

**BENTON COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING MINUTES  
FEBRUARY 18, 2025**

The Benton County Board of Commissioners met in regular session on February 18, 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 and Jared Gapinski present. Commissioner Steve Heinen was present at 9:03 AM.

County Administrator Montgomery Headley requested to add Consent Agenda item #9 to consider an Application for Consumption and Display Permit (Bottle Club); and to add a discussion on recent meetings with the St. Cloud Regional Airport Authority and Sheriff’s Office on Jail operations as the last item before going into Closed Session at 10:15 AM. Motion by Johnson and seconded by Benoit to approve the amended agenda. Motion carried unanimously.

No one was present to speak under Open Forum. Motion by Gapinski and seconded by Benoit to approve Consent Agenda items 1 – 9: 1) approve the Regular Board Meeting Minutes of February 4, 2025 and authorize the Chair to sign; 2) approve the Committee of the Whole Meeting Minutes of February 3, 2025 and authorize the Chair to sign; 3) approve the Benton County Civil Rights Plan and authorize the Chair to sign; 4) approve the Community Adult Mental Health Initiative Contract for Outreach Services and authorize the Chair to sign; 5) approve the Ratification of the Solid Waste Hauler contracts between the Tri-County Solid Waste Management Commission and the individual haulers within the Tri-County service area and authorize the Chair to sign; 6) approve the SCORE Grant applications round I; 7) approve the Special Road Use Permit for Foley Fun Days and authorize the Chair to sign; 8) approve the final payment for projects SP 005-070-009, - 011, -012, and -013 and authorize the Chair to sign; 9) approve the application for Consumption and Display Permit (Bottle Club) and authorize the Chair to sign. Motion carried unanimously.

Next, Grady Harn of Larkin Hoffman provided a legislative update. This item was for informational purposes only.

Next, it is Benton County Policy to recognize workers that go above and beyond in their daily work. There are four categories of awards: Customer Support; Innovation and Efficiency, Employee Safety/Injury Reduction and Inspirational Leader. Jail Sergeant CoraLynn Martin and Detention Officer Kayla Crusier were nominated and selected as our 4th Quarter Employee Recognition Recipients in the category of “Innovation and Efficiency (LEAN/Continuous Improvement)”. Auditor-Treasurer employees Christy Bosshart, Christie Whiting, Nicole Leabch, Leatha Lannes, Heather Bondhus, Amber Weirauch and Chassidi Thomsen were also nominated and selected as 4th Quarter Employee Recognition Recipients in the category of “Customer Service”. Jail Administrator Sharlene Novak spoke on behalf of the Martin and Crusier. Auditor-Treasurer Christine Scherbing (virtual) spoke on behalf of the Auditor- Treasurer staff.

Next, Community Health Services Administrator/Public Health Director Jaclyn Litfin requested the County Board to consider the Resolution to authorize the expenditure of Opioid Funds. The Resolution reads as follows:

WHEREAS, on March 21, 2023 the Benton County Board approved the State Subdivision Agreement concerning the nationwide litigation against opioid supply chain participants; and

WHEREAS, the State Subdivision Agreement was negotiated on behalf of Minnesota Cities and Counties by the Office of the Minnesota Attorney General and the Association of Minnesota Counties resulted in the Minnesota Opioids State-Subdivision Memorandum of Agreement (MOA), which serves as the governing document over the permissible uses of opioid settlement funds; and

WHEREAS, Benton County will receive approximately \$2.4 million in opioid settlement funds over an 18- year period; and

WHEREAS, The MOA stipulates that the Benton County Public Health Department shall serve as the Lead Agency in coordinating the County’s use of opioid settlement funds;

WHEREAS, Section III (C) of the MOA states that opioid settlement funds may be used when included in the budget of the County’s Governing Body or by passage of a Resolution authorizing the expenditure of opioid settlement funds; and

