

**ADJOURNED MEETING OF THE COUNTY BOARD**  
**April 20, 2021**

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, April 20, 2021. Members present: Commissioners Belshan, Edwin, Forman and Herman in person, with Commissioner Shoff via Zoom.

Commissioner Herman offered the following motion;

**MOVED**, approving the agenda as presented

Motion seconded by Commissioner Edwin.

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

Commissioner Forman offered the following resolution;

**RESOLUTION No. 21-106**  
**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 April 6, 2021 minutes;
- 2) Approval of Drainage Repairs.

Resolution seconded by Commissioner Belshan.

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

The Commissioners provided Board Committee updates.

Commissioner Shoff asked if there was any public comment, attorney Matt Benda read a statement to the board on behalf of 4H parents regarding the fair. Lisa Dierks Regional Extension Office.

At approximately 9:00 a.m. there was a presentation from the Southern Region DNR by Scott Roemhildt, Cathi Fouchi and Benjamin Schaefer.

Commissioner Forman offered the following resolution;

**RESOLUTION No. 21-107**  
**Approving the Contract with MN Department of Corrections for Renewal**  
**of the Contract for STS Crew Leader**

**Whereas**, Freeborn County maintains a contract for services with the Department of Corrections for a Crew Leader for the Sentence to Service program. Freeborn County pays 75% of the costs and the MN DOC pays the other 25% of the cost. Adults offenders are sentenced to do STS work hours and referred to the program. The Adult Detention Center also refers low-risk offenders who are already sentenced to the program and gives them extra jail credit, presumably saving money by having the offender serve fewer days in jail.

**Whereas**, this program is budgeted for in the Probation Services budget each year and is

already budgeted for. The amount listed, \$152,502.42 for the biennium of the 2021-2022 (two-year period).

**Whereas**, the STS crew typically gives approximately 6000 hours per year to the community. They provide services to the Freeborn County Fair, the Vaccine Clinic, the High Department, Environmental Services and many more.

**Resolved**, approving the renewal of the contract with the Minnesota Department of Corrections for Sentence to Serve (STS) Crew Leader.

Resolution seconded by Commissioner Belshan.

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

Commissioner Herman offered the following resolution;

**RESOLUTION No. 21-108**  
**Approving the Elimination of the Training and Compliance Sergeant Position**  
**and Modifying the Detention Deputy Position Description within the Freeborn County Sheriff's Office**

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

**Whereas**, the Freeborn County Sheriff has identified an efficiency in operations to be gained by eliminating the separate Training and Compliance Sergeant position within the Detention Center; and

**Whereas**, the duties and responsibilities remaining to be performed upon elimination of the position can be performed by the Detention Deputy position;

**Now, Therefore Be It Resolved**, that the Board approves the elimination of the Training and Compliance Sergeant position in the Freeborn County Sheriff's Office effective May 21, 2021.

**Be It Further Resolved**, that the Board approves the revision of the existing Detention Deputy position description to include the following duty and responsibility:

Assists in training new staff, updating probationary staff training manual, orientating probation staff, and maintaining training records.

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. 21-109**  
**Placing Holli Mayer, Assistant County Attorney, on Regular Full Time**  
**Employment Status with Freeborn County**

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

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

**WHEREAS**, Holli Mayer 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 Holi Mayer, Freeborn County Assistant County Attorney, on regular full time status.

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. 21-110**  
**Accepting the Resignation of Scott Sorenson**

**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**; Scott Sorenson has been employed as an Engineering Tech I since December 16<sup>th</sup>, 1983 and is resigning her position effective June 25<sup>th</sup>, 2021,

**NOW, THEREFORE BE IT RESOLVED**, to accept the resignation of Scott Sorenson as an Engineering Tech I effective on or about June 25<sup>th</sup>, 2021.

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. 21-111**  
**To Fill the Freeborn County Engineering Tech I 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**, Scott Sorenson, Freeborn County Engineering Tech I has resigned his position effective June 25<sup>th</sup>, 2021;

**NOW, THEREFORE BE IT RESOLVED**, that the board approves the filling of the vacant Freeborn County Engineering Tech I position.

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

At approximately 9:00 a.m.

