

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
May 4, 2021

The Benton County Board of Commissioners met in regular session on May 4, 2021 in the Benton County Board Room in Foley, MN with Commissioners Beth Schlangen, Scott Johnson, Jared Gapinski and Steve Heinen present. Commissioner Ed Popp was unable to attend due to a family commitment. Call to order by Vice Chair Heinen was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Present to speak under Open Forum: Scott Smith, 43453 105th Ave Holdingford, MN 56348 regarding his manufactured house on his property adjacent to the Twin Pines store on Highway 10 just South of Rice. Smith stated that people are living in the house but that he has been informed by the Department of Development that a residence is not allowed on this commercial property. Smith stated one option he has is to remove the house out of the County. The County Board directed Staff to follow-up on Mr. Smith's issues at a subsequent Board meeting.

Heinen requested moving the agenda item under Commissioner Concerns regarding discussion and possible direction on County credit card acceptance to approximately 9:40 AM, after County Administrator, Montgomery Headley's Regular Agenda items. Johnson/Gapinski to approve the agenda as amended. Motion carried unanimously.

Schlangen requested that Consent Agenda item # 4 be "pulled" for further discussion. Johnson/Gapinski unanimous to approve the remaining Consent Agenda: 1) approve the Regular Meeting Minutes of April 20, 2021 as written; 2) approve the Committee of the Whole Meeting Minutes of April 13, 2021 as written; 3) approve the Special Board Meeting Minutes of April 27, 2021 as written; 5) accept and file the Monthly Financial Report; 6) request approval from Information Technology of a Mitel phone system support contract with Highpoint Networks and authorize the Chair to sign; 7) approve appointments to external Boards and Commissions; 8) approve Economic Development Services Agreement with the Benton Economic Partnership and authorize the Chair to sign; 9) approve a Resolution supporting DNR Grant Application by Benton County Snowmobile Club and authorize the Chair to sign; 10) approve the application for County Combination On-Sale and Off Sale, Sunday Sale Liquor Licenses, and an application for Off Sale Liquor License and authorize the Chair to sign; 11) approve eight Special Event Permit requests to host special events at Rollies, LLC.; 12) approve the 2021 Aquatic Invasive Species (AIS) Grant Applications Round I; 13) approve the Special Road Use Permit for Gilman Days and authorize the Chair to sign. Motion carried unanimously. Regarding Consent Agenda item # 4 (approve the St. Cloud Area Planning Organization (APO) Resolution in support of State funding for safety improvements to Highway 10) Schlangen asked if anyone present knew more about the construction. Headley stated he was contacted by APO and was asked to put this Resolution on the Agenda. Headley stated this pertains to the heavy volume of truck traffic and they are wanting to add longer acceleration and deceleration lanes to address safety issues with traffic. Gapinski added that APO is trying to get funding for this, and if they get a Resolution supporting this, they have a better chance of getting it funded by the State. County Engineer Chris Byrd added that by approving this Resolution, we support

studying this intersection and the money would go towards the study. Johnson/Gapinski unanimous to approve Consent Agenda # 4 approving the APO Resolution in support of State funding for safety improvements to Highway 10 and authorize the Chair to sign.

Next, Byrd spoke about the construction Contract for CP 005-055-010 and CP 005-079-002 tied projects. Byrd stated this is the shoulder widening and full-depth reclamation on CR 55 from 105th to CSAH 2 near Rice. This project is tied with a full depth reclamation on CR 79 between CR 55 and HWY 10 in Watab Township. The bids for the project were opened on Friday, April 23, 2021. Byrd stated their office received 6 bids and Knife River was the lowest responsible bidder with a total bid of \$1,421,439.30 and they came in approximately 16% lower than our Engineer's estimate. Byrd asked the County Board to adopt the Resolution and award the construction contract to Knife River. Motion by Johnson and seconded by Gapinski to approve awarding a construction contract to Knife River and authorize the Chair to sign. Motion carried unanimously.

Then, Byrd gave a brief explanation of the rejection of bids for project SP 005-070-008. Byrd stated we applied for and received a Federal Highway Safety Improvement Program (HSIP) grant to install permanent pavement markings on the newly reconstructed County Road 78. Due to the project being partially funded with Federal money, certain forms need to be completed as part of the submitted bid packet. They received three bids and only one bidder completed all the forms correctly. Byrd stated they are rejecting all bids and re-advertising for a new bid letting. Byrd stated he informed the bidders that were rejected, and he anticipates they will re-apply once the bid is open again.

The Regular County Board meeting was recessed at 9:21 AM to conduct a Ditch Authority meeting.