WHEREAS, Section III (C) of the MOA states that such

Resolution shall indicate 1) the expenditure of opioid settlement funds is authorized and 2) state the specific strategy or strategies the County intends to fund, using the item letter and/or number in Exhibit A of the MOA to identify each funded strategy; and

WHEREAS, Benton County Public Health Department will consult annually with local government municipalities in the county regarding future use of and input regarding proposed uses of the opioid settlement funds in the county, at least annually in a public meeting; and

WHEREAS, as required by the MOA, the Benton County Public Health Department will convene a Substance Use Prevention Coalition that will provide input on the County’s opioid settlement fund expenditure plan; and

WHEREAS, the Benton County Public Health Department will bring insight from Community Health Assessments and Community Health Improvement Plans, and collaborative evidence-informed approaches that prevent and address addiction; and

WHEREAS, the Benton County Public Health Department will from time to time bring funding recommendations to the County Board for consideration and approval, amending this Resolution as needed.

NOW THEREFORE, BE IT RESOLVED the Benton County Board of Commissioners hereby authorizes the commitment and expenditure of opioid settlement funds; and

BE IT FURTHER RESOLVED that Benton County opioid settlement funds shall be committed and expended for the purposes set forth as follows: MOA Part 1, Section D., Strategy: to address the needs of criminal justice-involved person; Description: fund a Co-Responder position; in the amount of \$240,000. Adopted this 18th day of February, 2025.

/ss/Edward Popp  
Chair  
Benton County Board of Commissioners

ATTEST:  
/ss/Montgomery Headley  
County Administrator  
Motion by Johnson and seconded by Heinen to adopt the Resolution to authorize the expenditure of Opioid funds. Motion carried unanimously.

The County Board Meeting recessed at 9:17 AM to conduct a Community Health Board Meeting.

The County Board Meeting reconvened at 9:22 AM.

Next, representatives from NextEra were scheduled to provide an update, but rescheduled the update to the Regular Board Meeting on March 18, 2025.

Next, Human Services Director Sandi Shoberg requested County Board approval for a Letter of Support for their advocacy to reduce the frequency of MnChoice Assessments. Benton County has been asked to provide a letter of support to Scott County for their advocacy work to change the requirements for a MnChoice assessment from annually to once every three years unless there are significant changes in the person’s condition or client requests more frequent assessments. By reducing the frequency of assessments counties would be able to allocate resources more effectively, allowing for focus on critical areas that require immediate attention, such as initial assessments. This could result in about 50% reduction in assessments and reduce the number of staff needed to complete these assessments. In 2024, Benton County completed 149 initial assessments and 732 reassessments. We currently have 37 people on our waiting list. Motion by Johnson and seconded by Heinen to approve the letter of support to reduce the frequency of MnChoice Assessments. Motion carried unanimously.

Next, Social Services Supervisor Nikki Knowles requested the County Board to consider the 2025 contract with Lighthouse Child and Family Services to provide clinical supervisor as required by statute to social workers providing mental health services. The contract covers clinical supervision as required by statute to social workers doing mental health case management. This contract was previously with another agency who is no longer able to fulfill this service. Motion by Heinen and seconded by Gapinski to approve the contract with Lighthouse Child and Family Services for clinical supervision to mental health staff within Benton County Human Services. Motion carried unanimously.

Next, Stephanie Ferguson, owner of Momentum Center, requested the County Board to consider a Statement of Need. Ms. Ferguson informed the County Board that her intent is to open a facility in the county. This is needed as part of the

process to open a new residential facility in St. Cloud for the treatment of substance abuse disorders and co-occurring diagnosis. Motion by Heinen and seconded by Benoit to approve the Letter of Support for Momentum Center to open a residential program in Benton County. Motion carried unanimously.

Next, Land Services Director Roxanne Achman requested the County Board to consider the Joint Powers Agreement (JPA) for the implementation of the Mississippi River St. Cloud Comprehensive Water Management Plan (MRSCCWMP). In 2015, the state initiated the transition from water management planning on a county scale to water planning on a watershed scale. The Mississippi River St. Cloud is the second of three watershed plans that Benton County is involved in. Benton County is a required party of the MRSCCWMP. The JPA creates a Board, Joint Powers Entity (JPE), and sets the framework for implementation of the MRSCCWMP. The JPE and the MRSCCWMP can be adopted simultaneously, however, the JPE should not be adopted until the plan is adopted. Achman also requested the County Board to consider the Resolution to adopt the MRSCCWMP. Benton SWCD Watershed & Outreach Specialist Emily Forbord provided an Executive Summary and shared Benton County SWCD’s support of the JPA for the implementation of the MRSCCWMP. The Board of Soil and Water Resources approved the MRSCCWMP at its regularly scheduled meeting on January 22, 2025, and Benton SWCD will review at their regularly scheduled meeting on February 26th. Motion by Johnson and seconded by Gapinski to approve the JPA for the implementation of the Mississippi River St. Cloud Comprehensive Water Management Plan by Resolution. Motion carried unanimously.

Next, motion by Johnson and seconded by Gapinski to appoint Johnson as the primary appointee to the Mississippi River St. Cloud Implementation Planning Committee, and Popp as the alternate. Motion carried unanimously.

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

Under Comments by Commissioners, Gapinski thanked Johnson for creating an informational flyer regarding the new government center construction project. There was a consensus of the County Board to include the flyer with the property tax statements when they are mailed out. Gapinski also asked if there was a statute or rule that when approving a resolution, does it need to be done per roll call vote? Headley responded saying that he had not heard that, but the Board can choose to approve Resolutions via roll call vote any time they choose to do so. Headley stated that he will look further into the matter.

Gapinski/Johnson to set the Committee of the Whole Meetings: Monday, March 3, 2025, Government Center Project discussion with GLT Architects and Contegrity, Benton County Boardroom, Foley, 8:30 AM. Motion carried unanimously.

Next, Board members discussed a recent meeting with the St. Cloud Regional Airport Authority. Board members proposed to create an Airport Authority Subcommittee consisting of 2 Commissioners from each county they represent to discuss what the counties are doing as a whole on this issue. Board members will appoint members to this subcommittee at a future Board Meeting.

Next, Board Members also discussed the recent meeting with the Sheriff regarding Jail operations. There was a consensus of the County Board that Headley will contact other jails to see how they are operating with the new requirements by the Department of Corrections and increasing costs of running a jail.

Next, motion by Heinen and seconded by Popp to recess the Regular Board Meeting to conduct a closed session of the County Board under MN Statutes §13D.05, Subdivision 3 to evaluate the performance of individuals subject to County Board authority. Chair Popp announced that the purpose of today’s closed session is to review performance evaluations for appointed Department Heads (Community Health Administrator, Human Services Director and County Administrator). Motion carried unanimously.

The County Board Meeting reconvened at 12:19 PM. Chair Popp adjourned the Regular Board Meeting at 12:19 PM.

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

ATTEST:  
Montgomery Headley  
Benton County Administrator

R-10-1B

**Notice of Hearing on Improvement**

**TO WHOM IT MAY CONCERN:**

Notice is hereby given that the City Council of Sauk Rapids will meet in the council chambers of the City Hall at 6:10 p.m. on March 24, 2025, to consider the making of 2025 Overlay Improvements No. SAUKR 177830, an improvement of the northeast frontage road to Benton Drive North from approximately 580 feet south of 10th Street North to approximately 300 feet north of 10th Street North by Mill and Bituminous Overlay of Streets, Spot Reconstruction of Curb and Gutter, and Spot Reconstruction of Storm Sewer Systems, pursuant to Minn. Stat. §§ 429.011 to 429.111. The area proposed to be assessed for such improvement is the northeast frontage road to Benton Drive North from approximately 580 feet south of 10th Street North to approximately 300 feet north of 10th Street North. The estimated cost of the improvement is \$2,538,474.74. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvement will be heard at this meeting.