Commissioner Herman offered the following resolution:

**RESOLUTION No. 21-112**  
**Accepting a Grant Contract Agreement for Funding for COVID-19**  
**Vaccine Implementation and COVID-19 Response**

**Whereas**, Freeborn County Community Health Board will accept a grant contract agreement from Minnesota Department of Health for COVID-19 Vaccine Implementation and COVID-19 Response;

**Whereas**, Minnesota Statute 145A.14 allows for the Community Health Boards to respond to emergencies by engaging in activities that respond to events and incidents and assist communities in recovery, such as providing leadership for public health preparedness activities with a community;

**Whereas**, Freeborn County Public Health received a grant contract agreement with Minnesota Department of Health to do vaccine implementation and COVID-19 response. The grant agreement is for \$344,225 to be used from April 1, 2021 to December 31, 2021;

**Now, Therefore, Be It Resolved** that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does accept the grant contract agreement with Minnesota Department of Health for COVID-19 Vaccine Implementation and COVID-19 Response.

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. 21-113**  
**Granting a Conditional Use Permit to Winnebago Cooperative Telecom Association**  
**Pursuant to the Code of Ordinances of Freeborn County, Minnesota, Chapter 42**

**WHEREAS**, WINNEBAGO COOPERATIVE TELECOM ASSOCIATION applied for a conditional use permit to the Zoning Administrator on 03/15/21 pursuant to the Code of Ordinances of Freeborn County, Minnesota, Chapter 42 (Zoning Ord.) for the placement of Fiber Optics, within the “A Agricultural District”, in the following township sections;

Sections 1, 2, 3, 12, 13, 24 of Alden Township, Sections 35 & 36 of Carlston Township and Sections 3, 4, 5, 6 of  
Pickerel Lake Township

**WHEREAS**, the County Planning Commission held a public hearing on the application on 04/05/21 in accordance with the Zoning Ord., Art. VIII, Sec. 42-612.

**WHEREAS**, the County Planning Commission made a decision on the application and forwarded its required findings of fact and recommendations to the Freeborn County Board of Commissioners in the attached report.

**BE IT THEREFORE RESOLVED**, the Freeborn County Board of Commissioners approves and adopts the findings of fact and recommendations of the County Planning Commission in the attached report,

**AND BE IT FURTHER RESOLVED**, the application for a conditional use permit by Winnebago Cooperative Telecom Association is hereby granted, subject to the conditions and guarantees required below:

1. Contractor and/or utility owner shall post a Performance Bond with the County, provided by a bonding company licensed to do business in Minnesota and acceptable to the County, to assure that the contractor and/or utility owner’s compliance with all aspects of this permit. The form of the bond shall follow American Institute of Architect’s (AIA) document A312, “Performance Bond” as modified by the attorney for the County, the Company and the bonding company. The amount of the bond shall be \$30,000.00 for a period of five years, starting on the date work commences in the County.
2. Contractor and/or utility owner shall obtain all necessary approval and permits from all affected road authorities.
3. Contractor and/or utility owner shall notify each individual landowner in writing of anticipated work schedule through their parcel. This schedule shall reflect the time construction is taking place within time frame of 48 hours.
4. Contractor and/or utility owner must make efforts to protect field tile crossings. Any crossings discovered must be located and recorded. Records should be provided to the County Highway Department.
5. Pedestals installed may not obstruct site lines of traffic at intersections or curves. Vehicles making a legal stop at stop signs must be able to see without obstructions. Contractor or utility owner can request field verification of staked locations prior to construction by contacting the Highway office.
6. If Contractor and/or utility owner is installing with a plow across driveways, elevation in ditch must match elevation through driveway so if the driveway is removed the cable is not in conflict with the ditch regrade. If a plow is used, it shall not follow the contour of the existing land at driveways.
7. Be it further resolved, that said Conditional Use Permit be subject to execution of Attachment “A” and all applicable conditions set forth in Chapter 42 Articles II and VII

Resolution was seconded by Commissioner Belshan.

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

Commissioner Belshan offered the following resolution:

**RESOLUTION No. 21-114**  
**Granting a Conditional Use Permit to Tony Mudra Pursuant to the Code of**  
**Ordinances of Freeborn County, Minnesota, Chapter 42**

**WHEREAS**, TONY MUDRA applied for a conditional use permit to the Zoning Administrator on 03/17/21 pursuant to the Code of Ordinances of Freeborn County, Minnesota, Chapter 42 (Zoning Ord.) to site and construct a new 26,000-bushel grain bin outside of the farmyard, within the “A Agricultural District”, on the following described property, owned by Alfred Anthony Mudra.

Parcel 01.023.0011  
SW ¼ of Section 9  
Freeman Township

**WHEREAS**, the County Planning Commission held a public hearing on the application on 04/05/21 in accordance with the Zoning Ord., Art. VIII, Sec. 42-612.

**WHEREAS**, the County Planning Commission made a decision on the application and forwarded its required findings of fact and recommendations to the Freeborn County Board of Commissioners in the attached report.

**BE IT THEREFORE RESOLVED**, the Freeborn County Board of Commissioners approves and adopts the findings of fact and recommendations of the County Planning Commission in the attached report,

**AND BE IT FURTHER RESOLVED**, the application for a conditional use permit by Tony Mudra is hereby granted, subject to the conditions and guarantees required below:

1. Parking, loading, and unloading facilities shall be provided within the existing facility, and no parking, loading or unloading shall be allowed on the State, County or Township Roadways.
2. Site shall be kept in a neat and orderly manner. Owner/operator shall agree to keep applicable rights of way clean of debris/spillage.
3. Squirrel cage or centrifugal fans are to be used and not directed toward residences or businesses.
4. Building, equipment, and storage structures shall be as per site plan labeled “Attachment A” on file, lighting shall not create traffic hazard as determined by the applicable road authority, and shall be downward style to minimize halo effect and annoyance to neighboring properties.
5. Acquire State NPDES/SDS Industrial Storm Water Permit if required. Adhere to Best Management Practices for storm water control.
6. This facility may not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
7. This permit may be revoked by the Freeborn County Board of Commissioners at a public hearing to be held after 30 days notice is given for failure to comply with the provision of this permit.

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. 21-115**  
**Granting a Conditional Use Permit to David Malakowsky Pursuant to**  
**the Code of Ordinances of Freeborn County, Minnesota, Chapter 42**

**WHEREAS**, DAVID MALAKOWSKY applied for a conditional use permit to the Zoning Administrator on 03/18/21 pursuant to the Code of Ordinances of Freeborn County, Minnesota, Chapter 42 (Zoning Ord.) to site and construct a new holding bin, grain dryer, and grain bin, within the “A Agricultural District”, on the following described property, owned by David Malakowsky.

Parcel ID: 20.013.0050  
NW ¼ NW ¼ Freeborn Township

**WHEREAS**, the County Planning Commission held a public hearing on the application on 04/05/21 in accordance with the Zoning Ord., Art. VIII, Sec. 42-612.

**WHEREAS**, the County Planning Commission made a decision on the application and forwarded its required findings of fact and recommendations to the Freeborn County Board of Commissioners in the attached report.

**BE IT THEREFORE RESOLVED**, the Freeborn County Board of Commissioners approves and adopts the findings of fact and recommendations of the County Planning Commission in the attached report,

**AND BE IT FURTHER RESOLVED**, the application for a conditional use permit by David Malakowsky is hereby granted, subject to the conditions and guarantees required below:

1. Parking, loading, and unloading facilities shall be provided within the existing facility, and no parking, loading or unloading shall be allowed on the State, County or Township Roadways.
2. Site shall be kept in a neat and orderly manner. Owner/operator shall agree to keep applicable rights of way clean of debris/spillage.
3. Squirrel cage or centrifugal fans are to be used and not directed toward residences or businesses.
4. Building, equipment, and storage structures shall be as per site plan labeled "Attachment A" on file, lighting shall not create traffic hazard as determined by the applicable road authority, and shall be downward style to minimize halo effect and annoyance to neighboring properties.
5. Acquire State NPDES/SDS Industrial Storm Water Permit if required. Adhere to Best Management Practices for storm water control.
6. This facility may not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
7. This permit may be revoked by the Freeborn County Board of Commissioners at a public hearing to be held after 30 days notice is given for failure to comply with the provision of this permit.

BE IT RESOLVED, that Freeborn County grants liquor licenses to the following applicants:

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. 21-116**  
**Appointing Engineer**

Commissioner Herman offered the following Resolution and moved its adoption, seconded by Commissioner Forman:

1. Per Minnesota Statute 103E.701, Harlan B. Lutteke joined by his Representatives Eugene Lutteke, Gregory Lutteke and Glen M. Lutteke, have petitioned the Board of Commissioners of Freeborn County, Drainage Authority for Freeborn County Ditch 23 (CD), to repair portions of CD 23 which is located in Alden, Mansfield, Nunda and Pickerel Lake Townships all in Freeborn County.
2. The petitioners request the Drainage Authority determines the drainage system needs repair and appoint and engineer to examine the drainage system and make repair report. M.S. 103E.715, Subd. 2
3. By resolution, the Board accepted the petition at a meeting of the Freeborn County Board March 16, 2021 by Resolution 21-074.
4. All landowners and interested parties were notified and a landowners meeting was held in the Freeborn County Commissioner' Boardroom on April 13, 2021 at 3:00 pm.
5. By Resolution the Board appoints Steve Penkava, Jones Haugh and Smith as Engineer to examine and make repair report.

