

Nicollet County Board of Commissioners Meeting



November 10, 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

November 10, 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 November 10, 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

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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 October 27, 2020 Board Minutes](#)
 2. [Purchase of Service Agreement: 2021 Brown County Evaluation Center, Inc.](#)
 3. [Petty Cash Increase for Public Services Department](#)
 4. [End of Probation](#)
 5. Approval of Bills
- Public Appearances
- 9:05 a.m.** Finance
1. [Quarter Three 2020 Donations](#)
- 9:10 a.m.** Public Works
2. [Consider Award of Quote for CSAH 21 Temp Slope Remediation Project](#)
 3. [Consider Snow and Ice Removal Agreement with City of New Ulm](#)
- 9:30 a.m.** Administration
1. [CARES Community Partner Funding](#)
- 9:40 a.m.** Chair's Report
- Commissioner Committee Reports
- Commissioners Meetings & Conferences
- Approve Per Diems and Expenses
- Adjourn Board of Commissioners Meeting
- 9:45 a.m.** Call Drainage Authority Meeting to Order: Chair Luepke
- Drainage Authority Agenda Items
1. Consent Agenda
 - a. [Approval of October 27, 2020 Drainage Authority Minutes](#)
 2. [Order to Approve Redeterminations for Various Ditches](#)
- Adjourn Drainage Authority Meeting

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Continued 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.

November 6 – AMC Virtual District Meeting

November 10 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center, Board Room, St. Peter*

November 10 - County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center*

November 13 – Election Canvassing Board, 1 p.m., Nicollet County Government Center, Board Room, St. Peter, MN

November 16 – Board of Adjustment and Appeals/Planning & Zoning Advisory Commission Meeting, 7 p.m., Nicollet County Board Room, St. Peter*

November 17 – Individual Department Head Meeting with Administration, 8:15 a.m. Nicollet County Government Center, Board Room, St. Peter*

November 17 - Board Workshop, 9:30 a.m., Nicollet County Government Center, Board Room, St. Peter*

November 19 – Brown-Nicollet Environmental Health Executive Committee Conference Call

November 24 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center, Board Room, St. Peter*

November 24 - County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center*

December 3 - Highway 169 Coalition Meeting

December 3 – Budget and Tax Levy Meeting, 6:30 a.m., Nicollet County Government Center, Board Room, St. Peter

December 7 - Mankato Rehabilitation Center Meeting

December 15 - County Board of Commissioners Meeting, 9 a.m., Nicollet County Government Center, Board Room, St. Peter*

December 15 - County Drainage Authority Meeting, 9 a.m., Nicollet County Government Center*

December 18 – Brown-Nicollet Environmental Health Meeting

December 21 – Board of Adjustment and Appeals/Planning & Zoning Advisory Commission Meeting, 7 p.m., Nicollet County Board Room, St. Peter*

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OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS FOR
NICOLLET COUNTY, MINNESOTA
OCTOBER 27, 2020

The Nicollet County Board of Commissioners met in regular session on Tuesday, October 27, 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 Kemp and seconded by Commissioner Luepke 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 October 13, 2020 Board Meeting minutes, City of Lafayette MOU Relating to the Nicollet County Dangerous Dog Ordinance, City of Nicollet MOU Relating to the Nicollet County Dangerous Dog Ordinance, Revised 2020 MFIP/DWP Notice of Funds Available, 2020 Solid Waste Collection and Transportation License for Dem-Con Companies, LLC, end of probations for Jennifer Scholl, effective October 14, 2020, Lisa Walter, effective November 1, 2020 and approval of the Commissioner Warrants as presented for the following amounts: Revenue Fund - \$151,713.09, Road & Bridge Fund - \$100,106.69, Human Services Fund - \$158,623.43 and acknowledge review of the Auditor's Warrants. Motion carried with all voting in favor.

Public Appearances

There were no public appearances.

Property Services

Set Public Hearing Date for Comprehensive Plan Adoption

Property and Public Services Director, Mandy Landkamer, appeared before the Board to request a public hearing date be set for the Comprehensive Plan adoption.

Motion by Commissioner Kolars and seconded by Commissioner Kemp to set the public hearing date for the adoption of the Comprehensive Plan on November 24, 2020 at 10:00 a.m. Motion carried with all voting in favor.

October 19, 2020 Planning & Zoning Advisory Commission Meeting

Planning and Zoning Administrator, Jon Hammel, appeared before the Board to request approval on four items from the October 19, 2020 Planning and Zoning Advisory Meeting.

- 1.) M.R. Paving & Excavating, Inc. / Doris Guemmer - Three-year review of a mineral extraction permit to mine, crush, stockpile, and process gravel, clay, and shale. No public comment or testimony.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to accept the Planning and Zoning Advisory Commission's October 19, 2020 report, recommendations and findings as submitted therein, which included the following:

M.R. Paving & Excavating, Inc. / Doris Guemmer	PLN20-27	Three-year review of a mineral extraction permit to mine, crush, stockpile, and process gravel, clay and shale.
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Motion carried with all voting in favor.

- 2.) M.R. Paving & Excavating, Inc. / Tim Kohn - Three-year review of a mineral extraction permit to mine, crush, and stockpile gravel. No public comment or testimony.

Motion by Commissioner Kemp and seconded by Commissioner Dranttel to accept the Planning and Zoning Advisory Commission's October 19, 2020 report, recommendations and findings as submitted therein, which included the following:

M.R. Paving & Excavating, Inc. / Tim Kohn	PLN20-28	Three-year review of a mineral extraction permit to mine, crush, and stockpile gravel.
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Motion carried with all voting in favor.

