

May 5, 2020
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, May 5, 2020 at 9:00 a.m. at the Cottonwood County Courthouse in Windom, MN. Present in person or via teleconference for all or portions of the meeting were: Commissioners Kevin Stevens, Tom Appel, Donna Gravley, Norm Holmen, Larry Anderson; County Attorney Nick Anderson, County Coordinator Kelly Thongvivong, Auditor/Treasurer Donna Torkelson, Kathy Marsh, Gale Bondhus, Drew Hage, Jason Purrington, Kathy Kretsch, Alex Schultz, Hannah Herzfeld, Lee Tapper, and Joel Alvstad.

Chairman Stevens called the meeting to order. The Pledge of Allegiance was recited. Motion by Anderson, second by Holmen, unanimous roll call vote to approve the agenda as amended. Motion by Gravley, second by Appel, unanimous roll call vote to approve the minutes of the April 21, 2020 regular meeting, April 24, 2020 special meeting, and May 1, 2020 special meeting.

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Drew Hage, Windom EDA Director, stated that he has received a Home Initiative application from Jerry and Jean Haberman 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 Holmen, second by appel, unanimous roll call vote to approve resolution 20-05-05 as follows:

Resolution No. 20-05-05

**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, on December 3, 2019, the Cottonwood County Commissioners established a valuation cap of \$290,000 per single-family home for which a tax abatement application is filed. The cap applies only to the County's share of the abatement. The Commissioners also approved the revised Guidelines and Cottonwood County's participation in the Home Initiative Program for another three-year period; and

WHEREAS, Jean M. Haberman and Jerry E. Haberman, wife and husband, ("Habermans") are the owners of the following described real estate within Cottonwood County, Minnesota:

Parcel #: 11-031-0405

Address of Property: 37663 560th Avenue, Mountain Lake, MN 56159

Legal Description of Property: That part of NE¼ of SE¼ of Section 31, Township 106 North, Range 34 West, Cottonwood County, Minnesota, described as follows: Commencing at the East Quarter corner of said Section 31; thence on an assumed bearing of South 0 Degrees 05 Minutes 39 Seconds East, along the East line of said section, a distance of 210.00 feet to an iron monument, said iron monument being the point of beginning of the tract to be described; thence continuing South 0 Degrees 05 Minutes 39 Seconds East, along said East line, a distance of 361.50 feet to an iron monument; thence South 89 Degrees, 39 Minutes, 50 Seconds West a distance of 361.50 feet to an iron monument; thence North 0 Degrees 05 Minutes 39 Seconds West a distance of 361.50 feet to an

iron monument; thence North 89 Degrees 39 Minutes 50 Seconds East a distance of 361.50 feet to the point of beginning, containing 3.00 acres

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

WHEREAS, Habermans have 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 appraised market value for the land and a new home, submitted by the Applicants, is \$401,000; and

WHEREAS, based on an Estimated Market Value capped at \$290,000 for the new home and based on 2020 tax rates, the estimated tax abatement for Cottonwood County for this property would be approximately \$1,125 per year. The total estimated tax abatement by Cottonwood County for the five-year period is approximately \$5,625. (These figures were calculated using 2020 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, May 19, 2020, at 9:02 a.m. in the lower level meeting room of the Cottonwood County Law Enforcement Center, 902 5th Avenue, Windom, Minnesota. The Board Meeting will be available through a Webex meeting.
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. The public hearing notice shall also provide a County contact for individuals to access information on how to participate in the public hearing by electronic means.

Adopted this 5th day of May, 2020.

S/Kevin Stevens, Board Chairman

S/Donna Torkelson, Auditor/Treasurer

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Donna Gravley, Commissioner, led discussion regarding the resolution that the City of Lakefield passed which takes a stand against Gov. Tim Walz’s stay-at-home order and temporary closure of bars, restaurants and other public places.

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Jason Purrington, Sheriff, met with the board to get approval of a few items. Purrington stated that due to Chief Deputy Sheriff Jim Jorgensen’s retirement effective June 30, 2020, he would like to appoint Deputy Tim Evers to the Chief Deputy position effective June 22, 2020. Purrington also stated that he would like to move Evers to Range 20, Step C at that time. Motion by Gravley, second by Holmen, unanimous roll call vote to approve Tim Evers appointment to Chief Deputy and move him to Range 20, Step C on the matrix effective June 22, 2020.

Purrington stated that due to Evers moving to the Chief Deputy position he would like to hire Jordan Allen for the Deputy Sheriff position. Motion by Anderson,

second by Appel, unanimous roll call vote to hire Jordan Allen as Deputy Sheriff and place on Range 15, Step A of the matrix, effective May 25, 2020, pending completion of medical testing.

Kelly Thongvivong, County Coordinator, along with Purrington, informed the board that interviews were held for the part-time Jailer/Dispatcher positions that are open and they would recommend the hire of three of the applicants. Motion by Holmen, second by Gravley, unanimous roll call vote to hire Tatum Paulson, Jett Saewert, and Adelaida Esqueda as part-time Jailer/Dispatchers pending successful completion of all hiring requirements. Thongvivong stated that start dates are yet to be determined.

