

PUBLIC NOTICES

PUBLIC NOTICE OF ABANDONED PERSONAL PROPERTY

Public notice is hereby given according to MN Statute 345.75 abandoned tangible personal property. Property left in Benton County in 2023, A 1993 Suzuki GSXR 750, VIN Number is JS1gr78a8n210047. Contact (320) 412.9328

R-23-1P

NOTICE OF PUBLIC HEARING

Notice is hereby given that on June 24, 2024 at 6:15 pm or as soon thereafter the Sauk Rapids Economic Development Authority will hold a public hearing concerning submittal of an application to the Minnesota Department of Employment and Economic Development for a forgivable loan under the Minnesota Investment Fund program.

The Authority is requesting approximately \$150,000 to assist with the expansion of St. Cloud Window LLC. in Sauk Rapids. The funds will be used for the creation of jobs and the purchase of equipment to aid in the expansion

All interested parties are invited to attend the public hearing at which time you will be given the opportunity to express comments on the following: 1) proposed project; 2) Housing and Community Development needs and priorities of the City; and the Residential Anti-displacement, Relocation Assistance and Displacement Plan.

Written testimony will also be accepted at the public hearing. Written comments must be received by June 23, 2024 at 250 Summit Ave. North, Sauk Rapids, MN 56379. Specific questions can be directed to Community Development Director, Todd Schultz.

The City/EDA makes reasonable accommodation for any known disability and to meet the needs of non-English speaking residents that may interfere with a person's ability to participate in this public hearing. Persons needing an accommodation must notify Todd Schultz no later than June 17, 2024, to allow adequate time to make needed arrangements.

R-23-1B

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Benton County Board of Adjustment will conduct public hearings on June 20th, 2024, in the Commissioner's Room, Benton County Government Center, Foley, and beginning at 7:00 p.m. The Board of Adjustment will hear the following:

1. Kevin and Maggie Schefers requesting a variance to place a house 37ft from the property line (50ft required) in the Agricultural District. Pursuant to Sections 3.13.24, 7.2.6(B) (1)(b)(i) and 11.5. The affected property is described as follows: Part of the SE1/4 NW1/4, Section 17, Maywood Township. The on-site inspection of this property will be made at approximately 1:10 p.m. on June 20th, 2024.

2. BS Dairy, LLC requesting a variance to construct a calf barn 230ft from a non-feedlot residence and 625ft from a second non-feedlot residence (660ft required) in the Agricultural District. Pursuant to Sections 9.12.3 and 11.5. The affected property is described as follows: part of the W1/2 NE1/4, Section 24, Graham Township. The on-site inspection of this property will be made at approximately 1:40 p.m. on June 20th, 2024.

3. Michael Scheel and Matthew Scheel requesting a variance to construct a chicken barn 560ft from a non-feedlot residence (660ft required) in the Agricultural District. Pursuant to Sections 9.12.3 and 11.5. The affected property is described as follows: part of the NE1/4, Section 25, East Langola Township. The on-site inspection of this property will be made at approximately 1:55 p.m. on June 20th, 2024.

ANYONE with comments regarding the above will be heard at this meeting.

FR-23-1B

Benton County Ordinance No. 493 An Ordinance Amending Benton County Ordinance No. 355

Whereas, the Benton County Board of Commissioners re-established a Park Commission by amending Ordinance No. 355 on May 15, 2018; and,

Whereas, the newly established Park Commission having met on September 25, 2023 and by a unanimous vote of its members did recommend that the County Board add a representative of the Benton County Public Health Department to the Park Commission; and,

Whereas, the Park Commission record of discussion states that Park Commission members see value in having representation from Public Health due to their expertise in active living and ability to bring grant funding into the County park system; and

Whereas, a duly-noticed public hearing was conducted on these ordinance revisions June 4, 2024.

Now, therefore, Ordinance No. 355 is hereby amended as follows:

Benton County Ordinance No. 355 (Adopted April 1, 2003; Amended May 15, 2018; Amended June 4, 2024)

An Ordinance establishing a Benton County Park Commission

Whereas, the Benton County Board of Commissioners recognizes the value of citizen involvement in county issues; and,

Whereas, Minnesota Statutes Section 398.36 authorizes the County Board to establish a Park Commission; and,

Whereas, the Benton County Board of Commissioners conducted a public hearing on April 1, 2003 to consider the original adoption of this ordinance; and,

Whereas, Ordinance No. 355 was further amended on May 15, 2018 after a properly noticed public hearing to add a County Board member to the Park Commissioner; and

Whereas Ordinance No. 355 was again amended on June 4, 2024 after a properly noticed public hearing to add a representative from the Benton County Public Health Department.
The County Board of Benton County Ordains:

1. There is hereby created the Benton County Park Commission, which shall consist of five citizen members, one representative employed by the Benton County Public Health Department and one County Commissioner to be appointed by the Benton County Board of Commissioners. If possible, Park Commission citizen members shall reside in each of the five County Commissioner districts. However, if no qualified members from each Commissioner district are willing to serve, Commission members may be appointed when residing within any district in the County.

