

Board of Commissioners Agenda

May 28, 2024

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

Commissioners: Terry Morrow - Board Chair; Marie Dranttel - Vice Chair; Jack Kolars; Mark Dehen; Kurt Zins

9:00 a.m. Call Board of Commissioners Meeting to Order: Chair

1. Pledge of Allegiance
2. Silence Your Cell Phones
3. Approval of Agenda
4. Approval of Consent Agenda:
 - a. [May 14, 2024 Board Minutes](#)
 - b. [Renewal of Liquor/Tobacco Licenses](#)
 - c. [Legal Services Contract for July 1, 2024 – December 31, 2024](#)
 - d. [End of Probations](#)
 - e. Approval of Bills
5. Public Appearances

- 9:05 a.m. 6. Finance
- a. [Consider Negative Drainage System Fund Balance Transfer Resolution](#)

- 9:10 a.m. 7. Sheriff
- a. [Consider 2024 Budget Change Request](#)

- 9:15 a.m. 8. Health and Human Services
- a. [Public Hearing for the Proposed Local Housing Trust Fund Ordinance](#)

- 9:25 a.m. 9. Public Works
- a. [Consider Resolution to Release a Portion of TH 4 from MNDOT](#)
 - b. [Consider CSAH 24 Cooperative Construction Agreement](#)

- 9:50 a.m. 10. County Attorney Update
11. Chair's Report
 12. Commissioner Committee Reports, Meetings & Conferences
 13. Approve Per Diems and Expenses
 14. Recess Board of Commissioners Meeting

9:55 a.m. Call Drainage Authority Meeting to Order: Chair

1. Approval of Agenda
2. Approval of Consent Agenda
 - a. [May 14, 2024 Drainage Authority Minutes](#)
3. Public Appearances

Mission Statement

Providing efficient services with innovation and accountability.

Vision Statement

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

Core Values

Leadership. Integrity.
Accountability.
Efficiency. Innovation.

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- 10:00 a.m.** 4. Public Services
a. [Set the Date of a Public Hearing for Various County Ditch Redeterminations – CD 9A, 23A, 27A, 30A, 32A, 32A Lat 1, 40A, 87, 88](#)
- 10:05 a.m.** 5. Public Works
a. [Consider CD 86A Annual Maintenance Agreement](#)
- 10:10 a.m.** 6. Adjourn Drainage Authority Meeting
- 10:30 a.m.** **Resume Board of Commissioners Meeting**
15. Administration
a. [Complaint Regarding Maintenance of Belgrade Township 130](#)
- 11:30 a.m.** 16. Adjourn Board of Commissioners Meeting

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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. Questions or comments regarding Nicollet County meetings and requests to participate can be directed to Mandy Landkamer, Nicollet County Administrator, at 507-934-7074 or mandy.landkamer@co.nicollet.mn.us.

Date	Time	Meeting	Location
May 27	Closed in Observance of Memorial Day		
May 28	9:00 a.m.	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
May 28	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter
May 29	noon – 2:00 p.m.	Lighthouse on Marshall Open House	1301 Marshall St. – St. Peter
May 31	1:00 p.m. – 2:00 p.m.	Personnel Committee Meeting	HHS Swan Lake Room – St. Peter
June 10	7:00 p.m.	Planning & Zoning Commission (PZ) and Board of Adjustments & Appeals (BAA)	Gov. Center EOC – St. Peter
June 11	9:00 a.m.	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
June 11	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter
June 14	8:00 a.m. – 1:00 p.m.	AMC District Meeting – Sibley County	Gaylord, MN
June 17	6:30 p.m.	County Board of Appeals and Equalization	Gov. Center Board Room – St. Peter
June 18	8:15 a.m.	Individual Dept. Head Meeting - HHS	Gov. Center EOC – St. Peter
June 18	9:30 a.m.	Board Workshop	Gov. Center EOC – St. Peter
June 19	Closed in Observation of Juneteenth		
June 25	9:00 a.m.	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
June 25	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter

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May 14, 2024
OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS

The Nicollet County Board of Commissioners met in regular session on Tuesday, May 14, 2024 at 9:00 a.m. Present at the meeting were Commissioners Morrow, Dranttel, Kolars, and Zins. Also present were County Administrator Mandy Landkamer and County Attorney Michelle Zehnder Fischer.

Approval of Agenda

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

Consent Agenda

1. April 23, 2024 Board Meeting Minutes
2. Renewal of Contract with St. Peter Schools for Truancy Agent Position
3. End of Probations
4. Approval of Bills
5. Acknowledgement of the Auditor's Warrants and approval of the Commissioner Warrants as presented for the following amounts:
 - a. General Revenue Fund - \$319,390.38
 - b. Road & Bridge Fund - \$23,261.49
 - c. Human Services Fund - \$317,922.12

Motion by Commissioner Zins and seconded by Commissioner Kolars to approve the above consent agenda items. Motion carried with all voting in favor.

Public Appearances:

There were no public appearances.

Sheriff:

Electronic Medical Records Contract

Sheriff Lange appeared before the Board to request consideration of a contract with Advanced Correctional Health to transition all inmate medical records to an electronic medical records program.

Motion by Commissioner Kolars and seconded by Commissioner Dranttel to authorize the Board Chair and the County Administrator to sign the contract once it is approved by the Sheriff and County Attorney. Motion carried with all voting in favor.

County Attorney:

Complaint Regarding Maintenance of Belgrade Township 130

Attorney Zehnder Fischer appeared before the Board concerning a written complaint from a citizen concerning Belgrade Township 130. Minn. Stat. §163.16, subd. 1, provides that the County Board shall set a hearing, by resolution, on a written complaint signed by five or more landowners alleging a town road is not properly maintained.

Motion by Commissioner Zins and seconded by Commissioner Kolars to approve the resolution setting the hearing dates on May 28, 2024 and June 25, 2024 to begin at 10:30 a.m. Motion carried with all voting in favor on a roll call vote.

County Attorney:

Attorney Zehnder Fischer shared that the County Attorney's Office continues to be busy with ongoing cases.

Chair's Report

Commissioner Committee Reports

The Commissioners reported on various meetings and activities, including:

Commissioner Kurt Zins

- BNCHB

Commissioner Marie Drantel

- Township Association
- BNCHB
- TDS
- Regional Treatment Center
- Region 9

Commissioner Jack Kolars

- Township Association
- BNCHB
- Rental Density Committee
- Toward Zero Death
- Diversity Council
- MVAC Head Start
- County Board

Approve Per Diems and Expenses

Motion by Commissioner Zins and seconded by Commissioner Kolars 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

The meeting adjourned at 9:13 a.m.

TERRY MORROW, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

DRAFT

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Renewal of Liquor/Tobacco Licenses	
Primary Originating Division/Dept.: Public Services Contact: Jaci Kopet Title: Public Services Amount of Time Requested minutes Presenter: Title:	Meeting Date: 05/28/2024 Item Type: Consent Agenda (Select One)
Attachments: ☒ Yes ☐ No	
County Strategy: Programs and Services - deliver value-added quality services (Select One)	
BACKGROUND/JUSTIFICATION: Approval of Liquor License for: North Links LLC River Ridge Fun & Archery Club LLC Nicollet Conservation Club Church of St George Approval of Tobacco License for; Turbes Oil Inc/Courtland Mart FillMeUp LLC Mum's the Word/Nicollet Mart DG Retail, LLC	
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: Approval of Liquor/Tobacco Licenses	
FISCAL IMPACT: Other (Select One) If "Other", specify FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	FUNDING County Dollars = Other (Select One) Total

**LISTING OF RETAILERS THAT SELL
LIQUOR IN NICOLLET COUNTY
JULY 1, 2024 – JUNE 30, 2025**

<u>NAME</u>	<u>LIQUOR LICENSES</u>	<u>LICENSE FEE</u>
North Links LLC (North Links Golf Course) 41553 520 th St North Mankato MN 56003	On-Sale Incl Sunday-County	\$ 1,700.00
River Ridge Gun & Archery Club LLC dba River Ridge Shooting Club 47028 547 th Lane Courtland, MN 56021	On-Sale Incl Sunday-County	\$ 1,700.00
Nicollet Conservation Club 46045 471 st Ln Nicollet MN 56073	3.2 Beer-County Wine/Strong Beer	\$ 200.00
Church of Saint George 63105 Fort Rd PO Box 5 Lafayette, MN 56054-0005	3.2 Beer/1-4 Day Temp On-Sale (Sept 2022)	\$ 25.00

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**LISTING OF RETAILERS THAT SELL TOBACCO
PRODUCTS IN NICOLLET COUNTY
JULY 1, 2024 – JUNE 30, 2025**

<u>NAME</u>	<u>LICENSE FEE</u>
Turbes Oil Co, Inc/Courtland Mart 301 Main St. Courtland, MN 56021-2009	\$100.00
Mum's The Word, LLC/Nicollet Mart 220 Main St. Nicollet, MN 56074-2069	\$100.00
FillMeUp LLC 180 9 th St. Lafayette, MN 56054-7702	\$100.00
DG Retail, LLC DBA Dollar General Store #21884 440 9 th St. Nicollet, MN 56074	\$100.00

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Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item: Legal Services Contract for July 1, 2024 - December 31, 2024	
Primary Originating Division/Dept.: Administration	Meeting Date: 05/28/2024
Contact: Mandy Landkamer Title: County Administrator	Item Type: Consent Agenda (Select One)
Amount of Time Requested: minutes	
Presenter: Title:	Attachments: ☒ Yes ☐ No
County Strategy: Financial Security - prudent use of taxpayer resources (Select One)	
BACKGROUND/JUSTIFICATION: Approval of Legal Services Contract for Kezia Smith for the period of July 1, 2024 through December 31, 2024. This contract is similar to the contracts used in past years.	
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: Approval of Legal Services Contract.	
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify:	FUNDING County Dollars = 18,000 State (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:	Total:

NICOLLET COUNTY
LEGAL SERVICES CONTRACT

This agreement made and entered into the 1st day of July, 2024, by and between the County of Nicollet, a Minnesota Municipal Subdivision, hereinafter referred to as the "County," and Kezia Smith ("Independent Contractor," an attorney licensed to practice in the State of Minnesota) hereinafter referred to as "Attorney."

Pursuant to various decisions of the Supreme Court of the United States and the Supreme Court of the State of Minnesota, the Court is obligated to provide counsel to persons/parents whose children are petitioned into court as children in need of protection or services and for persons/parents against whom a permanency action has been filed (hereinafter collectively "CHIPS"), when such persons are found by the courts to be without funds to retain private counsel. To provide an orderly and efficient method of delivery of legal services to those qualified, the County engages the Attorney upon the terms and conditions set forth herein.

