

March 5, 2019  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 5, 2019 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, Larry Anderson; County Coordinator Kelly Thongvivong, County Attorney Nick Anderson, Auditor/Treasurer Jan Johnson, Kathy Marsh, Nick Klisch, Jed Rhubee, Kyle Pillatzki, Brad Bolduan, Rose Purrington, Shannon Purrington, Geof Johnson, Drew Hage, Austin Hopwood, Alex Schultz, Hannah Herzfeld, Gale Bondhus, and Rahn Larson.

Chairman Holmen called the meeting to order. The Pledge of Allegiance was recited. Motion by Gravley, second by Stevens, unanimous vote to approve the agenda as amended. Motion by Appel, second by Anderson, unanimous vote to approve the minutes of the March 5, 2019 meeting.

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Brad Bolduan, Minnesota DNR, met with the board to get approval for a donation of a 41 acre parcel of land in sections 9 and 16 of Great Bend Township. Bolduan stated this property is a largely unbroken prairie and contains a population of federally threatened plants. Both the DNR and the Purrington family would like to keep this land as a Scientific and Natural Area. Motion by Stevens, second by Appel, unanimous vote to approve the land acquisition by the Department of Natural Resources of approximately 41 acres in Section 9 and 16 of Great Bend Township.

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Drew Hage, Windom EDA Director, stated that he has received a Home Initiative application from Lindsey and Jane Cartwright for a new, single family home. Hage stated that all requirements to date have been met so a public hearing date needs to be set. Motion by Gravley, second by Stevens, unanimous roll call vote to approve resolution 19-03-05 as follows:

**Resolution 19-03-05**

**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**, Lindsey A. Cartwright ("Cartwright") is the owner of the following described real estate within Cottonwood County, Minnesota:

Parcel #: 25-673-0450

Address of Property: 1204 River Road, Windom, MN 56101

Legal Description of Property: Part of Lots 5 and 6 of Block 4 in Ringkob and Pope's Addition to the City of Windom, Cottonwood County,

Minnesota, *described* as a rectangular tract in Lot 5 with a frontage of 57.33 feet and an adjoining triangular tract in Lot 6 with a frontage of 69 Feet (abbreviated description); and

**WHEREAS**, Cartwright proposes to a construct a new home on this property; and

**WHEREAS**, Cartwright has 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**, the estimated market value submitted by the Applicant is \$85,000; and

**WHEREAS**, based on an Estimated Market Value of \$100,000 for the new home and based on 2018 tax rates, the estimated tax abatement for Cottonwood County for this property would be approximately \$376 per year. The total estimated tax abatement by Cottonwood County for the five-year period is approximately \$1,880. (These figures were calculated using 2018 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 19, 2019, at 9:05 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 5th day of March, 2019.

S/Norman Holmen, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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Austin Hopwood, President of the Mountain Lake Golf Course Board, met with the board to get approval for acknowledgement of a single-day gambling event. Hopwood stated that the approval of the County is necessary on the gambling permit as the Mountain Lake Golf Course is located in a township. Motion by Appel, second by Anderson, unanimous vote to approve and acknowledge that the Mountain Lake Golf Course is applying for an Exempt Permit for a gambling premises located in a township with no waiting period.

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Motion by Stevens, second by Appel, unanimous vote to participate in National Service Recognition Day on Tuesday, April 2, approve advertising on KDOM and in the *Citizen*, and approve the purchase of refreshments to be served from 8:30 a.m. to 9:00 a.m. on April 2 in the Courthouse Rotunda, all to recognize

volunteers.

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Motion by Gravley, second by Appel, unanimous vote to pay a per diem to Commissioners attending the County Board Roundtables in Mankato on March 27, 2019.

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Alex Schultz, Planning and Zoning Technician, met with the board to get approval for two Conditional Use Permits. Motion by Appel, second by Stevens, unanimous vote to approve the Conditional Use Permit request from Clark Fast for a dwelling within shoreland in Midway Township, Section 11, with the following conditions: (1) To be compliant with Cottonwood County Zoning Ordinance #28 and #38; (2) erosion control measures shall be in place during construction; (3) dumpster or refuse container shall be onsite during construction; (4) secure all necessary Federal/State/County permits and fees; (5) provide approved SSTS plan from the County; and (6) abide by setbacks with the City of Mountain Lake for the trail.

Motion by Gravley, second by Anderson, unanimous vote to approve the Conditional Use Permit request from Curtis Gode for a dwelling addition within shoreland in Germantown Township, Section 7, with the following conditions: (1) To be compliant with Cottonwood County Zoning Ordinance #28 and #38; (2) erosion control measures shall be in place during construction; (3) dumpster or refuse container shall be onsite during construction; and (4) secure all necessary Federal/State/County permits and fees.

Schultz and Hannah Herzfeld, SWCD Resource Technician, presented a draft buffer notice of violation letter for review and answered any questions the board had. Herzfeld stated that the administrative penalty order and corrective action notice have been combined into one letter and will be sent the end of March by certified mail to 84 landowners.

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Nick Klisch, County Engineer/Public Works Director, and Jed Rhubee, Public Works Superintendent, met with the board to discuss a few items. Klisch asked for the board to approve applying for a matching grant from the Minnesota Department of Health in an amount of \$10,000. Klisch stated the grant money would help with the expense of getting Red Rock Rural Water to Dutch Charlie Park. After much discussion, no action was taken and Klisch should bring back to the March 19 meeting.

Klisch stated that a new roller to replace the 1987 Hyster Roller was budgeted for in 2019. Klisch stated that a new roller could not be found locally and that Ziegler CAT of Jackson recently took in a used roller and is giving Cottonwood County the first option to buy for the price of \$61,500. The roller is a 2011 CAT PS-150C with 1,819 hours, but includes a full inspection and full preventative maintenance service, delivery and a 6 month/500 hour parts and labor powertrain warranty with \$0 deductible. Motion by Gravley, second by Stevens, unanimous vote to purchase the used 2011 CAT PS-150C from Ziegler CAT – Jackson in the amount of \$61,500.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Appel, second by Anderson, unanimous vote to accept the retire-

ment resignation from Charles Barrie (full-time HEO) effective March 31, 2019 with appropriate payout of benefits.

Motion by Gravley, second by Stevens, unanimous vote to post internally for the position of full-time Heavy Equipment Operator – Westbrook for seven days and then dependent upon any internal transfers, advertise for a Heavy Equipment Operator in the location that is vacant.

Thongvivong led follow-up discussion regarding the Section 8 Housing funding request that was presented at the March 5 meeting. No action was taken and the board asked Thongvivong to relay this information to Randy Thompson, Executive Director Worthington HRA.

Motion by Gravley, second by Stevens, unanimous vote to accept the resignation of Terry Thompson (full-time Solid Waste Technician) effective March 15, 2019, with appropriate payout of benefits.

Motion by Anderson, second by Appel, unanimous vote to post internally for seven days and then advertise for the position of full-time Solid Waste Technician.

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Motion by Appel, second by Stevens, unanimous vote to approve March warrants as follows:

County Revenue Fund	\$ 25,858.39
Long Term Capital Outlay	\$ 2,503.00
County Building Fund	\$ 34,717.35
Sinking Fund 2 (JD8,9,25)	\$ 495.00
Road and Bridge Fund	\$ 58,989.63
Landfill Enterprise	<u>\$ 24,851.13</u>
	\$147,414.50

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A work session was held following the regular meeting, at 10:35 a.m., to discuss: Additional Employees, Cell 8, Landfill Fees, Pat’s Grove Donation, Courthouse Parking Lot, Courthouse Windows, DVHHS Buildings, Bus Garage, Courthouse Steps, and Appointed vs. Elected.

Chairman Holmen led discussion regarding the February 19 meeting request for a part-time Scale Operator position at the Landfill. Nick Klisch, County Engineer/Public Works Director, and Kyle Pillatzki, Solid Waste Administrator, were present to answer questions the board had regarding this position. After much discussion, motion by Gravley, second by Stevens, unanimous vote to approve the Scale Operator job description and place on Range 7 of the wage matrix.

Motion by Anderson, second by Stevens, to approve advertising for a Scale Operator at a maximum of 20 hours per week. Voting Aye – Anderson, Stevens, and Gravley. Voting Nay – Appel. Motion passed.

Klisch then asked about the seasonal Engineering Worker. No action was taken.

Chairman Holmen asked Pillatzki to update the board on Cell 8. Pillatzki stated that the plans for Cell 8 are being developed by SEH, will go out for bids later in 2019, and will be built in early 2020. The approximate cost of building Cell 8 is \$600,000 and the current balance in the budget for this project is \$335,000.

Chairman Holmen led discussion regarding giving authority to the Public Works Director or the Solid Waste Administrator to reduce landfill fees in certain instances without presenting to the County Board. After much discussion, motion by Gravley, second by Anderson, unanimous vote to allow the Public Works Director or the Solid Waste Administrator to negotiate costs and terms for unusual requests to dispose of material at the Cottonwood County Landfill, including but not limited to: material from large commercial demolition or remodeling projects; material such as dirt that may be needed by the county; and material from accidents or natural disasters. Testing for hazardous materials may be required in these instances.

Commissioner Gravley led discussion regarding how the County is going to help with the Pat's Grove Stone House project. Klisch stated that \$20,000 has been raised to date and expenses are projected at \$26,000. Motion by Appel, second by Stevens, to commit \$5,000 for in-kind and supplies for improvements to Pat's Grove. Voting Aye – Appel, Anderson, and Stevens. Voting Nay – Gravley. Motion passed.

Commissioner Appel led discussion regarding the parking lot at the Courthouse. After much discussion, the board asked that the County Engineer get quotes on overlaying the existing parking lot and quotes on design example #12 as amended.

Chairman Holmen led discussion on Courthouse windows. After a short discussion, consensus of the board is to have Jim Schmidt come to a future board meeting for more discussion.

Commissioner Appel asked for the board's opinion on DVHHS building needs. After a short discussion, consensus of the board is to not commit to anything at this time.

Commissioner Appel led discussion regarding the bus garage. Discussion was had as to whether the existing doors should be widened or build a stand-alone building next to the existing building. Consensus of the board is for more research to be done.

Chairman Holmen led discussion regarding the east Courthouse steps as they are sliding away from the building. Commissioner Appel stated that he has talked to contractors about replacing the steps and also heating them, like the west steps. One contractor has responded with a quote and others have declined. Motion by Gravley, second by Stevens, unanimous vote to accept the quote from Negen Construction, LLC in the amount of \$7,927.00 for the removal and disposal of steps, gravel replacement, forming and re-pouring of the east steps.

Chairman Holmen led a short discussion regarding appointed vs. elected.

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There being no further business, the meeting was adjourned at 1:25 p.m.

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Jan Johnson, Auditor/Treasurer

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Norman Holmen, Board Chair

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Kelly Thongvivong, County Coordinator