

ADJOURNED MEETING OF THE COUNTY BOARD
November 30, 2021

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

Commissioner Forman offered the following motion;

MOVED, approving the agenda with the addition under 6D, Report of Personnel, accepting the resignation of Tim Cibert, Custodian, effective immediately.

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. 21-278
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 November 16, 2021 minutes;
- 2) Approval of Drainage Repairs:CD71, CD16, CD J6, JDC J8 and CD J6;
- 3) Affirmation of promoted employees.

Resolution seconded by Commissioner Belshan.

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. 21-279
2022 Solid Waste Fees

WHEREAS, the Freeborn County Environmental Services Department is charged with the responsibility of implementing a variety of solid waste programs to maintain a healthy environment, and

WHEREAS, that for the past 25 years Freeborn County's solid waste programs have included a successful county wide recycling program, waste electronic collection program and the collection of Household Hazardous Waste, and

WHEREAS, the total cost of the services contract to providing recycling services has increased substantially over the past 2 years and Freeborn County is now required to house certain materials for disposal, and

WHEREAS the proposed rate for 2022 will allow for the continuation and expansion of the Freeborn County Solid waste program:

NOW THEREFORE BE IT RESOLVED, that Freeborn County sets the annual household solid waste fee at \$54.00 for the resident of the City of Albert Lea and \$46.44 for rural county residents and \$38.88 per unit with 3 or less units, and \$5.40 per unit with 4 or more units beginning on January 1, 2022.

Resolution seconded by Commissioner Edwin.

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

Commissioner Forman offered the following resolution;

RESOLUTION No. 21-280
Board Ratification of the Professional Services Agreement
Between TriMin Systems Inc. and the Minnesota Computer Cooperative (MnCCC)

BE IT RESOLVED, that Freeborn County hereby ratifies the Professional Services Agreement between TriMin Systems Inc. and the Minnesota Counties Computer Cooperative (MnCCC) for the maintenance and support of IFS.

BE IT FURTHER RESOLVED, that the Agreement will be effective January 1, 2022 through December 31, 2024, and that the agreement commits Freeborn County for the term of the contract and the financial obligation associated with this agreement.

Resolution 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. 21-281
Declaration of Official Intent to Reimburse Expenditures for
Ditch Projects with Proceeds of Debt Obligation

The undersigned, being the county auditor of Freeborn County, Minnesota, and authorized by the Board of County Commissioners to make declarations of official intent under Treas. Reg. § 1.150-2 with respect to ditch projects to be undertaken or financed by the County, hereby declares as follows:

1. It is expected that the costs of the following ditch project(s) are intended to be reimbursed or otherwise financed by the issuance of debt obligations: Judicial County Ditch No 12 Repair.
2. The amount of obligations expected to be issued for such purpose is not expected to exceed \$133,024.00.

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. 21-282
Declaration of Official Intent to Reimburse Expenditures for
Ditch Projects with Proceeds of Debt Obligations

The undersigned, being the county auditor of Freeborn County, Minnesota, and authorized by the Board of County Commissioners to make declarations of official intent under Treas. Reg. § 1.150-2 with respect to ditch projects to be undertaken or financed by the County, hereby declares as follows:

1. It is expected that the costs of the following ditch project(s) are intended to be reimbursed or otherwise financed by the issuance of debt obligations: Judicial County Ditch No 12 Improvement.
2. The amount of obligations expected to be issued for such purpose is not expected to exceed \$124,275.00.

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. 21-283
To Loan from General Fund to Judicial County Ditch 12 Repair

Whereas, it is in the best interest of Freeborn County to eliminate certain bonded indebtedness, and

Whereas, it is to the financial advantage of the County to invest internally;

Therefore, now be it Resolved, to authorize the actions and procedures to pay the debt owed by Judicial County Ditch No. 12 Repair on November 30, 2021 and;

Further, be it Resolved, to invest in this ditch fund by providing a loan from the General Fund in the amount of \$133,024.00 for Judicial County Ditch No. 12 Repair to allow for debt payoff at an annual interest rate of 3.25% and a term of 10 years, for a total loan investment of \$133,024.00. .

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. 21-284
To Loan from General Fund to Judicial County Ditch 12 Improvement

Whereas, it is in the best interest of Freeborn County to eliminate certain bonded indebtedness, and

Whereas, it is to the financial advantage of the County to invest internally;

Therefore, now be it Resolved, to authorize the actions and procedures to pay the debt owed by Judicial County Ditch No. 12 Improvement on November 30, 2021 and;

Further, be it Resolved, to invest in this ditch fund by providing a loan from the General Fund in the amount of \$124,275.00 for Judicial County Ditch No. 12 Repair to allow for debt payoff at an annual interest rate of 3.25% and a term of 10 years, for a total loan investment of \$124,275.00. .

