

November 7, 2017  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, November 7, 2017 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present for all or portions of the meeting were: Commissioners Tom Appel, Donna Gravley, Kevin Stevens, Norm Holmen, Jim Schmidt; County Coordinator Kelly Thongvivong, County Attorney Nick Anderson, Auditor/Treasurer Jan Johnson, Kathy Marsh, Glenn Johnson, Paul Johnson, Kyle Pillatzki, Nick Klisch, and Rahn Larson.

Chairman Appel called the meeting to order. The Pledge of Allegiance was recited. Motion by Stevens, second by Schmidt, unanimous vote to approve the agenda as amended. Motion by Holmen, second by Gravley, unanimous vote to approve the minutes of the October 17, 2017, regular meeting.

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Glenn Johnson, Director of Information Systems, presented to the board a budget change request due to a lightning strike at the Law Enforcement Center. Johnson stated that the impact of the strike caused network switches and server switch and modules to fail. After much discussion, consensus of the board is to wait until the last board meeting of 2017 to discuss the budget change.

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Paul Johnson, Emergency Management Director, met with the board to discuss a few items. Johnson asked for comments on the County Emergency Operations Plan that he handed out and asked them to review at the October 17 board meeting. After discussion, motion by Schmidt, second by Holmen, unanimous roll call vote to adopt Resolution 17-11-07A as follows:

**Resolution 17-11-07A**

**Resolved by the Board of Commissioners, County of Cottonwood, and State of Minnesota:**

**WHEREAS**, each County in the State of Minnesota is required by MSS. Chapter 122.25(2) to have an updated Emergency Operation Plan;

**WHEREAS**, The State of Minnesota Homeland Security and Emergency Management (HSEM) Division has a rotating review process: first year – County Board Review, second year – Regional Review Committee, third year – Peer County Emergency Management Review and the fourth year is a State of Minnesota HSEM Review;

**WHEREAS**, The Emergency Operations Plan (EOP) must be approved and the Resolution signed by the County Board every four years;

**WHEREAS**, The HSEM rotation for 2017 requires Cottonwood County's Emergency Operation Plan to be reviewed by County Board Review;

**WHEREAS**, The HSEM review requirement states the Cottonwood County Board after reviewing the Emergency Operations Plan (EOP) must adopt and accept the Plan by Resolution;

**NOW, THEREFORE, BE IT RESOLVED**, by the Cottonwood County Board on the 7<sup>th</sup> day of November, 2017 that Cottonwood County is hereby adopting and approving the current Emergency Operations Plan (EOP) of Cottonwood County as managed by the Cottonwood County Emergency Management Office, Office of Emergency Management.

Passed and adopted by the Board of Commissioners of the County of Cottonwood, Minnesota this 7<sup>th</sup> day of November 2017.

DATED: November 7, 2017

S/Thomas D. Appel, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Johnson presented the 2017 Emergency Management Performance Grant for approval. Motion by Gravley, second by Stevens, unanimous vote to approve the 2017 Emergency Management Performance Grant in the amount of \$18,914.00 and allow the board chair to sign.

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Kyle Pillatzki, Assistant County Engineer/Solid Waste Administrator, met with the board to discuss a few items. Motion by Schmidt, second by Stevens, unanimous vote to approve the Regional Household Hazardous Waste Management Program Agreement with Lyon County.

Motion by Schmidt, second by Holmen, unanimous vote to approve the amended Southwest Regional Solid Waste Commission Joint Powers Agreement.

Pillatzki stated that the contract with Waste Management for recycling services is ready for signature. The board approved the bid from Waste Management at the August 15, 2017 meeting.

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Nick Klisch, County Engineer/Public Works Director, met with the board to discuss a few items. Motion by Gravley, second by Holmen, unanimous vote to approve the final payment of \$27,871.78 to Nickel Construction on Project 1703-08 MN 60 Tile Relocation.

Klisch asked for approval to enter in to snow removal agreements with the Cities of Jeffers (\$600), Westbrook (\$1,200) and Mountain Lake (\$3,600). Motion by Holmen, second by Gravley, unanimous vote to sign and enter into agreements with the cities of Jeffers, Westbrook and Mountain Lake for routine winter maintenance on the Municipal CSAHs in the respective cities.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Stevens, second by Schmidt, unanimous roll call vote to adopt Resolution 17-11-07, as amended by the Cottonwood County Attorney, as follows:

**Resolution No. 17-11-07**

**RESOLUTION APPROVING TAX ABATEMENT FOR CERTAIN PROPERTY PURSUANT TO THE ABATEMENT LAW**

**WHEREAS**, Minnesota Statutes §§469.1812 through 469.1815 (the Abatement Law”) gives authority to the County of Cottonwood to grant an abatement of property taxes imposed by the County if certain criteria are met; and

**WHEREAS**, in addition to the statutory requirements, on December 13, 2016, the Cottonwood County Commissioners adopted the Cottonwood County Home Initiative Guidelines (the “Guidelines”) which must be met before an abatement of taxes will be granted for residential development; and

**WHEREAS**, Ryan P. Elston and Jennifer G. Elston, husband and wife, (“Elstons”) are the owners of certain property within Cottonwood County, Minnesota, legally described as follows:

