

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
APRIL 16, 2019

The Benton County Board of Commissioners met in regular session on April 16, 2019 in the Benton County Board Room in Foley, MN with Commissioners Spencer Buerkle, Jake Bauerly, Warren Peschl and Ed Popp present, and Commissioner Steve Heinen absent (excused). Call to order by Chair Bauerly was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Peschl/Buerkle unanimous to approve the agenda as written.

No one was present to speak under Open Forum.

Buerkle/Popp unanimous to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of April 2, 2019 as written; 2) approve Maintenance Agreement with *Motorola*, and authorize the Chair to sign; 3) approve 2019 Solid Waste Hauler Licenses Round IV—*Midwest Recycling Solutions*—and authorize the Chair to sign; 4) approve Application for MN Lawful Gambling Exempt Permit—*District 742 Local Education & Activities Foundation*—to hold a raffle at Territory Golf Club, 480 – 55th Avenue SE, St. Cloud, on August 2, 2019; 5) approve Permit Application by Deanna Rosa, dba *Rollies, LLC*, to host six special events; and 6) approve Administrative Agreement with Morrison County for Construction Project CP 005-078-005—CR 78 Reconstruction, and authorize the Chair to sign.

Troy Heck, County Sheriff, reported that May 5-11, 2019, has been designated as National Correctional Officer's Week; this designation honors the men and women of our nation's jails and prisons who do the difficult and dangerous job of ensuring that those arrested for, and convicted of, criminal offenses are safely housed during their incarceration. Heck noted that correctional officers in Benton County, and all over the country, do a difficult job that requires them to be ready to deal with violent, mentally ill, and dangerous inmates; Benton County is fortunate to have a talented and dedicated group of professionals doing this job. Popp/Peschl unanimous to approve a proclamation recognizing the men and women of the Benton County Jail and designating the week of May 5-11, 2019, as National Correctional Officer's Week, and authorize the Chair to sign. Commissioner Peschl commended the Sheriff's Department/Jail "for a job well done".

Sheriff Heck presented the Sheriff's Office Annual Report for 2018. Report highlights included: 1) The year 2018 was very similar to the year 2017, with a few variations—increase in civil process activity, pace of turnover and the difficulties that creates in accomplishing the things they are required to get done; 2) Benton County PSAP (Public Safety Answering Point), also known as the dispatch center, generated 26,632 Initial Complaint Reports (ICR), with the time period from 2:00 PM to 5:00 PM being the busiest time and Fridays generating the most ICRs; 3) PSAP received 9,208 calls on the 911 lines and a total of 46,327 incoming and outgoing telephone calls on the administrative telephone lines; 4) 1,455 arrest warrants were received, 162 fewer than in 2017; 5) 15,745 ICRs were assigned to units within the Sheriff's Office, most of which were handled by the patrol division; the five most reported crimes in Benton County were theft, fraud, domestic abuse, harassment and criminal damage to property; 6) permits to carry applications were up by 18% and applications for permits to purchase were down by 11%, when compared to 2017; 7) 102 cases were assigned to the investigative division of which 89 cases were cleared, creating an 87% clearance rate for the investigative division; 8) two full-time deputies are assigned to the Violent Offender Task Force (VOTF); 19 cases were completed in Benton County; marijuana is the most widely used substance and methamphetamine is the drug of most concern; 9) the

jail had an average daily population of 75.76 inmates, a decrease of 4.1 compared to 2017; the average length of an inmate's stay was 11.62 days; over \$33,000 in inmate fees was collected and over \$485,000 from prisoner boarding; like all jails across the state, Benton County struggles to cope with the influx of inmates battling mental illness; 10) Sentenced to Service crew worked 5,701 hours on projects; cities, schools and townships were billed \$7,125 for completed projects; 11) volunteers—Mounted Patrol members worked a total of 817 hours; 11 volunteer reserve deputies performed a total of 490 hours of service; 117 jail volunteers performed 1,753 hours of work; 12) public outreach—youth ATV/snowmobile instruction, DARE Program, Police Activities League; and 13) social/print media—Sheriff's Office continues to make use of Facebook, Twitter and Nextdoor accounts, along with the Benton County News/Sauk Rapids Herald, as well as other media, to distribute information and crime prevention strategies.

Roxanne Achman, Department of Development Director, presented a prepared resolution stating Benton County's willingness to partner with the U.S. Census Bureau to promote full participation in the 2020 census. Achman noted that the cities of St. Cloud, Sartell and St. Joseph, and Sherburne County, have agreed to present this resolution to their respective boards; she expects that Stearns County, and other local cities, are considering the resolution as well. Buerkle/Peschl unanimous to adopt Resolution 2019-#9, declaring Benton County's commitment to partnering with the U.S. Census Bureau on the 2020 census, and authorize the Chair to sign.

Achman explained that staff has been in close contact with Geronimo Energy on the 100MW solar project proposed in Langola Township; it appears that the open house on April 4th in Rice went well. She pointed out that Geronimo will now begin working with nearby neighbors on screening solutions in hopes of finding the right solution for those most closely affected; they are not planning to provide screening around all 800 acres of the project. Achman noted that Geronimo Energy is available to attend the May 7th County Board meeting to present the screening sketches and outcome of discussions with the neighbors. Popp commented "...Geronimo is going to work with the local people...the township had some concerns related to their fire contract...Geronimo addressed those concerns..." Bauerly commented "...if the township has no issues, I'm OK with it..." There was Board consensus that Geronimo Energy need not attend the County Board meeting. Popp suggested that Achman check with Langola Township to see if all their concerns have been adequately addressed by Geronimo.

