

**ADJOURNED MEETING OF THE COUNTY BOARD**  
**July 19, 2022**

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, July 19, 2022. Members present: Commissioners Shoff, Belshan, Edwin, Forman and Herman

The meeting was opened with the Pledge of Allegiance.

Commissioner Belshan offered the following motion;

**MOVED**, approving the agenda with additional items unknown at the time the agenda was posted. Additions under 7A Report of Personnel and removal of consideration of a resolution updating the fee schedule for Recorder's office under 7C.

Motion seconded by Commissioner Forman.

After discussion, a vote was taken and the Chair declared the motion approved.

Commissioner Edwin offered the following resolution;

**RESOLUTION No. 22-214**  
**Approval of the Freeborn County Board of Commissioners Consent Agenda as provided**  
**in the Freeborn County Board Rule of Procedure 9(A)**

**WHEREAS**, the Freeborn County Board is the governing body of Freeborn County, and;

**WHEREAS**, the Freeborn County Board has implemented a Consent agenda to perform the duties of the board in a more effective and efficient manner, and

**WHEREAS**, the following items have been placed for approval of the Freeborn County Board of Commissioners on the current Board meeting Consent Agenda as provided by the Board rules of procedure, being routine and of a regular action;

**NOW, THEREFORE BE IT RESOLVED**, to place the following are hereby approved for appropriate action:

- 1) Approval of the July 5, 2022 minutes;
- 2) Approval of the July 12, 2022 Emergency meeting minutes;
- 3) Approval of Drainage Repairs. CD23; CD54; CD8.

Resolution seconded by Commissioner Herman.

After discussion a vote was taken and the Chair declared the resolution adopted.

The Commissioners provided Board Committee updates.

Chairman Shoff asked if there was any public comment and there was none.

Commissioner Forman offered the following resolution;

**RESOLUTION No. 22-215**  
**Placing LaDon Wallin on Regular Full Time Employment Status**

**WHEREAS**, the Freeborn County employees have the responsibility for providing quality service with integrity and accountability to the citizens of Freeborn County;

**WHEREAS**, the Freeborn County Board is the appointing authority for all county employees, and;

**WHEREAS**, LaDon Wallin has successfully completed her required probationary employment period with Freeborn County and does provide the necessary services to her department and the public,

**NOW, THEREFORE BE IT RESOLVED**, to place LaDon Wallin, Highway Maintenance Laborer, on regular full-time status

Resolution seconded by Commissioner Herman.  
After discussion a vote was taken and the Chair declared the resolution adopted.

Commissioner Herman offered the following resolution;

**RESOLUTION No. 22-216**  
**Accepting the Resignation of Josh Hall**

**WHEREAS**, the Freeborn County Sheriff's Office has the responsibility for providing a quality service with integrity and accountability to the citizens of Freeborn County;

**WHEREAS**, the Freeborn County Board is the appointing authority for all county employees;

**WHEREAS**; Josh Hall has been employed as a Patrol Deputy since June 22<sup>nd</sup>, 2020 and is resigning his position effective July 9<sup>th</sup>, 2022,

**NOW, THEREFORE BE IT RESOLVED**, to accept the resignation of Josh Hall as a Freeborn County Patrol Deputy effective on or about July 9<sup>th</sup>, 2022.

Resolution seconded by Commissioner Edwin.  
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Belshan offered the following resolution:

**RESOLUTION No. 22-217**  
**Permission to Fill the Patrol Deputy Position**

**WHEREAS**, the Freeborn County employees have the responsibility for providing quality service with integrity and accountability to the citizens of Freeborn County;

**WHEREAS**, the Freeborn County Board is the appointing authority for all county employees, and;

**WHEREAS**, Josh Hall, Freeborn County Patrol Deputy has resigned his position effective July 9<sup>th</sup>, 2022;

**NOW, THEREFORE BE IT RESOLVED**, that the board approves the filling of the vacant Freeborn County Patrol Deputy position.

Resolution was seconded by Commissioner Herman.  
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-218**  
**Accepting the Resignation of Patrick Cottrell**

**WHEREAS**, the Freeborn County Highway Department has the responsibility for providing a quality service with integrity and accountability to the citizens of Freeborn County;

**WHEREAS**, the Freeborn County Board is the appointing authority for all county employees;

**WHEREAS**; Pat Cottrell has been employed as a Highway Maintenance Worker since September 5<sup>th</sup>, 1997 and is resigning his position effective August 25<sup>th</sup>, 2022,

**NOW, THEREFORE BE IT RESOLVED**, to accept the resignation of Pat Cottrell as a Freeborn County Highway Maintenance Worker effective on or about August 25<sup>th</sup>, 2022.

Resolution was seconded by Commissioner Herman.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Edwin offered the following resolution:

**RESOLUTION No. 22-219**  
**Permission to Fill the Freeborn County Highway Maintenance Laborer Position**

**WHEREAS**, the Freeborn County employees have the responsibility for providing quality service with integrity and accountability to the citizens of Freeborn County;

**WHEREAS**, the Freeborn County Board is the appointing authority for all county employees, and;

**WHEREAS**, Pat Cottrell, Freeborn County Highway Maintenance Worker has resigned his position effective August 25<sup>th</sup>, 2022;

**NOW, THEREFORE BE IT RESOLVED**, that the board approves the filling of the vacant Freeborn County Highway Maintenance Laborer position due to a promotion within.

Resolution was seconded by Commissioner Forman.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-220**  
**Accepting the Resignation of Amanda Toft**

**WHEREAS**, the Freeborn County Recorder's Office has the responsibility for providing a quality service with integrity and accountability to the citizens of Freeborn County;

**WHEREAS**, the Freeborn County Board is the appointing authority for all county employees;

**WHEREAS**; Amanda Toft has been employed with Freeborn County since October 31<sup>st</sup>, 2018 and is resigning her position effective July 28<sup>th</sup>, 2022,

**NOW, THEREFORE BE IT RESOLVED**, to accept the resignation of Amanda Toft as a Freeborn County Office Support Specialist, Sr. effective on or about July 28<sup>th</sup>, 2022.

Resolution was seconded by Commissioner Herman.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Herman offered the following resolution:

**RESOLUTION No. 22-221**  
**Permission to Fill the Office Support Specialist Sr. Position in the Recorder's Office**

**WHEREAS**, the Freeborn County employees have the responsibility for providing quality service with integrity and accountability to the citizens of Freeborn County;

**WHEREAS**, the Freeborn County Board is the appointing authority for all county employees, and;

**WHEREAS**, Amanda Toft, Freeborn County Office Support Specialist, Sr. has resigned her position effective July 28<sup>th</sup>, 2022;

**NOW, THEREFORE BE IT RESOLVED**, that the board approves the filling of the vacant Freeborn County Office Support Specialist, Sr. – Recorder's Office position.

Resolution was seconded by Commissioner Forman.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-222**  
**Approving the Tentative Agreement with Law Enforcement Labor Services, Inc.**  
**Representing the Licensed Detective Unit for the Calendar Years 2022-2024**

WHEREAS, representatives of Freeborn County and representatives of Law Enforcement Labor Services, Inc. representing the Licensed Detective bargaining unit have negotiated a three-year labor agreement for the term January 1, 2022 through December 31, 2024; and,

WHEREAS, the attached document summarizes the substantive agreement between the parties:

NOW, THEREFORE, BE IT RESOLVED that the County Board approves the tentative agreement and that the Chief Negotiator for the Freeborn County Board is authorized and directed to prepare contract documents incorporating this tentative agreement and further, that upon receipt of original contracts executed by the Union, the Freeborn County Board Chair, County Administrator and other appropriate individuals be authorized and directed to execute the original contracts.

Resolution was seconded by Commissioner Belshan.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Edwin offered the following resolution:

**RESOLUTION No. 22-223**  
**Adopt and Implement the Shell Rock-Winnebago Comprehensive Watershed Management Plan**

**Whereas**, the Freeborn County (county) has been notified by the Minnesota Board of Water and Soil Resources that the Shell Rock - Winnebago Comprehensive Watershed Management Plan has been approved according to Minnesota Statutes §103B.801 and Board Resolution #22-19.

**Now; Therefore, Be it Resolved**, the county hereby adopts and will begin implementation of the approved Comprehensive Watershed Management Plan for the area of the county identified within the Plan. The County Board of Commissioners authorizes entering into the Shell Rock – Winnebago Comprehensive Watershed Management Plan Implementation Memorandum of Agreement

**Be it Further Resolved** after the adoption of the Comprehensive Watershed Management Plan or amendments to the plan, Freeborn County shall notify local units of government within the Shell Rock and Winnebago Watersheds. The local units of government are required to submit existing water and related land resources plans and official controls within 90 days to the county for review as per Minnesota Statutes, Section 103B.321.

**Be it Further Resolved** that within 180 days, the county shall review the submitted plans and official controls and identify any inconsistencies between the local plans and official controls and the Comprehensive Watershed Management Plan. The county shall specify applicable and necessary measures to bring the local plans and official controls into conformance with the Comprehensive Watershed Management Plan.

**Be it Further Resolved** if a local unit of government disagrees with any changes to its plan, the local unit has 60 days after receiving the county's recommendations to appeal the recommendations to the Board of Water and Soil Resources.

**Be it Further Resolved** after receiving the recommendations of the county, or a resolution of an appeal, a local unit of government has 180 days to initiate revisions to its plan or official controls. The new or revised plans and official controls must be submitted to the county for review and recommendations.

Resolution was seconded by Commissioner Herman.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-224**  
**Approving Aquatic Invasive Species Funding**

**Resolved**, approving Aquatic Invasive Species Funding in the amount of \$10,000 to be allocated to the Freshwater Mussel Exhibit at the Jay C. Hormel Nature Center.

Resolution was seconded by Commissioner Herman.  
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-225**  
**Approving Enhanced Remote Access Agreement**

**WHEREAS**, Freeborn County Recorder's office provides access to county records via enhanced remote access; and

**WHEREAS**, the Freeborn County Recorder's office currently provides enhanced remote access to online county records at no cost; and

**WHEREAS**, the Freeborn County Recorder's office would like to enter into contracts with enhanced remote access subscribers; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Freeborn County Board of Commissioners does hereby adopt the Enhanced Remote Access Agreement Contract, a copy of which is attached to the original Resolution.

Resolution was seconded by Commissioner Herman.  
After discussion, a vote was taken with Commissioner Edwin abstaining, Commissioner Forman, Herman, Belshan and Shoff voting yay. The Chair declared the resolution approved.

Commissioner Herman offered the following resolution:

**RESOLUTION No. 22-226**  
**Setting Tax Forfeiture Sales Price**

**WHEREAS**, The County Board of Commissioners of the County of Freeborn, State of Minnesota, desire to offer for sale certain parcels of land that have been forfeited to the State of Minnesota for non-payment of taxes; and

**WHEREAS**, the County Board of Commissioners of the County of Freeborn and State of Minnesota, have determined that grouping several tracts into one tract is deemed advantageous for sale purposes. Pursuant to Minn. Stat. 282.01(1e), parcels 24.900.0020, 24.980.0010, 24.980.0030 shall be sold as one parcel of land; and

**WHEREAS**, the County Board of Commissioners of the County of Freeborn and State of Minnesota, have determined that grouping several tracts into one tract is deemed advantageous for sale purposes. Pursuant to Minn. Stat. 282.01(1e), parcels 34.413.0010 and 34.413.0020 shall be sold as one parcel of land; parcels 34.413.0030 and 34.413.0040 shall be sold as one parcel of land; parcels 34.413.0050 and 34.413.0060 shall be sold as one parcel of land; parcels 34.413.0160 and 34.413.0170 shall be sold as one parcel of land; parcels 34.413.0180 and 34.413.0190 shall be sold as one parcel of land; parcels 34.413.0260 and 34.413.0270 shall be sold as one parcel of land; and

**BE IT FURTHER RESOLVED**, the parcels of tax-forfeited land listed on List of Tax-Forfeited Land be classified as non-conservation land; that the basic sale price of each parcel on List of Tax-Forfeited Land, that is on file with the Clerk of the County Board, be approved and authorization for a private or public sale of this land be granted, pursuant to M.S. §282.01; that the sale will be held at 10:00 A.M., Monday, September 19, 2022, by the Freeborn County Auditor-Treasurer at the Freeborn County Courthouse, for not less than the basic sale price; and that all sales shall be full payment or on the terms set forth on List of Tax- Forfeited Land.

Resolution was seconded by Commissioner Forman.  
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-227**  
**Authorizing Imposition of Wheelage Tax**

**Whereas**, Freeborn County's transportation infrastructure forms the backbone of the county's economy and has a direct impact on future economic development; and

**Whereas**, funding for highway and transit systems in Minnesota has remained stagnant and is failing to keep pace with growing population and growing demands including increased freight shipments; and

**Whereas**, local governments throughout the state are struggling to maintain local transportation systems while state funding has not kept up with the needs of the State Aid system; and

**Whereas**, the Freeborn County Engineer has estimated an Annual Roadway Need funding gap of \$1.95 million and the estimated additional revenue from this tax is \$150,000 representing 7% of this funding gap; and

**Whereas**, Minn. Stat. 163.051 provides, in part, that the Freeborn County Board of Commissioners is authorized to levy a wheelage tax on each motor vehicle which is kept in such county when not in operation and which is subject to annual registration and taxation under Chap. 168 at a rate of \$10 per vehicle through 2017 and in whole dollar increments up to \$20 per vehicle in 2018 and beyond; and

