

March 6, 2018  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 6, 2018 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, Jason Purrington, Glenn Johnson, Gale Bondhus, Drew Hage, Nick Klisch, Jed Rhubee, Geoff Johnson, and Rahn Larson.

Chairman Gravley called the meeting to order. The Pledge of Allegiance was recited. Motion by Stevens, second by Appel, unanimous vote to approve the agenda as amended. Motion by Holmen, second by Schmidt, unanimous vote to approve the minutes of the February 20, 2018 meeting.

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Glenn Johnson, Director of Information Systems, informed the board that starting this year the state will no longer bill for the annual support costs for the firewalls. Johnson presented two quotes as follows: SHI - \$8,798.00 and CDW-G - \$9,299.10. Motion by Schmidt, second by Holmen, unanimous vote to approve the purchase of the annual support for firewalls quoted from SHI in the amount of \$8,798.00.

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Jason Purrington, Sheriff, presented to the board on behalf of the Emergency Management Director, the Hazardous Materials Emergency Preparedness (HMEP) Grant application. Purrington stated that the grant would cover a "Managing the HAZMAT Incident" class at a cost of approximately \$750 to \$900. Purrington also stated that the grant is an 80/20 matching grant. Motion by Appel, second by Stevens, unanimous vote to approve an application for the Hazardous Materials Emergency Preparedness (HMEP) Grant.

Donna Gravley, Commissioner, led follow-up discussion on DVHHS mental health transports that was discussed at the January 16, 2018, meeting. Gravley stated that discussion was had at a DVHHS meeting and it was decided to leave the cost of the transports with the county. Consensus of board is for the Sheriff to track mental health transports through the year and make a budget adjustment at the end of the year.

Purrington and Commissioner Stevens informed the board of water leakage in the Work Release bathroom. The problem seems to be with the drain and from the showers. Stevens stated that the sink and toilet also need to be replaced. Consensus of the board is for Purrington to get estimates for the renovation and bring back to the board.

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Drew Hage, Windom EDA Director, met with the board to get approval for a few items. Motion by Holmen, second by Schmidt, unanimous roll call vote to approve resolution 18-03-06 as follows:

**Resolution No. 18-03-06**  
**Resolution Approving Application in "Opportunity Zones" Program**

**WHEREAS**, as part of the “Tax Cuts and Jobs Act of 2017”, the federal government established a new economic development program entitled “Opportunity Zones” to encourage long-term private investments in low-income communities; and

**WHEREAS**, U.S. investors holding unrealized gains in stocks and mutual funds can pool their resources in projects located in Opportunity Zones which will be invested in rebuilding low-income communities; and

**WHEREAS**, census tracts have been created nationwide which encompass low-income urban and rural communities; and

**WHEREAS**, there are three eligible Census Tracts in Cottonwood County (Nos. 270100, 270200, and 270400); and

**WHEREAS**, there is only one Census Tract in Cottonwood County in the “Most Distressed Census” category (No. 270400); and

**WHEREAS**, pursuant to the guidelines of the program, Cottonwood County is asked to use specific principles including, but not limited to, “development possibilities within the zone in the next 5 years including affordable and workforce housing and economic development”, to prioritize and rank the opportunity zones within the County; and

**WHEREAS**, pursuant to the guidelines of the program, Cottonwood County’s ranking is outlined in the Cottonwood County Opportunity Zone Application; and

**WHEREAS**, such recommendations (an application) are to be submitted to Minnesota Governor Dayton or on before March 8, 2018; and

**WHEREAS**, Cottonwood County has determined that participation in the Opportunity Zones Program is in the best interests of the citizens of Cottonwood County.

