

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
APRIL 20, 2021

The Benton County Board of Commissioners met in regular session on April 20, 2021 in the Benton County Board Room in Foley, MN with Commissioners Beth Schlangen (virtual), Scott Johnson, Ed Popp, Jared Gapinski and Steve Heinen present. Call to order by Chair Popp was at 9:00 AM followed by the Pledge of Allegiance to the flag.

No one was present to speak under Open Forum.

County Administrator Monty Headley requested the addition of the Benton Soil and Water Conservation District (SWCD) Resolutions as Consent Item #8, and for the Foley Area C.A.R.E. Food Stand to be added as a second item under the County Administrator's Regular Agenda at 9:55 AM. Motion to approve the amended agenda by Heinen and seconded by Gapinski. Motion carried unanimously per roll call vote.

Johnson/Gapinski unanimous to approve the Consent Agenda: 1) amend the Regular Meeting Minutes of April 6, 2021; 2) approve the Committee of the Whole Meeting Minutes of March 30, 2021; 3) approve funding for the 2021 Solid Waste Newspaper contract/postcard for the June Amnesty Day; 4) approve the 2021 Solid Waste Haulers License round III; 5) Authorize the administrative agreement with Morrison County for construction of project SP 005-007-008; 6) Approve final payment to Knife River Corporation - North Central of project SAP 005-602-017 and SAP 005-612-017; 7) approve final payment to Knife River Corporation - North Central for the final payment of project CP 005-078-005; 8) approve Resolutions supporting planning boundaries for the Mississippi Watershed and collaborative planning on a Watershed-Wide basis for Benton SWCD and authorize the Chair to sign. Motion carried unanimously per roll call vote.

Sheriff Troy Heck requested the approval of the Proclamation for National Correctional Officer's Week in Benton County from May 2nd to May 8th, 2021. The 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. Motion by Gapinski and seconded by Johnson to approve and authorize the Chair to sign the Proclamation for National Correctional Officer's Week in Benton County. Motion carried unanimously per roll call vote.

Next, Heck requested the approval of the Proclamation for National Police Week in Benton County from May 9th to May 15th, 2021. This designation honors the men and women of our nation's law enforcement agencies who work to ensure citizens may live their lives without fear of harm or loss. These dedicated men and women work under difficult and dangerous conditions dealing with violent, mentally ill and dangerous individuals. These law enforcement officers also work with citizens and community groups to act as a positive force in their communities. Peace Officer Memorial Day will be held on May 15, 2021, which honors those lives taken while protecting others in the community. Benton County had one member of the Sheriff's Office that died while on duty for Benton County in 1931 and that was Deputy Frank McGregor. Motion by Heinen and seconded by Gapinski to approve and

authorize the Chair to sign the Proclamation for National Police Week in Benton County. Motion carried unanimously per roll call vote.

County Engineer Chris Byrd spoke about the jurisdictional transfer of County Road 46. When a county highway is transferred to another jurisdiction, i.e. a city or township, this is often called a “turnback”. Minn. Statue 163.11 goes on to say that when a county highway is revoked, the county must maintain the road for a period of two years from the date of revocation. Benton County Road 46 between Trunk Highway 10 and CSAH 1 could be a possible candidate for the “turnback” project since there is already a Mill and Overlay construction project scheduled this summer. There are also a couple of roads in the City of Foley that they would like to consider. Byrd suggested that during the upcoming “Road Tour” with the County Board, they could discuss their options further. No action was taken at this time.

County Attorney, Philip Miller gave a brief introduction and overview of the Attorney’s Office for informational purposes only.

Recess Regular Board meeting to conduct Human Services Board meeting at 9:50 AM.

Regular Board meeting reconvened at 10:07 AM.

Department of Development Director Roxanne Achman provided an update to the Orderly Annexation Agreement (OAA) between the City of Foley and Gilmanton Township of approximately 840 acres north and west of the City of Foley. Achman stated that a joint planning board will be created for this area. It will consist of two Gilmanton Township Supervisors and two City Council members. They will have jurisdiction over the zoning, land use and subdivisions for this area. It is no longer under the County’s land use control. Building inspections will be conducted by the City’s building inspector. The City of Foley would like the County to continue being the regulatory authority for wetlands and subsurface sewage treatment systems. Achman anticipates service agreements will be coming to us in the near future.

Next, Achman requested an overlap in Wetland and Solid Waste Program Lead position. Achman would like to begin the recruitment and hiring of an individual for the Wetland and Solid Waste Program Lead prior to the retirement of Mark McNamara, which is anticipated sometime between August 2021 and April 2022. The intent would be to cross train the new hire in matters and material that they may not have as much knowledge in. The reason for a potentially longer overlap is due to the positions change of duties as the seasons change. This position will primarily focus on wetlands in the warmer months and solid waste programs in the cooler months. With the Wetland/Solid Waste Program Lead being a single position, and D.O.D. being a smaller department, the D.O.D. does not have the staffing capabilities to have others in the department who can step in during the transition period, or to properly assist a new hire during their first few months. The D.O.D. proposes funding from the Solid Waste account for 50% of the salary of the new hire. Achman believes they can reasonably assume that the amount their department would need to budget for would be near \$40,000 for salary and benefits for the remainder of 2021. Motion by Johnson to approve the D.O.D. to temporarily fund an overlap in the Wetland and Solid Waste Program Lead Position. Seconded by Heinen. Motion carried unanimously per roll call vote.

County Administrator Monty Headley asked the County Board to consider a proposal for architectural services for a possible DMV relocation. In the past Benton County has used the services of Conlon Construction and its partner firm Mahler and Associates Architects. The proposal will provide for design options to re-locate the DMV offices to the Department of Development area, then remodel the Auditor-Treasurer and D.O.D. Johnson and Popp requested a Committee of the Whole meeting to discuss this further with Department Heads to get a clearer direction on what the DMV and D.O.D. need for space and what the future potential is for those areas. No motion was made.

Motion by Heinen and seconded by Gapinski to conduct a closed meeting of the County Board (at 10:28 AM), pursuant to MN Statutes §13D.03, Subdivision 1, to consider strategy for Labor Negotiations. It was noted for the record that today's Closed Session is being held to consider labor negotiations. Motion by Heinen and seconded by Johnson to end the Closed Session at 11:04 AM. Motion carried unanimously.

Regular County Board Meeting was reconvened at 11:05 AM.

Headley requested an agreement from the County Board to allow Foley Area C.A.R.E. to have a food stand selling brats and burgers next to the Property Management building in front of doors 4 and 5 on Wednesdays from 11:00 AM to 2:00 PM from June 30<sup>th</sup> to August 4<sup>th</sup>, 2021. Consensus from County Board to allow Foley Area C.A.R.E. to have a food stand. No motion was made.

Board members reported on Commissioner updates and recent meetings they attended on behalf of the County.

There were no Commissioner concerns.

Johnson/Heinen to set Committees of the Whole: AMC to conduct a virtual legislative update on Friday, April 23, 2021 from 9:00 AM to 10:30 AM; Broadband Meeting with the City of Foley on Wednesday, April 21, 2021 starting at 10:30 AM at Foley City Hall; AMC virtual New Commissioner meeting Thursday, April 22, 2021 from 9:30 AM to 1:00 PM. Motion by Popp and seconded by Gapinski to approve the future Committee of the Whole Meetings. Motion carried unanimously per roll call vote.

Meeting adjourned at 11:39 AM.

ATTEST:

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Edward D. Popp, Chair  
Benton County Board of Commissioners

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Montgomery Headley  
Benton County Administrator