

ADJOURNED MEETING OF THE COUNTY BOARD
July 2nd, 2024

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, July 2nd, 2024. Members present: Commissioners Forman, Edwin, Kaasa, Shoff and Eckstrom.

The meeting was opened with the Pledge of Allegiance.

Commissioner Forman offered the following motion;

MOVED, approving the agenda with the following changes:

The addition of one item under New Business; an update from the Emergency Management Director;

The removal of one item under Report of Environmental Services; to consider a resolution amending the Zoning Ordinance (Ch. 42) as a conditional use within the "A" Agriculture Districts in Freeborn; and

The addition of one item under Report of the County Administrator; Consider a resolution to invite Dr. Bhagra and any other pertinent Mayo staff to the August 6th or August 20th, 2024 Freeborn County Board of Commissioners regular meeting.

Motion seconded by Commissioner Shoff.

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

Commissioner Kaasa offered the following resolution;

RESOLUTION No. 24-182
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 18th, 2024 Board Meeting minutes;
- 2) Approval of the June 25th, 2024 Emergency Meeting minutes;
- 3) Approval of Drainage Repairs;
- 4) Approval of Regular Full-Time Status Employees.

Resolution seconded by Commissioner Eckstrom.

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

The Commissioners provided Board Committee updates.

Emergency Management Director, Rich Hall gave an update regarding Public Assistance following the June 2024 Flooding.

There was a Public Hearing held at 8:45 a.m. regarding the proposed amendment to Chapter 18 of the Code of Ordinances.

Matt Benda and Jerry Collins owner of Big Dreams Organics spoke to the Board during the public meeting.

The Public Hearing concluded at approximately 8:55a.m.

Commissioner Eckstrom offered the following resolution;

RESOLUTION 24-183

RESOLUTION ADOPTING ORDINANCE NO. 2024-00, AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES OF FREEBORN COUNTY

WHEREAS, in accordance with Minnesota Statute 342.13, a Public Hearing was held on July 2, 2024, to consider adopting an amendment to Chapter 18 of the Code of Ordinances of Freeborn County establishing an Interim Ordinance and Moratorium Regarding the Operation of Cannabis Businesses;

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Freeborn County, Minnesota, hereby adopts the attached Ordinance No. 2024-00, amending Chapter 18 of the Code of Ordinances of Freeborn County, effective upon adoption and publication as required by law.

Resolution seconded by Commissioner Kaasa.

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

Commissioner Forman offered the following resolution;

RESOLUTION 24-184

RESOLUTION APPROVING SUMMARY LANGUAGE FOR PUBLICATION OF FREEBORN COUNTY ORDINANCE NO. 2024-00

WHEREAS, on July 2, 2024 the Freeborn County Board of Commissioners adopted Ordinance No. 2024-00; and

WHEREAS, it is not practical to publish the entire text of the ordinance in the County's official newspaper; and

WHEREAS, Minnesota Statute 375.51, subd. 3 allows the publication of a summary of an ordinance in lieu of publishing the entire ordinance; and

WHEREAS, the Freeborn County Board of Commissioners determines that publication of a summary of the ordinance is sufficient to clearly inform the public of the intent and essential elements of the ordinance, and where to access the full text of the ordinance;

NOW, THEREFORE, BE IT RESOLVED, that the Freeborn County Board of Commissioners hereby approves the publication of the following summary language in lieu of publishing the full text of the ordinance:

FREEBORN COUNTY, MINNESOTA
Ordinance No. 2024-00

On July 2, 2024, the Freeborn County Board of Commissioners adopted Ordinance No. 2024-00. The ordinance is an amendment to Chapter 18 of the Code of Ordinances of Freeborn County. The amendment adds Section 18-1, establishing an Interim Ordinance regarding the operation of Cannabis Businesses within Freeborn County. This Interim Ordinance is adopted by Freeborn County for the purpose of protecting the planning process and the health, safety, and welfare of its citizens during a study regarding reasonable restrictions on Cannabis Businesses by prohibiting the operation of Cannabis Businesses within the county until January 1, 2025. This is a summary of the adopted ordinance. A copy of the entire Ordinance is available for inspection online at: <https://www.co.freeborn.mn.us/> or at the office of the Freeborn County Auditor-Treasurer located at 411 S. Broadway Ave., Albert Lea, MN, 56007.

Resolution seconded by Commissioner Kaasa.

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

The Commissioners voted by ballot regarding the appointment of two Shell Rock River Watershed managers. The three candidates were Mike Hanson, Joe Pacovsky & Gary Pestorious. After the votes were tallied, Ryan Rasmusson, County Administrator read the results. Mike Hanson received 5 votes, Joe Pacovsky received three votes and Gary Pestorious received two votes.

Commissioner Shoff offered the following resolution:

RESOLUTION 24-185

SHELL ROCK RIVER WATERSHED DISTRICT BOARD OF MANAGER APPOINTMENTS FOR 2024

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; and

WHEREAS, a ballot vote was taken by the Freeborn County Board of Commissioners to elect two individuals for appointment to the Shell Rock River Watershed District Board of Managers;

NOW, THEREFORE, BE IT RESOLVED, that Mike Hanson and Joe Pacovsky are 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 11, 2024.

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

Chairman Edwin asked if there was any public comment and there was none.

Commissioner Kaasa offered the following resolution:

RESOLUTION #24-186

A RESOLUTION DECLARING THE EXISTENCE AND SALE OF SURPLUS COUNTY PROPERTY

WHEREAS, Freeborn County has an inventory of property.

WHEREAS, Freeborn County has established a rotation schedule for a portion of the existing inventory of property

BE IT RESOLVED, that Freeborn County has determined that a portion of the existing inventory has completed the rotation schedule and is considered to be surplus.

BE IT FURTHER RESOLVED, that Freeborn County, by and through its Board of Commissioners consider the following property as surplus and authorize the sale of the following surplus property:

3 Dodge Chargers, VIN: 2C3CDXKT6LH209183
 2C3CDXKT8LH209184
 2C3CDXKT6LH209183

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

Commissioner Shoff offered the following resolution:

RESOLUTION 24-187

SSTS Low Income Cost Share

WHEREAS, Freeborn County has received a State approved and locally adopted Comprehensive Water Plan; and

WHEREAS, Freeborn County has received a State approved and locally adopted the Cedar Wapsipinicon Comprehensive Watershed Management Plan, the Shell Rock Winnebago Comprehensive Watershed Management Plan, and the Le Sueur River Comprehensive Watershed Management plan; and

WHEREAS, Freeborn County has a State approved and locally adopted Sanitary Sewage Treatment System Ordinance; and

WHEREAS, Freeborn County has identified a need to provide financial incentive to low income families for the replacement of non-compliant sewer systems; and

NOW, THEREFORE, BE IT RESOLVED that the Freeborn County Board of Commissioners authorizes the Environmental Health Coordinator and Director of Environmental Services decision making authority of low income SSTS cost share funding.

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 24-188

RESOLUTION APPROVING PURCHASE OF SERVICE AGREEMENT BETWEEN THE FREEBORN COUNTY DEPARTMENT OF HUMAN SERVICES AND SOUTHERN MN GUARDIANSHIP SERVICES FOR GUARDIANSHIP AND CONSERVATOR SERVICES

WHEREAS, the Freeborn County Department of Human Services has identified a need for expansion of Guardianship and Conservator services related legal services for eligible individuals who are impaired to the extent of lacking sufficient understanding or capacity to make or communicate responsible personal decisions, and who have demonstrated deficits in behavior which evidence an inability to meet personal needs for medical care, nutrition, clothing, shelter, or safety, or concerning the person's estate or financial affairs and have demonstrated deficits in behavior which evidence an inability to manage the estate or financial affairs; and

WHEREAS, this is a mandated service under Minnesota Statute 524, article 5 for which Freeborn County has an existing budget; and

WHEREAS, Southern MN Guardianship Services has expressed the desire and has capacity to provide services to residents of Freeborn County for whom the Department refers; and

WHEREAS, the County wishes to enter into a purchase of service agreement with Southern MN Guardianship Services in order to provide additional options for Guardianship and Conservatorship services; therefore

BE IT RESOLVED that the Freeborn County Board of Commissioners approves the Purchase of Service Agreement with Southern MN Guardianship Services to provide Guardianship and Conservator services for the period from June 20, 2024 through December 31, 2025.

Resolution was seconded by Commissioner Shoff.

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

Commissioner Kaasa offered the following resolution:

RESOLUTION 24-189

ACCEPTING THE RESIGNATION OF ASHLEY HALL

WHEREAS, the Freeborn County Probation 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; Ashley Hall has been employed as a Veteran Court Coordinator since August 1st, 2021 and is resigning her position effective July 12th, 2024,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Ashley Hall as a Freeborn County Veteran Court Coordinator effective on or about July 5th, 2024.