- 3.) Valley Asphalt Products, Inc. / New Ulm Quartzite Quarries - Three-year review of an asphalt hot mix plant. No public comment or testimony.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to accept the Planning and Zoning Advisory Commission's October 19, 2020 report, recommendations and findings as submitted therein, which included the following:

Valley Asphalt Products, Inc. / New Ulm Quartzite Quarries	PLN20-29	Three-year review of an asphalt hot mix plant.
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Motion carried with all voting in favor.

- 4.) Geldner Brothers Sand & Gravel, LLC. - Three-year review of a mineral extraction permit to mine, crush, and stockpile gravel, with a hot mix plant. No public comment or testimony.

Commissioner Dranttel recused herself from this vote. Motion by Commissioner Morrow and seconded by Commissioner Kemp to accept the Planning and Zoning Advisory Commission's October 19, 2020 report, recommendations and findings as submitted therein, which included the following:

Geldner Brothers Sand & Gravel, LLC	PLN20-32	Three-year review of a mineral extraction permit to mine, crush, and stockpile gravel, with a hot mix plant.
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Motion carried 4-0 with Commissioner Dranttel abstaining.

Public Services

Election Administration Update

Public Services Manager, Jaci Kopet, appeared before the Board to provide an update on the absentee ballots and 2020 election. Manager Kopet stated that there are about 20,000 registered voters in Nicollet County and 12,000 of those voters have either requested or received a mail ballot. Approximately 8,000 of those ballots have been returned and processed, which leaves about 4,000 to still be received.

Manager Kopet has been in contact with the local post office and they will be delivering ballots throughout the day on Election Day. The courthouse will also be open on Saturday, October 31 from 10:00 a.m. - 3:00 p.m. for voting. Manager Kopet also discussed the amount of checks and balances that happen behind the scenes to ensure accurate counts and safety. Manager Kopet wanted to stress the accuracy and safety of mail in ballots to reassure the public that this is handled properly.

Administration

CARES Funding for Schools

County Administrator, Ryan Krosch, appeared before the Board to request approval on the Nicollet County CARES Act Safe and Healthy Schools Grant Program resolution.

The Safe and Healthy Schools Grant Program offers funding for necessary health, safety and distance learning expenditures incurred due to the public health emergency with respect to Coronavirus (COVID-19). Funding comes from the CARES money Nicollet County received. Both public and private schools in the County are eligible to apply.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to approve the Nicollet County CARES Act Safe and Healthy Schools Grant Program Resolution. Motion carried with all voting in favor on a roll call vote.

RESOLUTION APPROVING NICOLLET COUNTY'S CARES ACT SAFE AND HEALTHY SCHOOLS GRANT PROGRAM

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

Nicollet County Board Meeting Minutes
October 27, 2020

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, said budget included \$300,000 of funding for school costs associated with the pandemic; and

WHEREAS, US Treasury Guidance dated September 2, 2020 states that CARES Act funds may be used for expenses to facilitate distance learning, including technological improvements, in connection with school closings to enable compliance with COVID-19 precautions and expenses for disinfection of public areas and other facilities; and

WHEREAS, US Treasury Coronavirus Relief Fund Frequently Asked Questions (FAQ) dated October 19, 2020 states CARES Act funds may be used for costs associated with providing distance learning (e.g., the cost of laptops to provide to students) or for in-person learning (e.g., the cost of acquiring personal protective equipment for students attending schools in-person or other costs associated with meeting Centers for Disease Control guidelines); and

WHEREAS, the US Treasury Guidance FAQ further says acceptable use of CARES funds for school re-opening related to COVID-19 include:

- expanding broadband capacity;
- hiring new teachers;
- developing an online curriculum;
- acquiring computers and similar digital devices;
- acquiring and installing additional ventilation or other air filtering equipment;
- incurring additional transportation costs; or
- incurring additional costs of providing meals; and

WHEREAS, the US Treasury Guidance FAQ further says a county may transfer funds to a city, town, or school district within the county and a county or city may transfer funds to its state, provided that the transfer qualifies as a necessary expenditure incurred due to the public health emergency and meets the other criteria of section 601(d) of the Social Security Act outlined in the Guidance.

NOW, THEREFORE, BE IT RESOLVED, that the Nicollet County Board of Commissioners approves the attached Nicollet County CARES Act Safe and Healthy Schools Grant Program with a budget of \$300,000.

BE IT FURTHER RESOLVED, general administrative and policy changes may be made to this Program by the Nicollet County Finance Director or Nicollet County Administrator without Nicollet County Board approval as guidance, need and circumstances change.

BE IT FURTHER RESOLVED, the Nicollet County Administrator is authorized to approve the final list of grant award recipients for this Program.

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

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 County 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).

BE IT FURTHER RESOLVED, the Nicollet County Board of Commissioners has determined that these expenditures fulfill the US Treasury Guidance stated herein.

County Attorney, Michelle Zehnder Fischer, provided an update on the Red Ribbon Project happening this week. The Red Ribbon Project is to encourage youth to live a chemically free lifestyle.

Commissioner Committee Reports

The Commissioners reported on various meetings and activities including:

Commissioner Marie Dranttel

- Board Workshop
- Planning and Zoning Meeting
- Region 9 Meeting
- Brown Nicollet Environmental Health
- Elected Women's Zoom Meeting

Commissioner Terry Morrow

- Board Workshop
- Adolescence Chemical Wellness
- Local Assistance Council
- St. Peter Liaison Meeting

Commissioner Denny Kemp

- Board Workshop
- AMC Designing for Online Engagement
- Mental Health Advisory Meeting
- Brown Nicollet Environmental Health

Commissioner Jack Kolars

- Board Workshop
- GMG
- Traverse des Sioux Library
- Minnesota Valley Action Council Meeting
- MAPO

Chair's Report

- Board Workshop
- Rural MN Energy Board 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 Morrow and seconded by Commissioner Kemp to adjourn the meeting. Motion carried with all voting in favor. The meeting adjourned at 9:56 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:

Purchase of Service Agreement: 2021 Brown County Evaluation Center, Inc.

