

July 17, 2018  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, July 17, 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, Nick Klisch, Gale Bondhus, Drew Hage, Steve Nasby, and Rahn Larson.

Chairman Gravley called the meeting to order. The Pledge of Allegiance was recited. Motion by Schmidt, second by Stevens, unanimous vote to approve the agenda as amended. Motion by Holmen, second by Appel, unanimous vote to approve the minutes of the July 3, 2018 regular board meeting as amended.

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Nick Klisch, County Engineer/Public Works Director, met with the board to discuss a few items. Klisch led discussion regarding Wheelage Tax and Local Option Sales Tax. Klisch informed the board that Cottonwood County presently has a \$10 wheelage tax and State Statute allows counties to impose a wheelage tax of up to \$20. Klisch stated that State Statute allows Counties to impose a 0.5% Local Option Sales Tax. Klisch reminded the board that the Local Option Sales Tax monies generated would be dedicated to fund road projects in Cottonwood County and that a public hearing would need to be held. No action was taken.

Motion by Schmidt, second by Appel, unanimous vote to accept a \$100 donation for Talcot Park from the Westbrook Lions Club.

Klisch presented bids for Project 017-607-20 – CSAH 7 bridge replacement as follows: Icon Constructors, LLC - \$1,022,976.90, Prahm Construction, Inc. - \$1,112,618.90, Robert R Schroeder Construction - \$1,260,079.90, Duininck Bros., Inc. - \$1,266,841.40, and Redstone Construction, Inc. - \$1,388,110.80. Motion by Schmidt, second by Holmen, unanimous vote to accept the low bid of \$1,022,976.90 from Icon Constructors, LLC for Project SAP 017-607-20 – CSAH 7 bridge replacement.

Klisch stated that because state grant funds will be used for the CSAH 7 bridge replacement a resolution needs to be adopted accepting the terms and conditions of the grant. Motion by Appel, second by Stevens, unanimous roll call vote to adopt resolution 18-07-17A as follows:

**RESOLUTION 18-07-17A**

**For Agreement to State Transportation Fund  
Local Bridge Replacement Program  
Grant Terms and Conditions**

**SAP 017-607-020**

*July 17, 2018*

WHEREAS, Cottonwood County has applied to the Commissioner of Transportation for a grant from the Minnesota State Transportation Fund for construction of Bridge No. 17537; and

WHEREAS, the Commissioner of Transportation has given notice that funding for this bridge is available; and

WHEREAS, the amount of the grant has been determined to be \$448,285.50 by reason of the lowest responsible bid;

NOW THEREFORE, be it resolved that Cottonwood County does hereby agree to the terms and conditions of the grant consistent with Minnesota Statutes, section 174.50, subdivision 5, clause (3), and will pay any additional amount by which the cost exceeds the estimate, and will return to the Minnesota State Transportation Fund any amount appropriated for the bridge but not required. The proper county officers are authorized to execute a grant agreement with the Commissioner of Transportation concerning the above-referenced grant.

S/Donna L. Gravley, Board Chairman

S/Jan Johnson, Auditor/Treasurer

Klisch gave an update on the recent flooding and stated that all the bridges affected by the flooding have been inspected and are in good condition. Klisch also stated that there was good team effort by the county, city and state.

Chairman Gravley stated she would like to publicly acknowledge all the county, city, and state departments, businesses, and members of the public that helped during the flood and thank them for their assistance.

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Jan Johnson, Auditor/Treasurer, presented bids for the tear down of a tax forfeiture property in Mountain Lake. Bids were as follows: Lohrenz Excavating, Inc. - \$4,750.00 and Noomen Excavating, LLC - \$4,250.00. Motion by Schmidt, second by Appel, unanimous vote to accept low bid of \$4,250.00 from Noomen Excavating, LLC for the tear down of the tax forfeiture property in Mountain Lake, Parcel Number 22-415-0010.

