

February 1, 2011
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, February 1, 2011 at 9:00 a.m. at the Cottonwood County Family Service Agency in Windom, MN. Presiding over the meeting was Chairman Ron Kuecker. Present for all or portions of the meeting were: Commissioners Ron Kuecker, Norm Holmen, John Oeltjenbruns, Jim Schmidt, Tom White; Administrative Assistant Kelly Thongvong; County Attorney Nick Anderson; Lori Buchheim and Ron Gregg.

Motion by White, second by Schmidt, unanimous vote to approve additions to the agenda. Motion by Holmen, second by Oeltjenbruns, unanimous vote to approve the minutes of the January 25, 2011 meeting as amended.

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County Attorney Nick Anderson introduced his new Assistant County Attorney Lori Buchheim to the board and she told them a little bit about herself and her background.

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County Engineer Ron Gregg met with the board to request approval to pay final payment on Project SAP 17-609-010, CSAH 9 from TH 60 to CSAH 44. The original contract amount was \$193,369.42 and the final contract amount is \$191,648.49. Motion by Holmen, second by White, unanimous vote to approve final payment in the amount of \$10,295.64 for Project SAP 17-609-010.

A few questions were asked of Gregg by the commissioners. Further discussion was held regarding the condition of the roads in Cottonwood County. The County Attorney was asked to do some research regarding a special levy for road maintenance.

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Discussion was held regarding whether or not the county would like to continue to be involved with the Minnesota River Board. After further discussion, the board decided to continue to remain involved with this group for the time being.

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Motion by Oeltjenbruns, second by White to approve Resolution 11-02-01 approving property tax abatements for Mountain Power Hydraulics, Inc with recommended changes. Roll call vote as follows: Aye – Oeltjenbruns, White, Holmen and Schmidt. Nay – Kuecker. Motion carried. Resolution as follows:

**Resolution 11-02-01
Resolution Approving Property Tax Abatements for
Mountain Power Hydraulics, Inc.**

BE IT RESOLVED by the County Commissioners (the "Commissioners") of Cottonwood County, Minnesota (the "County"), as follows:

1. Recitals.

- a. In order to promote industrial development, the creation and retention of jobs and the expansion of the property tax base, the County is establishing a property tax abatement program (the "Abatement") on the parcel (the "Property") property identified as Cottonwood County tax parcel number 22.003.0100.
- b. On November 2, 2010, the Commissioners held a public hearing on 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.
- c. The Abatement is authorized under Minnesota Statutes, Sections 469.1812 through 469.1815 (the "Abatement Law").

2. Findings. The County hereby makes the following findings:

- a. The County expects the benefits to the County of the Abatement to at least equal the costs thereof.
- b. Granting the Abatement is in the public interest because it will enhance the feasibility of continuing to operate a business in Mountain Lake, preserve the tax base of the County, help retain and expand industrial development in the County, and provide employment opportunities in the County.
- c. The Commissioners expect that the public benefits described in 2b above to be derived from the Abatement.
- d. For the term of the Abatement, the Property will not be located in a tax increment financing district.
- e. In any year, the total amount of property taxes abated by the County by this and other abatement resolutions does not exceed ten percent (10%) of the net tax capacity of the County, or \$200,000, whichever is greater.

3. Terms of Abatement. The abatement is hereby approved. The terms of the abatement are as follows:

- a. The Abatement duration for each affected tax parcel shall be for six (6) years and shall apply to the taxes payable in the years 2011 through 2016.
- b. The Abatement shall be based on the entire current Estimated Market Value of the Property and shall be for the entire amount of taxes paid to the county for each year during the abatement period.
- c. It is estimated that the total Abatement over the duration in 3a will be \$37,200, the actual total may vary depending on actual property values and tax rates.
 - Start with 20 full-time jobs on payroll
 - 2011 – Abate \$6,200.00
 - 2012 – Abate \$6,200.00
 - 2013 – 22 full-time jobs on payroll – in return abate \$6,200.00
 - 2014 – 22 full-time jobs on payroll – in return abate \$6,200.00

- 2015 – 22 full-time jobs on payroll – in return abate \$6,200.00
 - 2016 – 22 full-time jobs on payroll – in return abate \$6,200.00
- d. If the number of full-time jobs falls below 22 in 2013 or after, the total property taxes shall be levied on the property and shall be due and payable at the times provided in Minnesota Statute 279.01. The abatement will occur on December 31st of the tax year if the amount of jobs remains at or above the requirements of 3c, as determined by an annual report to the county due by December 15th of each year. If the number of jobs falls below the requirements of 3c, this resolution becomes null and void.
 - e. This abatement will be transferable to another buyer if the buyer retains the jobs within Cottonwood County.
 - f. The County reserves the right to modify or change the Abatement during the term set forth in 3a above pursuant to the requirements of the Abatement Law.
 - g. The Abatement shall be subject to all the terms and limitations of the Abatement Law.
 - h. At no time can abatement exceed the taxes paid to the county in any given year.

Commissioner Oeltjenbruns introduced the foregoing resolution and moved its adoption. The motion for the adoption was duly seconded by Commissioner White and upon vote being taken thereon, the following voted in favor thereof: Commissioners Oeltjenbruns, White, Holmen and Schmidt and the following voted against the same: Commissioner Kuecker.

Whereupon said resolution was declared duly passed and adopted.

This 1st day of February, 2011.

S/Ron Kuecker, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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After reviewing second draft of Planning & Zoning/Parks Department job description, there was a motion by Schmidt, second by Oeltjenbruns, unanimous vote to approve Planning & Zoning Administrator, County Parks Director job description with Department Head status.

Motion by Holmen, second by Schmidt, unanimous vote to approve job advertisement for Planning & Zoning/Parks Department position as amended. The deadline for receiving applications will be March 4th.

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Motion by Schmidt, second by White, unanimous vote to approve the request for an additional phone line for the Transit System.

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Brief discussion was held regarding SRDC Orientation that will be held on March 10th in Slayton. Please let Kelly know before February 28th if you are interested in attending so that she can get you registered or feel free to register yourself.

Administrative Assistant Kelly Thongvivong expressed her interest in attending upcoming "Public Sector Human Resource Management Certificate Program" being offered as a collaborative effort between Metropolitan State University and the Minnesota Counties Intergovernmental Trust (MCIT). These day-long sessions will be held in St. Paul on March 24 & 25, April 14 & 15 and May 12 & 13 at a total cost of \$750. Motion by Oeltjenbruns, second by White, unanimous vote to allow Kelly Thongvivong permission to attend all sessions and to pay for registration, motel stay, mileage and meals.

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It was reported that Road & Bridge received another \$500,000 loan recently so their current loan is approximately \$700,000.

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Discussion was held regarding current mowing contracts with Russ Janssen and Lang Jensen. Chairman Kuecker will contact Russ and Lang to see if they would want to renew contract as is for another year and then to re-evaluate the situation with the parks again next year.

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Commissioner Holmen gave an update regarding a U-Care meeting that he will be having on Wednesday afternoon with Craig Myers.

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Discussion was held regarding Day at the Capitol. The commissioners decided not to participate with Murray County in the rental of a bus to the capitol.

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Chairman Kuecker updated the board in regards to a change that has been made in the contract with SWCD and Cottonwood County for services being provided.

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There being no further business, the meeting adjourned at 11:01 a.m.

Jan Johnson, Auditor/Treasurer

Ron Kuecker, Board Chairman

Kelly Thongvivong, Bd. Adm. Assistant