

ADJOURNED MEETING OF THE COUNTY BOARD
September 6, 2022

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, September 6, 2022. Members present: Commissioners Belshan, Edwin, Forman and Herman. Commissioner Shoff was excused.

The meeting was opened with the Pledge of Allegiance.

Commissioner Belshan offered the following motion;

MOVED, approving the agenda with the change of removing items under Report of Personnel, considering the resignation of Joe Hunter, Social Worker/Case Manager and filling that vacant position.

Motion seconded by Commissioner Forman.

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

Commissioner Forman offered the following resolution;

RESOLUTION No. 22-254
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 August 16, 2022 minutes;
- 2) Approval of Drainage Repairs: CD23.

Resolution seconded by Commissioner Edwin.

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

The Commissioners provided Board Committee updates.

Vice Chairman Herman asked if there was any public comment and Marlowe Wangen of Hayward, Minnesota spoke regarding County Ditch 62.

Commissioner Forman offered the following resolution;

RESOLUTION No. 22-255
Ratifying the Participation Agreement with MnCCC for Tyler Technologies Tax Software

WHEREAS, Minnesota Counties Computer Cooperative (MnCCC) is a joint power formed under Minnesota Statute 471.59; and

WHEREAS, MnCCC selected Tyler Technologies, Inc., a Delaware corporation to provide certain products and services, as more fully identified in the Freeborn County Investment Summary attached and incorporated into the Master Services Agreement made and entered into by and between Tyler Technologies, Inc. and MnCCC for the benefit of participating MnCCC members and end users, including providing access to Tyler's proprietary software products, and Tyler Technologies, Inc. desires to provide such products and services under the terms of the Master Services Agreement;

BE IT RESOLVED, that Freeborn County hereby ratifies the Participation Agreement between Freeborn County and the Minnesota Counties Computer Cooperative (MnCCC) at the request of Tyler Technologies, Inc. per the terms of the aforesaid Master Services Agreement and Participation Agreement.

Resolution seconded by Commissioner Edwin.

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

Commissioner Forman offered the following resolution;

RESOLUTION No. 22-256
Placing Shelbie Kenison, Eligibility Worker, 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;

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

WHEREAS, Shelbie Kenison 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 Shelbie Kenison, Freeborn County Eligibility Worker, on regular full-time status

Resolution seconded by Commissioner Belshan.

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

Commissioner Edwin offered the following resolution:

RESOLUTION No. 22-257
Placing Megan Meuser, Child Support Officer, 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;

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

WHEREAS, Megan Meuser 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 Megan Meuser, Freeborn County Child Support Officer, on regular full-time status

Resolution was seconded by Commissioner Forman.

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-258
Accepting the Resignation of Daniel Reindal

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; Dan Reindal has been employed as a Highway Maintenance Worker since February 16th, 1999 and is resigning his position effective October 28th, 2022,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Dan Reindal as a Freeborn County Highway Maintenance Worker effective on or about October 28th, 2022.

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

Commissioner Edwin offered the following resolution:

RESOLUTION No. 22-259
To Fill the Highway Maintenance 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, Dan Reindal, Freeborn County Highway Maintenance Worker has resigned his position effective October 28th, 2022;

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

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-260
Accepting the Resignation of Anne Gallion, Office Support Specialist, Sr. – Sheriff Records

WHEREAS, the Freeborn County Sheriff's 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; Anne Gallion has been employed as an OSS, Sr. – Sheriff Records since January 13th, 2020 and is resigning her position effective September 15th, 2022,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Anne Gallion as an Office Support Specialist, Sr. – Sheriff Records effective on or about September 15th, 2022.

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

Commissioner Edwin offered the following resolution:

RESOLUTION No. 22-261
To Fill the Office Support Specialist, Sr. – Sheriff Records 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, Anne Gallion, Office Support Specialist, Sr. – Sheriff Records has resigned her position effective September 15th, 2022;

NOW, THEREFORE BE IT RESOLVED, that the board approves the filling of the vacant Office Support Specialist, Sr. – Sheriff Records position.

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-262

**Approving the rescinding of the contract with the MN DOC for STS Crew Leader Services,
the Hiring of a Part-Time Crew Leader and the Purchase of an STS Crew Van**

Whereas, Freeborn County currently contracts with the MN Department of Corrections for the services of an STS crew leader and vehicle, and;

Whereas, the cost of this service is projected to be double what the county could do these services for on a yearly basis if it were provided in-house, and:

Whereas, for the initial cost of approximately \$60,663.53 would be the purchase price for a van for use by the crew leader and inmates/offenders, and;

Whereas, Phil Wacholz is the Director of the Freeborn County Highway Department which is responsible for the purchase of vehicles for the county,

Now, Therefore, Be It Resolved that the Freeborn County Board of Commissioners does hereby approve Probation Services to end the contract with the MN DOC for crew leader services as soon as is feasible, hire a crew leader and allow Phil Wacholz to negotiate and purchase a vehicle for the use of the crew leader.

Resolution was seconded by Commissioner Edwin.

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

Commissioner Edwin offered the following resolution:

RESOLUTION No. 22-263

Approving Acceptance of a Grant from the Freeborn County Communities Foundation

Whereas, Freeborn County Probation Services would like to implement a cognitive-based program for female offenders named Moving-On;

Whereas, Freeborn County Communities Foundation has offered a grant in the amount of \$4,152.00 to help Freeborn County Probation Services to offset any costs implement this program;

Whereas, Probation Services has staffed trained in the official Moving-On Program which could be offered to offenders at no additional cost to the county;

Now, Therefore, Be It Resolved that the Freeborn County Board of Commissioners accept the grant from the Freeborn County Communities Foundation in the amount of \$4,152.00.

Resolution was seconded by Commissioner Forman.

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-264

Approving Purchase of Sewer Pump Grinder

RESOLVED, approving the purchase of and annual service of a replacement sewer pump grinder for the government center from Electric Pump.

Resolution was seconded by Commissioner Belshan.

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

Facilities Manager, Brad Herfindahl, updated the Commissioners regarding construction of two new offices in the government center, one in the Recorder's office and one in the probation area for the veteran's court employee.

Commissioner Edwin offered the following resolution:

RESOLUTION No. 22-265

Approval for Change Order

RESOLVED, approving for a change order to use some of the leftover allowance in the amount of \$263,466.82 from the new Oakland shop building for a make up air/exhaust system for the Environmental Services chemical storage room.

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

Commissioner Edwin offered the following resolution:

RESOLUTION No. 22-266
Approving Purchase of Artic Wolf for Network Monitoring

RESOLVED, approving the purchase of Artic Wolf for monitoring network from TSG Server & Storage, Inc.

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-267
Amending Tax Forfeiture Sales Price

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, the County Board of Commissioners of the County of Freeborn and State of Minnesota, have determined that grouping several tracts into one tract is deemed advantageous for sale purposes. Pursuant to Minn. Stat. 282.01(1e), parcels 24.900.0020, 24.980.0010, 24.980.0030 shall be sold as one parcel of land; and

WHEREAS, the County Board of Commissioners of the County of Freeborn and State of Minnesota, have determined that grouping several tracts into one tract is deemed advantageous for sale purposes. Pursuant to Minn. Stat. 282.01(1e), parcels 34.413.0010 and 34.413.0020 shall be sold as one parcel of land; parcels 34.413.0030 and 34.413.0040 shall be sold as one parcel of land; parcels 34.413.0050 and 34.413.0060 shall be sold as one parcel of land; parcels 34.413.0160 and 34.413.0170 shall be sold as one parcel of land; parcels 34.413.0180 and 34.413.0190 shall be sold as one parcel of land; parcels 34.413.0260 and 34.413.0270 shall be sold as one parcel of land; and

WHEREAS, the County Board of Commissioners of the County of Freeborn and State of Minnesota, have determined that grouping several tracts into one tract is deemed advantageous for sale purposes. Pursuant to Minn. Stat. 282.01(1e), parcels 34.180.3660 and 34.180.3670 shall be sold as one parcel of land; and

BE IT FURTHER RESOLVED, the parcels 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; that the sale will be held at 10:00 A.M., Monday, September 19, 2022, by the Freeborn County Auditor-Treasurer at the Freeborn County Courthouse, for not less than the basic sale price; 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 Vice Chair declared the resolution approved.