Achman reported that Watab Township is moving forward in creating their own subdivision ordinance so that they can implement developer agreements; the subdivision ordinance would require that any plat go through the township for approval prior to county approval. She stated her belief that the idea is to prevent issues, i.e. road issues, septic system issues, within the development. Achman stated that Watab Township is asking the County to be a party to their developer agreements; the County Attorney's Office has advised that it's very risky for the county to be a part of an agreement that is subject to the township's requirements, not the county's. Achman added that the county's insurance will not cover in the event of litigation. Bauerly commented "...I would suggest the current process already covers their concerns...when we go through a public hearing, they ask for input from the townships and cities...the township can raise concerns about different issues...why do we need another layer..." Michelle Meyer, Assistant County Attorney, explained "...we have a standard in our Development Code that talks about what improvements are required...as a result, we execute these installation agreements/developer agreements...but it's just built to our standards...some townships want nine-ton roads...if the Planning Commission decides there should be paved roads, we only have a seven-ton standard...we do take out a letter of credit...we certainly want to protect the interests of the public, but we risk too much if we are trying to enforce someone else's standards...they do have a right

on their own to adopt a subdivision ordinance...they must at least adopt our minimum standards...they can be more restrictive...if they adopt more restrictions, and they take over that developer's agreement for those requirements, then they would hold that letter of credit to make sure they fulfill those requirements...if we were the holders of a letter of credit and part of the township's agreement, we would get sued in conjunction with the township...if they had their own letter of credit and their own developer agreement, it's all on them...if we have our own letter of credit and developer agreement, that's on us...the reason that the county is still involved with the subdivision if they take it over is because they are under 5,000 in population..." There was Board consensus to hold a Committee of the Whole on this topic and invite the Watab Township officials to attend.

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 9:58 AM.

Chris Byrd, County Engineer, reported that 100 bridges in Benton County are due for their in-service safety inspection this year (includes township bridges and bridges in municipalities under 5,000 in population); safety inspections are completed by a Bridge Team Leader, who creates reports which are reviewed by the Bridge Program Administrator (the County Engineer) who then sends the reports to the State. Byrd explained that Benton County Public Works does not have staff trained and skilled in the task of Bridge Team Leader; it usually takes about four years of inspecting bridges to become a proficient Bridge Team Leader. He stated the need to request proposals from engineering consultants to perform the county safety inspections this year. Byrd noted that the RFP will specify that a county employee (Assistant County Engineer or Engineering Technician) would accompany the consultant to gain the experience to one day become the Bridge Team Leader. Peschl commented "...with our high turnover, it's hard to get a Bridge Team Leader..." Popp commented "...until we get someone who has been here and is stable, I don't see any reason to send them out...let's just hire out the bridge inspections and be done with it..." Byrd clarified that, depending on the bridge type, an inspection may be required every year, every two years, or every four years; it takes 2-3 hours, on average, to inspect a bridge and the estimated cost is \$500 per bridge. He stated the goal of scheduling these inspections at the end of the construction season. Board consensus that the County Engineer move forward with the RFP process for bridge inspection services.

Byrd explained that the fiscal policies were amended in previous years to allow issuance of credit cards to the Sheriff's Department and to the Human Services Department; he is exploring this as an option for the Public Works/Highway Department. Byrd indicated that the main reason for this request would be for online registration of training/classes; many of these certification classes fill to capacity quickly and staff has used their personal credit cards to reserve class seats before the class fills up. Hearing no objections from the County Board or the County Administrator, Byrd stated he will bring back an amendment to the fiscal policies for formal action of the Board.

Engineer's Report: 1) Engineering Technician recruitment underway; 2) Seeking a mentor for new Engineering Technicians on construction projects remains a challenge/goal; 3) will start recruitment for Mechanic/Crew Foreman to fill an upcoming position vacancy; 4) operating engineers accumulated a large amount of overtime/comp time this winter—light crews are anticipated this summer due to time off requests; 5) evening open house was held April 4th in Sauk Rapids relative to sales tax for transportation; the next open house on this topic will be held in Foley on April 22nd at 6:30 PM; and 6)

open house on draft ADA Transition Plan scheduled for April 25th at Sauk Rapids Government Center at 6:30 PM.

Bauerly inquired of the County Engineer's vision for ditch cleaning (county ditches, public drainage ditches). Engineer Byrd stated "...our roadway ditches...we already have a list of locations identified that we need to try to do this year...we already have a list of culverts to be replaced...either failed or collapsed...we may need to look at some consultant help to help manage those county ditches...then we know the work is progressing as opposed to trying to fit it in with our staff...it does add cost to the project...as long as it's progressing and getting done, the public may be receptive to that..." Popp commented "...the cost will be added to the benefitted acres...that's even more fair..." Bauerly commented "...if you get somebody who is experienced in that business, it may actually go faster and at lower cost...keep it moving..." Peschl commented "...county road ditches...are they first come/first served..." Byrd stated "...we encourage them to call us...the Maintenance Superintendent and myself track the calls...it's kind of first come/first served unless we are doing some other work in that area..."

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

Peschl/Popp unanimous to set Committees of the Whole: April 25, Open House on Draft ADA Transition Plan; May 6, 1) Meeting with Watab Township Officials Regarding Township Request for County to be a Party to Township Developer Agreements and 2) East Gate Office Space.

Popp/Buerkle unanimous to adjourn at 10:52 AM.

A. Jake Bauerly, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator