

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
APRIL 7, 2020

The Benton County Board of Commissioners met in regular session on April 7, 2020 in the Benton County Board Room in Foley, MN with Commissioners Spencer Buerkle, Warren Peschl, Jake Bauerly, Steve Heinen and Ed Popp present. 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 items: consider adjustment of 2020-2021 on-sale liquor license fees; Department of Development plans for conducting public hearings; discuss live streaming under current circumstances.

Consent Agenda item #8 was “pulled” for further discussion. Popp/Bauerly unanimous to approve the remaining Consent Agenda: 1) approve the Regular Meeting Minutes of March 17, 2020 as written; 2) accept and file Management Team Meeting Minutes of February 13, 2020 as written; 3) approve Summary of Closed Session conducted March 17, 2020 to evaluate the performance of an employee subject to County Board authority—County Engineer, Chris Byrd; 4) approve Application for Exempt Permit for *Proper Economic Resource Management*, a non-profit organization, to hold a raffle at Henry’s Catering & Banquet Center, 6774 Highway 25, Foley, on April 30, 2020—date is contingent on the duration of the shelter-in-place order; 5) approve Application for Exempt Permit for *Columns Resource Group Foundations, Inc.*, a non-profit organization, to hold a raffle at Wapicada Golf Club, 4498 – 15<sup>th</sup> Street NE, Sauk Rapids, on August 17, 2020—rescheduled from June 1, 2020; 6) approve one-day 3.2 beer license for *St. Elizabeth Church* for the annual church bazaar on June 28, 2020 to be held on parish grounds, 16454 – 125<sup>th</sup> Avenue NE, Foley; and 7) accept 2020 SCORE Grant Agreement and Payment, and authorize the Chair to sign. Regarding Consent Agenda item #8 (Contract with Ridgewater College to provide service truck crane operator training), Popp inquired of the necessity to train ten employees on the signing truck. Chris Byrd, County Engineer, explained that recent federal law changes require certified operator training for operators of cranes with a lifting capacity of 2,001 lbs. or more; he would like to have multiple operators trained in the event the primary operators are not available. He added that, in general, all employees are expected to be able to operate all machinery. Bauerly stated his belief that, for future purposes, the estimated cost of the training should include the cost of the employees not being at work while receiving the training. Popp/Peschl unanimous to approve a contract with *Minnesota State Colleges and Universities (Ridgewater College)* to provide service truck crane operator training (\$7,000 plus \$180 per participant for the written exam), and authorize the Chair to sign.

Troy Heck, County Sheriff, explained that April 12-18, 2020 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 commented “...this year is a very poignant example of just how important these positions are to maintain public safety...in this particular Corona virus world...” Bauerly/Heinen unanimous to approve the proclamation for National Telecommunicator’s Week in Benton County, and authorize the Chair to sign.

Noting that the Governor’s executive order closing restaurants/bars during COVID-19 will have a negative financial impact on local Benton County businesses, Nadean Inman, Auditor-Treasurer, proposed a reduction in the 2020-2021 on-sale liquor license renewals. Bauerly/Peschl unanimous to

approve a reduction in the upcoming annual liquor license fees by the number of months they are required to be closed.

Roxanne Achman, Department of Development Director, explained that state statutes allow for public hearings to continue even if in-person meetings are not feasible due to a health pandemic or emergency declaration; a provision must allow the public to monitor the meeting electronically from a remote location. Achman noted that a public hearing on proposed Development Code updates is scheduled for the April 21<sup>st</sup> County Board meeting; public call-in information has been sent and the public can also submit written comments prior to the public hearing—the public will not be allowed into the Board Room. Board members noted no concerns with Achman’s stated plans for conducting public hearings.

Achman reported that the legislature has not amended the 15.99 rule which requires governmental entities to approve or deny a written request for certain actions within 60 days or the request is approved.

Nicole Ruhoff, Community Health Administrator and Jim McDermott, Emergency Management Director, provided an update on the County’s response to the COVID-19 pandemic. Ruhoff reported on the number of deaths globally, in the United States, and in the State of Minnesota (one lab-confirmed case in Benton County thus far). She stated that, currently, public health is planning for providing essential services to those who lack shelter (ensure housing for those in isolation or quarantine, along with food and needed personal hygiene items); plans are also underway for security and staffing. Ruhoff explained that public health is also making plans should some type of vaccine become available—purchase, storage and distribution; thoughts are also on the economic impact to county citizens and their need for increased services, particularly in the Human Services realm. She shared information on the COVID-19 predicted models for Minnesota. McDermott stated the need for “good, honest information” in planning efforts; he spoke of planning for alternate care sites, local food shelf demands, and personal protective equipment. Chair Buerkle commented “...I’ve been in several of those EOC briefings...they are well organized...clear, precise reports every day...everyone knows what their jobs are...we’ve got some great people over there getting us through this...I’d like to thank all of you for your dedication and effort...”

