

PUBLIC NOTICES

CERTIFICATE OF ASSUMED NAME

Minnesota Statutes

Chapter 333

ASSUMED NAME: SOS.

PRINCIPAL PLACE OF BUSINESS: 21 Portage Trail,
PO Box 114, Sauk Rapids, MN 56379.

NAMEHOLDER(S): Julie R Braun, 21 Portage Trail, PO
Box 114, Sauk Rapids, MN 56379.

(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/ Julie R Braun, Owner

08/22/2024

R-35-2P

**BENTON COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING MINUTES
AUGUST 20, 2024**

The Benton County Board of Commissioners met in regular session on August 20, 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 pull Consent Agenda items 5 and 6 to be placed under County Administrator at 9:35 AM for further discussion; to add a Regular Agenda item regarding a follow-up to the second change order for County facilities fiber project after the Presentation of Life Saving Award at 9:05 AM; and noted that there were additions to Consent Agenda item #10 regarding the Joint Powers Agreement (JPA) with Local Government Units for the enforcement and regulation of cannabis where the City of Sauk Rapids, Mayhew Lake Township, Maywood Township, and Granite Ledge Township submitted JPA's. Motion by Popp and seconded by Heinen to approve the amended agenda. Motion carried unanimously.

No one was present to speak under Open Forum. Motion by Johnson and seconded by Schlangen to approve Consent Agenda items 1 - 4 and 7 - 11: 1) approve the Regular Meeting Minutes of August 6, 2024 and authorize the Chair to sign; 2) approve the Committee of the Whole Meeting Minutes of July 22, 2024 and authorize the Chair to sign; 3) approve the Committee of the Whole Meeting Minutes of August 6, 2024 and authorize the Chair to sign; 4) approve the Committee of the Whole Meeting Minutes of August 12, 2024 and authorize the Chair to sign; 7) approve an application for Special Event Permit request by Deanna Rosa, dba Rollies, LLC; 8) approve the Contract Service Agreement renewal with David A. Barsody, Inspection Services of Central Minnesota, Inc. to continue services as the building official for Benton County in administration of the State Building Code and authorize the Chair to sign; 9) approve the appointment of Chad Erdmann to the Board of Adjustment; 10) approve the Joint Powers Agreements with Local Government units for the enforcement and regulation of cannabis; 11) approve the Resolution to accept a donation from the Drug Awareness Resistance Education Fund of Central Community Foundation and authorize the Chair to sign. Motion carried unanimously.

Next, Sheriff Troy Heck gave a presentation of Life Saving Award. On May 20th, 2024, Benton County first responders saved the life of Gilman resident Bradley Ott who had stopped breathing. Public Safety Dispatchers Lindsey Galvin and Katie Dusing, MN State Patrol Trooper Ryan Moeser, Deputy David Bonfield, Foley Police Officers Bart Kothman and Cody Pausch, members of the Foley Fire Department, Mayo Ambulance crew, as well as Bradley's wife Joanne were all honored and recognized for their life saving efforts. This item was for informational purposes only.

Next, IT Director Steve Stang invited Curt Hoheisel of Systematic Technologies and Wayne Starry of Starry Electric to provide a follow-up on the 2nd Change Order for County facilities fiber project. Board members had questions from the last meeting on the additional charges that were incurred. Wayne Starry shared that the project was bid to use standard trenching machinery. However, when they started working on the project, that machinery was inadequate because of hard clay soil conditions in the area of the High School tennis courts. The best and most cost-effective alternative was to do directional boring to complete the project. The contractors are seeking reimbursement to cover the costs of the additional work that was completed. Motion by Johnson and seconded by Heinen to approve the change order to Systematic Technologies for \$5,775. Motion carried with Commissioners Schlangen, Heinen, Gapinski and Johnson voting "aye" and Commissioner Popp abstained.

Next, Land Services Director Roxanne Achman requested to conduct a Public Hearing to consider Ordinance #495 amending Ordinance #385 and 351 relating to the rear setback of accessory structures within the Oak Hill Estates Planned Unit Development. Homeowners of Oak Hill Estates are requesting to amend Ordinance #385 and #351, which establishes the Oak Hill Estates PUD and development plan. The purpose of the amendment is to reduce the required rear yard setback for accessory structures. Due to the smaller lot sizes in the PUD, the required setback of 30ft is rarely feasible or practical. The request is to reduce the setback to 5ft for lots abutting open space or outlots, and 10ft for lots abutting other residential lots. The Planning Commission recommended approval of Ordinance #495 on August 8, 2024. Oak Hill Estates Board Member Steve Paasch of 8630 Oakhill Rd NE, Rice, MN, shared information regarding the request and asked for County Board approval of Ordinance #495. The Public Hearing opened at 9:26 AM. No one was present in-person or virtually to speak. The Public Hearing closed at 9:26 AM. Achman reported that 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. Motion by Johnson and seconded by Popp to approve Ordinance #495 amending Ordinance #385 and #351 relating to the rear setback of accessory structures within the Oak Hill Estates Planned Unit Development. Motion carried unanimously.

