

March 19, 2019  
Cottonwood County Board of Commissioners  
Regular Meeting  
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, March 19, 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, Andrew Spielman, David Bucklin, Lee Tapper, Jed Rhubee, Kyle Pillatzki, Gale Bondhus, Paul Johnson, Mark Schenk, and Rahn Larson.

Chairman Holmen 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 Gravley, second by Stevens, unanimous vote to approve the minutes of the March 5, 2019 meeting.

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A public hearing was held in regard to the residential property tax abatement applied for by Lindsey Cartwright for the construction of a single family home on parcel number 25-673-0450. No opposition to the abatement was heard prior to or at the hearing. Motion by Stevens, second by Anderson, unanimous roll call vote to approve the Lindsey Cartwright Home Initiative application and resolution 19-03-19A as follows:

**Resolution 19-03-19A**

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

**WHEREAS**, Cartwright has 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 LINDSEY A. CARTWRIGHT 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 19th day of March, 2019.

S/Norman Holmen, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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Dave Bucklin, SWCD District Technician, informed the board that Longroad Energy has submitted a Minnesota Wetland Conservation Act Notice of Application for wetland boundary or type in Storden Township, Sections 22-24, 27. Motion by Anderson, second by Appel, unanimous vote to approve the Longroad Energy Minnesota Wetland Conservation Act Notice of Application for wetland boundary or type.

Bucklin stated that the Minnesota Wetland Conservation Act Notice of Application submitted by Mark Evers is still being worked on and will be brought to the board at a future date.

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Jed Rhubee, Public Works Superintendent, met with the board to have further discussion on the MN Department of Health Grant application. Rhubee stated that the grant would be used for upgrading the water service at Dutch Charley, is a 50/50 matching grant, must be used within 18 months of receipt if granted, and if not used, is returned to the state. After much discussion, motion by Gravley, second by Anderson, unanimous vote to approve applying for the MN Department of Health Grant for upgrading water service at Dutch Charley.

Rhubee presented an agreement between Cottonwood County and Lakeside Township for routine winter maintenance on a half-mile stretch of road. Motion by Stevens, second by Anderson, unanimous vote to sign and enter into an agreement with Lakeside Township for routine winter maintenance on the half-mile concrete pavement section of 510<sup>th</sup> Avenue.

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Kyle Pillatzki, Assistant County Engineer/Solid Waste Administrator, met with the board to get approval for out-of-state travel to attend the 2019 Waste Expo in Las Vegas. Motion by Stevens, second by Gravley, to allow out-of-state travel for the Solid Waste Administrator to attend the 2019 Waste Expo in Las Vegas, Nevada, May 6 – 9, 2019. Voting Aye – Gravley, Stevens, and Anderson. Voting Nay – Appel. Motion passed.

Pillatzki also presented an amendment to the Lighting Agreement with the Minnesota Department of Transportation that was approved in 2018. Pillatzki stated that the amendment removed the lighting along Highway 62. Motion by Gravley, second by Stevens, unanimous vote to approve the amendment to the Lighting Agreement which removes lighting from Highway 62.

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Paul Johnson, Emergency Management Director, informed the board that on March 14, 2019, the Board Chair signed an emergency declaration that was valid for three days. Johnson would like the board to approve extending the State of Emergency for the flooding event of March 2019. Motion by Anderson, second by Stevens, unanimous roll call vote to approve resolution 19-03-19B as follows:

**Resolution 19-03-19B**

**Resolution Declaring a State of Emergency**

WHEREAS flooding due to rain and rapid snow melt impacted the population of Cottonwood County, its cities, and its townships; and

WHEREAS the flooding event has caused a significant amount of public property damage; and

WHEREAS Cottonwood County Board Chair Norm Holmen signed an emergency declaration March 14<sup>th</sup>, 2019, which is valid for three days according to MSS 12.29 Sub.1. The Board of Commissioners must pass a new resolution to extend the local emergency.

WHEREAS the Cottonwood County Department of Emergency Management requests the Cottonwood County Board of Commissioners to declare Cottonwood County in a STATE OF EMERGENCY for the flooding event of March 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Cottonwood County Board of Commissioners declares Cottonwood County in a State of Emergency for conditions resulting from the flooding event of March 2019.

Adopted by the Cottonwood County Board of Commissioners this 19th day of March. 2019.

S/Norman Holmen, Board Chairman

S/Jan Johnson, Auditor/Treasurer

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Jan Johnson, Auditor/Treasurer, presented his letter of retirement. Motion by Gravley, second by Appel, unanimous vote to accept Jan Johnson’s letter of retirement effective July 9, 2019.

Chairman Holmen stated that he had talked to Johnson prior to the meeting regarding the 2018 State Audit and stated that there is a possibility of contracting with Johnson for assistance in completing the audit.

Chairman Holmen stated that the next step is to develop a job description for the Auditor/Treasurer position so that the position can be advertised. The County Coordinator will work with Johnson to get this developed.

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Commissioner Appel asked for the board’s consensus regarding the Courthouse parking lot. After much discussion the consensus of the board is to mill and overlay the existing parking lot.

Commissioner Appel also asked for the board’s consensus on the bus garage. After much discussion, motion by Gravley, second by Stevens, unanimous vote to contract with I & S Group for engineering specifications on the remodeling of the two doors of the bus barn.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Gravley, second by Appel, unanimous vote to move Alex Yonker to permanent full-time status effective March 25, 2019 as Heavy Equipment Operator.

Motion by Stevens, second by Anderson, unanimous vote to promote Karla Ambrose to Deputy Assessor position as a result of receiving Senior Accredited Minnesota Assessor (SAMA) licensure and to place on Range 14-I retro to March 12, 2019.

Thongvivong and Chairman Holmen led discussion regarding the Southern Prairie Community Care (SPCC) resolution. After much discussion, no action was taken.

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

County Revenue Fund	\$114,549.80
Long Term Capital Outlay	\$ 5,244.96
County Building Fund	\$ 92,930.07
Taxes & Penalties Fund	\$ 3,445.00
County Revenue Fund	\$ 849.42
Road and Bridge Fund	\$191,364.31
Waste Abatement/Score Fund	\$ 65.00
Landfill Enterprise	<u>\$ 14,962.62</u>
	\$423,411.18

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Kelly Thongvivong, County Coordinator, presented a quote for the heating of the east steps from Schwalbachs. Motion by Anderson, second by Stevens, unanimous vote to accept the quote from Schwalbachs for the heating of the east Courthouse steps in an amount not to exceed \$17,505.66.

Thongvivong asked for the board’s thoughts on lowering the age for seasonal employees as we are not receiving many applications to fill the positions. Thongvivong stated that currently the minimum age for seasonal employees is 18. Consensus of the board is to leave the minimum age for seasonal employees at 18.

Commissioner Appel informed the board that the remodeling at the 10<sup>th</sup> Street Office building is going well and could be finished by mid-April. The target date for moving offices to the building is the first week of May.

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There being no further business, the meeting was adjourned at 11:17 a.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