

AUGUST 15, 2022

The Regular Meeting of the Lake Benton City Council was held on Monday, August 15, 2022 at 5:30 P.M. in the Lake Benton Area Community and Event Center. Mayor Michael Carpenter presided. Trustees Rosie DeZeeuw, Mark Dunn, Patrick Haynes and Daryl Schlapkohl were present. City Attorney Mike Cable was absent. City Administrator/Clerk Eileen Christensen, Darcy Miller-Buffalo Ridge Insurance Agency, and Sheriff Chad Meester were also present.

Mayor Michael Carpenter called the meeting to order. The Pledge of Allegiance was recited by all present.

Mayor Michael Carpenter then asked if anyone in attendance had an item, not on the agenda, to bring up during the Open Forum part of the meeting. If so they had two minutes to state their concern. No items were brought forward at this time.

Mayor Michael Carpenter informed the Council and audience Agenda Item Number 3 – Public Works Update will not have a report this evening.

The minutes of the Regular Meeting of August 1, 2022 were reviewed. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the minutes of the Regular Meeting of July 5, 2022. Motion carried.

CLAIMS PRESENTED AGAINST THE CITY OF LAKE BENTON:

C & B OPERATIONS	\$ 652.60	OTTERTAIL	\$ 290.15
ITC	\$ 325.79	VADIM	\$ 124.43
EILEEN CHRISTENSEN	\$ 153.75	M & H COMMUNICATIONS	\$ 1,068.00
COUNTRY SIDE NURSERY	\$ 2,114.00	L-P RURAL WATER	\$ 5,058.39
RETHWISCH & SON	\$ 1,115.92	EXPRESSWAY	\$ 122.27
GOPHER STATE	\$ 17.55	CITY OF LAKE BENTON	\$ 180.92
POSTMASTER	\$ 203.00	UTILITY CONSULTANTS	\$ 603.87
ROSIE DEZEEUW	\$ 180.00	LAKE BENTON SCHOOL	\$ 1,150.00
SW SANITATION	\$ 3,755.41	TRACY TRIGG	\$ 202.50
XION TECH	\$ 219.99	BANNER ASSOCIATES	\$ 7,442.50
CARDMEMBER SRVCS	\$ 36.56	MEADOWLAND	\$ 426.26
RENEE AMBROSE	\$ 180.00	KAREN LICHTSINN	\$ 172.50
ONE OFFICE SOLUTIONS	\$ 77.67	BUFFALO RIDGE NEWS	\$ 225.75
LBVE	\$ 1,144.60	FULLER PAVING	\$ 3,600.00
CORINNE CROWE	\$ 85.00		

MOTION by Mark Dunn, seconded by Patrick Haynes to approve payment of the claims presented against the City of Lake Benton. Motion carried and the Mayor authorized the City Administrator/Clerk to make payment.

PUBLIC WORKS UPDATE

No report.

LAW ENFORCEMENT UPDATE

Sheriff Chad Meester presented the July calls for service (23) in Lake Benton. Sheriff Chad Meester stated scams are starting to pop up again via emails and phone calls. As leaders of the public sector, Sheriff Meester asked the Council to make the public aware by spreading the word and encourage anyone being scammed to contact law enforcement. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the law enforcement update. Motion carried.

The next item of business was to review/act on the 2022-2023 Insurance Renewal. At the last regular meeting of August 1, 2022, the Council met with Insurance Agent for Buffalo Ridge State Agency, Darcy Miller, and requested Darcy give City staff quotes on various Deductibles, Cyber Security Breach premium standard limit for various annual aggregates, and Excess Liability on various premium amounts.

The Council requested a quote for \$1,000.00 deductible in the amount of 28,896.00, a quote for \$2,500.00 deductible in the amount of \$27,394.00, and a quote for \$5,000.00 deductible in the amount of \$25,863.00 with a difference of approximately \$1,502.00 and \$3,033.00. **MOTION** by Rosie DeZeeuw, seconded by Mark Dunn to approve the \$1,000.00 deductible in the amount of \$28,896.00. Motion carried.

