

August 4, 2020
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, August 4, 2020 at 9:00 a.m. at the Law Enforcement Center 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, Linda Fransen, Margaret McDonald, Todd Dibble, Nick Klisch, Alex Schultz, Paul Johnson, and Joel Alvstad.

Chairman Stevens called the meeting to order. The Pledge of Allegiance was recited. Motion by Holmen, second by Gravley, unanimous roll call vote to approve the agenda as amended. Motion by Appel, second by Holmen, unanimous roll call vote to approve the minutes of the July 21, 2020 regular meeting and the July 28, 2020 special meeting.

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Drew Hage, Windom EDA Director, stated that he has received a Home Initiative application from Drake and Meredith Borsgard 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 Appel, second by Gravley, unanimous roll call vote to approve resolution 20-08-04 as follows:

Resolution No. 20-08-04

**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, Drake Borsgard and Meredith Borsgard, husband and wife, ("Borsgards") are the owners of the following described real estate within Cottonwood County, Minnesota:

Parcel #: 25-362-0060
Address of Property: 2270 Seventh Avenue, Windom, MN 56101
Legal Description of Property: Lot 2, Block 2 of Hoffmann LaCanne Subdivision in the City of Windom, Cottonwood County, Minnesota; and

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

WHEREAS, Borsgards 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 estimated market value for the new home, submitted by the Applicants, is \$300,000; 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, August 18, 2020, at 9:10 a.m. in the lower level meeting room at the Cottonwood County Law Enforcement Center, 902 Fifth 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 4th day of August, 2020.

S/Kevin Stevens, Board Chairman

S/Donna Torkelson, Auditor/Treasurer

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Linda Fransen, Historical Society Director, and Margaret McDonald, met with the board to give a year-end report for the Cottonwood County Historical Society and presented their budget request for 2021. They are requesting \$71,000 for the 2021 budget.

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Todd Dibble, Veteran Service Officer, met with the board to present a grant for board approval. Motion by Anderson, second by Gravley, unanimous roll call vote to accept the Minnesota Department of Veteran Affairs Grant for \$7,500.

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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 Elmendorf Hutterian Brethren for an Expansion of Colony (two-bedroom home) in Mountain Lake Township. Schultz stated there has been no opposing comments. Motion by Holmen, second by Appel, unanimous roll call vote to approve the Conditional Use Permit from Elmendorf Hutterian Brethren to expand the Colony by building a two bedroom home in Mountain Lake Township, Section 25 with the following conditions: (1) shall be in compliance with the Cottonwood County Zoning Ordinance #28; (2) shall obtain all necessary Federal, State, and Local Permits and Fees; and (3) during construction have a form of waste collection.

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Nick Klisch, Public Works Director, met with the board to discuss a few items. Klisch presented a proposal to address CSAH 2 pavement conditions. Klisch proposed the following: (1) remove current road postings mid-September until spring 2021 pending severe pavement failures and monitor pavement conditions closely; (2) apply for MN Highway Freight Program Grant by September 28, 2020; and (3) return to the board in October 2020 with a recommendation for moving forward pending outcome of the grant. Consensus of the Board is to move forward with Klisch’s CSAH 2 proposal.

Klisch informed the board that to receive Federal funding, local governments are required to have ADA transition plans. Klisch provided a draft plan for Cottonwood County and stated that a public hearing will need to be held for comments on the plan. Klisch also stated that he can be listed in the plan for Right-of-Way Grievances but needs a contact for Building Grievances. Motion by Holmen, second by Gravley, unanimous roll call vote to appoint the County Engineer as Right-of Way ADA contact and the Building Operations Manager as the Buildings ADA contact and to set a public hearing date of September 1, 2020 at 9:05 a.m.

Klisch led discussion regarding drainage agreements for the solar wind towers. After discussion, it was agreed that David Bucklin will be the drainage supervisor.

Commissioner Holmen led a short discussion regarding farming and right-of-way boundaries.

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Commissioner Holmen stated that the seed money that the SPCC voted to return to the county should be transferred to DVHHS. Motion by Holmen, second by Anderson, unanimous roll call vote to transfer to DVHHS the Southern Prairie Community Care (SPCC) refund of seed money in the amount of \$38,750.00.

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Donna Torkelson, Auditor/Treasurer, presented the tax forfeiture tear down bids that were received. Discussion was held regarding liability and what documentation is given to county from the contractors. The board directed the County Attorney to work with the County Auditor/Treasurer to draft a contract for contractors to sign that has an indemnity clause and that proof of insurance should be provided. Motion by Gravley, second by Anderson to accept the low tax forfeiture tear down bid on each parcel. Voting Aye – Appel, Gravley, Anderson, and Stevens. Voting Nay – Holmen. Motion passed. (Bid summary is on file in Coordinator’s office.)

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Anderson, second by Appel, unanimous roll call vote to hire Robert Egge as Solid Waste Technician pending successful completion of all hiring requirements.

Motion by Gravley, second by Holmen, unanimous roll call vote to promote Theodore Cromwell to full-time Jailer/Dispatcher effective August 3, 2020.

Motion by Holmen, second by Anderson, unanimous roll call vote to re-appoint Gale Bondhus as Cottonwood County Assessor effective January 1, 2021.

Thongviong informed the board that a request was made to revise Policy 360 – Overtime/Compensatory Time, in regards to comp hours and when they need to be used. After much discussion, the topic should be brought back to a future meeting.

Thongviong informed the board that four leases need to be reviewed for 2021. After discussion, motion by Holmen, second by Appel, unanimous roll call vote to leave the rates the same for 2021 on the following leases: City of Windom-Law Enforcement Center for Windom Police Department, DVHHS, Southwestern Mental Health, and SWCD.

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Chairman Stevens led discussion regarding the CARES Act funding. The applications for small business and non-profits were reviewed and a few revisions made. The flyer was also reviewed. Consensus of the board is to move forward in getting the information out to the county.

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Motion by Gravley, second by Holmen, unanimous roll call vote to approve August warrants as follows:

County Revenue Fund	\$ 35,262.06
Long Term Capital Outlay	\$ 491.66
County Building Fund	\$ 72.00
Ditch Fund	\$ 56,452.50
Taxes and Penalties Fund	\$ 202.50
Road & Bridge Fund	\$363,681.70
Waste Abatement/SCORE	\$ 1,178.70
Landfill Enterprise Fund	<u>\$133,268.48</u>
	\$590,609.60

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Motion by Gravley, second by Anderson, unanimous vote to close the meeting at 12:13 p.m. to discuss the pending offer on parcel 08.016.0020. Individuals present for the closed session were: Commissioners Kevin Stevens, Tom Appel, Norm Holmen, Donna Gravley, Larry Anderson; County Coordinator Kelly Thongviong; Auditor/Treasurer Donna Torkelson, and Kathy Marsh.

Motion by Gravley, second by Appel, unanimous vote to open the meeting at 12:22 p.m.

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There being no further business, the meeting adjourned at 12:22 p.m.

Donna Torkelson, Auditor/Treasurer

Kevin Stevens, Board Chair

Kelly Thongviong, County Coordinator