The representative from the Benton County Public Health Department shall also be a resident of Benton County, whose appointment to the Park Commission shall be made by the County Board upon nomination by the Benton County Public Health Director.

2. Term of Office. The term of all citizen Park Commission members shall be for three years, and shall be staggered so no more than two members terms expire in any given year. All regular terms shall expire on December 31st. No citizen members may serve more than three consecutive three-year terms. Terms for County Commissioner members of the Park Commission and a representative from the Benton County Public Health Department shall be determined by the County Board.

3. Duties. The Benton County Park Commission shall act in an advisory capacity to the Benton County Board of Commissioners, providing recommendations to the board regarding the planning, development, funding and evaluation of park and recreation facilities and programs.

The Commission shall adhere to the requirements of the by-laws of the Benton County Park Commission, as adopted by the Benton County Board of Commissioners.

4. Compensation. Citizen members shall receive per diem and mileage reimbursement, in an amount set by the Benton County Board of Commissioners for attending meetings. Compensation for County Board members shall be governed by County Board Resolutions. Compensation for a representative from the Public Health Department shall be governed by County Personnel Policies and applicable collective bargaining agreements.

Be it further ordained that the Benton County Board of Commissioners adopt the by-laws of the Benton County Park Commission, which are attached hereto and incorporated by reference.

This ordinance shall become effective upon passage and publication as provided by law.

Dated this 15th day of May, 2018

Benton County Board of Commissioners

/s/ Edward D. Popp, Chair

Attest:

/s/ Montgomery Headley, County Administrator

Adopted this 4th day of June 2024 and effective upon its publication in the official newspapers of Benton County.

/s/ Jared J. Gapinski

Board Chair

Attest:

/s/ Montgomery Headley

County Administrator.

R-23-1B

**BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
MAY 21, 2024**

The Benton County Board of Commissioners met in regular session on May 21, 2024, in the Benton County Board Room in Foley, MN. Call to order by Chair Jared Gapinski was at 9:00 AM followed by the Pledge of Allegiance to the flag. A roll call showed Commissioners Beth Schlangen, Steve Heinen, Jared Gapinski, Scott Johnson, and Ed Popp present.

County Administrator Montgomery Headley requested to amend the agenda to pull Consent Agenda item # 2 for some corrections to the Meeting Minutes; to add Consent Agenda item # 7 to consider the application for Minnesota Lawful Gambling Premises Permit Gambling with Resolution for Lawful Gambling activity at Oak Hill Golf Club for Sauk Rapids Youth Hockey; to add a County Administrator Report as the last item under County Administrator Montgomery Headley at 9:05 AM; to remove the Update on Board and Lodge Facility Changes under Human Services Deputy Director Sandi Shoberg at 9:30 AM; and to add the discussion to consider the 2022-2024 contract with Princeton Schools for transportation costs of children in foster care as the second item under Shoberg at 9:30 AM. 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 Popp and seconded by Johnson to approve Consent Agenda items 1, 3 - 7: 1) approve the Regular Board Meeting Minutes of May 21, 2024 and authorize the Chair to sign; 3) approve the Committee of the Whole Meeting Minutes of May 6, 2024 and authorize the Chair to sign; 4) approve waiving the land use fee for Bend in the River Shelter; 5) approve the 2024-2025 contract renewal for Lutheran Social Services for a family advocate at Sauk Rapids Schools and authorize the Chair to sign; 6) approve the Special Road Use Permit for Gilman Days and authorize the chair to sign; 7) approve the application for Minnesota Lawful Gambling Premises Permit Gambling with Resolution for Lawful Gambling Activity at Oak Hill Golf Club for Sauk Rapids Youth Hockey and authorize the Chair to sign. Motion carried unanimously.

