

BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
AUGUST 3, 2021

The Benton County Board of Commissioners met in regular session on August 3, 2021 in the Benton County Board Room in Foley, MN with Commissioners Beth Schlangen, 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.

Gapinski requested to provide an update on the Foley to St. Cloud fiber connection after the approval of the Consent agenda. Motion by Johnson and seconded by Heinen to approve the amended agenda. Motion carried unanimously.

No one was present to speak under Open Forum.

Motion by Johnson and seconded by Gapinski to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of July 20, 2021 as written; 2) accept and file the Management Team meeting minutes of June 10, 2021; 3) approve the Letter of Support for Stearns County Parks and authorize the Chair to sign; 4) approve an application for exempt permit for Benton County Snowmobile Club to conduct a raffle at Jack & Jim's 11025 Duelm Rd NE Foley, MN on November 27, 2021 and authorize the Chair to sign; 5) approve an application for MN Lawful Gambling exempt permit for Sauk Rapids Tinville Lions Club to conduct a raffle at Rollie's Rednecks & Longnecks 940 35<sup>th</sup> St NE Sauk Rapids, MN on October 17, 2021 and authorize the Chair to sign; 6) approve an application for exempt permit for MN Dark House & Angling Association-Central Chapter to conduct a raffle at Jack & Jim's 11025 Duelm Rd NE Foley, MN on February 4, 2022 and authorize the Chair to sign. Motion carried unanimously.

Next, Gapinski provided the County Board with an update on the City of Foley to St. Cloud fiber connection. Gapinski stated that language was added to the contract to state that "Benton County will leverage to the best of our ability on a full County broadband build out including the City of Foley". Gapinski stated that the cost of up to \$45,000 for engineering reimbursement to the City of Foley was brought up but we have not seen any costs to date and Gapinski and Johnson asked the City of Foley to provide them with an update on those costs. Popp asked that we get an itemized statement listing the individual costs for the engineering reimbursement. Gapinski stated that the City of Foley will provide an itemized statement of all engineering costs. Then Gapinski stated that we are adding the conduit and need to know where the engineering is at regarding this. Gapinski said we have no issue with the City of Foley working with whatever provider they want as long as it's for the City of Foley's direct use of the 12 strands of fiber dedicated to the City of Foley. Gapinski then addressed the permit fees and said that there was an agreement that Benton County would be responsible for paying for their fees and the City of Foley would be responsible for paying for their fees.

Then, Benton County Sheriff asked the County Board to review and accept the biennial independent audit of the Benton County Sheriff's Office body camera data. Heck stated that there was one finding in the audit. Heck stated when they initiated the system, some of the default settings for the retention

were less than the 90 days as required in the statute because they were test recordings that would not be saved or used for evidentiary purposes however the law states that if it's recorded it must be kept for 90 days. When that was discovered in the audit, they went back and changed the settings. The audit finding has been addressed. Heck stated that per the audit, everything else is in compliance. Motion by Gapinski and seconded by Heinen to accept the biannual audit of the Benton County Sheriff's Office body camera data. Motion carried unanimously.

Next, Public Works Director Chris Byrd shared that we have received two local bridge grants of about \$500,000 for bridges that need to be replaced. Byrd stated that the remaining costs to replace the bridges would come from the Sales Tax for Transportation revenues. The bridges are on County Road 51 at the south edge of Foley and on County Road 67 north of TH 23. Since the funds are now available due to the State Legislature recently approving additional funding for the local bridge replacement, Byrd would like to proceed with a bid letting later this month. Byrd stated that the two bridges were included in the 5-Year Plan and were scheduled for replacement in 2022. Byrd anticipates that construction would start in the summer of 2022. No motion was made and no action was required for this Regular Agenda item.

Next, Byrd wanted to discuss the 2022 road construction projects. The dry weather had been great for construction and they have completed the physical work on their construction projects. This has allowed our engineers to focus on next year's projects. There are two full depth reclamation projects which are CSAH 3 and 22 and an overlay on CSAH 5. Byrd anticipates they will be able to complete their construction plans this month and would like to advertise for bids this fall and weather permitting, allow construction to start on the projects this fall. The completion date would not be until 2022. Popp mentioned that with the road projects being close together, it would be in the best interest to have one contractor bid all the projects together and Byrd agreed and stated they do look for opportunities to do that. No motion was made and no action was required for this Regular Agenda item.