Primary Originating Division/Dept.: Health and Human Services

Meeting Date: 11/10/2020

Contact: Cassandra Sassenberg Title: HHS Director

Item Type:
(Select One) Consent Agenda

Amount of Time Requested minutes

Presenter: Title:

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One) Financial Security - prudent use of taxpayer resources

BACKGROUND/JUSTIFICATION:

The Brown County Evaluation Center, Inc. continues to be our provider of detoxification and evaluation services. Nicollet County Health and Human Services received the 2021 County Purchase of Service Agreement. The payment for services did not increase from 2020 to 2021. Nicollet County is required to pay this cost as applicable and attempts to recover the cost through our internal collections process.

The HHS Director will plan to attend a Board Workshop in January or February of 2021 to provide an update on costs, recoveries, and services. Please send any specific questions to Cassandra.

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Board Action Taken on this Agenda Item: ☒ Yes ☐ No

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

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

ACTION REQUESTED:

Approval of the 2021 Purchase of Service Agreement

FISCAL IMPACT: Included in current budget
(Select One)

FUNDING
County Dollars =

If "Other", specify

Other
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total

If "Increase or "Decrease" specify:

Related Financial/FTE Comments:

BROWN COUNTY EVALUATION CENTER, INC.
DETOX DIVISION

COUNTY PURCHASE OF SERVICE AGREEMENT

THIS AGREEMENT is between Brown County Evaluation Center, Inc., 510 North Front Street, New Ulm, Minnesota 56073, hereinafter referred to as the "Contractor" and Nicollet County on behalf of the agency, hereinafter referred to as the "Agency."

1. Term of Agreement

This Agreement shall commence January 1, 2021 and expire December 31, 2021.

2. Member County

To be a member county, Nicollet County, or any other county, will sign this agreement and agree to call Contractor first and use Contractor exclusively as bed space is available in the New Ulm detox facility for all detoxification and evaluation services needed.

3. Eligible Recipients

For the purposes of this Agreement, Eligible Recipients will be only those individuals who meet one or more of the following criteria:

- a. Patients who appear to be intoxicated; or
- b. Patients experiencing physical, mental, spiritual, emotional, or social problems due to withdrawal from alcohol or another drug; or
- c. Patients held under Minnesota Statutes, section 253B.07 Subdivision 6; or
- d. Patients who have been committed under Minnesota Statutes Chapter 253B and are in need of temporary placement; or
- e. Patients being held as Chemically Dependent under Minnesota Statutes, section 253B.05 Subdivision 1 and 2.

4. Services to be Provided

- a. The Contractor will provide detoxification and evaluation services to all Nicollet County Residents that are either self-referred, referred by Nicollet County Social Services, or by Law Enforcement Agencies located in Nicollet County. Also, services will be provided to non-Nicollet County residents who are referred to the Contractor by Law Enforcement Agencies located in Nicollet County or Nicollet County Social Services.
- b. The Contractor will provide detoxification and evaluation services to Nicollet County referrals at the New Ulm, Minnesota detox facility.
- c. The Contractor will provide transport vehicle and transport personnel. This service is contingent on availability of the Contractor's vehicle. This transportation service is from designated pickup points to the Contractor's Center.
- d. Contractor shall refer and transfer Eligible Recipients to New Ulm Medical Center, New Ulm, Minnesota for additional treatment as prescribed, needed, or indicated in or by an Eligible Recipient's acute medical or psychological condition, or when it appears there may be a

danger to an Eligible Recipient because of illness or complications. The responsibility of payment of any medical services if Eligible Recipient has no medical insurance, Medical Assistance, or any other means to pay will be negotiated between the Eligible Recipient and the medical service provider.

- e. Before discharge from the New Ulm detox facility, the Contractor will provide a mental health assessment by a mental health professional for any Eligible Recipient who is admitted with, or develops suicidal ideation while receiving detoxification services. Responsibility for payment of mental health assessment if Eligible Recipient has no medical insurance, Medical Assistance, or any other means to pay will be Nicollet County or referring county.

5. Payment for Services

- A. The Contractor shall provide a monthly billing to the Agency within 15 days after month's end. Following is a rate schedule for detoxification services, medical costs, and transportation services.

- 1. Detoxification Service provided at the New Ulm, Minnesota Detox Facility is \$443 per patient per twenty-four-hour period beginning at time of admission. In cases that Brown County Evaluation Center, Inc. has a Provider of Service Agreement, such as Blue Cross and Health Partners, Brown County Evaluation Center, Inc. will follow insurance company's definition of billable days of service. This will take precedence over Brown County Evaluation Center, Inc. definition.

2. Transportation Services

- a. Contracted Counties – will receive no additional charge for transportation service. In the event a BCEC driver is not available to transport a detox patient, or the driver is unable to respond within one hour of initial notification, BCEC will reimburse a contracted county, or Law Enforcement Agencies located in Nicollet County, for the services of their driver. BCEC will reimburse counties/city a maximum of \$1.41 per mile after receiving a billing statement from the county/city. Billing statement must contain patient's name and date of transport. If BCEC has already started drivers, BCEC will not reimburse the law enforcement transport.
- b. In the case of a County Agency-referred patient unable to provide him/herself with transportation back to place of residence or to an agreed upon treatment facility, the Agency will be responsible to pay the cost of transportation. Charges will be \$0.64 per mile plus the IRS allowable rate which is currently \$0.58 per mile round trip. (example: currently \$1.21)
- c. The contractor will bill the Agency for transportation cost incurred when transportation services are requested and later cancelled. This is not applicable when client has been later transferred by law enforcement.

3. Medical Costs

- a. Nicollet County – no charge for Condition Specific Protocol (standing orders) medications.
- b. The Agency agrees to pay for services, mental health assessments, materials, or medical supplies that occur within the detox center and are above and beyond the usual and customary in provision of detoxification treatment. This includes, but is not limited to, services, supplies, or medications that are medically necessary for an extremely ill or suicidal patient. Costs incurred by Contractor to obtain medically or legally required medical services will be billed to the Agency.

B. Billing

- a. Insured Eligible Recipient: Contractor shall bill recipient's insurance directly for the per diem cost and retain any amounts collected from recipient's insurance as payment for services. A service fee of 12% of the total per diem cost shall be billed directly to the Agency for any recipient requiring insurance processing. Contractor shall submit any amounts not covered by any insurance provider agreement, including recipient co-pays and deductibles, to the Agency within 30 days of receiving the Explanation of Benefits from recipient's insurance provider or Letter of Non-Payment from Contractor. The Agency understands that the per diem cost represents one hundred percent (100%) of the detoxification services cost and the Agency may seek recapture of monies expended on behalf of Eligible Recipients and keep all monies collected from Eligible Recipients. The Contractor will attempt to provide the Agency with all information needed to recapture fees from Eligible Recipients.
 - i. For purposes of this provision, an "Insured Recipient" is a patient who provides proof of current and payable health insurance to Contractor at the time of admission or any time within 4 calendar days from the date of discharge from the facility.
 - ii. Any recipient who has not provided Contractor with proof of current health insurance within 14 calendar days from the date of discharge will be considered an "Uninsured Recipient" and Agency shall be billed the per diem cost as outlined below.
- b. Uninsured Patients: Contractor shall bill Agency the full amount of the per diem rate. The Agency will receive a discount of \$88 per recipient for all amounts paid within 30 days of receipt of the bill. The Agency understands that the per diem cost represents one hundred percent (100%) of the detoxification services cost and the Agency may seek recapture of the per diem rate from Eligible Recipients and keep all monies collected from Eligible Recipients. The Contractor will attempt to provide the Agency with all information needed to recapture the per diem rate from Eligible Recipients.
- c. All payments made for service under this Agreement shall be subject to audit of recipient eligibility, units of service provided, and revenue received by the Contractor for the detoxification services.

C. Processing Fee

- a. A \$150 processing fee will be assessed to patients whose stay is 24 hours or less. This will be billed to the patient directly. This will not be billed to the "agency" or insurance companies.

6. Agency Access

The Agency or any authorized representative has the right to conduct periodic on-site visits to determine compliance with this Agreement and to evaluate the quality of service provided under this Agreement.

7. Bonding, Indemnity, and Insurance

A. Bonding. The Contractor shall retain at all times during the terms of this Agreement, a Faithful Performance Blanket position Bond for the amount of \$100,000 covering the activities of its personnel authorized to receive or distribute moneys.

B. Indemnity.

1. The Contractor agrees that it will indemnify and hold harmless the Agency, and its officers and employees against any and all liability, loss, damages, costs, and expenses which result from or are caused by any act or omission of the Contractor, its officers, agents, contractors, or employees in the performance of services provided by this Agreement. The Agency agrees that they will indemnify, hold harmless, and defend the loss, damages, costs, and expenses which the Contractor may hereby sustain, incur, or be required to pay to the extent said liability, loss, damages, costs, and expenses which result from or are caused by any act or omission of the Agency its officers, agents, contractors, or employees in the performance of services provided by this Agreement.
2. In the event that any action, suit, or proceeding is brought against the Agency upon any matter herein indemnified against, the Agency shall as soon as practicable cause notice in writing thereof to be given to the Contractor by mail addressed to its post office address.
- C. Insurance. The Contractor does further agree that in order to protect itself as well as the Agency under the Indemnity provision hereinabove set forth, it will at all times during the term of this Agreement keep in force a liability insurance policy with the following minimum amounts: \$2,000,000 for property damage sustained by any one person; and \$2,000,000 for total injuries and/or damages arising from any one incidence or occurrence. The Contractor shall also at all times during the term of this Agreement keep in force professional liability insurance with the following amounts: \$2,000,000 each claim/\$3,000,000 aggregate.

8. Confidentiality

The use or disclosure by any party of information concerning an Eligible Recipient in violation of any rule of confidentiality provided for in state laws, or federal laws, or HIPAA regulations, or for any purpose not directly connected with the Agency's or Contractor's responsibility with respect to the detox services, hereunder is prohibited except on written consent of such Eligible Recipient, the Eligible Recipient's attorney, or Eligible Recipient's responsible parent or guardian.

Member Counties and Non-Member Counties acknowledges that in receiving, transmitting, transporting, storing, processing, or otherwise dealing with any information received from the Brown County Evaluation Center identifying or otherwise relating to the patients in the Program ("protected information"), it is fully bound by the provisions of the Federal regulations governing the Confidentiality of Alcohol and Drug Abuse Patient Records, 42 CFR, Part 2; and the Health Insurance Portability and Accountability Act (HIPPA), 45 CFR, Parts 142, 160, 162 and 164, and may not use or disclose the information except as permitted or required by this Agreement or by law.

