

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
APRIL 2, 2019

The Benton County Board of Commissioners met in regular session on April 2, 2019 in the Benton County Board Room in Foley, MN with Commissioners Ed Popp, Spencer Buerkle, Jake Bauerly, Steve Heinen and Warren Peschl 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: add item—construction contract for seasonal bituminous overlay.

Tom Haaf, 2730 – 15th Street NE, Sauk Rapids, appeared under Open Forum to continue discussion on his concerns with his property as a result of the CSAH 3 “Up the Hill” project; he asked for resolution to a number of issues, including concerns with drainage. Haaf referenced the County Engineer’s recommendation that Haaf “not mow the grass too short until the turf is well established”; with the drainage issues on the property and the “bad design”, Haaf felt that this will not resolve the problem. He noted that, because of safety concerns, he had to perform several repairs himself after the project was complete. Haaf invited Board members to visit the site to view the issues first-hand.

Consent Agenda item #7 was “pulled” for further discussion. Peschl/Buerkle unanimous to approve the remaining Consent Agenda: 1) approve the Regular Meeting Minutes of March 19, 2019 as written; 2) accept and file Committee of the Whole Minutes of March 18, 2019 as written; 3) accept and file Management Team Meeting Minutes of February 13, 2019 as written; 4) accept and file Administrator’s Report/Monthly Financial Report as presented; 5) approve 2019-2020 County Combination On-Sale & Sunday Sale Liquor License renewal for *GCR Properties LLC dba Granite City Speedway Restaurant*, 2540 Golden Spike Road NE, Sauk Rapids, and authorize the Chair to sign; 6) approve 2019-2020 County Combination On-Sale, Off-Sale & Sunday Sale Liquor License renewal for *Curley’s Corner LLC dba Curley’s Corner*, 16523 – 165th Street NE, Foley, and authorize the Chair to sign; 7) approve contract with *Marco* for printers, printer supplies, and support services, and authorize the Chair to sign; 8) approve contract renewal with *ReCollect* for web and mobile services pertaining to waste collection, and authorize the Chair to sign; and 9) approve construction contract for CP 005-2019BO, seasonal bituminous overlay, with *Knife River Corporation-North Central Division*, and authorize the Chair to sign. Heinen asked for further clarification regarding Consent Agenda item #7—contract with *CentraCare* for jail medical services. Sheriff Troy Heck explained that, in May of 2017, Benton County entered into a contract with CentraCare for jail medical services; this partnership was intended to not just treat the symptoms of the individuals in the jail, but to actually seek solutions intended to find better ways to manage their health, i.e. mental health issues. Heck explained that CentraCare has indicated that the compensation level used at the beginning of the contract has proved inadequate to cover their costs; they have requested an increase in their compensation for 2019 from \$117,420 annually to \$130,000 annually. He stated his belief that the amount budgeted for jail medical services in the 2019 budget will be sufficient to pay for the increase; at \$130,000 annually, Benton County is receiving jail medical services at a significant savings compared to the rates of other jail medical providers. In response to Commissioner Heinen’s question, Heck stated that the Sheriff’s Department attempts to recoup jail medical costs as best they are able. Heinen/Buerkle unanimous to approve the contract with *CentraCare* for jail medical services, and authorize the Chair to sign.

Sheriff Heck reported that April 14-20, 2019, has been designated as National Telecommunicator's Week; this designation honors the men and women of our nation's dispatch centers who are the first point of contact for people seeking help from fire, EMS, or law enforcement. He pointed out that the public safety dispatchers in Benton County, and all over this country, perform a difficult job that requires them to be ready to handle anyone on their worst day in a calm and professional manner; they are truly a "key link" in the chain of public safety. Buerkle/Heinen unanimous to approve a proclamation designating the week of April 14-20, 2019, as National Public Safety Telecommunicator's Week, recognizing the men and women of the Benton County Dispatch Center, and authorize the Chair to sign the proclamation.