Commissioner Belshan offered the following resolution:

RESOLUTION No. 22-268
Approving a Sub-Agreement with Mower SWCD for 1W1P Funds

RESOLVED, approving a sub-agreement between Freeborn County and Mower County Soil and Water Conservation District for Watershed Based Implementation Funds administered by the Minnesota Board of Water and Soil Resources.

Resolution was seconded by Commissioner Edwin.

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-269
Granting a Conditional Use Permit to I-90 Reprocessing LLC

WHEREAS, I-90 REPROCESSING LLC applied for a conditional use permit to the Zoning Administrator on 07/06/22 pursuant to the Code of Ordinances of Freeborn County, Minnesota, Chapter 42 (Zoning Ord.) for the establishment of a Scrap-Twine Recycling Facility on the following described property, owned by

Parcel ID(s) 13.021.0082 & 13.021.0083

SW ¼ SE ¼

Section 21 Bancroft Township

WHEREAS, the County Planning Commission held a public hearing on the application on 08/01/22 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 I-90 Reprocessing LLC is hereby granted, subject to the conditions and guarantees required below:

- (1) Obtain and maintain all State of Minnesota Pollution Control Agency and Freeborn County Solid Waste and Land Use Permits.
- (2) Parking, loading, and unloading facilities shall be provided within the existing facility, and no parking, loading or unloading shall be allowed on the County or Township Roadways.
- (3) All recycling activities shall be carried on within a building.
- (4) Site shall be kept in a neat and orderly manner. Owner/Operator shall insure all loads are covered and agree to keep applicable right of way clean of debris/spillage.
- (5) Owner/Operator shall adhere to all provisions of the Minnesota State Building Code.
- (6) Dust control as needed determined by Freeborn County and received complaints.
- (7) Maintain and upgrade septic system as deemed necessary by the Minnesota Rules and County Ordinance.
- (8) Acquire State NPDES/SDS Industrial Storm Water Permit.
- (9) This facility may not be extended or expanded without review and approval of the Freeborn County Board of Commissioners.
- (10) 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 Vice Chair declared the resolution approved.

Commissioner Belshan offered the following:

RESOLUTION No. 22-270
Approving the Expansion of Special Exemption Permit #2 for the KOA Campground

RESOLVED, approving an expansion of Special Exemption Permit #2 for an expansion of the KOA Campground located at 84259 CR 46. This expansion request includes the addition of a new office/store building, 36-new camping sites, a miniature golf course, pickle ball courts, and a new shallow pond. The development is to take place on the 23.31-acres adjacent to the north of the existing parcel.

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

Commissioner Edwin offered the following resolution:

RESOLUTION No. 22-271
Committing Fund Balances

RESOLVED, Committing Excess Fund Balance Use:

Tax Software Purchase for Auditor Treasurer	\$ 200,000
Interest on 2021 Capital Notes Issued	\$ 365,000
Fairgrounds Improvements	\$1,100,000
Revenue Loss ICE	\$ 400,000

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

At approximately 9:37 a.m. the Board met in closed session under Minn. Stat. § 13D.05, Subd 3(b) attorney-client privilege matter. At approximately 9:46 a.m., the board reconvened.

Commissioner Forman offered the following resolution:

RESOLUTION No. 22-272
Approval of Claims

RESOLVED, that the following claims be allowed and paid on or before September 9, 2022.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 700,527.66
03	County Road & Bridge	\$1,137,971.78
05	Human Services	\$ 162,101.19
06	Public Health	\$ 63,196.56
31	Capital Improvement	\$ 85,949.98
35	Debt Service-Cap Imp B	\$ 11,000.00
40	County Ditch	\$ 13,079.50
70	Trust & Agency	\$ 126,704.92
73	Payroll Clearing Fund	\$ 26,887.73
85	Septic Loan Fund	<u>\$ 24,500.00</u>
	FUND TOTALS	\$2,351,919.32

Number of Claims not exceeding \$300 – 75
Dollar amount of claims not exceeding \$300 – \$8,994.68
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 9:52 a.m. until 8:30 a.m. on Tuesday, September 20, 2022.

By: _____
Ted Herman
Vice Chair

Attest: _____
Janice Fransen
Interim Clerk/Administrator