

ADJOURNED MEETING OF THE COUNTY BOARD
November 7th, 2023

The Board of Commissioners of Freeborn County met in the Freeborn County Boardroom at 8:30 a.m. on Tuesday, November 7th, 2023. Members present: Commissioners Forman, Edwin, Kaasa, Shoff and Eckstrom.

The meeting was opened with the Pledge of Allegiance.

Commissioner Kaasa offered the following motion;

MOVED, approving the agenda as presented.

Motion seconded by Commissioner Shoff.

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

Commissioner Edwin offered the following resolution;

RESOLUTION No. 23-295
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 17th, 2023 minutes;
- 2) Approval of Regular Full-Time Status Employees
- 3) Approval of Drainage Repairs.

Resolution seconded by Commissioner Kaasa.

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

The Commissioners provided Board Committee updates.

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

Commissioner Eckstrom offered the following resolution;

RESOLUTION 23-296
Authorizing Sponsorship and Agreement with Towns and Townships

WHEREAS, Townships and small towns (less than 5,000 population) within Freeborn County would like to improve their road systems; and

WHEREAS, the state of Minnesota has made grants available through the Local Road Improvement Program (LRIP) specifically to Townships and small Towns for various kinds of road improvement projects; and

WHEREAS, the LRIP grant program requires a county sponsor when townships or small towns apply in order to qualify for the funding; and

WHEREAS, Freeborn County wishes to support the efforts of townships and small towns to improve and maintain their roads and bridges.

NOW THEREFORE, BE IT RESOLVED, that Freeborn County supports the submittal of the LRIP applications for the cities of Hayward, Alden, and Geneva and also for Shell Rock Township and Albert Lea Township for each of their respective improvement projects; and

IT IS FURTHER RESOLVED, that Freeborn County will be the project sponsor and fiscal agent for each town or township that is selected for funding; and

IT IS FURTHER RESOLVED, that Freeborn County will enter into an Intergovernmental Agreement with any town or township that is selected for funding that will define the responsibilities of the town or township and the County.

Resolution seconded by Commissioner Edwin.

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

Commissioner Eckstrom offered the following resolution;

RESOLUTION 23-297
Authorizing Application for Local Road Improvement Project (LRIP)
for Countywide Guardrail Improvements

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system; and

WHEREAS, the state of Minnesota has made grants available through the Local Road Improvement Program (LRIP) specifically to local agencies like counties, townships and small towns for various kinds of road improvement projects; and

WHEREAS, there are guardrails on various bridges within Freeborn County that would benefit from being updated to current safety standards; and

WHEREAS, the maintenance responsibilities of these various guardrails is disputed by the County and MnDOT and this grant opportunity is a way of funding the beneficial improvements with state funds instead of local tax dollars; and,

WHEREAS, only construction costs are eligible for grant funding and all engineering, right of way, inspection, and other non-LRIP eligible costs will need to be covered by the County.

NOW THEREFORE, BE IT RESOLVED, that the Freeborn County Board of Commissioners supports the submittal of an LRIP application for guard rail improvements on various bridges in the County; and,

BE IT FURTHER RESOLVED, that Freeborn County will support the project by funding any engineering, right of way, inspection, or other non-eligible items as well as construction costs over the LRIP grant amount.

Resolution seconded by Commissioner Edwin.

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

Commissioner Edwin offered the following resolution:

RESOLUTION 23-298
Authorizing the Replacement of Self-Propelled Broom

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system; and,

WHEREAS, the Freeborn County Highway Department maintains a fleet of road maintenance equipment are used for critical maintenance across the county road system; and

WHEREAS, the existing self-propelled broom is at the end of its useful service life to the County; and,

WHEREAS, the lead time required to obtain the new unit in time for use in the 2024 maintenance season necessitates ordering prior to the approval of the 2024 budget.

THEREFORE, BE IT RESOLVED the County Highway Engineer is authorized to place an order for the replacement unit from RDO Equipment Company for a Superior Broom Model SM at a total approximate cost of \$77,162 after trade in values are considered; and

IT IS FURTHER RESOLVED no bills for the replacement equipment will come due nor will the County take possession of the replacement unit until 2024.

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 23-299
Authorizing the Rehabilitation of Various Culverts on CSAH 29

WHEREAS, the Freeborn County Highway Department has the responsibility of maintaining the county road system; and,

WHEREAS, the Freeborn County Highway Department has identified various pipes that need to be rehabilitated on CSAH 29; and

WHEREAS, the Freeborn County Highway Department has used a specific contractor that specializes in a technique to line existing pipes with a fiberglass replacement inside the old pipe; and,

WHEREAS, attempts to receive comparable quotes from other contractors has been unsuccessful; and,

WHEREAS, Subsurface, Inc has submitted a quote for the project and has availability this Fall to complete the work before winter.

THEREFORE, BE IT RESOLVED the County Highway Engineer is authorized to enter into agreement with Subsurface, Inc. to rehabilitate various pipes on CSAH 29 at an estimated cost of \$137,630 subject to actual installed quantities as approved by the Engineer.

