

ADJOURNED MEETING OF THE COUNTY BOARD
January 4, 2022

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, January 4, 2022. Members present: Commissioners Shoff, Belshan, Edwin, Forman and Herman.

The County Administrator opened the meeting and requested nominations for Chairman in 2022. Commissioner Christopher Shoff was the only nomination.

Commissioner Herman offered the following resolution;

RESOLUTION No. 22-001
Naming the 2022 Board Chairman

RESOLVED, naming Commissioner Christopher Shoff as Freeborn County Board Chairman in 2022.

Resolution seconded by Commissioner Edwin.

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

Commissioner Edwin offered the following resolution;

RESOLUTION No. 22-002
Naming the 2022 Board Vice-Chairman

RESOLVED, naming Commissioner Ted Herman as Freeborn County Board Vice-Chairman in 2022.

Resolution seconded by Commissioner Belshan.

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

Commissioner Forman offered the following motion;

MOVED, approving the agenda as presented.

Motion seconded by Commissioner Herman.

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

Commissioner Belshan offered the following resolution;

RESOLUTION No. 22-003
Establishing Parliamentary Authority

RESOLVED, to adopt Robert's Rules of Order Newly Revised as the Parliamentary Authority of Order for 2022.

Resolution was seconded by Commissioner Herman.

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

Commissioner Edwin offered the following resolution;

RESOLUTION No. 22-004
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 December 21, 2021 and December 30, 2021 minutes

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 there was none.

Commissioner Herman offered the following resolution;

RESOLUTION No. 22-005
Authorizing Banks

Resolved, that Citizens Community Federal Bank, Albert Lea; US Bank and US Bancorp Investments, Inc. Albert Lea; Wells Fargo Bank Minnesota, Albert Lea; Security Bank Minnesota, Albert Lea and Alden; Home Federal Savings Bank, Albert Lea; Produce State Bank, Albert Lea, Glenville; Farmers State Bank, Hartland, Albert Lea; State Bank of New Richland, New Richland; Columbus Bank and Trust, Columbus, Georgia; Multi-Bank Securities, Inc. (MBS), Southfield, Michigan; MII Life Incorporated, St. Paul, Minnesota; Wells Fargo Bank Minnesota Corporate Trust Services, Minneapolis, Minnesota; Wells Fargo Securities, LLC., Minneapolis, Minnesota; UBS Financial Services, Inc., Wayzata, MN; Minnesota Association of Governments Investing for Counties (Magic or the Fund) MN; Commerce Bank, Geneva; Moreton Capital Markets, Excelsior, Minnesota; (herein called the "Bank"), be and are hereby designated as depositories of Freeborn County (Herein called the "Depositor") with authority to accept or receive at any time for the credit of the Depositor deposits by whosoever made, of funds and other property in whatever form or manner transferred or endorsed, open or cause to be opened one or more accounts with the Bank on such terms, conditions and agreements as the Bank may now or hereafter require and to make any other agreements deemed advisable in regard to any of the foregoing.

Resolved further, that checks drafts or other orders for the payment, transfer or withdrawal of any of the funds or other property of the otherwise authorized, by any one (1 or 2) of the following named individuals: Pat Martinson, JoDee Lestrud, Kelly Hendrickson, Dawn Drescher, Noel Ahnemann (JoDee Lestrud, Kelly Hendrickson, Dawn Drescher or Noel Ahnemann will sign for Pat Martinson) and the Bank is hereby authorized to pay and charge to the account of the Depositor any such checks, drafts or other orders so assigned or otherwise authorized, including those payable to the individual order of the person or persons signing or otherwise authorizing the same and including also those payable to the persons who signed such checks, drafts or other withdrawal orders or otherwise authorized such persons may authorize payment, transfer or withdrawal by oral or telephonic directions to the bank complying with such roles and regulations relating to such authorization as the bank may communicate to the Depositor from time to time.

Resolved further, that the person(s) so authorized to sign be and are hereby authorized and empowered, on behalf of the Depositor, to transact any and all other business with and through the Bank which such person(s) may at any time deem to be advisable, including, without limiting the generality of the foregoing, authority to purchase certificates of deposit and to enter into deposit agreements, safe deposit agreements, lock-box agreements, night depository agreements, freight payment service processing service agreements offered by the Bank, and, in reference to any such business, to make any and all agreements and to execute and deliver to the Bank and all contracts and other writing which such person(s) may deem to be necessary or desirable.

Resolved further, that the Auditor-Treasurer shall certify to the Bank the names and signatures (either actual or any form or forms of facsimile or mechanical signatures adopted by the person authorized to sign) of the persons named above and such certifying officer shall from time to time hereafter, upon a change in the facts so certified, immediately certify to the Bank the names and signature (actual or facsimile) of the persons then authorized to sign or to act; the Bank shall be full protected in relying on such certificate and on the obligation of the certifying officer (set forth above) to immediately certify to the Bank any change in any facts so certified, and the Bank shall be indemnified and saved harmless by the Depositor from any claims, demands, expenses, loss or damage resulting from or growing out of honoring or relying on the signature of other authority (whether or not property used and, in the case of any facsimile signature, regardless of when or by whom or by what means such signature may have been made or affixed) of any officer or person whose name and signature was so certified, or refusing to honor any signature or authority not so certified.

Resolved further, that these resolutions shall continue in force until express written notice of their rescission or modification has been furnished to and received by the Bank.

Resolved further, that any and all transactions by or in behalf of the Depositor with the Depositor with the Bank prior to the adoption of this resolution be, and the same hereby are, in all respects ratified, approved and confirmed.

The transfer or withdrawal of funds on deposit in any of the aforementioned institutions, by check, shall be by the signatures of the following officers or their alternatives;

Pat Martinson, Auditor-Treasurer _____

JoDee Lestrud, Deputy Auditor-Treasurer _____

Kelly Hendrickson, Chief Deputy Aud-Treas _____

Dawn Drescher, Deputy Auditor-Treasurer _____

Noel Ahnemann, Deputy Auditor-Treasurer _____

A transfer of funds by wire or electronic fund transfer in any of the aforementioned institutions may also be affected by use of a signature or facsimile signatures of Pat Martinson, County Auditor-Treasurer, and JoDee Lestrud, Deputy Auditor-Treasurer, Kelly Hendrickson, Chief Deputy Auditor-Treasurer, Dawn Drescher, Deputy Auditor-Treasurer and Noel Ahnemann, Deputy Auditor-Treasurer.

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

Commissioner Edwin offered the following resolution;

RESOLUTION No. 22-006
Change Fund / Impress Cash Fund

BE IT RESOLVED, that the sum of \$2,215.00 is hereby appropriated out of the General Revenue Fund of Freeborn County for the purpose of creating a Change Fund/Impress Cash Fund to the following listed departments as custodians of these funds in Freeborn County:

		Custodian #1	Custodian #2	Custodian #3
County Treasurer	\$1,000.00	Pat Martinson	Kelly Hendrickson	
County Recorder	\$ 240.00	Kelly Callahan	Nancy Hoium	
Co. Auditor/License Ctr.	\$ 550.00	Pat Martinson	Brenda Jensen	
County Sheriff	\$ 350.00	Kurt Freitag	Terri Zabrocki	Jess Dreyling
County Public Health	\$ 25.00	Sue Yost	Anita Majerus	Natalie Look
Dept. of Human Services	\$ <u>50.00</u>	Suzanne Nerison	Waylon Welvaert	Doug Miller
	<u>\$2,215.00</u>			

BE IT FURTHER RESOLVED, that the sum of \$500.00 be drawn upon the General Revenue Fund of Freeborn County for the purpose of creating a Petty Cash Fund held by the Auditor-Treasurer's Office with Pat Martinson and Kelly Hendrickson as custodians. This petty cash fund is to be used to reimburse various departments in Freeborn County for incidental postage paid for county business.

BE IT FURTHER RESOLVED, that the sum of \$100.00 be drawn upon the General Revenue Fund of Freeborn County for the purpose of creating a Petty Cash Fund held by the Sheriff's Office with Kurt Freitag, Terri Zabrocki and Jess Williamson as custodians. This petty cash fund is to be used to reimburse the Sheriff's Department for Alcohol and Tobacco Compliance checks held in the county.

Resolution 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. 22-007
Absentee, UOCAVA and Mail Ballot Board Establishment

WHEREAS, Freeborn County is required by Minnesota Statute 203B.121, Subd. 1 to establish a County Absentee Ballot Board, UOCAVA Ballot Board and Mail Ballot Board; and

WHEREAS, this authorization will bring uniformity in the processing of accepting or rejecting returned absentee, UOCAVA and mail ballots to the Freeborn County Auditor-Treasurer that would consist of a sufficient number of election judges as provided in Sections 204B.19 to 204B.22; and

WHEREAS, this will eliminate the need for election judges to perform this technical and time consuming task on election day wherein the county absentee ballot board can begin this process 46 days prior to an election; and

WHEREAS, this will speed the processing of accepted absentee ballots delivered to the precincts to be incorporated into the vote counts on election day; giving election judges more available time for the voters at the polls; and

THEREFORE, BE IT RESOLVED THAT, the Freeborn County Board of Commissioners hereby authorize the Freeborn County Auditor-Treasurer to implement a County Absentee Ballot Board, UOCAVA Ballot Board and Mail Ballot Board that would consist of a sufficient number of election judges as provided in sections 204B.19 to 204B.22 to perform the task.

Commissioner	VOTE	
Edwin	FOR <u> X </u>	AGAINST _____
Belshan	FOR <u> X </u>	AGAINST _____
Forman	FOR <u> X </u>	AGAINST _____
Shoff	FOR <u> X </u>	AGAINST _____
Herman	FOR <u> X </u>	AGAINST _____

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. 22-008
Approving the Transfer of Cash Balance

RESOLVED, that the Freeborn County Board of Commissioners authorize the transfer of any cash balance and delinquent tax and penalties from the G.O. Armor Radio Bond Fund to the County General Fund.

Further resolve that this action is being taken due to the satisfaction of the Armor Radio Bond debt obligation.

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. 22-009
Freeborn County Crop Damage Rate for 2022 – Standing Crop
Freeborn County Drainage Ditches

WHEREAS, it is the policy of Freeborn County to set a rate of pay for crop damages that may occur due to repair, improvement, or construction projects involving county drainage ditches;

WHEREAS, the yield is determined by using a three year average yield for Freeborn County from data received from the USDA (National Agricultural Statistics Services);

WHEREAS, the sale price is determined by using an average sale price for “new crop” corn and beans from three local elevators on December 29, 2021;

BE IT RESOLVED, the following rates will be in place for 2022;

Corn Damage Rate	187.8 bushels @ \$5.10 = \$958 per acre
Bean Damage Rate	53.0 bushels @ \$12.02 = \$637 per acre

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. 22-010
Freeborn County Crop Damage Rate for 2022 – Not Planted
Freeborn County Drainage Ditches

WHEREAS, it is the policy of Freeborn County to set a rate of pay for crop damages that may occur due to repair, improvement, or construction projects involving county drainage ditches;

WHEREAS, in anticipation of an upcoming project the County may occasionally ask a landowner not to plant the area to be worked on. This gives the contractor more time to complete projects and may also result in better quotes;

BE IT RESOLVED, the rate of pay for not planted acres is \$440.00 per acre. This rate is based off from an average annual rental rate of approximately \$250;

- The first year the unplanted acres would have no yield
- The second year yield reduction would be approximately 50% because the soil has been disturbed
- The third year yield reduction would be approximately 25% because the soil has been disturbed
- The fourth year the yield should be back to normal

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. 22-011
2022 Renewal of Legal Services Agreement with Rinke Noonan
to Provide Legal Counsel to the Freeborn County Drainage Authority

WHEREAS, Rinke Noonan Attorneys at Law provide legal counsel to Freeborn County (Drainage Authority) in its capacity as the public drainage authority under Minnesota Statutes, chapter 103E;

WHEREAS, Rinke Noonan has been engaged to represent the Drainage Authority on a monthly retainer and hourly services basis for the purpose of advising it on matters related to its duties, authorities and responsibilities as the public drainage authority for Freeborn County pursuant to Minnesota Statutes , chapter 103E;

WHEREAS, Rinke Noonan Attorneys at Law has provided terms of their public drainage authority representation for Freeborn County in the 2022 year;

BE IT RESOLVED, Freeborn County will continue its monthly retain and hourly services agreement set forth and described in the agreement dated November 12, 2021 presented to Freeborn County by Rinke Noonan Attorneys at Law.

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. 22-012
Accepting the Resignation of Glen Strom

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; Glen Strom has been employed as a Patrol Deputy since May 19th, 2008 and is resigning his position effective January 25th, 2022,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Glen Strom as a Freeborn County Patrol Deputy effective on or about January 25th, 2022.

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. 22-013
Permission to Fill the Freeborn County 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, Glen Strom, Freeborn County Patrol Deputy has resigned his position effective January 25th, 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 Edwin.
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-014
Approval to Create and Fill an Office Support Specialist
Position in the County Attorney's Office

Whereas, the Freeborn County Board is the hiring authority for Freeborn County and for all Freeborn County employees;

Whereas, during the 2022 budgeting cycle the board approved the creation of a new Office Support Position in the County Attorney's office;

Now, Therefore Be It Resolved, the Freeborn County Board of Commissioners approves the creation and filling of the Office Support Position in the County Attorney's Office.

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. 22-015
Setting 2022 Board Meeting Dates and Times

RESOLVED, setting 2022 board meetings at 8:30 am and the first and third Tuesday of each month.

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. 22-016
Appointing the Official Freeborn County Newspaper for 2022

WHEREAS, Minnesota Statute 331A.04 requires a DESIGNATION OF A NEWSPAPER FOR OFFICIAL PUBLICATIONS; and,

WHEREAS, the Albert Lea Tribune is the only newspaper that meets the requirements as set by Minnesota Statute 331A.04; and

WHEREAS, The Albert Lea Tribune has presented a proposal for rates for publication for the year 2022 including all legal and public notices;

NOW, THEREFORE, BE IT RESOLVED that the Albert Lea Tribune is hereby designated as the official newspaper of Freeborn County.

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. 22-017
Allow Payment of Certain Incidental Expenses

NOW THEREFORE BE IT RESOLVED, As provided by MS.375.162, payment for that certain incidental expenses which include but not limited to: utilities, fuel, freight, contractual, postage, discounted early payments, legal service fees, fees for documents needed as evidence and action taken as a fiduciary for Freeborn County funds be allowed for payment prior to a regular Board meeting, provided such claims be included along with other claims presented as the next regular Board meeting.

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. 22-018
Approving Contract with David Claussen for Ditch Inspector Services

WHEREAS, the Freeborn County Ditch Authority has recognized a need for ditch inspector services, and;

WHEREAS, the Freeborn County Board Ditch Authority desires to have contract with David Claussen for the services specified in the Freeborn County Ditch Inspector Contract,

Now, therefore be it Resolved, that the Freeborn County Ditch Authority hereby approves a 1 year contract with David Claussen to provide ditch inspector duties effective January 1, 2022 through December 31, 2022 as presented.

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. 22-019
Approving Contract with Cody Fox for Ditch Inspector Services

WHEREAS, the Freeborn County Ditch Authority has recognized a need for ditch inspector services, and;

WHEREAS, the Freeborn County Board Ditch Authority desires to continue the contract with Cody Fox for the services specified in the Freeborn County Ditch Inspector Contract,

Now, therefore be it Resolved, that the Freeborn County Ditch Authority hereby approves a 1 year contract with Cody Fox to provide ditch inspector duties effective January 1, 2022 through December 31, 2022 as presented.

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 No. 22-020
Approval of Claims

RESOLVED, that all claims were up to date from the December 30, 2021 final board meeting. Therefore there were no claims to be paid at this meeting.

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

Chair, Commissioner Shoff adjourned the meeting at 9:24 a.m. until 8:30 a.m. on Tuesday, January 18, 2022.

By: _____
Christopher N. Shoff
Chair

Attest: _____
Thomas Jensen
Clerk/Administrator