. Bauerly added “...there is economic development potential...but because we are within 90 miles of the Minneapolis airport, we don’t get the annual Federal payment...” No action taken.

The Regular County Board meeting was recessed at 9:32 AM to conduct a Human Services Board meeting.

The Regular County Board meeting was reconvened at 9:50 AM.

Roxanne Achman, Department of Development Director, requested Board consideration of the minor final plat entitled “*Walz Addition*” in Minden Township, submitted by Ronald and Gail Walz. Achman stated that the request is to split a three-acre parcel from a 23.16 acre parcel for the construction of a single family home; there is an existing single family home on the lot. Achman noted that access to the property will be through an easement that joins the driveways of both homes. Popp/Heinen unanimous to approve the final plat of “*Walz Addition*” as recommended by the Planning Commission.

Achman explained that the Census Bureau is gearing up for the 2020 Census by making sure that they have the most up-to-date information. She stated that Benton County recently submitted requested information on addresses within Benton County; the latest information request for review is the Participant Statistical Area Program, the boundaries of the Census Tracts and Blocks. Achman stated that the Census Bureau has provided revised boundaries based on information received in the 2010 Census; county staff members are working with local jurisdictions (i.e. cities, school districts, St. Cloud Area Planning Organization, Benton Economic Partnership) to ensure that the Census Bureau is accurately reflecting tracts and blocks that meet the required population guidelines and tend to keep natural neighborhoods together. Achman pointed out two areas of new tract boundaries on the proposed 2020 census tracts and blocks; one of the areas is of significant concern as the proposal splits a tract which is part of an opportunity zone. She stated her belief that, in conversation with the Census Bureau, they do not appear to have a concern with keeping that tract together versus splitting it up. Buerkle inquired if this census update has any influence on Commissioner districts/redistricting. Achman stated there does not appear to be a correlation between the census tracts/blocks and political boundaries. Headley added “...we will have to redistrict...it could result in some changes in our Commissioner districts...it depends upon the populations...” Achman stated that the 2020 Census begins April 1, 2020 with the first letters being sent out mid-March 2020; it is critical that everyone is counted as the number of state representatives is based on population—Minnesota is expected to retain eight congressional seats, or possibly lose one. She stated that counts will be released to the President by December 31, 2020; counts released for redistricting by April 1, 2021.

Achman pointed out that, currently, Benton County is a signatory with Tri-County on a 20-year put or pay waste delivery agreement with Pope/Douglas Counties; in 2021, the delivery amounts of this agreement for Tri-County are to be reduced by 15,000 tons/year with an additional reduction proposed to occur again in 2026. She stated that, in an effort to continue Tri-County’s planned goal of reducing landfilling, Tri-County is asking each participant county to consider a proposal from Pope Douglas to maintain the current delivery rates for an additional five-year period as an incentive to keep deliveries at 50,000 tons. No action taken.

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

No Commissioner Concerns were noted.

Peschl/Popp unanimous to set Committees of the Whole: February 22, Field hearing of the MN House of Representatives, Transportation Finance & Policy Division; February 26, County Board Goal-Setting Session.

Peschl/Buerkle unanimous to conduct a closed meeting of the County Board (at 10:35 AM), as permitted under MN Statutes §13D.05, Subdivision 3(b), for attorney-client privilege discussion between the County Board and legal counsel.

The Regular County Board meeting was reconvened at 11:04 AM.

Pesch/Popp unanimous to adjourn at 11:05 AM.

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A. Jake Bauerly, Chair  
Benton County Board of Commissioners

ATTEST:

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Montgomery Headley  
Benton County Administrator