

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
OCTOBER 5, 2021

The Benton County Board of Commissioners met in regular session on October 5, 2021 in the Benton County Board Room in Foley, MN. Call to order by Chair Ed Popp was at 9:00 AM followed by the Pledge of Allegiance to the flag. A roll call showed Commissioners Beth Schlangen, Scott Johnson, Ed Popp, Jared Gapinski and Steve Heinen present.

County Administrator Montgomery Headley requested to add the lease agreement regarding the Eisenschenk property to the Public Works Director Christopher Byrd's Regular Agenda item at 9:35 AM. Motion by Johnson and seconded by Gapinski to approve the amended agenda. Motion carried unanimously.

No one was present to speak under Open Forum.

Motion by Gapinski and seconded by Heinen to approve the Consent Agenda: 1) approve the Regular Meeting Minutes of September 21, 2021; 2) accept and file the Administrator's Monthly Financial Report through August 2021; 3) approve the application for County Combination On-Sale & Sunday Liquor License and authorize the Chair to sign. Motion carried unanimously.

Next, Department of Development Director Roxanne Achman requested to hold a public hearing regarding the minor final plat entitled "Baldwin Acres" in Watab Township submitted by David and Sandra Baldwin. Achman informed the County Board that the Baldwins would like to create three lots out of the existing two lots. Achman informed the County Board that this was apart of the original plans for this parcel of land. Public Hearing opened at 9:08 am. No one was present for the Public Hearing. Public Hearing closed at 9:09 AM. There were no emails, letters or other communications to be read into the record. The Department has not received any comments or concerns from State agencies, cities or townships. No official action was required by an affected Township. Achman stated this was approved by Watab Township and it was also approved by the Planning Commission. Motion by Johnson and seconded by Heinen to approve the final plat of "Baldwin Acres". Motion carried unanimously.

Next, Achman gave a brief update on the cleanup efforts at the site of the former King's Inn. Achman stated she spoke with the Department of Natural Resources (DNR), Minnesota Pollution Control Agency (MPCA) and the Minnesota Department of Health (MDH) regarding this issue and they all informed Achman that the county has the best resources to abate the property and assess it back to the property owner. Achman is working with our county contracted building inspector, David Barsody, on this matter. Barsody has provided a report of his finding stating the structure is in a state of disrepair, is a hazard to anyone entering the site, and that he does not suspect the presence of asbestos. A certified letter has been sent to property owner Mr. Ranallo asking him to mitigate the environmental and safety concerns by October 11th, or to let us know if he will permit the County to do so at his expense. Assuming we need to mitigate immediate concerns, mostly the runoff to the lake, Achman will need to work with the Attorney's Office to determine our legal authority to do so in a quick manner. Achman stated we have to

provide Ranallo a reasonable amount of time to properly cleanup the site, just as we would any other burn site or solid waste nuisance. This generally takes months. However, if the County is able to get Ranallo to work with the County, we may be able to draft an agreement between the County and all owners of the property to cleanup the site and assess costs back to the property owners. Benton County has a solid waste fund set up for the solid waste service fee collected through special assessment in accordance with MN. Stat. Ch. 400.08. The funds are to be used only for recycling and waste reduction services, collection, processing, and disposal of solid waste, closure and post closure care of a solid waste facility, and in response, as defined in section 115B.02, to release us from a solid waste facility or closed solid waste facility. Achman stated that after reviewing this statute and after consulting other Counties, the fund is not an avenue that we can use for the cleanup of private sites. Statute dictates that the funds are to be used for solid waste facilities and solid waste programs (Amnesty Days). Achman added that Ranallo has 60 days for cleanup. This Regular Agenda item was for informational purposes and no action was required, and no motion was made.

Next, Auditor-Treasurer Nadean Inman provided the County Board with a DMV services update. This Regular Agenda item was for informational purposes only. No action was required, and no motion was made.

Then, Inman provided the County Board with information on redistricting. This Regular Agenda item was also for informational purposes only. No action was required, and no motion was made.

The Regular County Board meeting was recessed at 9:57 AM to conduct a Human Services Board Meeting.

The Regular Board meeting reconvened at 10:01 AM.

Next, Byrd wanted to seek the approval of the County Board to appeal the County's Highway Access Policy. Jeff Hanson appeared before the Board at the April 6, 2021 and the September 7, 2021 Regular Board meeting to appeal the denial of a second driveway onto his parcel at 8660 1st Ave NE Rice, along CR 78. Hanson has gotten a wetland determination. The County Board is asking for a wetland delineation. Motion by Schlangen to have the Hanson's provide the County Board with a wetland delineation in order to determine the appeal to the County's Highway Access Policy. Seconded by Heinen. Motion carried with a three to two vote with Schlangen, Popp and Gapinski voting "aye" and Johnson and Heinen voting "no". Byrd stated that he or Achman will notify Hanson to complete the wetland delineation. If Hanson does not complete the wetland delineation, the appeal process will end.

Next, Jessica Green from Northland Securities, Benton County's Bond Advisor, gave the results of the competitive bidding for Benton County's \$2.52 million in General Obligation Tax Abatement Refunding Bonds. Proceeds for the 2021A Bonds will be used to refund the County's General Obligation Tax Abatement Bonds, Series 2014A on February 1, 2022 and to pay costs associated with issuing the 2021A Bonds. The Bonds have been structured to result in relatively level annual debt service savings over the life of the Bonds, which preserves the original structure of the 2014A Bonds. Green stated that there were six competitive bids in total, and the Bonds were underwritten by D.A. Davidson & Co., of Denver, Colorado. The final 2014A Net Present Value Savings on October 4, 2021 will be \$219, 506 or 7.72%.