Regular County Board was reconvened at 9:51 AM.

The Regular County Board meeting was recessed at 9:52 AM to conduct a Human Services Board Meeting.

Regular Board meeting reconvened at 9:54 AM.

Next, Headley wanted to discuss the possible action to commit funding to a fiber connection between Foley and St. Cloud. The connection of municipal sewer between the City of Foley and St. Cloud Regional Wastewater Treatment System has created an opportunity to install high-speed fiber between the two cities. The City of Foley has inquired if the County wishes to partner in costs/ownership of this fiber. Based on estimates provided by Commissioner Gapinski, the cost to install 144 strand fiber housed in innerduct (plastic corrugated tubing) is approximately \$288,000 for 11 miles of fiber connection. Creating this broadband connection to St. Cloud would allow the County to directly connect to our East St. Cloud Human Services facility, thereby saving the cost of commercial internet service. It also creates opportunities for other broadband service in Foley and into rural areas of the County. There was a consensus by the County Board for the County to own the fiber connection and to discuss with the City of Foley how the cost could be shared. Headley noted that Commissioner Gapinski, Commissioner Johnson and County Staff will be meeting with City of Foley the following week.

Next, Benton Economic Partnership (BEP) Director Amanda Othoudt requested a motion to adopt a Resolution approving a tax abatement and business subsidy agreement for Performance Food Group, Inc. that will finalize a property tax abatement for the expansion of Performance Foods in Rice, MN. Othoudt gave a brief explanation of the tax abatement and business subsidy agreement. Othoudt stated that the City of Rice has also approved the abatement. Motion by Gapinski and seconded by Johnson to approve the tax abatement and business subsidy agreement with the City of Rice, Benton County and Performance Food Group, Inc. and authorize the Chair to sign. Motion carried unanimously.

Under Commissioner Concerns, Heinen wanted to discuss the direction of credit card acceptance. Auditor-Treasurer, Nadean Inman informed the County Board that they are working with a vendor to provide this service. Assistant County Attorney Michelle Meyer has reviewed the contract, and the contract is now with the vendor to review the recommended changes that Meyer suggested. Once approved by all, Inman will come to the Board for approval. Inman also needs to create a credit card policy and decide who will be responsible for absorbing the fee for credit card usage, whether it's the customer or the department. Commissioner Johnson asked if Staff needed direction on whether the County will use one or multiple credit card vendors and how the merchant fees will be handled. Headley replied that the credit card committee had already determined to go with one vendor (Forte). Regarding merchant fees, Headley stated that a few years ago this topic was discussed, and the County Board agreed that the credit card convenience fees would not be a direct and explicit charge to credit card users. Instead, the County would determine the overall cost of merchant fees and then make global adjustments to fees. Headley noted it was the consensus of the County Board then that the property tax levy would not absorb credit card convenience fees. After additional discussion, it was the consensus of the County Board that credit card fees should be borne by credit card users and not absorbed by levy funds. Inman anticipates credit cards will be rolled out starting in June or July and will be done in phases.

Inman was also asked by Board members about the status of the DMV office and whether walk-in customers will be allowed. Inman reported that currently the DMV is taking walk-ins for tab renewals and DNR-related permits. Appointments are still required for driver's licenses and title transfers. Inman was asked about when DMV could resume doing title work for local car dealerships. Inman replied that hopefully in two to three months, once the two new employees are fully trained, the DMV could resume with dealer title work. Board members also asked about the status of the front desk security person. Headley replied that he will be organizing a meeting of the affected Departments in the Annex area to discuss ending the security desk arrangement. Commissioner Johnson commented that if the position is needed perhaps it should be a County employee rather than contracted security.

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

Next, the County Board set future Committee of the Whole meetings: Foley to St. Cloud fiber project at Foley City Hall on Wednesday, May 12, at 8:30 AM; the Virtual Highway 23 Coalition Annual Meeting on Friday, May 14, at 10:10 AM via Zoom; discussion with department heads on Countywide space needs on Tuesday, May 18, start time upon conclusion of Regular County Board Meeting or approximately

10:30 AM; Human Services Quarterly Committee of the Whole meetings set for Monday, June 10, Monday, September 13, and Monday, December 13, all starting at 10:00 AM; SWCD Tour of Practices on Wednesday, September 8, at 9:00 AM. Motion by Johnson and seconded by Schlangen to approve the future Committee of the Whole Meetings. Motion carried unanimously.

Meeting adjourned at 11:25 AM.

ATTEST:

Edward D. Popp, Chair
Benton County Board of Commissioners

Montgomery Headley
Benton County Administrator