

Nicollet County Board of Commissioners Meeting



August 11, 2020

Nicollet County Government Center 501 South Minnesota Avenue, St. Peter, MN 56082

Commissioners – John Luepke, Chair; Jack Kolars; Terry Morrow; Marie Dranttel; Denny Kemp

NOTICE REGARDING NICOLLET COUNTY BOARD OF COMMISSIONERS MEETING AND DRAINAGE AUTHORITY MEETING

August 11, 2020

9:00 A.M.

**NICOLLET COUNTY GOVERNMENT CENTER BOARD ROOM
501 SOUTH MINNESOTA AVENUE
ST. PETER, MN**

Due to the COVID-19 (coronavirus) pandemic and resulting state and federal emergency declarations and guidance about limiting unnecessary person-to-person contact, the August 11, 2020 Nicollet County Board meeting and Drainage Authority meeting will be conducted under Minnesota Statute 13D.021 – Meetings by Telephone or Other Electronic Means. Some County Board and Drainage Authority members may possibly participate by telephone or other electronic means.

Due to the current health pandemic, only a limited number of persons will be allowed in the meeting room at one time. Persons in attendance must maintain proper social distancing at all times while in the building.

The meetings can also be viewed live at www.co.nicollet.mn.us/642/County-Board-Meeting-Videos. A copy of the meeting agenda and packet is available at www.co.nicollet.mn.us/AgendaCenter/Board-of-Commissioners-3.

Questions or comments regarding agenda items and viewing or listening to the meeting can be directed to Ryan Krosch, Nicollet County Administrator, at 507-934-7204 or rkrosch@co.nicollet.mn.us.

Vision Statement

Setting the standard for providing superior and efficient county government services through leadership, accountability and innovation to a growing and diverse society.

**Leadership. Efficiency. Accountability.
Innovation. Integrity.**

Mission Statement

Providing efficient services with innovation and accountability

Nicollet County Board of Commissioners Meeting



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Commissioners – John Luepke, Chair; Jack Kolars; Terry Morrow; Marie Dranttel; Denny Kemp

- 9:00 a.m.** Call Board of Commissioners Meeting to Order: Chair Luepke
1. Flag Pledge
 2. Silence Your Cell Phones
 3. Approval of Agenda
- Consent Agenda
1. [Approval of July 28, 2020 Board Minutes](#)
 2. [Approval of August 6, 2020 Special Board Minutes](#)
 3. [Natural Resources Block Grant Financial Report](#)
 4. Approval of Bills
- Public Appearances
- 9:05 a.m.** Finance
1. [Resolution Awarding the Sale of Taxable G.O. Capital Improvement Plan Refunding Bond](#)
 2. [Quarter 2 2020 Donations](#)
- 9:25 a.m.** Emergency Management
1. [Emergency Declaration for Flooding July 25, 2020](#)
- 9:30 a.m.** Health and Human Services
1. [COVID-19 Update](#)
- 9:50 a.m.** BREAK
- 10:00 a.m.** Board Engagement
1. [MnDOT Presentation: Capital Highway Investment Plan \(CHIP\) Outreach](#)
- 10:30 a.m.** Administration
1. [CARES Act Funding](#)
- 11:00 a.m.** Chair's Report
- Commissioner Committee Reports
- Commissioners Meetings & Conferences
- Approve Per Diems and Expenses
- Adjourn Board of Commissioners Meeting
- 11:05 a.m.** Call Drainage Authority Meeting to Order: Chair Luepke
- Drainage Authority Agenda Items
1. Consent Agenda
 - a. [Approval of July 28, 2020 Drainage Authority Minutes](#)
 - b. [Consider Ditch Repair Report 20-020 through 20-023](#)
- Adjourn Drainage Authority Meeting

Continued...

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Commissioners – John Luepke, Chair; Jack Kolars; Terry Morrow; Marie Dranttel; Denny Kemp

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Notice of Scheduled Meetings

The following is a notice of scheduled meetings. Pursuant to Minnesota Statute 13D.04, this notice of meetings also serves as notice of regular and special meetings of the Nicollet County Board of Commissioners. Meetings with a quorum of Nicollet County Board of Commissioners expected to attend is noted with an asterisk (*).

NOTICE REGARDING NICOLLET COUNTY MEETINGS DURING THE COVID-19 PANDEMIC
Due to the COVID-19 (coronavirus) pandemic and resulting state and federal emergency declarations, these and future Nicollet County meetings will be conducted under Minnesota Statute 13D.021 – Meetings by Telephone or Other Electronic Means.

Questions or comments regarding any Nicollet County meeting and requests to participate in any meeting can be directed to Ryan Krosch, Nicollet County Administrator, at 507-934-7204 or rkrosch@co.nicollet.mn.us.

August 7 – Budget Committee Meeting, 8:30 a.m., Nicollet County Government Center, EOC, St. Peter
August 11 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center, Board Room, St. Peter*

August 11 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center*

August 12 – Budget Committee Meeting, 8:30 a.m., Nicollet County Government Center, Nicollet Room, St. Peter

August 17 - Board of Adjustment and Appeals/Planning & Zoning Advisory Commission Meeting, 7 p.m., Nicollet County Board Room, St. Peter*

August 19 – St. Peter Liaison Meeting, 11:30 a.m., St. Peter Community Center, Traverse des Sioux Room, St. Peter

August 18 - Individual Department Head Meeting with County Attorney, 8:15 a.m., Nicollet County Government Center, Board Room, St. Peter*

August 18 - County Board Workshop, 9:30 a.m., Nicollet County Government Center Board Room, St. Peter*

August 25 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center Board Room, St. Peter*

August 25 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center*

August 26 – Budget Workshop, 8:30 a.m., Nicollet County Government Center, EOC, St. Peter

August 27 - Budget Workshop, 8:30 a.m., Nicollet County Government Center, EOC, St. Peter

August 27 - Brown-Nicollet Environmental Health Executive Committee Conference Call, 8:15 a.m., St. Peter

September 3 – Highway 169 Coalition Meeting

September 8 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center, Board Room, St. Peter*

September 8 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center*

September 10 – Budget Workshop, 8:30 a.m., Nicollet County Government Center, EOC, St. Peter

September 15 - Individual Department Head Meeting with Technologies, 8:15 a.m., Nicollet County Government Center, Board Room, St. Peter*

September 15 - County Board Workshop, 9:30 a.m., Nicollet County Government Center Board Room, St. Peter*

September 22 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center, Board Room, St. Peter*

September 22 – County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center*

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OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
JULY 28, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, July 28, 2020, at 9:00 a.m. Commissioners Denny Kemp, Jack Kolars, Marie Dranttel, Terry Morrow and John Luepke were present. Also present were County Administrator Ryan Krosch, County Attorney Michelle Zehnder Fischer and Recording Secretary Abigail Lewis.

The meeting was held via teleconference pursuant to Minnesota Statute 13D.021 due to the coronavirus pandemic. There were no public comments submitted by email or phone. No members of the public requested to participate in the meeting by phone. The meeting was recorded and broadcasted live online.

Approval of Agenda

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the agenda. Motion carried with all voting in favor.

Consent Agenda

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the consent agenda items as follows: approval of the July 14, 2020 Board Meeting minutes, approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$127,991.93, Road & Bridge Fund - \$58,205.19, Human Services Fund - \$127,113.77 and acknowledge review of the Auditor's Warrants; Voting Equipment Grant Agreement (VEGA-2); Sheriff's Office out of state travel; end of probations: Laura Benzkofer, effective July 29, 2020 and Breanna Allen, effective August 5, 2020. Motion carried with all voting in favor.

Public Appearances

Roger Hippert, New Ulm, MN, the attorney representing Velda and Wade Cordes, appeared before the Board to express safety concerns due to the increase in use, concern about the impact of the shooting on his client's property and horses, and opposition on behalf of his clients in regards to the conditional use permit (CUP) requested by Christine and Joe Michaletz.

Tim Gulden, New Ulm, MN, appeared before the Board to express concerns about the safety of not only himself and his family, but also the 15-20 youth Mr. Gulden hires to work on his vegetable farm. Mr. Gulden noted that he had grown up listening to the shooting from the prior gun club and it was not an issue. Mr. Gulden expressed that his fear for his safety was a direct result from what appeared to be a rifle bullet that was shot into a tree near where he was working on his property in June.

Tim Plath, Courtland, MN, appeared before the Board as a representative from Minnesota Valley Lutheran High School. Mr. Plath expressed concern for the safety of

their students, faculty and staff concerning the requested CUP. Mr. Plath noted the school is farther from the gun club than others, but noted the land did provide some barriers.

Brenda Gulden, New Ulm, MN, appeared before the Board to express safety concerns in regards to the requested CUP by Christine and Joe Michaletz. Ms. Gulden expressed that her main concern is the high power, or center fire, rifles that would be used on the gun range. Ms. Gulden noted that she could tolerate the noise and dust generated by the gun club.

Veleda Cordes, Courtland, MN, appeared before the Board to express her concern about rifle bullet velocity and the number of bullets that have the potential to be shot in one day if the CUP requested by Christine and Joe Michaletz is approved. Ms. Cordes expressed concerns for the safety of her family, along with the safety and well-being of her horses.

Joe Michaletz, North Mankato, MN, appeared before the Board to express his efforts to do the gun range project right. Mr. Michaletz indicated that he and his wife are working closely with DNR experts in regards to Minnesota Statutes 87A that establish laws for shooting ranges, as well as using NRA shooting range guidelines. Mr. Michaletz indicated that safety is the main concern with controlling noise levels being number two. Work will continue with professionals to ensure that all conditions laid out in the CUP are carried out.

David Stoering, Courtland, MN, appeared before the Board to express safety concerns in regards to the requested CUP by Christine and Joe Michaletz. Mr. Stoering expressed his concern with the inaccuracy of pistols and the possibility of overshooting the protective berm. Additionally, Mr. Stoering addressed concerns relating to adequate enforcement of all of the applicable regulations regarding the gun club if it is approved.

Christine Michaletz, North Mankato, MN, appeared before the Board and expressed her gratitude to the Board for their meticulous review of all the information provided. Ms. Michaletz then provided an overview of the proposed plan that was provided with the application in regards to the volume of shooters and noise requirements. In regard to the concerns about the Cordes' horses, she noted that the gun club existed before the Cordes purchased their property and placed horses next to the gun club. Additionally, Ms. Michaletz noted that it is their intention to keep people safe and to operate under noise standards.

Jason Schreder, Courtland, MN, Courtland Township Supervisor, appeared before the Board to provide information on the township road that leads to the Michaletz's property. Mr. Schreder noted that from the township's standpoint, the township realizes the road is not in the best shape, and that they are in the process of looking for bids to do work on it. At this time, no bids have been accepted.

County Attorney Zehnder Fischer confirmed with Mr. Schreder that Courtland Township has taken no formal vote on its position regarding the CUP submitted by Christine and Joe Michaletz.

With no further public appearance, Chair Luepke closed the public appearance portion of the meeting.

Planning and Zoning

June 15, 2020 and July 20, 2020 Planning & Zoning Advisory Commission Meetings

Property Services Director Mandy Landkamer appeared before the Board to request approval on one item from the June 15, 2020 and July 20, 2020 Planning and Zoning Advisory Commission Meeting.

- 1) Michaletz Properties, LLC. – To amend existing conditional use permits C-26-05 and C-23-93 to include trap, long range rifle, short range pistol, sporting clays, a pistol target range, and an outdoor archery range, and to remove specific conditions from C-26-05 and C-23-93. The following summarizes the submissions received in response to the gun club permit request:
 - a. Neighboring landowners Wade and Veleda Cordes, David, Josiah, and Emily Stoering, and Gary Zimanksi objected to the request. Their concerns included: noise, traffic, dust, road damage, speed limits, stray bullets, alcohol sales, littering, trespassing, hours of operation, occupancy, property depreciation, and the use of high-powered rifles.
 - b. Courtland Township Board Chair Larry Luepke commented the Township was concerned about traffic and road damage.
 - c. David M. Gross, co-author of MN State Statute 87A, known as the Shooting Range Protection Act, commented on noise standards and requirements.
 - d. Planning and Zoning Advisory Commissioners Jason Enter, Justin Laven, and Ron Regenscheid met with the applicants onsite on Friday, July 17, 2020. Also present were DNR Shooting Range Coordinator Chuck Niska and DNR Conservation Officer Thor Nelson.
 - e. The Board also received emails from the Cordes and the Michaletz that were added to the information for consideration.

Commissioner Kolars discussed adding an additional condition that would prohibit the gun club from serving alcohol to customers prior to, or while shooting, at the range and suggested this topic for discussion.

Commissioner Morrow clarified that the guidance from the NRA is the guidance that statutorily, the Board is to apply. Director Landkamer confirmed this. Additionally, Commissioner Morrow inquired about noise monitoring and who is responsible to investigate noise complaints. Director Landkamer stated that the Property Services Office would start an investigation, upon receiving a noise complaint, to pinpoint the specific date and the events that were taking place. Property Services would then make a call to the MN Pollution Control Agency, to speak with them regarding the complaint and guidance on how to proceed. Depending upon the situation, a separate private entity might be requested to come investigate whether the noise levels meet State regulations. The individual or individuals who the complaint was filed against would incur the cost, based on previous experiences, for the private entity investigation.

Commissioner Morrow asked for clarification about the incident Mr. Gulden addressed in his public appearance in regards to a stray bullet in June, and questioned if Planning and Zoning was aware of any other incidents of that nature. Director Landkamer stated that it is her understanding that in the late 1990's or early 2000's there was some concern of stray bullets crossing property lines to the south of the property. There was reference in some of the email exchanges provided to the Board about bullets going over

the east property lines, but there is no evidence of anyone making a report to either the Property Services Office or to law enforcement.

Commissioner Morrow asked for clarification whether there is a limitation on the type of ammunition allowed at the Club. Commissioner Morrow inquired if this would be an appropriate condition to include with the CUP. Commissioner Kolars agreed and suggested that the Board consider a limitation on ammunition as a condition with the CUP.

Motion by Commissioner Kolars and seconded by Commissioner Dranttel to accept the Planning and Zoning Advisory Commission's June 15, 2020 and July 20, 2020 report, recommendations and findings with two additional conditions in regards to a limitation on the size of ammunition to be used at the range, and a prohibition on the consumption of alcohol at the gun club facility prior to shooting or while shooting.

Chair Luepke moved to amend the motion on the table to accept the Planning and Zoning Advisory Commission's June 15, 2020 and July 20, 2020 report, recommendations and findings with the exception of denying the long-range rifle range portion of the request. With lack of a second motion, the motion to amend died.

Commissioner Kemp asked for clarification from County Attorney Zehnder Fischer on the standing motion. County Attorney Zehnder Fischer stated that her understanding of the motion on the table from Commissioner Kolars is to approve the CUP with conditions imposed by Planning and Zoning, with the additional condition of no service of alcohol onsite to individuals before they shoot or while shooting, and the second additional condition would be no rifle caliber larger than .39. County Attorney Zehnder Fischer stated that it is her recommendation that if the Board passed the motion to approve the CUP with the two additional conditions that the Board approve specific language for the two conditions at a future meeting. If the Board took this action, the CUP and conditions would be approved, reserving only the issue of the language for the alcohol restriction and the caliber of ammunition.

County Administrator, Ryan Krosch, inquired whether the motion should also include muzzleloaders, as they are larger than .39 caliber.

At 10:24 a.m., Chair Luepke called for a recess.

At 10:35 a.m., Chair Luepke resumed the meeting.

Upon resuming the meeting, County Attorney Zehnder Fischer clarified the motion on the table at the request of Commissioner Kolars.

Motion by Commissioner Kolars and seconded by Commissioner Dranttel to accept the Planning and Zoning Advisory Commission's June 15, 2020 and July 20, 2020 report, recommendations and findings as submitted therein, which included the following:

Michaletz Properties, LLC	PLN20-11	Amend existing conditional use permits C-26-05 and C-23-93 to include trap, long range rifle, short range pistol, sporting clays, a pistol target range, and an outdoor archery range, and to remove specific conditions from C-26-05 and C-23-93.
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and with the following additional conditions:

1. That if an alcohol license is approved, there be no service of alcohol on site to individuals while they shoot or before they shoot.
2. That there be a limit of .39 caliber rifles used on the property.
3. That recommendations for additional conditions be provided at the August 25, 2020 County Board meeting for the use of black powder guns on the property that are more than .39 caliber and restrictions on the type of ammunition used on the property.

With the amended motion on the table, Chair Luepke called for discussion. Chair Luepke inquired if there was a liability insurance requirement for this permit. Director Landkamer confirmed that there was not a specific condition requiring liability insurance. Commissioner Kemp stated that this is not a requirement on other conditional use permits. The consensus of the Board was that the original motion was amended to accommodate changes brought forth in discussion by the public and the amendments to the original motion was agreed to by both Commissioner Kolars and Commissioner Dranttel who moved the original motion. Chair Luepke called the question.

Motion carried on a roll call vote with three voting in favor and two against. Commissioners Kolars, Dranttel and Morrow were in favor, while Commissioners Luepke and Kemp were opposed.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to request staff to prepare the findings and conditions for the August 25, 2020 regularly scheduled Board meeting. Motion carried with all voting in favor.

At 10:45 a.m., Chair Luepke called for a recess.

At 10:56 a.m., Chair Luepke resumed the meeting.

Public Services

Consider Resolution to Apply for Federal Cares Act for Elections

Public Services Manager, Jaci Kopet, requested approval from the Board on the Resolution to Apply for Federal Cares Act for Elections.

The Secretary of State's (SOS) office has received Federal Cares Act grant money for elections in the amount of \$8.32 million. Of that amount, 40% was allocated to the SOS office for their expenses and to purchase PPE (facemasks and hand sanitizer) for all polling locations. Sixty percent of the grant is allocated to counties (and polling places within the county). Nicollet County is allocated \$24,493.79 with \$11,444.68 allocated to share with the city's polling place needs. Manager Kopet will be working with each city that has a polling place to allocate the funds to them if needed.

This is an 80/20 matching grant. The county or city is still responsible to pay for 20% of the costs. Required with this grant application is a resolution from the County Board that gives Manager Kopet approval to apply for the grant.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the Resolution to Apply for Federal Cares Act for Elections. Motion carried with all voting in favor.

Public Works

Consider Award of Bid for 2020 Aggregate Materials Project

Public Works Director, Seth Greenwood, appeared before the Board to present results and recommendations on bids for the 2020 Aggregate Materials Project. Bids were opened on July 20, 2020 and four bids were received. The bid results are as follows:

Contractor	Total for 2020 Aggregate Materials
Engineers Estimate	\$441,250.00
Ferguson Brothers Excavating, Inc.	\$404,870.00
Mathiowetz Construction Co.	\$554,960.00
Ulland Brothers	\$402,300.00
Timm's Trucking, Inc.	\$240,310.00

Director Greenwood noted that since the low bid was so favorable and under budget, additional work may be added to this contract to take advantage of the low unit prices.