Motion by Johnson and seconded by Gapinski to approve a Resolution Awarding the Sale of Benton County Series 2021A General Obligation Tax Abatement Refunding Bonds. Motion carried unanimously.

County Board recessed at 10:40 AM.

County Board reconvened at 10:44 AM.

Next, Byrd requested the County Board to consider the offers and authorize the Board Chair to sign the Temporary Easement documents. In 2022, MNDOT will have a construction project on TH 23 from Foley to Milaca. Nearly all of the construction will occur within existing MNDOT right-of-way. MNDOT is acquiring some temporary easements to facilitate the construction work. The temporary easements allow construction equipment and workers enough room to complete the construction along TH 23 in 2022. MNDOT is offering compensation for the temporary easements. Motion by Gapinski and seconded by Johnson to approve the offers and authorize the Board Chair to sign the Temporary Easement documents. Motion carried unanimously.

Next, Byrd asked the County Board to adopt a resolution for MNDOT agreement No. 1047927 Local Bridge Replacement Program Grant for CR 67. The total amount Benton County will receive is \$265,253.00. The grant does not cover all the expenses for project 005-598-027 as there are some ineligible items that are the local agency's costs which will be covered by Wheelage Tax revenues. Motion by Heinen and seconded by Johnson to adopt the resolution and authorize the County Board Chair to sign the MNDOT Agreement No. 1047927 Local Bridge Replacement Grant for CR 67. Motion carried unanimously.

Then, Byrd requested the County Board adopt the resolution and authorize the Chair to sign the MNDOT Agreement No. 1047897 Local Bridge Replacement Program Grant for CR 51. Byrd informed the County Board that the total amount Benton County will receive is \$289,673.00. Byrd added that the grant does not cover all the expenses for project 005-598-026 and the rest of the expenses will be covered by the Sales Tax for Transportation revenues. Motion by Johnson and seconded by Gapinski to adopt the resolution and authorize the Chair to sign the MNDOT Agreement No. 1047897 Local Bridge Replacement Program Grant for CR 51. Motion carried unanimously.

Last, Byrd requested Board approval to the Residential Lease Agreement for Eisenschenk property. At the July 7, 2021 Regular Board Meeting, the County Board authorized and approved the purchase of the Eisenschenk gravel pit. There is a known residence on the property. At the July 7th meeting, the Board authorized allowing the former owners to remain living in the residence for a period of time. To properly allow this a residential lease agreement needs to be executed. Byrd recommends the Board Chair to sign a residential lease that will be executed at the time of closing on October 6, 2021. Motion by Johnson and seconded by Gapinski to approve the Residential Lease Agreement for County Owned parcel. Motion carried unanimously.

Next, Headley requested Board approval to add First Stop Health as a benefit to the County's health insurance plan. Finance Supervisor Jackie Traut invited Amy Diedrich from Marsh & McLennan Agency (MMA), Benton County's Broker, to discuss this new option to the County Board. Telehealth services are

an increasingly popular way to seek medical care from home whenever it's most convenient for you. First Stop Health is a virtual care add-on to health insurance plans that averages 44% utilization across all their clients. There is typically little to no cost for employees which is far cheaper than other treatment options. If patients use telemedicine rather than going to the ER or urgent care, they save the health insurance plans money in reduced medical claims. Motion by Heinen and seconded by Gapinski to approve the addition of First Stop Health as a benefit to the County's health insurance plan. Motion carried unanimously.

Then, Diedrich provided a recommendation for employee health insurance funding (premium rates) for 2022 which is requiring an increase funding factor of 12% for 2022. This increase is due mainly to large health insurance claims from the previous year. Motion by Gapinski and seconded by Heinen to approve the recommendations provided by Marsh & McLennan Agency for funding for the employee health insurance plan.

Next, Headley asked the County Board to consider membership in the Minnesota Rural Broadband Coalition which is recommended we do so by the Benton County Broadband Committee. The Coalition is a legislative advocacy group working to secure funding for rural broadband. Membership for Benton County would be \$2,000 annually. The membership fee would be paid by Commissioner Contingency funds. Motion by Gapinski and seconded by Johnson to join the Minnesota Rural Broadband Coalition. Motion carried unanimously.

Last, Headley asked the County Board to appoint members to the Benton County Broadband Committee. The Broadband Committee discussed potential Committee appointees at its September 27th meeting and has the following recommended members: Amanda Othoudt, Benton Economic Partnership Executive Director; Greg Bruestle, Township Representative (Langola Township Member and Community Member); Christine Scherbing, Township Representative (Clerk to St. George Township and Community Member); Jim Martinson, County Resident and Benton "Telecommuter Forward" Coordinator and Community Member; Sarah Brunn, Foley City Administrator; Mark Pappenfus, Foley Public Works Director; Cory Zimpel, Sauk Rapids-Rice Schools Director of Technology; Paul Schieffer, Foley Schools Director of Technology. Heinen recommended appointing Gapinski and Johnson from the County Board to be members of the Benton County Broadband Committee and to also authorize a \$60.00 per diem and mileage reimbursement for those designated as "Community Members". Motion by Heinen and seconded by Gapinski to appoint the members of the Benton County Broadband Committee and to authorize a \$60.00 per diem and mileage reimbursement for those designated as "Community Members". Motion carried unanimously.

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/Heinen to set Committees of the Whole: Monday, October 25, 2021 Fall AMC District 5 Meeting at the Sherburne County Government Center, 13880 Business Center Dr. NW, Elk River, MN 55330 at 8:00 AM. Motion carried unanimously.

Meeting adjourned at 11:41 AM.

ATTEST:

Montgomery Headley
Benton County Administrator

Edward D. Popp, Chair
Benton County Board of Commissioners