

June 4, 2019
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, June 4, 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, Gale Bondhus, Jed Rhubee, Drew Hage, Don Reffer, David Bucklin, Carrie Bendix, and Rahn Larson.

Chairman Holmen called the meeting to order. The Pledge of Allegiance was recited. Motion by Anderson, second by Gravley, unanimous vote to approve the agenda. Motion by Appel, second by Stevens, unanimous vote to approve the minutes of the May 21, 2019 meeting.

* * * *

A public hearing was held in regard to the residential property tax abatement applied for by Chad and Nicole Frericks for the construction of a single family home on parcel number 25-456-0020. No opposition to the abatement was heard prior to or at the hearing. Motion by Stevens, second by Gravley, unanimous roll call vote to approve the Chad and Nicole Frericks Home Initiative application and resolution 19-06-04 as follows:

Resolution 19-06-04

**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, Chad S. Frericks and Nichole M. Frericks, husband and wife, ("Frericks") are the owners of the following described real estate within Cottonwood County, Minnesota:

Parcel #: 25-456-0020
Address of Property: 3055 Matthew Drive, Windom, MN 56101
Legal Description of Property: Lot 2 in Block 1 of Kountry Acres Subdivision No. 3 in the City of Windom, Cottonwood County, Minnesota.

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

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

WHEREAS, Frericks 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 CHAD S. FRERICKS and NICHOLE M. FRERICKS, husband and wife, 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 4th day of June, 2019.

S/Norman Holmen, Board Chairman

S/Jan Johnson, Auditor/Treasurer

*

*

*

*

Don Reffer, B&W Control Specialists, informed the board that he has been doing brush control in Cottonwood County since 1999. The program has evolved into a maintenance program to keep trees and brush under control in all county drainage ditches every three years.

Motion by Appel, second by Stevens, unanimous vote to recess as the County Board and to convene as the Ditch Authority.

Motion by Gravley, second by Stevens, unanimous vote to approve the B&W Control Specialist quote for an amount not to exceed \$48,000 for 2019 ditch maintenance in the listed drainage ditches in Cottonwood County as follows:

Con. J.D. #2	\$5500.00 (treat all sprayable trees – big trees no spray)
Co. D. #37	\$1500.00
J.D. #1 W & C	\$3500.00 (trees in pasture section 1 N.S. ?)
Co. D. #21	\$1500.00
Co. D. #39	\$2500.00
J.D. #10	\$2000.00
Co. D. #15	\$2500.00
Co. D. #43	\$4500.00 (ditchbank only by planted trees and hedges)
J.D. #8	\$2500.00
J.D. #9	\$4500.00
Co. D. #38	\$3500.00
Co. D. #42	\$2500.00
J.D. #3 M & C	\$3500.00
Co. D. #2	\$3500.00
J.D. #28	\$1000.00
J.D. #6	\$1000.00
J.D. #25	\$1000.00
Co. D. #30	\$1500.00

Reffer stated that if weed control is necessary in any of the ditches, he will contact the Auditor/Treasurer to see if it should be sprayed.

Motion by Appel, second by Anderson, unanimous vote to adjourn as Ditch Authority and reconvene as County Board.

* * * *

Dave Bucklin, SWCD District Technician, met with the board regarding two Wetland Conservation Act applications. Bucklin stated that the Windom EDA has initiated a Wetland Determination and requests a concurrence with the Wetland Boundary and Type. Motion by Anderson, second by Gravley, unanimous vote to approve the Windom EDA WCA Wetland Boundary and Type with the following conditions: (1) Any and all fill material within elevation contour line 1360.0 must be removed down to historic wetland bottom and hauled to an upland location. 1360.0 contour line will be considered the new wetland boundary in the location of fill, unless new wetland delineation is done after fill is removed that proves otherwise; (2) This line will be determined in the field and marked before removal. Removal will be verified by the Cottonwood SWCD; (3) Fill outside the 1360.0 elevation contour must be left in such a way as to prevent future erosion into wetland; (4) If removal does not happen within 12 months of the Notice of Decision, a Restoration order will be issued and this decision is voided; (5) GIS shapefile of revised wetland boundary (to the 1360.0 elevation in the fill removal area) shall be sent to David Bucklin within 30 days of Notice of Decision being issued.