Next, per a discussion with Johnson and County Engineer Chris Byrd, Executive Assistant Beth Stay stated changes to the April 30th Committee of the Whole Meeting Minutes. Those changes were under Highway Topics under County Road (CR) 54 to Granite Ledge Township which should read “Byrd will send a letter to Granite Ledge Township that proposes to repair the road with gravel, and to replace the pipes as needed while we maintain it for the next two years”; and a change to Old CSAH 4 to Gilmanton should read “there was a consensus to turn it back to the City of Foley”. It was noted that these changes were in the published packet but were changes from the initial meeting minutes. Motion by Johnson and seconded by Heinen to approve the Committee of the Whole Meeting Minutes of April 30, 2024 (Consent Agenda item # 2) and authorize the Chair to sign. Motion carried unanimously.

Next on the Agenda was the Recognition of Human Services Social Worker Rachel Klemz, as well as Property Management’s Building and Grounds Assistant Daniel Stellmach as our 1st Quarter Nominees and Award Winners for Employee Recognition. Social Services Supervisor Will Chew spoke on behalf of Klemz and Property Management Director Jeff Dingmann spoke on behalf of Stellmach. Klemz was nominated and selected under the category of “Customer Service”, and Stellmach was nominated and selected under the categories of “Customer Service, Employee Safety/Injury Reduction” and “Inspirational Leader”.

Next, Headley invited Rachel Thompson, Executive Director of Visit Greater St. Cloud to make a presentation to the County Board. Thompson shared how the County could partner with Visit Greater St. Cloud to promote business and places of interest in Benton County. There was consensus of the County Board to invite Visit Greater St. Cloud to the 2025 Budget Presentations to consider participation in 2025.

Next, Headley requested discussion and direction on the employee engagement supervisory training and culture team. Headley shared that the Management Team recommends utilizing the services of Employee Strategies to conduct training for all County supervisors and to create and support a Culture Team. Employee Strategies conducted the employee engagement survey. Supervisory training will consist of 3 cohorts of 16 supervisors per cohort, each attending three half-day sessions in-person. Employee Strategies will attend 4 sessions to support a new Culture Team. Cost for supervisory training is \$51,000 (approx. \$1,000 per supervisor). Support to the Culture Team will cost \$12,900. Total cost is \$64,300. Funding will come from the employee training budget, the wellness budget, the labor attorney budget (no 2024 negotiations), and savings from vacant HR Director position. Motion by Heinen and seconded by Schlangen to authorize the services of Employee Strategies to conduct supervisory training and to support a County Culture Team as presented. Motion carried unanimously.

Next, Headley requested the County Board to consider the draft 2025 budget development calendar and budget development guidelines for review and revisions. A final calendar and budget development guidelines will be brought to the June 4th County Board Meeting for adoption. Budget Presentation dates were set for Monday, August 19, 2024 from 8:30 AM to 4:30 PM, and Wednesday, August 21, 2024 from 8:30 AM to 12:30 PM. Both will be in the County Boardroom. There will likely be a Special Board Meeting in September to adopt the proposed 2025 budget and levy. On December 3, 2024 at 6:00 PM the County Board will hold a Truth in Taxation Meeting in conjunction with a regular board meeting where it will be announced when the proposed budget and levy will be adopted, and on December 17, 2024, the County Board will adopt the final 2025 budget and levy. The County Board will also adopt the elected official’s salaries for 2025 and 2025 per diem schedule listing committees eligible for per diem, both by Resolutions. Headley will have the proposed dates as a Consent Agenda item at the next Regular Board Meeting for adoption.

Next, Headley requested the County Board to consider an agreement with the City of Foley to grant American Rescue Plan Act (ARPA) funds for water and sewer infrastructure improvements to serve new residential lots. The County Board Resolution of March 5, 2024 committed \$500,000 from the County’s ARPA funds to this project. Motion by Johnson and seconded by Popp to approve an agreement with the City of Foley granting \$500,000 in County ARPA funds for water and sewer infrastructure to serve new residential lots. Motion carried unanimously.

Next, Land Services Director Roxanne Achman requested the County Board to consider a Resolution supporting planning boundaries for the Mississippi River – Sartell Watershed “One Watershed, One Plan” project. In 2021, it was determined by all affected parties that it would be best to split the Mississippi River Watershed into two sub-watersheds for planning purposes. The Mississippi River – St. Cloud Watershed and the Mississippi River – Sartell Watershed. The planning for MRSC began in 2021 with Resolution No. 2021-25 and is well underway. Achman is seeking the County’s commitment to participate in watershed planning for the Mississippi River - Sartell Watershed with other affected organizations and to support the SWCD in applying for a planning grant to support One Watershed, One Plan. Benton County is a required participant with 24.5% of the jurisdictional land area in the watershed. The other required jurisdictions include Morrison County (49.3%) and Stearns County (22.6%). Motion by Popp and seconded by Heinen to approve the Resolution supporting planning boundaries for the Mississippi River – Sartell Watershed “One Watershed, One Plan” project. Motion carried unanimously.