Next, Auditor Treasurer Christine Scherbing and County Assessor Brian Folden requested County Board approval for the Ratification Statement for Avenu Tax & CAMA. Currently our scheduled time to be fully implemented with Tyler Tax & CAMA is delayed. Therefore, we will need to run Avenu Tax & CAMA for an additional year. The cost to the County is as follows:

Tax	\$44,644.16
CAMA	\$16,499.56
Total Cost to the County	\$61,143.72

Motion by Johnson and seconded by Heinen to approve the Ratification Statement for Avenu Tax & CAMA. Motion carried unanimously.

Next, Scherbing requested the County Board to ratify Election Recount Joint Powers Agreement (JPA) with the MN Secretary of State. Each election we must enter a JPA with the Secretary of State in the event a recount is needed. Motion by Johnson and seconded by Heinen to ratify the Joint Powers Agreement with MN Secretary of State. Motion carried unanimously.

Next, County Engineer Chris Byrd requested County Board approval of the updated 5-Year Road Construction Improvement Plan (CIP). The 5-Year Highway CIP was discussed at a recent Committee of the Whole. Johnson shared his concerns about approving the plan today and would like to have a future Committee of the Whole to discuss the projects that would use Local Option Sales Tax funding. Motion by Johnson and seconded by Popp to table the adoption of the 5-Year CIP upon future discussion. Motion carried with Commissioners Schlangen, Gapinski, Johnson and Popp voting "aye" and Commissioner Heinen voting "nay".

Next, Headley requested the County Board to consider an application for "Safe and Secure Courthouse" grant funding. The Courts Facility Safety Committee (a subcommittee of the Criminal Justice Committee) requests that the County Board approve the submittal of a grant application. The Safety Committee seeks funding to install bullet resistant glass in the Court Administration and Probation public counters. Estimated cost of both projects is \$42,700. The grant program requires a 50% local match, or \$28,600. Funding is available in the Capital Improvement Fund cash balance to cover the local cost. Motion by Heinen and seconded by Popp to authorize the submittal of a "Safe and Secure Courthouse" grant and commit a local match of \$28,600 from the CIP fund. Motion carried unanimously.

Next, Headley requested to discuss Consent Agenda item #5 to consider an amended contract with Odesa II for improvements to Bend in the River Park and Consent Agenda item #6 to consider an amended contract with the Minnesota Department of Natural Resources for a Legacy Grant to improve Bend in the River Regional Park. Odesa II was the successful bidder for the Legacy grant project at Bend in the River. Its bid was well below the engineer's estimate and total grant awarded to Benton County. The Park Commission discussed and approved the following additional work that would fully maximize the Legacy Grant: 1) surface all new trails with Class 2 aggregate, 2) surface all existing trails on the East side of County Road 55 with Class 2 aggregate, and 3) consent to a charge order on structural supports for the shelter. These additional projects were submitted to the Greater MN Regional Parks and Trails Commission, which approved the changes July 24th. The changes have also been approved by the Minnesota Department of Natural Resources (the grantor agency). Odesa's original bid was \$671,552.50. This amendment increases the contract to \$833,500.50 and will fully utilize the Legacy grant. The amendment extends the completion date to May 2025 due to delays in manufacturing the shelter structure. The amended contract with the Minnesota Department of Natural Resources for a Legacy Grant to improve Bend in the River Regional Park does not change the amount originally awarded to Benton County, nor does it change the required 15% local match. Instead, the amendment changes the elements of the project to fully utilize the \$797,555 Legacy Grant. Headley noted that a budget revision and updated project map was submitted to DNR. We have been told by the DNR that it has everything it needs to prepare a revised grant agreement. The revised grant agreement was not available by today's meeting, but the Administrator requests Board approval based on assurances from DNR that everything is in order. A motion was made by Johnson, seconded by Heinen to approve the amended Bend in the River Legacy Grant Agreement with DNR. Motion carried unanimously. Next, Headley requested Board approval of the revised agreement with Odesa II, with the condition that the revised Odesa II agreement will not be executed and effective until we have the final signed and executed DNR grant agreement. Headley noted that we would not want to create a liability to the contractor until we for certain have the final DNR grant agreement in place. Motion by Johnson, seconded by Heinen to approve the revised Odesa II contract for improvements to Bend in the River Park, with effective date to follow execution of the related DNR Legacy Grant agreement. Motion carried unanimously.