The Attorney hired by the County shall be paid on a monthly basis in the amount of \$3,000.00 per month.

During the periods covered herein, the Attorney shall be obligated to furnish to persons found eligible for their services by the Courts of Nicollet County all legal services incident to the matter giving rise to the appointment of counsel.

The Attorney acknowledges that non-emergent CHIPS cases are heard on Tuesday afternoons and agrees to be available to handle these cases on Tuesday afternoon (or such other day if this regularly scheduled day is changed by the Court) and to cooperate in the scheduling of matters on other such days as necessary. The Court Administrator shall be responsible for the general administration of Attorneys and other administrative matters.

The contract can be terminated by either party upon sixty (60) days written notice to the other party with or without cause. Provided, the contract can be terminated immediately in the event the State resumes funding for the appointment of counsel for parents in CHIPS cases.

The County sets no specific time, place, or manner for the fulfillment of duties performed herein, that being in the sole discretion of the Attorney as an independent contractor.

This Agreement does not make the Attorney the employee, agent, partner, joint venture or legal representative of the County for any purpose whatsoever. The Attorney is not granted any right or authority to assume or create any obligation, responsibility, express or implied, on behalf of or in the name of the County.

The Attorney and the County agree that the County shall not be liable for any other term insurance, PERA, unemployment insurance, worker's compensation, or any other benefits which are afforded to employees of Nicollet County.

Attorney agrees to defend and indemnify and hold the County, its officers, commissioners, directors, agents and employees harmless from any and all liability (statutory or otherwise), claims, suits, damages, judgments, costs or expenses, including reasonable attorney's fees, witness fees and disbursements incurred in the defense thereof, in connection with injury to, damage to, or death of any person arising out of the performance of this agreement, to the extent such liability, claims, suits, damages, judgments, costs or expenses result directly or indirectly from or are caused by any negligent, willful, unlawful or wrongful act and/or omission of the Attorney in the performance of this Agreement. This section is not as to third parties, a waiver of any defense or immunity otherwise available to the County and Attorney in defending any action on behalf of the County, and the County shall be entitled to assert in any action every defense or immunity that the County should assert on its own behalf. Attorney further agrees to maintain Legal Malpractice Insurance in place for the duration of this Agreement.

Unless otherwise terminated in writing as provided for herein, this contract will terminate on December 31, 2024.

IN WITNESS WHEREOF, the parties have executed this agreement this 20 day of May, 2024.

INDEPENDENT CONTRACTOR

BY: /s/ Kezia Smith
Attorney at Law

Approved as to Form:

Michelle M. Zehnder Fischer
Nicollet County Attorney

COUNTY OF NICOLLET

Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
Nicollet County Administrator

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item: End of Probations	
Primary Originating Division/Dept.: Human Resources	Meeting Date: 05/28/2024
Contact: Kristy Larson Title: HR Director	Item Type: (Select One) Consent Agenda
Amount of Time Requested minutes	
Presenter: Kristy Larson Title: HR Director	Attachments: ☐ Yes ☒ No
County Strategy: (Select One) Facilities and Space - preserve, maintain and build our assets	
BACKGROUND/JUSTIFICATION: Health and Human Services Health and Human Services Director Cassie Sassenberg has requested the end of probation for Elitania Edwards, Support Enforcement Aide, effective May 27, 2024. Sheriff's Office Sheriff Dave Lange has requested the end of probation for Hayden Thole, Correctional Officer, effective May 22, 2024.	
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: 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

Nicollet County Board of Commissioners
Board Meeting Agenda Item



Agenda Item:

Consider Negative Drainage System Fund Balance Transfer Resolution

Primary Originating Division/Dept.: Finance

Contact: Heather McCormick

Title: Finance Director

Amount of Time Requested: 5 minutes

Presenter: Heather McCormick

Title: Finance Director

Meeting Date: 05/28/2024

Item Type:
(Select One) Regular Agenda

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Facilities and Space - preserve, maintain and build our assets

BACKGROUND/JUSTIFICATION:

On December 18, 2018 the Nicollet County Board approved a Negative Ditch Fund Balance Policy in order to comply with State Statute Section 103E.655 - Paying Drainage System Costs.

Fiscal Year 2023 is now complete. The attachment identifies the negative drainage system cash balance of -\$1,917,844.44. In order to cover this negative balance, we seek approval to temporarily transfer funds from the General Fund. The advancement is to be repaid plus interest as the funds become available in the individual ditch funds.

We are seeking approval by unanimous resolution.

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) 05/23/23

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

ACTION REQUESTED:

Unanimously approve Transfer from General Fund to Drainage Fund

FISCAL IMPACT: Other
(Select One)

If "Other", specify:

FTE IMPACT: No FTE change
(Select One)

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:

FUNDING

County Dollars =

State

(Select One)

Total:



RESOLUTION APPROVING THE TRANSFER OF FUNDS TO PAY FOR A NEGATIVE DRAINAGE SYSTEM FUND BALANCE



Whereas, MN Statute 103E.655 states the costs for a drainage project proceeding and construction must be paid from the drainage system account by drawing on the account; and

Whereas, MN Statute 103E.655 also states that if money is not available in the drainage system account on which the warrant is drawn, the board may, by unanimous resolution, transfer funds from any other drainage system account under its jurisdiction or from the county general revenue fund to the drainage system account. 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. The interest must be computed for the time the money is actually needed at the same rate per year charged on drainage liens and assessments; and

Whereas, the Nicollet County Ditch Fund has a negative balance as of December 31, 2023.

Whereas, Nicollet County adopted a Drainage System Fund Balance Policy on December 18, 2018.

Now, therefore, be it resolved that the Nicollet County Board of Commissioners approves the following transfer of funds from the General Fund to the Ditch Fund to cover a negative cash balance as of December 31, 2023:

County Ditches	
#3	16,018.38
#4A	25,372.07
#8A	2,546.28
#9 Improvement	(2,395.58)
#11	18,770.03
#12	5,684.69
#13A	(32,302.21)
#16A	(3,043.54)
#23	(52,158.55)
#24A	(3,733.48)
#27	(11,827.06)
#29A	37,846.09
#30A	(170,788.54)
#32A	(87,600.35)
#32A Lateral 1 B8	3,363.48
#33A	8,206.21
#35A	(41,569.88)
#38A	8,551.17
#39	8,957.09
#40A	(61,260.78)
#41	(421.88)
#46A Improvement	(5,808.36)
#47A	(20,324.59)
#48A	(31,911.75)
#49	2,648.84
#51A	7,609.17
#53A	36,069.95

#58C	3,950.80
#59A	9,116.26
#61	12,848.20
#62A Improvement	1,366,152.64
#65	3,179.98
#70	(549.59)
#71	(55,690.22)
#72	4,944.57
#75	(53,767.64)
#76A	(9,090.53)
#77	(4,941.20)
#77 Lateral 1 B4	2,470.14
#77 Lateral 2	(573,582.38)
#77 Lateral 3	3,428.83
#78	(241,707.13)
#78 Lateral 2 B4	(11,607.86)
#79	(94,749.20)
#80	5,219.46
#81	19,382.67
#82	(74,536.76)
#83	(5,123.56)
#84	8,969.43
#85	2,426.45
#86A	(1,007,479.16)
#87	(25,895.06)
#88	637.47
#90	(155,346.00)
#91	321.27
#92	772.90
#94	577.60
#95	2,186.45
#96	2,998.18
#97	(1,324.18)
Judicial Ditches	
Joint JD 1A NS	(209,964.55)
JD 1A Lateral 2 NS	(257.46)
JD 6 NS	(2,323.37)
JD 12 NS	(71,814.83)
JD 13 NS	(5,035.78)
JD 14 NS	31.94
JD 15 NS	(43,839.03)
JD 16 NS	(7,422.50)
JD 1 SN	(3,536.56)
JD 1 Lateral 1 SN	(9,055.75)
JD 1 Lateral 1 3B SN	(1,959.43)
JD 3 SN	(1,611.75)
JD 5 SN	(123,951.36)
JD 6A SN	(98,076.17)
JD 6A LA SN	1,805.23
JD 14 SN	(67,654.63)
JD 20 SN	(38,394.83)
JD 7 SRN	(13,357.90)
JD 13 SRN	1,245.20
JD 13 LA SRN	(9,572.72)
JD 31 RSN	(3,787.92)
Total Ditches	(1,917,844.44)

Therefore, be it further resolved, that the transfer of said funds will be done in accordance with the Nicollet County Drainage System Fund Balance Policy.

Dated this 28th day of May, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
Clerk to the Board

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item: Consider 2024 Budget Change Request	
Primary Originating Division/Dept.: Sheriff	Meeting Date: 05/28/2024
Contact: Dave Lange Title: Sheriff	Item Type: (Select One) Regular Agenda
Amount of Time Requested: 5 minutes	
Presenter: Dave Lange Title: Sheriff	Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Financial Security - prudent use of taxpayer resources	
BACKGROUND/JUSTIFICATION: The 2024 Budget is prepared in summer/fall of 2023. At that time, plans were in place to use American Rescue Plan dollars for Sheriff Body Cameras \$130,000 and 3 Squad Cameras \$33,000 totaling \$163,000. On December 22, 2023, Nicollet County received one-time Public Safety Aid funding totaling \$537,293. After review and consideration, it was determined to change the planned funding source for the Body Cameras and 3 Squad Cameras totaling \$163,000 from ARP to Public Safety Aid by a reallocation of dollars. In addition, Public Safety Aid funds were also planned for 8 additional Squad Cameras totaling \$87,000. In total, \$250,000 of use of the one-time Public Safety Aid as discussed at December Board Workshop. This request is to approve a budget amendment of \$87,000 for non-capital equipment supplies of the 8 cameras.	
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 2024 Budget Amendment	
FISCAL IMPACT: Other (Select One) If "Other", specify: Public Safety Aid	FUNDING County Dollars = Other 87,000 (Select One)
FTE IMPACT: No FTE change (Select One)	Total:
If "Increase or "Decrease," specify: Related Financial/FTE Comments:	

Budget Change Request Form

Requestor Information

Department: Sheriff

Department Head: Dave Lange Date: 01/22/2024

Expenditure Reallocation Request

Account Number

Account Name

**Amount
Added**

Amount
Reduced

Reason for Change Request:

Additional Appropriation Request

Account Number

Account Name

Revenue
Amount
Requested

Expenditure
Amount
Requested

01-201-000-0000-6407	Non-Capital Equip Supplies		87,000
Total			

Reason for Change Request:

Change of funding plan from ARP to Public Safety Aid. This is for 8 of the 11 Squad Cameras planned for Public Safety funding.

At the end of 2023, the Public Safety Aid received on 12/22/23 moves to Restricted Fund Balance.

After this update, the total planned for Public Safety Aid use will be \$250,000 (Body Cams \$130,000 + Squad Cams \$120,000).

Approval/Denial

☐ Approved☐ Denied

Date: _____

Administrator/Chair Signature: _____

Attach any additional information desired to support/clarify your request.

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item:	
Public Hearing for the Proposed Local Housing Trust Fund Ordinance	
Primary Originating Division/Dept.: Health and Human Services	Meeting Date: 05/28/2024
Contact: Cassie Sassenberg Title: HHS Director	Item Type: Regular Agenda (Select One)
Amount of Time Requested 10 minutes	
Presenter: Cassie Sassenberg Title: HHS Director	Attachments: ☒ Yes ☐ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)	
BACKGROUND/JUSTIFICATION: Public hearing for consideration of the attached Local Housing Trust Fund Ordinance. The proposed Local Housing Trust Fund Ordinance authorizes Nicollet County staff to develop a trust fund for the purpose of developing and preserving affordable housing to keep families from losing housing and to help those experiencing homelessness find housing.	
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: Approval of the attached proposed Local Housing Trust Fund Ordinance.	
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify	FUNDING County Dollars = Other (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	Total



Local Housing Trust Fund

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SECTION 1 PURPOSE, AUTHORITY, AND JURISDICTION

101 TITLE

This Ordinance shall be known, cited, and referred to as the “Nicollet County Local Housing Trust Fund Ordinance.” When referred to herein, it shall be known as THIS ORDINANCE.

102 STATEMENT OF PURPOSE

This Ordinance is adopted for the purpose of establishing a fund which allows for the flexibility to respond in innovative ways to address local affordable housing needs.

103 STATUTORY AUTHORITY

This Ordinance is adopted pursuant Minnesota Statutes, Section 462C.16.

104 JURISDICTION

This Ordinance shall apply to all areas in Nicollet County.

SECTION 2 DEFINITIONS

201 AFFORDABILITY PERIOD

The amount of time the project must meet affordability criteria.

202 AFFORDABLE HOUSING

Refers to housing that costs 30% or less of a household's gross income.

203 COMMUNITY ADVISORY COMMITTEE

A committee that may be comprised of a mix of elected officials, administrator entity staff, housing organization staff, and residents with lived experience or some other housing expertise tasked with providing recommendations to the County Board regarding the use of the Local Housing Trust Fund.

204 COUNTY BOARD OR BOARD

Refers to the Nicollet County Board of Commissioners.

205 ELECTED OFFICIALS

Refers to County Commissioners.

206 FUND ADMINISTRATOR

Entity responsible for administration of the Local Housing Trust Fund in accordance with Minnesota Statutes and the Ordinance.

207 LOCAL HOUSING TRUST FUND

A fund established by a local government with one or more dedicated sources of public revenue for housing.

SECTION 3 ADMINISTRATION OF LOCAL HOUSING TRUST FUND

301 THE AUTHORITY

Nicollet County Health and Human Services Director (the “Fund Administrator”) shall administer the Local Housing Trust Funds on behalf of Nicollet County.

302 ADMINISTRATIVE EXPENSES

The Authority may charge up to 10% of the balance of the fund for program administrative expenses.

SECTION 4 OVERSIGHT AND ADVISORY

401 COMMUNITY ADVISORY COMMITTEE

1. A Community Advisory Committee will be established to provide recommendations to the County Board regarding the use of the Local Housing Trust Fund and general provisions therefore.
2. The Community Advisory Committee must meet at least one (1) time per year and as further directed by the Chairperson of the Advisory Committee.
3. Annually, the Community Advisory Committee will recommend Housing Trust Fund funding priorities and present a budget proposal to the County Board for approval.
4. The Community Advisory Committee will be Chaired by the Director of Nicollet County Health and Human Services. Members may include:
 - (a) 2 elected officials;
 - (b) Housing organization staff;
 - (c) Residents with lived experience; and
 - (d) Residents with housing expertise.

402 COUNTY BOARD OF COMMISSIONERS

1. The County Board will make the final decision regarding:
 - (a) Defining Housing Trust Fund funding priorities.
 - (b) Defining the housing activities eligible for support from the Local Housing Trust Fund.
 - (c) Defining target population(s) and establishing parameters about which households will be eligible to be served by Local Housing Trust Fund dollars.
 - (d) Specify the types of organizations that are eligible to apply for and utilize the housing funds.
 - (e) Determine the form that a Local Housing Trust Fund award will take, such as grants or loans as well as the specific terms and conditions of these funding awards.
 - (f) Determine the required affordability period – the amount of time the project must meet affordability criteria.
 - (g) Determine the responsibility of a loan grantee if the required affordability period is not fulfilled.

SECTION 5 GENERAL PROVISIONS

501 FUNDING SOURCES

1. Public revenues from one (1) or more sources may be dedicated to the Local Housing Trust Fund. All specifically allocated revenues are protected for housing uses in Nicollet County. All interest earnings from the Trust Fund Account shall be reinvested and dedicated to the Local Housing Trust Fund.
2. Prior to December 31, 2028, the County Board will take additional action to determine whether to continue with a Local Housing Trust Fund. If a decision is made to continue the Local Housing Trust Fund, the County Board will determine one (1) or more sources of public revenues that will be dedicated to the Local Housing Trust Fund.
3. Other one (1) – time or ongoing funding sources may include, but are not limited to:
 - (a) Donations;
 - (b) Bond proceeds;
 - (c) Grants and loans from a state, federal or private source;
 - (d) Appropriations by a local government to the fund;
 - (e) Investment earnings of the fund;
 - (f) Housing and redevelopment authority levies; and
 - (g) Additional funds from a federal or state program designed to fund affordable housing.

502 DISTRIBUTIONS

1. Disbursements from the Local Housing Trust Fund are limited to the following as authorized by Minnesota Statute, Section 462C.16:
 - (a) To pay administrative expenses not to exceed 10 percent of the balance of the fund;
 - (b) To make grants, loans, and loan guarantees for the development, rehabilitation, or financing of housing;
 - (c) To match other funds from federal, state, or private resources for housing projects; and
 - (d) To provide down payment assistance, rental assistance, and home buyer counseling services.

503 ANNUAL REPORTING

1. The Local Housing Trust Fund Administrator entity must report annually to the County Board. At a minimum, the report must:
 - (a) Illustrate the impact of the Local Housing Trust Fund on the community's housing needs;
 - (b) Characterize the nature and cost of the housing projects and programs supported by the Local Housing Trust Fund; and
 - (c) Accomplishments in terms of households served.
 - (d) Nicollet County must post the annual report on its public website.

SECTION 6 EXCEPTION AUTHORITY

601 EXCEPTION AUTHORITY

The County Board of Commissioners may review the Trust Fund at any time in its sole and unfettered discretion so long as such exceptions do not violate Minnesota Statutes 462C.16.

SECTION 7 EFFECTIVE DATE

701 EFFECTIVE DATE

This Ordinance shall be in effect from and after the date of its passage by the Nicollet County Board of Commissioners and publication according to Minnesota Statutes.

Dated this _____, day of _____, 2024.

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board



**RESOLUTION OF THE ADOPTION OF THE NICOLLET COUNTY
LOCAL HOUSING TRUST FUND ORDINANCE**

THE COUNTY BOARD OF NICOLLET COUNTY ORDAINS:

WHEREAS, Minnesota Statute §462C.16 authorizes local government to establish a local housing trust fund by ordinance; and

WHEREAS, Nicollet County held a public hearing on May 28, 2024 during the Nicollet County Board of Commissioners board meeting to discuss the proposed ordinance.

THEREFORE, BE IT RESOLVED, the Nicollet County Board of Commissioners adopted the Local Housing Trust Fund ordinance on May 28, 2024; and

BE IT FUTHER RESOLVED, the summary of the adopted Ordinance will be published on June 6, 2024 in the St. Peter Herald pursuant to Minnesota Statues §§ 331A.01 and 375.51.

Dated: May 28, 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer, County Administrator
Clerk to the Board

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item:

Consider resolution to release a portion of TH 4 from MNDOT

Primary Originating Division/Dept.: Public Works-Highway

Meeting Date: 05/28/2024

Contact: Seth Greenwood, P.E. Title: PWD/County Engineer

Item Type:
(Select One) Regular Agenda

Amount of Time Requested: 10 minutes

Presenter: Seth Greenwood, P.E. Title: PWD/County Engineer

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Facilities and Space - preserve, maintain and build our assets

BACKGROUND/JUSTIFICATION:

During the development of a bridge replacement project and the identification of additional ROW needed for the project on CSAH 21 near Fort Ridgely State Park, it was discovered that a portion of CSAH 21 and 30 were still designated as Trunk Highway 4 and that the ROW/highway easement was still under the ownership of MnDOT. MnDOT would like to complete the official process of releasing the TH 4 designation from these portions of CSAH 21 and 30 and to "officially" turnback this segment to Nicollet County control along with the underlying ROW/easement ownership. MnDOT has requested that the attached resolution be considered and approved which would allow MnDOT to begin and complete the release/turnback process. Also attached is an exhibit that identifies the limits of the release/turnback that would occur along with the ROW/easement area that would be transferred to County ownership.

Please note that these portions of CSAH 21 and 30 were first officially designated County State Aid Highways in 1957. I was not able to find any information on the exact year that Nicollet County took over and began maintaining these segment of CSAH 21 and 30 from MnDOT.

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 attached resolution.

FISCAL IMPACT: No fiscal impact
(Select One)

FUNDING

County Dollars = 0

If "Other", specify:

State
(Select One)

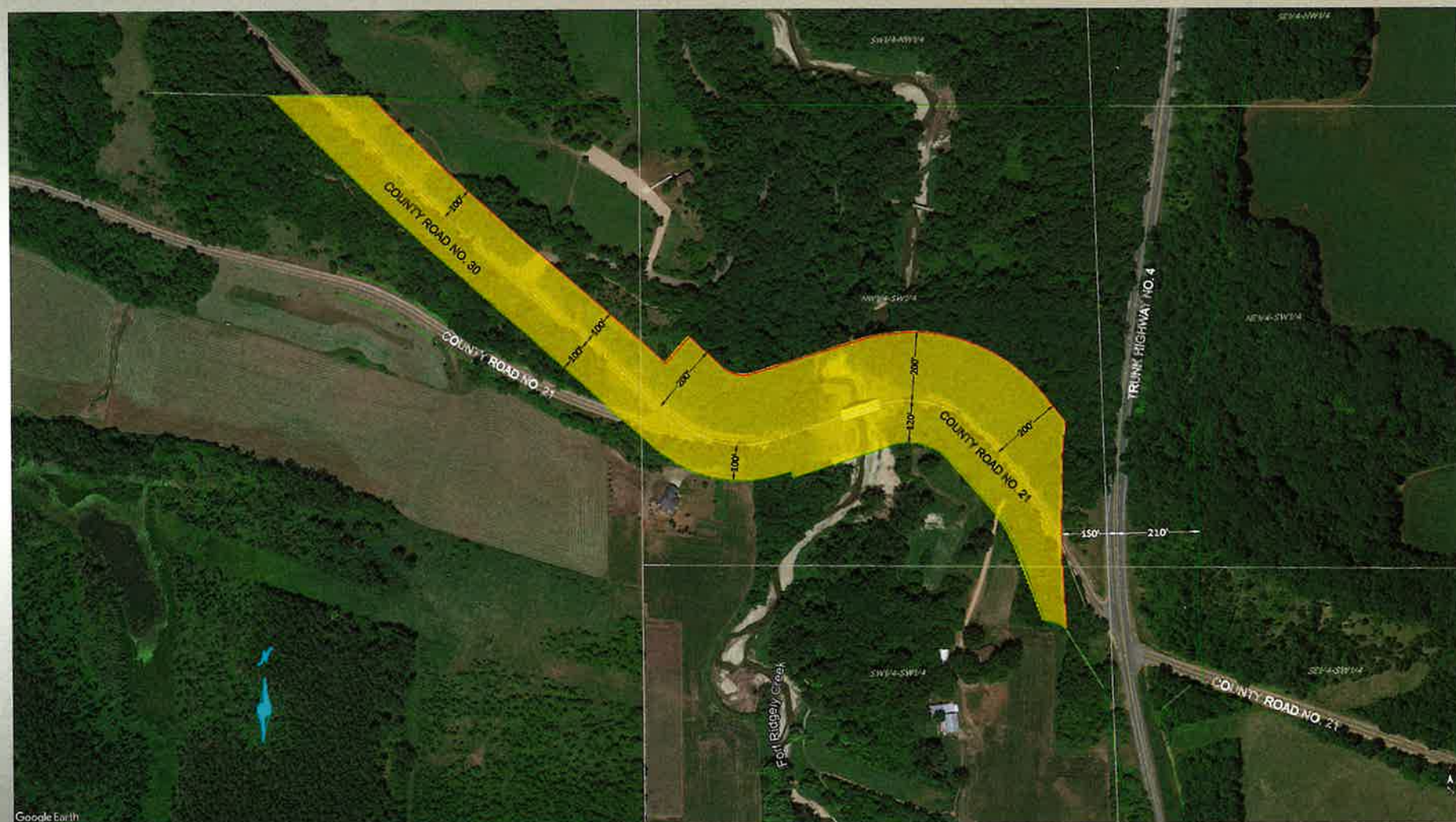
FTE IMPACT: No FTE change
(Select One)

Total: 0

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:

Exhibit for proposal of turnback to Nicollet County





**RESOLUTION TO RELEASE A PORTION OF TRUNK HIGHWAY 4 FROM
MNDOT**



BE IT RESOLVED, by the Nicollet County Board of Commissioners, that the County of Nicollet enter into this agreement with the Commissioner of Transportation of the State of Minnesota for the following purpose:

To provide for the release of a portion of Trunk Highway 4 (currently designated and maintained as County State Aid Highways 21 and 30) which MnDOT has determined is no longer needed for trunk highway purposes: limits of which are shown on the attached exhibit. This transfer is requested by the County of Nicollet.

IT IS FURTHER RESOLVED, that the County Board Chair and County Administrator are authorized to execute said release agreement and any amendments on behalf of the County of Nicollet.

Dated this 28th day of May 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item:

Consider CSAH 24 Cooperative Construction Agreement

Primary Originating Division/Dept.: Public Works-Highway

Meeting Date: 05/28/2024

Contact: Seth Greenwood, P.E.

Title: PWD/County Engineer

Item Type:
(Select One) Regular Agenda

Amount of Time Requested: 15 minutes

Presenter: Seth Greenwood, P.E.

Title: PWD/County Engineer

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Facilities and Space - preserve, maintain and build our assets

BACKGROUND/JUSTIFICATION:

The City of Courtland desires to make various improvements within the CSAH 24 ROW. The first improvement involves adding sidewalk and ADA facilities on the west side of CSAH 24 from Old TH 14 south to the City ball fields. The second improvement will involve the construction of a right turn lane on CSAH 24 at the intersection of CSAH 24 and Collin Drive. The City is improving Collin Drive from a rural gravel surface section to an urban curb and gutter with bituminous pavement section. They will also be adding utilities that will serve platted lots along Collin Drive. These improvements to Collin Drive will encourage development east of CSAH 24 which in turn will increase traffic on Collin Drive. Due to the current traffic volumes on CSAH 24, and the future increased traffic on Collin Drive at the intersection of Collin Drive and CSAH 24, traffic warrants are met that necessitate the construction of a right turn lane on CSAH 24 at this intersection that will serve to help mitigate future traffic flow and safety issues at this intersection.

I have worked with the City of Courtland and their Engineer to ensure the plans and specifications for the improvement within the CSAH 24 ROW meet County and MnDOT State Aid Standards. The plans and specifications are complete and I have signed them.

Attached to this agenda item is a Cooperative Construction Agreement between the City and County that identifies the roles, responsibilities, and financial commitments for the development, construction, and future maintenance of the various improvements on CSAH 24.

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 CSAH 24 Cooperative Construction Agreement

FISCAL IMPACT: No fiscal impact
(Select One)

FUNDING
County Dollars = 0

If "Other", specify:

State
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total: 0

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:

**COOPERATIVE CONSTRUCTION AGREEMENT
BETWEEN
NICOLLET COUNTY AND THE CITY OF COURTLAND
FOR
DESIGN, CONSTRUCTION, AND MAINTENANCE
OF
CSAH 24 SIDEWALK & TURN LANE IMPROVEMENTS**

THIS AGREEMENT, made and entered into by and between the City of Courtland, a municipal corporation, organized under the laws of the State of Minnesota, party of the first part, hereinafter referred to as "City", and the County of Nicollet, Minnesota, a municipal corporation organized under the laws of the State of Minnesota, party of the second part, hereinafter referred to as "County";

WITNESSETH:

WHEREAS, The County and the City have been involved in discussions for the design and construction of sidewalk and turn lane improvements along segments of CSAH 24, and

WHEREAS, Sidewalk improvements along CSAH 24 from Old TH 14 to the City of Courtland ball fields are necessitated due to pedestrian safety concerns and the lack of an existing sidewalk, and

WHEREAS, Improvements to Collin Drive will be completed in 2024 which will encourage further commercial/residential development and generate additional traffic volume at the intersection of Collin Drive and CSAH 24 necessitating the construction of a right turn lane on CSAH 24 at Collin Drive, and

WHEREAS, CSAH 24 is under the jurisdiction of the County for purposes of maintenance and improvements, and

WHEREAS, It is the desire of both parties to enter into a written document regarding the improvements and maintenance of CSAH 24, and

NOW, THEREFORE, Pursuant to Minnesota Statutes 471.59 and in consideration of the mutual covenants and promises hereinafter contained, it is agreed by and between the City of Courtland and Nicollet County as follows:

- A. That this agreement shall apply only to the improvements and maintenance of CSAH 24 for sidewalk improvements from Old TH 14 to the City of Courtland ball fields and a right turn lane at the intersection of CSAH 24 and Collin Drive. (See Attached Figure 1)

B. Prosecution of work will be performed on the following basis.

City of Courtland will:

- 1) Prepare construction plans and specifications in accordance with current City, County, and MnDOT State Aid Standards, develop an estimate of cost for the construction project, and secure written approval from the County Engineer for the final plans and specifications.
- 2) Act as the contracting agency for the construction project in accordance with the competitive bidding requirements of Minnesota Statutes 471.345 and 375.21.
- 3) Provide the necessary surveying, construction inspection, and engineering oversight services for the project. Provide as-built plan sets upon project completion.
- 4) Provide a registered professional engineer to prepare the construction plans and specifications and to supervise the construction of the project. Said supervision shall include keeping adequate records to document the quality of construction and the substantiation of pay quantities.
- 5) Maintain the project open to inspection by the County or their duly authorized representatives.
- 6) Obtain the written approval of the County Engineer for any changes in work issued through work orders or supplemental agreements to the contractor involving work in the CSAH 24 road right-of-way, prior to the performance of such work when feasible.

C. The City agrees to do all things necessary for the construction of said project except as set forth in this agreement. Said project on CSAH 24 is to be constructed, consistent with current City, County, and MnDOT State Aid standards.

D. It is agreed by and between the parties hereto that the City shall diligently pursue any necessary permanent road right-of-way and permanent/temporary easements for the construction of said project and is responsible for all costs associated with acquiring the permanent road right-of-way and permanent/temporary easements. The City of Courtland shall transfer ownership of all permanent road right-of-way and permanent easements acquired for the project to Nicollet County upon completion of the project.

E. The County has adopted a Policy for the division of costs for improvements to County Highways within a municipality, said Policy being adopted by the Nicollet County Board of Commissioners on September 22, 2009, a copy of which is attached hereto, and made a part hereof for reference, shall apply to the improvements on the hereinbefore described CSAH 24 with the following modifications or additions:

1. The following statement shall be added to Subsections G. CONCRETE SIDEWALK CONCURRENT WITH COUNTY CONSTRUCTION PROJECT, and H. CONCRETE CURB AND GUTTER (NEW OR RECONSTRUCTED) and CONCRETE PEDESTRIAN RAMPS (NEW OR RECONSTRUCTED) CONCURRENT WITH COUNTY CONSTRUCTION PROJECT:

Concrete pedestrian ramps and sidewalks that do not meet current ADA standards & guidelines shall be treated as worn out pedestrian ramps and worn out sidewalks.

- F. The method of financing the portion of the improvement project within the City of Courtland shall be the prerogative of Nicollet County and the City of Courtland. Funding of the project is subject to the following provisions:

1) CONSTRUCTION COSTS:

The City of Courtland is responsible for 100% of the construction costs.

2) ENGINEERING COSTS:

The City of Courtland is responsible for 100% of the engineering costs.

- G. The City of Courtland agrees to save, hold harmless and indemnify Nicollet County and the County's officers, agents, employees, and volunteer workers against any and all claims, losses, damages, or law suits for damages arising from, allegedly arising from, or related to the provisions of services hereunder, and further the City agrees to defend at its own sole cost and expense any action for proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the provision of services hereunder.

