

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

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

Peschl/Popp unanimous to approve the amended agenda: move the Commissioner Concern item to follow the Consent Agenda.

Greg Bruestle, Langola Township, was present under Open Forum, stating that Langola Township will hold a meeting tomorrow night to discuss potential flooding issues with Little Rock Lake; the township is hoping for a coordinated response from the county to assist townships in addressing these issues.

Heinen/Buerkle unanimous to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of March 5, 2019 as written; and 2) approve contract amendments with Attorneys Sam Young, Cathleen Gabriel, Lisa Rutland and Adam Brainard to provide fixed sum compensation for representing persons other than parents in CHIPS, TPR and Permanency actions, and authorize the Chair to sign.

Under Commissioner Concerns, Jim McDermott, Benton County Emergency Management Director, referenced major flooding of Little Rock Lake in previous years; at one point, sandbags left over from previous flooding were provided by the county for private usage until they were gone. He stated that, while some counties may provide sand/sandbags for private usage, counties are only responsible for protecting public infrastructure. McDermott noted that, in Benton County, there are 317 structures with a value over \$10,000 in the 100-year flood plain around Little Rock Lake; costs are estimated at \$2,500 per home to properly sandbag a 20'x20' home. He referenced the flood information page on the county website which contains information on preparing for a flood before, during and after, as well as a listing of sand/sandbag companies. McDermott noted that Benton County Public Works appears to have enough sand/sandbags to protect county infrastructure; in the event of a Presidential declaration, public entities may be able to recoup some of their costs. Popp referenced past action of the Benton County Highway Department to lift road restriction limits to allow Saldana Excavating to deliver sandbags to residents. McDermott referenced a group meeting concerning potential flood preparations which will take place on March 27th in the County Board Room; all "major players" who would be involved in a response will be present at this meeting—Langola and Watab township officials have also been invited, as well as the Little Rock Lake Association.

A public hearing to consider 2019 Solid Waste Facility Licenses for Waste Management, Republic Services (Minden Transfer Station), Henkemeyer Landfill Inc. and Tri-County Organics LLC was opened at 9:23 AM. Mark McNamara from the Department of Development explained that the County Board sets the liability insurance/bond requirements, as well as any potential payment into a test well monitoring, post-closure contingency fund; at one point, Henkemeyer Landfill paid into this contingency fund, but is now at the maximum which can be collected by the county. McNamara indicated that all four facilities are in compliance with state statute and the MPCA. With no one else wishing to be heard, the public hearing was closed at 9:28 AM. Popp/Heinen unanimous to continue the requirement of \$1.5 million in liability insurance and a \$10,000 bond for all 2019 licenses. Heinen/Peschl unanimous to approve 2019

Solid Waste Facility Licenses for Waste Management, Republic Services (Minden Transfer Station), Henkemeyer Landfill Inc. and Tri-County Organics LLC, and authorize the Chair to sign.

A public hearing to consider proposed changes to the Benton County Park Commission Ordinance and Bylaws, and appoint a County Board member to the Park Commission, was opened at 9:30 AM. Monty Headley, County Administrator, stated that the Park Commission recommended that the County Board amend the Park Commission Ordinance and Bylaws to allow the appointment of a County Board member to the Park Commission; this would allow for County Board feedback on proposals and ideas the Park Commission would have. Headley added that the proposed changes allow the appointment of a County Board member to make a six-member Park Commission; the term of such appointment shall be at the discretion of the County Board. With no one else wishing to be heard, the public hearing was closed at 9:33 AM. Heinen stated his belief that appointment of a County Board member should be an annual appointment. Heinen/Popp unanimous to approve the proposed changes to the Benton County Park Commission Ordinance and Bylaws to allow the appointment of a County Board member to the Park Commission; this would be an annual appointment. Heinen/Peschl unanimous to appoint Commissioner Ed Popp to the Park Commission.

Gerry Maciej, Benton SWCD Manager, and Benton SWCD Supervisors Wade Bastian and Chuck Rau, appeared before the Board to provide a review of the 2018 Benton SWCD accomplishments. Report highlights included Clean Water Fund/Buffer Law Implementation; County Comprehensive Local Water Management Plan; 2019 projects—Little Rock Lake drawdown, legislative activity relating to SWCD funding; Environmental Quality Incentives Program; and the Elk River Watershed Association Project. Maciej also reported on financial contributions for Benton County conservation projects in 2018; Popp noted the tremendous impact these projects have on the Benton County economy. He noted that Benton SWCD will be participating in a project (underground regional treatment system) with the City of St. Cloud.

The Regular County Board meeting was recessed at 9:53 AM to conduct a Human Services Board meeting.

The Regular County Board meeting was reconvened at 10:03 AM.