9. Assignment

The services to be performed by the Contractor shall not be assigned, subcontracted, sublet, or transferred without the prior written approval of the Agency.

10. Title IV Compliance

For Federal Civil Rights Compliance for Title IV, the Contractor realizes we have a legal obligation to provide language assistance services to all applicants and patients with Limited English Proficiency free of charge and in a timely manner during all hours of operation.

11. EQUAL EMPLOYMENT OPPORTUNITY AND CIVIL RIGHTS AND NON-DISCRIMINATION CLAUSE

A. During the performance of this Agreement, the Contractor agrees to the following:

No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, criminal record, creed, or national origin, be excluded from full employment rights in, participated in, be denied the benefits of, or be otherwise subjected to discrimination under any program, service, or activity under the provision of any and all applicable federal and state laws against discrimination including the Civil Rights Act of 1964. The Contractor will furnish the Responsible County, through the Responsible Agency, all reports required by Executive Order No. 1246 and Revised Order No. 4, and by the rules and regulations and orders of the Secretary of Labor, and the Minnesota Department of Human Services for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

By: Cananda Amador Date: 11/21/2020
Director, Nicollet County Social Services

By: [Signature] Date: 10/28/20
Executive Director, Brown County Evaluation Center

By: _____ Date: _____
Nicollet County Board Chair

IN WITNESS WHEREOF, THE Agency and the Contractor have executed this Agreement as of the day and year first above written.

APPROVED AS TO FORM:

By: _____ Date: _____
Nicollet County Attorney

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item:		
Petty Cash Increase for Public Services Department		
Primary Originating Division/Dept.:		Meeting Date: 11/10/20
Contact: Heather McCormick	Title: Finance 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: <p>The Nicollet County Public Services Department has a need for additional Petty Cash for two additional service counters due to the pandemic social distancing measures and service delivery changes.</p> <p>Following MN Statute 375.45, the county board shall establish funds in the county offices and departments as it deems necessary for the purpose of making change only. The change funds shall be established by making an appropriation for them from the proper fund in whatever amounts the county board shall determine. The officer receiving a change fund shall be its custodian and responsible for its safekeeping and use. The change fund shall not be used to make payments of expenses provided for in section 375.16.</p> <p>Resolution provided for approval of \$400 Petty Cash, 2 cash drawers of \$200 each, appropriated from the General Fund.</p>		
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 (Select One) If "Other", specify Petty Cash	FUNDING County Dollars = Other (Select One) Total	\$400.00 \$400.00
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		



RESOLUTION APPROVING THE INCREASE OF PETTY CASH



WHEREAS, MN Statute 375.45 states the county board shall establish funds in the county offices and departments as it deems necessary for the purpose of making change only. The change funds shall be established by making an appropriation for them from the proper fund in whatever amounts the county board shall determine. The officer receiving a change fund shall be its custodian and responsible for its safekeeping and use. The change fund shall not be used to make payments of expenses provided for in section 375.16.

WHEREAS, the Nicollet County Public Services Department has a need for additional Petty Cash for two additional service counters.

THEREFORE, BE IT RESOLVED that the Nicollet County Board of Commissioners approve the additional Petty Cash of \$400, 2 cash drawers of \$200 each, appropriated from the General Fund.

Dated this 10th day of November, 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: End of Probations		
Primary Originating Division/Dept.: Human Resources		Meeting Date: 11/10/2020
Contact: Jamie Haefner	Title: Human Res. Dir.	Item Type: Consent Agenda (Select One)
Amount of Time Requested	minutes	
Presenter: Jamie Haefner	Title: Human Res. Dir.	Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Facilities and Space - preserve, maintain and build our assets (Select One)		
BACKGROUND/JUSTIFICATION: Office of Technologies Director Dayle Moore has requested the end of probation for Harold Shirley, Systems Technician, effective November 12, 2020.		
Supporting Documents: <input type="radio"/> Attached <input checked="" type="radio"/> In Signature Folder <input type="radio"/> None		
Prior Board Action Taken on this Agenda Item: <input checked="" type="radio"/> Yes <input 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: Grant end of probationary status		
FISCAL IMPACT: Other (Select One) If "Other", specify		FUNDING County Dollars = Grant (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		Total

Agenda Item: Quarter 3 2020 Donations		
Primary Originating Division/Dept.:		Meeting Date: 11/10/20
Contact: Heather McCormick	Title: Finance Director	Item Type: Regular Agenda (Select One)
Amount of Time Requested 5	minutes	
Presenter: Heather McCormick Title: Finance Director		Attachments: <input checked="" type="radio"/> Yes <input type="radio"/> No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: This is to present the Quarter 3 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 (Select One)	FUNDING County Dollars =	(\$545.00)
If "Other", specify Donations	Other (Select One)	
FTE IMPACT: No FTE change (Select One)	Total	(\$545.00)
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 July 1 through September 30, 2020.

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

Donations received by Nicollet County July 1 through September 30, 2020

<u>FROM WHOM</u>	<u>AMOUNT</u>	<u>PURPOSE</u>
<u>Various Donations</u>	<u>\$ 220.00</u>	<u>Veteran's Services</u>
<u>Various Donations</u>	<u>\$ 325.00</u>	<u>Loan Closet</u>
<u>Total</u>	<u>\$ 545.00</u>	

Dated this 10th day of November, 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:

Consider award of quote for CSAH 21 Temp Slope Remediation Project

Primary Originating Division/Dept.: Public Works/Highway

Meeting Date: 11/10/2020

Contact: Seth Greenwood, P.E. Title: PWD/Co. Eng.