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

Commissioner Kaasa offered the following resolution:

RESOLUTION 24-190

PERMISSION TO FILL THE FREEBORN COUNTY VETERAN COURT COORDINATOR 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, Ashley Hall, Freeborn County Veteran Court Coordinator has resigned her position effective July 5th, 2024;

NOW, THEREFORE BE IT RESOLVED, that the board approves the filling of the vacant Freeborn County Veteran Court Coordinator position.

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

Commissioner Eckstrom offered the following resolution:

RESOLUTION 24-191

ACCEPTING THE RESIGNATION OF APRIL ELLIOTT

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; April Elliott has been employed as an Office Support Specialist since September 26th, 2022 and is resigning her position effective June 17th, 2024,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of April Elliott as a Freeborn County Office Support Specialist effective on or about June 17th, 2024.

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

Commissioner Shoff offered the following resolution:

RESOLUTION 24-192

PERMISSION TO FILL THE FREEBORN COUNTY DHS – OFFICE SUPPORT SPECIALIST 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, April Elliott, Freeborn County Office Support Specialist has resigned her position effective June 17th, 2024;

NOW, THEREFORE BE IT RESOLVED, that the board approves the filling of the vacant Freeborn County DHS – Office Support Specialist position.

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

Commissioner Forman offered the following resolution:

RESOLUTION 24-193

AN AMENDMENT TO THE AGREEMENT AUTHORIZED BY RESOLUTION 24-179 (A RESOLUTION AUTHORIZING AN AGREEMENT GRANTING STATEWIDE AFFORDABLE HOUSING AID FUNDS)

WHEREAS, the Board of Freeborn County Commissioners adopted Resolution No. 24-179 authorizing an agreement granting statewide affordable housing aid funds to RCIL Land Holdings, LLC; and

WHEREAS, the agreement authorized by Resolution No. 24-179 has not been fully executed; and

WHEREAS, the Grantee of the agreement requests that the Grantee listed on the agreement be amended to Albert Lea Family Housing, LP, a Delaware Limited Partnership;

NOW, THEREFORE, BE IT RESOLVED, that the Freeborn County Board of Commissioners hereby approves the attached agreement, as amended, granting statewide affordable housing funds to Albert Lea Family Housing, LP, a Delaware Limited Partnership.

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

Commissioner Shoff offered the following resolution:

RESOLUTION 24-194

A RESOLUTION INVITING DR. BHAGRA AND ANY PERTINENT MAYO STAFF TO PROVIDE AN UPDATE ON MAYO HEALTH SYSTEM PLANS FOR CARE IN ALBERT LEA

WHEREAS, the community has expressed concern regarding Mayo Health System care in Albert Lea; and

WHEREAS, the Freeborn County Board of Commissioners serves as the Community Health Board; and

NOW, THEREFORE, BE IT RESOLVED, that the Freeborn County Board of Commissioners hereby invite Dr. Bhagra and any pertinent Mayo staff to the Freeborn County Board of Commissioners meeting on August 6, 2024 or August 20, 2024 anytime between 8:30a.m. and 10:00a.m. to provide an update and provide answers to submitted questions regarding Mayo Health Systems plans for care in Albert Lea.

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

Commissioner Kaasa offered the following resolution:

RESOLUTION No. 24-195
Approval of Claims

RESOLVED, that the following claims be allowed and paid on or before July 5th, 2024.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 520,259.38
03	County Road & Bridge	\$ 1,844,060.82

05	Human Services	\$ 185,311.27
06	Public Health	\$ 73,358.38
40	County Ditch	\$ 2,835.06
70	Trust & Agency	\$ 68,313.55
73	<u>Payroll Clearing Fund</u>	<u>\$ 10,064.70</u>
	FUND TOTALS	\$2,704,203.16

Number of Claims not exceeding \$300 – 40

Dollar amount of claims not exceeding \$300 – \$4,667.37

Resolution seconded by Commissioner Eckstrom.

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

Chair, Commissioner Edwin adjourned the meeting at 9:42 a.m. until 8:30 a.m. on Tuesday, July 16th, 2024.

By: _____
Brad Edwin
Chair

Attest: _____
Ryan Rasmusson
County Administrator