

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
AUGUST 6, 2019

The Benton County Board of Commissioners met in regular session on August 6, 2019 in the Benton County Board Room in Foley, MN with Commissioners Ed Popp, Steve Heinen, Warren Peschl, Spencer Buerkle and Jake Bauerly present. Call to order by Chair Bauerly was at 9:00 AM followed by the Pledge of Allegiance to the flag.

Peschl/Heinen unanimous to approve the agenda as amended—add item: Boundary Commission update.

No one was present to speak under Open Forum

Popp/Buerkle unanimous to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of July 16, 2019 as written; 2) accept and file Committee of the Whole Minutes of July 12, 2019 as written; 3) accept and file Management Team Meeting Minutes of May 9, 2019 as written; and 4) approve Agreement with *Maximus Consulting Services Inc.* for Indirect Cost Allocation Studies, and authorize the Chair to sign.

Nadean Inman, Auditor-Treasurer, explained that, in July 2019, a reimbursement grant was received from the State of Minnesota to offset costs incurred by the deputy registrar as a result of the MNLARS rollout. She detailed planned improvements for use of the grant funds to increase customer service for DMV customers. Buerkle commented "...is this the proper process...if money comes into the DMV, isn't that money supposed to go into the general fund...it was for lost revenue and overtime...you come to the County Board during budget time to request to utilize these funds for those purposes...keeps integrity in our fiscal policies..." Monty Headley, County Administrator, noted that the County Board is the grant recipient; ultimately, it is up to the Board how the grant funds are used. Inman stated her position that these funds were earned through DMV services and should be used for the betterment of those services. Bauerly stated "...I understand Nadean's compassion...these projects might be just fine through the capital improvement projects budget process..." Popp stated his agreement that these funds should go through the budget process; he suggested that some of the funding could be used to reimburse the overtime budget for overtime paid because of issues created by MNLARS. Inman stated she will proceed to request these funds through the upcoming budget process.

Roxanne Achman, Department of Development Director, reported that the Minnesota Public Utilities Commission has issued a notice of comment period on application completeness for the Regal Solar project in Langola Township; at this time they are simply asking if there are any comments on the completeness of the Certificate of Need and the Application for a Site Plan. Achman noted that there will be other comment opportunities in the future pertaining more specifically to the project and site. Board members had no comments at this time.

Achman provided an update on the Boundary Commission, noting that a neighborhood meeting was held on July 30th at the Watab Town Hall; Jay Wittstock, County Surveyor, and David Meyers of Rinke Noonan were also in attendance. She stated that there was "a lot of opposition" as many of the residents had surveys done and felt that what they have is sufficient. Achman commented "...we are going back to the drawing board...Jay is drawing up some proposals...getting more specific costs...no work has started yet on the surveying...we may end up pulling out some of those properties that do

appear to have sufficient surveys and match up with what we have on file...before we go anywhere with this, there will be more communication with the neighbors in that area..." Bauerly referenced the "domino effect" if one property line is found to be in error, questioning how any properties can be excluded. Achman commented "...there is one area that might be OK...and then there is Oehrlein's Point which is platted...with new technology and title companies being able to actually physically see where some of these property lines are..." Buerkle urged caution with regard to excluding properties, stating that once this is public knowledge, they must disclose any issues to prospective buyers. Heinen commented "...if the original pin is in Little Rock Lake...you really can't pull any properties out until it's all taken care of..." Achman stated her understanding that there are some monuments in areas which control, one of which is a judicial monument that was set by a judge. Noting that the County Surveyor has been participating in all the meetings, Bauerly suggested that the County Engineer be included as well. Achman added that the roadway in Watab Township still needs to be "cleared up". Several Board members stated their desire to locate the stake during the drawdown of Little Rock Lake.

Chris Byrd, County Engineer, presented an agreement with *Braun Intertec* to provide construction material testing on the CSAH 2 reconstruction project in conjunction with the Little Rock Lake drawdown project. He noted that the County Attorney has reviewed, and signed off, on the agreement. Byrd stated that quotes from two different consulting firms were sought out and *Braun Intertec* was selected based on technical ability and availability to serve this project. Bauerly inquired about the turn-around time for review by the County Attorney's Office and the possibility of delegating authority to the County Engineer to enter into contracts which are under a specific dollar amount, i.e. \$10,000. Headley stated "...the County Attorney's Office confirmed that there is no authority for the County Board to delegate to department heads the ability to sign contracts regardless of the dollar amount..." Buerkle/Popp unanimous to approve the agreement with *Braun Intertec* to provide construction material testing, and authorize the appropriate signatures.

Engineer's Update: 1) four mowers running continuously the full width of the right-of-way; 2) continuing noxious weed spraying; Bauerly inquired if the county has authority for maintaining weed control on private land; several Board members stated their belief that the township is responsible for maintaining weed control on township road right-of-ways, the county for county road right-of-ways, and the Farm Service Agency would address weed control in fields; 3) D.O.T. inspections of snowplow trucks has begun; and 4) updates on projects—CR 78, CSAH 2, CR 55.

