

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JUNE 1, 2021

The Benton County Board of Commissioners met in regular session on June 1, 2021 in the Benton County Board Room in Foley, MN with Commissioners Beth Schlangen, Ed Popp, Scott Johnson, 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.

County Administrator Montgomery Headley requested to add the discussion of County Engineer Chris Byrd's CR 55 construction project right-of-way (ROW) issue and to get direction from the County Board on how to proceed. Headley would like to add this item before Byrd's Annual Report at 9:30 AM. Motion by Johnson and seconded by Gapinski to approve the amended agenda. Motion carried unanimously.

Present to speak under Open Forum: Benton Economic Partnership Director Amanda Othoudt introduced the new Intern for Benton Economic Partnership Michelo Muleya to the County Board.

Schlangen requested that Consent Agenda item # 6 be "pulled" for further discussion. Also pulled from the Consent Agenda was item # 10 by Sheriff Troy Heck. Motion by Heinen, seconded by Johnson to approve the remaining Consent Agenda: 1) approve the Regular Meeting Minutes of May 18, 2021 as written; 2) accept and file Management Team Meeting Minutes of February 11, 2021 as written; 3) accept and file the Management Team Meeting Minutes of April 8, 2021 as written; 4) approve the application for County Combination On-Sale, Off Sale & Sunday Sale Liquor License and authorize the Chair to sign; 5) approve SCORE Grant applications round II; 7) approve agreement with ArcaSearch for use of the E-Commerce portal for historical document viewing and retrieval by outside users for a fee and authorize the Chair to sign; 8) approve the 2021 Boat and Water Safety Grant and authorize the Chair to sign; 9) approve the T-CPR agreement with North Memorial and authorize the Chair to sign. Motion carried unanimously. Regarding Consent Agenda item # 6 (approve the Minor Final Plat entitled "The Cove 5<sup>th</sup> Addition" submitted by John Herold) Schlangen asked for clarification of the borders of the lots. Department of Development (DoD) Director Roxanne Achman stated that the property boundaries are correct but that in the aerial photo the property lines may not appear correct because the photos are taken from an angle. Motion by Schlangen, seconded by Gapinski to approve Consent Agenda # 6 to approve the Minor Final Plat entitled "The Cove 5<sup>th</sup> Addition" submitted by John Herold. Motion carried unanimously. Regarding Consent Agenda item # 10 (approve contract amendment to MN DOC Work Release Contract) Heck stated that this contract was already approved during the Regular Board Meeting on May 18, 2021. Motion by Gapinski, seconded by Heinen to remove from the agenda Consent Agenda item # 10 to approve a contract amendment to the MN DOC Work Release Contract. Motion carried unanimously.

Next, Headley asked the County Board to consider the 2022 Budget Development Calendar and Budget Development Guidelines. Headley noted the highlights of the budget calendar which include presentations the week of August 9<sup>th</sup>, proposed budget and levy adoption on September 28<sup>th</sup>, a Truth in Taxation Hearing on December 14<sup>th</sup> and final budget and levy adoption on December 28<sup>th</sup>. Motion by

Heinen and seconded by Johnson to approve the 2022 Budget Development Calendar and Budget Development Guidelines. Motion carried unanimously.

Then, Headley discussed the future of the University of Minnesota Extension Office support staff position with the County Board. The retirement of the Extension support staff person provides an opportunity to examine the organizational model for providing support to the Extension Educators and Extension programs. After discussion with the Extension Regional Director and the County's HR Director, Headley recommends making the Extension support staff position a University of Minnesota Extension contracted position reporting to the Regional Extension Office. The cost would be added to the County's contract with the University for Extension programming. The estimated cost is \$59,717 (versus the currently budgeted cost of \$80,092). This topic will be discussed at the next Extension Committee meeting.