Next, Human Services Deputy Director Sandi Shoberg requested the County Board to consider the 2024 contract between Benton County Human Services (BCHS) and Alternatives Supported Living Services, Inc. (ASLS). This is a new contract from May 1, 2024, through December 31, 2024, for

Guardianship services for vulnerable adults between BCHS and ASLS. This provider has an active contract with Stearns County. Reports indicate that the provider does well to meet the needs of clients while maintaining effective communication with county employees. Rate for the Contract Period is not to exceed \$230.00 per month per individual. Motion by Heinen and seconded by Schlangen to approve the 2024 contract between BCHS and ASLS effective 5/01/2024 through 12/31/2024. Motion carried unanimously.

Next, Shoberg requested the County Board to consider the 2022-2025 contract with Princeton Schools for transportation costs of children in foster care. A previous contract had been sent to Princeton Schools in 2021 for the shared costs of transportation to school for children in foster care. It was returned via email and a physically signed copy was never received so it was not brought forward to the Board for approval. However, BCHS has not received a signed copy. Princeton schools is required to have this on record by the Minnesota Board of Education. Motion by Heinen and seconded by Schlangen to approve the 2022-2025 contract with Princeton Schools for transportation of children in foster care.

Next, County Engineer Chris Byrd requested the County Board to consider the Road Construction Cost Policy. At the April 30, 2024 Committee of the Whole, the Road construction cost participation policy was discussed. While most of the policy was deemed to still be relevant and applicable, the section discussing sidewalks and trails needed some updating. A definition of sidewalks and trails was added to the policy. The cost participation of a trail is modified to match that of sidewalks. Motion by Johnson and seconded by Popp to approve the changes to the Road Construction Cost Participation Policy. Motion carried unanimously.

Next, Byrd requested the County Board to award a Construction Contract for tied project Nos. SAP 005- 611-004, 005-625-012, and CP 005-2024BO. These projects are the re-claim projects and seasonal bituminous overlay projects. We received 2 bids from OMG Midwest Inc. dba Minnesota Paving & Materials, and Knife River Corporation. OMG Midwest Inc. was the Lowest Responsible Bidder with a total bid of \$3,244,903.71. During the discussion, it was suggested that in the future, we should use our County-owned gravel pit for crushing gravel for local county projects. Motion by Popp and seconded by Heinen to award a Construction Contract for tied project Nos. SAP 005-607-012, SAP 005-611-004, 005- 625-012 and CP 005-2024 BO. Motion carried unanimously.

The County Board Meeting recessed at 10:15 AM to conduct a Community Health Board Meeting.

The County Board reconvened at 11:24 AM.

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

There were no additional comments under Comments by Commissioners.

Johnson/Popp to set the Committee of the Whole Meetings: Tuesday, June 11, 2024 meet with Assistant County Attorneys who have expressed an interest in appointment to County Attorney, Benton County Boardroom, Foley, 8:00 AM; Wednesday, June 12, 2024 1) Application Services Data Manager update, 2) Emergency Management Update; 3) ARPA Funding for the City of St. Cloud HRA, 4) Cannabis Legislation; Local Ordinance update, Benton County Boardroom, Foley, 8:00 AM; Tuesday, July 2, 2024 DDA Recommendations of the Class and Comp Maintenance Program, Benton County Boardroom, Foley, 10:30 AM or upon completion of Regular Board Meeting; Budget Presentations, 8:30 AM to 4:30 PM on Monday, August 19, 2024, and 8:30 AM to 12:30 PM on Wednesday, August 21, 2024, Benton County Boardroom, Foley. Motion carried unanimously.

Chair Gapinski adjourned the Regular Board Meeting at 11:36 AM.

Jared Gapinski, Chair
Benton County Board of Commissioners

ATTEST:
Montgomery Headley
Benton County Administrator

R-23-1B

**THE RIGHT TO
VERIFICATION OF THE
DEBT AND IDENTITY
OF THE ORIGINAL
CREDITOR WITHIN THE
TIME PROVIDED BY
LAW IS NOT AFFECTED
BY THIS ACTION.**

NOTICE IS HEREBY GIVEN, that default has occurred in conditions of the following described mortgage:

DATE OF LENDER OR BROKER MORTGAGE: May 4, 2018

M O R T G A G O R : Nathaniel D Scott as Single Man.

M O R T G A G E E : Mortgage Electronic Registration Systems, Inc. as nominee for American Heritage National Bank its successors and assigns.

