

ADJOURNED MEETING OF THE COUNTY BOARD
July 5, 2022

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, July 5, 2022. Members present: Commissioners Shoff, Belshan, Edwin, Forman and Herman

The meeting was opened with introduction of the Interim County Administrator, Janice Fransen and the Pledge of Allegiance.

Commissioner Edwin 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. 22-200
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 21, 2022 minutes;
- 2) Approval of the 2023 Budget Calendar.

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. 22-201
Approving the Tentative Agreement Between the County of Freeborn and the Minnesota Public Employees
Association Representing the Jail Programmer Unit for the Calendar Years 2022-2024

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

WHEREAS, the attached document summarizes the substantive agreement between the parties:

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

Commissioner Herman offered the following resolution;

RESOLUTION No. 22-202
To Fill the Position of County Assessor

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

Whereas, the County Assessor resigned and a new Assessor must be appointed;

Now, Therefore Be It Resolved, the Freeborn County Board of Commissioners approves the filling of the County Assessor position.

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. 22-203
Placing Charles Woolery, Custodian, on Regular Fill 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, Charles Woolery has successfully completed his required probationary employment period with Freeborn County and does provide the necessary services to his department and the public,

NOW, THEREFORE BE IT RESOLVED, to place Charles Woolery, Freeborn County Custodian, on regular full-time status.

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. 22-204
To Accept 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 Family Home Visiting 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. The grant is in the amount of \$109,080;

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-205
To Retroactively Approve the Minnesota Department of Human Services Contract to Participate in the Local Collaborative Time Study

WHEREAS, the State of Minnesota, through the Department of Human Services, has established and maintained provisions for the establishment of local Family Services and Children's Mental Health Collaboratives in accordance with Minn. Statutes 124D.23, and 254.491 to 245.495; and

WHEREAS, the Freeborn Family Services and Children's Mental Health Collaborative was established to foster collaborative prevention and intervention efforts to improve outcomes, stability and health of all children and families through the coordination of multi-agency services and informal supports within the community, by developing a comprehensive system of collaborative service delivery to improve the ability of families to meet the needs of their children; and

WHEREAS, the State of Minnesota and Freeborn County have a shared interest in enhancing federal funding to Children's Mental Health Collaboratives and Family Services Collaboratives by claiming reimbursement for local services and activities; and

WHEREAS, the Freeborn County Family Services and Children's Mental Health Collaborative is able to generate local revenue by identified member agencies participating in the Local Collaborative Time Study (LCTS) through an agreement with the Minnesota Department of Human Services; therefore

BE IT RESOLVED, that the Minnesota Department of Human Services Contract to Participate in The Local Collaborative Time Study is retroactively approved effective 7/1/2022 to 6/30/2027.

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. 22-206
Classifying Tax Forfeiture Parcel for the 2022 Sale

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, said parcels of land have been viewed by the designees of the County Board of Commissioners and have been classified as non-conservation lands as provided for in Minnesota Statutes 282.01.

NOW, THEREFORE, BE IT RESOLVED that the Freeborn County Board of Commissioners hereby certify that all parcels of land on the attached list have been viewed and comply with the Provisions of Minnesota Statutes 85.012, 92.461, 282.01, Subd 8, and 282.018 and other statutes that require the withholding of tax-forfeited lands from sale.

BE IT FURTHER RESOLVED that the Freeborn County Board of Commissioners hereby request approval from the Minnesota Department of Natural Resources for the sale of said lands.

The question was on the adoption of the resolution, and there were 5 YEAS and 0 NAYS.

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. 22-207
Approving 2022 Tax Abatements

WHEREAS, The County Board has reviewed the application for property tax abatement of real estate and/or refund of taxes paid, taxes payable 2022 on parcels attached, and

WHEREAS, and the County Auditor-Treasurer has recalculated the adjusted taxes per authority under Minnesota Statute 375.192,

PARCEL #	PROPERTY OWNER	ORIGINAL TAX	CORRECTED TAX	ABATED TAX
01.023.0060	Goslee, Justin	\$ 9,594.00	\$ 5,154.00	\$ (4,440.00)
05.032.0040	Marks, Anthony	\$ 1,518.00	\$ 65.47	\$ (1,452.53)
06.024.0052	Greibrok, Joseph	\$ 2,664.00	\$ 944.00	\$ (1,720.00)
06.025.0021	Greibrok, Joseph	\$ 2,552.00	\$ 1,776.00	\$ (1,276.00)
06.026.0060	Greibrok, Joseph	\$ 2,544.00	\$ 1,272.00	\$ (1,272.00)
06.034.0011	Greibrok, Joseph	\$ 3,638.00	\$ 3,612.00	\$ (26.00)
08.019.0130	Springborg, Daniel	\$ 296.00	\$ 54.00	\$ (242.00)
11.023.0090	Wynia, Zachariah	\$ 3,810.00	\$ 688.00	\$ (3,122.00)
12.012.0190	Fish, Adam	\$ 1,470.00	\$ 51.99	\$ (1,418.01)
17.003.0030	Manges, Jason	\$ 2,190.00	\$ 760.00	\$ (1,430.00)
20.024.0071	Christensen, Mark	\$ 2,320.00	\$ 1,778.00	\$ (542.00)
20.028.0060	Thisius, Dylan	\$ 5,806.00	\$ 2,903.00	\$ (2,903.00)
34.017.0010	Hall, Dennis	\$ 2,530.00	\$ 1,686.00	\$ (844.00)
				\$ (20,687.54)