Now, therefore, **BE IT RESOLVED by the COUNTY COMMISSIONERS FOR COTTONWOOD COUNTY, MINNESOTA**, as follows:

1. Cottonwood County, Minnesota, shall rank the three Census Tracts in Cottonwood County and shall act as the legal sponsor and applicant for the Opportunity Zones Program which application is to be submitted on or before March 8, 2018; and the Board Chairman, County Auditor, and/or County Coordinator, individually or jointly as required, are hereby authorized, on behalf of Cottonwood County, Minnesota, to submit said application and execute any documents required for said submission.
2. Cottonwood County has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capacity to ensure adequate project administration.
3. Cottonwood County has not violated any Federal, State, or local laws pertaining to fraud, bribery, graft, kickbacks, collusion, conflict of interest or other unlawful or corrupt practice.
4. Resolutions or commitments of support have been received from the cities located in the Census Tract(s) that meet the principles outlined in the program.
5. Upon approval of its application in the Opportunity Zones Program, Cottonwood County is authorized to enter into agreements for the approved project(s) as required. Cottonwood County certifies that it will comply with all applicable laws and regulations, for which its compliance is required, as stated in the program agreements.
6. The Chairman of the Cottonwood County Commissioners and/or the Cottonwood County Auditor, individually or jointly as required, are hereby authorized, on behalf of the County, to execute such agreements as are necessary for signature on the County’s part to implement the project(s) in Cottonwood County approved for participation in the Opportunity Zones Program.

Adopted this 6th day of March, 2018.

S/Donna L. Gravley, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Hage stated that he has received a Home Initiative application from David Derickson for building a single family home. Hage stated that all requirements, to date, have been met so a public hearing date needs to be set. Motion by Stevens, second by Schmidt, unanimous roll call vote to approve resolution 18-03-06A as follows:

**Resolution No. 18-03-06 A**

**Resolution Calling for a Public Hearing on Proposed Tax Abatement  
for New Residential Project**

**WHEREAS**, Cottonwood County is committed to the best interests of the citizens of Cottonwood County; and

**WHEREAS**, Minnesota Statutes §469.1813 gives authority to a County to grant an abatement of 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 approved the Cottonwood County Home Initiative Guidelines (the "Guidelines") and program documentation; and

**WHEREAS**, David S. Derickson and Jody M. Derickson, husband and wife, (the "Dericksons") are the owners of the following described real estate within Cottonwood County, Minnesota:

Parcel #: 25-232-0100

Address of Property: 1261 River Road, Windom, MN 56101

Legal Description of Property: The Northwest 130 Feet of the Southeast 192 Feet of Lot G of Drake's Subdivision in the City of Windom, Cottonwood County, Minnesota, (abbreviated description); and

**WHEREAS**, the Dericksons propose to a construct a new home on this property; and

**WHEREAS**, the Dericksons have requested tax abatement on this property pursuant to the Guidelines; and

**WHEREAS**, the abatement of taxes on the above-described parcel would be for the period of five (5) years commencing on the first year of taxes, payable for the assessed value related to the capital improvements, as outlined in the Guidelines; and

**WHEREAS**, based on an Estimated Market Value of \$200,000 for the new home and based on 2017 tax rates, the estimated tax abatement for Cottonwood County for this property would be approximately \$617 per year. The total estimated tax abatement by Cottonwood County for the five-year period is approximately \$3,085. (These figures were calculated using 2017 tax rates. The market value for the project is only an estimate, since the building has not been constructed and the tax rates will change each year.)

**WHEREAS**, Minnesota Statutes require that a public hearing be held prior to the approval of the proposed tax abatement.

Now, therefore, **BE IT RESOLVED by the COUNTY COMMISSIONERS FOR COTTONWOOD COUNTY, MINNESOTA**, as follows:

1. Public Hearing. A public hearing to consider the proposed tax abatement, as set forth above, shall be held on Tuesday, March 20, 2018, at 9:30 a.m. in the County Commissioners' Room in the Cottonwood County Courthouse, 900 Third Avenue, Windom, Minnesota.
2. Notice of Public Hearing. The Cottonwood County Auditor is authorized and directed to cause notice of the hearing to be published once in a newspaper of general circulation in the County at least 10 days, but less than 30 days, prior to the date for the hearing. The public hearing notice

shall include a description of the property for which the abatement is being considered and the total estimated amount of the proposed tax abatement based on current information.

Adopted this 6th day of March, 2018.

S/Donna L. Gravley, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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Nick Klisch, County Engineer/Public Works Director, and Jed Rhubee, Highway Maintenance Superintendent, met with the board to discuss a few items. Klisch asked for approval to make the final payment to PCI Roads for Project SP 017-601-022, the concrete overlay on County Road 1. The total cost of the project was \$3,602,985.96. Motion by Holmen, second by Appel, unanimous vote to make a final payment to PCI Roads for Project SP 017-601-022 in the amount of \$558,597.06.

Klisch presented bids for Project 017-599-088 Ann Township Bridge. Motion by Stevens, second by Schmidt, unanimous vote to accept low bid from River Ridge Constructions in the amount of \$204,654.00 for Project 017-599-088. (Bids are on file in the County Coordinator's office.)

Klisch led discussion regarding information received from the Minnesota Department of Transportation regarding recommendations from stakeholders and the public for projects to be considered for the 2018 Corridors of Commerce program. Klisch stated that a recommendation was received regarding Highway 60 bypassing Windom. After much discussion, Klisch should bring back to the board at the March 20th meeting for a final vote.

Rhubee led discussion regarding the purchase of two International tandem dump trucks equipped with snow equipment and the trade-in of two Mack trucks. Rhubee stated that the Highway Department would like to purchase two 2019 International HV513 trucks for a total of \$231,543.52 and trade-in the 2009 and 2010 Mack GU713 trucks for a value of \$55,000 each. Both of the new trucks would be equipped with snow attachments for a total of \$144,016. The total expense would be approximately \$265,559.52. Motion by Schmidt, second by Holmen, unanimous vote to purchase two International HV513 trucks from Astleford International and equip with snow equipment from TBEI, state quotes, at an amount not to exceed \$280,000 including trade-ins.

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Nick Anderson, County Attorney, presented a negotiated legal services contract for a court appointed attorney with Muske, Muske, Suhrhoff, and Pidde. The hourly rate negotiated is \$105 per hour. Motion by Appel, second by Schmidt, unanimous vote to approve the legal services contract with Muske, Muske, Suhrhoff, and Pidde for a court appointed attorney at the rate of \$105 per hour and allow board chair to sign.

Anderson informed the board that the N71 Building office space lease with the DNR has been completed and signed.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Stevens, second by Holmen, unanimous vote to move Kristi Meyeraan, Assistant County Attorney, to permanent full-time status effective March

6, 2018 and move Pam Hogan, Corrections Administrative Assistant, to permanent full-time status effective March 16, 2018.

Motion by Appel, second by Stevens, unanimous vote to promote Mike Meeks to the Lead Heavy Equipment Mechanic position effective March 6, 2018 at the rate of \$22.94 per hour, which is Range 13, Step D.

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Motion by Schmidt, second by Holmen, unanimous vote to approve March warrants as follows:

County Revenue Fund	\$ 40,163.43
Long Term Capital Outlay	\$ 173.26
County Building Fund	\$ 2,858.84
Agency Fund	\$ 90.00
County Revenue Fund	\$ 498.81
Road and Bridge Fund	\$ 34,197.11
Landfill Enterprise	<u>\$ 2,380.75</u>
	\$ 80,362.20

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Commissioner Appel updated the board on a few items. The SWCD office has received a request from the Board of Water and Soil Resources (BWSR) for a forensic audit; reminded Commissioners to be sure to read the email regarding the landfill and some test wells; and that the JD#1 Redetermination Public Hearing is set for April 3 at 1:00 p.m. and that a continuation of the violation meeting will be held after the public hearing.

Commissioner Stevens informed the board that the new ceiling and lights have been installed at the Historical Society.

Commissioner Schmidt informed the board of some information he has found out regarding the grant for Courthouse windows.

Commissioner Gravley informed the board that A.C.E. has switched from Centurylink to Windomnet. Gravley informed the board that she wants to designate an Appreciation Day for Volunteers again this year and will bring the necessary information to a future meeting.

Commissioners Holmen, Schmidt, Appel and Gravley commented on the AMC Legislative Meeting they attended February 28 – March 1.

Commissioners Holmen and Appel will be meeting with Apex Wind Towers on March 7<sup>th</sup>. Motion by Stevens, second by Schmidt, to pay a per diem to Commissioners Holmen and Appel for their meeting with Apex. Voting Aye – Stevens, Holmen, and Appel. Voting Nay – Schmidt. Motion passed.

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There being no further business, the meeting was adjourned at 10:23 a.m.

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Jan Johnson, Auditor/Treasurer

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Donna L. Gravley, Board Chair

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Kelly Thongvivong, County Coordinator