Sheriff Heck explained that, in the fall of 2018, a candidate passed the background investigation for a full-time Detention Officer and was given a conditional job offer contingent upon successful completion of psychological and physical examinations; before this candidate could complete the process, he was deployed to active military duty. Heck stated that because this candidate was extended a conditional job offer, the county is obligated to hold this open position until he returns from active military duty—likely sometime between November 2019 and February 2020. Heck noted that holding open this position for upwards of ten months will put an undue strain on jail staff; he proposes that the County Board authorize the Sheriff's Office to employ an additional full time Detention Officer while awaiting the return of this candidate. He clarified that once the deployed candidate returns from military duty, this full-time position would be abolished; the candidate filling this new temporary position would be so advised, but would likely fill a future vacant permanent Detention Officer position. Popp/Heinen unanimous to authorize the Sheriff's Office to hire one additional full-time Detention Officer while awaiting the return of a candidate from military duty.

Roxanne Achman, Department of Development Director, reported that Geronimo Energy is proposing a utility-scale (100MW) solar-energy project on approximately 800 acres of land in Langola Township, west of Highway 10. She indicated that projects of this scale are permitted through the MN Public Utilities Commission rather than through the County Planning Commission; the types of permits that will be pulled from the County include building permits, right-of-way permits, driveway permits and road use agreements, if necessary. Achman stated that Geronimo has sent notices to parties who may have interest in the development, or may be affected by it, i.e. neighboring properties, MNDOT, Langola Township, Mayors of Rice and Royalton, BNSF, Sauk Rapids and Royalton School District Superintendents, Rice Economic Development Commission and Benton Economic Partnership. She pointed out that the project is expected to bring in about \$5.5 million over 25 years (\$220,000 annually) in production taxes (over and above property tax); of that amount, Benton County would see about \$4.4 million over 25 years (\$176,000 annually). Achman stated that the townships/cities would see about \$1.1 million over 25 years (\$44,000 annually); an education fund would be set up to receive about \$20,000 annually (\$400,000 over 20 years). She explained that Geronimo anticipates submitting the application to the State in May/June 2019, with an anticipated construction start date in spring 2020 and completion by the end of 2020. Achman clarified that the sale of the property is not expected to affect surrounding land values, according to Land Services Director, Mike Harvey; an open house event to learn about this proposed solar project will take place on April 4th at the Old Creamery Café in Rice. Board members asked several questions—1) Will the Sheriff's Department or Fire Departments be affected by the services this project may require? 2) How much land has been used by solar farms across the State and how does Benton County compare to the other counties? 3) Is there any data to show how much electric rates have been affected by the arrival of solar facilities? Heinen raised the issue of screening of the property, stating "...that's going to be a huge area...it's wide open right now...I'm a believer in screening...even our smaller ones..." Popp commented "...we grow corn and

beans at such a rapid rate...we just can't get a handle on production...I think we need to take more of this high production land and have it for solar because farmers are struggling now for a profitable price..." Buerkle commented "...then it's in conflict with our ordinance...our ordinance states to preserve and protect ag land..." Achman pointed out that the ordinance also encourages use of renewable energy. Peschl pointed out that many of the solar facilities are located on sub-marginal land. Bauerly spoke in favor of "diversifying income streams" in the county, noting that some land owners are looking at solar farms as their retirement income and renewable energy is a growing industry across the country. Achman will be in contact with Geronimo Energy and pass along Commissioner Heinen's comments with regard to screening of the solar site.

Bob Cornelius, Human Services Director, explained that, in May of 1988, Stearns and Benton Counties entered into a Joint Powers Agreement to form the Stearns-Benton Multidisciplinary Child Protection Team (SBMCPT); the purpose of the team has been to provide public and professional education and develop resources for prevention, intervention and treatment to social workers regionally. Cornelius stated that it recently came to his attention that the legal requirements for Joint Powers Agreements have changed significantly since 1988; as a result, his agency is recommending an amendment to this agreement. He referenced the recommendation of the County Attorney's Office that the Board of the SBMCPT acquire an insurance policy. Buerkle/Heinen unanimous to approve the amended Joint Powers Agreement for the Stearns-Benton Multidisciplinary Child Protection Team, and authorize the Chair to sign.

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 9:40 AM.