Motion by Commissioner Kolars and seconded by Commissioner Kemp to award the 2020 Aggregate Materials Project to the low bidder, Timm's Trucking, Inc., for the low bid amount of \$240,310.00, and authorize entering into a contract with Timm's Trucking, Inc. pending contract language approval by the County Attorney. Motion carried with all voting in favor.

Consider Professional Service Proposal for CSAH 21 Slope Slide

Director Greenwood requested approval on the professional service proposal for the CSAH 21 slide slope.

Gale-Tec and SRF have concluded their initial investigation and reports for the CSAH 21 slope slide issue. Gale-Tec has recommended one temporary remediation measure and two options for the permanent repair of the slope. Plans and specifications need to be completed for the temporary repair early this fall, so that the temporary repairs can be completed late this fall. This would allow for CSAH 21 to be fully reopened to traffic for the winter and allow time to develop and complete the permanent repair plans and specifications, permitting, and right-of-way acquisition. The permanent repair would then be constructed sometime in 2021. The cost for this would be covered by Road and Bridge reserves, but there is a potential that Federal Highway Administration (FHWA) or State Aid Disaster funds may be available to cover some, or all, of this expense.

Motion by Commissioner Kemp and seconded by Commissioner Luepke to approve the SRF CSAH 21 professional service proposal and authorize Public Works

Director Seth Greenwood to execute the proposal. Motion carried with all voting in favor on a roll call vote.

Additionally, Director Greenwood provided updates on various road projects in the County.

Attorney's Office

Purdue Pharma, L.P. Bankruptcy – Proof of Claim

County Attorney, Michelle Zehnder Fischer, appeared before the Board to request authorization to have the proof of claim approved and signed.

Litigation has been ongoing regarding the role and accountability of the pharmaceutical companies in the opioid epidemic. Purdue has filed for bankruptcy. The County received correspondence from Co-Lead Counsel and the Plaintiff's Executive Committee regarding the bankruptcy action filed by Purdue. To preserve the County's ability to claim loss in the bankruptcy filing, the County must file a proof of claim with the bankruptcy court.

An online calculator has been established to help calculate the County's claim. The calculator estimates Nicollet County's claim to be \$7,187,277 for the time period of 2003 through June 2020 and estimated future damages and abatement costs for the period July 2020 through 2040 to be \$7,440,136. There is no assurance made that Nicollet County will recover these costs, given the large number of entities involved in the litigation and who likely will be filing claims.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve submitting the proof of claim and have Chair Luepke sign the proof of claim. Motion carried with all voting in favor.

Administration

CARES Act Funding

County Administrator, Ryan Krosch provided an update on the CARES Act funding the County has received through the State.

Nicollet County received over \$4.1 million of Federal CARES Act funds to assist with costs associated with responding to the COVID-19 pandemic. In order for expenses to be approved, the expenses need to be incurred between the period of March 1, 2020 through December 30, 2020 and meet criteria set forth by the Federal Government.

Administrator Krosch has two informational sessions with the Association of Minnesota Counties (AMC) and the Minnesota Office of Management and Budget, in regards to the CARES Act, in the coming week. Health and Human Services will be meeting with schools in the coming weeks to discuss possible back to school needs, primarily related to health issues, but also to inquire on what their distance learning and PPE needs might be. Commissioners were encouraged by Administrator Krosch to engage with businesses in their districts on possible needs in regards to a proposed grant stemming from CARES dollars upon future Board approval.

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Sibley County Joint Ditch Meeting
- Law Library Meeting
- Joint Powers Transit Board Meeting
- Board Workshop
- Out St. Peter Meeting
- Planning Zoning Advisory Meeting
- Special Drainage Authority Meeting
- Brown Nicollet Environmental Health Meeting

Commissioner Terry Morrow

- Public Health Meeting
- Board Workshop
- Special Drainage Authority Meeting

Commissioner Denny Kemp

- Drug Treatment Court
- SECB Finance Committee Meeting
- Local Mental Health Advisory Council Meeting
- Special Drainage Authority Meeting
- Board Workshop
- Finance Subcommittee for South Central EMS
- South Central EMS General Board Meeting

Commissioner Jack Kolars

- Board Workshop
- Brown Nicollet Environmental Health Meeting
- Special Drainage Authority Meeting

Chair's Report

- Sibley County Joint Ditch Meeting
- State Auditor Meeting
- Board Workshop
- Special Drainage Authority Meeting
- Brown Nicollet Environmental Health Meeting

Approve Per Diems and Expenses

Motion by Commissioner Kolars and seconded by Commissioner Kemp to approve the expenses and per diems for the meetings noted above during the Commissioner Reports and/or as submitted on approved expense reports, and authorize payment of those expenses and per diems by the Finance Office. Motion carried with all voting in favor.

Adjourn

Motion by Commissioner Dranttel and seconded by Commissioner Kemp to adjourn the meeting. Motion carried with all voting in favor. The meeting adjourned at 11:25 a.m.

JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

RYAN KROSCH
CLERK TO THE BOARD

OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
August 6, 2020

The Nicollet County Board of Commissioners met in special session on Thursday, August 6, 2020, at 11:00 a.m. Commissioners Denny Kemp, Jack Kolars, Marie Dranttel, Terry Morrow and John Luepke were present. Also present were County Administrator Ryan Krosch, County Attorney Michelle Zehnder Fischer and Recording Secretary Abigail Lewis.

Approval of Agenda

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the agenda. Motion carried with all voting in favor.

Public Works

Consider Award of Contract for SP 052-614-010

Public Works Director, Seth Greenwood, appeared before the Board to present results and recommendations on bids for the slope fix on CSAH 14 SP 052-614-010. Bids were opened on July 27, 2020 and one bid was received. The bid results are as follows:

Contractor	Total for Project SP 052-614-010
Engineers Estimate	\$1,206,959.60
Mathiowetz Construction Co.	\$1,433,882.95

Motion by Commissioner Kemp and seconded by Commissioner Morrow to award the contract for SP 052-614-010 to the low bidder, Mathiowetz Construction Co., for the low bid amount of \$1,433,882.95 and authorize entering into a contract with Mathiowetz Construction Co. pending contract language approval by the County Attorney. Motion carried with all voting in favor.

Adjourn

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adjourn the meeting. Motion carried with all voting in favor. The meeting adjourned at 11:10 a.m.

JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

RYAN KROSCH
CLERK TO THE BOARD

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item:		
Natural Resources Block Grant Financial Report		
Primary Originating Division/Dept.: PPSP - Property Services		Meeting Date: 08/11/2020
Contact: Mandy Landkamer	Title: PPSP Director	Item Type: Consent Agenda (Select One)
Amount of Time Requested	minutes	
Presenter:	Title:	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: Acknowledgment of the 2018 Natural Resources Block grant (NRBG) financial report for Septic Treatment Systems Upgrade activities. Total SSTS grant upgrade dollars spent in 2019 - \$23,777.31 Total SSTS grant upgrade dollars spent in 2020 - \$ 1,222.69 Total: \$25,000.00		
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No		
If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
ACTION REQUESTED: Acknowledgment of the 2018 NRBG Septic Treatment Systems Upgrade financial report for the above activities in the amount of \$25,000.00		
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify	FUNDING County Dollars = State (Select One) Total	0 25000 25000
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		



Financial Report

Septic Treatment Systems Upgrade - NRBG 2018

Grant Title: 2018 - Septic Treatment Systems Upgrade - NRBG (Nicollet County)

Grant ID: P18-0825

Organization: Nicollet County

Grant Revenue	Amount
Total Awarded	\$25,000.00

Grant Expenditures

Grant Activity Category	Amount
Subsurface Sewage Treatment Systems	\$25,000.00
Total Spent	\$25,000.00
Returned Amount	\$0.00
Balance Remaining	\$0.00
Percent Spent	100%

This is to certify that the information is a true and accurate representation of the grant program accounts for the 2018 - Septic Treatment Systems Upgrade - NRBG (Nicollet County)- Nicollet County. We believe our records are complete and subject to an audit.

SIGNATURE OF AUTHORIZED REPRESENTATIVE

DATE

Please forward this completed form to your Board Conservationist.

If returning program funds, please use the Returned Check form.

Make checks payable and mail to:
Board of Water and Soil Resources
520 Lafayette Road N.
St. Paul, MN 55155

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item:	
Resolution Awarding the Sale of Taxable G.O. Capital Improvement Plan Refunding Bonds	
Primary Originating Division/Dept.: Contact: Heather McCormick Title: Finance Director Amount of Time Requested 15 minutes Presenter: Heather McCormick Title: Finance Director	Meeting Date: 08/11/20 Item Type: Regular Agenda (Select One) Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No
County Strategy: Financial Security - prudent use of taxpayer resources (Select One)	
BACKGROUND/JUSTIFICATION: This is a request for the approval of the following resolution: 1) Resolution authorizing the sale of General Obligation Capital Improvement Plan Refunding Bonds, Series 2020A The proposed aggregate principal amount is: 1) General Obligation Refunding Bonds, Series 2020A \$7,230,000 This is a refunding of debt issued in 2013 for the HHS building and other capital improvement projects. Nicollet County is seeking refunding for cost savings.	
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None	
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No If "yes", when? (provide year; mm/dd/yy if known)	
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A	
ACTION REQUESTED: Motion to approve resolutions.	
FISCAL IMPACT: Other (Select One) If "Other", specify	FUNDING County Dollars = Other (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	Total

NICOLLET
COUNTY EST. 1853

Agenda Item:		
Quarter 2 2020 Donations		
Primary Originating Division/Dept.: Contact: Heather McCormick Title: Finance Director Amount of Time Requested 5 minutes Presenter: Heather McCormick Title: Finance Director		Meeting Date: 08/11/20 Item Type: Regular Agenda <small>(Select One)</small> Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services <small>(Select One)</small>		
BACKGROUND/JUSTIFICATION: This is to present the Quarter 2 2020 Donations received.		
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No If "yes", when? (provide year; mm/dd/yy if known)		
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A		
ACTION REQUESTED: Approval of Donations		
FISCAL IMPACT: Other <small>(Select One)</small> If "Other", specify Donations	FUNDING County Dollars = Other <small>(Select One)</small> Total	(\$125.00) (\$125.00)
FTE IMPACT: No FTE change <small>(Select One)</small> If "Increase or "Decrease" specify: Related Financial/FTE Comments:		



RESOLUTION APPROVING THE ACCEPTANCE
OF DONATIONS



WHEREAS, MN Statute 465.03 states any city, county, school district or town may accept a grant or devise of real or personal property and maintain such property for the benefit of its citizens in accordance with the terms prescribed by the donor. Nothing herein shall authorize such acceptance or use for religious or sectarian purposes. Every such acceptance shall be by resolution of the governing body adopted by a two-thirds majority of its members, expressing such terms in full.

WHEREAS, the Nicollet County Finance Office has compiled a list of donations made to the County from April 1 through June 30, 2020.

THEREFORE, BE IT RESOLVED that the Nicollet County Board of Commissioners approve the following donations made to the County from April 1 through June 30, 2020:

**Donations received by Nicollet County
April 1 through June 30, 2020**

<u>FROM WHOM</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
<u>Various Donations</u>	<u>\$ 125.00</u>	<u>Loan Closet</u>
Total	\$ 125.00	

Dated this 11th day of August, 2020.

John Luepke, Chair
Nicollet County Board of Commissioners

ATTEST:

Ryan Krosch
County Administrator and Clerk to the Board

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item:						
Emergency Declaration for Flooding July 25th, 2020						
Primary Originating Division/Dept.: Sheriff's Office Contact: Justin Block Title: Emergency + Amount of Time Requested minutes Presenter: Justin Block Title: Emergency +	Meeting Date: 08-11-20 Item Type: Regular Agenda (Select One)					
		Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No				
County Strategy: Collaborative Workplace - sustain the core values of our culture (Select One)						
BACKGROUND/JUSTIFICATION: On July 25th Nicollet County received substantial rain causing flooding throughout the county. Nicollet County Emergency Management will be requesting the assistance from HSEM to conduct a preliminary damage assessment.						
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None						
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No If "yes", when? (provide year; mm/dd/yy if known)						
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A						
ACTION REQUESTED: Board approval for emergency declaration.						
<table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify </td> <td style="width: 50%; vertical-align: top;"> FUNDING County Dollars = Other (Select One) </td> </tr> <tr> <td style="vertical-align: top;"> FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments: </td> <td style="vertical-align: top;"> Total </td> </tr> </table>			FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify	FUNDING County Dollars = Other (Select One)	FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	Total
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify	FUNDING County Dollars = Other (Select One)					
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	Total					



**RESOLUTION
DECLARING A STATE OF EMERGENCY**

WHEREAS, the heavy rain/flooding event from July 25, 2020 has impacted the population of Nicollet County, and

WHEREAS, the heavy rain/flooding has caused a significant amount of public property damage; and

WHEREAS, Nicollet County Emergency Management requests the Nicollet County Board of Commissioners to declare Nicollet County in a State of Emergency as a result of this flooding.

NOW, THEREFORE, BE IT RESOLVED, that the Nicollet County Board of Commissioners declares Nicollet County in a State of Emergency for conditions resulting from this flooding.

I certify that the above resolution was adopted by the Nicollet County Board of Commissioners on the 31st day of July, 2020.

Signed:


John Luepke, Board Chair

Attest:


Ryan Krosch, County Administrator

Date: 7/31/2020

Date: 7/31/2020

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item: COVID-19 Update	
Primary Originating Division/Dept.: Health and Human Services Contact: Cassandra Sassenberg Title: HHS Director Amount of Time Requested 20 minutes Presenter: C. Sassenberg Title: HHS Director	Meeting Date: 08/11/2020 Item Type: Regular Agenda <small>(Select One)</small>
Attachments: <input type="radio"/> Yes <input checked="" type="radio"/> No	
County Strategy: Programs and Services - deliver value-added quality services <small>(Select One)</small>	
BACKGROUND/JUSTIFICATION: The Health and Human Services Director will provide an update on COVID-19 related topics including current Nicollet County statistics and related shifting public health roles/responsibilities.	
Supporting Documents: <input type="radio"/> Attached <input type="radio"/> In Signature Folder <input checked="" type="radio"/> None	
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No If "yes", when? (provide year; mm/dd/yy if known)	
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A	
ACTION REQUESTED:	
FISCAL IMPACT: No fiscal impact <small>(Select One)</small> If "Other", specify	FUNDING County Dollars = Other <small>(Select One)</small>
FTE IMPACT: No FTE change <small>(Select One)</small> If "Increase or "Decrease" specify: Related Financial/FTE Comments:	Total

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item:																
MnDOT Presentation: Capital Highway Investment Plan (CHIP) Outreach																
Primary Originating Division/Dept.: Administration	Meeting Date: 8/11/2020															
Contact: Ryan Krosch Title: County Administrator	Item Type: Regular Agenda (Select One)															
Amount of Time Requested 30 minutes																
Presenter: MnDOT Title:	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No															
County Strategy: Programs and Services - deliver value-added quality services (Select One)																
BACKGROUND/JUSTIFICATION: MnDOT staff will present the District 7 Capital Highway Investment Plan (CHIP) via Zoom. This presentation will give an overview of the 10-year plan, the process and next steps, as well as a legislative update. Following the presentation there will be a discussion period for questions and answers.																
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None																
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No																
If "yes", when? (provide year; mm/dd/yy if known)																
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A																
ACTION REQUESTED:																
<table border="0"> <tr> <td>FISCAL IMPACT: Other (Select One)</td> <td>FUNDING</td> </tr> <tr> <td>If "Other", specify</td> <td>County Dollars =</td> </tr> <tr> <td></td> <td>Grant</td> </tr> <tr> <td></td> <td>(Select One)</td> </tr> <tr> <td>FTE IMPACT: No FTE change (Select One)</td> <td>Total</td> </tr> <tr> <td>If "Increase or "Decrease" specify:</td> <td></td> </tr> <tr> <td>Related Financial/FTE Comments:</td> <td></td> </tr> </table>			FISCAL IMPACT: Other (Select One)	FUNDING	If "Other", specify	County Dollars =		Grant		(Select One)	FTE IMPACT: No FTE change (Select One)	Total	If "Increase or "Decrease" specify:		Related Financial/FTE Comments:	
FISCAL IMPACT: Other (Select One)	FUNDING															
If "Other", specify	County Dollars =															
	Grant															
	(Select One)															
FTE IMPACT: No FTE change (Select One)	Total															
If "Increase or "Decrease" specify:																
Related Financial/FTE Comments:																



MnDOT District 7 Community Outreach

Summer 2020

Today's Agenda

- 10-year district work plan
 - Overview
 - Process
 - Next steps
- Legislative update
- Discussion

District 7 10-Year Capital Highway Investment Plan (2020-2029)