Ross Olson  
City Administrator  
Published in Sauk Rapids Herald on March 8 and March 15, 2025.

R-10-2B

**PROBATE NOTICE  
STATE OF MINNESOTA  
COUNTY OF BENTON  
IN DISTRICT COURT  
PROBATE DIVISION  
SEVENTH JUDICIAL  
DISTRICT  
COURT FILE NO:  
05-PR-25-379**

**ORDER AND NOTICE OF  
HEARING ON PETITION  
FOR FORMAL PROBATE  
OF WILL AND FOR FORMAL APPOINTMENT OF  
PERSONAL  
REPRESENTATIVE IN  
UNSUPERVISED  
ADMINISTRATION AND  
NOTICE TO CREDITORS**

In Re: Estate of  
Orvin E. Hartsworm,  
Deceased.  
TO ALL INTERESTED PERSONS AND CREDITORS:

IT IS ORDERED AND NOTICE IS HEREBY GIVEN that on the 7th day of April, 2025, at 8:00 o'clock a.m., a hearing will be held in the above named Court at Benton County Courts Facility, 615 Highway 23, Foley, Minnesota, for the formal probate of an instrument purporting to be the Will of the above-named Decedent, dated December 5, 2012, and for the appointment of Carmen M. Hartsworm, whose address is 670 24 1/2 Avenue NE, Sauk Rapids, Minnesota 56379, as personal representative of the estate of the above-

named Decedent in unsupervised administration, and that any objections thereto must be filed with the Court. That, if proper, and no objections are filed, a personal representative will be appointed to administer the estate, to collect all assets, pay all legal debts, claims, taxes and expenses, and sell real and personal property, and do all necessary acts for the estate.  
**Notice is further given** that ALL CREDITORS having claims against said estate are required to present the same to said personal representative or to the Court Administrator of the Court within four months after the date of this notice or said claims will be barred.  
Dated: February 25, 2025  
/s/ Karl Schmidt

Judge of District Court  
BENTON COUNTY  
DISTRICT COURT  
ADMINISTRATOR  
By: Jennifer Hoban  
Deputy Administrator  
\*This hearing will be held administratively and you are not required to appear.  
Michael M. Murphy,  
I.D. #7665X  
Attorney for Petitioner  
Murphy Law Offices  
30 North Seventh Avenue,  
P.O. Box 866  
St. Cloud, MN 56302-0866  
Tel: (320) 252-5922  
Email: murphylawmn@gmail.com  
(Murphy Law Offices File No. 6429-25MM)

R-9-2B

PUBLIC NOTICES

**PROBATE NOTICE**  
STATE OF MINNESOTA  
COUNTY OF BENTON  
SEVENTH JUDICIAL  
DISTRICT  
DISTRICT COURT  
PROBATE DIVISION  
Court File No:  
05-PR-25-300

NOTICE AND ORDER  
OF HEARING ON PETI-  
TION FOR FORMAL  
ADJUDICATION OF  
INTESTACY,  
DETERMINATION OF  
HEIRSHIP,  
APPOINTMENT OF  
PERSONAL  
REPRESENTATIVE AND  
NOTICE TO CREDITORS

Estate of  
Victoria Jo Gamble,  
Decedent

It is Ordered and Notice  
is given that on March 31,  
2025, at 8:00 AM, a hearing  
will be held in this Court  
at 615 Highway 23, Foley,  
Minnesota 56329, Minne-  
sota, for the adjudication of  
intestacy and determination  
of heirship of the Decedent,  
and for the appointment of  
Wendi Jones, whose ad-  
dress is 429 20th Avenue  
North, Sartell, MN 56377  
as Personal Representative  
of the Estate of the Dece-  
dent in a SUPERVISED  
administration. Any objec-  
tions to the petition must  
be filed with the Court prior  
to or raised at the hearing.