Item Type: Regular Agenda
(Select One)

Amount of Time Requested 10 minutes

Presenter: Seth Greenwood, P.E. Title: PWD/Co. Eng.

Attachments: ☐ Yes ☒ No

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

BACKGROUND/JUSTIFICATION:

Quotes are currently being solicited to complete temporary slope remediation work on CSAH 21 east of the CSAH 14/CSAH 21 intersection. Quotes are due by 11AM on November 9th. Results of those quotes will be shared at the November 10th Board meeting.

Earlier this summer there was a significant and sustained drop of the Minnesota River which led to large inslope failures on CSAH 21. These failures required that the CSAH 21 eastbound lane for approximately 100ft be close to traffic. CSAH 21 is currently operating in this location as a single lane and traffic is required to take turns navigating around the lane closure. The temporary remediation project will remove some of the slide debris and fill the slide areas with rip-rap to temporarily stabilize the slopes and allow the CSAH 21 eastbound lane to be reopened. Work is anticipated to start the middle to end of November with completion in mid-December. A more extensive and permanent slope repair fix will be developed and constructed potentially later in 2021 or in 2022.

This project is anticipated to be covered 100% by FHWA Emergency Relief funds. +

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Board Action Taken on this Agenda 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:

Award quote for CSAH 21 Temp Slope Remediation Project

FISCAL IMPACT: Other
(Select One)

FUNDING
County Dollars =

If "Other", specify 100% FHWA ER Funds

Federal
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total

If "Increase or "Decrease" specify:

Related Financial/FTE Comments:

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item:

Consider Snow and Ice Removal Agreement with City of New Ulm

Primary Originating Division/Dept.: Public Works

Meeting Date: 11/10/2020

Contact: Seth Greenwood, P.E. Title: PWD/Co. Eng.

Item Type: Regular Agenda
(Select One)

Amount of Time Requested 5 minutes

Presenter: Seth Greenwood, P.E. Title: PWD/Co. Eng.

Attachments: ☒ Yes ☐ No

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

BACKGROUND/JUSTIFICATION:

This agreement provides reimbursement to the City of New Ulm to perform snow and ice removal services on CSAH 37 for December 2020 and January through March 2021.

The monthly rate of \$520/month is unchanged from last years agreement.

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Board Action Taken on this Agenda 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 the attached Snow Removal Agreement

FISCAL IMPACT: Included in current budget
(Select One)

FUNDING
County Dollars = \$2,080

If "Other", specify

Grant
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total \$2,080

If "Increase or "Decrease" specify:

Related Financial/FTE Comments:

SNOW REMOVAL AGREEMENT

THIS AGREEMENT, entered into the 24th day of November, 2020, by and between the County of Nicollet, State of Minnesota, and the City of New Ulm, County of Brown, State of Minnesota.

In order to facilitate the snow removal and the sanding that may be necessary due to icy conditions on the Nicollet County State Aid Highway No. 37 extending from the east end of Bridge No. 08520 in the City of New Ulm, to the junction of T.H. 14. The County of Nicollet, through its duly authorized officials, and the City of New Ulm, through its duly authorized officials do agree as follows:

1. The City of New Ulm will undertake, on the above described road, snow and sanding operations, in case of icing conditions, and so far as possible, within its means, keep said road open to vehicle traffic for winter driving.

2. For the agreement on the part of the City of New Ulm to maintain snow removal and ice control on the above described road, the County of Nicollet agrees to pay the City of New Ulm the sum of Five Hundred Twenty and no/100 dollars (\$520.00) per month for the months of December, 2020 and January, February and March, 2021. Lump sum payment to be made after agreement is fully executed by both parties. The County of Nicollet further agrees to pay and reimburse the City of New Ulm any reasonable sum for highway maintenance for the therein described road, should severe highway conditions be created due to unusually heavy falls of snow or icy conditions causing the City of New Ulm to incur substantial extra expenses in carrying out the maintenance of the above described road.

WITNESSED:

COUNTY OF NICOLLET

By _____
Chairperson of County Board

By _____
County Administrator

WITNESSED:

CITY OF NEW ULM

By _____
City Manager

By _____
City Finance Director

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item:

CARES Community Partner Funding

Primary Originating Division/Dept.: Administration

Meeting Date:

Contact: Ryan Krosch Title: Administrator

Item Type: Regular Agenda
(Select One)

Amount of Time Requested 10 minutes

Presenter: Title:

Attachments: ☒ Yes ☐ No

County Strategy: Financial Security - prudent use of taxpayer resources
(Select One)

BACKGROUND/JUSTIFICATION:

Attached is information and a related resolution for providing CARES funding for the Nicollet County Agricultural Society (Fair) and Nicollet County Historical Society. Both have been closed or partially closed since March due to the pandemic. Both have also experienced a significant decrease in revenue and continue to have expenses. The attached CARES Community Partner Funding Program would provide each entity with \$25,000 to help them recover from the adverse impacts of the COVID pandemic.

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Board Action Taken on this Agenda 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 the Resolution Approving Nicollet County CARES Community Partner Funding.

FISCAL IMPACT: Other
(Select One)

If "Other", specify

FUNDING
County Dollars =

Federal \$50,000
(Select One)

FTE IMPACT: No FTE change
(Select One)

If "Increase or "Decrease" specify:

Total \$50,000

Related Financial/FTE Comments:



**Nicollet County CARES Community Partner Funding Program –
Nicollet County Agricultural Society (County Fair) and Nicollet County Historical Society**

Goal:

To provide assistance to our non-profit community partners in Nicollet County adversely impacted by the COVID-19 pandemic.

Grant Terms:

Grants of up to \$25,000.

