

**BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
JUNE 4, 2024**

The Benton County Board of Commissioners met in regular session on June 4, 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.

Motion by Johnson and seconded by Heinen to approve the agenda as written. Motion carried unanimously. No one was present to speak under Open Forum.

Motion by Popp and seconded by Heinen to approve Consent Agenda items 1 - 6: 1) approve the Regular Board Meeting Minutes of May 21, 2024 and authorize the Chair to sign; 2) adopt the final 2025 budget development calendar and budget development guidelines; 3) approve the application for County Combination On-Sale, and Off Sale & Sunday Sale Liquor Licenses and authorize the Chair to sign; 4) approve the application for a 1-4 day temporary On-Sale Liquor License to St. Lawrence Catholic Church; 5) approve an application for Exempt Permit with Resolution and authorize the Chair to sign; 6) approve the 2024 SCORE Grant Applications Round II. Motion carried unanimously.

Next, Social Services Supervisor Adam Maertens presented a retirement award to Kathy Warren, a Senior Social Worker in Human Services in appreciation for 19 years of loyal and distinguished service to Benton County. Warren's retirement is effective June 14, 2024.

Next, Brian Hunker of Great River Energy presented an update on the Northland Reliability project. This item was for informational purposes only.

Next, County Administrator Montgomery Headley requested to conduct a Public Hearing on proposed changes to the Benton County Park Commission ordinance and consider changes to the Park Commission bylaws. The Park Commission by a vote on September 24, 2023 recommends that the County Board amend the Park Commission Ordinance No. 355 to add a representative from Benton County Public Health to the Park Commission. The Park Commission's recommendation is based on the premise that Public Health brings expertise in active living practices to County Parks and can also assist with attracting grants for park development. It was written in the proposed ordinance that the Public Health representative be a county resident. The Public Hearing opened at 9:26 AM. No one from the public was present in-person or virtually to speak at the Public Hearing. The Public Hearing closed at 9:27 AM. Headley reported that there were no emails, letters or other communications to be read into the record. There were no comments or concerns from any State

agencies, cities or townships. No official action was required by an affected Township. Motion by Heinen and seconded by Johnson to adopt amended Ordinance No. 355 as presented. Motion carried unanimously.

Next, Motion by Johnson and seconded by Heinen to adopt the revised Park Commission Bylaws as presented. Motion carried unanimously.

Next, Headley requested the County Board to consider the amendment with SRF to provide services to maximize the Bend in the River Legacy Grant. The low bid for the Bend in the River Legacy Grant project left \$181,448 unspent from the project budget. At its May meeting, the Park Commission discussed potential projects to use the remaining funding. Those projects included adding Class 2 material to the new trails (required by the grant), adding a top dressing of Class 2 to all existing trails, adding a new well (current well water volume is substantially inadequate), constructing a small shelter on the South end of the park, and adding more signage and benches. SRF has proposed to assist with design and specs on all the trail work and the small shelter. Cost of the additional services is \$3,200, bringing total County costs (including \$140,000 grant match) to \$276,200 (vs. \$277,000 originally budgeted). Also, Watab Township has agreed to release \$4,000 of its Park Dedication Funds for project costs, bringing the total available project budget to \$185,448. Motion by Popp and seconded by Johnson to approve Amendment #4 to the contract with SRF Consulting Group, Inc. for design and project management services for the Bend in the River Phase 2 Legacy Grant project. Motion carried unanimously.

Next, Human Services Deputy Director Sandi Shoberg asked the County Board to consider the renewal of the 2023-2024 Benton County and AVIVO SNAP Contract to administer SNAP related services. Motion by Heinen and seconded by Johnson to approve the 2023-2024 renewal with AVIVO Employment Services to administer SNAP related services. Motion carried unanimously.

Next, Shoberg, along with Social Services Supervisors Adam Maertens and Deb Rieland provided information on Guardianship services provided by Human Services. This included a brief overview of the services provided, costs, source of funds and the changes over the past several years. This item was for informational purposes only.