Chris Byrd, County Engineer, informed the Board that *Knife River* was the lowest responsible bidder for the County Road 78 Reconstruction Project; their bid was 12.5% under the Engineer's Estimate. Byrd noted that the bid includes Morrison County's portion of the project; Benton County's portion of the project is \$3,731,089.80 (about \$750,000 per mile). He also noted that \$450,000 of bridge replacement is included in the project. Heinen inquired about the timeline for receiving reimbursement from Morrison County. Byrd stated "...we do not have a hard agreement with Morrison County...it's a "handshake agreement" between me and that County Engineer..." Heinen commented "...officially, we should enter into a contract with them for their reimbursement instead of just a handshake..." There was consensus of the Board that Byrd develop a "simple, mutually-agreeable" contract with Morrison County with signatures. Popp/Peschl unanimous to approve the bids and award a construction contract to *Knife River, North Central Division*, for CP 005-078-005, County Road 78 Reconstruction, on the condition that Morrison County concurs with the bid results, and contingent upon Morrison and Benton Counties entering into a written contract outlining each county's cost responsibility.

Byrd reported that, at their March 15th Board meeting, AMC approved resolution language for all counties to consider; AMC would like to see all 87 counties adopt this resolution to show unanimous support for increased transportation funding. Byrd noted that this resolution is a tool to use to communicate with legislators showing statewide support for a comprehensive transportation package this session; to be sensitive to all points of view, the resolution language does not support a specific proposal, rather it supports increased transportation funding in general. Byrd referenced language in the resolution "...Minnesota Counties maintain...over 30% of the state's roadways...total annual need is \$1.084 billion over the next 25 years just to maintain the current CSAH and county road system, not

including expansion...increased funding for Minnesota’s Highway User Tax Distribution Fund would provide additional, stable funds for MnDOT, all 87 counties, all cities with a population of 5,000 or more, and townships across the state...” Following brief discussion, Popp/Heinen unanimous to adopt Resolution 2019-#8, a Resolution of Support for Increased Transportation Funding, and authorize the Chair to sign.

Chair Bauerly reported on a recent Highway 23 Coalition meeting that he and County Engineer Byrd attended, including accident data along the Highway 23 corridor—in a year and a half, there were 21 serious accidents with injuries or fatalities in Benton County (132 across the entire corridor). Board members briefly discussed MnDOT’s plans to construct a reduced conflict intersection at the intersection of CSAH 8 and Highway 23.

Engineer Byrd provided an update on staffing in the Public Works department. He shared several possible avenues to explore in order to compete with the private sector in hiring engineering technicians and also spoke of his desire to develop a mentoring program for new technician hires.

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

Under Commissioner Concerns, Peschl referenced Tom Haaf’s appearance under today’s Open Forum. Noting Haaf’s concerns with drainage/erosion on his property as a result of the CSAH 3 “Up the Hill” project, County Engineer, Chris Byrd, commented “...I suggested letting the grass grow taller...to have time to establish a root structure...from a contractual perspective...our contractor has met all their obligations...I don’t think it’s a design problem...we did new ADA ramps and tied in our trail to the existing sidewalk, but we did not go chase that sidewalk down the street until we got to a good condition (not part of the county’s contract)...” Heinen commented “...with the turf being cut up by the blades from the city (Sauk Rapids) employees...you can’t avoid it...that’s a city issue and they do take care of that...” There was Board consensus that the County Engineer work with the City Public Works Director to attempt to resolve Mr. Haaf’s concerns.

Under Commissioner Concerns, Popp led discussion on possible financial assistance from the county for a part-time administrative support person for the Benton Economic Partnership (BEP) Executive Director. Buerkle suggested that the BEP Board of Directors come before the County Board of Commissioners with such a request. Board members were generally receptive to the idea of assisting financially; more discussion will occur at the next meeting of the BEP Board.

Popp/Peschl unanimous to set Committees of the Whole: April 11, Greater St. Cloud Development Corporation 8-Year Anniversary Gala; April 15, Discussion with New Class and Comp Provider, David Drown & Associates.

Heinen/Peschl unanimous to adjourn at 10:38 AM.

A. Jake Bauerly, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator