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A public hearing was held in regard to the residential property tax abatement applied for by Tom and Marlys Christensen for the construction of a new home on parcel number 25-796-0010. No opposition to the abatement was heard prior to or at the hearing. Motion by Stevens, second by Schmidt, unanimous roll call vote to approve the Tom and Marlys Christensen Home Initiative application and resolution 18-07-17 as follows:

**Resolution No. 18-07-17**

**RESOLUTION APPROVING TAX ABATEMENT FOR CERTAIN PROPERTY PURSUANT TO MINN. STAT. §469.1813**

**WHEREAS**, Minnesota Statutes §469.1813 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**, Marlys G. Christensen and Thomas H. Christensen (wife and husband), in their capacities as Trustees under the Marlys G. Christensen Living Trust dated December 19, 2012, (the "Christensens") are the owners of the following described real estate within Cottonwood County, Minnesota:

- Parcel #: 25-796-0010
- Address of Property: 2960 Country Club Drive, Windom, MN 56101
- Legal Description of Property: Lot 1, Block 1 of John Vera Voth Subdivision in the City of Windom, Cottonwood County, Minnesota; and

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

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

**WHEREAS**, Christensens 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**, 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 and finds that the proposed abatement is in the public interest because it will increase or preserve the tax base.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF COTTONWOOD COUNTY, MINNESOTA, AS FOLLOWS:**

1. Cottonwood County does hereby grant an abatement to Marlys G. Christensen and Thomas H. Christensen (wife and husband), in their capacities as Trustees under the Marlys G. Christensen Living Trust dated December 19, 2012, 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. 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 17th day of July, 2018.

S/Donna L. Gravley, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Appel, second by Schmidt, unanimous vote to move Alex Schultz, Planning and Zoning Technician, to permanent full-time status effective July 24, 2018.

Motion by Schmidt, second by Holmen, unanimous vote to accept Wade Pfeiffer's resignation as full-time Heavy Equipment Operator effective August 2, 2018 with appropriate payout of benefits.

Motion by Schmidt, second by Appel, unanimous vote to hire Jeremy Curry as full-time Solid Waste Technician effective July 26, 2018. He will begin on Range 10, Step A of the 2018 pay matrix.

Motion by Holmen, second by Stevens, unanimous vote to approve the revisions to the Procurement Policy as presented and to allow for a 30-day posting period.

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Motion by Schmidt, second by Appel, unanimous vote to approve July warrants as follows:

County Revenue Fund	\$ 74,407.37
Road and Bridge Fund	\$ 727.00
Long Term Capital Outlay	\$ 158.60
County Building Fund	\$ 5,180.00
Ditch Fund	\$ 55.59
County Revenue Fund	\$ 3,158.69
Road and Bridge Fund	\$157,619.76
Waste Abatement/Score Fund	\$ 2,949.00
Landfill Enterprise Fund	<u>\$ 16,477.15</u>
	\$260,733.16

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Motion by Stevens, second by Holmen, unanimous vote to pay the following 2018 yearly appropriations: Cottonwood County Ag Society - \$18,000; Westbrook Senior Center - \$2,200; Storden Senior Center - \$2,200; Jeffers Senior Center - \$2,200; Mt. Lake Senior Center - \$2,200; Windom Senior Center - \$2,200; Mt. Lake Heritage Village - \$1,700; Westbrook Heritage House - \$1,700; Southwest Crisis Center - \$700; and Small Business Development Center - \$2,000.

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Commissioner Holmen stated that he attended the first meeting of the new joint powers organization, Counties Providing Technology, on Monday, July 16 in Morris. The board of the new organization voted that the capital contribution for each member that has the joint powers agreement will be \$175,000. These funds are intended to address costs associated with the hiring of an executive director, legal fees, the purchase of CPUI, potential employment agreements with existing staff, cash flow and other expenses associated with the creation of a new governmental entity.

Commissioner Appel gave an update on the 10<sup>th</sup> street building that was recently purchased for office space. Appel also reminded the board that budgets will be discussed in August.

Commissioner Schmidt gave an update on the Courthouse domes and Pat's Grove.

Commissioner Gravley informed the board that the Public Works Director and the Public Works Superintendent have applied for an Emerald Ash Borer Grant and have been selected to submit a final application.

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There being no further business, the meeting was adjourned at 10:25 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