Next, County Engineer Chris Byrd provided information regarding the relocation of Xcel Energy Transmission pole. A large utility pole will conflict with the new roundabout construction at CSAH 29 and CSAH 1. The utility pole exists in a Utility Easement, that pre-dates any recorded road right-of-way easements. Xcel Energy has sent us a Scoping Estimate and is requesting the County to sign this document to initiate their process of relocation. The estimate for this relocation is \$935,000 and Xcel Energy is expecting the County to pay

the costs associated with the relocation. A meeting with Xcel representatives did not garner any sympathy for the county, nor did Xcel afford any cost relief of their estimate. Estimated time until relocation is 15 months after the scoping estimate is signed. Byrd noted that the Scoping Estimate stated that to proceed with design of this project, Xcel Energy will require full payment of the engineering costs of \$134,000. When preliminary engineering is complete a Relocation Agreement and a revised, detailed estimate, referred to as an Appropriations Estimate, will be developed, and mailed to Benton County. Before materials can be ordered and construction dates can be finalized, Benton County must review, sign, and return the Relocation Agreement, Appropriations Estimate and payment of 80% of the estimated total project cost. Motion by Gapinski and seconded by Heinen to approve the payment to Xcel Energy for engineering costs of \$134,000, and for Xcel Energy to provide a detailed hourly list of what is being charged for Motion carried on a 4 to 1 vote with Commissioners Heiner Gapinski, Johnson and Popp voting "aye" and Commissioner Schlangen voting "no".

The County Board Meeting recessed at 10:38 AM to conduct a Community Health Board Meeting.

The County Board reconvened at 10:45 4AM.

Next, Minnesota Inter-County Association (MICA) Executive Director Matt Massman, along with MICA's Transportation Liaison Steven Novak and Health and Human Services Liaison Nancy Silesky provided the 2024 End-of-Session Briefing. This item was for informational purposes only.

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

There were no additional comments under Comments by Commissioners.

Johnson/Heinen to set the Committee of the Whole Meetings: Tuesday, July 16, 2024 Jail staffing Issues County Boardroom, Foley, 10:00 AM or upon completion of Regular Board Meeting; Monday, July 22, 2024 joint meeting of the Cities, Townships and County, St. George Town Hall, 1310 105th Ave NE, Foley, MN 56329, 6:30 PM; Tuesday, August 6, 2024, 5 – Year Road Plan, County Boardroom, Foley, 10:00 AM or upon completion of Regular Board Meeting; Monday, August 12, 2024 Human Services/Community Health Board Meeting in Human Services 3rd Floor Conference Room, Foley, 9:00 AM. Motion carried unanimously.

Chair Gapinski adjourned the Regular Board Meeting at 12:01 PM.

Jared Gapinski, Chair

Benton County Board of Commissioners

ATTEST:
Montgomery Headley
Benton County Administrator

R-25-1B

PROBATE NOTICE

STATE OF MINNESOTA
COUNTY OF BENTON
SEVENTH JUDICIAL
DISTRICT
DISTRICT COURT
PROBATE DIVISION
Court File No:
05-PR-24-1007

NOTICE AND ORDER
FOR HEARING ON
PETITION FOR DE-
SCENT OF PROPERTY

Estate of:
David George Victor,
Decedent.

A Petition for Determination of Descent has been filed with this Court. The Petition represents that the Decedent died more than three years ago, leaving property in Minnesota and requests the probate of Decedent's last Will (if any), and the descent of such property be determined and assigned by this Court to the persons entitled to the property.

Any objection to the Petition must be filed with the Court prior to or raised at the hearing. If proper, and no objections are filed or raised, the Petition may be

granted.

IT IS ORDERED and Notice is further given, that the Petition will be heard on July 22, 2024, at 8:00 a.m., by this Court at 615 Hwy 23, Foley, Minnesota. 1. Notice shall be given to all interested persons (MINN. STAT. § 524.1-401) and persons who have filed a demand for notice pursuant to Minnesota Statutes section 524.3-204.

2. Notice shall be given by publishing this Notice and Order as provided by law and by Mailing a copy of this Notice and Order at least 14 days prior to the hearing date.

Dated: 06/12/2024
BY THE COURT
/s/ Robert J. Raupp
Judge of District Court
/s/ Megan Bergman
Court Administrator
Attorney for Petitioner
Craig Hanson
Hanson Law Office, PA
1010 West St. Germain
Street, Suite 750
St. Cloud, MN 56301
Attorney License No:
0311297
Telephone: (320) 257-3388
FAX: (320) 281-7255
Email: craig@hanlawoffice.com

R-25-2B

**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 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 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

NOTICE OF MORTGAGE FORECLOSURE SALE

I D E N T I F I C A T I O N NUMBER ON MORTGAGE: 1002976-3000098090-8

LENDER OR BROKER AND MORTGAGE ORIGINATOR STATED ON MORTGAGE: American Heritage National Bank
R E S I D E N T I A L MORTGAGE SERVICER: PennyMac Loan Services, LLC

M O R T G A G E D 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 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 REPRESENTATIVES 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

PUBLIC NOTICES

PUBLIC NOTICES

SAUK RAPIDS-RICE INDEPENDENT SCHOOL DISTRICT NO. 47 REGULAR SEMI-MONTHLY BOARD MEETING Monday, May 20, 2024

A semi-monthly meeting of the Sauk Rapids-Rice ISD 47 Board of Education was called to order by Chair Butkowski Monday, May 20, 2024 at 6:00 p.m. (CDT) in the District Office Boardroom.