Bucklin informed the board that the Jeffers Repower Project has previously completed a wetland Boundary and Type application and is now requesting a No-Loss Decision. Motion by Anderson, second by Gravley, unanimous vote (Commissioner Appel absent) to approve the No-Loss Decision application for the Jeffers Repower Project.

* * * *

Jed Rhubee, Public Works Superintendent, met with the board to discuss a few items. Rhubee presented bids for the haying and minor brush control at Schoper Bush Reservoir. Bids are as follows: Ethan Quade - \$900.00; Luke Engen- \$851.00; Warren Pankonin - \$700.00; Dave May - \$605.00; and D&D Ranch - \$255.00. Motion by Gravley, second by Anderson, unanimous vote to accept bid from Ethan Quade in the amount of \$900.00 per year for haying and minor brush control at Schoper Bush Reservoir and allow Chairman Holmen to sign a 5-year contract.

Rhubee presented the bids for Project 017-030-004, installing new or upgrading existing intersection lighting along State Highway 30. Bids were as follows: River City Electric Co. - \$287,244.00. Motion by Gravley, second by Anderson, unanimous vote to accept the bid from River City Electric Co. in the amount of \$287,244.00 for Project 017-030-004.

* * * *

Carrie Bendix, Executive Director – SWMN Private Industry Council, met with the board to review the 2018 Annual Report, to review the goals of the SWMN Regional Workforce Development Plan, and to summarize the Cottonwood County Welfare to Work Numbers for 2018.

* * * *

Kelly Thongvivong, County Coordinator, gave an update regarding the applications that were received for the Auditor/Treasurer position. Thongvivong reported that 13 applications were received for the position and five applicants were interviewed. Motion by Gravley, second by Appel, unanimous vote to hire Donna Torkelson as Deputy Auditor/Treasurer effective June 10 – July 9, for training purposes, and will become the appointed Auditor/Treasurer effective July 10 to serve out the remainder of the Auditor/Treasurer term, which is to end in January 2023, at a starting salary of \$78,400. Thongvivong also informed the board that Torkelson would be taking time off around the 4th of July.

* * * *

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

County Revenue Fund		\$ 15,997.96
Long Term Capital Outlay		\$ 361.42
County Building Fund		\$ 33,134.10
Taxes and Penalties Fund		\$ 545.00
County Revenue Fund		\$ 2,597.94
Road and Bridge Fund		\$ 39,516.28
Waste Abatement/Score Fund		\$ 1,162.00
Landfill Enterprise Fund		<u>\$ 3,524.94</u>
		<u>\$ 96,839.64</u>

* * * *

Kelly Thongvivong, County Coordinator, asked Nick Anderson, County Attorney, for an update on the Taylor Corp. property donation. Anderson stated that he has found out that an individual is interested in the property as they currently have GPS equipment on the property. Consensus of the board is to discontinue the process of the donation.

Thongvivong stated that she have been in contact with the two of the three union reps regarding negotiations for 2020-2021.

Thongvivong inquired as to who will be attending the District 8 meeting in Tyler on June 6th. Attending will be: Thongvivong, Appel, Gravley, Stevens, and Anderson.

* * * *

Commissioner Appel gave an update on the different building projects.

Chairman Holmen asked for possible dates for a work session. After much discussion, it was decided to schedule a work session for Tuesday, June 18th at 8:30 a.m.

* * * *

There being no further business, the meeting was adjourned at 11:05 a.m.

Jan Johnson, Auditor/Treasurer

Norman Holmen, Board Chair

Kelly Thongvivong, County Coordinator