

**ADJOURNED MEETING OF THE COUNTY BOARD**  
**June 7, 2022**

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, June 7, 2022. Members present: Commissioners Shoff, Belshan, Edwin, Forman and Herman

The meeting was opened with the Pledge of Allegiance.

Commissioner Forman offered the following motion;

**MOVED**, approving the agenda with the addition of an item for Environmental Services, entering into a closed session and David Drown Associates recommended former Jackson County Coordinator, Jan Fransen as interim administrator and she will be present at 10:00 a.m.

Motion seconded by Commissioner Edwin.

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

Commissioner Herman offered the following resolution;

**RESOLUTION No. 22-168**  
**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 May 17, 2022 minutes with the correction regarding Resolution 22-161: *After discussion, a vote was taken with Commissioners Belshan and Edwin voting yay and Commissioners Herman, Forman and Shoff voting nay.*
- 2) Approval of the May 31, 2022 Special Board Meeting minutes.
- 3) 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.

Chairman Shoff asked if there was any public comment and Jennifer Vogt-Erickson of Albert Lea, Minnesota spoke in opposition of entertainer Ted Nugent appearing at the Freeborn County Fair.

Commissioner Edwin offered the following resolution;

**RESOLUTION No. 22-169**  
**Approving the Tentative Agreement Between the County of Freeborn and the MN Public Employees**  
**Association representing the Detention Sergeants Unit for the Calendar Years 2022-2024**

**WHEREAS**, representatives of Freeborn County and representatives of the Minnesota Public Employees Association representing the Detention Sergeant bargaining unit have negotiated a three year labor agreement for the term January 1, 2022 through December 31, 2024; and,

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 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. 22-170**

**Approving the Tentative Agreement Between the County of Freeborn and Law Enforcement Labor Services, Inc. representing the Licensed Deputy Unit for the Calendar Years 2022-2024**

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

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 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. 22-171**

**Accepting the Resignation of Michelle Battle**

WHEREAS, the Freeborn County Department of Human Services 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; Michelle Battle has been employed as an Office Support Specialist, Sr. – Mental Health since June 8<sup>th</sup>, 2015 and is resigning her position effective June 1<sup>st</sup>, 2022,

**NOW, THEREFORE BE IT RESOLVED**, to accept the resignation of Michelle Battle as a Freeborn County Office Support Specialist, Sr. – Mental Health effective on or about June 1<sup>st</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. 22-172**

**To Fill the Freeborn County Office Support Specialist, Sr. Mental Health 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, Michelle Battle, Freeborn County Office Support Specialist, Sr. – Mental Health has resigned her position effective June 1<sup>st</sup>, 2022;

**NOW, THEREFORE BE IT RESOLVED**, that the board approves the filling of the vacant Freeborn County Office Support Specialist, Sr. – Mental Health 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. 22-173  
To Fill the Freeborn County Office Eligibility Worker 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**, Karen Peterson, Freeborn County Eligibility Worker has resigned her position effective May 27<sup>th</sup>, 2022;

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

Resolution was seconded by Commissioner Herman.  
After discussion, Commissioner Belshan made the following motion:

**MOVED**, to table Resolution 22-173 until the next regularly scheduled board meeting, June 21, 2022.

Motion was seconded by Commissioner Edwin.  
After discussion, a vote was taken with Commissioners Belshan, Edwin, Forman and Shoff voting yes and Commissioner Herman voting no. The Chair declared the motion approved.

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-174  
Placing Riley Jimenez, Social Worker/Case Manager Child Protection,  
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**, Riley Jimenez 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 Riley Jimenez, Social Worker / Case Manager Child Protection, on regular full-time status

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

At approximately 8:45 a.m. Chairman Shoff opened the Public Hearing to Consider Projected Eligible for Funding using Freeborn County Transportation Sales and Use Tax. Chairman called for any opponents, proponents or neutral parties. Hearing none, the Chair closed the public hearing at approximately 8:46 a.m.

Commissioner Edwin offered the following resolution:

**RESOLUTION No. 22-175  
Approving Projects for County Transportation Sales and Use Tax**

**WHEREAS**, the Freeborn County Highway Department has the responsibility of maintaining the county road system; and

**WHEREAS**, the listing of eligible projects to receive funding from the Freeborn County Transportation Sales and Use tax needs to be updated to remove completed projects and add new projects; and

**WHEREAS**, Minnesota Statute 297A.993 Subd. 2 allows for a county to dedicate the proceeds from the County Transportation Sales and Use Tax to new projects following a public hearing to receive public input; and

**WHEREAS**, a public hearing held for the purpose of soliciting public input on the revised list of projects has been opened and closed on this day.