McDermott referenced the proposed mutual aid agreement with Stearns, Sherburne and Wright Counties to provide for the exchange of equipment, personnel and other resources during the public health emergency; the agreement has been reviewed by the county attorneys from each member county. Peschl/Bauerly unanimous to approve the Mutual Aid Agreement for Emergency Management, Homeland Security, and Public Health between the counties of Stearns, Benton, Wright and Sherburne, and authorize the Chair to sign.

Monty Headley, County Administrator, explained that temporary personnel policies were adopted by the County Board on March 17<sup>th</sup> in response to the COVID-19 pandemic—allowing advancing of leave to employees, and waiving certain restrictions on remote work to allow more employees to work from home. He presented additional revisions to the temporary personnel policies for the Board’s consideration: 1) allowing exempt employees to exceed the current 40-hour cap on comp time, and 2) excluding certain employees from the new federal Expanded Family Medical Leave (based on the logic that allowing eligibility could compromise the ability to deliver essential county functions); the exemption applies to Sheriff, Jail, Emergency Management, Public Works, IT, Property Management and Human Services/Public Health. Heinen/Popp unanimous to approve the revised temporary personnel policies related to the COVID-19 public health emergency, and authorize the Chair to sign.

Headley inquired if Board members wished to move forward with live streaming of Board meetings under the current public health emergency; since the Board meeting room has been reconfigured to allow for “social distancing”, moving forward with live streaming will require the purchase of wireless microphones at a cost of \$2,000. Board consensus that since this situation is temporary in nature, the wireless microphones not be purchased and continue status quo for the time being.

The Regular County Board meeting was recessed at 9:51 AM to conduct a Human Services Board meeting.

The Regular County Board meeting was reconvened at 9:54 AM.

Chris Byrd, County Engineer, explained that CSAH 12, from Rice to TH 25, is planned for construction in 2020; additional right-of-way near the intersection of CR 56 is needed. He stated that Benton County Road Right-of-Way Plat No. 14 clearly depicts and describes the limits of permanent right-of-way and parcel boundaries within the project limits; the highway easements will reference this plat when recorded. Bauerly/Peschl unanimous to approve Benton County Road Right-of-Way Plat No. 14 (CSAH 12), and authorize the Chair to sign the completed plat.

Byrd reported that the CSAH 12 project, from Rice to TH 25, planned for construction in 2020, was identified in the resolution to adopt the sales tax for transportation; however, the amount of sales tax allocated to the project in the adopted five-year road construction plan is insufficient when compared to the recent Engineer’s estimate (project costs are about \$832,000 more than what is identified in the road construction plan—the reconstruction at CR 56—due to safety concerns--cost just as much as the mill and overlay of the entire length of the project). Byrd inquired what funding source the Board would like to use for this shortfall. Bauerly commented “...the sales tax money is going to be dropping off considerably with the COVID crisis...I think using the rest out of state aid would be alright...” Board consensus to use state aid funds for the shortfall on this project.

Engineer’s Update:

- Bid Opening Friday for Reclaim Projects (CSAH 2, 4, 6, 8 and 12), will be a conference call bid opening
- Will be opening bids in two weeks for seasonal patching project, gravel crushing and county-wide striping. Bauerly suggested advertising for an alternative bid on reduced quantities of seasonal patch if the contract allows without penalty. Byrd stated his plans for advertising of bids does include an alternative bid, one bid at price per ton for all the quantity (target budget of \$790,000) and an alternate bid for a reduced quantity (target budget of \$690,000). Bauerly commented “...this is all property tax supported...can we do a third step...if we only did half the work, what would the price be... because of budget issues...” Byrd stated “...it’s possible...we would need to issue an addendum...take a look at the roads and try to find somewhere where it makes sense to cut...prioritizing...” Peschl stated that potential good pricing should be considered as well. Headley added “...sometimes in governmental contracts there’s a provision that says it’s subject to availability of funds...usually that gives governments an out if revenue just tanks...if our contract doesn’t include that type of language, perhaps it could...this is one of the largest accounts in the county budget that is discretionary...” Bauerly reiterated “...I think we should do an addendum for a third option (target budget of \$500,000)...lower quantity just to get prices on it...then we can decide later how much we want to do...we don’t know what our revenue is going to be five or six months from now...” Board consensus that the County Engineer move forward with an addendum for a third option.

- Staff working remotely (engineering technicians, administrative assistant)
- Maintenance activities functioning close to normal

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

Under Commissioner Concerns, Bauerly commented "...it would not be prudent of us not to have a contingency plan in place...the State of Minnesota is talking about a hiring freeze...if the revenues don't come in...how long will reserves carry us through...something we should be thinking about...a hiring freeze could look something like just Board approval...will state aid to counties be cut..." Headley added "...it stands to reason that State revenues are going to plummet...I think it's something we should watch very closely and be prepared to take some action if that becomes necessary..."

Heinen/Bauerly unanimous to adjourn at 10:47 AM.

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Spencer C. Buerkle, Chair  
Benton County Board of Commissioners

ATTEST:

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Montgomery Headley  
Benton County Administrator