The County agrees to save, hold harmless and indemnify the City of Courtland and the City's officers, agents, employees, and volunteer workers against any and all claims, losses, or lawsuits for damages arising from, allegedly arising from, or related to the County's provision of services hereunder, and further the County agrees to defend at its own sole cost and expense any action or proceeding commenced for the purpose of asserting any claim of whatsoever character arising as a result of the County's provision of services hereunder.

It is hereby understood and agreed that any and all employees of the County and all other persons employed by the County in the performance of the provisions of services hereunder shall not be considered employees of the City and that any and all claims that may or might arise under the Worker's Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by third parties as a consequence of any act or omission on the part of said County employees while so engaged in the performance of any of the provisions of services hereunder shall in no way be the obligation or responsibility of the City.

It is hereby understood and agreed that any and all employees of the City and all other persons employed by the City in the performance of the provisions of services hereunder shall not be considered employees of the County and that any and all claims that may or might arise under the Worker's Compensation Act of the State of Minnesota on behalf of said employees while so engaged and any and all claims made by third parties as a consequence of any act or omission on the part of said City employees while so engaged in the performance of any of the provisions of services hereunder shall in no way be the obligation or responsibility of the County.

- H. Pursuant to Minnesota Statute 16C.05, Subd. 5, the City agrees that the County, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as

often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the County and involve transactions relating to this Agreement.

The City agrees to maintain these records for a period of six years upon the completion and final acceptance of the project.

- I. Pursuant to Minnesota Statute 16C.05, Subd. 5, the County agrees that the City, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the County and involve transactions relating to this Agreement.

County agrees to maintain these records for a period of six years upon the completion and final acceptance of the project.

- J. During the performance of this Agreement, the City and the County agree 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 right in, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable Federal and State laws against discrimination.

- K. Each party agrees that any modification of this agreement will be in writing and will be signed by the parties hereto.

IN TESTIMONY WHEREOF, The parties hereto have caused these presents to be executed.

City of Courtland, Minnesota

Nicollet County, Minnesota



Mayor, City of Courtland

Date: 5/17/24

Attest:



City Clerk/Treasurer

Date: 5/17/24

Approved As To Form:



City Attorney

Date: 5.17.24

Nicollet County Board Chair

Date: _____

Attest:

County Administrator

Date: _____

Approved As To Form:

County Attorney

Date: _____



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**NICOLLET COUNTY
DEPARTMENT OF PUBLIC WORKS**

**COST PARTICIPATION POLICIES
APPLICABLE
TO
COOPERATIVE HIGHWAY PROJECTS
BETWEEN
NICOLLET COUNTY AND OTHER AGENCIES**

Adopted by the Nicollet County Board of Commissioners on September 22, 2009

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NICOLLET COUNTY

DEPARTMENT OF PUBLIC WORKS

COST PARTICIPATION POLICIES APPLICABLE TO COOPERATIVE HIGHWAY PROJECTS BETWEEN NICOLLET COUNTY AND OTHER AGENCIES

I. PURPOSE

To establish policies for determining appropriate division of cost participation to be used by Nicollet County in funding cooperative roadway, traffic signal and bridge construction projects with the Minnesota Department of Transportation, municipalities, townships, and other agencies.

II. SCOPE

The establishment of cost policy is consistent with Minnesota Statutes, Sections 162.17, 373.01, 471.59 and Amendments.

III. GENERAL POLICIES

- A. The basic premise is that the County pays for costs peculiar to County needs and municipalities pay for costs peculiar to municipal or local needs.
- B. The County may limit its participation to items eligible for reimbursement with County State Aid Highway (CSAH) funds, notwithstanding the specific policies contained in this document. However, the County will not request CSAH funds for project costs assigned to the municipality as a result of the approved cooperative construction agreement, in order not to preclude the municipality from using its Municipal State Aid funds for those project costs.
- C. A greater degree of County participation is afforded municipalities having a population of less than 5,000 because of the function of the County roadways in these areas. It is generally true that these roadways are of greater benefit to County-wide users and of less benefit to local users than is the case for roadways in more urbanized areas. In addition, this would be a form of compensation for the absence of direct State Aid allocations to these municipalities.
- D. It is recognized that there may be occasional differences between these policies and written participation policies of the Minnesota Department of Transportation. In those cases, participation will be negotiated by the County Engineer.

IV. DEFINITIONS

Bikeway: A bicycle route, bicycle path, or bicycle lane.

1. **Bicycle Route:** A roadway or shoulder signed to encourage bicycle use.
2. **Bicycle Path:** A bicycle facility designed for exclusive or preferential use by persons using bicycles and constructed or developed separately from the roadway or shoulder.
3. **Bicycle Lane:** A portion of a roadway or shoulder designed for exclusive or preferential use by persons using bicycles. Bicycle lanes are to be distinguished from the portion of the roadway or shoulder used for motor vehicle traffic by physical barrier, striping, marking, or other similar device.

Contributing Flow: A storm sewer procedure that considers that each agency participates in proportion to its share of the design discharge for each section of sewer between inflow points. This method is used by the Minnesota Office of State Aid on all projects except where federal participation is anticipated.

County: Nicollet County.

County Engineer: The County Engineer of Nicollet County or a designated representative.

Municipality: Any municipality or township within Nicollet County.

Over 5,000: A municipality of 5,000 population or more.

Peak Discharge: A storm sewer method that considers that each agency's share is the ratio of its peak discharge through each section of sewer between inflow points to the summation of peak discharge for all agencies participating in the section of sewer between inflow points.

Permanent Traffic Signal: A traffic control signal system normally consisting of metal signal poles with mast arms and underground electrical systems with conduit, cable and handhole installations.

Storm Sewer: A drainage system usually consisting of one or more pipes connecting two or more drop inlets. The purpose is to convey surface runoff water from the inlets to an acceptable outlet.

Street Lighting: All components normally installed by a municipality for the purpose of street illumination.

Standard Specifications: Minnesota Department of Transportation Standard Specification for Construction, latest edition and/or supplement thereto.

State Aid Manual: Manual published by the Minnesota Department of Transportation outlining State Aid policies and procedures.

State Highway: A highway under jurisdiction of the State of Minnesota.

Temporary Traffic Signal: A traffic control signal system normally consisting of wood poles with signal indications suspended on span wires and overhead electrical systems.

Trunk Line: Main conveyor of storm sewer system.

Under 5,000: A municipality under 5,000 population.

Utilities: Water, heating, electric, storm sewer, gas, sanitary, telephone, cable TV, telegraph, street lighting, fiber optics, etc.

V. ROADWAYS

The County's participation in roadway projects will be as follows:

A. RIGHT-OF-WAY -

1. Right-of-way, permanent roadway easement, slope easement, drainage easement and temporary construction easement for existing County highway.

Under 5,000	Negotiation by County Engineer
Over 5,000	Negotiation by County Engineer
2. Right-of-way, permanent roadway easement, slope easement, drainage easement and temporary construction easement for any newly established or dedicated County highway.

Under 5,000	Negotiation by County Engineer
Over 5,000	Negotiation by County Engineer
3. The County's percentage of participation in retaining walls constructed in lieu of right-of-way will be the same as for right-of-way.
4. Right-of-way required for wetland mitigation and for surface water retention basins will be at the same participation ratio as the remainder of the project even if the locations of these facilities are not contiguous to the project.

B. CLEARING AND GRUBBING -

Under/Over 5,000	100%
------------------	------

C. GRADING -

Under/Over 5,000	100%
------------------	------

D. BASE AND SURFACING -

1. County participation for a 2-lane street.

Under/Over 5,000	100%
------------------	------
2. Parking lanes

Under/Over 5,000	0%
------------------	----

E. TURN LANES

1. County Participation for Turn lane Construction

New -	Under/Over 5,000	0%
Replacement -	Under/Over 5,000	100%

F. STORM SEWER -

The County's participation is based on the State Aid formula as defined in State Aid Manual No. 5-892.600-605 which uses the ratio of contributing flows except on federally funded projects where the peak discharge formula is used to arrive at the percentage of allowable state Aid funds. The construction of retention basins for surface water and storm sewer runoff will be considered part of the trunk storm sewer system and will be at the same participation ratio as the trunk storm sewer lines. Participation on County Roads will be determined by using the State Aid formula using the ratio of contributing flows.

1. Trunk lines.

Under 5,000	100% of County's Contributing Flow
Over 5,000	100% of County's Contributing Flow

2. Catch basins and leads within the County highways and at the curb returns of side roadway entrances that drain onto the County highways.

Under 5,000	100% of County's Contributing Flow
Over 5,000	100% of County's Contributing Flow

No credit is allowed to a municipality for an inplace storm sewer system.

G. CONCRETE SIDEWALK CONCURRENT WITH COUNTY CONSTRUCTION PROJECT

New -	Under/Over 5,000	0%
Replacement -	Under/Over 5,000	* 100%

* Except when County Engineer determines existing to be worn out. Worn out sidewalk to be treated as new sidewalk.

H. CONCRETE CURB AND GUTTER (NEW OR RECONSTRUCTED) AND CONCRETE PEDESTRIAN RAMPS (NEW OR RECONSTRUCTED) CONCURRENT WITH COUNTY CONSTRUCTION PROJECT -

New -	Under 5,000	100%
New -	Over 5,000	0%
Replacement -	Under/Over 5,000	* 100%

* Except when County Engineer determines existing to be worn out. Worn out concrete curb and gutter to be treated as new concrete curb and gutter.

I. CONCRETE CURB AND GUTTER AND SIDEWALK FOR MEDIANS (NEW OR RECONSTRUCTED) CONCURRENT WITH COUNTY CONSTRUCTION PROJECT -

Under 5,000	100%
Over 5,000	100%

J. PAVED DRIVEWAY ENTRANCES (NEW OR RECONSTRUCTED) CONCURRENT WITH COUNTY CONSTRUCTION PROJECT -

Under 5,000	100%
Over 5,000	100%

K. MUNICIPAL UTILITY RELOCATION OR RECONSTRUCTION -

1. Initial installation performed without a permit or not in compliance with a County permit.
Under/Over 5,000 0%
2. Relocation, reconstruction, improvement, or replacement of unserviceable existing facilities (County Engineer shall determine if existing facility is serviceable or unserviceable).
Under/Over 5,000 0%
3. Relocation necessitated because of addition of parking lane requested by the municipality.
Under/Over 5,000 0%
4. In-kind relocation required solely because of County construction procedures.
Under/Over 5,000 100%
5. Adjustment of existing utility structures to accommodate elevation changes at the street surface. This includes items such as adjusting manhole castings and valve boxes. Lateral extension of utility appurtenances such as hydrants, water service valves, etc. required by the road construction are not included in this category unless they are required solely due to the addition of a parking lane requested by a municipality.
Under/Over 5,000 0%

L. PRIVATE UTILITY RELOCATION OR RECONSTRUCTION -

1. Initial installation was within County right-of-way.
Under/Over 5,000 0%

VI. TRAFFIC SIGNAL SYSTEM

The County's participation in traffic signal system projects will be as follows:

A. PERMANENT TRAFFIC SIGNAL SYSTEM INSTALLATIONS -

Intersection of County Highway with City Street and/or Township Road (City or Township Location).