ROLL CALL

Members present included Butkowski, Dwyer, Hauck, Holthaus, Johnson, Loidolt, and Morse. Others present were Superintendent Bergstrom, Director of Business Services Fiereck, Director of Human Resources and Administrative Services Schoenherr, Director of Teaching and Learning Boser, Director of Technology Zimpel, SRRHS Principal Logrono, MHES Principal Peterson, Rice Principal Bushman, and SRRHS Activities Director Klaphake.

ESTABLISHMENT OF A QUORUM

Chair Butkowski asked Clerk Loidolt to affirm there was a quorum in attendance. Clerk Loidolt affirmed there was a quorum.

APPROVAL OF MEETING AGENDA

A motion was made by Hauck, seconded by Morse and unanimously carried to approve the meeting’s “Agenda”.

CONSENT AGENDA

A motion was made by Holthaus, seconded by Dwyer and unanimously carried to approve the meeting’s “Consent Agenda”.

PUBLIC INPUT

There was no public input at 7:26 p.m.

ACTION

ADOPTION OF THE DONATION RESOLUTION

A motion was made by Loidolt, seconded by Morse and unanimously carried to adopt the Donation Resolution. It is recommended by the Minnesota School Board Association that a Donation Resolution be adopted in the Action area of the agenda rather than in Consent.

Sauk Rapids-Rice Donation List					
Date	Donor	Purpose	Donation Amount	Donation Equipment	Building / Department
4/10/2024	Scooters Coffee	Yearbook Sponsorship	\$40.00		HS
4/10/2024	Chef Mike Catering	Yearbook Sponsorship	\$40.00		HS
4/16/2024	Great River Federal Credit Union	Robotics	\$500.00		HS
4/24/2024	SRR Backcourt Club	Girls Basketball team needs	\$1,500.00		HS
4/24/2024	SRR Backcourt Club	Boys Basketball team needs	\$3,300.00		HS
4/24/2024	Storm Dance Team Booster Club	Dance Team bus upgrades, uniforms	\$6,892.96		HS
4/24/2024	SRR Music Boosters	Pep Band Pizza	\$479.32		HS
4/22/2024	Benton County Human Services	Wellness Room	\$250.00		HS
4/19/2024	Preferred Credit	Survivor Week	\$500.00		HS
4/19/2024	SR VFW Post 6992	Survivor Week	\$250.00		HS
4/19/2024	Kwik Trip	Survivor Week	200 in gift cards		HS
4/19/2024	Kelm and Rueter	Survivor Week	\$100.00		HS
4/19/2024	Dutch maid Bakery	Survivor Week	50 in gift cards		HS
4/19/2024	Chipotle	Survivor Week	40 in gift cards		HS
4/19/2024	Freddy's	Survivor Week	50 in gift cards		HS
4/19/2024	House of Pizza	Survivor Week	20 in gift cards		HS
4/19/2024	Raising Canes	Survivor Week	Gift Basket		HS
4/19/2024	Mister Car Wash	Survivor Week	4 pack of washes		HS
4/15/2024	Blackbaud Giving Fund	Donation	\$60.00		District
4/15/2024	VFW 6992	Deep Portage	\$500.00		PVES
4/15/2024	Rice Area Sportsmans Club	Deep Portage	\$2,750.00		PVES
Total			\$13,002.28		

ADJOURNMENT

With no further business appearing before the Board, a motion was made by Hauck, seconded by Loidolt and unanimously carried to adjourn the meeting at 7:35 p.m.

Respectfully submitted,
Lisa Loidolt,
Board of Education Clerk
Sauk Rapids-Rice ISD 47
R-25-1B

NOTICE OF PUBLIC SALE

Storage On 15 LLC will sell at public lien sale the personal property in Unit 34 and 65 located at 2021 4th Ave N Sauk Rapids MN 56379 that is being rented by Brian Depa. The contents may include but is not limited to: personal household, office, and other items. The sale will be held as an online public auction at storage-treasures.com on June 30, 2024 10:00 a.m.