Mark Hanson, Region 7W Economic Development Coordinator (Benton, Sherburne, Stearns and Wright Counties) with Central MN Jobs and Training Services, explained that Region 7W's CEDS (Comprehensive Economic Development Strategy) Plan has been approved and awaiting approval from Federal EDA as a designated Economic Development District. Hanson pointed out that this designation would allow Region 7W to apply for Federal grants/Federal funding. He also reported on business recruitment/marketing and workforce development efforts. Hanson provided detail on the relationship between economic development and child care—how lack of child care/cost of child care is becoming a barrier to employment. (A survey produced by the University of MN shows that Benton County ranks 66 among the state's 87 counties in overall family access to child care. This overall access index is an equally-weighted average of each county's three dimensions of access: quantity, cost and quality.)

Karen Pundsack, Executive Director, Great River Regional Library (GRRL), and Ryan McCormick, GRRL Patron Services Supervisor, appeared before the Board to report on 2018 GRRL activities. Pundsack noted that of Benton County's 2018 population of 40,128, 8,035 are active library cardholders; Benton County is primarily served by public libraries in Foley and St. Cloud, and the addition of GRRL2GO in Sartell—a three-year pilot project utilizing a locker system. McCormick stated that, overall in 2018,

digital checkouts totaled 6%; traditional checkouts remain the core business at 94%. He reported on the summer reading program and GRRL's work with Career Solutions to provide technological support to dislocated Electrolux workers. Pundsack referenced the 2019 Minnesota Library Association legislative platform which includes increased basic funding for regional library systems, annual funding for broadband for public libraries, and creation of a grant pool for library media specialists.

Chris Byrd, County Engineer, explained that Stonebrooke Engineering has completed a draft of an ADA Transition Plan; the next step in this process is to have an open house to solicit public comment on the plan. He noted that federal law mandates that all public agencies adopt transition plans by 1992; most agencies did not meet this deadline. Byrd stated that the ADA Transition Plan takes an inventory of the current condition of facilities within public road right-of-ways, i.e. sidewalks and crossings, and how they would be brought to current standards; this Plan does not cover our public buildings. He pointed out that, for public right-of-way facilities, the U.S. Department of Transportation and Federal Highway Administration are the regulators and have stated that federal funding may be withheld if an agency does not have an adopted transition plan. Byrd added that this Plan contemplates designating an ADA Coordinator who would be the point of contact for the public. There was consensus of the Board to hold evening open houses for the public both in Foley and in Sauk Rapids.

Peschl/Popp unanimous to approve the bids for construction contract CP 005-2019BO, seasonal bituminous overlay, and award the contract to Knife River, as lowest responsible bidder.

Byrd explained that, for some time now, there has been discussion on the possibility of enacting a local sales tax for transportation projects; today he is presenting a list of possible projects to be beneficiaries of such tax proceeds—an eligibility list based on Board feedback from a previous Committee of the Whole, not a five-year capital improvement plan. He clarified that he is not looking for formal action from the Board today; the next step would be to schedule evening open houses for public comment and, subsequently, hold a public hearing and adopt a resolution authorizing the tax. Byrd commented "...I think it's better to have a list of all possible projects...so it's not all CSAH roads...it's not all county roads...it's not all enhancement projects...but a mix...I'm recommending that the resolution not be too specific..." Noting three bridge replacement projects on the list, Peschl inquired about bridge bonding. Byrd noted that bridge bonding doesn't always cover 100% of the costs; listing it provides an option to use sales tax for our local portion of bridge costs. Heinen asked if the list should include Benton County's five-year plan and ten-year plan of road projects. Byrd stated "...it would be a lot more projects...our five-year CIP also includes all of our CSAH roads that we are funding through our CSAH apportionment and also roads already planned to be funded with our wheelage tax...some of these projects do show up in our five-year plan...it's more gap funding..." There was consensus of the Board to schedule evening open houses for the public both in Foley and in Sauk Rapids. Byrd stated his hope to schedule a public hearing before the County Board at the first Board meeting in May to adopt a resolution authorizing the tax.

Byrd reported on various departmental issues, including an upcoming resignation and a recent climate assessment which will lead to ongoing departmental changes, including leadership training attendance.

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

Peschl/Buerkle unanimous to set Committees of the Whole: March 27, Group Meeting Concerning Potential Flood Preparation; April 8, "Listening Session" with Sauk Rapids-Rice Schools/Review Draft Comprehensive Plan/Public Health Tobacco Ordinance Revisions; April 9, Evening Open House at Sauk

Rapids Government Center for Public Input—Sales Tax for Transportation; April 22, Evening Open House in County Board Room for Public Input—Sales Tax for Transportation; and April 25, Benton Economic Partnership Quarterly Meeting.

Buerkle/Peschl unanimous to adjourn at 11:22 AM.

A. Jake Bauerly, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator