



AUGUST 8, 2023
OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY

The Nicollet County Drainage Authority met in regular session on Tuesday, August 8, 2023 after the adjournment of the regular Board of Commissioners meeting. Present at the meeting were Commissioners Jack Kolars, Terry Morrow, Marie Dranttel, Mark Dehen, and Kurt Zins. Also present were Chief Deputy County Attorney Dunn, Administrator Landkamer, and Recording Secretary Sarah Frahm.

Approval of Agenda

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

Consent Agenda

Motion by Commissioner Morrow and seconded by Commissioner Dehen to approve the consent agenda items as follows:

1. July 25, 2023 Regular Drainage Minutes

Motion carried with all voting in favor.

Public Appearances

There were no public appearances.

Public Services

County Ditch 62A Improvement Project

At this time, Commissioner Zins motioned and Commissioner Dranttel seconded to move into closed session, pursuant to Minn. Stat. § 13D.05, subd. 3(b), to discuss litigation involving CD 62A.

The regular meeting was reopened at 10:27 a.m. Members present for the closed session included Chief Deputy County Attorney Dunn, County Administrator Landkamer, Attorney Roger Justin, Property and Public Services Director Kopet, Public Works Director Greenwood, Ditch Inspector Nathan Henry, and Commissioners Kolars, Morrow, Dranttel, Dehen and Zins.

When the public comment portion opened, Blake Webster came forward to ask about additional settlement details. Attorney Justin explained that the settlement amount will be paid to the Drainage Authority. Kevin Johnson came forward to ask what funds are left related to CD 62A. Director Kopet responded that staff will need to assess how much money is in the account after all expenses and receivables are considered.

Commissioner Morrow motioned that Nicollet County, in its capacity as Drainage Authority for CD 62A, approve the mediated settlement agreement, dated July 30, 2023, in which the Drainage Authority will receive payment of \$1.5 million and release any and all claims against the Drainage Authority concerning this project. The motion was seconded by Commissioner Dranttel and approved on a roll call vote of 5-0, with all Commissioners voting yes.

County Ditch 86A Improvement Project

Commissioner Dehen motioned and Commissioner Dranttel seconded to move into closed session, pursuant to Minn. Stat. § 13D.05, subd. 3(b), to discuss potential litigation and legal strategy involving CD 86A.

The regular meeting reopened at 11:50 a.m. Members present for the closed session included Chief Deputy County Attorney Dunn, County Administrator Landkamer, Attorney Roger Justin, Property and Public Services Director Kopet, Public Works Director Greenwood, Ditch Inspector Nathan Henry, Chris Otterness of Houston Engineering, Inc., and Commissioners Kolars, Morrow, Dranttel, Dehen and Zins. No public comment was received and no action was taken.

Set Hearing Date for CD 77 Lateral 2 Improvement Project

Director Kopet came forward to request September 26, 2023 at 10:00 am as the public hearing date for the final acceptance of the CD 77 Lateral 2 improvement project. Public Services received the Final Acceptance Report from ISG Engineering on July 25, 2023. The hearing would include the final acceptance of the improvement project as well as the approval of the terms and levy to landowners.

Motion by Commissioner Dranttel and seconded by Commissioner Zin to approve September 26 at 10:00 am as the public hearing date for CD 77 Lateral 2. Motion carried with all voting in favor.

Adjourn

Motion by Commissioner Zins and seconded by Commissioner Dranttel to adjourn the meeting at 11:53 a.m. Motion carried with all voting in favor on a roll call vote.



JACK KOLARS, CHAIR
BOARD OF COMMISSIONERS

ATTEST:



MANDY LANDKAMER, CLERK TO THE BOARD