The County Board Meeting recessed at 9:57 AM to conduct a Community Health Board Meeting.

The County Board reconvened at 10:04 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/Heinen to set the Committee of the Whole Meetings: Monday, August 26, 2024, Wetlands Administration and 5 - Year Road Plan, Benton County Boardroom, Foley, 8:30 AM; Tuesday, September 10, 2024, final budget discussion, Benton County Boardroom, Foley, 8:30 AM; Thursday, September 19, 2024, Benton County Association of Townships, Glendorado Town Hall, 792 190th Ave NE, Princeton, MN 55371, 7:30 PM; Monday, September 23, 2024, River Crest Facility and Lincoln Center tour, beginning at River Crest facility 1315 Lincoln Ave SE, St. Cloud, MN 56304 at 10:00 AM or upon completion of Special Board Meeting, then going to Lincoln Center at 630 Lincoln Ave SE, St. Cloud, MN 56304. Motion carried unanimously.

Chair Gapinski adjourned the Regular Board Meeting at 10:21 AM.

Jared Gapinski, Chair
Benton County Board of Commissioners

ATTEST:
Montgomery Headley
Benton County Administrator

SUMMONS NOTICE
STATE OF MINNESOTA
COUNTY OF
SHERBURNE
TENTH JUDICIAL
DISTRICT
DISTRICT COURT
Court File Number:
71-JV-24-43
Case Type:
CHIPS - Permancency

**Summons and Notice
Termination of Parental
Rights Matter (CHP-115)**

In the Matter of the
Welfare of the Child(ren)
of: Brianna Leigh Clark,
mother and Charles Ken-
neth Ashley, father

**NOTICE TO: Charles
Kenneth Ashley, Above-
named parent(s) or legal
custodian (s).**

1. A Termination of Parental Rights Petition has been filed in the Juvenile Court alleging that parental rights of the above-named parent(s) or legal custodian(s) to the child(ren) named in the petition should be permanently severed.

2. **This is your notice** that this Termination of Parental Rights case is scheduled for a IN PERSON

hearing before the Juvenile Court located at 13880 Business Center Drive, Suite 100, Elk River MN 55330-1692, on October 22, 2024 at 8:30am or as soon after as the case can be heard. Please contact court administration to get the IN PERSON hearing information.

3. **YOU ARE ORDERED** to appear before the Juvenile Court at the scheduled time and date.

4. You have a right to be represented by counsel.

5. If you fail to appear at the hearing, the Court may still conduct the hearing and grant appropriate relief, including permanently severing the parental rights of the above-named parent(s) or legal custodian(s) or taking permanent custody of the child(ren) named in the Petition.

Dated: August 19, 2024

BY:
Sherburne County
Court Administration
13880 Business Center
Drive,
Suite 100
Elk River, MN 55330-1692
763-284-7140
R-34-3B

Gilmanton Township Notice

Notice is hereby given to Contractable Providers for Gilmanton Township, Benton County, State of Minnesota, that Gilmanton Township is seeking quotes for the Snow Removal of all roads & property maintained by Gilmanton Township, on or before, Monday, September 30th, 2024. Quotes can be submitted by mail to the Clerk at the address listed below or by email. If mailing a quote, it must be received by the clerk before the deadline to be considered by the board. The board maintains the right to accept or reject any or all quotes for any reason.

R-35-2B

NOTICE OF PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that the Benton County Board of Adjustment will conduct public hearings on September 19th, 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. Adam Turnquist requesting a variance to allow a feedlot on 10.87 acre (35 acres required) in the Agricultural District. Pursuant to Sections 9.12.3 and 11.5. The affected property is described as follows: S682ft of E694ft of SE1/4 NW1/4, Section 2, Glendorado Township. The on-site inspection of this property will be made at approximately 1:10 p.m. on September 19th, 2024.

2. Tim Voss requesting a variance to expand a non-conforming lot in the Agricultural District. Pursuant to Sections 7.2.6(A)(5)(a) and 11.5. The affected property is described as follows: Part of the NE1/4 NE1/4, Section 25, Minden Township. The on-site inspection of this property will be made at approximately 1:40 p.m. on September 19th, 2024.

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

FR-36-1B

**CERTIFICATE OF ASSUMED NAME
Minnesota Statutes
Chapter 333**

ASSUMED NAME: SOS Thrift Store.
PRINCIPAL PLACE OF BUSINESS: 2018 Veterans Drive, St. Cloud, MN 56303.

NAMEHOLDER(S): Julie R Braun, 21 Portage Trail, PO Box 114, Sauk Rapids, MN 56379.

(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/ Julie R Braun, Owner
08/01/2024
R-35-2P