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Alex Schultz, Planning and Zoning Technician, met with the board to get approval for a Conditional Use Permit applied for by Duininck, Inc. to set up a temporary asphalt hot mix plant in Amboy Township. After discussion, motion by Holmen, second by Anderson, unanimous roll call vote to approve the Conditional Use Permit from Duininck, Inc. to set up a temporary asphalt hot mix plant in Amboy Township, Section 1 with the following conditions: (1) shall be in compliance with the Cottonwood County Zoning Ordinance #28 and #36; (2) shall obtain all necessary Federal, State, and Local Permits and Fees; (3) during construction have a form of waste collection; (4) follow the MNDOT signage rules and regulations as well as truck routes approved by road authority; (5) maintain erosion controls during operation; (6) permit shall expire on November 30, 2020; (7) truck traffic be restricted to between quarry and Highway 71; and (8) road restored to its original condition from the start of operation of the asphalt plant.

Schultz informed the board the Feedlot FY 19 year-end report has been completed and reviewed with MPCA. Motion by Appel, second by Anderson, unanimous roll call vote to approve and sign the Feedlot FY2019 Year End Report.

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Motion by Anderson, second by Holmen, unanimous roll call vote to recess as the County Board and to convene as the Ditch Authority.

Donna Torkelson, Auditor/Treasurer, and Larry Anderson, Commissioner, asked Clifton Larson Allen to amend their engagement letter to have the option to look back to the original bond funding if necessary. This request increased the original estimate from \$6,510 - \$10,720 to \$13,020 - \$21,440. Torkelson reminded the board that we will only be charged for the actual hours worked. Motion by Anderson, second by Holmen, unanimous roll call vote to accept the revised engagement letter from Clifton Larson Allen for the audit of the bond that includes ditches 2, 8, 9, and 25 and that the expense will be paid from the general fund.

Commissioner Anderson asked for the boards thoughts on a problem that is being had with JD #17. Anderson explained that JD #17 has an extreme amount of head pressure and numerous blowouts. Anderson stated that after talking to a contractor, the contractor was proposing to run a new tile parallel to the old tile. Consensus of the board is that this would be an improvement. Anderson stated that the tile blowouts should be repaired, put an intake at the bottom, and a petition should be started for an improvement.

Commissioner Appel presented a ditch inspection form and an estimated cost to the county for ditch inspections by the Soil & Water Conservation District. Appel

stated that the county has approximately 5,800 miles of ditch and that ditches need to be inspected every 5 years to meet statutory requirements. Motion by Appel, second by Gravley, unanimous roll call vote to approve that the Soil & Water Conservation District (SWCD) office inspect county open ditches.

Motion by Holmen, second by Anderson, unanimous roll call vote to adjourn as the Ditch Authority and to reconvene as the County Board.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Gravley, second by Holmen, unanimous roll call vote to allow for a one-year extension (November 1, 2020 to October 31, 2021) of SW/WC Service Cooperative lease with Cottonwood County for a portion of space within the N71 County Office Building.

Thongvivong led discussion regarding the use of Blandin Loan Funds to be used for small business loans. After much discussion, more information should be sent to the Commissioners for review and the topic should be brought back to the May 19 meeting.

Motion by Gravley, second by Appel, unanimous vote to approve the following seasonal hires at the Public Works Department: 3rd year - Robyn Crosby, 2nd year - Teresa Deutchman, and 1st year – Nickolas Nolt, Tyler Zieske, Adam Karschnik, Trey LaCanne, and Corey Maras, pending successful completion of all hiring requirements. Starting dates are yet to be determined.

Thongvivong noted that the May 19, June 2, and June 16 board meetings will be held in the meeting room in the lower level of the Law Enforcement Center to allow for social distancing. Commissioner Appel asked that they also be webex meetings.

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Motion by Holmen, second by Anderson, unanimous vote to approve May warrants as follows:

County Revenue Fund	\$111,901.33
County Building Fund	\$ 1,138.49
Ditch Fund	\$ 1,692.93
Road & Bridge Fund	\$ 20,498.76
Waste Abatement/SCORE	\$ 1,989.86
Landfill Enterprise Fund	<u>\$ 6,016.67</u>
	\$143,238.04

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Kelly Thongvivong, County Coordinator, informed the board that the majority of employees have received their ID badges. After discussion, consensus of the board is to encourage staff to wear the badges in county office buildings.

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Commissioner Appel led discussion regarding the opening of the Courthouse. Appel suggested we start with opening by appointment only on the 18th which would give us next week to get it publicized. Emergency Management Director Paul Johnson should draft an ad and bring to the May 8 special meeting. Consensus of the board is that members of the public entering a county office building should be wearing a face mask or some sort of face covering.

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There being no further business, the meeting adjourned at 10:31 a.m.

Donna Torkelson, Auditor/Treasurer

Kevin Stevens, Board Chair

Kelly Thongvivong, County Coordinator