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. 21-285
To File Lien and Record Judicial County Ditch 12 Repair

Resolved, that is hereby ordered that the lien filed in the office of the County Recorder for the following drainage system for improvement thereof shall be payable in the following manner:

Judicial County Ditch No. 12 Repair one installment of the principal on or before October 15 subsequent to the filing of the lien in the office of the County Recorder and another installment on or before the 15th day of October of each year thereafter, in 10 equal installments with an annual interest rate of 3.25%.

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. 21-286
To File Lien and Record Judicial County Ditch 12 Improvement

Resolved, that is hereby ordered that the lien filed in the office of the County Recorder for the following drainage system for improvement thereof shall be payable in the following manner:

Judicial County Ditch No. 12 Improvement one installment of the principal on or before October 15 subsequent to the filing of the lien in the office of the County Recorder and another installment on or before the 15th day of October of each year thereafter, in 10 equal installments with an annual interest rate of 3.25%.

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. 21-287
Approving the 2022 Purchase of Service Agreement between the South Central
Community-Based Initiative and the Freeborn County Department of Human Services

WHEREAS, the Freeborn County Department of Human Services is part of the 10-county South Central Community-Based Initiative (SCCBI) to provide services to persons with mental illness; and

WHEREAS, the mission of the SCCBI is to facilitate each mental health consumer's recovery by improving their quality of life, by assisting them to assume increased responsibility over their lives, and to help them function as actively and independently as possible in the community; and

WHEREAS, the SCCBI purchases mental health services in the form of case management, community support services, community mental health therapy, flexible spending funds, clubhouse services, psychiatric services, and administration of these services from participating county human service agencies with specified grant dollars from the State of Minnesota in order to fulfill the mission; therefore

BE IT RESOLVED, that the 2022 Purchase of Service Agreement between the South Central Community-Based Initiative and the Freeborn County Department of Human Services for provision of the mental health services identified in the agreement to residents of Freeborn County and of counties comprising the SCCBI.

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. 21-288
Approving the 2022 MN Department of Human Services – County
Children's Mental Health Screening Grant Contract

WHEREAS, the Minnesota Department of Human Services has the authority to enter into contracts in order to ensure mental health screenings, assessments, and referrals for diagnostic assessment and/or treatment for children within the child welfare and juvenile justice populations (prioritizing funds for uninsured and underinsured children); and

WHEREAS, the Freeborn County provides mental health screenings to identify children at risk of needing or who need mental health services; and

WHEREAS, the Freeborn County Department of Human Services is able to contract with the Minnesota Department of Human Services for the provision of mental health assessments, referrals and treatment for children within a level three school-based mental health program; and

WHEREAS, the services provided are available to meet the needs of identified children and youth within the child welfare and juvenile justice populations in Freeborn County; therefore

BE IT RESOLVED, that the MN Department of Human Services – County Children's Mental Health Screening Grant Contract funding be approved and the Freeborn County Department of Human Services Director is granted authority to execute said contract.

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. 21-289
Approving the renewal of Two-Year Interagency
Agreement Region 10 Contracting Services

WHEREAS, the Freeborn County Department of Human Services is required to enter into contracts for Purchase of Services with a wide variety of providers across numerous program areas in order to fulfill state and federal mandates and in the course of day-to-day operations, and

WHEREAS, the Freeborn County Department of Human Services may be required to submit RFP's for certain prescribed funding allocations from state and federal sources, and

WHEREAS, it is imperative that contracts and RFP's meet the standards set forth by the coinciding program specific Statutes, are tracked, and renewed regularly, and

WHEREAS, these requirements have successfully been fulfilled by an Interagency Agreement for Contracting Services between counties in Region 10, and

WHEREAS, the Interagency Agreement Region 10 Contracting Services is scheduled for renewal, therefore

BE IT RESOLVED, that Suzanne Nerison, Freeborn County Human Services Director be authorized to enter into the Interagency Agreement Region 10 Contracting Services for 2022-2023.

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. 21-290
Approving the Tentative Agreement Between the County of Freeborn and
Law Enforcement Labor Services, Inc. Representing the
911 Dispatcher Unit for the Calendar Years 2022-2024

WHEREAS, representatives of Freeborn County and representatives of Law Enforcement Labor Services, Inc. Local #434 representing the 911 Dispatch 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:
[attachment in official minute book and not included herewith]

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 the three 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 was seconded by Commissioner Edwin.

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 21-291
Approving the Tentative Agreement Between the County of Freeborn County and the
American Federation of State, County and Municipal Employees
Council 65, Local 1018A Representing the Social Services Unit for the Calendar Years 2022-2024

WHEREAS, representatives of Freeborn County and representatives of AFSCME Council 65, Local 1018A representing the social services 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:
[attachment in official minute book and not included herewith]

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 the three 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 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. 21-292
ACCEPTING THE RESIGNATION OF TIMOTHY CIBERT

WHEREAS, the Freeborn County Maintenance 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; Timothy Cibert has been employed as an Custodian since November 16th, 2015 and is resigning his position effective November 29, 2021,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Timothy Cibert as a Custodian effective on or about November 29, 2021.

