

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 20, 2025

The Benton County Board of Commissioners met in regular session on May 20, 2025, 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 Pam Benoit, Ed Popp, Scott Johnson, Jared Gapinski, and Steve Heinen present.

Motion by Heinen and seconded by Gapinski to approve the agenda as written. Motion carried unanimously.

No one was present to speak under Open Forum.

Motion by Johnson and seconded by Benoit to approve Consent Agenda items 1 – 2: 1) approve the Regular Board Meeting Minutes of May 6, 2025 and authorize the Chair to sign; 2) approve the Special Board Meeting Minutes of May 6, 2025 and authorize the Chair to sign. Motion carried unanimously.

Next, Land Services Director Roxanne Achman requested to conduct a Public Hearing to consider Ordinance #500 amending Benton County Development Code Ord. 477 to add provisions for the regulation of campgrounds and resorts within the County’s zoning jurisdiction. The ordinance amends the following sections:

Section 3: Definitions

Added:

- Campground, Recreational
- Recreational Camping Vehicle
- Resort

Modified:

- Commercial MUD
- Commercial Recreation, Outdoor
- MUD
- Residential PUD/MUD

Section 7: Zoning Use Districts

- Add Campgrounds and Resorts as CUP’s within Ag, RA, B-1 and B-2

- Section 7.14: Shoreland District

- o Update Shoreland District so that the term MUD/PUD is consistent

Section 9: Use Specific Standards

Section 9.28: Campgrounds and Resorts

General Provisions

- o Licensing with MDH
- o Seasonal Use (4/1 – 10/31)
- o Ready to move
- o Related Facilities

Site Plan/Design Criteria

- o Grading and Drainage Plan
- o Site Survey
- o Setbacks
- o Camp Site minimum sizes
- o Accessory Structures
- o Parking Spaces
- o Screening
- o Sewage disposal, toilets and shower facilities
- o Building code compliance
- o SevereWeatherShelter

Site Operations/Development Organization and Functioning

- o Operational Plan
- o Overnight guests
- o Caretaker/attendant
- o Refuse and garbage
- o Evacuation plan
- o Emergency vehicles
- o Pets

The Public Hearing opened at 9:08 AM. No individuals were present in person or virtually to provide comments during the public hearing. The public hearing closed at 9:09 AM. Achman reported that there were no emails, letters or other communications to be read into the record. The Department received comments from the DNR indicating their agreement with the proposed changes to the ordinance. No official action was required by an affected Township. Motion by Johnson and seconded by Gapinski to approve Ordinance #500 amending Benton County Development Code Ord. 477 to add provisions for the regulation of campgrounds and resorts within the County’s zoning jurisdiction. Motion carried unanimously.

Next, County Administrator Montgomery Headley requested the County Board’s consideration of the draft 2026 budget calendar and budget development guidelines. A final calendar and budget development guidelines will be brought to the June 3rd County Board meeting for adoption. Headley suggested dates to consider: Tuesday, August 12, 2025, 8:00 AM to 4:30 PM and Wednesday, August 13, 2025, 8:00 AM to 12:00 PM budget presentations by department heads and outside agencies; Tuesday, September 16, 2025, adopt the proposed 2026 property tax levy and County budget; Truth in Taxation Meeting Tuesday, December 2, 2025, at 6:00 PM; Tuesday, December 16, adopt the final 2025 Benton County

Budget and Levy. These dates are subject to change. Motion by Heinen and seconded by Gapinski to adopt the draft 2026 budget development calendar and budget development guidelines.

Next, Headley requested the County Board’s consideration to participate in RFP for a private paid leave plan. Headley shared that we were contacted by Integrity Employee Benefits about participating in an RFP process for a private Paid Leave plan. The Minnesota Paid Leave Program starts in January and allows employers to contract with a private plan to provide equivalent or better paid leave benefits than available through the State plan. Participating in the RFP process does not create any obligation to Integrity Employee Benefits nor any obligation to choose a private plan. There was a consensus of the County Board to participate in RFP for a private paid leave plan with Integrity Employee Benefits.