**NOW, THEREFORE BE IT RESOLVED**, the Freeborn County Board of Commissioners approve the revised list of projects presented by the County Engineer as being eligible for funding from the Freeborn County Transportation Sales and Use Tax.

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. 22-176**  
**Accepting Grant for Veteran's Court operations**

**RESOLVED**, accepting a four-year supplemental grant in the amount of \$626,000 from the Office of the Justice Programs for Veteran's Court operations.

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. 22-177**  
**To Hire Two Part -Time Case Managers for Veteran's Court**

**RESOLVED**, approving the hiring of two part-time case managers for Veteran's Court operations.

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. 22-178**  
**Approving Out-of-State Travel**

**RESOLVED**, approving out-of-state travel for Veteran's Court team members Judge Ross Leuning, Dr. Steve Lansing, and Fillmore County Attorney Brett Corson to attend the National Association of Drug Court Professionals conference July 25-28, 2022 in Nashville, Tennessee.

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. 22-179**  
**Approving the Grant Contract Agreement with Minnesota Department of Health  
for Rural Health Assessment**

**Whereas**, Freeborn County Community Health Board will contract with Minnesota Department of Health for Rural Health Assessment;

**Whereas**, Minnesota Statute 145A.04 states that a community health board shall assure an adequate local public health infrastructure by maintaining the basic foundational capacities to a well-functioning public health system that includes data analysis and utilization; health planning; partnership development and community mobilization; policy development, analysis, and decision support; communication; and public health research, evaluation, and quality improvement;

**Whereas**, Community Health Boards are required to complete the local public health assessment and planning process every five years;

**Whereas**, this grant contract amendment is to assist Freeborn County Public Health to expand the Community Health Assessment by reaching new partners and populations. This will support Freeborn County Community Health Board and its community partners in identifying health inequities and disparities and work together to find solutions. The funding is in the amount of \$9,000. This funding is in effect through April 14, 2023.

**Now, Therefore, Be It Resolved** that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the contract agreement with Minnesota Department of Health.

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. 22-180**  
**To Recommend Managed Care Organization Contracts to the Minnesota Department of Human Services for Families and Children MA and MinnesotaCare**

**WHEREAS**, the Minnesota Department of Human Services supervises the administration of medical assistance programs for eligible recipients by county agencies; and

**WHEREAS**, the Minnesota Department of Human Services, contracts with managed care organizations, certified by the Minnesota Department of Health, to provide health care services for individuals enrolled in Minnesota Health Care Programs; and

**WHEREAS**, the commissioner of the Minnesota Department of Human Services shall, with the participation of counties and with full consideration for the interests of counties, plan and implement a unified, accountable, comprehensive health services system; and

**WHEREAS**, the Freeborn County Department of Human Services and the Freeborn County Department of Public Health administer and provide services to Families and Children receiving Medical Assistance and MinnesotaCare in accordance with medical assistance program rules, and in partnership with managed care organizations; and

**WHEREAS**, state law requires re-procurement every five years of managed care organizations to provide health care services to Families and Children within each county; and

**WHEREAS**, the Minnesota Department of Human Services released requests for proposals and received responses from managed care organizations, which have been jointly evaluated with state and county participation, as part of the re-procurement process; and

**WHEREAS**, Freeborn County participated in evaluating responses for provision of health care services for Families and Children in Freeborn County, and a Letter of Recommendation for Managed Care Contracts has been prepared for submission to the Minnesota Department of Human Services; therefore

**BE IT RESOLVED**, that the recommendations for Managed Care Organization contracts for Families and Children Medical Assistance and MinnesotaCare are approved, as outlined in the attached letter of recommendation.

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. 22-181**  
**Approving the Addition of a Therapist to the Freeborn County Mental Health Center**

**WHEREAS**, as the local mental health authority, Freeborn County is responsible for using all available resources to develop and coordinate a system of locally available and affordable adult and children's mental health services, and

**WHEREAS**, there is an unmet need of Freeborn County residents due to increased demand creating long wait times and waiting lists for therapy services within the county and surrounding area, and

**WHEREAS**, the Freeborn County Department of Human Services has the capacity to expand existing therapy services in the Mental Health Center in order to help accommodate the need, and

**WHEREAS**, the Agency has necessary credentialing processes in place in order to bill public and private insurance to offset county expenses for therapy services, and

**BE IT RESOLVED**, that an additional therapist position be added to the Freeborn County Mental Health 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. 22-182**  
**To Participate in the 2022 State of MN Performance Measurement Program**

**WHEREAS**, Benefits to Freeborn County for participation in the Minnesota Council on Local Results and Innovation's comprehensive performance measurement program are outlined in MS 6.91 and include eligibility for a reimbursement as set by State statute; and

**WHEREAS**, the Council on Local Results and Innovation developed a Performance Measurement Program that is voluntary for counties and cities to participate in; and

**WHEREAS**, any county participating in the comprehensive performance measurement program is also exempt from levy limits for taxes, if levy limits are in effect; and

**WHEREAS**, the County Board adopted and implemented at least 10 of the performance measures, as developed by the Council on Local Results and Innovation, and a system to use this information to help plan, budget, manage and evaluate programs and processes for optimal future outcomes; and

**WHEREAS**, the 10 performance measures are identified as: Part I and II Crime rates, Pavement Condition Rating, Tobacco and Alcohol use, Maltreatment of Children, Collection of Hazardous household waste and electronics, Workforce Participation rates, Bond rating, Level of assessment ratio, Debt service levy/debt per capita and Accuracy of Post-election Audit.

**NOW, THEREFORE, BE IT RESOLVED**, Freeborn County will continue to report the results of the performance measures to its citizenry by the end of the year through posting on the county's website.

**BE IT FINALLY RESOLVED**, Freeborn County will submit to the Office of the State Auditor the actual results of the performance measures adopted by the county.

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. 22-183**  
**Appointment of Mitchell Delger**

**WHEREAS**, Per Minnesota Statute 103B.611, the Freeborn County Board of Commissioners is charged with the responsibility for appointment of the governing board for the Shell Rock Watershed district;

**WHEREAS**, The term of office of each board member is three years unless the appointing municipality recalls the member; and

**WHEREAS**, Freeborn County has properly advertised and published the current opening for the watershed board,

**NOW, THEREFORE, BE IT RESOLVED**, that Mitchell Delger is hereby appointed to the Shell Rock Watershed District Board of Managers by the Freeborn County Board of Commissioners for a three-year term beginning July 1, 2022 and ending June 30, 2025.

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 No. 22-184**  
**Appointment of Alan Bakken**

**WHEREAS**, Per Minnesota Statute 103B.611, the Freeborn County Board of Commissioners is charged with the responsibility for appointment of the governing board for the Shell Rock Watershed district;

**WHEREAS**, The term of office of each board member is three years unless the appointing municipality recalls the member; and

**WHEREAS**, Freeborn County has properly advertised and published the current opening for the watershed board,

**NOW, THEREFORE, BE IT RESOLVED**, that Alan Bakken is hereby appointed to the Shell Rock Watershed District Board of Managers by the Freeborn County Board of Commissioners for a three-year term beginning July 1, 2022 and ending June 30, 2025.

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. 22-185**  
**Appointment of Dan DeBoer**

**WHEREAS**, Per Minnesota Statute 103B.611, the Freeborn County Board of Commissioners is charged with the responsibility for appointment of the governing board for the Shell Rock Watershed district;

**WHEREAS**, The term of office of each board member is three years unless the appointing municipality recalls the member; and

**WHEREAS**, Freeborn County has properly advertised and published the current opening for the watershed board,

**NOW, THEREFORE, BE IT RESOLVED**, that Dan DeBoer is hereby appointed to the Shell Rock Watershed District Board of Managers by the Freeborn County Board of Commissioners for a three-term beginning July 1, 2022 and ending June 30, 2025.

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. 22-186**  
**Granting a Conditional Use Permit**

**WHEREAS**, NORTHERN NATURAL GAS COMPANY applied for a conditional use permit to the Zoning Administrator on 04/22/22 pursuant to the Code of Ordinances of Freeborn County, Minnesota, Chapter 42 (Zoning Ord.) for the establishment of a new Major Essential Service Facility, on the following described property, owned by

Parcel ID 09.011.0050

NE ¼ NW ¼

Section 11 Pickerel Lake Township

**WHEREAS**, the County Planning Commission held a public hearing on the application on 06/06/22 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 Northern Natural Gas Company is hereby granted, subject to the conditions and guarantees required below:

- (1) The placement of buildings shall be in accordance with the site plan approved by and on file in the Environmental Services Office.
- (2) Site shall be kept in a neat and orderly manner
- (3) This facility may not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
- (4) 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.

