

**ADJOURNED MEETING OF THE COUNTY BOARD**  
**September 21, 2021**

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, September 21, 2021. Members present: Commissioners Shoff, Edwin, Forman and Herman. Commissioner Belshan appeared via phone.

Commissioner Forman offered the following motion;

**MOVED**, approving the agenda with the addition of the following: County Attorney seeking to approve resolution to provide prosecution agreement with the City of Geneva, approving resolutions to set the preliminary 2022 levy and budget.

Motion seconded by Commissioner Herman.

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

Commissioner Edwin offered the following resolution;

**RESOLUTION No. 21-226**  
**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 September 7, 2021 minutes;
- 2) Approval of Drainage Repairs: CD79; and JCD J8.

Resolution seconded by Commissioner Forman.

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 Quincy Borland addressed the Board inquiring information regarding the Bridge Avenue Project.

At approximately 8:45 there was a presentation from the Minnesota Department of Transportation providing planned road and bridge work to be done over the next several years.

Commissioner Herman offered the following resolution;

**RESOLUTION No. 21-227**  
**Resolution approving the 2022-2023 Freeborn County Minnesota**  
**Family Investment Program (MFIP) Biennial Service Agreement**

**WHEREAS**, the Freeborn County Department of Human Services is required to administer the Diversionary Work Program, Minnesota Family Investment Program, Family Stabilization Services, supports and qualifying extensions to those programs, as well as Emergency and Crisis Services for eligible Freeborn County Residents; and

**WHEREAS**, the Biennial Service Agreement provides the Minnesota Department of Human Services with information about services and strategies intended to meet program measures with the goal of increasing economic stability of low-income families receiving MFIP within Freeborn County; and

**WHEREAS**, the Biennial Service Agreement is a requirement under Minnesota Statutes section 256J.626, subd. 4 in order for counties to receive consolidated funds necessary to administer said programs; and

**WHEREAS**, the Freeborn County Department of Human Services has incorporated receipt of MFIP consolidated funds into the budget in order to administer mandated programs;

**THEREFORE, BE IT RESOLVED** that the Freeborn County Board of Commissioners approve the Freeborn County Minnesota Family Investment Program Biennial Service Agreement, covering the years of 2022-2023, pending fulfillment of the 30-day public posting requirement.

Resolution seconded by Commissioner Edwin.

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

Commissioner Forman offered the following resolution;

**RESOLUTION No. 21-228**  
**Accepting the Resignation of Holli Mayer**

**WHEREAS**, the Freeborn County Attorney'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**; Holli Mayer has been employed as an Assistant County Attorney since October 12<sup>th</sup>, 2020 and is resigning her position effective September 23<sup>rd</sup>, 2021,

**NOW, THEREFORE BE IT RESOLVED**, to accept the resignation of Holli Mayer as an Assistant County Attorney effective on or about September 23<sup>rd</sup>, 2021.

Resolution seconded by Commissioner Belshan.

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

Commissioner Herman offered the following resolution:

**RESOLUTION No. 21-229**  
**To Fill the Assistant County Attorney 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**, Holli Mayer, Freeborn County Assistant County Attorney has resigned her position effective September 23<sup>rd</sup>, 2021;

**NOW, THEREFORE BE IT RESOLVED**, that the board approves the filling of the vacant Assistant County Attorney position.

Resolution was seconded by Commissioner Forman.

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

Commissioner Edwin offered the following resolution:

**RESOLUTION No. 21-230**  
**Approving Well@Work Clinic Collaboration**

**RESOLVED**, approving Freeborn County to join Albert Lea School District 241 Well@Work Clinic operated by Health Partners.

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. 21-231**  
**Approving Freeborn County Community Health Board**  
**to contract with ISD #242 Alden-Conger School for School Health Services**

**Whereas**, Freeborn County Community Health Board will contract with ISD #242 Alden-Conger School for school health services;

**Whereas**, Minnesota Statute 145A.14 allows for the Community Health Board to promote healthy communities and healthy behavior through activities that improve health in a population, such as investing in healthy children;

**Whereas**, the contract is for Freeborn County Public Health to provide Early Childhood Screening, vision, hearing and scoliosis screening and referral, and monitor student immunization status effective July 1, 2021 - June 30, 2022;

**Now, Therefore, Be It Resolved** that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the contract with ISD #242 Alden-Conger School to provide school health services.

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. 21-232**  
**Approving Freeborn County Community Health Board**  
**to Contract with ISD #2886 Glenville-Emmons School for School Health Services**

**Whereas**, Freeborn County Community Health Board will contract with ISD #2886 Glenville-Emmons School for school health services;

**Whereas**, Minnesota Statute 145A.14 allows for the Community Health Board to promote healthy communities and healthy behavior through activities that improve health in a population, such as investing in healthy children;

**Whereas**, the contract is for Freeborn County Public Health to provide Early Childhood Screening, vision, hearing and scoliosis screening and referral, and monitor student immunization status effective July 1, 2021 - June 30, 2022;

**Now, Therefore, Be It Resolved** that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the contract with ISD #2886 Glenville-Emmons School to provide school health services.

Resolution was seconded by Commissioner Edwin.

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

Commissioner Edwin offered the following resolution:

**RESOLUTION No. 21-233**  
**Approving Freeborn County Community Health Board**  
**to Contract with Hollandale Christian School for School Health Services**

**Whereas**, Freeborn County Community Health Board will contract with Hollandale Christian School for school health services;

**Whereas**, Minnesota Statute 145A.14 allows for the Community Health Board to promote healthy communities and healthy behavior through activities that improve health in a population, such as investing in healthy children;

**Whereas**, the contract is for Freeborn County Public Health to provide vision, hearing and scoliosis screening and referral, and monitor student immunization status effective July 1, 2021- June 30, 2022;

**Now, Therefore, Be It Resolved** that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the contract with Hollandale Christian School to provide school health services.

Resolution was seconded by Commissioner Belshan.

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

Commissioner Herman offered the following resolution:

**RESOLUTION No. 21-234**  
**Approving Agreement for the Prosecution of**  
**Petty Misdemeanor and Misdemeanor Offenses in the City of Geneva**

This Agreement is entered into between the county of Freeborn, Minnesota (COUNTY) and the city of Geneva, Minnesota (CITY) effective on the date that it is executed.

**WHEREAS** Minn. Stat. § 484.87, subd. 3 provides that a statutory city with a population of 600 or less may, by resolution of the city council, and with the approval of the board of county commissioners, give the duty to prosecute petty misdemeanors and misdemeanors to the county attorney; and

**WHEREAS**, CITY is a statutory city in the county of Freeborn, state of Minnesota with the lawful obligation to prosecute petty misdemeanors, misdemeanors, and ordinance violations occurring within its municipal boundaries; and

**WHEREAS**, CITY has a population of 600 or less; and

**WHEREAS**, CITY has by resolution of the city council requested that COUNTY prosecute misdemeanors within the Geneva city limits; and

**WHEREAS**, COUNTY has the lawful obligation to prosecute gross misdemeanors and felonies occurring within CITY's municipal boundaries; and

**WHEREAS**, COUNTY approves this agreement through its board of county commissioners;

**NOW THEREFORE**, COUNTY and CITY hereby agree as follows:

**SECTION ONE**  
**PROSECUTION**

COUNTY, through the Freeborn County Attorney's Office, will provide prosecution services for all petty misdemeanor and misdemeanor violations of Minnesota statutes and/or Freeborn County ordinances where CITY has jurisdiction and discretion to prosecute under Minnesota law. COUNTY shall provide sufficient staff to adequately provide prosecution services to CITY. COUNTY shall assume the costs reasonably required to provide prosecution services to CITY including without limitation: office space, desks, computers, paper, stationery, general office supplies, telephone service, internet service, subpoena service fees, mileage, training, legal books and references.

CITY will continue to receive its statutory share of fines collected on criminal, traffic, and ordinance violations covered by this agreement.

This agreement does not contemplate civil forfeiture proceedings related to the prosecution services provided for herein, and any civil forfeiture action shall remain the duty, and responsibility solely of CITY. Furthermore, this agreement does not contemplate municipal ordinance enforcement proceedings, and any action related to CITY's municipal ordinance enforcement shall remain the duty and responsibility solely of

CITY.

This Agreement shall be filed with the Freeborn County Administrator.

## **SECTION TWO CONFLICTS OF INTEREST**

In the event that COUNTY has a conflict of interest or is otherwise unable to prosecute a particular defendant in the sole discretion of the county attorney, CITY shall assume the responsibility of prosecution upon receipt of written notice from COUNTY.

## **SECTION THREE RESERVATION OF RIGHTS**

COUNTY may decline to prosecute a particular case in the sole discretion of the county attorney. In the event that COUNTY, for whatever reason, declines to prosecute in a particular case, CITY reserves the right in its sole discretion to assume responsibility for prosecution and to proceed with its own charges and its own prosecution upon written notice from the county attorney of the decision not to prosecute.

## **SECTION FOUR INDEMNITY**

COUNTY agrees to indemnify and hold harmless CITY, its agents, officials and employees, against all suits or claims that may result from an error, omission or negligent act of COUNTY or any person employed by COUNTY. In addition, COUNTY agrees to reimburse CITY for any attorney's fees incurred by CITY in the reasonable defense of such suits or claims.

## **SECTION FIVE TERMINATION OF AGREEMENT**

This Agreement shall continue from year to year without further action by the parties. This Agreement may be terminated by either of the parties hereto upon one hundred eighty (180) days written notice to the other party. In the event that the Agreement is terminated, all cases pending at the time that the notice is received shall remain the responsibility of the party then prosecuting until completion of the case through sentencing or final disposition of any probation violation pending at the time notice was received.

## **SECTION SIX ENTIRE AGREEMENT**

This Agreement contains all the terms and conditions agreed to by the parties and cannot be modified or amended except by written agreement of the parties approved by their authorized representatives.

Resolution was seconded by Commissioner Forman.

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

Commissioner Herman offered the following resolution:

### **RESOLUTION No. 21-235 Approving a 5 Year Lease with the MN DVS for Office Space for an Exam Station**

**WHEREAS**, the Minnesota State legislature has allocated to the Minnesota Department of Public Safety an allotment funds to procure lease space for Driver and Vehicle Services Exam Stations, and,

**WHEREAS**, Freeborn County operates as a Deputy Registrar on behalf of the State of Minnesota and,

**WHEREAS**, the State of Minnesota has historically provided exam services in the Freeborn County Government Center in conjunction with the Deputy Registrar's office; and,

**WHEREAS**, the Freeborn County Board of Commissioner views DVS examination services to be critical to the citizens of Freeborn County and wishes this service to remain in the Freeborn County Government Center

**NOW, THEREFORE, BE IT RESOLVED** that the County Board of Commissioners hereby approves the 5 year lease with the Minnesota Department of Public Safety, Driver and Vehicle Services for the following area:

Approximately two hundred (200) square feet of office space in a room or area in the Freeborn County Government Center at 411 South Broadway Avenue, Albert Lea, MN 56007

Resolution was 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. 21-236**  
**Approving Termination of Service Agreement with SCC Cooperative**

**WHEREAS**, the Freeborn County Board of Commissioners has taken action to establish affordable health care insurance for the employees and retirees of Freeborn County, and;

**WHEREAS**, Upon receipt of a recent Request for Proposals (RFP), the most cost effective proposal for benefits available to said employees and retirees was determined to be Blue Cross and Blue Shield of Minnesota, and;

**WHEREAS**, it is the responsibility of the Board of Commissioners to provide the most cost effective and beneficial health insurance to the employees of Freeborn County and retirees;

**NOW THEREFORE BE IT RESOLVED**, that Effective January 1st, 2022, Freeborn County will terminate the Group Medical coverage with the SCC Cooperative due to the results of the recent RFP.

Resolution was seconded by Commissioner Edwin.

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

Commissioner Herman offered the following resolution:

**RESOLUTION No. 21-237**  
**Approving Preliminary 2022 Tax Levy**

Resolved, that the Freeborn County Board of Commissioners does, hereby, certify to the Freeborn County Auditor-Treasurer that it proposes the following tax levy which, if adopted pursuant to Minnesota Law, will be ordered on all taxable property in Freeborn County, payable in 2022, to wit:

	<u><b>2022 Levy</b></u>
For General Revenue Fund	\$14,904,613
For Soil & Water Conservation Dist.	<u>183,000</u>
Total General Fund	\$15,087,613
For Human Services Fund	\$5,535,122
For Road and Bridge Fund	\$4,472,181
For Public Health Fund	\$78,031
For Capital Improvement Fund	\$738,500
For Courthouse Bond Debt	\$1,760,310
For County Library Fund	\$278,400
For Capital Improvement Bond	<u>\$410,850</u>

<b>TOTAL TAX LEVY</b>	<b>\$28,361,007</b>
<b>Less State Aid</b>	<u>\$(1,809,974)</u>
<b>TOTAL LOCAL TAX LEVY</b>	<u><b>\$26,551,033</b></u>

Resolution was seconded by Commissioner Forman.

After discussion, a vote was taken with Commissioners Shoff, Edwin, Forman and Herman voting yay and Commissioner Belshan voting nay. The Board Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 21-238**  
**Approving Preliminary 2022 Budget**

Resolved, that the Freeborn County Board of Commissioners does, hereby, propose a preliminary budget for the fiscal year beginning January 1, 2022 a summary of which is as follows:

Freeborn County  
Preliminary 2022 Budget

**BUDGETED REVENUE**

General Revenue Fund	\$ 21,738,978
Human Services	\$ 13,381,950
Highway	\$ 18,265,296
Public Health	\$ 3,288,440
Building Debt Services	\$ 1,760,310
Ditch Fund	\$ 1,651,000
Turtle Creek Watershed Debt Service	\$ 350,528
Capital Improvements Fund	\$ 1,303,500
Capital Improvements Bond	\$ 410,850
Library	<u>\$ 278,400</u>
<b>TOTAL REVENUE</b>	<u><b>\$ 62,429,252</b></u>

**BUDGETED EXPENDITURES**

General Revenue Fund	\$ 21,738,978
Human Services	\$ 13,381,950
Highway	\$ 18,265,296
Public Health	\$ 3,288,440
Building Debt Services	\$ 1,760,310
Ditch Fund	\$ 1,078,292
Turtle Creek Watershed Debt Service	\$ 350,528
Capital Improvements Fund	\$ 1,303,500
Capital Improvements Bond	\$ 410,850
Library	<u>\$ 278,400</u>
<b>TOTAL EXPENDITURES</b>	<u><b>\$ 61,856,544</b></u>

Further, be it resolved that this budget shall be certified to the Freeborn County Auditor/Treasurer.

Resolution was seconded by Commissioner Herman.

After discussion, a vote was taken with Commissioners Shoff, Edwin, Forma and Edwin voting yay and Commissioner Belshan voting nay. The Board Chair declared the resolution approved.

Commissioner Edwin offered the following resolution:

**RESOLUTION No. 21-239**  
**Approval of Claims**

**RESOLVED**, that the following claims be allowed and paid on or before September 24, 2021.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 463,633.29

<b>03</b>	County Road & Bridge	\$ 603,899.18
<b>05</b>	Human Services	\$ 160,450.76
<b>06</b>	Public Health	\$ 58,655.35
<b>31</b>	Capital Improvement	\$ 18,692.00
<b>40</b>	County Ditch	\$ 34,063.27
<b>70</b>	Trust & Agency	\$ 215,603.49
<b>73</b>	Payroll Clearing Fund	\$ 4,798.04
<b>77</b>	Recorder's Clearing	\$ 4,075.00
<b>79</b>	Social Services Collaborative	\$ 41.44
<b>85</b>	Septic Loan Fund	\$ <u>92.00</u>
	<b>FUND TOTALS</b>	<b>\$1,564,003.82</b>

Number of Claims not exceeding \$300 – 84

Dollar amount of claims not exceeding \$300 – \$9458.50

Resolution seconded by Commissioner Forman.

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

Chair, Commissioner Shoff adjourned the meeting at 9:46 a.m. until 8:30 a.m. on Tuesday, October 5, 2021.

By: \_\_\_\_\_

Christopher N. Shoff  
Chair

Attest: \_\_\_\_\_

Thomas Jensen  
Clerk/Administrator