

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
JUNE 15, 2021

The Benton County Board of Commissioners met in regular session on June 15, 2021 in the Benton County Board Room in Foley, MN with Commissioners Beth Schlagen, 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.

County Administrator Montgomery Headley requested to add Consent item # 9 to the agenda for an application of an Off Sale Liquor License for Midwest Investment LLC. d/b/a Mini Mart # 10 at 1490 110th St NW Rice, MN 56367. Headley also asked to add to the Regular agenda under County Administrator at 9:05 AM, to consider a Letter of Understanding with Law Enforcement Labor Services, Inc., representing Deputy Sheriffs, Detectives and Court Security Officers to implement the 2021 Classification and Compensation Study results. Motion by Johnson and seconded by Heinen to approve the amended agenda. Motion carried unanimously.

Present to speak under Open Forum: Pam Benoit of 2875 42nd Ave NE Sauk Rapids, MN 56379 had a couple of questions regarding the Auditor-Treasurer's Office. Benoit stated that during a previous tax season, she had automatic payments set up from her bank account to pay for her property taxes. The check was made out to the previous Auditor-Treasurer, Karri Thorsten. Benoit stated that the check was then sent back to her bank and she was wondering why she did not receive a courtesy call regarding this. Then Benoit questioned our Auditor-Treasurer Nadean Inman's permanent residence. Benoit asked if Inman needed to live within our jurisdiction to hold an elected position in Benton County. Benoit stated that she found Inman's address to be in Becker, which is in Sherburne County. Popp clarified and stated when Inman was appointed, we had until January of that year to make her the permanent Auditor-Treasurer. Inman did not need to reside within the County until she ran for re-election. Inman had 30 days prior to the election to establish residency in Benton County. The County Board was adamant that Inman became a resident of Benton County so there would be no issue once she was elected. Popp stated we have proof of Inman's current residency in Sauk Rapids and prior to when she was elected. Heinen stated this is something we can look into further. Benoit stated she sent a letter to the State Auditor-Treasurer's Office regarding this.

Motion by Gapinski, seconded by Johnson to approve Consent Agenda items: 1) approve the Regular Meeting Minutes of June 1, 2021 as written; 2) approve the application for County Combination On-Sale, Off Sale & Sunday Liquor Licenses for Henry's Catering and Molitor's Quarry and authorize the Chair to sign; 3) approve the 3.2 Beer License for St. Elizabeth Church on June 27, 2021 and authorize the Chair to sign; 4) approve the application for exempt permit for Mid Minnesota Friends to conduct gambling at Jack & Jim's Event Center, 11025 Duelm Rd NE Foley, MN 56329 on August 12, 2021 and authorize the Chair to sign; 5) approve S.C.O.R.E. City of Foley purchase money security agreements for eight (8) By the Yard Inc. 33 gallon trash receptacles, item No. TREC WW A and authorize the Chair to sign; 6) approve the Minor Final Plat entitled "Puchalla Estates" submitted by Ken Puchalla and authorize the

Chair to sign the final plat; 7) approve a revised contract with Allied Waste Services of North America, LLC, d/b/a Allied Waste Services of Sauk Rapids/Republic Services of Sauk Rapids for Amnesty Day Services for 2021-2024 and authorize the Chair to sign; 8) accept the donation from the Drug Awareness Resistance Education Fund of Central Minnesota Community Foundation and authorize the Chair to sign; 9) approve the application to renew County Off-Sale Liquor License for Midwest Investment LLC, d/b/a Mini Mart # 10 at 1490 110th St NW Rice, MN 56367 and authorize the Chair to sign. Motion carried unanimously.

Next, Headley wanted to share resources on the American Rescue Plan Act (ARPA) funding and to begin discussion with the County Board on how Benton County might prioritize the use of these funds. Minnesota Management and Budget provided a high-level summary of allowable uses. The U.S. Treasury Department provided a "Q and A" document with substantially greater detail on allowable uses. Headley pointed out the key items that the ARPA funds can be used towards are infrastructure, wastewater, broadband, housing, replace lost revenue, and grants for businesses that suffered losses during the pandemic. Headley noted that we have until December 2024 to obligate the funds and will have until December 2026 to spend. Johnson is only interested in using the funds for "Special Projects" and not for future services. Heinen added that another County is only allocating half the funds now and will wait until they received the other half of their ARPA funds and will allocate then.

