

ADJOURNED MEETING OF THE COUNTY BOARD
November 1st, 2022

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, November 1st, 2022. Members present: Commissioners Shoff, Belshan, Forman and Herman. Commissioner Edwin was excused.

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 under 7B Report of Personnel and an item under Report of Public Works.

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. 22-324
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 October 18, 2022 minutes and October 26, 2022 Special meeting minutes;
- 2) Approval of Drainage Repairs: CD 54.
- 3) Affirmation of full-time status for promoted employees

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 Belshan offered the following resolution;

RESOLUTION No. 22-325
CONSIDER A RESOLUTION TO APPROVE A CONTRACT WITH MEDICA TO PROVIDE SPECIAL NEEDS BASIC CARE SERVICES.

WHEREAS, Freeborn County Community Health Board will approve the contract agreement with Medica for Freeborn County Public Health to provide Care Coordination services to those on Special Needs Basic Care;

WHEREAS, Minnesota Statute 145A.04 requires assuring health services by engaging in activities such as assessing the availability of health-related services and health care providers in local communities, identifying gaps and barriers in services;

WHEREAS, Freeborn County Public Health will provide care coordination services to individuals that are disabled and under the age of 65 years. These individuals will be on the Special Needs Basic Care program that have Medica for insurance through Medical Assistance. For those that are on SNBC we will be paid \$115 per month per member;

NOW, THEREFORE, BE IT RESOLVED that the Freeborn County Board of Commissioners/Freeborn County Community Health Board does hereby approve the contract agreement with Medica for care coordination services with Medica.

Resolution seconded by Commissioner Herman.

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

Commissioner Forman offered the following resolution;

**RESOLUTION No. 22-326
ACCEPTING THE RESIGNATION OF KIM WALLER**

WHEREAS, the Freeborn County Administration 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; Kim Waller has been employed as the Administration executive Assistant since October 27th, 2014 and is resigning her position effective November 8th, 2022,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Kim Waller as a Freeborn County Administration Executive Assistant effective on or about November 8th, 2022.

Resolution 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. 22-327
PERMISSION TO FILL THE FREEBORN COUNTY ADMINISTRATION
EXECUTIVE ASSISTANT 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, Kim Waller, Freeborn County Administration Executive Assistant has resigned her position effective November 8th, 2022;

NOW, THEREFORE BE IT RESOLVED, that the board approves the filling of the vacant Freeborn County Administration Executive Assistant position.

Resolution was seconded by Commissioner Forman.

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

Commissioner Herman offered the following resolution:

**RESOLUTION No. 22-328
APPROVING PRIVATE LAND EASEMENTS CD 54 SHELL ROCK RIVER WATERSHED AND US
FISH & WILDLIFE SERVICE PETITION**

WHEREAS, a petition dated June 22, 2022 was received by the Freeborn County Board of Commissioners as public drainage authority (“Drainage Authority”) under Minnesota Statutes, chapter 103E with jurisdiction over

Freeborn County Ditch 54 (“CD 54”), the petitioners being Shell Rock River Watershed District (SRRWD) and the United States of America, through its Fish and Wildlife Service (USFWS) (“Petitioners”), and

WHEREAS, the purpose of the petition is for the restoration of drained wetlands, creation of wildlife habitat, and creation of flood mitigation on Petitioners’ lands located in portions of Section 6 of Pickerel Lake Township, Freeborn County, Minnesota (the “Project”), and

WHEREAS, a Findings and Order accepting Petition and Appointing Engineer was adopted by the Drainage Authority for CD 54 at their meeting convened on August 2, 2022, and

WHEREAS, the petitioned action to impound and divert drainage system waters to facilitate a wetland restoration; to reroute a portion of the drainage system to facilitate continued drainage of benefitted properties outside of the impounded areas; and the abandoned portions of the drainage system rendered unnecessary by the impoundment, diversion and rerouting of the system waters has required the petitioners to acquire, for the benefit of the drainage system, easements within which the rerouted portions of the drainage system that will be installed on private property, and

WHEREAS, the petitioners have obtained said easements and is now asking for approval and acceptance of these easements by the Drainage Authority contingent on approval of the petitioned action,

NOW THEREFORE BE IT RESOLVED, that the Freeborn County Board of Commissioners as Drainage Authority for Freeborn County CD 54 approved the following Drainage System Easements attached complete with signature pages and exhibits with descriptions and drawings of easement for:

Robert H. Wittmer and Catherine A. Wittmer

Phyllis A. Acklie, Trustee of the Phyllis A. Acklie 1993 Revocable Trust

Cynthia A. Carlson

Lori D. Fenney and Ronald Fenney

James D. Wittmer

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. 22-329
APPROVINFG UTILITY APPLICATION TO USFWS CD 54 SHELL ROCK RIVER WATERSHED AND
US FISH & WILDLIFE SERVICE PETITION

WHEREAS, a petition dated June 22, 2022 was received by the Freeborn County Board of Commissioners as public drainage authority (“Drainage Authority”) under Minnesota Statutes, chapter 103E with jurisdiction over Freeborn County Ditch 54 (“CD 54”), the petitioners being Shell Rock River Watershed District (SRRWD) and the United States of America, through its Fish and Wildlife Service (USFWS) (“Petitioners”), and

WHEREAS, the purpose of the petition is for the restoration of drained wetlands, creation of wildlife habitat, and creation of flood mitigation on Petitioners’ lands located in portions of Section 6 of Pickerel Lake Township, Freeborn County, Minnesota (the “Project”), and

WHEREAS, a Findings and Order accepting Petition and Appointing Engineer was adopted by the Drainage Authority at their meeting convened on August 2, 2022, and

WHEREAS, the petitioned action to impound and divert drainage system waters to facilitate a wetland restoration; to reroute a portion of the drainage system to facilitate continued drainage of benefitted properties outside of the impounded areas; and the abandoned portions of the drainage system rendered unnecessary by the impoundment, diversion and rerouting of the system waters has required the petitioners to submit an Application For

Transportation And Utility System and Facilities on Federal Lands to the USFWS to secure authorization for easement or right of way for the rerouted portions of CD 54,

NOW THEREFORE BE IT RESOLVED, that the Freeborn County Board of Commissioners as public Drainage Authority for CD 54 approved the submission of said application on behalf of the drainage system and also authorizes Pat Martinson, Auditor-Treasurer, to execute the application on behalf of the Drainage System. Acceptance, approval and execution of the application does not bind the Board to approval of the petitioned action.

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. 22-330
Authorizing Final Payment of CP 022-MICRO-0202, CP 022-MICRO-025 and
CP 022-MICRO-046

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 Micro-Surfacing on designated areas of CSAH 20, CSAH 25 AND CSAH 46, by Asphalt Surface Technologies Corp. of St. Cloud, 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 \$165,013.30.

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. 22-331
AUTHORIZING FINAL PAYMENT OF CP 022-MOL-006

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 overlay on a designated area of CSAH 6 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 \$101,246.94.

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. 22-332
AGREEMENT FOR CONSTRUCTION OF THREE PHASE ELECTRICAL
SERVICE FOR AGRICULTURAL SOCIETY

WHEREAS, Freeborn County owns grounds and buildings used for agricultural fairs and other purposes known as the Freeborn County Fairgrounds; and

WHEREAS, the Agricultural Society has requested an additional electrical service to supply the power needed to hold large concert events without the need to rent a portable generator; and

WHEREAS, quotes from contractors were gathered by the County Engineer for the desired work and two quotes were received, evaluated, and found to be complete for the provision of the desired electrical service; and

WHEREAS, an agreement between the County and the Agricultural Society has established the terms associated with the new electrical service.