Eligible Entities:

- Nicollet County Agricultural Society (County Fair)
- Nicollet County Historical Society

COVID-19 Impact:

Each entity experienced business interruptions and was adversely affected by the COVID-19 pandemic by:

- Fully or partially suspending operations in 2020 due to an executive order issued by the Governor of Minnesota between March 16, 2020 and August 31, 2020.

Nicollet County Agricultural Society – The Nicollet County Fair, other events and building rentals managed by the Agriculture Society have been canceled due to executive orders related to the COVID-19 pandemic.

Nicollet County Historical Society – They have been closed since March 16, 2020 both voluntarily due to the pandemic and due to executive order related to the pandemic.

- Experienced a reduction in gross revenue of 25% or greater in 2020 as compared to 2019.

Nicollet County Agricultural Society - 66% reduction in revenue.

Nicollet County Historical Society – 37% reduction in revenue.

Expenses Incurred During the Pandemic:

Each entity still experienced expenses during the pandemic.

Documentation Provided

- 2019 and 2020 financials for both entities have been provided.

Grant Award Approved:

Nicollet County Agricultural Society: \$25,000

Nicollet County Historical Society: \$25,000

US Treasury Guidance (9/2/2020) Authorizing these Expenditures (Guidance in Bold):

The CARES Act provides that payments may only be used to cover costs that—

1. **are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19);**

Both entities were forced to stop operations due to the pandemic.

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**

Nicollet County had budgeted appropriations for both entities in our March 27, 2020 budget. Both appropriations were approved in December, 2019 and paid in 2020. These grant awards funded with CARES money are in addition to these budgeted appropriations.

3. **were incurred during the period that begins on March 1, 2020, and ends on December 1, 2020.**

The Nicollet County Board of Commissioners approved these grants on November 10, 2020. Grant awards were paid in November, 2020.

Necessary expenditures incurred due to the public health emergency

The requirement that expenditures be incurred "due to" the public health emergency means that expenditures must be used for actions taken to respond to the public health emergency. These may include expenditures incurred to allow the State, territorial, local, or Tribal government to respond directly to the emergency, such as by addressing medical or public health needs, as well as expenditures incurred to respond to second-order effects of the emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures.

These grant awards provide economic support for business interruptions due to the pandemic experienced by both grant entities.

Funds may not be used to fill shortfalls in government revenue to cover expenditures that would not otherwise qualify under the statute. Although a broad range of uses is allowed, revenue replacement is not a permissible use of Fund payments.

These grants do not fill a shortfall in government revenue. Both grant entities are non-government organizations.

The statute also specifies that expenditures using Fund payments must be “necessary.” The Department of the Treasury understands this term broadly to mean that the expenditure is reasonably necessary for its intended use in the reasonable judgment of the government officials responsible for spending Fund payments.

These expenditures are deemed reasonable necessary as both entities receiving funds were forced to shut down operations due the pandemic and lost most of their revenue for the year from the closures.

Nonexclusive examples of eligible expenditures

Eligible expenditures include, but are not limited to, payment for:

Expenses associated with the provision of economic support in connection with the COVID-19 public health emergency, such as:

- **Expenditures related to the provision of grants to small businesses (and non-profits) to reimburse the costs of business interruption caused by required closures.**

Both entities receiving funds were forced to shut down operations due the pandemic and lost most of their revenue for the year from the closures.

US Treasury Coronavirus Relief Fund Frequently Asked questions (10./19/2020):

The Guidance provides that eligible expenditures may include expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures. What is meant by a “small business,” and is the Guidance intended to refer only to expenditures to cover administrative expenses of such a grant program?

Governments have discretion to determine what payments are necessary. A program that is aimed at assisting small businesses with the costs of business interruption caused by required closures should be tailored to assist those businesses in need of such assistance. The amount of a grant to a small business to reimburse the costs of business interruption caused by required closures would also be an eligible expenditure under section 601(d) of the Social Security Act, as outlined in the Guidance.

Both entities receiving grant funds experienced costs of business interruption due to the pandemic.

The Guidance provides that expenses associated with the provision of economic support in connection with the public health emergency, such as expenditures related to the provision of grants to small businesses to reimburse the costs of business interruption caused by required closures, would constitute eligible expenditures of Fund payments. Would such expenditures be eligible in the absence of a stay-at-home order?

Fund payments may be used for economic support in the absence of a stay-at-home order if such expenditures are determined by the government to be necessary. This may include, for example, a grant program to benefit small businesses that close voluntarily to promote social distancing measures or that are affected by decreased customer demand as a result of the COVID-19 public health emergency.

The Nicollet County Agriculture Society and Nicollet County Historical Society have both voluntarily canceled events and operations due to not being able to meet social distancing guidelines.



RESOLUTION APPROVING NICOLLET COUNTY CARES COMMUNITY PARTNER FUNDING



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, said Funding Plan and Budget included funding for these non-profit community partners (Entities):

Nicollet County Agricultural Society

Nicollet County Historical Society

WHEREAS, both of these Entities have experience business interruption and closure as a result of the pandemic; and

WHEREAS, both of these Entities have experienced significant revenue loss and continued expenditures during the pandemic; and

WHEREAS, US Treasury Guidance dated September 2, 2020 states that CARES Act Funds may be used for expenses incurred to respond to second-order effects of the pandemic emergency, such as by providing economic support to those suffering from employment or business interruptions due to COVID-19-related business closures; and

WHEREAS, said US Treasury Coronavirus Guidance also states CARES expenses must be reasonably necessary; and

NOW, THEREFORE, BE IT RESOLVED, that the Nicollet County Board of Commissioners approves the attached Nicollet County CARES funding program (Program) and related supporting guidance:

- Nicollet County CARES Community Partner Funding Program –
Nicollet County Agricultural Society (County Fair) and Nicollet County Historical Society

BE IT FURTHER RESOLVED, general administrative and policy changes may be made to this Program by the Nicollet County Finance 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 this Program is reasonably necessary due to the required and voluntary closures and documented revenue loss and expenditures experienced by both Entities; and

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

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 County 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 10th day of November, 2020.