DATE AND PLACE OF RECORDING: Recorded May 25, 2018 Benton County Recorder, Document No. 429551.

ASSIGNMENTS OF OF PROPERTY:

MORTGAGE: Assigned to:

PennyMac Loan Services, LLC. Dated January 18, 2022 Recorded January 18, 2022, as Document No. 458186.

T R A N S A C T I O N AGENT: Mortgage Electronic Registration Systems, Inc.

T R A N S A C T I O N AGENT’S MORTGAGE I D E N T I F I C A T I O N NUMBER ON MORTGAGE: 1002976-3000098090-8

O R I G I N A L PRINCIPAL AMOUNT OF MORTGAGE: \$127,929.00

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$125,741.72

That prior to the commencement of this mortgage foreclosure proceeding Mortgagee/ Assignee of Mortgagee complied with all notice requirements as required by statute; That no action or proceeding has been instituted

PROPERTY ADDRESS: 10029 Mayhew Lake Road Northeast, Sauk Rapids, MN 56379

TAX PARCEL I.D. #: 070007300

LEGAL DESCRIPTION OF PROPERTY: The land referred to herein is situated in the state

NOTICE OF MORTGAGE FORECLOSURE SALE

of Minnesota, Benton County described as follows:

The North 141.0 feet of the South 256.0 feet of the East 130.5 feet of the Southeast Quarter of the Northeast Quarter (SE 1/4 of NE 1/4) of Section Seven (7), Township Thirty-seven (37) North, Range Thirty (30) West

COUNTY IN WHICH PROPERTY IS LOCATED: Benton

O R I G I N A L PRINCIPAL AMOUNT OF MORTGAGE: \$127,929.00

AMOUNT DUE AND CLAIMED TO BE DUE AS OF DATE OF NOTICE, INCLUDING TAXES, IF ANY, PAID BY MORTGAGEE: \$125,741.72

That prior to the commencement of this mortgage foreclosure proceeding Mortgagee/ Assignee of Mortgagee complied with all notice requirements as required by statute; That no action or proceeding has been instituted

at law or otherwise to recover the debt secured by said mortgage, or any part thereof;

PURSUANT to the power of sale contained in said mortgage, the above described property will be sold by the Sheriff of said county as follows:

DATE AND TIME OF SALE: July 25, 2024 at 10:00 AM

PLACE OF SALE: Benton County Sheriff’s Office, 581 Highway 23 Northeast Foley, MN

to pay the debt then secured by said Mortgage, and taxes, if any, on said premises, and the costs and disbursements, including attorneys’ fees allowed by law subject to redemption within six (6) months from the date of said sale by the mortgagor(s), their personal representatives or assigns unless reduced to Five (5) weeks under MN Stat. §580.07.

TIME AND DATE TO VACATE PROPERTY: If the real estate is an owner-occupied, single-family

dwelling, unless otherwise provided by law, the date on or before which the mortgagor(s) must vacate the property if the mortgage is not reinstated under section 580.30 or the property is not redeemed under section 580.23 is 11:59 p.m. on January 27, 2025, unless that date falls on a weekend or legal holiday, in which case it is the next weekday, and unless the redemption period is reduced to 5 weeks under MN Stat. Secs. 580.07 or 582.032.

M O R T G A G O R (S) RELEASED FROM FINANCIAL OBLIGATION ON MORTGAGE: None “THE TIME ALLOWED BY LAW FOR REDEMPTION BY THE MORTGAGOR, THE MORTGAGOR’S P E R S O N A L R E P R E S E N T A T I V E S OR ASSIGNS, MAY BE REDUCED TO FIVE WEEKS IF A JUDICIAL ORDER IS ENTERED UNDER MINNESOTA STATUTES, SECTION

582.032, DETERMINING, AMONG OTHER THINGS, THAT THE MORTGAGED PREMISES ARE IMPROVED WITH A RESIDENTIAL DWELLING OF LESS THAN FIVE UNITS, ARE NOT PROPERTY USED IN AGRICULTURAL PRODUCTION, AND ARE ABANDONED.”

Dated: May 20, 2024

PennyMac Loan Services, LLC Mortgagee/Assignee of Mortgagee

LIEBO, WEINGARDEN, DOBIE & BARBEE, P.L.L.P. Attorneys for Mortgagee/ Assignee of Mortgagee

4500 Park Glen Road #300 Minneapolis, MN 55416 (952) 925-6888

131 - 24-003519 FC IN THE EVENT REQUIRED BY FEDERAL LAW: THIS IS A COMMUNICATION FROM A DEBT COLLECTOR.

R-21-6B