Then, Headley asked the County Board to consider approving the New David Drown and Associates (DDA) recommended Classification and Compensation System. This requested item has two parts: 1) the new pay table with DDA's recommended pay grades, job titles and new min/max hourly pay and 2) a promotional policy for the "Senior" classifications included in DDA's recommendations. Upon County Board approval of the new Classification and Compensation System, the County's Negotiating Committee will begin meeting with our Bargaining Units to discuss implementation. Actual implementation will occur once the parties have signed Letters of Understanding on an implementation plan. Motion by Gapinski and seconded by Heinen to approve the new DDA recommended Classification and Compensation System. Motion carried unanimously. Motion by Heinen and seconded by Johnson to approve the promotional policy for the "Senior" classifications included in DDA's recommendations. Motion carried unanimously.

Next, Land Services Director Michael Harvey provided the County Board with an update on E-Recording, Recording, and Local Boards of Appeal for informational purposes. No action was requested.

The Regular County Board Meeting was recessed at 9:45 AM to conduct a Human Services Board Meeting.

The Regular Board meeting reconvened at 9:48 AM.

Next, Public Works Director Chris Byrd discussed the CR 55 construction project regarding a ROW issue. The City of Rice was responsible for acquiring the additional highway easement necessary to facilitate the construction of CR 55 with wider shoulders. The City was only responsible for acquiring the ROW within the city limits and to acquire the additional road easement to be in Benton County's name. After receiving a copy of the easement documents, Byrd found that they were written to be a Trail Easement and not a Highway Easement. Also, the easement was placed in the City's name and not the County's name. Byrd stated our Contractor is ready to start work, but we don't have the necessary ROW to proceed. Byrd stated that the documents have not been recorded and we have the proper Easements up to the city limits of Rice, and that those documents have been recorded. City of Rice Clerk Julie Fandel does not believe that any of the easements from the City of Rice have been filed but will double check with their attorney. Fandel believes that there would be a consensus with the City of Rice to

change the easement back to a Highway Easement and to put it in the County's name. The City of Rice still needs to have a meeting to discuss this, and if the Council approves, they can start. Fandel stated the City of Rice is working to rectify the issue of changing the Easement to say Highway Easement instead of Trail Easement and to change the Easement back into the County's name. Consensus by the County Board to have Byrd meet with the Contractor to explain what happened and to see if the Contractor can start the project outside of city limits and to provide updates to the County Board.

Then, Byrd asked the County Board to adopt a Resolution to award a construction contract for tied projects SP 005-070-008 & SP 049-070-031. These tied projects are the installation of permanent pavement markings on recent reconstruction of County Road 78. Three sealed bids were received, and AAA Striping Service was the lowest responsible bidder at \$37,886.50. Byrd recommends the County Board to award the construction contract to AAA Striping Service. Motion by Johnson and seconded by Gapinski to approve the contract as presented. Motion carried unanimously.

Next, Byrd provided the 2020 Annual Report of the activities and expenditures of the Department of Public Works and Highway for informational purposes. No action required.

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

Under Commissioner Concerns, Heinen wanted to discuss parking along CSAH 3 (Golden Spike Road) during events at the raceway. Heinen stated parking along the side of the road on CSAH 3 is a safety issue when the speed limit is 55 miles per hour in that area. Currently the Sauk Rapids/Minden Township Joint Planning Board has approved three special event permits and they proposed "No Parking" signs to be placed on the road. Sheriff Troy Heck stated the Sheriff's Office has placed temporary "No Parking" signs on the North side of the road and will continue doing so on a case-by-case basis in consultation with the raceway operators. Heinen got clarification from Headley and Assistant County Attorney Michelle Meyer regarding any liability that the County may be held accountable for. Meyer stated that since we are not creating the hazard, we should not be held liable for any injury or damages. Heinen stated that if any accidents occur as a result of this parking he would pursue a permanent solution, such as no-parking on both sides of CSAH 3.

There were no new Committee of the Whole meetings to be added to our Committee of the Whole calendar.

Meeting adjourned at 11:04 AM.

ATTEST:

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Edward D. Popp, Chair  
Benton County Board of Commissioners

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Montgomery Headley  
Benton County Administrator