Attest:

John Luepke, Nicollet County Board Chair

Ryan Krosch, County Administrator
Clerk to the County Board

OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY
October 27, 2020

The Nicollet County Drainage Authority met in regular session on Tuesday, October 27, 2020 at 9:56 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 October 13, 2020 Drainage Authority minutes. Motion carried with all voting in favor.

Motion by Commissioner Kemp and seconded by Commissioner Morrow to adjourn the meeting. The meeting adjourned at 9:56 a.m.

JOHN LUEPKE, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

RYAN KROSCH
CLERK TO THE BOARD

Nicollet County Drainage
Authority Meeting
Agenda Item



Agenda Item:

Order to Approve Redeterminations for Various Ditches

Primary Originating Division/Dept.: Public Services

Meeting Date: 11/10/2020

Contact: Jaci Kopet

Title: Public Services Manager

Item Type: Regular Agenda
(Select One)

Amount of Time Requested 5 minutes

Presenter: Jaci Kopet

Title: Public Services Manager

Attachments: ☒ Yes ☐ No

County Strategy: Programs and Services - deliver value-added quality services
(Select One)

BACKGROUND/JUSTIFICATION:

Attached are several Findings of Facts and Orders regarding the redeterminations on various ditches for your consideration. The viewers, Mark Behrends and his crew, are ready to take on another batch of ditches. I am recommending the following ditches be considered for redetermination; CD8A, CD35A, CD47A, CD52, CD65, CD71, CD75, CD78, CD78 Lateral 1 Branch 4, CD82, and CD84.

The order will appoint Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, Dennis Distad, and Bruce Ness as the viewers and Jones, Hauge, & Smith Engineering firm to determine the watersheds

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:

Approval of Findings of Facts and Orders for CD8A, CD35A, CD47A, CD52, CD65, CD71, CD75, CD78, CD78 Lateral 1 Branch 4, CD82, and CD84.

FISCAL IMPACT: Other
(Select One)

If "Other", specify

FUNDING

Drainage Authority Dollars =

Grant

(Select One)

FTE IMPACT: No FTE change
(Select One)

If "Increase or "Decrease" specify:

Total

Related Financial/FTE Comments:

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #65

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #65, has been informed that a redetermination of benefits for Nicollet County Ditch #65 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #65, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #65, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #65 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #65

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #84

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #84, has been informed that a redetermination of benefits for Nicollet County Ditch #84 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #84, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #84, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #84 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #84

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #82

Findings of Fact and Order Regarding
Order to Redetermine Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #82, has been informed that a redetermination of benefits for Nicollet County Ditch #82 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #82, makes the following Findings of Fact and Order:

1. That the Drainage Authority determines that the original benefits or damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or
2. The benefited or damaged areas have changed.

NOW, THEREFORE, it is hereby ordered that Nicollet County Ditch #82 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, Dennis Distad, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 27th day of October, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #82

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #78

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #78, has been informed that a redetermination of benefits for Nicollet County Ditch #78 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #78, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #78, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #78 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #78

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #78
Lateral 2 Branch 4

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #78 Lateral 2 Branch 4, has been informed that a redetermination of benefits for Nicollet County Ditch #78 Lateral 2 Branch 4 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #78 Lateral 2 Branch 4, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #78 Lateral 2 Branch 4, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #78 Lateral 2 Branch 4 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #78 Lateral 2 Branch 4

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #71

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #71, has been informed that a redetermination of benefits for Nicollet County Ditch #71 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #71, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #71, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #71 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #71

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #8A

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #8A, has been informed that a redetermination of benefits for Nicollet County Ditch #8A would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #8A, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #8A, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #8A shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #8A

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #75

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #75, has been informed that a redetermination of benefits for Nicollet County Ditch #75 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #75, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #75, hereby finds that the benefited or damages areas of the system have changed.**NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #75 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #75

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #52

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #52, has been informed that a redetermination of benefits for Nicollet County Ditch #52 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #52, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #52, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #52 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #52

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #47A

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #47A, has been informed that a redetermination of benefits for Nicollet County Ditch #47A would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #47A, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #47A, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #47A shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #47A

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board

BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #35A

Findings of Fact and
Order For Redetermination of Benefits

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #35A, has been informed that a redetermination of benefits for Nicollet County Ditch #35A would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #35A, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #35A, hereby finds that the benefited or damages areas of the system have changed. **NOW, THEREFORE**, it is hereby ordered that Nicollet County Ditch #35A shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Joe Mutschler, John Thompson, and Bruce Ness are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

BE IT FURTHER RESOLVED that the County Board Chair and County Administrator are authorized to enter into contracts with the appointed viewers to provide for the services authorized herein.

BE IT FURTHER RESOLVED that the Engineering firm of Jones, Hauge, & Smith is appointed as the engineering firm hired to determine the watershed area for the system listed above.

Dated this 10th day of November, 2020

NICOLLET COUNTY BOARD OF COMMISSIONERS, ACTING AS DRAINAGE
AUTHORITY FOR NICOLLET COUNTY DITCH #35A

John Luepke
Chairperson of Drainage Authority

ATTEST:

Ryan Krosch, County Administrator
Clerk to the County Board