**FREEBORN COUNTY, MINNESOTA**

**FINDINGS OF FACT**

*Planning Commission Hearing – 06/06/2022*

*Board of Commissioner's Meeting – 06/07/2022*

*Northern Natural Gas Company – Major Essential Service Facility*

- 1.) That the conditional or interim use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and not substantially diminish and impair property values within the immediate vicinity.

**Finding.** This conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted and not substantially diminish and impair property values within the immediate vicinity as the project meets all of the required developmental standards set forth in Ch. 42 of the Freeborn County of Ordinance.

- 2.) That the establishment of the conditional or interim use will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area.

**Finding.** The proposal will not impede the normal and orderly development and improvement of surrounding vacant property for uses predominant to the area, this is a permitted use within "A" Agricultural Districts.

- 3.) That adequate utilities, access roads, drainage and other necessary facilities have been or are being provided.

**Finding.** These facilities have been, and are in place, at this point in time. Northern Natural Gas has acquired the applicable easements with the two affected landowners and an existing drive will be utilized as a point of ingress/egress.

- 4.) That adequate measures have been or will be taken to provide sufficient off-street parking and loading space to serve the proposed use.

**Finding.** Off-street parking will not be necessary and loading space has already been established.



- 5.) That adequate measures have been or will be taken prevent or control offensive odor, fumes, dust, noise and vibration, so that none of these will constitute a nuisance, and to control lighted signs and other lights in such a manner that no disturbance to neighboring properties will result.

**Finding.** The subject site, and use, will be required to adhere to all Federal, State, and County regulations in regards to natural gas pipelines. These regulations minimize the effect that offensive odor, fumes, dust, noise, and vibration have on surrounding properties.

Resolution was seconded by Commissioner Edwin.

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

At approximately 9:02 a.m., Commissioner Herman offered the following motion;

**MOVED**, that the Board enter into closed session for the purpose of evaluating the performance of Candace Pesch, a person subject to the Board’s authority pursuant to Minnesota Statutes § 13D.05, subd. 3(a).

Motion seconded by Commissioner Forman.

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

At approximately, 9:45 a.m. Commissioner Forman offered the following motion;

**MOVED**, to reconvene into regular session.

Motion seconded by Commissioner Belshan.

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

Commissioner Herman offered the following resolution:

**RESOLUTION No. 22-187**

**Approval of Claims**

**RESOLVED**, that the following claims be allowed and paid on or before June 10, 2022.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 876,296.10
03	County Road & Bridge	\$ 2,170,167.91
05	Human Services	\$ 323,228.91
06	Public Health	\$ 113,454.47
31	Capital Improvement	\$ 230,353.01
40	County Ditch	\$ 86,555.72
70	Trust & Agency	\$ 93,046.27
73	Payroll Clearing Fund	\$ 31,433.98
74	Turtle Creek Watershed	\$ 6,610.99
76	Cemetery	\$ 500.00
	<b>FUND TOTALS</b>	<b>\$3,931,647.36</b>

Number of Claims not exceeding \$300 – 91

Dollar amount of claims not exceeding \$300 – \$11,007.02

Resolution seconded by Commissioner Forman.

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

At approximately 9:48 a.m., the Board Chair recessed the meeting until 10:00 a.m.

At approximately 10:00 a.m. the Board Chair introduced Jan Fransen who was recommended by David Drown Associates and Association of Minnesota Counties (AMC) as an interim Administrator. Ms. Fransen provided a resume and a proposed contract, gave a brief background of her work experiences and took questions from the Board.

Commissioner Belshan offered the following resolution:

**RESOLUTION No. 22-188**

**Setting Special Board Meeting**

**RESOLVED**, setting a special Board meeting for Thursday, June 16, 2022 at 8:30 a.m.

Resolution was seconded by Commissioner Herman.

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

Chair, Commissioner Shoff adjourned the meeting at 10:30 a.m. until 8:30 a.m. on Thursday, June 16, 2022.

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

Attest: \_\_\_\_\_  
Ted Herman  
Vice Chair