

ADJOURNED MEETING OF THE COUNTY BOARD
June 15, 2021

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, June 15, 2021. Members present: Commissioners Shoff, Belshan, Edwin, Forman and Herman

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 Herman offered the following resolution;

RESOLUTION No. 21-156
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 June 1, 2021 minutes.

Resolution seconded by Commissioner Edwin.

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 Belshan offered the following resolution;

RESOLUTION No. 21-157
Approving Out of State Travel for three members of the Veterans Court Team

Whereas, the Federal Veterans Court Grant Award FAW-21398 awarded to Freeborn County via the State Third Judicial Branch includes two years of the four-year grant states members shall attend the National Association of Drug Courts (NADCP) every other year, and;

Whereas, Freeborn County is charged with the facilitating of all needs of this grant and maintaining the team that runs the court, along with our own Judge Leuning and Judge Joseph Chase of the Third Judicial District, and;

Whereas, the NADCP conference will be held this year in National Harbor Maryland August 15th-19th, 2021, and the Veterans Court Judges have requested the following be allowed to attend the conference: Lyndon Stinson, Probation Director, Preston Selleck, Veterans Court Coordinator, and Dr. Stephen Lansing of Empower Treatment Program, a valued unpaid team member;

Now, Therefore, Be It Resolved that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the out of state travel for Lyndon Stinson, Preston Selleck and Stephen Lansing.

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

Commissioner Herman offered the following resolution;

RESOLUTION No. 21-158
Approving the Updating of the Freeborn County Abatement Policy

RESOLVED, that the Freeborn County Board of Commissioners adopt the following Freeborn County Abatement Policy; **Freeborn County Abatement Policy Effective January 1, 2009/updated June 15, 2021**

Delegation of Authority

Pursuant to Minnesota Statute 375.192, the County Board of Commissioners delegates the authority, power, and responsibilities for approving the abatements described in this policy under \$10,000.00 in tax to the County Assessor and County Auditor jointly. The delegation of authority will provide for the efficient, responsive, and timely processing of taxpayer and public requests. Abatements of \$10,000.00 or more, will be brought before the County Board of Commissioners for majority vote. Approved Abatements of \$10,000.00 or more require the county to give notice to the school board and municipality.

Policy

The purpose of this policy is to ensure that all taxpayers and properties in Freeborn County are treated fairly and equitable, and have equal access and consideration under the statutory procedures.

The Board of Commissioners authorizes the County Assessor and County Auditor to jointly administer abatements, reductions of market value, classification changes, or taxes.

It is important to note that abatement is not part of the appeals process for market valuation challenges, but shall be an administrative process by which corrections can be made to property and tax.

For Homestead Abatements, the required December 1 date of ownership AND occupancy will be strictly adhered to. Abatements will not be approved for taxpayers who fail to return a requested homestead application and any other required documents (example: Schedule F and/or FSA 156EZ) by the due date of December 15.

Abatements will be considered for late payments or no payments in instances of payment lost in the mail if positive proof of payment can be provided (such as certified check or other means of payment by the taxpayer). Penalties shall not be abated because of failure to receive tax statements or if any parcel was omitted when making payment.

The County Auditor shall make available to the Board of Commissioners the abatement requests and action taken periodically as needed or requested.

All applications for abatements will be accepted and considered.

Abatements will not be used as a means to reduce conflict and/or controversy.

Copies of all abatements shall be retained in the Office of the County Auditor and will be available for inspection upon request in accordance with the Freeborn County record retention policy.

Restrictions

Abatements shall be considered as they relate to taxes payable in the current year, and in the case of market value and classification, taxes payable in the current year and/or the following year. The prior two tax years shall be considered only in case of a clerical error or a documented hardship as defined in this policy. Penalty, interest, and costs shall continue to be in force, due and payable to the date the abatement application is delivered to the County Assessor or County Auditor; penalty and interest will be recalculated on the adjusted tax amount for approved applications.

While any abatement application is pending approval or processing, it is required that any tax installments, penalties, or interest which become due must be paid in full regardless of the outcome of the abatement process.

Abatements for the current tax year shall be considered, but not processed, when prior year taxes remain unpaid—unless the abatement is based on hardship as defined in this policy.

Abatement for Special Assessments shall be approved by the governing body levying the assessment.

Any abatement resulting in a tax reduction or refund of less than \$50.00 shall be denied.

Economic Development Abatements shall not be included in this policy. The provisions for this type of abatement are contained in Minnesota Statutes Chapter 469.

Local Option Disaster Abatements shall not be included in this policy. The provisions for this type of abatements are contained in Minnesota Statutes Chapter 273.

Deadline

The application deadline for abatements shall be May 31st of the year in which the tax is payable. Abatement applications post marked or delivered to the County Assessor or County Auditor by May 31st will be considered.

The deadline for abatement applications for Manufactured Homes shall be September 15th of the year in which the tax is payable.

Procedure

The County Assessor and County Auditor shall use the most recent Application for Property Tax Abatement developed by the Minnesota Department of Revenue and maintain all other necessary forms.

No abatement shall be approved without joint consent of the County Assessor and County Auditor.

Any abatement, which results in a refund of tax of \$50.00 or more, shall be disbursed by Freeborn County within thirty days of approval.

Definitions

Abatement: Action to reduce or abate the market value, taxes, or to change the property classification, following a written request by the taxpayer of record, the property owner, or owner's agent.

Hardship: Is defined as an event or circumstance beyond the control of the taxpayer. Examples of hardship include, but are not limited to, the physical or mental incapacity of the taxpayer. To prove hardship documentation must be provided. Hardship shall not include financial hardship.