1. County cost participation in the installation of a traffic signal to be proportional to the number of legs that are County highways (i.e. 2 of 4 entering legs are County highways, participation equals 50%).
2. County cost participation in the furnishing of electrical power to a traffic signal to be 0%. Electrical power to be furnished by the City or Township.
3. County cost participation in the maintenance of a traffic signal to be 100%, unless otherwise stipulated by special agreement with the Minnesota Department of Transportation or other agency.
4. County cost participation in any subsequent revisions, modifications, or updatings of a traffic signal originally installed in accordance with the provisions of this cost participation policy, even to the extent of complete reconstruction, to be borne in the same manner as the initial installation.

Intersection of County Highway with State Highway (City or Township Location)

1. County cost participation in the installation of a traffic signal to be proportional to the number of legs that are County highways and in accordance with Minnesota Department of Transportation policies.
2. County cost participation in the furnishing of electrical power to a traffic signal to be 0%. Electrical power to be furnished by the Minnesota Department of Transportation, the City and/or the Township.
3. County cost participation in the maintenance of a traffic signal to be 0%. Maintenance to be furnished by the Minnesota Department of Transportation.
4. County cost participation in any subsequent revisions, modifications, or updatings of a traffic signal originally installed in accordance with the provisions of this cost participation policy, even to the extent of complete reconstruction, to be borne in the same manner as the initial installation.

B. TEMPORARY TRAFFIC SIGNAL INSTALLATION -

Intersection of County Highway with City Street and/or Township Road (City or Township Location)

1. County cost participation in the installation of a temporary traffic signal to be proportional to the number of legs that are County highways (i.e. 2 or 4 entering legs are County highways, participation equals 50%) if, by cooperative agreement, it is the plan of the County, the City and/or the Township to install a permanent traffic signal at the same location in the future. Full credit for the City's and/or Township's investment in the installation of a temporary traffic signal will be applied toward the City's and/or Township's participation in a permanent traffic signal at the same location if it is installed within the time limits set forth in the cooperative agreement. This credit may be extended should circumstances beyond the control of the City and/or Township delay the installation of the permanent signal beyond the time limits set forth in the cooperative agreement.
2. County cost participation in the furnishing of electrical power to a temporary traffic signal to be 0%. Electrical power to be furnished by the City or Township.
3. County cost participation in the maintenance of a temporary traffic signal to be 100%, unless otherwise stipulated by special agreement with the Minnesota Department of Transportation or other agency.

Intersection of County Highway with State Highway (City or Township Location)

1. County cost participation in the installation of a temporary traffic signal to be proportional to the number of legs that are County highways if, by cooperative agreement, it is the plan of the Minnesota Department of Transportation to install a permanent traffic signal at the same location in the future. Said cooperative agreement is to include a provision whereby full credit for the County's investment in the installation of a temporary traffic signal will be applied toward the County's participation in a permanent traffic signal at the same location.
2. County cost participation in the furnishing of electrical power to a temporary traffic signal to be 0%. Electrical power to be furnished by the Minnesota Department of Transportation, the City and/or the Township.
3. County cost participation in the maintenance of a traffic signal to be 0%. Maintenance to be furnished by the Minnesota Department of Transportation.

VII. BRIDGES

The County's participation in bridge projects will be as follows:

Under/Over 5,000	Negotiation by County Engineer
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VIII. STREET LIGHTING

The County will not participate in the installation of new street lighting with the exception of those street lights attached to traffic signals on County highways. Those lights will be financed on the same basis as the installation of traffic signals. Participation in the relocation or reconstruction of existing street lighting will be on the same basis as for municipal utility relocation or reconstruction (see Paragraph K of Section No. V).

IX. BIKEWAYS

Nicollet County recognizes the increasing use of bicycles as a means of transportation. Nicollet County will consider incorporating bicycle lanes or routes within the roadway design concurrent with roadway construction when the route is part of an overall community bicycle system plan, when economically feasible to construct, and when judged to be in the best interest of the public. Bicycle paths separate from the roadway itself will normally not be constructed unless it is part of an overall community plan for a bicycle trail system. The County's participation in bicycle routes, paths, and lanes will be as follows:

New -	Under 5,000	100%
New -	Over 5,000	0%
Replacement -	Under/Over 5,000	* 100%

* Except when County Engineer determines existing to be worn out. Worn out bikeways are to be treated as new bikeways.

X. LANDSCAPING

The County will participate in State Aid eligible landscaping items with total participation not to exceed 25% of the maximum permitted by State Aid rules.

XI. ENGINEERING

The County's participation in engineering includes design costs which are cost incurred prior to the award of the contract and contract administration costs which are costs incurred subsequent to the award of contract.

- A. The municipality will reimburse the County an agreed (negotiated) percentage of the municipality's share of the contract construction cost for the Design and/or Contract Administration performed by the County.

Under/Over 5,000	Negotiation by County Engineer
------------------	--------------------------------

XII. LUMP SUM, PRO-RATA ITEMS

Proposal forms carry lump sum bidding requirements for the items of Mobilization (2021), Maintenance and Restoration of Haul Roads (2051) and Traffic Control (0563). Field Office and Field Laboratory (2031) are not, strictly speaking, lump sum pay items. However, their general characteristics are such as to require that they

be handled the same as Mobilization. A municipality shall be charged a pro-rata share of the above items. Proration shall be based on a percentage factor applied to the cost amounts chargeable to the County and the municipality for other construction items. Mobilization, Maintenance and Restoration of Haul Roads, Field Office and Field Laboratory, and Traffic Control are construction items and shall be subject to the negotiated percentage charge for engineering.

XIII. INVOICE AMOUNT COMPUTATION

After bids have been received and a contract awarded, and also upon completion of construction, the unit prices shall be substituted for the estimated unit prices/quantities and the percentage ratio established originally shall be recomputed.

XIV. MAINTENANCE

The County is responsible for maintaining the County highway between curbs or between outside edge of shoulders. It may enter into agreement with the municipality to perform this work on a reimbursable basis.

The County is responsible for maintenance of bridges and culverts on the County route.

The municipality is responsible for maintenance of its utilities including any storm sewer within the County highway right-of-way.

The municipality is responsible for maintaining bicycle paths and walking trails within the County highway right-of-way.

The municipality is responsible for maintaining boulevard or ditch areas, landscaped median areas, irrigation systems, sidewalk, retaining walls, steps and other related items within the right-of-way on an urban design section.

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item:

Complaint regarding maintenance of Belgrade Township 130

Primary Originating Division/Dept.: County Administration

Meeting Date: 5/28/2024

Contact: Michelle Zehnder ☒ Title: County Attorney

Item Type: Regular Agenda
(Select One)

Amount of Time Requested 60 minutes

Presenter: Michelle Zehnder ☒ Title: County Attorney

Attachments: ☒ Yes ☐ No

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

BACKGROUND/JUSTIFICATION:

Nicollet County received a written complaint regarding the maintenance of an area described both as a Township Road 130 and Township Cartway 130. On May 14, 2024, the Board set the hearing on the complaint for May 28, 2024, at 10:30 a.m. A copy of the complaint is included.

The sole issue for determination during the hearing will be whether the complained of area is a township road or a township cartway.

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) May 14, 2024

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

ACTION REQUESTED:

The Board hear the evidence and determine whether the area is a township road or cartway.

FISCAL IMPACT: No fiscal impact
(Select One)

FUNDING
County Dollars =

If "Other", specify

Grant
(Select One)

FTE IMPACT: No FTE change
(Select One)

Total

If "Increase or "Decrease" specify:

Related Financial/FTE Comments:

We request that the Nicollet County Board of Commissioners require the Belgrade Township Board to immediately allocate funds for the maintenance of Township Road 130 (T130) and the Spillway.

T130 has been in existence in Nicollet County/Belgrade Township for well over 150 years. In its current condition the road is not passable by car, truck or tractor. T130 serves twelve landowners and is the only access to over 100 acres of tillable farmland. This road is critical to farming operations and for all landowners to access their property.

Belgrade Township is directly responsible for the current condition of the road. Belgrade Township removed existing culverts on this road and they were never replaced. Instead, a spillway was constructed which is now filled with sand and 3 feet of water. The current Belgrade Township Board refuses to allocate funding to clean out the sand and keep the water drained out of the spillway or provide any gravel to fill in ruts. This situation was created by the Belgrade Township Board and now they want to vacate the road and leave the mess in the laps of the landowners.

T130 is a Township Road and not a Cartway as has been argued by some Board members - see Packet B, Item 20. The question of whether T130 is or is not a township road was rectified in 1989. It was designated a 4-rod road.

Numerous letters, notarized statements and receipts have been presented to the Belgrade Township Board proving that maintenance has been performed on T130 in the recent past - see Packet A. Some of these letters to the Board asked for written responses to the questions asked and they have been ignored.

On August 10, 2021, during the Belgrade Township Annual Meeting, the attending citizens voted overwhelmingly to maintain T130 as it had been 10 years prior - which meant "as needed maintenance". At the very next monthly meeting the Board acted arbitrarily and capriciously to reverse the vote of the citizens to maintain this road as it has been for decades. The Board members did not speak to any of the landowners nor follow procedure prior to that vote.

The spillway was constructed by the Township and they must provide periodic maintenance to keep this land accessible, as they have done for decades.

We, the undersigned, urge Nicollet County to step in and require the Belgrade Township Board to allocate funds on a yearly basis to maintain T130 and the spillway starting immediately. We demand a written response on this matter from the Belgrade Township Board delivered to each of the undersigned parties.

