

BENTON COUNTY BOARD OF COMMISSIONERS
SPECIAL MEETING MINUTES
JULY 27, 2021

The Benton County Board of Commissioners met for a special meeting on Tuesday, July 27, 2021 in the Benton County Board Room in Foley, MN with Commissioners Scott Johnson, Ed Popp, Jared Gapinski and Steve Heinen present. Commissioner Beth Schlangen joined at 9:04 AM. Call to order by Chair Popp was at 9:00 AM followed by the Pledge of Allegiance to the flag.

County Administrator Montgomery Headley, along with the County Board wanted to have this meeting to provide assurances to the City of Foley regarding the Foley to St. Cloud fiber project. Headley stated that there was a meeting on July 15, 2021 at Foley City Hall to reach a consensus on various issues regarding this project which are listed in the resolution. Headley pointed out some major points of the resolution: 1) Benton County agrees to fund the cost of installing fiber in the same pathway being followed by the City of Foley wastewater project in an amount up to \$325,000; 2) the County agrees to fund up to \$45,000 in additional costs incurred by the City to revise its wastewater construction plans to install armored fiber from a western terminus near the intersection of TH 23 and CSAH 1 to an eastern terminus in the City of Foley near the intersection of TH 25 and 2nd Avenue West; 3) The County agrees that 12 strands of fiber capacity in the fiber between the City and St. Cloud shall be dedicated to the exclusive use of the City; 4) the County agrees to participate in the cost to install fiber connections to City-owned facilities by providing a lump sum payment of \$175,000 to the City; 5) it shall be the City's responsibility to make arrangements with a provider to install fiber connection to City-owned facilities; 6) in exchange for County funding of fiber to City facilities, the City has agreed to permit a broadband provider to install a fiber distribution hub ("co-location facility") on City property at no cost to the provider or the County; 7) the County agrees it will use its best efforts to secure free internet service to City facilities as part of any contract with a broadband provider, and 8) the County agrees that any revenue derived from leasing space on County-owned fiber between the City and St. Cloud will be shared with the City. Headley stated that Assistant County Attorney Michelle Meyer, along with Attorney Adam Ripple from Rinke Noonan are currently working on a Joint Powers Agreement for the City of Foley and Benton County regarding the fiber project. Headley also reiterated that most of the funding for this project will come from the American Rescue Plan Act (ARPA) funds. Motion by Gapinski and seconded by Johnson to proceed with the Resolution providing assurances regarding the Foley to St. Cloud fiber project. Motion carried unanimously.

The special meeting adjourned at 9:14 AM.

Ed Popp, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator