

BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
APRIL 7, 2026

The Benton County Board of Commissioners met in regular session on April 7, 2026, in the Benton County Board Room in Foley, MN. Call to order by Chair Steve Heinen was at 9:00 AM followed by the Pledge of Allegiance to the flag. A roll call showed Commissioners Pam Benoit, Ed Popp, Steve Heinen, Scott Johnson, and Jared Gapinski present.

County Administrator Montgomery Headley requested to amend the agenda to add a New Government Center Technology update as the third item under County Administrator at 9:15 AM. Motion by Johnson and seconded by Benoit to approve the amended agenda. Motion carried unanimously.

Under Open Forum Frank Legatt, a Benton County resident, was present and expressed ongoing frustration with drainage issues related to County Ditch (CD) 7, stating the problem has persisted for several years without resolution. Legatt questioned why his property is classified as benefitting from the ditch when significant water accumulation remains on his land for extended periods, and believes drainage ultimately flows towards Mayhew Creek rather than the ditch. Legatt requested to meet with those responsible for the determination, asked to be present during any site inspections, and suggested the possibility of maintaining portions of the ditch himself. In response, Johnson agreed to coordinate a site visit involving Popp, Benton County Ditch Inspector Adam Ritsche, and possibly a representative from H2OverViewers, and himself. Johnson also indicated willingness to document conditions during significant rainfall events to better assess the issue.

Heinen requested to pull Consent Agenda items 4 and 5 for further discussion. Motion by Johnson and seconded by Popp to approve Consent Agenda items 1 – 3 and 6 - 7: 1) approve the Regular Board Meeting Minutes of March 17, 2026 and authorize the Chair to sign; 2) approve the Committee of the Whole Meeting Minutes of March 9, 2026 and authorize the Chair to sign; 3) approve the Memorandum of Agreement with Law Enforcement Labor Services, Inc. to address the step placement of a Detention Officer; 6) approve the Mental Wellness Check Contract and authorize the Chair to sign; 7) authorize the contracts with Reliance Systems for inmate communication services. Motion carried unanimously.

Next, Auditor-Treasurer Christine Scherbing provided more information on Consent Agenda item #4 regarding an AgBMP loan overpayment. Scherbing reported that this pertains to the septic loan for Eagle View Commons. Parcel 10.00607.00 paid the AgBMP loan in full on October 9, 2024. The AgBMP assessment was added to the parcel in error for pay year 2025. Property owners escrow paid the 2025 assessment. Therefore, a refund of \$1,300.76 is due to the property owner. Motion by Heinen and seconded by Johnson to approve Consent Agenda item #4 for the refund of overpayment of \$1,300.76 to the property owner. Motion carried unanimously.

Next, Scherbing clarified that Consent Agenda #5 is a correction to a property error from 2016. In 2016, the property entered foreclosure proceedings. The owners successfully redeemed the property prior to the Sheriff's Sale. Due to an administrative error, the Sheriff's Sale was not canceled and proceeded despite the redemption. Although documentation of the redemption was recorded, a critical document

necessary to fully restore the title to the owners was not properly processed. As a result, the property has remained listed under U.S. Bank in the county records since 2016. The owners continuously occupied the property as their primary residence. Mortgage payments were made in full through payoff in 2024. Property taxes were paid through escrow during the life of the mortgage. The owners had no knowledge that tax statements were not being issued to them after the mortgage was satisfied, due to the property being listed under U.S. Bank. Homestead classification was removed in 2018 due to the incorrect ownership record. Property tax statements for 2024 and 2025 were not received by the owners. Taxes for those years went unpaid unintentionally and solely due to the ownership recording error. The owners are prepared to promptly pay any base tax due upon approval of this request. Motion by Heinen and seconded by Gapinski to approve Consent Agenda item #5 for the full abatement of all penalties, interest, and fees associated with the 2024 and 2025 property taxes, and reinstate homestead status retroactive to tax years 2024, 2025 and 2026. Motion carried unanimously.

Next, Sheriff Troy Heck requested County Board consideration of a proclamation recognizing April 12 – 18, 2026, as National Public Safety Telecommunicator’s Week in Benton County. The proclamation honors dispatchers as the first point of contact in emergencies and acknowledges their demanding, high-stress role requiring professionalism, multitasking, and constant readiness. Motion by Gapinski and seconded by Johnson to approve the proclamation for National Public Safety Telecommunicator’s Week in Benton County April 12 - 18, 2026. Motion carried unanimously.

Next, Land Services Director Roxanne Achman requested clarification on research as it pertains to contractor shops in residential districts in the County. At the March 17th Regular Board Meeting, there was a lengthy discussion on a contractor shop operating illegally in a residentially zoned parcel. It was unclear whether the County Board desired staff to conduct further research into amendments to the Comprehensive Plan and Development Code to determine whether it may be appropriate to allow for contractor shops in residential districts. The current comprehensive plan expires in 2030, and County Board members agreed that it would be more appropriate to discuss the Comprehensive Plan and Development Code when they expire. The County Board reached a consensus to defer any additional staff research on amendments to the Comprehensive Plan and Development Code until the current provisions expire.

Next, Headley requested continued discussion on scheduling a meeting between County Board members and the Great River Regional Library (GRRL) Board members. The GRRL Board has put on hold reductions in hours at the Foley Library pending additional discussions with Benton County. Headley recommends appointing two Board members to meet with a subcommittee of the GRRL Board. Benoit stated that the GRRL Board agreed to place Benton County on their May 19, 2026, Board of Trustees Agenda. Headley received direction from the County Board to designate the May 19, 2026 GRRL Board of Trustees meeting as a Benton County Committee of the Whole meeting and will communicate this to GRRL Executive Director Brandi Canter.

Next, Headley requested County Board consideration of an amendment to the ARPA agreement with the City of Sauk Rapids. The original agreement provided \$555,000 for the construction of water and sewer infrastructure with the CSAH 29 Extension project. However, the CSAH 29 Extension project will not start

construction until 2027. Per US Treasury regulations, ARPA funds must be expended by December 31, 2026. To preserve the funds for the City, this amendment re-obligates that same amount to the water and sewer project on the City's Second Avenue South, which will occur in 2026. The City and County agree that extending water and sewer infrastructure with the CSAH 29 Extension remains an important priority. Accordingly, Headley will be working with the City on a separate agreement to formalize this commitment. Motion by Gapinski and seconded by Heinen to approve Amendment No. 3 to the City of Sauk Rapids American Rescue Plan (ARPA) State and Local Fiscal Recovery Funds Grant Agreement. Motion carried unanimously.

Next, Headley provided a technology update on the New Government Center. This item was for informational purposes only.

Next, Human Services Director Sandi Shoberg requested County Board consideration for Human Services to do a small pilot project utilizing up to 12 apartments for Community Housing Supports. Traditionally Benton County has authorized Housing Support funds for foster care, Intensive Residential Services, Board and Lodges and other program-based facilities. Approximately half of MN Counties now approved the use of Housing Support Funds for Community Programs (services coming to an individually leased apartment). In discussing these services with other counties, they indicate this type of service as a good addition to the array of community housing options. Counties do not report additional costs to the county other than some staff time. Benton County Human Services would not be seeking additional staff for this program but would utilize current staff. Once the program is set up, they do not anticipate this to be time intensive for staff. The county's role for this program is to authorize the state funds, investigate service complaints, and to do quality assurance checks. Motion by Johnson and seconded by Gapinski to approve Human Services to move forward on investigating an option for a pilot program for Community use of Housing Support Funds. Motion carried unanimously.

Next, Shoberg provided an update on the Indigent Burial Policy. The update adds up to \$500 to contractor for opening and closing the burial site. Motion by Gapinski and seconded by Benoit to approve the updated Indigent Burial Policy to add up to \$500 to contractor for opening and closing a burial site. Motion carried unanimously.

Next, Shoberg provided a general Human Services Department update. This item was for informational purposes only.

The County Board recessed at 9:46 AM to conduct a Ditch Authority Meeting.

The County Board reconvened at 10:00 AM.

Under Comments by Commissioners, Gapinski shared that he will be traveling to Washington D.C. to work with our Lobbyists to secure funding for future road and bridge projects.

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

Johnson/Gapinski to set the Committee of the Whole Meetings: Friday, April 10, 2025, Highway 23 Coalition Annual Meeting, Freddie's Family Restaurant, 810 S Highway 65, Mora, MN 55051, 10:45 AM;

Tuesday, April 21, 2026, Low Voltage Bid Opening, Benton County Boardroom, Foley, 2:00 PM; Tuesday, April 28, 2026 Tour of Vista Apartments, 345 20th St SE, St. Joseph, MN 56374, 10:30 AM, Security Bid Opening, Benton County Boardroom, Foley, 2:00 PM; Tuesday, May 19, 2026 Great River Regional Library Board of Trustees Meeting, St. Cloud Library Mississippi Room, 1300 W. St. Germain St, St. Cloud, MN 56301, 6:00 PM. Motion carried unanimously.

Chair Heinen adjourned the Regular Board Meeting at 10:23 PM.

ATTEST:

Steven J. Heinen, Board Chair
Benton County Board of Commissioners

Montgomery Headley
Benton County Administrator