Then, Headley discussed with the County Board initial terms of the St. Cloud Regional Airport Authority Members. The St. Cloud Regional Airport Advisory Board has asked member counties and the City of St. Cloud to determine the initial terms for Authority members. St. Cloud Airport Director Bill Towle has prepared a proposed schedule for those initial terms for the nine Authority members. Once initial terms are complete, Authority members can then serve a maximum of three, 3-year terms. Heinen added that this would not begin until January 1, 2022 and/or once it's approved. Consensus by the County Board to approve the initial terms of the St. Cloud Regional Airport Authority members.

Then, Headley asked the County Board to consider a Letter of Understanding with Teamsters Local 320 representing Licensed Essential Supervisors to implement the 2021 Classification and Compensation Study. Motion by Gapinski and seconded by Johnson to adopt the Letter of Understanding with Teamsters Local 320. Motion carried unanimously.

Last, Headley asked the County Board to consider a Letter of Understanding with Law Enforcement Labor Services (LELS) Inc., representing Deputy Sheriffs, Detectives and Court Security Officers to implement the 2021 Classification and Compensation Study results. Motion by Gapinski and seconded by Heinen to adopt a Letter of Understanding with LELS Inc. Motion carried unanimously.

The Regular County Board Meeting was recessed at 9:30 AM to conduct a Human Services Board Meeting.

The Regular Board meeting reconvened at 9:35 AM.

Next, Public Works Director Chris Byrd discussed the 5-Year Road Construction Improvement Program (CIP). The 5-Year Road CIP has been discussed on a recent tour of the county roads and at a recent

Committee of the Whole meeting. The 5-Year Road CIP is a planning document that guides the Public Works/Highway Department on how to spend their resources. Byrd noted that not all projects listed in the 5-Year Road CIP are fully funded. There is about \$2 million funding shortfall over 5 years. Having the projects in the plan helps us seek outside funding such as grants. Additionally, there is a list of unfunded projects that should be completed within the next 5 years, but these costs are much more than we could fund with current revenues. Byrd added that once this plan is adopted by the County Board, it will be published publicly on our County website. Motion by Johnson and seconded by Gapinski to approve the 5-Year Road CIP. Motion carried unanimously.

Then, Byrd provided an update on the CR 55 Construction Project. Byrd had meetings with the City of Rice where he informed the City's Attorneys that there is a statute reference that says public utilities, specifically water and sewer could be placed in highway easements. Byrd stated that we do have signatures and lots of verbal concurrences from landowners to start. Johnson asked about penalties we could accrue if the project is not done in time and Byrd stated that there would be a penalty of approximately \$1,500.00 per day past the deadline. Byrd stated things are currently going well for the contractor and everything should get signed today. Byrd will keep the County Board informed on this project.

Johnson asked Byrd for an update on the Co. Rd 4 Bridge. Byrd stated the bridge itself is complete, but they are waiting on the installation of the upgraded guard rails and dressings on the shoulder where it was paved.

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

There were no Commissioner Concerns to report at this time.

Johnson/Heinen to set Committees of the Whole: Behavioral Health Crisis Center Groundbreaking Ceremony for Stearns County and CMMHC on June 24, 2021 at 10:00 AM at 1321 13<sup>th</sup> Street N St. Cloud, MN 56303; GSDC's All Investor Meeting at Coborn's Corporate Campus at 1921 Coborn Blvd St. Cloud, MN 56301 from 4:00 PM to 6:00 PM. Motion by Johnson and seconded by Heinen to approve Committee of the Whole Meetings. Motion carried unanimously.

Motion by Gapinski and seconded by Heinen to recess the Regular County Board meeting at 10:12 AM to conduct a closed meeting of the County Board under MN Statute §13D.05, Subdivision 3(c) to consider the purchase of real property. For the record, subject property to be discussed is Parcel # 01002100 and Parcel # 010021700, a combined 120-acre parcel also known as the Eisenschenk gravel pit.

Regular County Board meeting was reconvened at 10:47 AM.

Meeting adjourned at 10:48 AM.

ATTEST:

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Montgomery Headley  
Benton County Administrator

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Edward D. Popp, Chair  
Benton County Board of Commissioners