The standard limit for annual aggregate for cyber security breach is \$250,000.00 in the amount of \$971.00. The Council requested a quote for a limit of \$500,000.00 which is \$1,457.00. Darcy informed the Council that if the member opts to select the \$500,000.00 first-party cyber limit for the renewal, LMCIT provided a heads-up that LMCIT is building out cyber loss control resources and will, in-time, be requiring members that opt for higher limits to affirm they have minimum loss control measure in place to prevent and mitigate first-part cyber claims. As a requirement for binding the higher first-party cyber limits, LMCIT needs confirmation for their underwriting file from the staff member responsible for cyber security that they: 1) Understand there will likely be a requirement for basic loss control measure at a subsequent renewal in order to keep the higher limit; and 2) That they have carefully read the information in the link provided to the City Administrator/Clerk. An e-mail confirmation from the member affirming these two items is sufficient for LMCIT to provide the higher limits for the renewal if the City decides to move forward with this option. **MOTION** by Mark Dunn, seconded by Patrick Haynes to approve the limit for annual aggregate for security breach for \$250,000.00 in the amount of \$971.00. Motion carried.

The City purchased Excess Liability coverage for \$1,000,000.00 in the past in the amount of \$1,323.00, and the Council requested a quote for \$2,000,000.00 coverage which is \$2,178.00, and a quote for \$5,000,000.00 coverage which is \$4,743.00. **MOTION** by Patrick Haynes, seconded by Mark Dunn to approve purchase Excess Liability coverage for \$1,000,000.00 in the amount of \$1,323.00. Motion carried.

The Council also requested Darcy to check if the Library needs to be included in the Joint Power Entity and was informed that Risk Management Attorney confirmed that the Library board is similar to an HRA or EDA. In other words, coverage is not automatic. But it is his opinion that LMCIT can provide coverage for the Library by endorsing the City's coverage to add the Library. **MOTION** by Patrick Haynes, seconded by Daryl Schlapkohl to include the Library in the Joint Power Entity. Motion carried.

Mayor Michael Carpenter thanked Darcy Miller for her hard work and expertise on the 2022 insurance renewal. **MOTION** by Rosie DeZeeuw, seconded by Patrick Haynes to renew the 2022 insurance policy effective September 1, 2022. Motion carried.

The next item of business was to review/act on a building permit for Otter Tail Power Company to rebuild their substation. Carly Haiby, Land Specialist for Otter Tail Power Company, completed the building permit application to rebuild their current substation at 402 W. Benton Street. Carly has the setbacks and the \$25.00 application fee has been paid. **MOTION** by Patrick Haynes, seconded by Daryl Schlapkohl to approve the building permit for Otter Tail Power Company to rebuild their substation at 402 W. Benton Street. Motion carried.

The next item of business was to review/act on a building permit for Roger Martin to install a fence. Roger Martin would like to install a 10' x 12' fence at 218 S. Fremont Street. There was an existing fence on the southeast and southwest side connecting to the neighbor's fence (in which the former owners applied and were granted a variance due to the fact there was not 3 feet of room from their house to the property line to meet the required setbacks to build a fence). Maintenance Supervisor Todd Draper confirmed the setbacks at the back of the house are in compliance with the Ordinance and will connect on to the existing fence. The existing fence was installed prior to the Martin's owning the house. The \$25.00 application fee has been paid. **MOTION** by Rosie DeZeeuw, seconded by Daryl Schlapkohl to approve the building permit for Roger Martin to install a fence at 218 S. Fremont Street to be connected to the previous fence installed. Motion carried.

The next item of business was to review/act on advertising for bids to lease the City's farm land in September. The lease will expire the last day of February 2023. The farm land has previously been up for lease for a three year period to Tom and Mary Gunnink from March 1, 2020 through February 28, 2023.