NOVEMBER 2019

mn DEPARTMENT OF
TRANSPORTATION

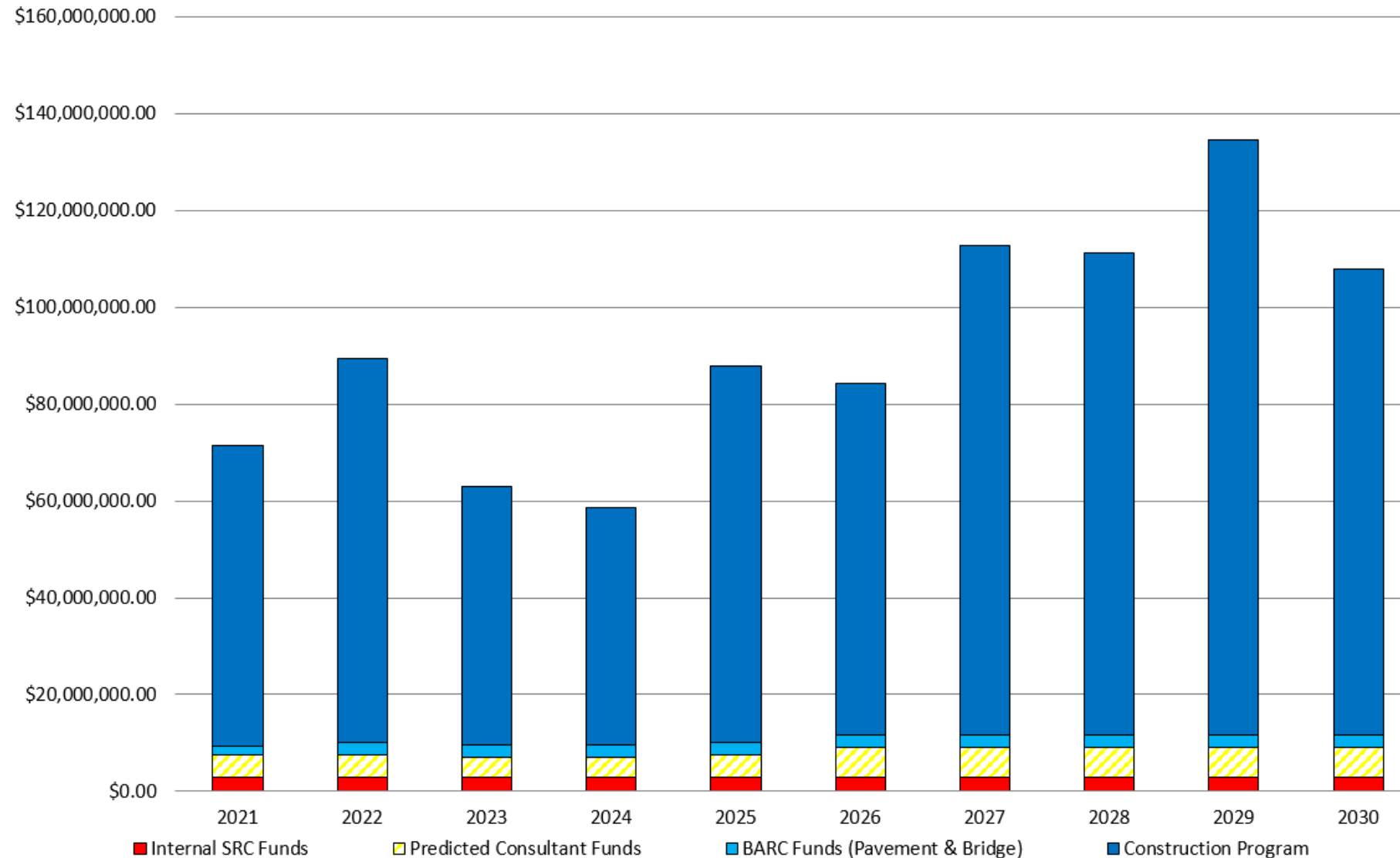
Prepared by
Office of Transportation System Management

District 10-Year Work Plan

- Statewide Transportation Improvement Program, **STIP** = next 4 years
- Capital Highway Investment Plan, **CHIP** = Years 5 – 10
- Both are updated annually



D7 Construction Program FY 2021 – FY 2030



Funding

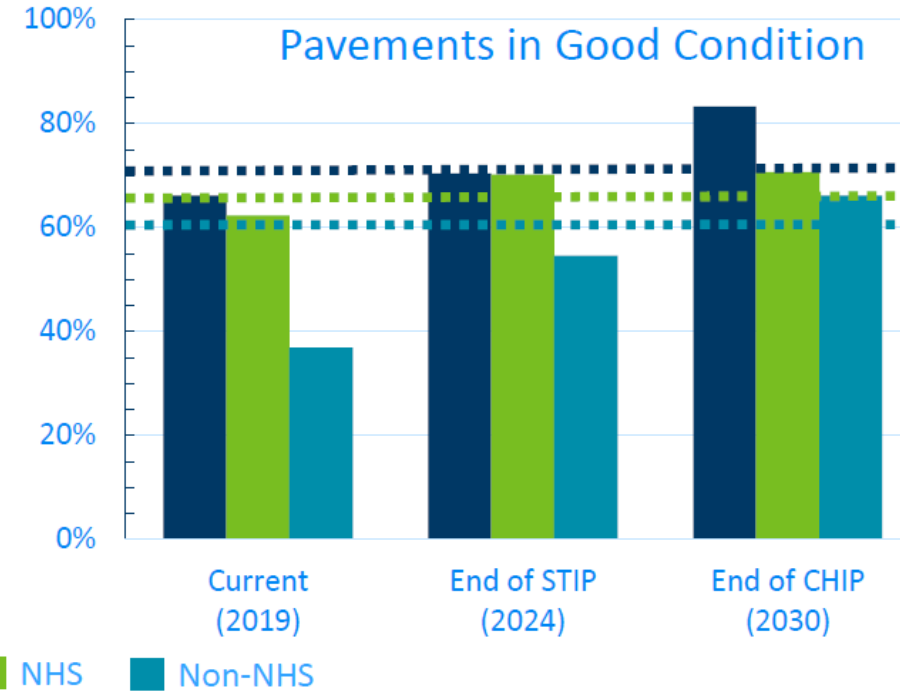
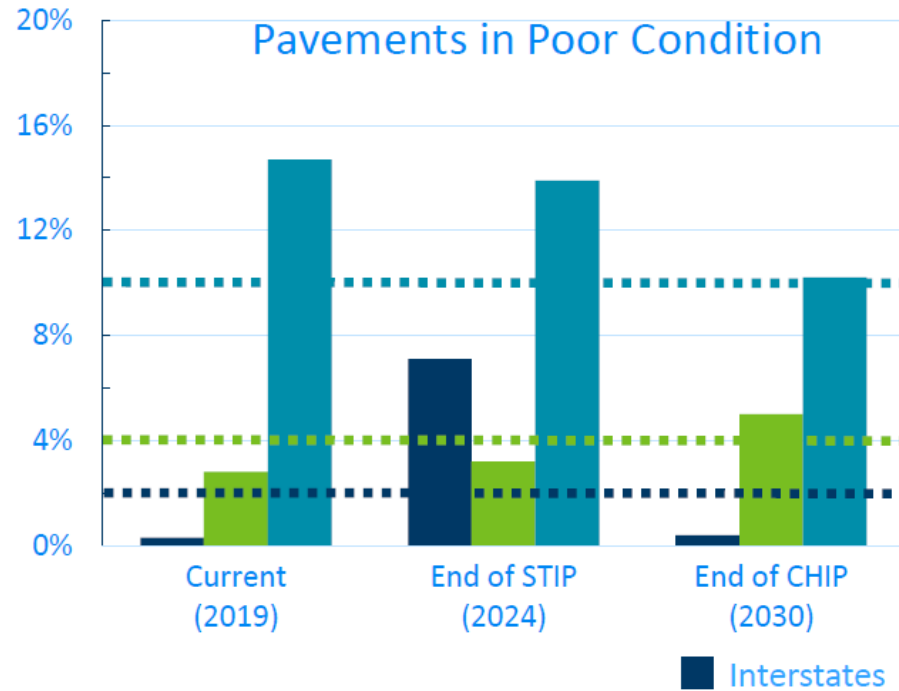
INVESTMENT CATEGORIES	FY2018-2021	FY2022-2023	FY2024-2037
Pavement Condition	33.5%	47.3%	52.9%
Bridge Condition	15.6%	8.2%	9.7%
Roadside Infrastructure	8.7%	6.9%	7.7%
Jurisdictional Transfer	0.0%	0.5%	0.5%
Facilities	0.0%	0.4%	0.5%
Traveler Safety	4.2%	3.1%	3.1%
Twin Cities Mobility	5.7%	6.8%	0.0%
Greater Minnesota Mobility	0.0%	1.4%	0.0%
Freight	2.8%	2.7%	3.0%
Bicycle Infrastructure	0.8%	0.5%	0.6%
Accessible Pedestrian Infrastructure	1.8%	2.4%	2.7%
RCIP	3.3%	1.2%	1.0%
Project Delivery	14.3%	15.7%	16.0%
Small Programs	6.1%	2.8%	2.3%

MnSHIP 2013 - Reflects projects in first year of the STIP (2021)

The last year of the STIP (2024) and the CHIP years (2025-2030) – focus is on maintaining existing system; no funding for expansion / mobility projects

Transition from MnSHIP 2013 to MnSHIP 2018 - Reflects projects in years 2022 and 2023 of the STIP – investment direction shifts toward increased focus on maintaining existing system

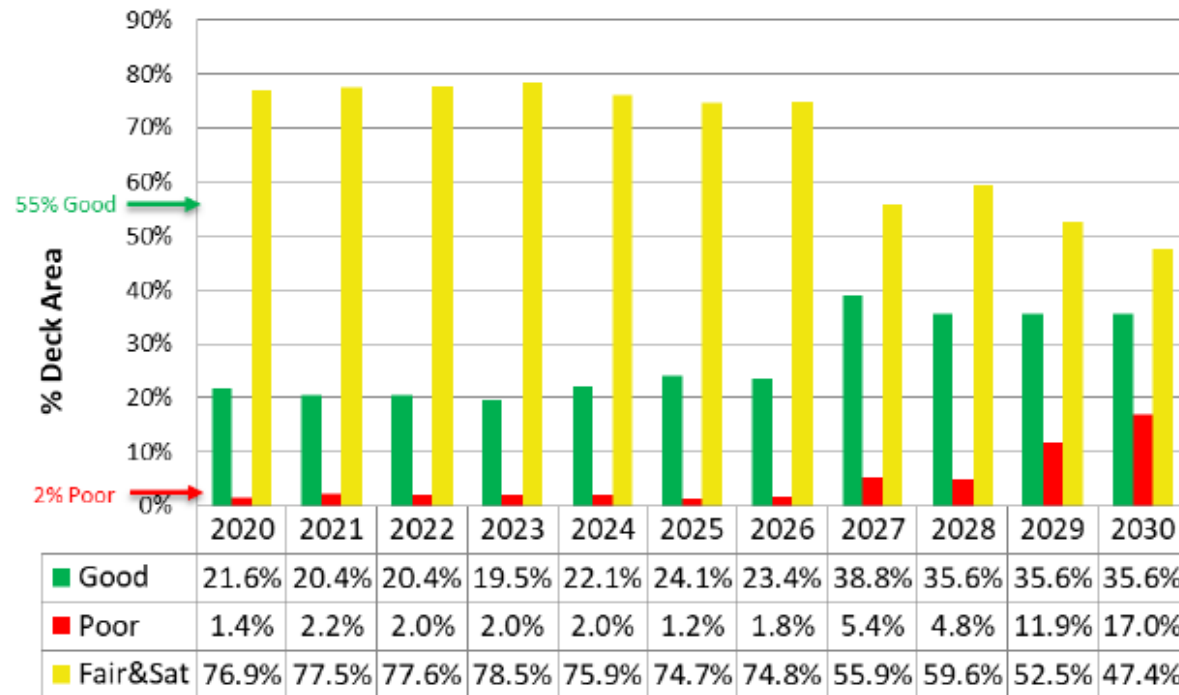
District 7 pavement conditions



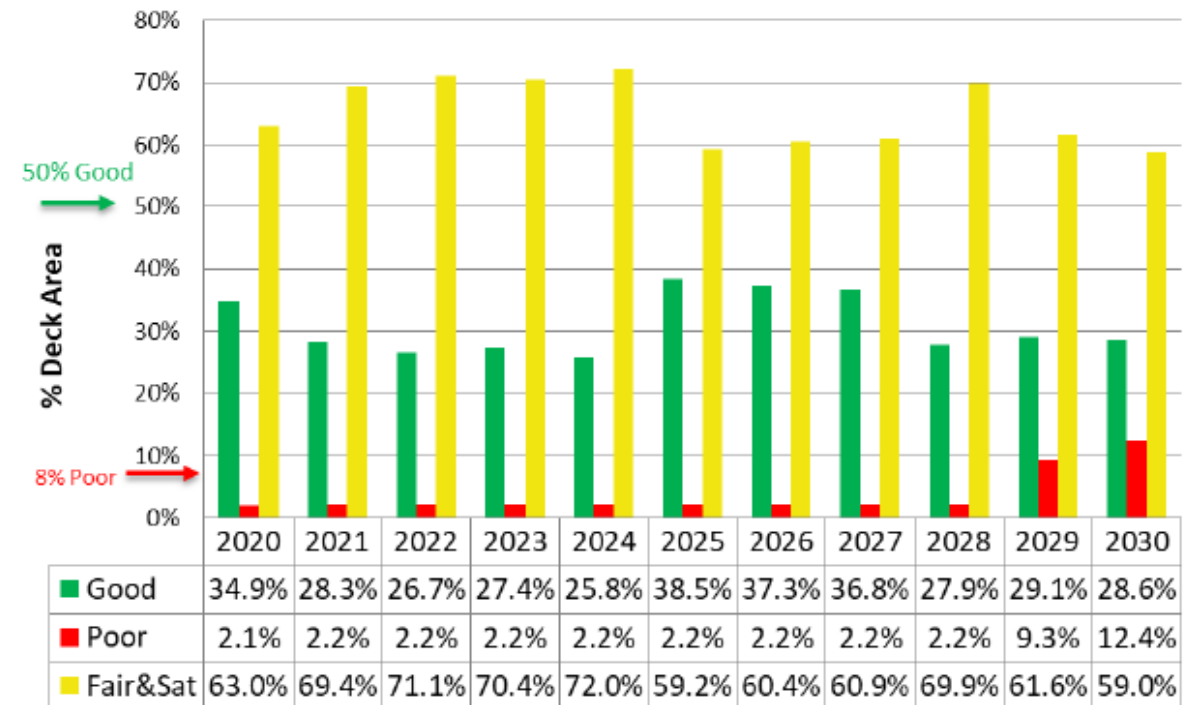
System	Statewide Poor Targets	Current Poor (2019)	End of STIP Poor (2024)	End of CHIP Poor (2030)		Statewide Good Targets	Current Good (2019)	End of STIP Good (2024)	End of CHIP Good (2030)
Interstate	2%	0.3%	7.1%	0.4%	■	70%	66.2%	70.4%	83.3%
Other NHS	4%	2.8%	3.2%	5.0%	■	65%	62.3%	70.2%	70.7%
Non-NHS	10%	14.7%	13.9%	10.2%	■	60%	36.9%	54.6%	66.2%

District 7 bridge conditions

**ATP 7 Bridges
NHS**

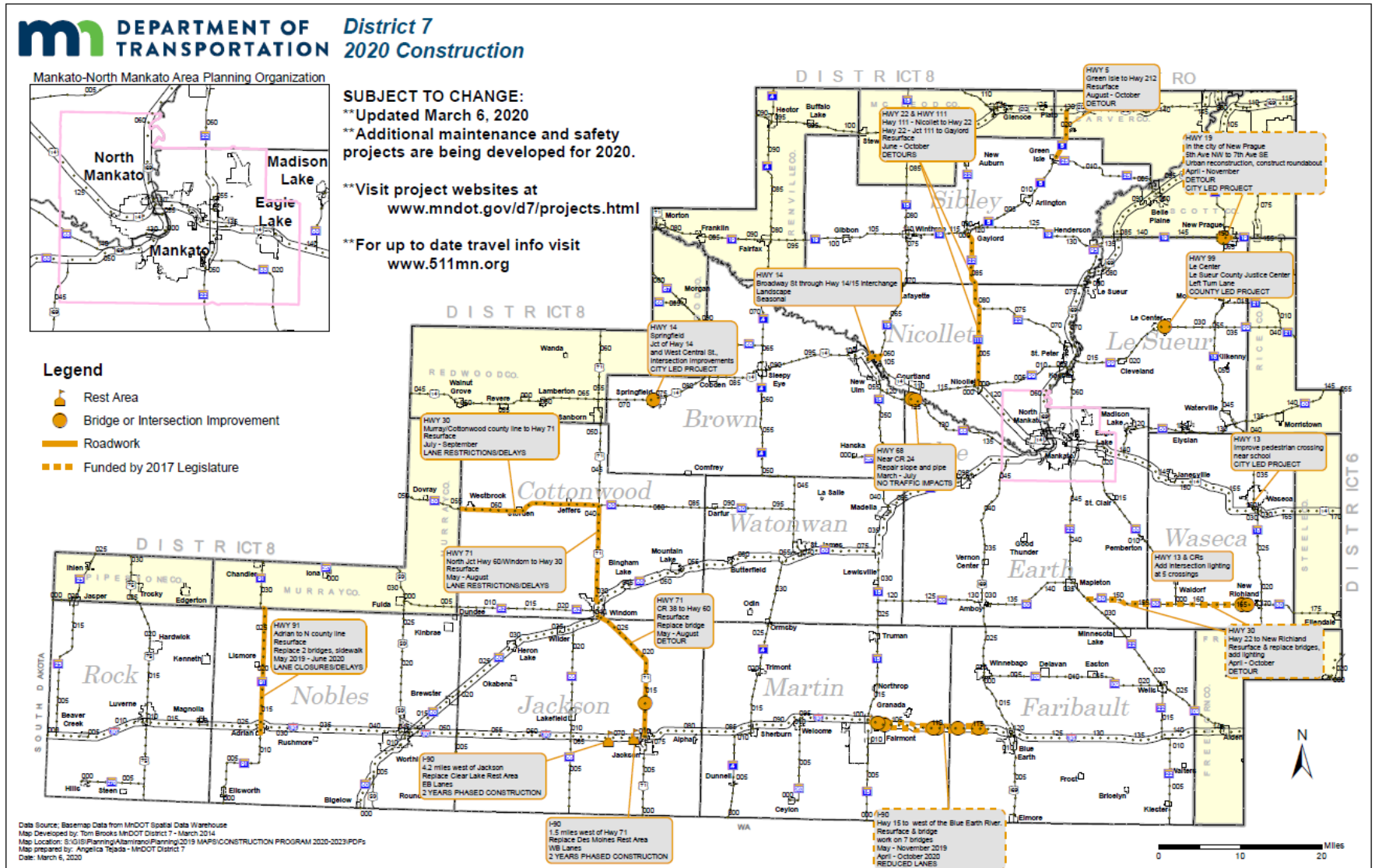


**ATP 7 Bridges
Non-NHS**



Current Year Projects

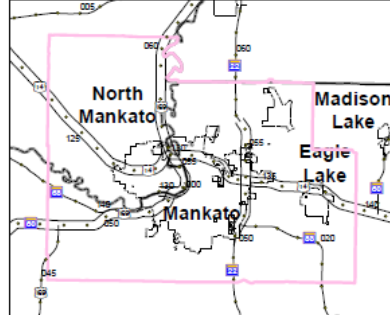
2020
construction
season projects



Nicollet County



Mankato-North Mankato Area Planning Organization



District 7 2020 Construction

SUBJECT TO CHANGE:

****Updated March 6, 2020**

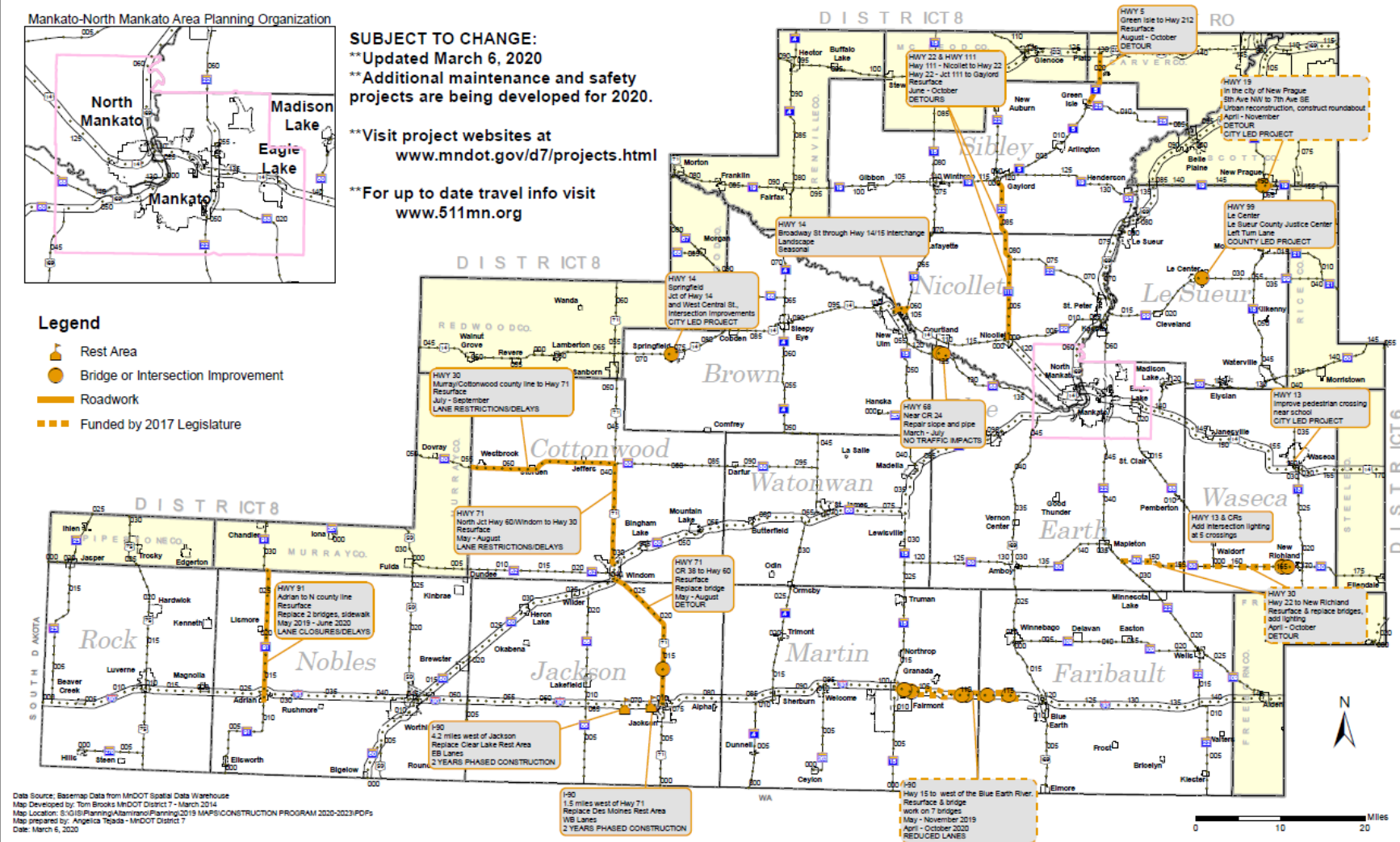
****Additional maintenance and safety projects are being developed for 2020.**

****Visit project websites at
www.mndot.gov/d7/projects.html**

****For up to date travel info visit
www.511mn.org**

Legend

- Rest Area
- Bridge or Intersection Improvement
- Roadwork
- Funded by 2017 Legislature



SP 0710-113 TH 68

Slope Stabilization and Ravine Repairs Near Courtland

- Slope stabilization, ravine restoration and culvert repairs
- Contract Cost: \$743,996.46
- Contract Start Date: March 2, 2020
- Completion Date: June 12, 2020
- Contractor: Standard Contracting

SP 0710-113 TH 68

Slope Stabilization and Ravine Repairs Near Courtland



SP 0710-113 TH 68

Slope Stabilization and Ravine Repairs Near Courtland



SP 0710-113 TH 68

Slope Stabilization and Ravine Repairs Near Courtland



SP 0710-113 TH 68

Slope Stabilization and Ravine Repairs Near Courtland

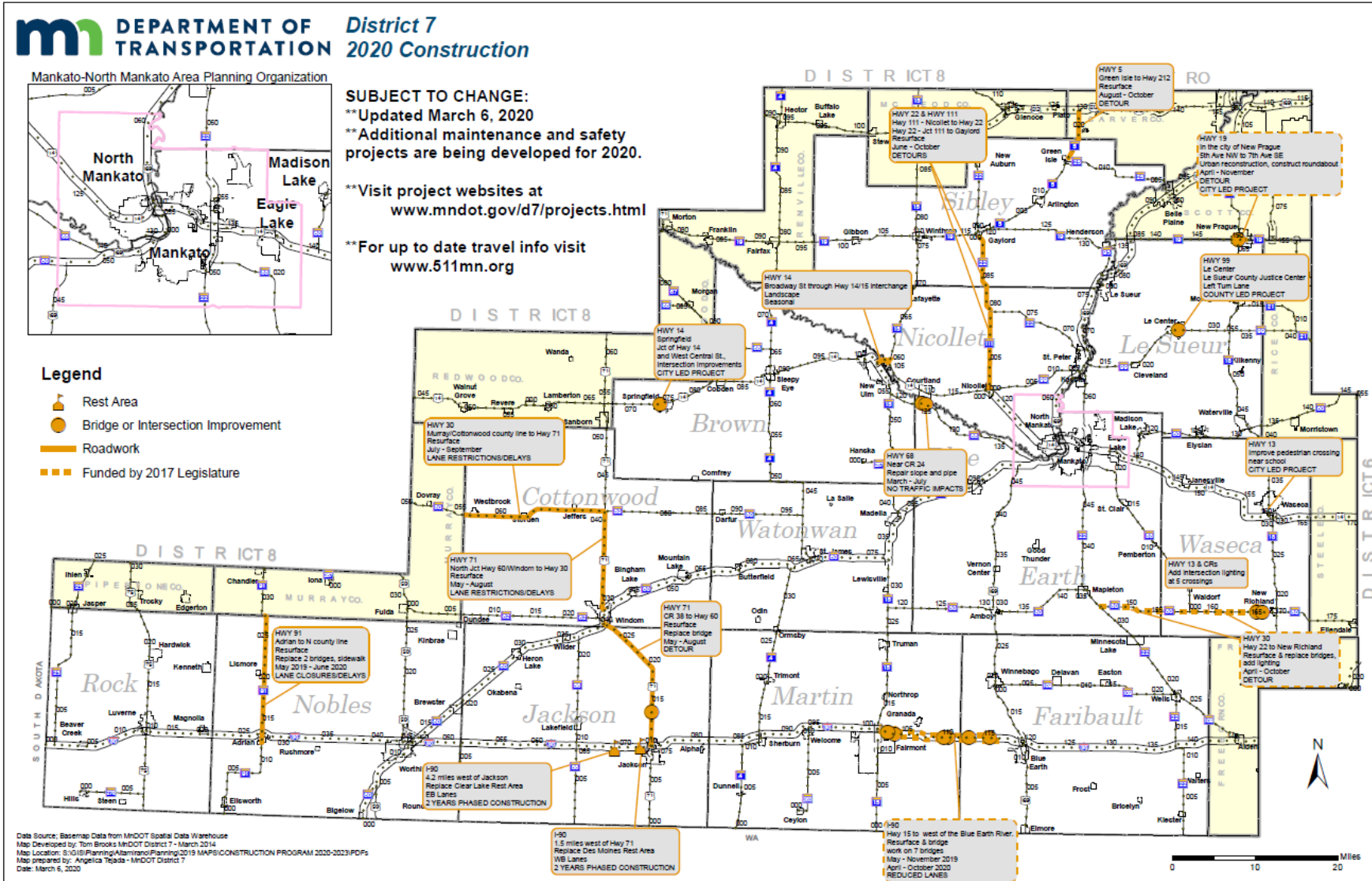


SP 0710-113 TH 68

Slope Stabilization and Ravine Repairs Near Courtland



Nicollet and Sibley Counties



SP 5208-22 TH 111 & TH 22 Nicollet to Gaylord

- Bit Milling, SFDR, Bit Surfacing, Culverts, Lighting, ADA
- Contract Cost: \$13,466,297.14
- Contract Completion Date: September 26, 2020
- Contractor: MPM

SP 5208-22 TH 111 & TH 22 Nicollet to Gaylord



SP 5208-22 TH 111 & TH 22 Nicollet to Gaylord



SP 5208-22 TH 111 & TH 22 Nicollet to Gaylord



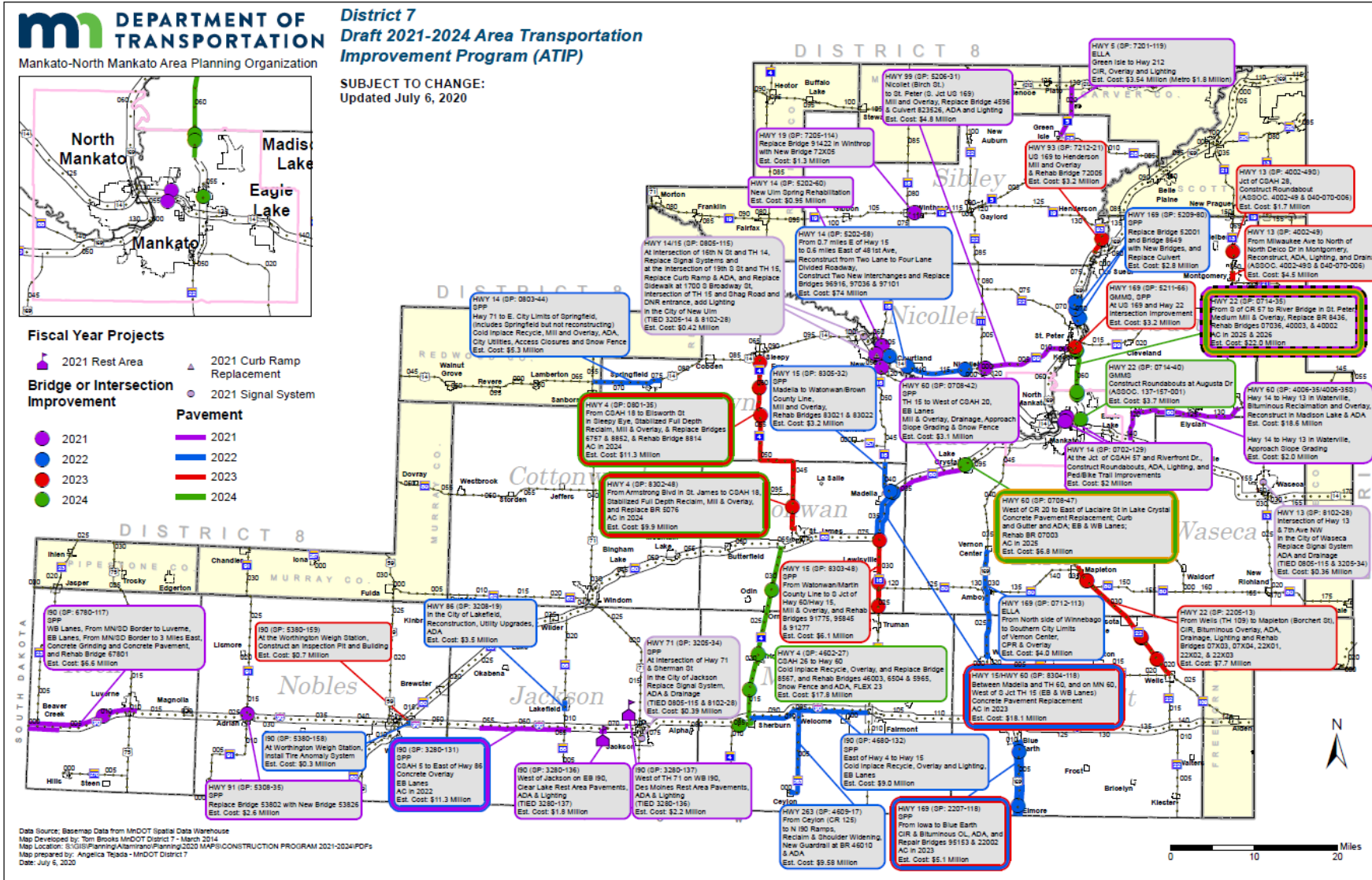
SP 5208-22 TH 111 & TH 22 Nicollet to Gaylord



2024
projects –
proposed
projects to
be added
to the
updated
STIP

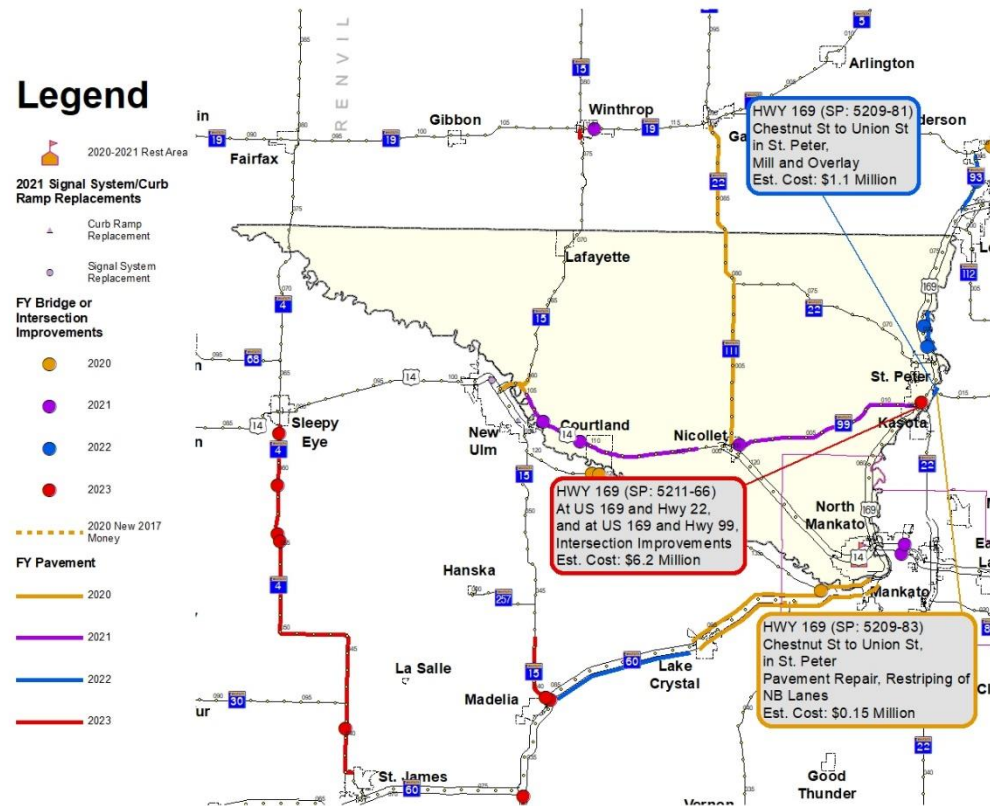


Programmed Projects - Map

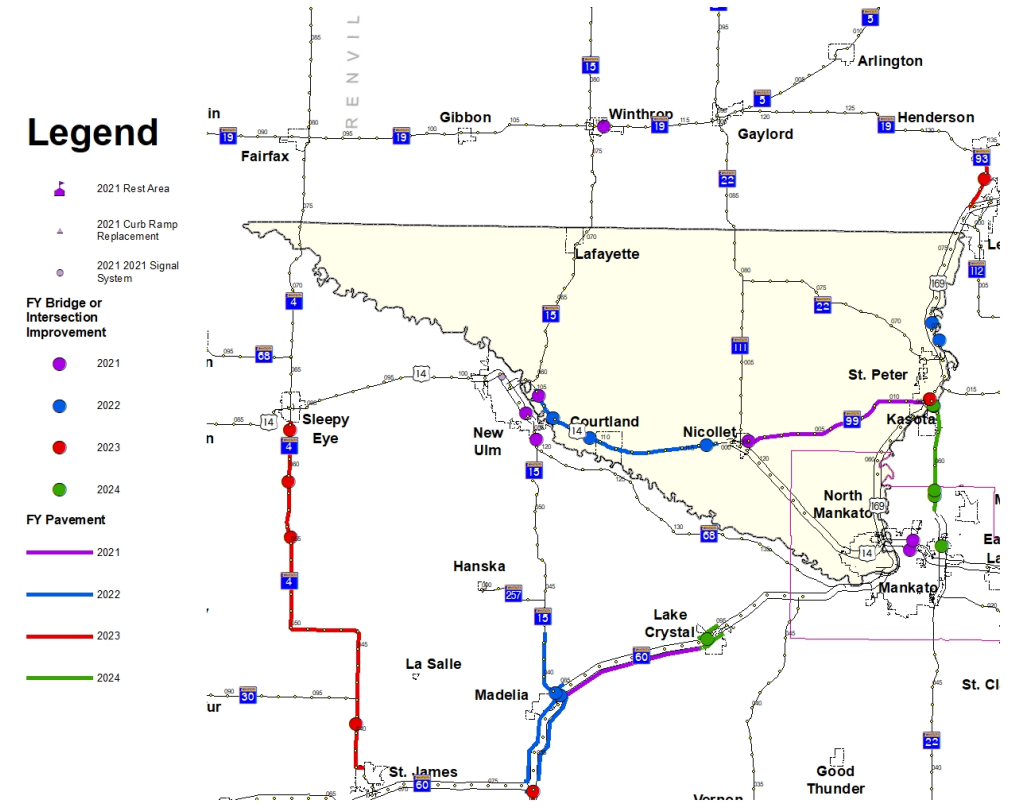


2021 - 2024 Area Transportation Improvement Program Changes from 2020 - 2023 ATIP

Nicollet County 2020 – 2023 ATIP Projects



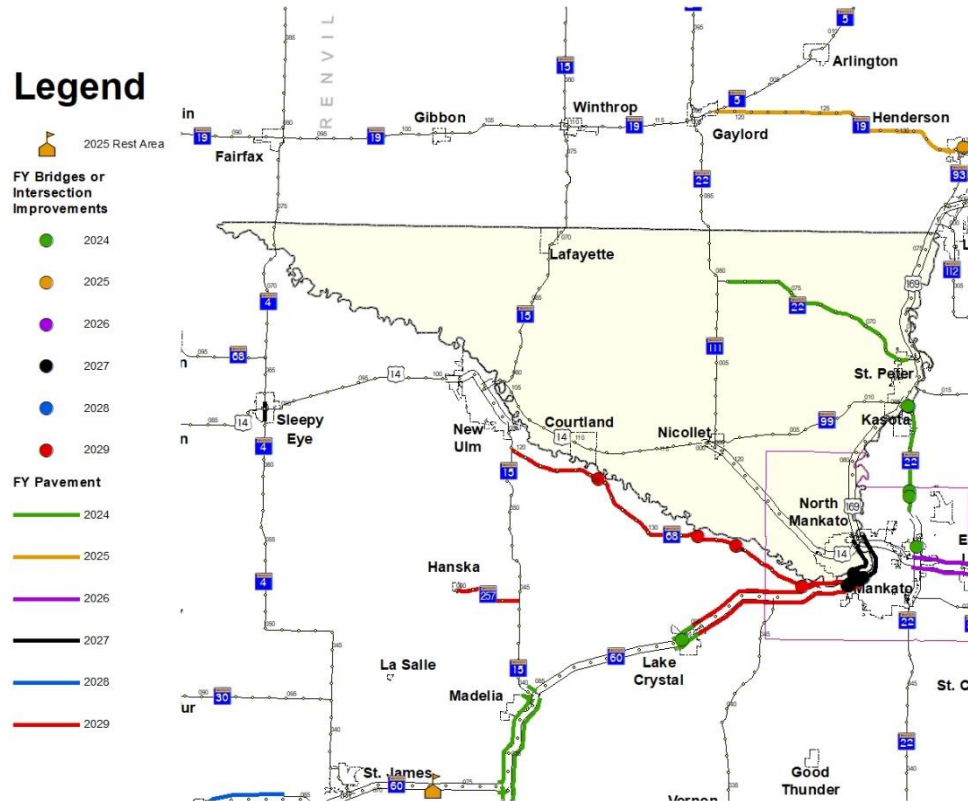
Nicollet County 2021 – 2024 ATIP Projects



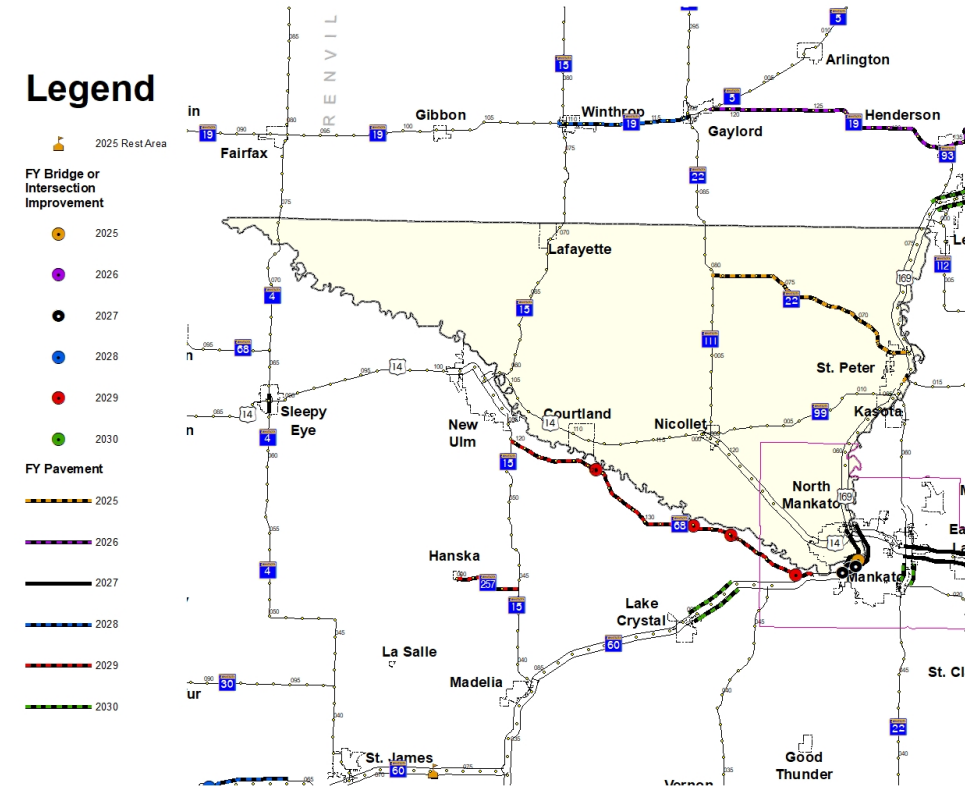
2025-2030 Capital Highway Investment Plan

Changes from 2024-2029 CHIP

Nicollet County 2024 – 2029 CHIP Projects



Nicollet County 2025 – 2030 CHIP Projects



10-Year Work Plan Next Steps

- What's Next:
 1. July – September 2020 - Follow-up on our pre-scoping meeting with communities
 2. September – December 2020 - Scoping draft projects
 3. March – April 2021 - Start to select new projects for next update

Legislative update / other topics

- FAST (Fixing America's Surface Transportation) ACT expires
- COVID-19 funding implications
- Highway 14 - 4-lane expansion – New Ulm to Nicollet
- Corridor study updates (where applicable)

Questions / Issues / Concerns

- What are some current issues or concerns that you have?

Thank you!

Greg Ous

District Engineer

MnDOT District 7

greg.ous@state.mn.us

507-304-6101

Ronda Allis

Transportation Planning Director

MnDOT District 7

ronda.allis@state.mn.us

507-514-2332

Peter Harff

Assistant District Engineer, Program Delivery

MnDOT District 7

peter.harff@state.mn.us

507-304-6194

Sam Parker

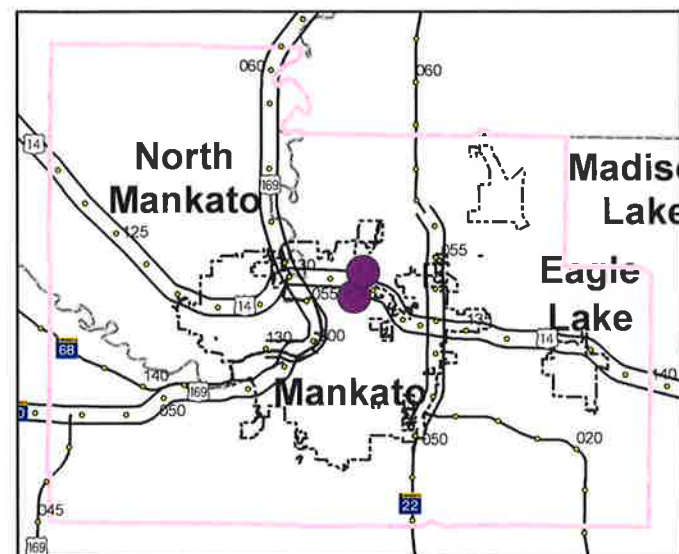
Principal Planner

MnDOT District 7

samuel.parker@state.mn.us

507-508-3232

SUBJECT TO CHANGE:
Updated July 6, 2020

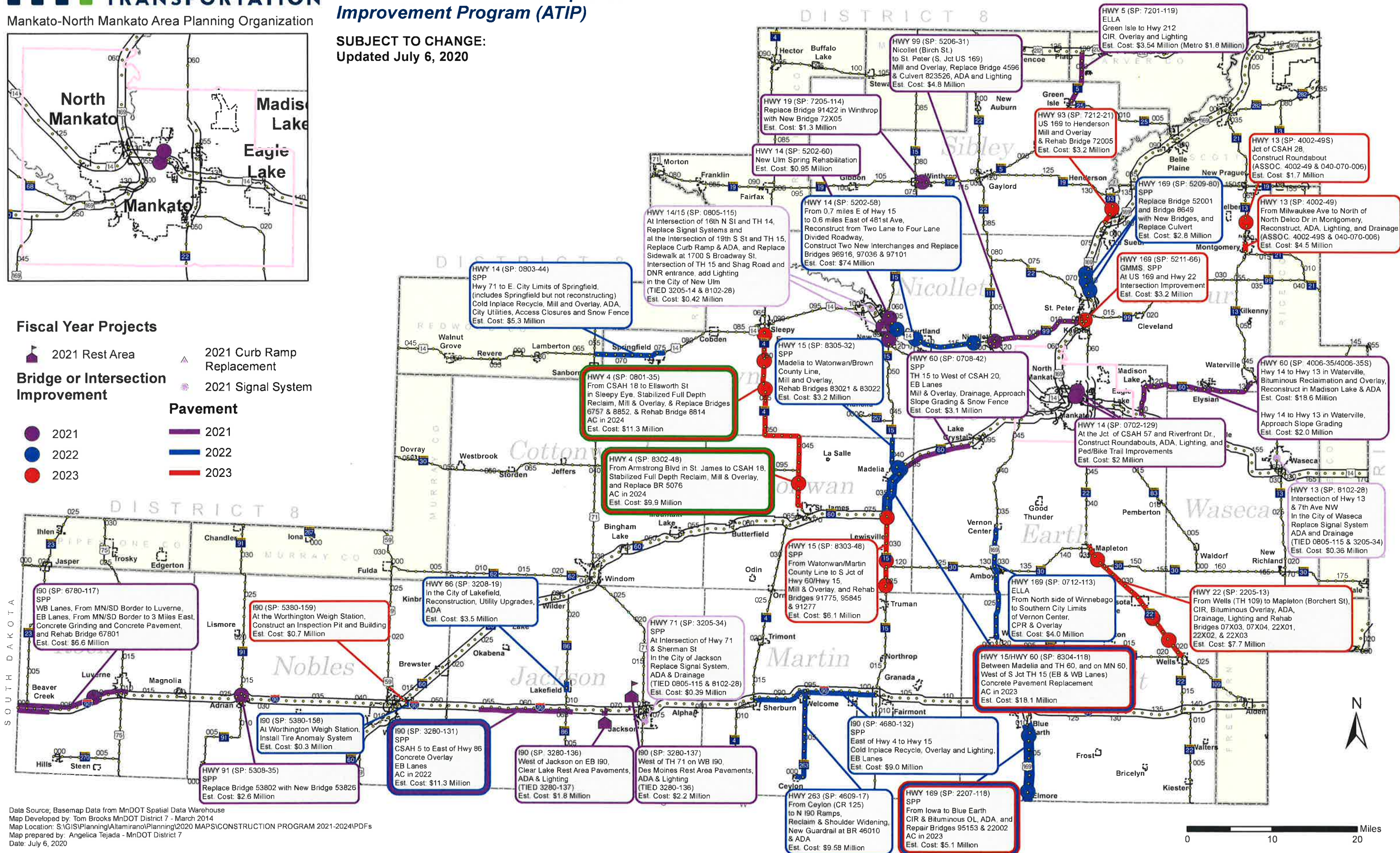


Bridge or Intersection Improvement

- 2021 Rest Area
- 2021 Curb Ramp Replacement
- 2021 Signal System

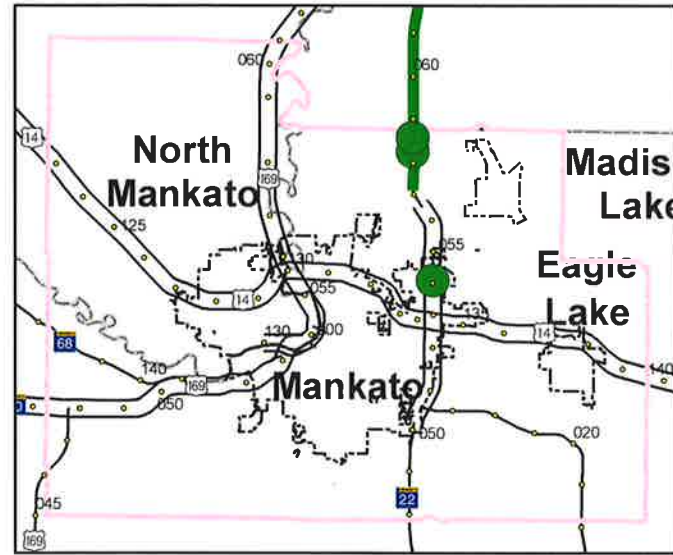
Pavement

- 2021
- 2022
- 2023



District 7
Draft 2024 Area Transportation
Improvement Program (ATIP)

SUBJECT TO CHANGE:
Updated July 6, 2020



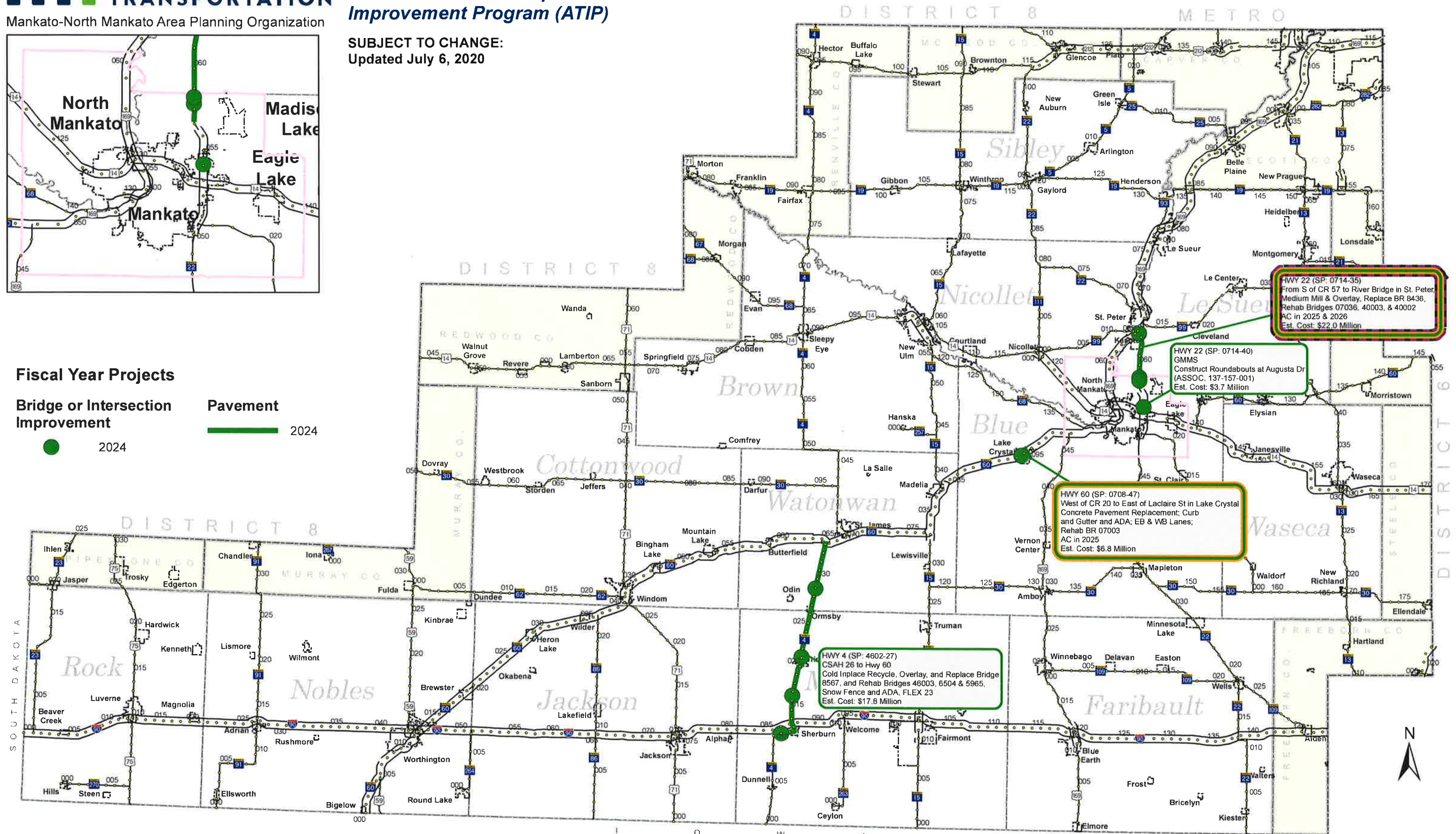
Fiscal Year Projects

Bridge or Intersection
Improvement

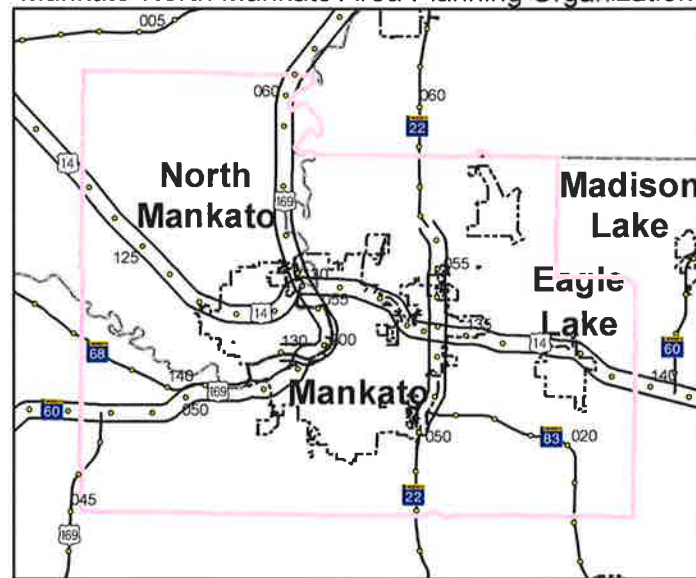
Pavement

2024

2024



Mankato-North Mankato Area Planning Organization



SUBJECT TO CHANGE:

****Updated March 6, 2020**

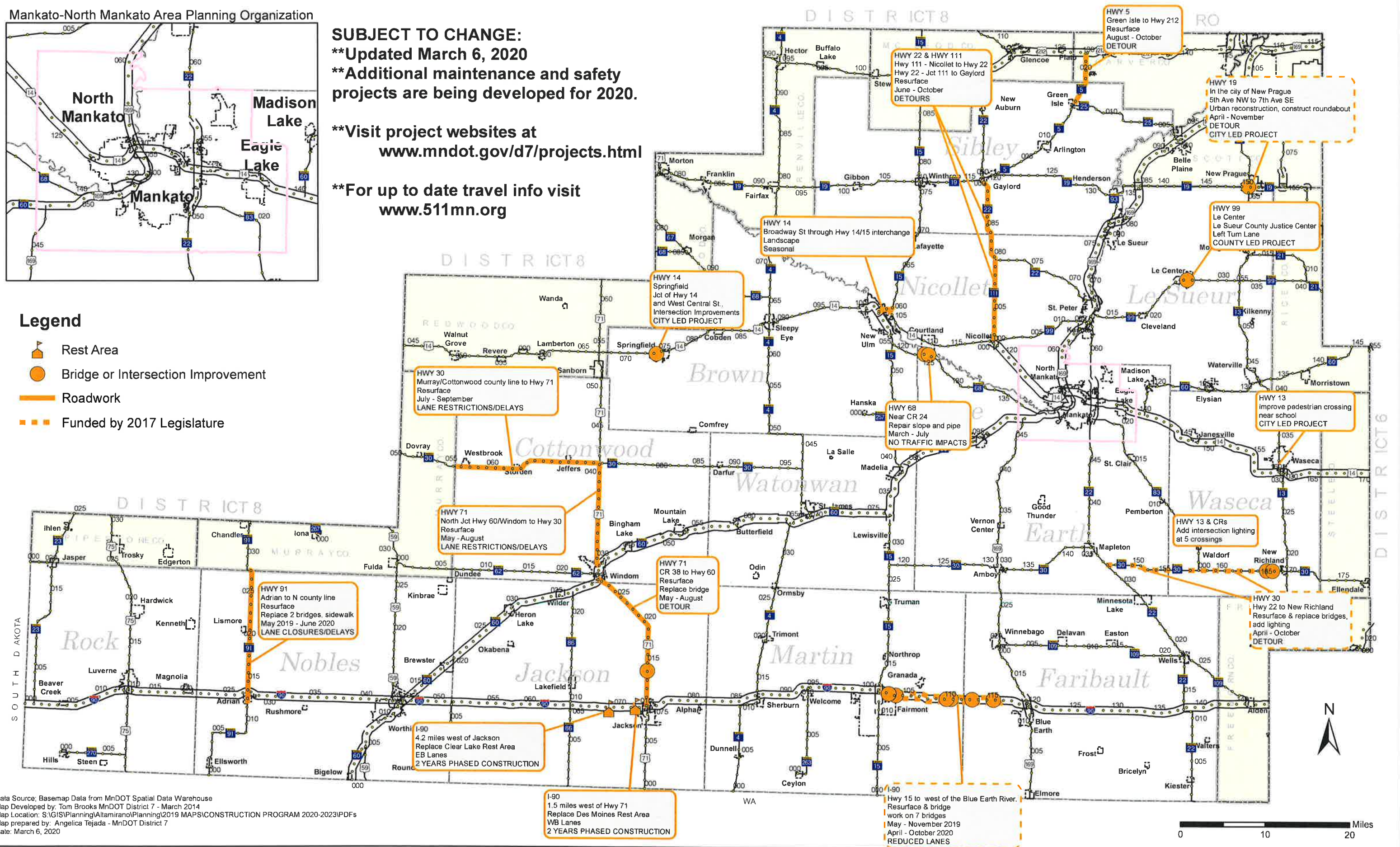
****Additional maintenance and safety projects are being developed for 2020.**

****Visit project websites at
www.mndot.gov/d7/projects.html**

****For up to date travel info visit
www.511mn.org**

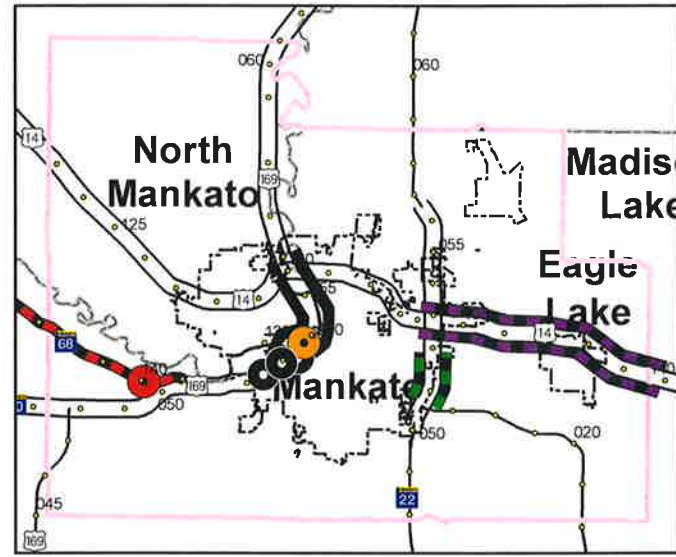
Legend

- Rest Area
- Bridge or Intersection Improvement
- Roadwork
- Funded by 2017 Legislature



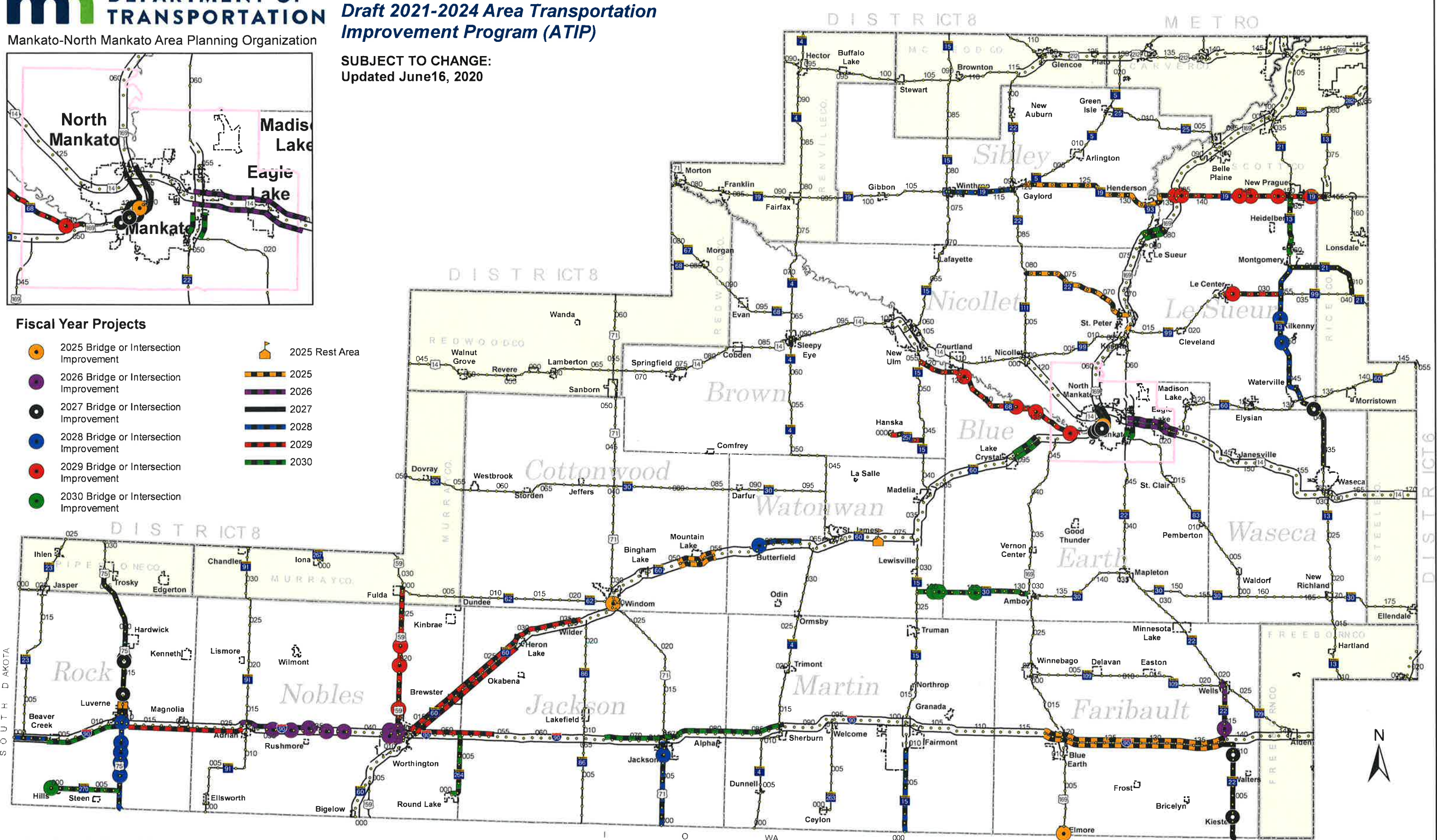
District 7
Draft 2021-2024 Area Transportation
Improvement Program (ATIP)

SUBJECT TO CHANGE:
Updated June 16, 2020



Fiscal Year Projects

- | | | | |
|--|---|--|----------------|
| | 2025 Bridge or Intersection Improvement | | 2025 Rest Area |
| | 2026 Bridge or Intersection Improvement | | 2025 |
| | 2027 Bridge or Intersection Improvement | | 2026 |
| | 2028 Bridge or Intersection Improvement | | 2027 |
| | 2029 Bridge or Intersection Improvement | | 2028 |
| | 2030 Bridge or Intersection Improvement | | 2029 |
| | | | 2030 |



Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item: CARES Act Funding								
Primary Originating Division/Dept.: Administrator Contact: Ryan Krosch Title: Administrator Amount of Time Requested 30 minutes Presenter: Cassie Sassenberg Title: HHS Director	Meeting Date: 8/11/2020 Item Type: Regular Agenda <small>(Select One)</small>							
		Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No						
County Strategy: Financial Security - prudent use of taxpayer resources <small>(Select One)</small>								
BACKGROUND/JUSTIFICATION: Nicollet County received over \$4.1million of Federal CARES Act funds to assist with the costs associated with responding to the COVID-19 pandemic. At the meeting the Board will be presented with: - a resolution approving Nicollet County's CARES Act Funding Plan and Budget - a resolution approving Nicollet County's CARES Act Child Care, Crisis and Health and Safety Assistance Programs								
Supporting Documents: <input checked="" type="radio"/> Attached <input type="radio"/> In Signature Folder <input type="radio"/> None								
Prior Board Action Taken on this Agenda Item: <input type="radio"/> Yes <input checked="" type="radio"/> No If "yes", when? (provide year; mm/dd/yy if known)								
Approved by County Attorney's Office: <input type="radio"/> Yes <input type="radio"/> No <input checked="" type="radio"/> N/A								
ACTION REQUESTED: Approved the resolutions as presented.								
FISCAL IMPACT: Other <small>(Select One)</small> If "Other", specify	FUNDING County Dollars = <table style="width: 100%;"> <tr> <td style="width: 50%;">Federal</td> <td style="width: 50%; text-align: right;">\$4.1 million</td> </tr> <tr> <td><small>(Select One)</small></td> <td></td> </tr> <tr> <td>Total</td> <td style="text-align: right;">\$4.1 million</td> </tr> </table>		Federal	\$4.1 million	<small>(Select One)</small>		Total	\$4.1 million
Federal	\$4.1 million							
<small>(Select One)</small>								
Total	\$4.1 million							
FTE IMPACT: No FTE change <small>(Select One)</small> If "Increase or "Decrease" specify: Related Financial/FTE Comments:								

Nicollet County CARES Act Funding Plan and Budget
8/11/2020

Property Tax Relief Reimbursements

	<u>Amount</u>	
Public health response (non-payroll - client and staff PPE, testing, dispensing, outreach, etc.)	\$200,000	
County staff payroll and benefits	\$1,493,180	*
County building disinfecting, PPE, glass, Bld. modifications	\$100,000	
County technology - telework, etc.	\$200,000	
Staff unemployment and federal CV19 time off	\$50,000	
Increased solid waste costs	\$15,000	
Community health staff time	\$15,000	
SUBTOTAL	\$2,073,180	50%

* Est. eligible reimbursement is \$2,542,000+

Community, Business and Non-Profit Assistance

Food Programs	\$10,000	
Crisis Funding Program (individual and family financial assistance for lost income, housing needs, etc.)	\$100,000	
Child Care Funding (both for child care providers and users)	\$50,000	
Respite Grant Ipads for Distance Learning	\$10,000	
Community Partner Funding - organizations Nicollet County works with that have been impacted by CV19	\$150,000	
Health and Safety Assistance (PPE for business/non-profits under 50 employees and all schools and health care)	\$100,000	
Livestock Depopulation and Economic Assistance	\$10,000	
Schools Distance Learning Expenses (90% Public, 10% Private)	\$300,000	
Business Assistance Grants (40% NM, 40% SP, 20% rest of county)	\$1,000,000	
Other programs or Expansion of Existing Programs	\$343,181	
SUBTOTAL	\$2,073,181	50%

TOTAL	\$4,146,361	100%
--------------	--------------------	-------------

County CARES Act Appropriation	\$4,146,361	
Cities CARES Act Appropriation	\$2,133,336	**
Townships CARES Act Appropriation	\$146,725	**
TOTAL	\$6,426,422	

** Unused city and township funds get sent to the county November 15 and need to be used by December 1.



RESOLUTION APPROVING NICOLLET COUNTY'S CARES ACT CHILD CARE, CRISIS AND HEALTH AND SAFETY ASSISTANCE PROGRAMS



WHEREAS, The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Trump on March 27th, 2020; and

WHEREAS, this over \$2 trillion economic relief package was established to provide economic and public health assistance to the American people impacted by the coronavirus (COVID-19) pandemic; and

WHEREAS, through the Coronavirus Relief Fund, the CARES Act provides \$150 billion of financial assistance for state, local and tribal governments who are navigating the impact of the COVID-19 pandemic; and

WHEREAS, The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the state or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (December 1, 2020 for Minnesota); and

WHEREAS, Nicollet County received \$4,146,361 of CARES Act funds; and

WHEREAS, on August 11, 2020 Nicollet County approved a CARES Act Funding Plan and Budget in accordance with guidance provided by the US Department of Treasury and Minnesota Office of Management and Budget; and

WHEREAS, US Treasury Guidance dated June 30, 2020 states that CARES Act Funds may be used for expenses of actions to facilitate compliance with COVID-19-related public health measures, expenses for acquisition and distribution of medical and protective supplies and expenses for public safety measures undertaken in response to COVID-19; and

WHEREAS, US Treasury Coronavirus Relief Fund Frequently Asked Questions dated July 8, 2020 states Cares Act funds may be used for consumer grant programs to prevent eviction and homelessness and may be used to provide emergency financial assistance to individuals and families directly impacted by a loss of income due to the COVID-19 pandemic.

NOW, THEREFORE, BE IT RESOLVED, that the Nicollet County Board of Commissioners approves the attached Nicollet County CARES Act Funding programs (Programs):

- Nicollet County CARES Act Child Care Funding Program
- Nicollet County CARES Act Crisis Funding Program
- Nicollet County CARES Act Health and Safety Assistance Program

BE IT FURTHER RESOLVED, general administrative and policy changes may be made to these Programs by the Nicollet County Health & Human Services Director or Nicollet County Administrator without Nicollet County Board approval as guidance, need and circumstances change.

BE IT FURTHER RESOLVED, the Nicollet County Board of Commissioners has determined that expenditures for these Programs:

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act); and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (December 1, 2020 for Minnesota).

Approved by the Board of Commissioners of Nicollet County, Minnesota this 11th day of August, 2020.

John Luepke, Nicollet County Board Chair

Attest:

Ryan Krosch, County Administrator
Clerk to the County Board



RESOLUTION APPROVING NICOLLET COUNTY'S CARES ACT FUNDING PLAN AND BUDGET



WHEREAS, The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress and signed into law by President Trump on March 27th, 2020; and

WHEREAS, this over \$2 trillion economic relief package was established to provide economic and public health assistance to the American people impacted by the coronavirus (COVID-19) pandemic; and

WHEREAS, through the Coronavirus Relief Fund, the CARES Act provides \$150 billion of financial assistance for state, local and tribal governments who are navigating the impact of the COVID-19 pandemic; and

WHEREAS, The CARES Act requires that the payments from the Coronavirus Relief Fund only be used to cover expenses that—

1. are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);
2. were not accounted for in the budget most recently approved as of March 27, 2020 (the date of enactment of the CARES Act) for the State or government; and
3. were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020 (December 1, 2020 for Minnesota); and

WHEREAS, Nicollet County received \$4,146,361 of CARES Act funds; and

WHEREAS, Nicollet County has established a CARES Act Funding Plan and Budget in accordance with guidance provided by the US Department of Treasury and Minnesota Office of Management and Budget.

NOW, THEREFORE, BE IT RESOLVED; that the Nicollet County Board of Commissioners approves the attached Nicollet County CARES Act Funding Plan and Budget dated August 11, 2020.

BE IT FURTHER RESOLVED, said Plan and Budget may be amended by the Nicollet County Board at a later date as guidance, need and circumstances change.

Approved by the Board of Commissioners of Nicollet County, Minnesota this 11th day of August, 2020.

John Luepke, Nicollet County Board Chair

Attest:

Ryan Krosch, County Administrator
Clerk to the County Board

OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY
July 28, 2020

The Nicollet County Drainage Authority met in regular session on Tuesday, July 28, 2020 at 11:26 a.m. with Chair John Luepke presiding. Commissioners Marie Dranttel, Terry Morrow, Jack Kolars, Denny Kemp and John Luepke were present. Also present were County Administrator Ryan Krosch, Recording Secretary Abigail Lewis and County Attorney Michelle Zehnder Fischer.

The meeting was held via teleconference pursuant to Minnesota Statute 13D.021 due to the coronavirus pandemic. There were no public comments submitted by email or phone. No members of the public requested to participate in the meeting by phone. The meeting was recorded and broadcast live online.

Consent Agenda

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the consent agenda items as follows: approval of the July 14, 2020 Drainage Authority minutes and the July 21, 2020 Special Drainage Authority minutes. Motion carried with all voting in favor.

Set Hearing Date for Ditch Cleanings

Public Services Manager, Jaci Kopet, appeared before the Drainage Authority to request a public hearing date be set for ditch cleanings to be completed this fall. The ditches requested to be cleaned are County Ditch 24A, County Ditch 16A and County Ditch 48A.

Motion by Commissioner Morrow and seconded by Commissioner Kemp to set the public hearing date for ditch cleanings for August 25, 2020 at 10:30 a.m. Motion carried with all voting in favor.

Consider Findings for the Correction to Benefits for CD77 Lateral 2

Manager Kopet presented the Findings of Fact and requested approval of the Findings for the Correction to Benefits for CD77 Lateral.

A public hearing was held on July 21, 2020 to correct the benefits for CD77 Lateral 2 that were previously approved on July 9, 2019. The changes were approved by the Drainage Authority at the July 21, 2020 meeting.

Motion by Commissioner Morrow and seconded by Commissioner Kemp to accept the Findings to correct the benefits for CD77 Lateral 2. Motion carried with all voting in favor.

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS
ACTING AS DRAINAGE AUTHORITY FOR
COUNTY DITCH NO. 77 LATERAL 2

Findings of Fact and Order
Regarding the Amendment of the Redetermination of Benefits
For Nicollet County Ditch No. 77 Lateral 2

The Drainage Authority, having completed its deliberations, its examination of all files and records herein, its hearing of all interested persons, and its consideration of all reports, makes the following:

FINDINGS

1. A Redetermination of Benefits was ordered for Nicollet County Ditch No. 77 Lateral 2 on September 23, 2014.
2. Ron Rinquist, Brad Wick, Charles Anderson, and Lance Roberts were appointed viewers to submit a Redetermination of Benefits Report and the Benefits and Damages statement.
3. A public hearing was held on July 9, 2019, at the Nicollet County Government Center in St. Peter, Minnesota, to consider the submitted Viewer's Reports. Proper notice of the public hearing was posted, published, and mailed.
4. The Drainage Authority heard from Viewer Ron Ringquist regarding the methodology used to prepare the redetermination reports. The Drainage Authority also took public testimony and answered questions regarding the proposed redetermination.
5. The Drainage Authority adopted the Viewer's Report and assessment of benefits and damages on July 9, 2019.
6. A petition to improve County Ditch 77 Lateral 2 was accepted by the Drainage Authority on October 24, 2017. The Drainage Authority subsequently ordered a Preliminary Engineering Report following a hearing on October 18, 2018. The Drainage Authority ordered a Final Engineering Report. The Drainage Authority also ordered a Determination of Benefits report and appointed Viewers for the same. The Final Engineering Report was presented to the Department of Property and Public Services on January 21, 2020. The matter was then set for a public hearing.
7. A continued hearing on the Final Engineering Report for the improvement project was held on June 9, 2020. During this hearing, Viewer Ron Ringquist identified an error in the Redetermination of Benefits Viewer's Report regarding the efficiency rating for a portion of the system.
8. After discussion, the Drainage Authority ordered that the error should be corrected so that the Redetermination Report is accurate and so that any error is not perpetuated during any future proceedings. The Drainage Authority further directed that notice of the hearing to correct the Redetermination of Benefits report be mailed to all landowners and published.
9. Notice of the hearing to correct the Redetermination of Benefits Report was provided as follows:
 - a. Notice of Public Hearing was mailed to all landowners on County Ditch 77, Lateral 2 on June 29, 2020;
 - b. Notice of Public Hearing was posted on June 29, 2020; and
 - c. Notice of the Public Hearing was published in the St. Peter Herald and the Lafayette Ledger on July 2, July 9, and July 16, 2020.
10. Viewer Ron Ringquist explained the error he discovered in his report. He noted that some of the land drained using the original tile system that remained in place. This drainage changed the drainage efficiency rating for portions of the system. A correction to the system's efficiency rating does not alter the watershed of the system.
11. In all other aspects, the detailed Redetermination of Benefits Report and Benefit and Damages Statement adopted on July 9, 2019, was accurate.
12. The correction to the redetermination of benefits report, previously adopted by the Drainage Authority on July 9, 2019, ensures that future benefits, damages, and repairs are apportioned between the parcels in an accurate and fair manner.
13. The reports as amended are complete and correct.

NOW, THEREFORE, IT IS ORDERED as follows:

1. The viewers' report on file herein, and the assessment of benefits and damages stated therein, attached as Exhibit A, is hereby adopted.

2. The total benefits of County Drainage System 77 Lateral 2 is \$2,214,838.73.
3. The redetermined benefits and damages, and benefited and damaged areas shall take the place of, and shall be used, in determining assessments from the date of approval.
4. The acquisition of the one-rod grass strip previously ordered by the Drainage Authority shall remain in effect.
5. The Public Services Manager is directed to take all necessary actions to implement this redetermination of benefits.
6. The appeal period will be thirty (30) days after this Order is signed and filed in the County Public Services Office.

Consider Findings for the Improvement Project to CD77 Lateral 2

Manager Kopet presented the Findings of Fact and requested approval of the Findings for the Improvement Project to CD77 Lateral 2.

The Final Engineers Report Hearing was held on July 21, 2020 for CD77 Lateral 2. The Drainage Authority approved this project at that hearing.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the Findings for the Improvement Project to CD77 Lateral 2. Motion carried with all voting in favor.

BEFORE THE JOINT DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH NO. 77 Lateral 2

Findings of Fact and Order of the Drainage Authority
On the Final Hearing Following the Detailed
Survey and Detailed Survey Report and Viewer's Report
by the Drainage Authority of Nicollet County,
Regarding the Petition for Improvements to
Nicollet County Ditch No. 77 Lateral 2,
Lafayette Township

The Drainage Authority, having completed its deliberations, its examination of all files and records herein, its hearing of all interested persons, and its consideration of all reports, makes the following:

FINDINGS OF FACT

14. A Petition for Improvement to Nicollet County Ditch 77 Lateral 2 was filed with the Nicollet County Public Services Office. The contents of said Petition met the criteria set forth in Minnesota Statute Section 103E.215 to initiate an improvement of a drainage system.
15. The Nicollet County Drainage Authority accepted the Petition on October 24, 2017. The Drainage Authority also appointed Charles L. Brandel, PE, of I & S Group to act as the engineer to prepare a Preliminary Engineer's Report.
16. Engineer Brandel completed his Preliminary Engineer's Report and filed it with the Nicollet County Public Services Office on October 18, 2018.
17. A copy of the Preliminary Survey Report was mailed to the Director of the Division of Ecological and Water Resources at the Department of Natural Resources on October 18, 2018.
18. Proper notice to landowners of the Preliminary Hearing was provided as required under Minnesota Statute Section 103E.261. Said notice was published in the legal newspaper of Nicollet County on November 29,

December 6, and December 13, 2018; notice was posted on November 29, 2018; and notice was mailed to all landowners on November 29, 2018.

19. A Hearing on the Preliminary Engineer's Report was held at the Nicollet County Government Center on December 18, 2018.
20. Engineer Brandel presented the Preliminary Engineer's Report and explained his analysis of whether the proposed drainage project met the statutory criteria set forth in Chapter 103E of Minnesota Statutes.
21. The Commissioner's Advisory Report on the Preliminary Engineer's Report was read verbatim by Ms. Kopet and included in the record of the proceedings.
22. Comments were received at the public hearing and addressed by the Drainage Authority.
23. The Drainage Authority then ordered a Final Engineering Report.
24. On December 18, 2018, the Drainage Authority appointed Ron Rinquist, Charles W. Anderson, and Brad Wick to complete a determination of benefits from the proposed improvement project.
25. On January 21, 2020, Engineer Brandel filed the Final Engineering Report with the Department of Property and Public Services.
26. The Final Engineer's Report was sent to the Commissioner of Natural Resources on January 21, 2020. The Commissioner's letter in response to the Final Engineering Report was filed with the Drainage Authority on February 7, 2020.
27. Within 30 days after the viewers' report was filed, the Public Services Manager made a property owners' report from the information in the viewers' report in conformance with the requirements of Minn. Stat. § 103E.323, subd. 1. The Public Services Manager mailed a copy of the property owners report to each property owner affected by the proposed drainage project and an affidavit of mailing is on file with the Drainage Authority.
28. On February 11, 2020, the Drainage Authority scheduled a hearing for March 24, 2020, to review Engineer Brandel's Final Engineering Report and the Viewers' Report. The Drainage Authority directed the Public Services Manager to provide notice of the final hearing by publication, by posting, and by mail to the petitioners, political subdivisions, and owners of property likely to be affected by the proposed project.
29. Proper notice of the Final Hearing was provided as required under Minn. Stat. § 103E.261. Said notice was published in the St. Peter Herald and the Lafayette-Nicollet Ledger on March 5, March 12, and March 19, 2020; notice was posted on March 5, 2020; and notice was mailed to all landowners on March 5, 2020.
30. On March 13, 2020, Governor Tim Walz issued Executive Order 20-01 declaring a Peacetime State of Emergency as a result of the Novel Coronavirus Disease 2019 (hereinafter COVID-19). Thereafter, Governor Walz issued Executive Orders that required Minnesotans to stay at home except for the limited purposes set forth within the Executive Orders. These Executive Orders are 20-20 (time period March 27, 2020 to April 10, 2020), 20-33 (time period April 8, 2020 to May 3, 2020), and 20-48 (time period May 3, 2020 to May 17, 2020).
31. On March 24, 2020, the Nicollet County Board of Commissioners authorized an Emergency Disaster Declaration as a result of COVID-19.
32. As a result of the Executive Orders issued by Governor Walz, and based upon the recommendations of the Minnesota Department of Health and the Centers for Disease Control, the Nicollet County Government Center was closed to the public on March 19, 2020, and remained closed to the public until May 21, 2020.
33. As a result of the Executive Orders and the closure of the Nicollet County Government Center, the public hearing scheduled for March 24, 2020, was continued to April 14, 2020. The Drainage Authority continued the public hearing from April 14, 2020, to May 19, 2020, due to the continued Executive Orders directing Minnesotans to stay home and the closure of the Nicollet County Government Center.

34. Nicollet County Property Services mailed to each impacted landowner a letter outlining the continuance of each previously scheduled hearing and the reason for the continuance of the hearing.
35. Governor Walz issued Executive Order 20-56 that ended the prior stay at home restrictions and included guidance for engaging in other activities. Executive Order 20-56 permitted governmental meetings, but continued the recommendation for remote meetings whenever possible.
36. The Drainage Authority conducted the May 19, 2020, hearing in person. The Drainage Authority permitted landowners and affected individuals to either call in for the hearing or attend the hearing in person. The Drainage Authority further permitted Viewer Ringquist to appear via telephone.
37. Property Services also mailed to all landowners and affected individuals a letter containing the engineer's power point presentation and instructions on how to call in for the May 19, 2020, hearing. The call in option allowed landowners and affected individuals to participate in the hearing, both to hear the hearing content and to ask questions during the public hearing.
38. The final report of the Commissioner was read verbatim at the hearing on May 19, 2020. The Commissioner of Natural Resources did not appear for the hearing. The Director of the Division of Waters in the Department of Natural Resources did not appear for the hearing. The Commissioner's report did not specifically approve or object to the Improvement Project.
39. During the May 19, 2020, hearing, Engineer Brandel presented the Final Engineering Report, including recommendations for specific improvements and repairs. The Report contained two improvement options. Engineer Brandel recommended that the Drainage Authority order Option 1 as presented in the Final Engineering Report, dated January 2019. Option 2, as presented in the Final Engineer Report, was not cost effective as the costs exceed the benefits generated by the improvement project.
40. Engineer Brandel further offered a response to some of the concerns raised by the Commissioner regarding the need for a storage basin. Based upon engineering modeling for 2, 5, and 10 year rain events that showed little downstream impact from the upstream improvement, the changes proposed to the system did not warrant the storage system outlined in Option 2 of the Engineer's Report or the expense associated with creating the storage system.
41. Engineer Brandel further outlined the repairs needed to the system that explained the separable maintenance costs set forth in the Final Engineering Report.
42. Attorney Bruce Sellers, representing the Petitioners, appeared for the hearing and noted that Option 1 of the Engineer's Report meet all required statutory criteria, that it served public utility, and provided a public benefit. He asked the Drainage Authority to approve Option 1 as outlined in the Engineer's report.
43. Viewer Ron Rinquist presented the viewer's report to the Drainage Authority.
44. During the May 19, 2020, public hearing, the following persons appeared and provided comment:
 - a. Tim Waibel, 45438 541st Avenue, Courtland, Minnesota, expressed concern about the per acre construction damage calculation, crop loss compensation, and the long-term impact to his property from the soil disruption. Mr. Waibel also expressed concern that the construction may damage his existing tile lines. He further expressed concern that the improvement will result in additional water flowing downstream into structures that are not being improved and he was concerned it would create downstream flooding.

Engineer Brandel noted that the downstream ditch system has sufficient capacity to handle any increase in flow created by the improvements to the system. Engineer Brandel asked that Mr. Waibel provide information about his existing tile and further noted that damages would be paid if the tile is damaged during construction.

Viewer Ringquist explained the data used to calculate the damages for crop loss and land damages.

- b. Jim Gieseke, 55472 Fort Road, New Ulm, Minnesota, noted that his land is currently being assessed as benefitting from both CD 77 and 86A. He wanted his land accessed into one system or the other.

Viewer Ringquist noted that benefits are assessed based upon how the water flows and the calculations take into account parcels that may be assessed as draining into two systems.

- c. Rick Franta, 35981 605th Avenue, Lafayette, Minnesota, expressed concern that the proposed improvements may create a “bottleneck” area of water downstream due to an increase in water flow.

Engineer Brandel noted that the improvement was designed to give the upstream system the same flow rate as exists in the downstream system. He further noted that the downstream culvert has sufficient capacity to handle the increased flow.

- d. Al Schmidt, 39243 561st Avenue, New Ulm, Minnesota, noted that his land benefits the most from the improvement project. He expressed that he wants his land to enjoy the same drainage coefficient as the other property on the system. Mr. Schmidt further noted that the existing system is 55 years old and needs to be replaced. The tile is presently too shallow and it is damaged during normal farming operations.

- e. Joey Kral, 38826 561st Ave, New Ulm, Minnesota, noted that the improvement needs to be completed. However, he noted some discrepancies in the viewer's report.

- 45. As a result of the questions raised by Mr. Kral, Viewer Ringquist identified errors in his submitted Determination of Benefits report. Viewer Ringquist agreed to amend his report and submit it to Property Services Director Kopet.
- 46. The Drainage Authority continued public comment on the Final Engineer's Report to allow for the correction of the Viewer's Report and to further allow that report to be distributed to the affected landowners. The public hearing was continued until June 9, 2020, at 10:00 a.m.
- 47. Property Services Director Kopet mailed to landowners the corrected Viewer's Report for consideration at the June 9, 2020 continued hearing.
- 48. At the hearing on June 9, 2020, Viewer Ringquist noted a further error in the Redetermination of Benefits Report that was originally adopted by the Drainage Authority on July 9, 2019. The error did not change the watershed included in the drainage system, but it changed the efficiency rating of the system. The Drainage Authority deemed it necessary to correct the Redetermination of Benefits report to ensure the report was accurate. The Drainage Authority continued the public hearing on the Final Engineering Report until July 19, 2020, to allow for notice to landowners of a hearing and its intent to correct the previously adopted Redetermination of Benefits.
- 49. On July 19, 2020, the Drainage Authority adopted the amended Redetermination of Benefits Report that corrected the error discovered during the June 9, 2020 hearing. The Drainage Authority adopted the Findings regarding the amended Redetermination of Benefits on July 28, 2020.
- 50. During the July 19, 2020, hearing, Engineer Brandel presented a video model that reflected the change in downstream flow caused by the improvement project during two different rain events. The video model reflected that the improvement would not adversely affect downstream properties.
- 51. The Final Engineer's Report was completed according to Chapter 103E of Minnesota Statutes. The Final Engineering Report and the Viewer's Report are complete and correct as amended.
- 52. Option 1 as outlined in the Final Engineer's Report is cost effective. Option 2 is not cost effective.
- 53. The Damages and Benefits of the Improvement Project have been properly determined. Based upon the Engineer's Report, the Viewers determined the total benefits from the Improvement Project to be

\$275,983.70 and Engineer Brandel determined the total project costs to be \$533,420.00, including separable maintenance of \$340,020.00. The net benefit of the improvement project is \$80,062.70.

54. The calculated benefits of Option 1 set forth the Engineer Brandel's Final Engineering Report are greater than the total estimated costs, including damages.
55. The proposed drainage project will be of public benefit and promote the public health.
56. The proposed drainage project is practical.
57. The Petitioners included within their petition a request for separable maintenance. The system is in need of repair and the cost of the repairs has been accounted for by the Engineer and Viewers.

Based on the foregoing Findings and the entire record of proceedings before the Board, the Board, acting as the drainage authority for Nicollet County Ditch No. 77 Lateral 2, hereby orders as follows:

ORDER

7. The Nicollet County Drainage Authority for the County Ditch No. 77 Lateral 2 hereby establishes and orders said improvement to County Ditch No. 77 Lateral 2 as described as Option 1 in the Final Engineer's Report, and is further incorporated herein by reference.
8. The amount assigned by the Engineer as separable maintenance shall be charged to County Ditch No. 77 Lateral 2 and deducted from the cost of the improvement to County Ditch No. 77 Lateral 2.
9. The Drainage Authority directs the Public Services Manager to take all necessary actions for the construction of said Improvement to County Ditch No. 77 Lateral 2 and authorizes the Public Services Manager to proceed as necessary, reserving to itself only those matters that the Drainage Authority, by vote, must authorize.
10. Upon completion of the project, the drainage system record shall be updated with the as-built alignment and conditions of the improvement to County Ditch No. 77 Lateral 2.
11. The viewers' determination of benefits and damages for the Improvement to County Ditch No. 77 Lateral 2 contained in the viewers' report, as amended and dated May 21, 2020, and the benefits and damages statement are hereby confirmed and adopted by the drainage authority. Said report is attached as Exhibit A and is hereby incorporated by reference.
12. The viewers, engineer, and attorneys are allowed payment of their accounts of work.
13. The Public Services Manager shall ensure that the benefits roll is updated to reflect the benefits confirmed in this order.
14. The percentage of the cost of the drainage project to be paid by each affected landowner shall be in direct proportion to the benefits and damages as determined in the viewers' report.

After discussion, the Board Chair called the question. The question was on the adoption of the foregoing Findings of Fact and Order. Motion passed with all voting in favor.

County Ditch 62A Improvement Project and Litigation

At 11:30 a.m., Chair Luepke moved to a closed session of the Drainage Authority, as permitted under Minnesota Statute §13D.05, Subdivision 3(b), to discuss litigation regarding the improvement project on Nicollet County Ditch 62A. Individuals attending the closed meeting were: Commissioners Denny Kemp, Marie Dranttel, Terry Morrow, John Luepke and Jack Kolars; County Administrator Ryan Krosch; County Attorney Michelle Zehnder

Fischer; County Engineer Seth Greenwood; Ditch Inspector Nate Henry; Public Services Manager Jaci Kopet and Attorney Roger Justin.

At 12:20 p.m. Chair Luepke called the Drainage Authority back to session

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adjourn the meeting. The meeting adjourned at 12:20 p.m.

JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

RYAN KROSCH
CLERK TO THE BOARD

Nicollet County Drainage
Authority Meeting
Agenda Item



Agenda Item:

Consider ditch repair report 20-020 through 20-023

Primary Originating Division/Dept.: Public Works

Meeting Date: 07/11/2020

Contact: Nate Henry

Title: Drianage Inspector

Item Type:
(Select One) Consent Agenda

Amount of Time Requested 0 minutes

Presenter: Nate Henry

Title: Drianage Inspector

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One) Facilities and Space - preserve, maintain and build our assets

BACKGROUND/JUSTIFICATION:

See attached ditch repair reports

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Drainage Authority Action Taken on this Item: ☐ Yes ☒ No

If yes, when? (provide year; mm/dd/yy if known)

Approved by County Attorney's Office: ☐ Yes ☐ No ☒ N/A

ACTION REQUESTED:

Approve ditch repair report 20-020 through 20-023

FISCAL IMPACT: Other
(Select One)

If "Other", specify

FUNDING

Drainage Authority Dollars =

Other \$38,240.00
(Select One)

FTE IMPACT: No FTE change
(Select One)

If "Increase or "Decrease" specify:

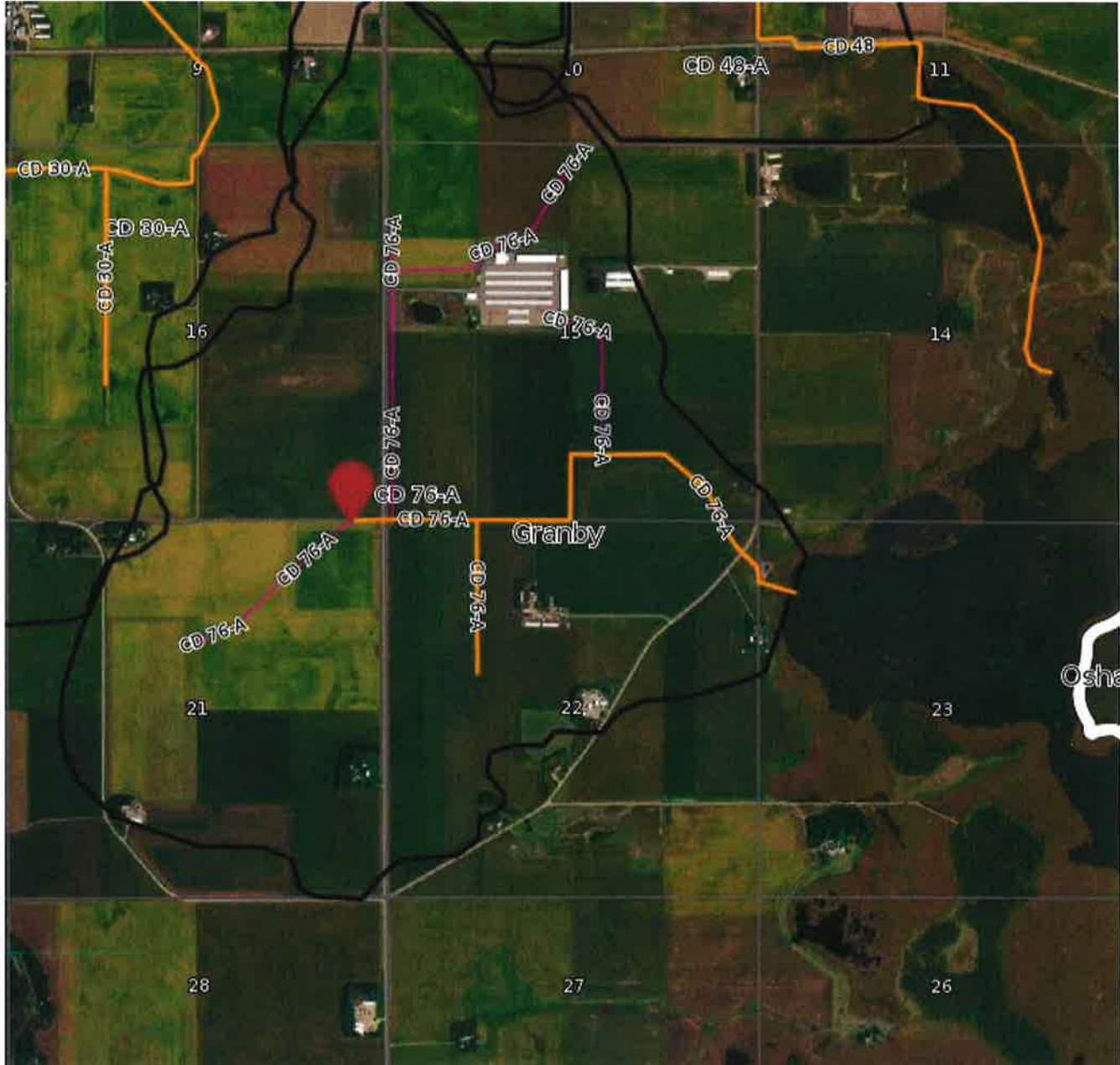
Total \$38,240.00

Related Financial/FTE Comments:

NICOLLET COUNTY DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 76-A Repair #20-020



▼ Municipalities	▼ Public Drainage Systems	▼ Drainage System Watersheds
▼ Townships	Open Ditch	▼ Roads
▼ Sections	Shallow Ditch	Interstate
▼ County Boundary	Tile	U.S. and State Hwy
▼ Parcels	▼ Streams	CSAH
	Protected Natural	County Road
	Protected Altered	Township Road
	Other Perennial/Intermittent	City Street
	▼ Private Drainage	
	Drainage Outlet	
	Open Ditch	

**NICOLLET COUNTY
DRAINAGE DEPARTMENT
REPAIR REPORT**

For Staff Documentation & Contractor Information

OVERVIEW

Date Repair Was Created:	2020-07-28	Branch:	Main
Problem/Proposed Work:	The main county tile outlet is bent down and into the dirt. The landowner is requesting the ditch system repair the outlet with dual wall plastic.		
Ditch Repair:			
Tile Repair:	Tile Outlet		
FEMA Event:	False	FEMA Date:	

REPAIR LOCATION DETAILS

Commissioner District:	2	Township:	Granby
Twp:	110N	Range:	28W
Section:	21	Qtr-Qtr Section:	
Latitude:	44.326013	Longitude:	-94.180984
Parcel Number:	1221200002		
Location Details:			

PERSON REQUESTING REPAIR

Name	Address	Phone
Marvin Krohn		

LANDOWNER

Name	Address	Phone
JOHN A KROHN	40778 465TH AVE NICOLLET MN 56074	

STATUS LOG

Action	Date	Initials	Notes
For Review	07/28/2020	nhenry	

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2020-07-28	Lafayette Excavating	800.00	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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INSPECTION LOG

Date	Initials	Notes
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NICOLLET COUNTY DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 38-A Repair #20-021



▼ Municipalities 	▼ Public Drainage Systems Open Ditch Shallow Ditch Tile	▼ Drainage System Watersheds
▼ Townships 	▼ Streams Protected Natural Protected Altered Other Perennial/Intermittent	▼ Roads Interstate U.S. and State Hwy CSAH County Road Township Road City Street
▼ Sections 	▼ Private Drainage Drainage Outlet Open Ditch	
▼ County Boundary 		
▼ Parcels 		

NICOLLET COUNTY DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

OVERVIEW

Date Repair Was Created:	2020-08-03	Branch:	Main
Problem/Proposed Work:	There is 5 separate slides along the open ditch bank adjacent to the township road. The ditch is very deep and the road will need to be closed during construction. Rip Rap will be hauled in and anchored into the bottom of the ditch to stabilize the bank. Lafayette township has agreed to repair the road once construction is complete.		
Ditch Repair:			
Tile Repair:			
FEMA Event:	False	FEMA Date:	

REPAIR LOCATION DETAILS

Commissioner District:	5	Township:	Lafayette
Twp:	110N	Range:	30W
Section:	14	Qtr-Qtr Section:	
Latitude:	44.334652	Longitude:	-94.401135
Parcel Number:	1014100004		
Location Details:			

PERSON REQUESTING REPAIR

Name	Address	Phone
PERRY MEYER	25 INDIAN POINT DR NEW ULM MN 56073	

LANDOWNER

Name	Address	Phone
PERRY MEYER	25 INDIAN POINT DR NEW ULM MN 56073	

STATUS LOG

Action	Date	Initials	Notes
For Review	08/03/2020	nhenry	

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2020-08-03	Dvorak Excavating	24600.00	

REPAIR INVOICES

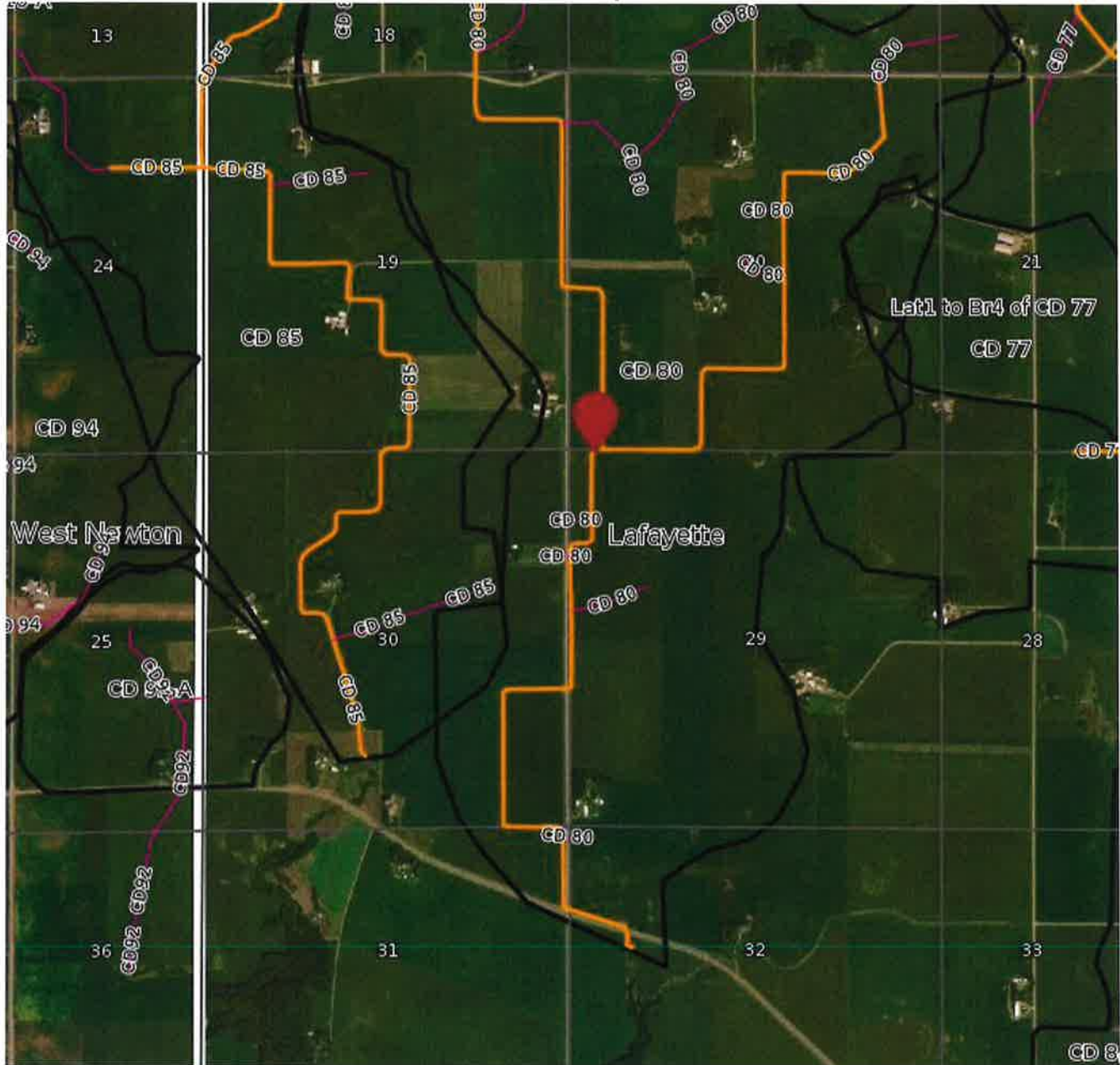
Order	Date	Contractor	%Complete	Total Cost	Notes
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INSPECTION LOG

NICOLLET COUNTY DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 80 Repair #20-022



▼ Municipalities	▼ Public Drainage Systems	▼ Drainage System Watersheds
▼ Townships	Open Ditch	~
▼ Sections	Shallow Ditch	▼ Roads
~	Tile	Interstate
▼ County Boundary	Streams	U.S. and State Hwy
▼ Parcels	Protected Natural	CSAH
~	Protected Altered	County Road
	Other Perennial/Intermittent	Township Road
	Private Drainage	City Street
	Drainage Outlet	
	Open Ditch	

NICOLLET COUNTY DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

OVERVIEW

Date Repair Was Created:	2020-08-03	Branch:	main
Problem/Proposed Work:	Water running over the ditch has created a washout. The landowner is requesting the ditch system repair the ditch bank.		
Ditch Repair:			
Tile Repair:			
FEMA Event:	False	FEMA Date:	

REPAIR LOCATION DETAILS

Commissioner District:	5	Township:	Lafayette
Twp:	111N	Range:	30W
Section:	29	Qtr-Qtr Section:	
Latitude:	44.395692	Longitude:	-94.472637
Parcel Number:	0429100001		
Location Details:			

PERSON REQUESTING REPAIR

Name	Address	Phone
CORY D and WILSON	37910 601ST AVE NEW ULM MN 56073	

LANDOWNER

Name	Address	Phone
CORY D and WILSON	37910 601ST AVE NEW ULM MN 56073	

STATUS LOG

Action	Date	Initials	Notes
For Review	08/03/2020	nhenry	

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2020-08-03	Lafayette Excavating	5000.00	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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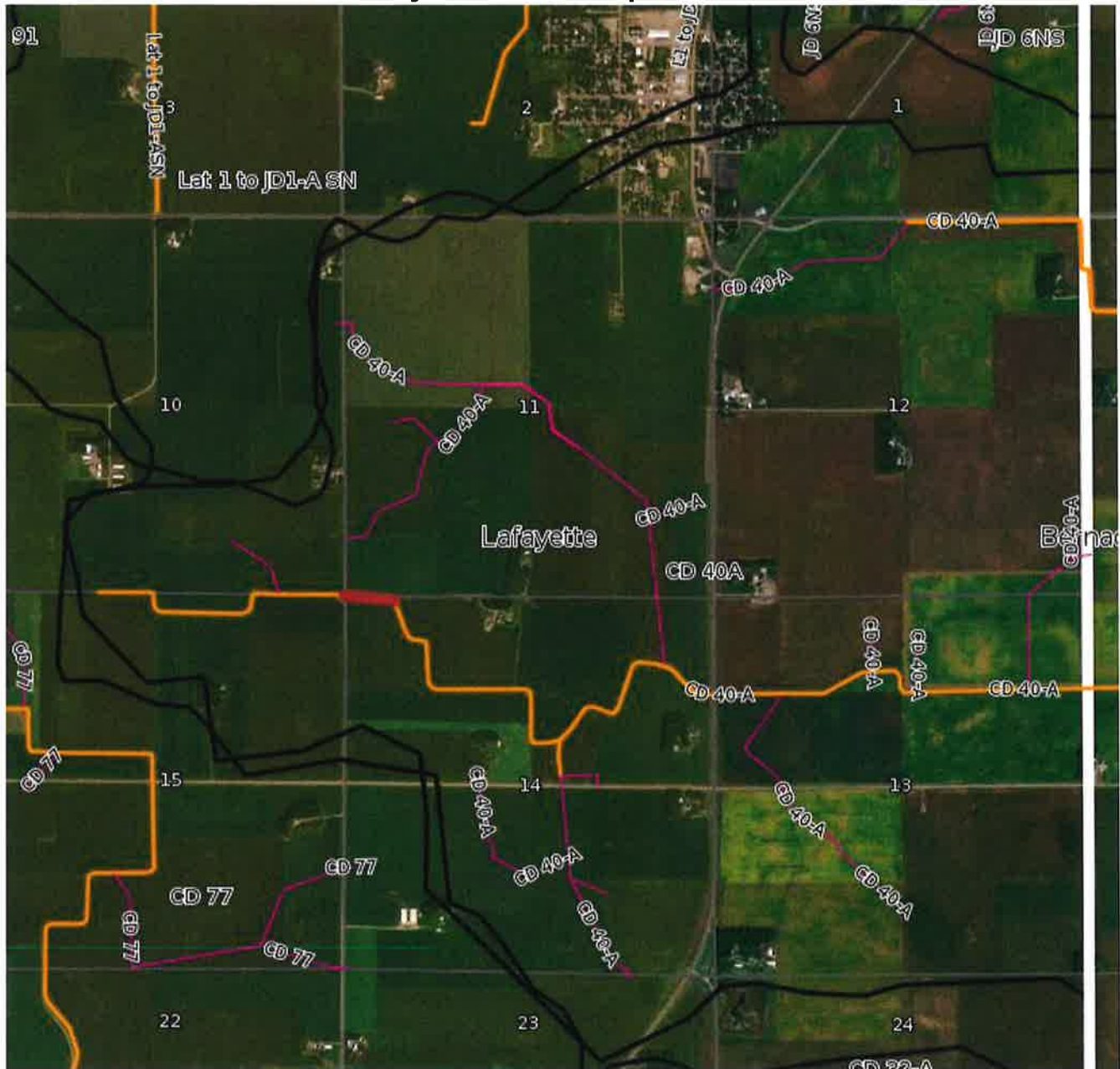
INSPECTION LOG

Date	Initials	Notes
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NICOLLET COUNTY DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 40-A Repair #20-023



▼ Municipalities	▼ Public Drainage Systems	▼ Drainage System Watersheds
▼ Townships	Open Ditch	▼ Roads
▼ Sections	Shallow Ditch	Interstate
▼ County Boundary	Tile	U.S. and State Hwy
▼ Parcels	Streams	CSAH
	Protected Natural	County Road
	Protected Altered	Township Road
	Other Perennial/Intermittent	City Street
	Private Drainage	
	Drainage Outlet	
	Open Ditch	

NICOLLET COUNTY DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

OVERVIEW

Date Repair Was Created:	2020-08-04	Branch:	main
Problem/Proposed Work:	The ditch bank has sloughed off in several areas. The landowner is requesting the ditch system use rip rap to stabilize the ditch bank adjacent to the driveway. We will also clean a short section of ditch that has silted in.		
Ditch Repair:	Slough		
Tile Repair:			
FEMA Event:	False	FEMA Date:	

REPAIR LOCATION DETAILS

Commissioner District:	5	Township:	Lafayette
Twp:	111N	Range:	30W
Section:	14	Qtr-Qtr Section:	
Latitude:	44.429796	Longitude:	-94.399917
Parcel Number:	0414100003		
Location Details:			

PERSON REQUESTING REPAIR

Name	Address	Phone
ALLAN CLOBES	PO BOX 135 LAFAYETTE MN 56054	

LANDOWNER

Name	Address	Phone
ALLAN CLOBES	PO BOX 135 LAFAYETTE MN 56054	

STATUS LOG

Action	Date	Initials	Notes
For Review	08/04/2020	nhenry	

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2020-08-04	Dvorak Excavating	7840.00	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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INSPECTION LOG

Date	Initials	Notes
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