NOW, THEREFORE, BE IT RESOLVED that the abatements as listed below and presented be approved in the amount of \$20,687.54 for taxes payable 2022 property tax.

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. 22-208
For the Prosecution of Petty Misdemeanor and Misdemeanor Offenses in the City of Clarks Grove

This Agreement is entered into between the county of Freeborn, Minnesota (COUNTY) and the city of Clarks Grove, Minnesota (CITY) effective on the date that it is executed.

WHEREAS= Minn. Stat. § 484.87, subd. 3 provides that a statutory or home rule charter city with a population of 600 may enter into an agreement with the county board and the county attorney to provide prosecution services for any criminal offense; and

WHEREAS, CITY is a statutory city in the county of Freeborn, state of Minnesota with the lawful obligation to prosecute petty misdemeanors, misdemeanors, and ordinance violations occurring within its municipal boundaries; and

WHEREAS, CITY has a population greater than 600; and

WHEREAS, CITY requests that COUNTY prosecute misdemeanors within the Clarks Gove city limits; and

WHEREAS, COUNTY has the lawful obligation to prosecute gross misdemeanors and felonies

occurring within CITY's municipal boundaries; and

WHEREAS, COUNTY approves this agreement through its board of county commissioners;

NOW THEREFORE, COUNTY and CITY hereby agree as follows:

**SECTION ONE
PROSECUTION**

COUNTY, through the Freeborn County Attorney's Office, will provide prosecution services for all petty misdemeanor and misdemeanor violations of Minnesota statutes and Freeborn County ordinances where CITY has jurisdiction and discretion to prosecute under Minnesota law. COUNTY shall provide sufficient staff to adequately provide prosecution services to CITY. COUNTY shall assume the costs reasonably required to provide prosecution services to CITY including without limitation: office space, desks, computers, paper, stationery, general office supplies, telephone service, internet service, subpoena service fees, mileage, training, legal books and references.

CITY will continue to receive its statutory share of fines collected on criminal, traffic, and ordinance violations covered by this agreement.

This agreement does not contemplate civil forfeiture proceedings related to the prosecution services provided for herein, and any civil forfeiture action shall remain the duty, and responsibility solely of CITY. Furthermore, this agreement does not contemplate municipal ordinance enforcement proceedings, and any action related to CITY's municipal ordinance enforcement shall remain the duty and responsibility solely of CITY.

This Agreement shall be filed with the Freeborn County Administrator.

**SECTION TWO
CONFLICTS OF INTEREST**

In the event that COUNTY has a conflict of interest or is otherwise unable to prosecute a particular defendant in the sole discretion of the county attorney, CITY shall assume the responsibility of prosecution upon receipt of written notice from COUNTY.

**SECTION THREE
RESERVATION OF RIGHTS**

COUNTY may decline to prosecute a particular case in the sole discretion of the county attorney. In the event that COUNTY, for whatever reason, declines to prosecute in a particular case, CITY reserves the right in its sole discretion to assume responsibility for prosecution and to proceed with its own charges and its own prosecution upon written notice from the county attorney of the decision not to prosecute.

**SECTION FOUR
INDEMNITY**

COUNTY agrees to indemnify and hold harmless CITY, its agents, officials and employees, against all suits or claims that may result from an error, omission or negligent act of COUNTY or any person employed by COUNTY. In addition, COUNTY agrees to reimburse CITY for any attorney's fees incurred by CITY in the reasonable defense of such suits or claims.

**SECTION FIVE
TERMINATION OF AGREEMENT**

This Agreement shall continue from year to year without further action by the parties. This Agreement may be terminated by either of the parties hereto upon one hundred eighty (180) days written notice to the other party. In the event that the Agreement is terminated, all cases pending at the time that the notice is received shall remain the responsibility of the party then prosecuting until completion of the case through sentencing or final disposition of any probation violation pending at the time notice was received.