Types of Abatements

- Market Value Reduction changes
- Classification changes
- Special Assessments
- Local Option Disaster Abatement (not included in this policy)
- Economic Development (not included in this policy)

NOW THEREFORE BE IT RESOLVED, the Freeborn County Board of Commissioners approves the updating of the Freeborn County Abatement Policy.

Resolution 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. 21-159
Authorizing Final Payment of SAP 024-633-009

IT IS RESOLVED that the Freeborn County Highway Department has the responsibility of maintaining the county road system;

BE IT RESOLVED that the work for mill and bituminous surface and aggregate shoulders on a designated areas of CSAH 33 in Freeborn County, by Ulland Brothers Inc. of Albert Lea, MN, has been completed in a satisfactory manner;

IT IS FURTHER RESOLVED, that the Freeborn County Auditor-Treasurer is hereby authorized to make final payment in the amount of \$30,586.14.

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. 21-160
A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO FRONTIER COMMUNICATIONS
PURSUANT TO THE CODE OF ORDINANCES OF FREEBORN COUNTY, MINNESOTA, CHAPTER 42

WHEREAS, FRONTIER COMMUNICATIONS applied for a conditional use permit to the Zoning Administrator on 05/17/21 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 10, 15, 22, 27, 28, 29, 30 of Alden Township, Sections 35 & 36 of Carlston Township, Section 31 of
Manchester Township, and Section 6 of Pickerel Lake Township

WHEREAS, the County Planning Commission held a public hearing on the application on 06/07/21 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 Frontier Communications is hereby granted, subject to the conditions and guarantees required below:

1. Frontier Communications 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 Frontier Communications 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. Frontier Communications shall obtain all necessary approval and permits from all affected road authorities.
3. Frontier Communications 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. 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 Edwin.
After discussion, a vote was taken and the Chair declared the resolution approved.

Commissioner Herman offered the following resolution:

RESOLUTION No. 21-161
Accepting a Grant Project Agreement with Minnesota Department of Health
for Eliminating Health Disparities

Whereas, Freeborn County Community Health Board accept a grant project agreement with Minnesota Department of Health for Eliminating Health Disparities to work with incoming refugees to the community and populations that are diagnosed with tuberculosis (TB);

Whereas, in following Minnesota Statute 145A.04 (iii) preventing the spread of communicable disease by preventing diseases that are caused by infectious agents through detecting acute infectious diseases, ensuring the reporting of infectious diseases, preventing the transmission of infectious diseases, and implementing control measures during infectious disease outbreaks;

Whereas, this grant project agreement provides us funding to work with primary refugees that move into Freeborn County and to provide services to those diagnosed with TB. Public Health shall contact initial U.S. resettlement refugees whom no previous health screening services have been provided in the state. Public Health will work with the refugee to connect them with a health care provider to complete the general health assessment, evaluation and treatment within the first 90 days after the refugee's initial date of entry into Minnesota. For persons in Freeborn County, Public Health will work with those diagnosed with active or latent tuberculosis. Services may include Directly Observed Therapy (DOT) as needed, contact investigation, assessing the client's health status and ensure they are following their therapy appropriately, and respond to public health "crises" related to TB disease.;

Now, Therefore, Be It Resolved that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the grant project agreement with Minnesota Department of Health for Eliminating Health Disparities.

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. 21-162
Accepting a Grant Agreement with Freeborn County Family Services
and Children's Mental Health Collaborative

Whereas, Freeborn County Community Health Board accept a grant agreement with Freeborn County Family Services and Children's Mental Health Collaborative to provide services and support to at-risk pregnant women and children until preschool or Kindergarten entrance;

Whereas, in following Minnesota Statute 145A.04 (ii) promoting healthy communities and healthy behavior through activities that improve health in a population, such as investing in healthy families;

Whereas, this grant agreement provides us funding to serve and support at-risk pregnant woman and children until preschool or Kindergarten entrance. The nationally recognized evidence-based Healthy Families America model and Growing Great Kids curriculum to provide intensive health, social and parenting support, including connecting them with community services;

Now, Therefore, Be It Resolved that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the grant agreement with Freeborn County Family Services and Children's Mental Health Collaborative.

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. 21-163
Appointing Joseph Pacovsky and Michael Hanson to the
Shell Rock River Watershed District

RESOLVED, approving the appointment of Joseph Pacovsky and Michael Hanson as Managers of the Shell Rock River Watershed District for a three year term from July 1, 2021 to June 30, 2024.

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. 21-164
Approval of Claims

RESOLVED, that the following claims be allowed and paid on or before June 18, 2021.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 460,848.51

03	County Road & Bridge	\$ 278,091.91
05	Human Services	\$ 159,662.34
06	Public Health	\$ 67,226.04
31	Capital Improvement	\$ 4,882.41
40	County Ditch	\$ 21,135.80
70	Trust & Agency	\$ 93,467.49
73	Payroll Clearing Fund	\$ 3,945.05
77	Recorder's Clearing	\$ 3,601.00
79	Soc. Services Collaborative	\$ <u>41.51</u>
	FUND TOTALS	\$1,092,902.06

Number of Claims not exceeding \$300 – 86

Dollar amount of claims not exceeding \$300 – \$9,886.98

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 8:59 a.m. until 8:30 a.m. on Tuesday, July 6, 2021.

By: _____
Christopher N. Shoff
Chair

Attest: _____
Thomas Jensen
Clerk/Administrator