Name	Address	Signature
Linda Johnson	40816 Judson Bottom Rd	Linda Johnson
Jim Johnson	"	Jim Johnson
Andy Johnson	53804 Rockford Road	Andy Johnson
Mike Madison	40525 Judson Bottom Rd	Mike Madison
CHARLES SMITH	40629 JUDSON BOTTOM RD	Charles Smith
MICHAEL SPONBERG	40415 Judson Bottom Rd. 56003	Michael R. Sponberg
MELVIN CRAIG	53971 PAKOTA LN, N. KATO	Melvin Craig
Ruth Craig	53971 Dakota Ln. N. Kato	Ruth Craig
Jessie Smith	41355 Judson Bottom Rd N. Kato	Jessie Smith
Craig Smith	41355 Judson Bottom Rd. N. Kato	Craig Smith
Glenette Johnson Estate	53998 Dakota Ln N. Mankato	Glenette Johnson Estate
CRAIG SMITH SR	41296 Judson Bottom Rd N. Mankato, MN	Craig Smith SR
Karen M. Smith	41296 Judson Bottom Rd N. Mankato MN.	Karen M Smith

Packet A

[CCPY]

7/18/2023

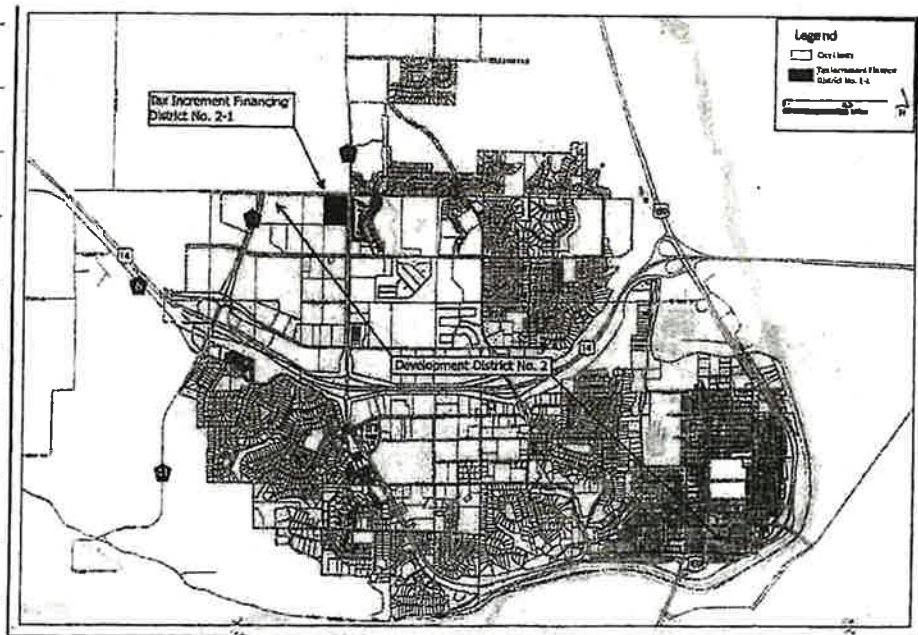
CRAIG L. SMITH

41296 Judson Bottom Rd

N. Mankato, MN 56001

I would like a written response from Belgrade Township on why the board refuses to maintain T136, that has been maintained for the past 150 years by the township, and why will Belgrade township not repair the spillway problem that was created by the township.

Craig L. Smith



Christopher R. Roe
croe@blethenberens.com
Jacob T. Sherlock
jsherlock@blethenberens.com

August 17, 2022

VIA U.S. MAIL & EMAIL

Cheryl Michels
Belgrade Township Board Chair
40196 478th St.
St. Peter, MN 56082
c.michels@belgradetownship.com

Joan Untiedt
Belgrade Township Clerk
clerk@belgradetownship.com (via email only)

In re: *Belgrade Township Cartway 130*
Our File No. 22212/002

Dear Chair Michels, Clerk Untiedt, and the Supervisors of Belgrade Township:

Our firm has been retained by Craig Smith, Jr. and Craig Smith, Sr. in their personal capacities regarding the purported abandonment of Township Road 287/Cartway 130 ("TC 130"). At the Township meeting held on August 10, 2021, discussion occurred regarding the "25-Year Rule." This rule operates to give a township board the authority to decide not to maintain town roads or town cartways provided no maintenance or construction has been conducted for 25 years or more.¹ The 25 -Year Rule was used to justify the vote in April of 2021 of three Supervisors who voted to abandon TC 130. These Supervisors voted to abandon TC 130 apparently based on the erroneous claim that Belgrade Township has performed no maintenance on TC 130 within the last 25 years. This is not the case.

Former Supervisor Loren Lindsay directly recalls maintenance being done on TC 130 within the last 25 years. In addition, the Township apparently rented a backhoe in 2011 to maintain TC 130, as the slip for the backhoe specifically references that the backhoe was to be used for TC 130. Further, in the minutes for the August 10, 2021 Township Meeting, Gary Gitner is on record stating that he maintained the road as an employee of the Township, and that such maintenance was done three times per year. Evidence of these maintenance efforts was previously provided to the Township Board last year, and is provided again with this letter.

Regardless of the 25-Year Rule, the vote to abandon TC 130 in April of 2021 was improper and void for lack of notice. A "town road" is defined as "those roads and *cartways* which have heretofore been or which hereafter may be established, constructed, or improved under the authority of the several town boards[.]" (emphasis added). A resolution recorded by the Township Board with the Nicollet County Recorder on June 30, 1989 as Document No. 175680 and with the Nicollet County Registrar of Titles on July 5, 1989 as Document No. 13938 confirms that the Township established TC 130.

¹ Minn. Stat. § 365.10, subd. 11.

As TC 130 is a cartway established under the authority of the Township Board, it is considered a "town road" for the purposes Minnesota Statutes Chapter 164. In order to disclaim and extinguish a town interest in a town road at an annual meeting or at a special meeting called for that purpose, even a town road that has not been maintained for 25 years or more, the Township Board must provide notice of the meeting by certified mail to each property owner abutting the road to be extinguished, and such notice must also be posted in a public location in the town.² Upon information and belief, this notice was never given prior to the April 2021 meeting where the vote to vacate TC 130 took place. As the required notice was never given, the vote to vacate TC 130 is invalid and of no legal effect.

Further, TC 130 is the only means of access to my client's property, as well as the property of several other landowners. In this case, TC 130 *cannot* be vacated without the consent of the property owners unless other means of access are provided.³

Since TC 130 *has* been maintained within the last 25 years, it may only be abandoned by going through the abandonment process contained in Minnesota Statutes Section 164.07, which requires a petition of not less than eight voters in the town, a notice to affected landowners given both by posting and by personal service, and an examination and determination of damages, among other requirements. This obviously also has not been done.

TC 130 has not been abandoned by the Township and maintenance of TC 130 should continue.

Sincerely yours,

BLETHEN BERENS



Christopher M. Roe
Jacob T. Sherlock

Cc: Craig Smith, Sr.
Craig Smith, Jr.

² Minn. Stat. § 164.06, subd. 2(c).

³ Minn. Stat. § 160.09, subd. 3.

STATE OF MINNESOTA

COUNTY OF BLUE EARTH

I, Loren Lindsay, served on the Belgrade Township Board from 1945 to 1959, and again from 1976 to 2011. I also worked for the township as an employee and personally carried out maintenance on the Nicollet County Town Road 287 aka Township Cartway 130.

The township did perform maintenance since 1996. In the last 25 years, I personally hauled gravel, trimmed trees, replaced a culvert, and poured concrete on the spillway.

I declare under penalty of perjury that everything I have stated in this document is true and correct. Minn. Stat. § 358.116.

Dated: 8/30/21

Loren Lindsay
Loren Lindsay

In the mid eighties I ran the road grader part-time for Belgrade Township for over 2 and 1/2 years.

During that same time period Gerald Gunderson ran the gravel truck sanding hills and plowing roads in the winter months.

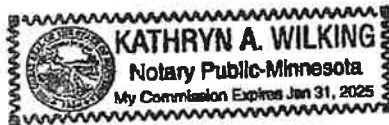
John Johnson, Jim Cahill, and Loren Lindsey, and Tom Zellmer were the township Supervisors at that time.

I graded Township Road 130 many times over the summer months. I also used the grader to put rip-rap along the sides of the road to try to prevent washouts.

Gerald Gunderson would plow road 130 along with Dakota Lane which is also on the Bottom Road

Gary Guntner

Kathryn A Wilking 8-27-2021



LOYD LUMBER
1860 Commerce Drive
North Mankato, MN 56003
(507) 625-4500

RENTED AND/OR SOLD TO

CONTRACT
NUMBER

12408

INVOICE
NUMBER

18104

DATE AND
TIME IN

11/17/2011

3:16

DATE AND
TIME OUT

11/17/2011

See Details Below

ADDRESS AT WHICH EQUIPMENT WILL BE USED

Contract/Invoice Reprint

Account #: 1048
BELGRADE TOWNSHIP
%MARIE ENGEL
48501 411TH AVE.
NORTH MANKATO, MN 56003

507-625-6275

WRITTEN BY

CHECKED IN BY

AUTHORIZED RENTER

JOB LOCATION

TOM NEUBERT
CAR LICENSE NUMBER

TOM NEUBERT
DRIVER'S LICENSE NUMBER

P.O. NO. OR JOB NO.

DATE AND TIME DUE IN

MIN MANT RD-C SMITH
ITEMS RENTED AND/OR SOLD

//

0.00

Item Number	Description	Qty	Rates	M	W	D	H	Date & Time	Amount
24-805-01	BACKHOE, MINI EXCAVATOR 328, BOBCAT	1	DLY 180.00					6.25 11/18/2011 8.51 AM	180.00
Meter Out: 1322.300 Meter In: 1326.600 Total Usage: 4.300									
Serial# 234211768									
DIESEL	DIESEL FUEL	4.00	4.65						18.60
Time Out: 3:16 PM									

Your Rental Success is Our Success

Stores Hours

Monday-Friday 7:00 - 5:00

Saturday 7:30 - 4:00

Sunday CLOSED

This is not an Invoice

DAMAGE WAIVER CHARGE (DWC) 0.00%
OF RENTAL CHARGE. RENTER MAY, BY INITIALS
HEREON, DECLINE BENEFITS OF PARAGRAPH
10, DAMAGE WAIVER, ON REVERSE SIDE OF
THIS CONTRACT.

DWC IS NOT INSURANCE.

DECLINES
(INITIALS)

PROMPT RETURN OF YOUR RENTAL SAVES
YOU MONEY. ALL TIME IS CHARGED INCLUDING
SATURDAY, SUNDAY, AND HOLIDAYS.

Total Rental	180.00
Total Sales	18.60
Damage Waiver	18.00
Delivery/Pickup	60.00
Subtotal	276.60
Sales Tax	20.40
Total	297.00

I have read and understand the terms and conditions on both sides of this agreement
and certify that those printed on the other side are agreed to as if printed above my
signature. There are no oral or other representations not included herein. Unless declined, I
also agree to the damage waiver charges. I have received a copy of this agreement.