Bob Cornelius, Human Services Director, explained that there have been significant changes to the Public Health Nursing Supervisor position since the last grade assignment in 2009, including absorption of the duties of Community Health Services Administrator in 2016 (Cornelius is also qualified as a CHS Administrator). Cornelius stated that he did not bring a reclassification review request to the Board prior to May (policy states requests should be brought to the Board during the months of January through May) because he originally intended to bring this issue forth as part of a policy request during the budget process to include designating this position as site manager relative to the upcoming move to East St. Cloud (the additional role of site manager is no longer being pursued; however, this position will include some of those duties at some level). Heinen inquired of the cost to Benton County when Benton County had contracted with Stearns County for community health services for two years (\$10,000). He noted that the estimated cost resulting from a reclassification review of the Public Health Nursing Supervisor position is about that same price (\$10,000). Cornelius commented "...being a county of over 30,000 people, we have a choice to enter into an agreement with another county, but I don't think we are going to find another partner..." Buerkle inquired of any other job reclassification review requests that occurred outside of the designated review period. Popp suggested that it would be up to

the County Board to consider each request on its own merit. Peschl/Popp unanimous to approve the request for reclassification review of the Human Services Public Health Supervisor position.

The Regular County Board meeting was recessed at 10:01 AM to conduct a Human Services Board meeting.

The Regular County Board Meeting was reconvened at 10:05 AM.

Monty Headley, County Administrator, reported that the County Board directed him to work with the Eastgate owner to obtain additional quotes for the cost to remodel the Eastgate III office space for County occupancy. He detailed the three quotes received, stating his recommendation to utilize the services of Commercial Building Maintenance because of their familiarity with the buildings and in-depth knowledge of the County's needs. Headley noted that the County would make payments directly to the contractor based upon his invoicing; there would be no pass-through the building owner. He noted that the two leases for office space in the Eastgate complex cover approximately 6,000 square feet of space spread among three suites; the cost is \$12 per square foot plus Common Area Maintenance costs and lease term is five years. Headley noted that the remodeling can begin in approximately two weeks with an expected October completion date. Peschl/Heinen unanimous to approve five-year leases (January 1, 2020 through December 31, 2024) with Eastgate II 425 East St. Germain and Eastgate III 451 East St. Germain, and authorize the Chair to sign. Popp/Buerkle unanimous to award the Eastgate III remodeling bid to Commercial Building Maintenance, Brian Johnston, Owner and Licensed Contractor, amount not to exceed \$99,049, and authorize the Chair to sign.

Steve Stang, Information Technology Director, explained that part of the Human Services East St. Cloud project is configuring a secure, high speed connection between the County Government Center and the 451 Eastgate building; this will allow the County to share phones and data between the sites similar to how the County's other buildings are connected. Stang stated that *Midco* has been identified as the lowest responsible bidder for the connection from 451 East St. Germain, St. Cloud, to 531 Dewey Street, Foley; the proposed contract is for a five-year lease of a point-to-point fiber connection which provides dedicated bandwidth speed to sustain phone and data connections between the two sites and also allows room for growth in speed if needed during the lease. Heinen/Buerkle unanimous to ratify the Midco Master Services Agreement from 2017, approve the Midco Addendum and Service Order, and authorize the Chair to sign.

Headley reported that the County Park Commission has recommended the County apply to Benton Telecommunications for a grant to cover half the cost of a severe weather siren at Benton Beach. He noted that the total project cost is estimated at \$21,600; resources identified for the local match for half the project cost are \$8,000 from the Parks Capital Improvement Plan and \$3,000 from Langola Park Dedication. Following brief discussion, Peschl/Popp unanimous to allow the County Emergency Management Director to submit a grant application to Benton Telecommunications for a severe weather siren grant and provide a local match for half the project cost.

Board members reported on recent meetings they attended on behalf of the county.

Under Commissioner Concerns, Peschl referenced the CSAH 2 reconstruction project at the north end of Little Rock Lake, inquiring of the potential for installing a platform on the bridge; he noted that the Rice Sportsman's Club would assist in the funding. County Engineer, Chris Byrd, noted that, after consulting

with several bridge designers, they have recommended that nothing be attached to the existing structure. Byrd added "...for a quarter mile on either side of that bridge, we will have an 8-foot shoulder and 4:1 slopes...I'm not necessarily recommending people parking along the roadway...it's a high speed roadway...lot of traffic...lot of trucks...but there will be additional room than what there is now..." Bauerly suggested a "self-supporting deck where people could get off the road and sit on...not attached..." Byrd stated "...if we go down that discussion, I think we should address the parking issue...if we do make it more accessible for fishing, we could see potential additional traffic and parking along that roadway..."

Buerkle/Peschl unanimous to set Committees of the Whole: August 12, Change Start Time of Budget Presentations from 9:00 AM to 8:30 AM; August 21, Review Five-Year Road Program; September 10, Benton SWCD & NRCS Conservation Tour; and September 12 & 13, AMC Fall Policy Conference.

Chair Bauerly adjourned the meeting at 10:43 AM.

A. Jake Bauerly, Chair
Benton County Board of Commissioners

ATTEST:

Montgomery Headley
Benton County Administrator