This property of approximately 145 acres has 115.19 acres of cropland, more or less. Mayor Michael Carpenter inquired if the Council would like to advertise for a one year, two year or three year contract. The ad will be placed in late August and middle of September and open the bids at their October 3, 2022 regular meeting. **MOTION** by Mark Dunn, seconded by Patrick Haynes to authorize Administrator/Clerk Eileen Christensen to advertise for bids to lease the City's farm land for a three year term, and to collaborate with legal counsel regarding the paperwork before the ad is run and bids are opened. Motion carried.

The next item of business was to review/act on a temporary on-sale intoxicating liquor license for the Fire Department to serve alcohol at the Buffalo Ridge Pheasants Forever Banquet on September 17, 2022 at the Lake Benton Area Community and Event Center. **MOTION** by Daryl Schlapkohl, seconded by Mark Dunn to approve the temporary on-sale intoxicating liquor license for the Lake Benton Fire Department to serve alcohol at the Buffalo Ridge Pheasants Forever Banquet on September 17, 2022 at the Lake Benton Area Community and Event Center. Motion carried.

The next item of business was to review/act on property nuisances (tabled from August 1, 2022). The nuisance properties include:

- 1) The house located at 205 E. Benton Street that has been in the process of being torn down for over a year and no work has been done on it for some time. **MOTION** by Mark Dunn, seconded by Rosie DeZeeuw to authorize Administrator/Clerk Eileen Christensen to send a first letter of nuisance violation to begin the process. Motion carried.
- 2) There have been two vehicles parked beside the garage at 302 West Benton Street for some time without being moved. These vehicles may be inoperable or do not have valid or current registration. **MOTION** by Daryl Schlapkohl, seconded by Patrick Haynes to authorize Administrator/Clerk Eileen Christensen to send a first letter of nuisance violation to begin the process. Motion carried.

COMMITTEE REPORTS:

Trustee Mark Dunn – No report.

Trustee Rosie DeZeeuw – No report.

Trustee Patrick Haynes – The EDA met last week and a rusted water heater vent pipe was identified while shingling one of the 4-Plex units. The board will use program funds if available, if funds are not available, the EDA will pay for the repair. The Hole-in-the-Mountain Regional Park Phase One will begin next spring with tubing planned to be completed in the winter of 2023. The hot spots in Lake Benton are progressing. The City will be asked to pay half the price of the equipment and contract with ITC to be reimbursed for the service. Bolt's Grocery received grant funding for new refrigeration equipment to be installed next month. The board was informed the sale of the bar is complete. The EDA board contacted the present tenants and wait list individuals of the 4-Plex units to ask them first if they were interested in moving to the new duplex units. Those individuals had until August 15, 2022 to be placed on the wait list and no one was interested. However, three new individuals have applied and paid their security deposit today. The contractor is hoping to get the concrete completed and get started on enclosing the structures this fall.

Trustee Daryl Schlapkohl – No report.

MOTION by Rosie DeZeeuw, seconded by Mark Dunn to approve the Committee Reports. Motion carried.

ADMINISTRATOR/CLERK REPORT:

The City received the insurance money from the May 12, 2022 storm. The last day to file for Affidavits of Candidacy is tomorrow at 5:00 PM.

MOTION by Mark Dunn, seconded by Patrick Haynes to approve the Administrator/Clerk report. Motion carried.

MAYORAL REPORT:

Mayor Michael Carpenter asked Trustee Daryl Schlapkohl if the County was taking the picnic shelter in the Mork and Giles Addition and Trustee Schlapkohl said the County is not taking it. City staff will remove it. Mayor Michael Carpenter than asked Trustee Daryl Schlapkohl about fixing the outside of the Opera House building. Trustee Schlapkohl stated there are other places on the Kimball building that need to be tucked and will do both of the buildings at the same time.

Mayor Michael Carpenter then reminded the Council he informed them he and the Administrator/Clerk are working on the budget. A special meeting will be called at a later date to review the numbers with the Council.

The next regular Council meeting is scheduled for September 6, 2022 at 5:30 PM.

There being no further business to come before the Council at this time, a **MOTION** was made by Daryl Schlapkohl, seconded by Mark Dunn and carried, the meeting adjourned.

MAYOR

ADMINISTRATOR/CLERK