Next, Headley provided a retiree dental insurance update from the previous Board Meeting. Headley informed the County Board that we contacted our insurance broker MMA regarding pre-65 retiree dental insurance. MMA replied that we can pay post-employment benefits if the cost of such benefits was provided for in a Collective Bargaining Agreement (CBA) that previously covered now-retired employees. No County CBAs provide for post-employment benefits. Based on the MMA opinion, the County may not pay dental premiums for most retirees. Four of the five retired employees were previously covered by CBAs. If the County were to cover these five retirees for dental until they reach age 65, the cost would be \$7,247, assuming the pre-65 retirees stayed on single coverage and monthly premiums stayed the same. We have inquired with Guardian if they can offer retirees a “preventative- only” plan. We are awaiting a reply. There was a consensus of the County Board that pre-65 retirees shall pay for their post-employment dental benefits beginning June 1, 2025 and that the County will seek a preventative only dental plan from Guardian Dental.

Next Headley invited Property Management Director Jeff Dingmann to request County Board consideration for the Great River Greening (GRG) Bend in the River Regional Park “Phase 2” agreement. This contract will make grant funds of \$1,100,000 available from Outdoor Heritage Fund through GRG for work at Bend in the River Regional Park. Benton County’s local match responsibility is \$34,000, paid to GRG. The County has \$32,000 remaining in the CIP Fund from timber sales. The remaining \$2,000 can be paid from the CIP fund balance. The scope of GRG’s Services is to provide services for up to 199 acres of primarily edge habitat and secondarily riparian oak forest habitat, via removal of non-invasive Siberian Elm, honeysuckle, and buckthorn; increase diversity of prairie. Motion by Heinen and seconded by Gapinski to approve the agreement with Great River Greening for invasive species control and prairie management at Bend in the River Regional Park and provide a \$34,000 local match from timber sales funds (\$32,000) and CIP fund balance (\$2,000). Motion carried unanimously.

Next, County Engineer Chris Byrd requested County Board consideration for County Surveyor Services. In Benton County the duties of County Surveyor are performed by a contracted Licensed Professional Surveyor. It is time to renew the professional services contract. Pursuant to Minnesota Statute Chapter 389 we have selected Jay Wittstock, Inc. to perform the duties of County Surveyor. The duties of County Surveyor include but are not limited to: Review all subdivision plats for compliance with statute and accepted surveying standards; review, update and locate section corner information in accordance with the Minnesota Public Land Survey System; prepare County Highway right-of-way plats; be available for questions from public surveyors performing lot or boundary surveys. Motion by Heinen and seconded by Johnson to approve the contract with Jay Wittstock, Inc. to perform the duties of County Surveyor Services. Motion carried unanimously.

Next, Byrd requested the County Board’s consideration of the CSAH 29 Extension Architectural-History and Archaeological Survey. Benton County received a Federal Earmark therefore Section 106 of the National Historic Preservation Act of 1966 must be followed. The MNDOT Cultural Resources Unit (CRU) is tasked with reviewing projects for compliance with this federal law. Additionally state law known as the Minnesota Field Archaeology Act (MN Stat. 138.31-42), the Minnesota Private Cemeteries Act (MN Stat. 308.08) and the Minnesota Historic Sites Act (MN Stat. 138.661-.669) require review of potentially historic properties and sites of potentially historic significance. This means that an Architectural-History Study will need to be completed to see 1) if any structures near the project have existed for field investigation study, which includes researching structures 50 years or older and then determining if they have “exceptional historical significance”; 2) an Archaeological Survey needs to be completed to ensure the project does not disturb any historic sites. This work will be completed by a consultant. Byrd added that Benton County’s cost share would be 20% of the project cost,

or \$17,163.40. Motion by Heinen and seconded by Gapinski to adopt the resolution committing Benton County to 20% cost share (\$17,163.40) with MNDOT for the work. Motion carried unanimously.

Next, Byrd requested the County Board’s consideration of the exchange of Federal Funds Agreement for project SP 005-607-014. Wright County has a federally funded HSIP project that they will not be able to construct in the current fiscal year. They are proposing to transfer their federal funds to Benton County to be applied to our HSIP project at CSAH 29 and CSAH 1. In exchange Benton County would transfer an equal amount of State Aid monies to Wright County. This would be a dollar-for-dollar swap. To facilitate the fund swap a State of Minnesota agreement will need to be executed between all the parties. To enter into this agreement will have no affect on the project or Benton County’s ability to pay for the construction costs. Motion by Heinen and seconded by Gapinski to adopt the resolution to enter into State of Minnesota agreement no. 1060045 for exchange of Federal Funds Agreement for project SP 005-607-014. Motion carried unanimously.