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

Commissioner Edwin offered the following resolution:

RESOLUTION 23-300
CONSIDER A RESOLUTION TO RATIFY THE PH-DOC MAINTENANCE AND SUPPORT AGREEMENT

WHEREAS, Freeborn County Board of Commissioners will ratify the PH-Doc Maintenance agreement with Minnesota Counties Computer Cooperative (MnCCC) and Avenu Insights & Analytics, LLC;

WHEREAS, Freeborn County Public Health is required to have electronic medical record software system;

WHEREAS, Freeborn County Public Health has utilized the PH-Doc software system for over 30 years. The software support is provided by Avenu Insights & Analytics, LLC. Freeborn County Public Health is an owner agency of PH-Doc along with 36 other county Public Health agencies. The agreement is effective January 1, 2024 through December 31, 2026 with up to two automatic additional one year extensions. For the contract year, January 1, 2024 amount will be \$1,017, 236.00 between all owner MnCCC CHS User Group agencies. Each year the annual increase will be determined by the formula in Section 3.2. of the contract. The hourly rate for change request services for 2024 will be \$200.32.

NOW, THEREFORE, BE IT RESOLVED that the Freeborn County Board of Commissioners does hereby approve the agreement with MnCCC and Avenu Insights & Analytics.

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

Commissioner Kaasa offered the following resolution:

RESOLUTION No. 23- 301

RATIFYING MNCCC AMENDMENT 8 FOR EXTENSION TO MAINTENANCE AND SUPPORT AGREEMENT FOR PROPERTY TAX WITH AVENU INSIGHTS & ANALYTICS, LLC

RESOLVED, ratifying the Property Tax System Maintenance and Support Agreement Amendment 8 between Minnesota Counties Computer Cooperative (MnCCC) and Avenu Insights and Analytics, LLC, providing an extension for support for Property Tax System (PTS) January 1, 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 Edwin offered the following resolution:

RESOLUTION 23-302

BE IT RESOLVED, that Freeborn County grants liquor licenses to the following applicants:

Three Oak Wines in Bancroft Township - On Sale - 3.2 Beer License

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

Commissioner Kaasa offered the following resolution:

RESOLUTION 23-303

BE IT RESOLVED, that Freeborn County grants liquor licenses to the following applicants:

Three Oak Wines in Bancroft Township - On Sale – Wine License With Strong Beer Authorization

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

Commissioner Shoff offered the following resolution:

RESOLUTION No. 23-304

Placing a Property Assessed Clean Energy (PACE) special assessment on Freeborn County Parcel 13.006.0051 in the amount of \$86,169.20

WHEREAS Freeborn County is a public entity within the State of Minnesota; and

WHEREAS the County of Freeborn, Minnesota has entered into a Joint Powers Agreement (JPA) with the St. Paul Port Authority to administer and implement the PACE program in Freeborn County, and

WHEREAS, As the administrator of PACE for Freeborn County, the Port Authority has reviewed this assessment and it has determined that the project property located at:

Owner: Christopher J. and Holly Dahl
Parcel ID: 13.006.0051
Amount assessed: \$86,169.20
Interest rate: 4.25%

Term: 9 years

conforms with the Minnesota PACE statutes. Interest, at a rate of 4.25%, will start to accrue on January 1, 2024. The assessment will amortize over a 9-year term, beginning in 2024. A PACE application requesting this assessment from the property owner is attached to this resolution,

NOW, THEREFORE, BE IT RESOLVED, that the Freeborn County Board Freeborn approves the placing of Property Assessed Clean Energy (PACE) special assessment on the above listed parcel as requested by the property owner.

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

Commissioner Edwin offered the following resolution:

RESOLUTION 23-305

ACCEPTING THE RESIGNATION OF MARY SELTUN

WHEREAS, the Freeborn County I.T. 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; Mary Seltun has been employed as an Information Systems Engineer since August 31st, 1987 and is resigning her position effective December 31st, 2023,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Mary Seltun as a Freeborn County Information Systems Engineer effective on or about December 31st, 2023.

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

Commissioner Shoff offered the following resolution:

RESOLUTION 23-306

ACCEPTING THE RESIGNATION OF JEREMY ZIERDEN

WHEREAS, the Freeborn County Assessor'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; Jeremy Zierden has been employed as the Lead Property Appraiser since January 16th, 2023 and in the Assessor's Office since June 8th, 2015 and is resigning his position effective November 30th, 2023,

NOW, THEREFORE BE IT RESOLVED, to accept the resignation of Jeremy Zierden as a Lead Property Appraiser effective on or about November 30th, 2023.

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

Commissioner Kaasa offered the following resolution:

RESOLUTION 23-307

PERMISSION TO FILL THE FREEBORN COUNTY APPRAISER 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, Jeremy Zierden, Freeborn County Lead Property Appraiser has resigned his position effective November 30th, 2023;

NOW, THEREFORE BE IT RESOLVED, that the board approves the filling of the vacant Freeborn County Appraiser 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 motion:

MOVED, to reschedule the December 5th regular Board Meeting to November 28th, 2023 at 8:30 a.m.