Then Byrd wanted to address the bridge condition of Bridge 05518. With the water levels being extremely low, this has led to the ability to observe features of bridges that are normally under water. The bridge carrying CR 51 over the Saint Francis River, near CSAH 6 has shown the steel pile supporting the bridge to have significant corrosion and a few of the piles have rusted completely through and resulted in section loss. Byrd contacted a bridge designer to look at the bridge and they performed a Load Rating and has determined that due to the corrosion and section loss the bridge has less capacity and will need to be posted restricting the maximum weight of 18 tons for single unit and 28 tons for tractor-trailers that can travel across the bridge. This bridge is being prioritized for replacement. No motion was made and no action was required for this Regular Agenda item.

Next, Byrd addressed the MnDOT Agreement No. 1046095 Local Bridge Replacement Grant for CR 50. In order to receive the State Bridge Grant monies, this agreement needs to be executed between the County and MnDOT. The total amount Benton County will receive is \$287,282.50. This number does reflect bids we received in July that were higher than the Engineer's estimate. This grant is from proceeds of State bond funds and there are certain stipulations we must abide by. This grant does not cover all the expenses for project 005-598-025 and those costs are being covered by Sales Tax for

Transportation revenues. Motion by Heinen to adopt the Resolution and to authorize the Chair to sign the grant for MnDOT Agreement No. 1046095. Seconded by Johnson. Motion carried unanimously.

Last, Byrd addressed the MnDOT Agreement No. 1046091 Local Bridge Replacement Program Grant for CR 80. The total amount Benton County will receive is \$597,110.00. This number does reflect the bids we received in July that were higher than the Engineer's estimate. This grant does not cover all expenses for project 005-598-023 as there are some ineligible items that are the local agency's costs. These local agency's costs are being covered by Sales Tax for Transportation revenues. Motion by Heinen to adopt the Resolution and to authorize the Chair to sign the MnDOT Agreement No. 1046091. Seconded by Johnson. Motion carried unanimously.

Heinen requested that Byrd provide us an update on the Sales Tax at the next Regular Board Meeting.

Johnson then asked Byrd about County ditches and why work isn't being done now when it's so dry and Byrd stated that they are waiting for the paperwork on the ditches to be done beforehand as well as the redetermination of benefits before starting the work on the ditches.

The Regular County Board Meeting was recessed at 9:35 AM to conduct a Human Services Board Meeting.

The Regular Board meeting reconvened at 9:42 AM.

Next, County 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/Gapinski to set Committees of the Whole: Wednesday, September 8, 2021 Soil and Water Conservation District (SWCD) Tour of Practices beginning at the SWCD building in Foley, 9:00 AM; Thursday, September 16, 2021 and Friday, September 17, 2021 Association of Minnesota Counties Fall Policy Conference at the Arrowwood Convention Center in Alexandria MN, 9:00 AM; Wednesday, September 22, 2021 Work Session on proposed 2022 Budget and Levy at the Benton County Boardroom at 9:00 AM; Thursday, September 30, 2021 Benton County Annual Township Meeting at St. George Town Hall at 7:30 PM. Motion carried unanimously.

Motion by Gapinski and seconded by Heinen to recess the Regular County Board meeting at 10:02 AM to conduct a closed session meeting of the County Board under MN Statute §13D.05, Subdivision 3 to develop or consider offers or counteroffers for the purchase of sale of real or personal property on parcels 130112300 (Court facility parcel) and parcel 130030201 (old High School property). Motion carried unanimously.

Regular County Board meeting was reconvened at 10:39 AM.

Meeting adjourned at 10:40 AM.

ATTEST:

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Montgomery Headley  
Benton County Administrator

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Edward D. Popp, Chair  
Benton County Board of Commissioners