NOW, THEREFORE, BE IT IS RESOLVED, that Freeborn County shall enter into agreement with the Agricultural Society for the construction of a new three phase, 208 volt, 600 amp electrical service and the County Engineer shall contract with the contractor that provided the low quotation for the work; and

IT IS FURTHER RESOLVED, that the Agricultural Society shall be responsible for the costs of the new electrical service per the terms of the agreement presented by the County Engineer on this date.

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. 22-333
DECLARING THE EXISTENCE AND SALE OF SURPLUS COUNTY PROPERTY**

IT IS RESOLVED that Freeborn County has an inventory of property.

IT IS RESOLVED that 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.

IT IS FURTHER RESOLVED that the Freeborn County Board of Commissioners consider the following property as surplus and authorize the sale of the following surplus property:

2012 Ford F-350 #1294
2012 Ford F-350 #1295
2012 Ford F-350 #1296

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. 22-334
RESOLUTION TO APPROVE THE MN DHS / FREEBORN COUNTY GRANT CONTRACT FOR AN
ADDITIONAL ADULT PROTECTION GRANT FOR 2022-2023**

WHEREAS, Minnesota Statute mandates provision of services to adults in need of protective services meeting specific criteria in order to ensure health, safety and wellbeing; and

WHEREAS, the Freeborn County Department of Human Services is committed to providing quality services to meet the needs of the population of vulnerable adults in need of protection; and

WHEREAS, the Minnesota Department of Human Services awards Minnesota Counties annual grants to support the provision of Adult Protective Services in each county; and

WHEREAS, the Minnesota Department of Human Services has offered an additional grant to the Freeborn County Department of Human Services in the amount of \$2854.78 to be utilized between November 1,2022 and October 31,2022; therefore

BE IT RESOLVED, that the MN DHS County Grant Contract with Freeborn County in the amount of \$2854.78 for additional Adult Protective Services is approved in accordance with the grant specifications.

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. 22-335
APPOINTMENT OF THE TURTLE CREEK WATERSHED**

RESOLVED, appointing David Vanderploeg to a 3 – year term on the Turtle Creek Watershed Board of Managers.

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. 22-336
RESOLUTION APPROVING THE EMPLOYMENT CONTRACT WITH CANDACE PESCH FOR
FREEBORN COUNTY ADMINISTRATOR**

WHEREAS, the Freeborn County employees have the responsibility for providing quality service with integrity and accountability to the citizens of Freeborn County, and,

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

NOW, THEREFORE BE IT RESOLVED that the board approves the employment contract between Freeborn County and Candace Pesch for the Freeborn County Administrator herein attached.

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. 22-337
APPOINTMENT OF CANDACE PESCH**

RESOLVED, appointing Candace Pesch as the County Administrator effective November 2nd, 2022.

Resolution was seconded by Commissioner Forman.

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

Commissioner Herman offered the following motion:

MOVED, that the December 6th, 2022 Board meeting be moved to November 29th, 2022.

Motion was seconded by Commissioner Forman.

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

Commissioner Forman offered the following resolution:

**RESOLUTION No. 22-338
Approval of Claims**

RESOLVED, that the following claims be allowed and paid on or before October 21, 2022.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 458,115.21
03	County Road & Bridge	\$ 466,765.30
05	Human Services	\$ 162,429.48
06	Public Health	\$ 59,145.64
31	Capital Improvement	\$ 133,729.76
35	Debt. Srvc-Capital Imp. Fund	\$ 750.00

40	County Ditch	\$ 26,290.44
70	Trust & Agency	\$ 89,204.63
73	Payroll Clearing Fund	\$ 21,409.15
74	Turtle Creek Wtrshed Dist	\$ 23,288.33
80	Tax Collection Fund	\$ <u>960.00</u>
	FUND TOTALS	\$1,442,087.94

Number of Claims not exceeding \$300 – 71

Dollar amount of claims not exceeding \$300 – \$7,864.92

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 8:56 a.m. until 8:30 a.m. on Tuesday, November 15th, 2022.

By: _____
Christopher N. Shoff
Chair

Attest: _____
Janice Fransen
Interim Clerk/Administrator