**SECTION SIX
ENTIRE AGREEMENT**

This Agreement contains all the terms and conditions agreed to by the parties and cannot be modified or amended except by written agreement of the parties approved by their authorized representatives.

This agreement shall take full force and effect when signed by the authorized representatives of COUNTY and CITY.

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. 22-209
Accepting a Reimbursement Grant

WHEREAS, the Freeborn County Sheriff's Office Detention Center conducts daily Covid-19 detection and mitigation operations.

WHEREAS, the Minnesota Department of Health reimbursement grant will offset our operational expenses for combating Covid-19 in our detention center

BE IT THEREFORE RESOLVED, that Freeborn County, by and through its Board of Commissioners, approves the reimbursement grant of \$26,320.64 from the MN Department of Health.

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. 22-210
Approving Letters in Support of WCTA Grant Application

RESOLVED, approving the submission of letters in support of Winnebago Cooperative Telcom Association's application to the Minnesota Border to Border Broadband Grant Program to extend their 21st century fiber optic network to serve portions of Eastern Freeborn County (rural Glenville exchange) with gigabit broadband service.

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. 22-211
Approving and Authorizing the Placement of, and assuming all responsibility, safety and display of American Legion Riders Freedom Rock

WHEREAS, Freeborn County as created on February 20, 1855 by the Minnesota Territorial Legislature, and

WHEREAS, Freeborn County has a long and distinguished history of our citizens serving in all branches of the United States Armed Forces, and

WHEREAS, Freeborn County Board of Commissioners, in collaboration with the Freeborn County Veterans Service Office and several community members dedicated the Freeborn County Veterans' Memorial in honor of all those who have served, and

WHEREAS, the Freeborn County Board of Commissioners strongly believe that the addition of a Freedom Rock will enhance and enrich the current Veterans Memorial, and

WHEREAS, the Freeborn County Board of Commissioners hereby agrees to assuming all responsibility and required upkeep, safety and display of a Freedom Rock, therefore,

BE IT RESOLVED, that the Freeborn County Board of Commissioners approve, authorize, and assume all responsibility, safety and display of American Legion Riders Freedom Rock.

Resolution was seconded by Commissioner Forman.

After discussion, a vote was taken with Commissioners Edwin, Forman, Belshan and Shoff voting yay and Commissioner Herman abstaining. The Chair declared the resolution approved.

Commissioner Herman offered the following motion:

MOVED, setting the August 2, 2022 regularly scheduled board meeting to take place at the Freeborn County Historical Museum at 6:00 p.m.

Motion was seconded by Commissioner Edwin.

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

During County Commissioner items, Commissioner Belshan requested that the following statement be read into the minutes: *“Apex is a firm located in Anoka, MN that has assessed the Freeborn County Government Center and other buildings for repairs and construction. The majority of the county board voted to have Apex also get bids and be the general contractor for the projects. When the lighting projects bid breakout listing dollar bid amounts was emailed from Apex to me, Albert Lea Electric was listed as a bidder. Did Albert Lea Electric submit the bid to Apex? They told me “No”. Although Albert Lea Electric is capable and willing to do the projects, Apex never asked them to bid the lighting, and they were never even offered the chance to bid the entire lighting projects. And, because they hadn’t been submitted a bid to Apex, the dollar amounts shown under the Albert Lea Electric didn’t come from them. The faked numbers were higher than from the other vendor Apex showed, indicating that Albert Lea Electric had bid and been outbid, which is untrue. In the past Albert Lea Electric has done LED lighting work in the jail at the Government Center. They have and want to maintain a good working relationship with Freeborn County. By attributing a false and inaccurate bid to Albert Lea Electric, did Apex treat this vendor honestly and fairly?”*

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-212
Approval of Claims

RESOLVED, that the following claims be allowed and paid on or before July 8, 2022.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 631,922.73
03	County Road & Bridge	\$ 213,581.16
05	Human Services	\$ 162,331.79
06	Public Health	\$ 65,541.73
31	Capital Improvement	\$ 1,640.00
40	County Ditch	\$ 72,757.07
70	Trust & Agency	\$ 80,572.26
73	Payroll Clearing Fund	\$ 18,103.13
74	Turtle Creek Watershed	\$ 840.00
80	Tax Collection Fund	\$ 583.62
	FUND TOTALS	\$1,247,873.49

Number of Claims not exceeding \$300 – 48

Dollar amount of claims not exceeding \$300 – \$5,227.29

Resolution seconded by Commissioner Belshan.

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

Chair, Commissioner Shoff adjourned the meeting at 9:18 a.m. until 8:30 a.m. on Tuesday, July 19, 2022.

By: _____
Christopher N. Shoff
Chair

Attest: _____
Janice Fransen
Interim Administrator/Chair