

OFFICIAL PROCEEDINGS OF THE NICOLLET
COUNTY DRAINAGE AUTHORITY
NOVEMBER 9, 2021

The Nicollet County Drainage Authority met in regular session on Tuesday, November 9, 2021 at 10:40 am with Chair Morrow presiding. Commissioners Marie Dranttel, John Luepke and Jack Kolars were also present. Also present were County Administrator Mandy Landkamer, Property & Public Services Director Jaci Kopet, and Recording Secretary Sarah Frahm.

Agenda

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

Consent Agenda

Motion by Commissioner Kolars and seconded by Commissioner Dranttel to approve the consent agenda items as follows: approval of the October 26, 2021 Drainage Authority minutes. Motion carried with all voting in favor.

2021 Annual Maintenance Levies

Property & Public Services Manager, Jaci Kopet, appeared before the Board and gave an overview of the ditch fund balances.

Motion by Commissioner Dranttel and seconded by Commissioner Kolars to approve the annual assessment of maintenance levies as stated in the Findings of Fact and Order. Commissioner Luepke recused himself from the vote as he is a property owner of a ditch listed within the Findings. On a roll call vote, Commissioners Morrow, Dranttel, and Kolars voted yes and Commissioner Luepke abstained. Motion carried 4-0-1.

**BEFORE THE NICOLLET COUNTY DRAINAGE AUTHORITY
FOR ASSESSING ANNUAL MAINTENANCE LEVIES**

Findings and Order of the Board
Regarding Drainage System
Assessments, Installment Schedules
Interest Rates and Maintenance Funds

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

FINDINGS OF FACT

1. Minn. Stat. § 103E.725 provides all fees and costs incurred relating to a drainage system, including repairs, inspections, engineering, viewing, and publications, are costs of the drainage system and must be assessed against the property and entities benefited.
2. Some drainage system accounts for systems administered by the Nicollet County Board of Commissioners, the Board, carry negative balances and others will benefit from establishment of a maintenance fund. The negative-balance system accounts have benefited from inter-fund loans from the general fund of the county. If the Board transfers money from another account or fund to a drainage system account, the money, plus interest, must be reimbursed from the proceeds of the drainage system that received the transfer.
3. If there is not enough money in the drainage system account to pay drainage system costs, the Board must assess the costs on all property and entities that have been assessed benefits for the drainage system.
4. If assessments are to be paid in installments, the Board may set an interest rate not to exceed the rate determined by the state court administrator for judgments under section 549.09.
5. Minn. Stat. § 103E.735 allows the creation of a repair fund for each drainage system. The repair fund is intended to create a positive balance in a drainage system account to pay routine costs of inspection and minor maintenance and to eliminate the need for inter-fund loans to drainage system accounts.
6. To create a repair fund, the drainage authority may apportion and assess an amount against all property and entities assessed for benefits. The fund may not exceed 20 percent of the assessed benefits of the drainage system or \$100,000, whichever is greater.

7. The drainage authority's staff has investigated the current drainage system funds and made a recommendation for assessments, installment schedules, interest rates, and maintenance funds.

ORDER

Based on the foregoing Findings and the entire record of proceedings before the Nicollet County Board of Commissioners, the Board, acting as the drainage authority for all Nicollet County drainage systems, hereby adopts the following drainage system assessments, installment schedules, interest rates, and maintenance funds and direct certification thereof to the County Public Services office for collection:

Ditch	Amount to Levy	Ditch	Amount to Levy
CD 4A	\$134,541.95	CD 59A	\$22,340.68
CD 9A	\$22,392.48	CD 76A	\$62,297.23
CD 13A	\$443,204.82	CD 77	\$66,719.71
CD 23	\$17,828.30	CD 80	\$16,643.00
CD 27	\$27,198.07	CD 82	\$47,445.00
CD 30A	\$55,638.02	CD 83	\$16,890.10
CD 32A	\$66,012.70	CD 84	\$14,244.30
CD 33A	\$111,052.51	CD 85	\$45,579.30
CD 38A	\$59,948.12	CD 87	\$8,716.10
CD 40A	\$26,009.55	CD 88	\$9,306.15
CD 48A	\$105,903.04	CD 92	\$12,502.50
CD 51A	\$13,084.14	TOTAL	\$1,405,497.77

All assessments not paid by December 31, 2021 will be charged 4% interest and the following installment schedule will apply to your property tax bill starting in 2022:

\$500 & under 1 year assessment
 \$501 - \$1,000 2 year assessment
 \$1,001 & over 3 year assessment

CD86A Proposed Change Order Request

At the October 12, 2021 Drainage Authority meeting, ISG presented a change order requested by the contractor, Lametti & Sons, Inc. This change order was identified as Serial Letter No. 3. The information below lists the remaining improvement benefits:

07/10/2018	Remaining improvement benefits approved at the FER hearing	\$291,699.21
11/13/2018	Pump Change Design Public Hearing - Approved	-\$251,313.00
05/11/2021	Change order for adding head wall to isolation gate: \$25,190 (Approved); all separable maintenance costs per ISG	
	Remaining Improvement Benefits:	\$40,386.21

There was discussion regarding the history of the pump selection. Lametti and Sons approached the Board and reiterated their position that they were unaware the KSB pump would create issues.

There was no motion to approve the CD86A Proposed Change Order Request. The motion failed.

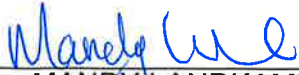
Adjourn

Motion by Commissioner Luepke and seconded by Commissioner Dranttel to adjourn the Drainage Authority Meeting. Motion carried with all voting in favor.

Chair Morrow adjourned the meeting at 11:20 a.m.


 TERRY MORROW, CHAIR
 BOARD OF COMMISSIONERS

ATTEST:



MANDY LANDKAMER
CLERK TO THE BOARD