

October 9, 2012  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, October 9, 2012 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Presiding over the meeting was Chairman Norm Holmen. Present for all or portions of the meeting were: Commissioners Norm Holmen, John Oeltjenbruns, Jim Schmidt, Tom White, Ron Kuecker; Executive Assistant Kelly Thongvivong; Auditor/Treasurer Jan Johnson; County Attorney Nick Anderson; Karen Swenson, Andy Olson, Dave Bucklin, Gale Bondhus, Kim Hall, Ron Gregg, Rahn Larson, Alan Coners, Craig Myers and Bob Pankratz.

Motion by White, second by Oeltjenbruns, unanimous vote to approve additions to the agenda. Motion by Kuecker, second by Schmidt, unanimous vote to approve the minutes of the October 2, 2012 meeting as amended.

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County Attorney Nick Anderson met with the board to present quotes for new hardware equipment for the County Attorney's Office for compliance with a new system that will be installed in the office. No action was taken as the board would like to request a second quote for each item.

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Karen Swenson, Brown-Nicollet Environmental Health, met with the board to present the 2013 contract between Cottonwood County and Brown-Nicollet Community Health for licensing and inspection of food, beverage, lodging, public swimming pools, manufactured home parks, recreational camping areas and youth camps for Cottonwood County. Motion by White, second by Oeltjenbruns, unanimous vote to approve the 2013 contract and food fees offered by Brown-Nicollet Community Health to Cottonwood County.

Swenson presented a copy of the report for the evaluation of the Environmental Health Program for Brown-Nicollet, Cottonwood and Watonwan Counties.

Discussion was held regarding a letter that the Board Chairman recently received from Brown-Nicollet Community Health. The letter was informing the board about a violation of a Cottonwood County campground as to the number of campsites allowed per state and county ordinance. The board agreed to make the Sheriff's Department aware of this matter so that future violations can be enforced. Motion by Kuecker, second by White, unanimous vote to instruct the County Attorney to send a Notice of Violation to the specific campground that is in violation of the state and county ordinance.

Brief discussion was held regarding notification that was received for plan review of the Island View campground addition in Mt. Lake.

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Andy Olson met with the board to voice his concerns regarding the new engineer hire.

Dave Bucklin, SWCD, met with the board to present a Minnesota Wetland Conservation Act Notice of Decision for Ron Jorgenson for a pond excavation. This project qualifies as a No-Loss Decision and the proposed excavation was approved with five conditions as listed. Motion by Oeltjenbruns, second by Kuecker, unanimous vote to approve Minnesota Wetland Conservation Act Notice of Decision and to allow Chairman Holmen to sign.

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Motion by Schmidt, second by White, unanimous vote to approve October warrants as follows:

County Revenue Fund	\$157,522.25
Long Term Capital Outlay	\$ 9,101.90
Ditch Fund	\$ 6,927.17
Agency Fund	\$ 3,764.75
Taxes & Penalties Fund	\$ 991.30
Road & Bridge	\$ 34,171.52
Waste Abatement	\$ 1,953.00
Landfill Enterprise	<u>\$ 17,730.16</u>
	\$232,162.05

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No further information was available regarding whether or not the county could participate in an upcoming surplus equipment auction.

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County Assessor Gale Bondhus met with the board to discuss filling of the vacant position in the Assessor's Office. After much discussion, there was a motion by Kuecker, second by Oeltjenbruns, unanimous vote to follow Option 1 as presented by Bondhus and to post and advertise for the vacant position in the Assessor's Office.

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Emergency Management Director Kim Hall met with the board to discuss a few different items. Hall reported that Cottonwood County was awarded with a 2012 EMPG grant in the amount \$16,454. Motion by Kuecker, second by Schmidt, unanimous vote to accept the grant and to allow Chairman Holmen to sign.

Hall presented two quotes for the purchase of an AED for the Sheriff's Department as follows: Heartsmart - \$1,075 and Allied 100 - \$1,145. Motion by White, second by Schmidt, unanimous vote to accept the low quote in the amount of \$1,075 from Heartsmart. This will be paid for with funds from the Safety budget.

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County Engineer Ron Gregg met with the board to discuss several items. The board reviewed the Cottonwood County Highway budget and asked a few questions.

Gregg gave an update regarding the gravel-crushing project. He reported that there is approximately 35,000 tons of gravel at this point and it appears the overall totals could increase.

Gregg reported that a resolution needs to be approved and signed for the advancement of regular state aid funds to pay for engineering costs on past federal projects. Motion by White, second by Oeltjenbruns, unanimous roll call vote to adopt resolution (on file in Commissioner's Room) for the advancement of \$154,256.93 to pay for engineering costs on past federal projects.

Gregg gave an update on the construction of cell no. 7 and the frost layer construction. Because this project may not be done before the end of the week Gregg will communicate with Andy Geiger and update him on the status of the project.

Gregg presented a final statement to the County Board as departing County Engineer of Cottonwood County.

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Motion by Oeltjenbruns, second by White, unanimous vote to appoint Gerald Engstrom as acting interim County Engineer effective October 15, 2012.

Motion by Oeltjenbruns, second by Schmidt, unanimous vote to contract with Gordy Olson at a rate of \$35/hour (three 7-hour days/week) effective October 22, 2012 to provide services to the Environmental Office in the interim period of Andy Geiger's departure and before the vacant position is filled.

Discussion was held in regards to who is going to handle the landfill in the interim period. Chairman Holmen will plan to communicate with Gerald Engstrom in regards to this matter and will discuss this with Andy Geiger as well.

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Motion by White, second by Schmidt, unanimous roll call vote to adopt resolution as follows:

#### **Resolution 12-10-09A**

#### **Resolution Approving Property Tax Abatements to Assist in Financing Improvements to be made by Global Investment Properties, LLC (Big Game Treestands) in the City of Windom, Cottonwood County, Minnesota**

**WHEREAS**, Global Investment Properties, LLC (Big Game Treestands) (the "Company") owns property (the "Property") located at 1905 First Avenue in the City of Windom: PID No. 25.164.0021; and

**WHEREAS**, the Company has proposed to complete a renovation of the old 9,600 square foot Lewis Drug building; and

**WHEREAS**, the Company has requested that Cottonwood County consider abatement of the County's share of the property taxes on the Property which will be generated by these renovations, and property taxes on existing improvements will not be affected by this proposed tax abatement; and

**WHEREAS**, renovation and site preparation costs are eligible expenses for tax abatement and the Company is requesting tax abatement to assist with these costs; and

**WHEREAS**, the Company also made a request to the City of Windom, Minnesota, for abatement of the City's share of the property taxes generated by the new improvements; and on September 18, 2012, the City Council for Windom, Minnesota, approved the proposed tax abatement program

concerning the City's share of property taxes, from the new development, for an abatement period of ten (10) years beginning in 2014 through 2024; and

**WHEREAS**, the County has elected to consider abatement for a period eight (8) years; and

**WHEREAS**, based on estimated eligible expenses, projected increases in property valuation created by the renovations, and current tax rates, the maximum aggregate amount of the County's share of the abatement for eight (8) years (the "Abatement") would be \$25,753; and

**WHEREAS**, if the City participates in the proposed tax abatement program for 10 years and the County participates for 8 years, it is estimated that the abatement would be in the approximate amount of \$101,795; and

**WHEREAS**, a public hearing on the proposed tax abatement was held before the Cottonwood County Commissioners at their regular meeting on September 25, 2012, following proper legal notice of said public hearing; and

**WHEREAS**, the Abatement is authorized under *Minnesota Statutes*, Sections 469.1812 through 469.1815 (the "Abatement Law"); and