If proper and if no objec-  
tions are filed or raised, the  
Personal Representative  
will be appointed with full  
power to administer the Es-  
tate, 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. This hearing will  
be held administratively  
and you are not required to  
appear.

Notice is also given  
that (subject to Minnesota  
Statutes section 524.3-801)  
all creditors having claims  
against the Estate are re-  
quired to present the claims  
to the Personal Representa-  
tive or to the Court Admin-  
istrator within four months  
after the date of this Notice  
or the claims will be barred.

BY THE COURT  
Dated: February 20, 2025  
/s/ Karl Schmidt  
Judge of District Court  
Dated: February 20, 2025  
Megan Bergman  
Court Administrator

Attorney for Petitioner  
Robert V. Espeset  
ESPE LAW, PLLC  
4525 Allendale Drive  
White Bear Lake, MN  
55127  
Attorney License No:  
0123705  
Telephone: (651) 426-9980  
FAX: (651) 426-9981  
Email: robert@espelaw.  
com

R-9-2B

**PROBATE NOTICE**  
STATE OF MINNESOTA  
COUNTY OF BENTON  
IN DISTRICT COURT  
SEVENTH JUDICIAL  
DISTRICT  
PROBATE DIVISION  
Court File No:  
05-PR-25-369

ORDER AND NOTICE OF  
HEARING ON  
PETITION FOR FORMAL  
ADJUDICATION OF  
INTESTACY,  
DETERMINATION OF  
HEIRSHIP AND  
APPOINTMENT OF PER-  
SONAL  
REPRESENTATIVE IN  
UNSUPERVISED  
ADMINISTRATION AND  
NOTICE TO CREDITORS

In Re: Estate of  
Michael John Notsch,  
Deceased.

TO ALL INTERESTED  
PERSONS AND CREDI-  
TORS:

It is Ordered and No-  
tice is given that on the 7th  
day of April, 2025, at 8:00  
a.m., a hearing will be held  
in the above-named Court  
at 615 Highway23, Foley,  
Minnesota, on petition of  
Joyce Notsch for the adju-  
dicaiton of intestacy and  
determination of heirship of  
the above named decedent,  
and for the appointment of  
Joyce Notsch whose address

is 309 Oak Drive, Foley,  
Minnesota 56329, as per-  
sonal represenative of the  
estate of the above-named  
decedent in unsupervised  
administration, and that any  
objections thereto must be  
filed with the Court. This  
is an administrative hearing  
and your appearance is not  
required.

That, if proper, and no  
objections are filed, a per-  
sonal representative will be  
appointed to administer the  
estate, to collect all assets,  
pay all legal debts, claims,  
taxes and expenses, and sell  
real and personal property,  
and do all necessary acts for  
the estate.

Notice is further giv-  
en that ALL CREDITORS  
having claims against said  
estate are required to pres-  
ent the same to said person-  
al representative or to the  
Court Administrator within  
four months after the date  
of this notice or said claims  
will be barred.

Dated: February 25, 2025  
/s/ Karl Schmidt  
Judge of District Court  
Megan Bergman  
Court Administrator

Joseph S. Mayers  
Attorney No. 0295747  
KELM & REUTER, P.A.  
1287 2nd Street North,  
Suite 101  
Sauk Rapids, MN 56379  
(320) 251-1423  
kelmreuter@kelmreuter.com

R-9-2B

**MAYHEW LAKE TOWNSHIP  
NOTICE OF ANNUAL ELECTION AND MEETING**

Notice is hereby given that Mayhew Lake Township will  
hold its annual election and meeting March 11 at the town  
hall.

The polls will be open from noon until 8 p.m. to elect one  
supervisor and one treasurer.

The annual meeting will commence at 8:10 p.m. to set  
levies and conduct other necessary business. Townhall 9511  
55th Ave NE.

Tammy Studenski, Clerk  
R-10-1B