**Whereas**, Minn. Stat. 163.051 further provides that the Freeborn County Board of Commissioners may provide by resolution for collection of the wheelage tax by county officials or it may request that the tax be collected by the State Registrar of Motor Vehicles, and the State Registrar of Motor Vehicles shall collect such tax on behalf of the Freeborn County if requested; and

**Whereas**, Minn. Stat. 163.051, Subd. 2, provides, in part, that the wheelage tax levied by Freeborn County, if made collectible by the State Registrar of Motor Vehicles, shall be certified by the Freeborn County Auditor Treasurer to the registrar not later than August 1, in the year before the calendar year or years for which the tax is levied, and the registrar shall collect such tax with the motor vehicle taxes on the affected vehicles for such year or years; and

**Whereas**, Minn. Stat. 163.051, Subd. 4, provides that the Freeborn County Auditor Treasurer receiving proceeds from the wheelage tax is to deposit such proceeds in the Freeborn County Road and Bridge Fund, which moneys shall be used for purposes authorized by law which are highway purposes within the meaning of the Minnesota Constitution, Article 14; and

**Whereas**, the Freeborn County Board of Commissioners desires to increase the current wheelage tax levied of \$15 per vehicle to the maximum allowed of \$20 per vehicle; and

**Whereas**, the proceeds of such a wheelage tax would be used to help improve the quality of the county road system;

**Now Therefore, Be It Resolved**, that the Freeborn County Board of Commissioners authorize and impose a wheelage tax as provided for in Minn. Stat. 163.051 of \$20.00 per vehicle for the year 2023 and each subsequent year thereafter, subject to levy limits and other factors, on each motor vehicle which is kept in Freeborn County when not in operation and which is subject to taxation and registration under Chapter 168.

**Be It Further Resolved** that the Freeborn County Board of Commissioners requests the State Registrar of Motor Vehicles to collect the wheelage tax on behalf of Freeborn County.

Resolution was seconded by Commissioner Belshan.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-228**  
**Adopting Data Practices Policy**

**RESOLVED**, adopting the Freeborn County Guidelines and Procedures and Minnesota Government Data Practices Act manual and repealing pertinent previously adopted versions.

Resolution was seconded by Commissioner Herman.

After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Belshan offered the following resolution:

**RESOLUTION No. 22-229**  
**Approving a Purchasing Card Program and Policy**

**WHEREAS**, the Freeborn County Board is the governing authority to approve financial procedures, and;

**WHEREAS**, the Board of Commissioners wish to approve a purchasing card program with US Bank as well as a purchasing card policy,

**NOW, THEREFORE BE IT RESOLVED**, that the board approves the Purchasing Card Program with US Bank and implements the Freeborn County Purchasing Card Policy.

Resolution was seconded by Commissioner Herman.  
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Belshan offered the following:

**RESOLUTION No. 22-230**  
**Approving the Contract/Engagement Letter with Search Firm for County Administrator**

**WHEREAS**, the Freeborn County requires a County Administrator, and;

**WHEREAS**, Thomas Jensen has resigned his position as the County Administrator effective June 15, 2022, and;

**WHEREAS**, the Freeborn County Board of Commissioners desire to use an independent search firm for the recruitment and selection process for a new County Administrator;

**Now, therefore be it Resolved**, that the Freeborn County Board of Commissioners hereby approves entering into a contract/engagement letter with South Central Service Cooperative

Resolution was seconded by Commissioner Edwin.  
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-231**  
**Approval of Claims**

**RESOLVED**, that the following claims be allowed and paid on or before July 22, 2022.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 560,514.16
03	County Road & Bridge	\$1,526,869.49
05	Human Services	\$ 164,494.17
06	Public Health	\$ 61,890.15
31	Capital Improvement	\$ 409,727.22
40	County Ditch	\$ 76,644.21
70	Trust & Agency	\$ 15,544.50
74	Turtle Creek Watershed	\$ 1,050.00
77	Recorder's Clearing	\$ 2,643.00
79	Social Services Collaborative	\$ 46.29
85	Septic Loan Fund	\$ 46.00
	<b>FUND TOTALS</b>	<b>\$2,819,469.19</b>

Number of Claims not exceeding \$300 – 71  
Dollar amount of claims not exceeding \$300 – \$8,845.85  
Resolution seconded by Commissioner Herman.  
After discussion, a vote was taken and the Chair declared the resolution adopted.

Chair, Commissioner Shoff adjourned the meeting at 9:21 a.m. until 8:30 a.m. on Tuesday, August 2, 2022.

By: \_\_\_\_\_  
Christopher N. Shoff  
Chair

Attest: \_\_\_\_\_  
Janice Fransen  
Interim Clerk/Administrator