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

Commissioner Belshan offered the following resolution:

RESOLUTION No. 21-293
Appointing Turtlecreek Watershed District Board of Mangers

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 Turtle Creek 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,

NOW, THEREFORE, BE IT RESOLVED, that Michelle O'Connor is hereby appointed to the Turtle Creek Watershed District Board of Managers by the Freeborn County Board of Commissioners for a term of three years.

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 No. 21-294
Setting the 2022 Salary for the Freeborn County Attorney

Whereas, Minnesota Statutes §388.18 Subd 2 requires the county board to annually shall set, by resolution, the salary of the county attorney which shall be paid to the county attorney, and

Whereas, Freeborn County Board of Commissioners considered and opening discussed at several public meetings the factors outlined by the statute, including duties, responsibilities, education, experience and performance of the County Attorney which included review and consideration of the data and documentation provided by the County Attorney; and

Whereas, the Freeborn County Board of Commissioners also considered and have openly discussed at several public meetings the performance of the County Attorney in his capacity, responsibility and service to Freeborn County;

Now, Therefore Be It Resolved that the Freeborn County Board of Commissioners by resolution does hereby set the 2022 salary for the Freeborn County Attorney at \$126,600.00 annually at such intervals as determined by the board.

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. 21-295
Setting the 2022 Salary for the Freeborn County Sheriff

Whereas, Minnesota Statutes §387.20 Subd 2 requires the county board to annually shall set, by resolution, the salary of the county sheriff which shall be paid to the county sheriff, and

Whereas, Freeborn County Board of Commissioners considered and opening discussed at several public meetings the factors outlined by the statute, including duties, responsibilities, education, experience and performance of the Sheriff which consideration included review and consideration of the data and documentation provided by the Sheriff; and

Whereas, the Freeborn County Board of Commissioners also considered and have openly discussed at several public meetings the performance of the Sheriff in his capacity and responsibility of the Freeborn County Jail, Boat patrol, K-9 program and staff overtime, current COLA increases that are tentative with 3 county unions, and the current economic condition of the County; and

Now, Therefore Be It Resolved that the Freeborn County Board of Commissioners by resolution does hereby set the 2022 salary for the Freeborn County Sheriff at \$123,725.60 annually at such intervals as determined by the board.

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. 21-296
Setting the Salary for the County Commissioners

RESOLVED, setting the 2022 salary for the County Commissioners the same as it was in 2021 at \$23,795.20.

Resolution was seconded by Commissioner Belshan.

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

Commissioner Herman offered the following motion:

MOVED, approving setting a workshop on December 14, 2021 at 8:30 a.m. in the Freeborn Room of the Freeborn County Courthouse.

Motion was seconded by Commissioner Edwin.

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

Commissioner Forman offered the following resolution:

RESOLUTION No. 21-297
Approval of Claims

RESOLVED, that the following claims be allowed and paid on or before December 3, 2021.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 437,320.41
03	County Road & Bridge	\$1,109,104.57
05	Human Services	\$ 158,173.53
06	Public Health	\$ 58,666.93
31	Capital Improvement	\$ 37,299.00
37	Debt Svc-Jail G.O. Bond Refund	\$ 350.00
38	Debt Svc-Bond Refunding	\$ 350.00
40	County Ditch	\$ 46,931.64
70	Trust & Agency	\$ 174,634.84
73	Payroll Clearing Fund	\$ 24,904.91
74	Turtle Creek Watershed	\$ 325.00
79	Social Services Collaborative	\$ 41.25
	FUND TOTALS	\$2,048,102.08

Number of Claims not exceeding \$300 – 79

Dollar amount of claims not exceeding \$300 – \$9,495.28

Resolution seconded by Commissioner Herman.

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

At approximately 9:05 a.m. the Board entered into closed session pursuant to Minnesota Statute 13D.05, Subd. 3(a) to evaluate the performance of an individual who is subject to its authority, specifically Thomas Jensen, Administrator.

At approximately 10:03 a.m. the Board reconvened the meeting and the board Chair stated that the Board had been in closed session pursuant to 13D.05 Subd. 3(a) to evaluate the performance of Thomas Jensen. The board talked about the evaluation of his performance, the direction of where we would like to see things go as well as the communication going forward.

Chair, Commissioner Shoff adjourned the meeting at 10:04 a.m. until 8:30 a.m. on Tuesday, December 21, 2021.

By: _____
Christopher N. Shoff
Chair

Attest: _____
Thomas Jensen
Clerk/Administrator