Next, Byrd shared information regarding notice of additional funding for upcoming bridge projects. Recently, the Engineer’s office was informed the projects SP 005-598-028 and SP 005-622-026 will receive a Local Bridge Replacement Program Grant. These projects are the bridge replacement projects on CR 51 and CSAH 22. They are partially funded with federal funds, and we were expecting at least a 20% local match. The grant provides \$397,928.15 for CR 1 bridge and \$433,341.77 for CSAH 22 bridge. Once we open bids and know the low-bidder construction costs a grant agreement will need to be executed between Benton County and the State of Minnesota. This item was for informational purposes only.

Next, Byrd provided an Engineer’s update on the Highway Department’s driveway and parking lot and suggested to set a date for the annual Road Tour when setting the Committees of the Whole. This item was for informational purposes only.

The County Board recessed at 10:15 AM to conduct a Ditch Authority Meeting.

The County Board reconvened at 10:43 AM.

Next, Board members reported on recent meetings they attended on behalf of Benton County.

Under Comments by Commissioners, Gapinski emphasized the importance of being honest with the public, staying consistent with previous votes and positions, and improving transparency in discussions, especially with the new Government Center project. Gapinski reiterated the importance of standing by past decisions, noting that the County Board had consistently supported the building project and the contract with GLT Architects. Gapinski voiced frustrations that the current board is being “punished” for decisions and unresolved issues inherited from previous boards (County Ditches, Class and Comp Studies, and Airport Authority). Johnson and Gapinski discussed the need to levy funds due to a lack of savings, stressing that necessary repairs to our current buildings must be made regardless, and will cost \$500,000 to \$600,000 each year to maintain. Gapinski emphasized that the public needs to understand these are necessary expenses, not frivolous spending, and suggested levying around \$1.5 million to build a slush fund for the future Government Center. Popp pointed out that excess funds occasionally come from unfilled positions, but overall, the budget is tight and over 97% is spent annually. Gapinski expressed offense by a comment from Popp that the Board wants to raise taxes, asserting the Board is doing its best under tough circumstances. Popp stated that he said he doesn’t believe that the County wants to raise tax, and we can’t afford to have that kind of tax increase today. Discussion included concern over land prices and how actions by some (e.g., buying land at high prices) create broader economic challenges for others, including farmers. Board members agreed to “agree to disagree” but emphasized the need for unity and transparency moving forward. Gapinski ended by saying Board members were elected to serve the public honestly and fairly and stressed the importance of continued cooperation despite differing opinions.

Gapinski/Johnson to set the Committee of the Whole Meetings: Monday, July 21, 2025, Road Tour, Benton County Government Center, 8:00 AM; Tuesday, August 12, 2025 and Wednesday, August 13, 2025, Budget Presentations, 8:00 AM to 4:30 PM on Tuesday, August 12, 2025 and 8:00 AM to 12:00 PM on Wednesday, August 13, 2025, Benton County Boardroom, Foley. Motion carried unanimously.

Chair Popp adjourned the Regular Board Meeting at 11:16 AM.

Edward D. Popp, Board Chair
Benton County Board of Commissioners

ATTEST:
Montgomery Headley
Benton County Administrator

R-23-1B

CERTIFICATE OF ASSUMED NAME
Minnesota Statutes
Chapter 333

ASSUMED NAME: 207bones.com.

PRINCIPAL PLACE OF BUSINESS: 1640 KENWOOD CT, SAINT CLOUD, MN 56303 USA.

APPLICANTS: Joseph Sexton, 6675 36TH AVE SE, SAINT CLOUD, MN 56304 USA.

(4) By typing my name, I, the undersigned, certify that I am signing this document as the person whose signature is required, or as agent of the person(s) whose signature would

be required who has authorized me to sign this document on his/her behalf, or in both capacities. I further certify that I have completed all required fields, and that the information in this document is true and correct and in compliance with the applicable chapter of Minnesota Statutes. I understand that by signing this document I am subject to the penalties of perjury as set forth in Section 609.48 as if I had signed this document under oath.

/s/ Joseph Sexton
05/30/2025
R-23-2B