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

Commissioner Kaasa offered the following motion:

MOVED, to schedule a Special Meeting for December 28th, 2023 for Final Approval of Claims.

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 No. 23-308

**RESOLUTION AUTHORIZING A HOUSING TAX ABATEMENT ON PROPERTY
WITHIN FREEBORN COUNTY FOR THE PURPOSE OF FUNDING DEVELOPMENT
COSTS FOR CONSTRUCTION OF A NEW SINGLE-FAMILY HOME**

WHEREAS, the City of Albert Lea has adopted and ISD #241 has joined in approving a tax abatement housing assistance policy to aid in promoting residential dwelling construction within the city limits of Albert Lea;
AND

WHEREAS, the City of Albert Lea has requested continues participation by Freeborn County in accordance with the terms and conditions of said policy; **AND**

WHEREAS, the Freeborn County Board of Commissioners deem it appropriate to participate in said policy insofar as Freeborn County's share of tax revenue is concerned;

WHEREAS, By Resolution 22-037 Freeborn County has continued to participate in the above program through December of 2026 in accordance with and subject to the requirements and limitations imposed by the policy adopted by the City of Albert Lea, with the specific additional condition that the City of Albert Lea provide timely notification to the Freeborn County Auditor/Treasurer of any construction in a given year that qualifies for tax abatement under the existing city policy;

WHEREAS, Freeborn County has determined per the agreement with the City of Albert Lea to grant to Gary and Nancy Peterson ("Property Owner") Housing Tax Abatement for the Property (the Property") legally described as:

1200 Wedgewood Rd., Albert Lea, MN 56007

Legal Description:

Lot 3, Block 8, Wedgewood Cove Estates No. 1 Replat, City of Albert Lea, Freeborn County, Minnesota

Parcel ID: 34.476.0550

WHEREAS, the Property Owner has met the statutory requirements outlined under Minn. Stat. § 469. 1813 as well as the City of Albert Lea Tax Abatement Housing Assistance Policy guidelines for abatement.

NOW THEREFORE, BE IT RESOLVED, that the Freeborn County Board of Commissioners does hereby approve the Housing Tax Abatement for the property described above.

Resolution was seconded by Commissioner Edwin.

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

Commissioner Kaasa offered the following:

RESOLUTION 23-309

TURTLE CREEK WATERSHED DISTRICT BOARD OF MANAGER APPOINTMENT

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 Freeborn County Board of Commissioners hereby appoints Jeff Ravenhorst and Pete Van Erkel to the Turtle Creek Watershed District Board of Managers for a three-year term beginning November 13, 2023.

Resolution was seconded by Commissioner Shoff.

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

The Freeborn County Board of Commissioner went into recess beginning at 9:05 a.m.

A public hearing was held at 9:15 a.m. regarding the proposed Freeborn County Cannabis Ordinance 2023-00.

Gary Westcott from Emmons, MN spoke about his concerns to the Board.

The hearing concluded at 9:22 a.m.

Commissioner Edwin offered the following motion:

MOVED, to adopt Freeborn County Ordinance No. 2023-00,

Motion was seconded by Commissioner Kaasa.

After discussion, a rollcall vote was taken the Chair declared the motion approved with Commissioners Forman, Edwin, Kaasa and Eckstrom voting yay, and Commissioner Shoff voting nay.

Commissioner Eckstrom offered the following resolution:

RESOLVED, to approve the summary language for publication

Resolution was seconded by Commissioner Edwin.

After discussion, a vote was taken the Chair declared the resolution approved with Commissioners Forman, Edwin, Kaasa and Eckstrom voting yay, and Commissioner Shoff voting nay.

Commissioner Shoff offered the following resolution:

RESOLUTION No. 23-311 **Approval of Claims**

RESOLVED, that the following claims be allowed and paid on or before November 10th, 2023.

<u>FUND</u>	<u>NAME</u>	<u>AMOUNT</u>
01	General Fund	\$ 1,204,086.56
03	County Road & Bridge	\$ 478,455.30
05	Human Services	\$ 350,096.63
06	Public Health	\$ 128,080.04
31	Capital Improvements	\$ 461,069.18
40	County Ditch	\$ 107,074.89
70	Trust & Agency	\$ 44,786.45
73	Payroll Clearing Fund	\$ 21,025.36
74	Turtle Creek Watershed	\$ 16,949.45
85	<u>Septic Loan Fund</u>	<u>\$ 22,675.00</u>
	FUND TOTALS	\$ 2,834,298.86

Number of Claims not exceeding \$300 – 72

Dollar amount of claims not exceeding \$300 – \$8,057.69

Resolution seconded by Commissioner Kaasa.

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

Chair, Commissioner Forman adjourned the meeting at 9:46 a.m. until 8:30 a.m. on Tuesday, November 21st, 2023.

By: _____
John Forman
Chair

Attest: _____
Erin Hornberger
County Clerk