Parcel #: 08-017-0400  
Address of Property: 44480 County Road 15, Windom, MN 56101

Legal Description of Property: The Southwest Quarter of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SW¼ SE¼ SE¼ SW¼) and the Southeast Quarter of the Southeast Quarter of the Southeast Quarter of the Southwest Quarter (SE¼ SE¼ SE¼ SW¼) of Section 17, Township 105 North, Range 36 West of the Fifth Principal Meridian, Cottonwood County, Minnesota; and

**WHEREAS**, Elstons have made application to Cottonwood County (the "County") for the abatement of taxes as to the above-described parcel; and

**WHEREAS**, Elstons have met the statutory requirements outlined under Minnesota Statutes §469.1813 Subdivision 1(1) and Subdivision 1(2)(i) as well as the County's Home Initiative guidelines for tax abatement; and

**WHEREAS**, a public hearing before the Cottonwood County Board of Commissioners was held on this date regarding the question of the Abatement, and said hearing was preceded by at least 10 days but not more than 30 days prior published notice hereof; and

**THE COUNTY MAKES THE FOLLOWING FINDINGS:**

1. The County expects the benefits to the County of the proposed abatement agreement to at least equal the costs to the County of the proposed agreement.
2. The proposed abatement is in the public interest because it will increase or preserve the tax base.
3. The nature and extent of public benefits include employment to build the home, increasing the housing base with new housing, providing an opportunity to increase the population of Cottonwood County, and increasing the tax base for Cottonwood County.
4. In any year, the total amount of property taxes abated by the County by this and other resolutions does not exceed ten percent (10%) of the net tax capacity of the County, or \$200,000, whichever is greater.

**THE ABATEMENT IS HEREBY APPROVED. THE TERMS OF THE TH ABATEMENT ARE AS FOLLOWS:**

1. Cottonwood County grants an abatement to RYAN P. ELSTON and JENNIFER G. ELSTON, husband and wife, of the County's share of real estate taxes upon the above-described parcel based on the proposed construction of a new single-family home on said parcel.
2. The tax abatement will be for no more than five (5) years commencing on the first year of taxes payable for the assessed value related to the capital improvement (new home) outlined above.
3. The County shall provide the awarded abatement payment following payment by the property owners of the real estate taxes due annually. One single payment of the County's share of the abatement shall be made to the property owners of record by December 30th of that calendar year.
4. The tax abatement shall be for the residential capital improvements only and shall be based on the value of the above named property in the year immediately preceding the first abatement. Land values and the current base value are not eligible and will not be abated.
5. The abatement shall be null and void if construction of the new home is not commenced within six (6) months of the approval of this resolution or if real estate taxes are not paid on or before the respective annual payment deadlines.

Adopted this 7th day of November, 2017.

S/Thomas D. Appel, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Motion by Gravley, second by Schmidt, unanimous vote to approve the United Community Action Partnership Transportation Agreement between United Community Action and Cottonwood County for transportation services from January 1, 2018 through December 31, 2018.

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Motion by Holmen, second by Stevens, unanimous vote to approve November warrants as follows:

County Revenue Fund	\$ 95,166.49
Long Term Capital Outlay	\$ 5,641.86
County Building Fund	\$ 4,616.30
Taxes and Penalties Fund	\$ 257.56
County Revenue Fund	\$ 23,152.90
Road and Bridge Fund	\$ 66,261.98
Waste Abatement/Score Fund	\$ 3,755.02
Landfill Enterprise	<u>\$ 13,704.50</u>
	\$212,556.61

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Kelly Thongvivong, County Coordinator, led discussion regarding how time away from work should be handled for Volunteer Fire Fighters, EMT's, and First Responders. Consensus of the board is to have Thongvivong draft a policy.

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Commissioner Appel informed the board that he would like to have a 2018 budget discussion and review the audit report at the next board meeting on November 21.

Commissioner Appel informed the board that Jim Ochs from Integrity Employee Benefits will be attending the November 21 meeting to discuss county offered insurance benefits.

Commissioner Holmen updated the board on a meeting he attended in Trimont on November 1 regarding JD #350.

Commissioner Holmen led discussion regarding passports and the possibility of offering the services more than two days per week.

Commissioner Schmidt updated the board on the window project. Schmidt stated that a representative from Marvin Windows will be attending the November 21<sup>st</sup> board meeting to give a short presentation.

Commissioner Gravley gave a brief update on the Extension meeting she attended on November 6<sup>th</sup>.

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Motion by Holmen, second by Schmidt, unanimous vote to close the meeting at 10:53 a.m. to discuss strategy for upcoming labor negotiations. Present for the closed session were: Commissioners Appel, Stevens, Gravley, Schmidt, and Holmen; Nick Anderson, Kelly Thongvivong, Jan Johnson, and Kathy Marsh.

Motion by Schmidt, second by Gravley, unanimous vote to open the closed session at 11:14 a.m.

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There being no further business, the meeting was adjourned at 11:14 a.m.

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Jan Johnson, Auditor/Treasurer

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Thomas D. Appel, Board Chairman

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Kelly Thongvivong, County Coordinator