

August 18, 2020
Cottonwood County Board of Commissioners
Regular Meeting
Minutes

The Cottonwood County Board of Commissioners met in regular session on Tuesday, August 18, 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, Teresa Schwartz, Ray Potter, Diane Potter, Jason Purrington, Alex Schultz, Nick Klisch, Corby Graff, Andrew Lorentz, Nic Lorentz, and Joel Alvstad.

Chairman Stevens called the meeting to order. The Pledge of Allegiance was recited. Motion by Holmen, second by Anderson, unanimous roll call vote to approve the agenda as amended. Motion by Appel, second by Gravley, unanimous roll call vote to approve the minutes of the August 4, 2020 regular meeting and the August 11, 2020 work session.

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Commissioner Tom Appel and Commissioner Norm Holmen presented the 2020 University of Minnesota Extension - Cottonwood County Farm Family of the Year certificate and plaque to Ray and Diane Potter. The Potter family has been on the same farm for four generations raising livestock in the early years and more recently primarily a grain business. Ray and Diane have volunteered with 4-H as club leaders and Ray as a certified 4-H shooting instructor. Diane has also volunteered as a member of the Cottonwood County Historical Society and as a Cottonwood County Master Gardener.

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A public hearing was held in regard to the residential property tax abatement applied for by Drake and Meredith Borsgard for the construction of a single family home on parcel number 25-362-0060. No opposition to the abatement was heard prior to or at the hearing. Motion by Appel, second by Anderson, unanimous roll call vote to approve the Drake and Meredith Borsgard Home Initiative application and resolution 20-08-18 as follows:

Resolution No. 20-08-18

**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 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; 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 City of Windom, Cottonwood County, Minnesota; and

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

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

WHEREAS, Borsgards 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 DRAKE BORSGARD and MEREDITH BORSGARD, husband and wife, of the County's share of property taxes upon the above-described parcel based on the proposed construction of a new single-family home on said parcel. The County's share of the abatement is subject to the annual valuation cap of \$290,000 per single-family home. The County will not abate the property taxes on the portion of the valuation which exceeds \$290,000.
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 property 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 property taxes are not paid on or before the respective annual payment deadlines.

Adopted this 18th day of August, 2020.

S/Kevin Stevens, Board Chairman

S/Donna Torkelson, Auditor/Treasurer

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Jason Purrington, Sheriff, met with the board to get approval for the 2020 Minnesota Annual Boat and Water Safety Grant. Motion by Gravley, second by Holmen, unanimous vote to approve the 2020 Minnesota Annual County Boat and Water Safety Grant Agreement in the amount of \$615.00 and allow the Board Chairman to sign.

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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 W. Lorentz Construction for a gravel pit in Amboy Township. Motion by Gravley, second by Anderson, unanimous roll call vote to approve the Conditional Use Permit from W. Lorentz Construction for a gravel pit 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; and (3) require a

bond of \$18,000 to be held in the County Auditor’s Office; (4) come to an agreement with local road authority on a road maintenance and dust control plan; and (5) all truck traffic would access Highway 71 from County Road 10.

Schultz also presented a revised draft of the Nuisance Regulations and stated that a public hearing date will need to be set. Motion by Holmen, second by Appel, unanimous roll call vote to set a public hearing date for public comment of the revised Nuisance Regulations for Tuesday, September 15 at 9:02 a.m. at the Cottonwood County Law Enforcement Center.

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Donna Torkelson, Auditor/Treasurer, met with the board to discuss a few items. Torkelson stated that she received a letter from the Westbrook EDA to offer a bid \$100 each on two tax forfeited properties in Westbrook. Motion by Anderson, second by Gravley, unanimous roll call vote to sell tax forfeited properties 24.390.0030 and 24.390.0031 to the Westbrook EDA for a value of \$100 each.

Torkelson informed the board that she received a letter from the City of Mountain Lake stating that the City is proposing a 20 year tax abatement on a parcel of land that the Mountain Lake EDA will be constructing two four-plex buildings. To qualify for an abatement duration of more than 15 years under Section 469.1813, subdivision 6(b) of the Abatement Act, Cottonwood County must decline to participate in this tax abatement. Motion by Holmen, second by Appel, unanimous vote to honor the City of Mountain Lake’s request for Cottonwood County to decline an abatement of taxes on the two four-plex housing development projects on Estate Drive in the city limits of Mountain Lake.

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Kelly Thongvivong, County Coordinator, met with the board to discuss a few items. Motion by Holmen, second by Anderson, unanimous roll call vote to hire Kelly Smith as IS Technician on Range 14, Step C (\$24.93) of the 2020 pay matrix pending successful completion of all hiring requirements.

Thongvivong informed the board that she was contacted by Schramel Law Office, representing Red Rock Rural Water System (RRRWS), of the resignation of Mike Curley from the RRRWS Board of Commissioners effective July 1, 2020. Thongvivong stated that a request has been made to appoint Paul A. Johnson to complete Curley’s term which is scheduled to expire on December 31, 2023. Motion by Anderson, second by Appel, unanimous roll call vote to approve resolution 20-08-18A as follows:

RESOLUTION 20-08-18A

Resolution Recommending Appointment

NOW BE IT NOW RESOLVED, that the Cottonwood County Board of Commissioners hereby recommends that Paul A. Johnson be appointed to the Red Rock Rural Water System Board of Commissioners pursuant to and provided for by Minnesota Statutes §116A et seq. to complete the remaining portion of Mike Curley’s term which is scheduled to expire on December 31, 2023.

I hereby certify that the foregoing Resolution was approved by the Cottonwood County Board of Commissioners on August 18, 2020 by a vote of 5 for, 0 against, 0 absent, and 0 abstaining.

S/Donna Torkelson, Auditor/Treasurer

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

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|--------------------------|---------------------|
| County Revenue Fund | \$ 42,408.52 |
| Long Term Capital Outlay | \$ 6,607.51 |
| County Building Fund | \$ 150.00 |
| Ditch Fund | \$ 2,194.96 |
| Taxes and Penalties Fund | \$ 1,000.51 |
| Road & Bridge Fund | \$120,083.35 |
| Waste Abatement/SCORE | \$ 32.97 |
| Landfill Enterprise Fund | <u>\$ 43,317.43</u> |
| | \$215,795.25 |

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Commissioner Appel asked for an update on the number of applications received for the Minnesota Coronavirus Relief Fund monies that small businesses and non-profits can apply for.

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Chairman Stevens led discussion regarding the proposed 2021 Department budgets.

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There being no further business, the meeting adjourned at 12:08 p.m.

Donna Torkelson, Auditor/Treasurer

Kevin Stevens, Board Chair

Kelly Thongvivong, County Coordinator