R-24-2B

PROBATE NOTICE
STATE OF MINNESOTA
COUNTY OF BENTON
DISTRICT COURT
SEVENTH JUDICIAL
DISTRICT
Court File No:
05-PR-24-931

NOTICE AND ORDER OF HEARING TESTATE PETITION

Estate of:
John D. Schram,

Decedent.

It is Ordered and Notice is given that on July 22, 2024, at 8:00 a.m. a hearing will be held in this Court in Foley, Minnesota, for the formal probate of an instrument purporting to be the Will of the Decedent, dated April 26, 2011, and Codicil to the Will dated April 13, 2021 (“Will”), and for the appointment of Jerome N. Weyer, whose address is 125 4th Ave SE, Saint Joseph, Minnesota, 56374 as personal representative of the Estate of the Decedent in an UNSUPERVISED administration. Any objections to the Petition must be filed with the Court prior to or raised at the hearing. If proper and if no objections are filed or raised, the per-

sonal representative will be appointed with full power to administer the Estate, including the power to collect all assets, to pay all legal debts, claims, taxes, and expenses, to sell real and personal property, and to do all necessary acts for the Estate.

Notice is also given that (subject to Minn. Stat. 524.3-801) all creditors having claims against the Estate are required to present the claims to the personal representative or to the Court Administrator within four months after the date of this Notice or the claims will be barred.

This is an administrative hearing and your appearance is not required.
/s/ Robert J. Raupp
Judge of District Court
/s/ Megan Bergman
Court Administrator
Attorneys for Personal Representative
Tonya T. Hinkemeyer
Rinke Noonan
PO Box 1497
St. Cloud, MN 56302-1497
Attorney License No. 0312113
THinkemeyer@Rinke-
Noonan.com
(320) 251-6700
Fax: (320) 656-3500

R-24-2B

ADVERTISEMENT FOR BIDS SHOESTRING LOOP & 95TH AVENUE ROAD IMPROVEMENTS FOR WATAB TOWNSHIP BENTON COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that Bids for the construction of Shoestring Loop & 95th Avenue Road Improvements will be received online through bidVAULT™ until Tuesday, July 9, 2024, at 9:00 a.m. local time. Immediately following expiration of the time for receiving Bids, representatives of Watab Township will publicly view Bids at an online Bid opening meeting. Those interested in viewing the online Bid opening are welcome to join the meeting by calling 1.312.626.6799 or by logging on to <https://zoom.us/join> and entering Meeting ID 976 0560 3698 and Passcode 219211. The as-read online Bid results will be available at <https://bid-vault.mn.uccs.com/index.php> following the Bid opening.

The Project includes the furnishing of all labor and materials for the construction complete in-place, of the following approximate quantities:

6,500	C Y	Excavation – Common (P)
3,300	C Y	Aggregate Base (CV) Class 5
275	S Y	Type SP 9.5 Wearing Course Mix (3,C) 3.0” Thick
4,000	TON	Type SP 9.5 Wearing Course Mix (3,C)
3	ACRE	Seeding
150	LB	Seed Mixture 25-121
5,200	LB	Hydraulic Mulch Matrix

The provisions of MINN. STAT. 16C.285 Responsible Contractor are imposed as a requirement of this contract. All bidders and persons or companies providing a response/

submission to the Advertisement for Bids of Watab Township shall comply with the provisions of the statute.

Information and Bidding Documents for the Project can be found at <https://bidvault.mn.uccs.com/index.php>. Bidding Documents may be downloaded from the website for a nonrefundable fee of \$25 by selecting WSB on the left-hand menu and Project No. 025666-000.

The website will be updated periodically with addenda, lists of registered plan holders, reports, and other information relevant to submitting a Bid for the Project. All official notifications, addenda, and other Bidding Documents will be offered only through the website <https://bidvault.mn.uccs.com/index.php>. Neither Owner nor Engineer will be responsible for Bidding Documents, including addenda, if any, obtained from other sources.

Bids will only be accepted via the electronic bidding service through bidVAULT™.

The Town Board reserves the right to reject any and all bids and to waive any bids received without explanation. No bid may be withdrawn for a period of 60 days.

For all further requirements regarding bid submittal, qualifications, procedures, and contract award, refer to the Instructions to Bidders that are included in the Bidding Documents.

DATED: May 14, 2024
BY THE ORDER OF THE TOWNSHIP BOARD
s/s Kathy Sauer
Clerk
Watab Township

PUBLISHED IN:
Sauk Rapids Herald June 15, 2024 and June 22, 2024
Finance & Commerce June 15, 2024 and June 22, 2024
R-24-2B