**WHEREAS**, the Cottonwood County Commissioners make the following findings concerning the proposed abatement:

1. The Commissioners expect the benefits to the County of the Abatement to at least equal the costs thereof.
2. Granting the Abatement is in the public interest because it will assist in the development of real property, increase or preserve the tax base of the County, and retain or provide employment opportunities in the County.
3. The Commissioners expect the public benefits described above to be derived from the Abatement.
4. During the period of abatement, the Property will not be located in a tax increment financing district.
5. In any year, the total amount of property taxes abated by the County by this and other resolutions does not exceed the greater of ten percent (10%) of the current net tax capacity or \$200,000.

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

1. The Abatement is hereby approved. The terms of the abatement shall be as follows:
  - A. The Abatement shall be for a maximum of eight (8) years and shall apply to the taxes payable in the years 2014 through 2021, inclusive.
  - B. The Abatement shall be for 100% of the County's share of the increased ad valorem property taxes generated by the Property as a result of the proposed development of the Property by the Company. The Abatement will be used to reimburse the Company for its payment of eligible costs of the redevelopment.
  - C. The Company has agreed to transfer 35 jobs to the new headquarters location at 1905 First Avenue upon completion of the renovation; and, as a condition for granting the

abatement, shall add a minimum of 5 new fulltime jobs at said location by December 31, 2015. Following December 31, 2015, the Company shall retain at least 40 fulltime jobs at said location. Failure to comply with these requirements will result in the loss of the abatement from the County for the following year.

- D. The Company shall annually provide the County with a summary of job data to verify the number of its employees at the 1905 First Avenue location for the years ending December 31, 2013, through December 31, 2020.
- E. The Abatement may not be modified or changed during the term set forth above, except with the prior written consent of the Company, the City, and the County.
- F. The Abatement shall be subject to all the terms and limitations of the Abatement Law.
- G. In order to be entitled to the Abatement, the Company shall not be in default to the City and County for any of its payment obligations respecting any taxes, assessments, utility charges or other governmental impositions.

2. Upon completion of negotiations with the Owner/Developer, the City of Windom Staff will be presenting to the Cottonwood County Commissioners, for their approval, a property tax abatement pledge agreement between Cottonwood County and the City of Windom.

Adopted this 9th day of October, 2012.

S/Norm Holmen, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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The board recessed at 12:15 p.m. and was called back to order at 1:00 p.m.

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Motion by White, second by Oeltjenbruns, unanimous vote to allow Greg Walsh to renew remote support of the computer system in the amount of \$666 and to use the county credit card for this purchase. This allows him to connect to computers in Cottonwood County and to do remote support from Watonwan County.

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Motion by Kuecker, second by White, unanimous vote to set Truth in Taxation meeting for December 11<sup>th</sup> at 6:00 p.m.

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A carpet quote obtained by the Southwest/West Central Service Cooperative was presented for the board's review. The board asked that another quote (greater than 20oz.) be obtained to compare the difference in carpet quality. Auditor/Treasurer Jan Johnson agreed to follow-up on this matter.

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Motion by Kuecker, second by Oeltjenbruns, unanimous vote to approve payment in the amount of \$272.41 to CDW for an Office 2010 upgrade for the Commissioner's Office.

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Much discussion was held regarding the potential Health & Human Services merger between Cottonwood and Jackson Counties. A list of items to be discussed was presented so that discussion could be held regarding some of the questions and

concerns that still need to be answered. The board suggested a possible work session between the two county boards to discuss some of these issues further.

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Much discussion was held regarding the potential hiring of a Public Works Director. Draft copies of two (Public Works Director and County Engineer) job descriptions were reviewed by the board for their input. This will be discussed further at the next board meeting.

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There being no further business, the meeting adjourned at 3:32 p.m.

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Jan Johnson, Auditor/Treasurer

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Norm Holmen, Board Chairman

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Kelly Thongvivong, Executive Assistant