The question was on the adoption of the Resolution. Following discussion the Chairman called for a vote and there were 5 yeas and 0 nays. The Chairman declared the Resolution adopted.

Resolution was seconded by Commissioner Forman.

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

Commissioner Belshan offered the following resolution;

**RESOLUTION No. 21-117**  
**Awarding CD 15 Contract**

BE IT RESOLVED, that the following contractor was the lowest bid for the following project(s) and has been awarded the contract for the construction:

Freeborn Construction, Inc. County Ditch 15 Repair & Improvement \$160,186.18

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. 21-118  
Awarding CD J9 Contract**

BE IT RESOLVED, that the following contractor was the lowest bid for the following project(s) and has been awarded the contract for the construction:

Jensen Excavating & Trucking, LLC	Co Ditch J9	\$227,889.10
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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. 21-119  
Approving Amendment of Sale Price to Tax Forfeited Property in Hollandale**

**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**, Minnesota Statutes allows a government subdivision to acquire tax-forfeited land by purchasing the land for any public purpose and

**WHEREAS**, the City of Hollandale does desire to purchase such land and

**WHEREAS**, Nonconservation tax-forfeited lands may be sold by the county board to an organized or incorporated governmental subdivision of the state or state agency for less than their market value if the county board determines that a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable on the open market

**BE IT FURTHER RESOLVED**, the parcel 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 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 Edwin.  
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 21-120  
Approving the 2022/2023 Budget Calendar**

**Resolved**, approving the 2022/23 Budget Calendar.

FREEBORN COUNTY  
2022/2023 BUDGET CALENDAR

2021 Proposed Dates

May 19, 2021	First draft from all departments on proposed 2021 Budget revenue/expenditures to Administration.
June 1 thru July 1, 2021	Departmental meetings with Admin to review proposed 2021 Budget. Review agency requests.
June 22, 2021	WORKSHOP Freeborn room TOPIC: Initial review of insurance/wages/Benefits and agency requests for 2021
July 13, 2021	WORKSHOP Freeborn Room TOPIC: Department presentations by Admin
July 27, 2021	WORKSHOP Freeborn Room TOPIC: Department presentations by Admin
August 10, 2021	WORKSHOP Freeborn Room TOPIC: Final Budget review IF NEEDED
September 7, 2021	Board Meeting – Set preliminary Budget / Levy and Tax Levy certification delivery to the Auditor/Treasurer
October 19, 2021	Board Meeting – Set Workshop for November 9, 2021 for Elected Official’s salary request and any final discussion the 2022 Budget / Levy
November 9, 2021	Board Meeting – Elected Official salary presentations County Atty and County Sheriff
December 7, 2021	Special public hearing at 6:00 p.m. to take comment on the proposed 2022 Budget/Levy
December 21, 2021	Adopt 2022 Budget and Tax Levy and send Tax Levy Certification delivery to Auditor

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. 21-121**  
**Final Budget Amendment for 2020**

**RESOLVED**, approving to accept the final budget amendment for 2020.

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. 21-122**  
**Approving Commitments of Fund Balance**

**RESOLVED**, approving the Fund Balance Commitments for fiscal year ending 12/31/2020.

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. 21-123**

**Approval of Claims**

**RESOLVED**, that the following claims be allowed and paid on or before April 23, 2021.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 458,427.59
03	County Road & Bridge	\$ 137,327.82
05	Human Services	\$ 161,392.90
06	Public Health	\$ 212,486.58
34	Debt Srvc-Turtle Creek Watershed	\$ 500.00
40	County Ditch	\$ 23,011.93
70	Trust & Agency	\$ 103,364.74
73	Payroll Clearing Fund	\$ 3,972.90
77	Recorder's Clearing	\$ 2,801.00
79	Social Services Collaboration	\$ 41.51
80	Tax Collection Fund	\$ <u>142.95</u>
	<b>FUND TOTALS</b>	<b>\$1,103,469.92</b>

Number of Claims not exceeding \$300 – 81

Dollar amount of claims not exceeding \$300 – \$9,910.23

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 9:48 a.m. until 8:30 a.m. on Tuesday, May 4, 2021.

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

Attest: \_\_\_\_\_  
Thomas Jensen  
Clerk/Administrator