Lessee's Signature _____

Written: 11/17/2011 Last Adj: 11/17/2011 15:16

BELGRADE TOWNSHIP

Annual Meeting

March 9, 2021

August 10, 2021

Date: March 9, 2021

Place: Nicollet County Human Services Office, North Mankato

Present: Chair Cheryl Michels, Vice-Chair Andy Goettlicher, Supervisor Gerri Krueger, Supervisor Mary Milbrath, and Supervisor Craig Smith along with Clerk Lori Cullen, Treasurer Ashley Hanley, Employee Harlan Olson, and several Belgrade Township residents.

Smith/Olson move/second to elect Edward Olson as moderator for the annual meeting, approved.

Olson/Joan Untiedt move/second to approve the minutes from 2020 annual meeting, approved.

Fire Report – Craig Smith

- Budget was \$94,900 for the fire department. They had 123 calls, 16 of which were for fire and the remainder were medical needs.
- Donated funds paid for a side-by-side Gator unit at a cost of \$50,000. It was purchased to assist hunters falling out of tree stands. Delivery is expected by mid-summer. The township's share for fire department expenses is approximately 30%.
- Fire department would like to purchase two new trucks (water truck and pumper truck) for a cost around \$800,000 with the township share being \$260,000. The current vehicles are 38 and 34 years old. It is becoming difficult to find parts for repairs. Smith suggested we set aside \$25,000 per year to prepare for the coming expense. Untiedt/Krueger move/second to approve the proposal to set aside \$25,000 per year for the upcoming expense for the fire department, approved.

Road Report – Mary Milbrath

- Xcel Energy used township roads for the Huntley-Wilmarth project. They will reimburse for the cost to fix the roads.
- Olson has done a good job keeping up with the necessary repairs to the roads. Roads are on a 3-year gravel rotation.
- Kern's Estates culvert needs replacement, and the county has agreed to replace it. The township will be responsible for \$20,000-\$30,000. Milbrath spoke with North Links Golf Course, and they are willing to let the residents go through their maintenance area to get to their homes during the replacement.
- Gravel gets applied to the roads at approximately 350 ton per mile.
- Dave Dahl had a question regarding a mailbox being hit by the road grader on Honeysuckle Lane. The current policy states that the property owner is responsible for the cost of replacing the mailbox. Olson said he was approached by Dahl previously that he wanted him to plow closer to the mailbox. Olson explained this would result in an increased risk of him hitting the mailbox. He also reminded residents that there are extreme conditions that he plows in. The roads are very slippery and why they try to stay away from the mailboxes. Dahl responded that it is 30 feet. Olson said it was 3-4 feet. Large equipment is hard to maneuver around the cul-de-sac in question. Smith explained also it is challenging for our plow drivers.
- Milbrath added some reminders about how residents can help maintain the roads and ditches.

- Michels stated fines may be imposed on residents who push snow across the roads.

Town Shop – Craig Smith

- Smith explained the need to improve the shop and/or add on. We need to consider a septic system and well. It could also have a town hall to hold township meetings. Milbrath added that equipment must sometimes be stored outside due to space constraints. Untiedt/Olson move/second to begin the process of exploring options to expand/renovate the shop and report back to the residents at the next annual meeting, approved.

Proposed Budget for 2022 – Andy Goettlicher

- Goettlicher presented the proposed budget request for the levy to be set at \$360,700 which is the same as the previous year. Untiedt asked where the \$25,000 for the new fire department equipment would come from. She suggested we increase that line item to accommodate the added expense. Edward Olson asked about deciding on the levy later this year and see how the year progresses.

Goettlicher/Smith move/second to continue the annual meeting on Tuesday, August 10, 2021, at 6:30 p.m., approved.

Date: August 10, 2021

Place: Nicollet County Human Services Office, North Mankato

Present: Chair Cheryl Michels, Supervisor Gerri Krueger, Supervisor Mary Milbrath, and Supervisor Craig Smith along with Town Clerk Joan Untiedt, Town Treasurer Ashley Hanley, Employee Harlan Olson, Nicollet County Deputy Sheriff, Attorney Bob Ruppe, and 26 Belgrade Township residents (that were signed in).

Meeting was reconvened by Chair Michels at 8:00 p.m. (could not start meeting before 8:00 p.m. due to primary election day). She turned the meeting over to moderator Edward Olson who was elected at the March 9th meeting.

Olson reminded all those in attendance of township meeting etiquette.

Smith requested an addition to the agenda under roads – Township 287/130 cartway/spillway discussion.

Proposed Budget for 2022 and request for levy

- Smith suggested the levy be left the same at \$360,700 and what was proposed at the first meeting. Milbrath proposed an increase of 1.5%.
- Karen Anderson – question if the township gets a percentage of increase in home appraised values from Nicollet County – no, the township receives the levy amount requested.
- Steve Michels – question if the \$25,000 for the fire department equipment is in the equipment replacement fund. This fund is used to repair or replace equipment as needed.
- Some townships in Minnesota have asked for a 2-3% levy increase.
- Wallace Michels – when is the last time the township put money in the equipment replacement fund – it is done every year with the levy received.
- Gary Lindsey – what is the purpose of the equipment replacement fund and when was it set up – discussed use earlier and part of levy if anyone remembers.
- Equipment replacement fund was used this past year to replace one-half of the frame on the Freightliner. Cost was approximately \$20,000. The other half of the frame still needs to be done.

- Charles Smith Jr. – why does the frame on the Freightliner need to be replaced – Harlan Olson answered the question. The Freightliner is 20 years old and needs repairs due to weather conditions it is used in that has caused rust and erosion.
- Milbrath/Michels move/second to increase the levy by 1.5% to \$366,110. Hand count was taken. Yes – 12 No – 15 votes. Levy will remain at \$360,700 for 2022.

Other Business – Township 287/130 Cartway

- Smith said 3 supervisors voted to abandon the cartway in April after it has been maintained for many years with the spillway also cleaned out. Smith cited names of people who worked on the cartway/spillway.
- Jim Johnson – at the meeting about a year ago when the road was discussed. Town Board (Board) members said they would not maintain as other cartways are not.
- Road was not closed. Cartways are not funded by the township. It must be maintained by the landowners.
- Sandy Howe – asked what road is in question – cartway off the Judson Bottom Road where landowners have access to their land.
- Linda Johnson – if the supervisors voted to not maintain the road, they should have told the landowners. What does it mean to abandon the road?
- Michels cited the Minnesota Statute 164.08, subsections 2 and 3, for legal cartways.
- Smith also cited that elector (residents) have a say in the decision.
- Deb Gitner – cannot abandon a road, it must go through the county.
- Craig Smith Jr. – the cartway has been maintained over 100 years, how can that be changed now?
- As an example, Cartway 193 (east of Highway 169) asked for repairs to the cartway. The Board said they do not maintain cartways due to cost.
- Smith said Cartway 130 is different than Cartway 193. The resident asked to have it abandoned and maintain themselves. They had 200 tillable acres to access.
- Gary Gitner – he said he maintained the road as an employee of the township. It was done 3 times per year.
- Jim Johnson – asked for maintenance to continue as before and if there was a change to the maintenance, the landowners should have been notified.
- Wallace Michels – what is defined as maintenance?
- Response by Bob Ruppe, attorney (Smith went on record, as a supervisor, he was not informed the attorney would be attending the meeting):
 - Under Minnesota Statutes, a cartway or road not maintained for 25 years or more, even if open to the public, cannot have township funds expended to maintain the cartway/road.
 - The question is whether there has been maintenance done on the road in the last 25 years. If it has been maintained, it is considered a town road and this statute is not triggered.
 - Discussion on what constitutes maintenance on a road. At some time, this cartway was treated as a minimum maintenance road and not like other town roads.
 - In the past, the Board has expressed the concern of limited funds to maintain the road.
 - Prior Board and maintenance records will need to be reviewed to determine if the road had work done on it.
 - In a different case two years ago, it was stated that towns are not allowed to spend money on a minimum maintenance road unless the residents request and funding is authorized.
 - If a town road is vacated, it would have to be maintained at a minimum standard. Is the road safe and passable? Emergency vehicles need to use the road if necessary.
 - The disagreement between the Board and residents is whether maintenance has been done on the road. If it has been done, the statute is not triggered. Electors would have to authorize the Board to spend the money, but it is not required.

- Ruppe represents cities and towns. A cartway is misunderstood many times. It is a path for landlocked property or a generic term for a town road.
- Again, if this cartway has been maintained over 100 years, the statute is not triggered. The biggest questions are whether this road has been maintained. He recognizes the road exists, but the residents can maintain the road.
- Ruth Craig – find proof of maintenance on the road and then vote on asking for continued maintenance.
- Karen Smith – how can the maintenance record be found? If the road is not maintained in the last 25 years, it does not have to be maintained going forward.
- Smith (Supervisor) – hired an attorney to investigate the maintenance on the road. They found evidence in 2020 authorized by the board. (Evidence not presented)
- Craig Smith Jr. – ramifications to the supervisors if they are lying to the residents. They are only showing documents to support their position.
- Loren Lindsay – was on the Board for many years when this same topic came up. He went to the courthouse, and they said it was a township road, when the Board said it was not. As an employee of the township, he did maintenance on the road, poured the cement pad, and trimmed trees. He maintains that this road is a town road and should continue to be maintained.
- The Board makes the final decision. A petition or request at an annual town meeting needs to be handed to the Town Clerk to verify. The Board has 30 days to set a hearing. Landowners need to be given notice to attend the hearing.
- Loren Lindsay – worried about losing roads to City of North Mankato through annexation and taxes continuing to rise. Taxes are calculated by total township road miles. When you lose roads, there is reduced funding through the gas tax. However, Ruppe responded with the township does not receive much from this tax. The cost would be significantly higher to maintain the road.
- Michels – question on who has the voice in the decision – only the residents who reside on the property? What about the other residents who pay the same tax?
- Farms are located along the cartway.
- Harlan Olson (employee) – the road is one mile, and he has never graded the road from the spillway and back. It has not been plowed either.
- Steve Michels – it would cost more to bring a lawsuit to than to just maintain the road. It is landlocked for the property owners.
- Ruth Craig – if the residents are asking for more money to maintain the road, how do we know what the costs are if the road is not maintained now?
- Linda Johnson – not asking for the road to be paved, just gravel to allow equipment to go back into their land for farming.
- Michels – the landowners are to pay for the maintenance on the cartway.
- Deb Götner – all residents pay for all the roads to be maintained in the township. (She started verbally attacking the supervisors.)
- Smith (Supervisor) called for the resignations of the other supervisors.
- Milbrach stated the road is dangerous and difficult to get equipment through the waterway/spillway.
- Ruppe asked Smith if the entire road is maintained. Smith repeated that maintenance has been done on the road (did not detail). He said it was township employees who did all the work.
- Karen Smith – when she first moved there, she would drive a car to the fields. Can't get through the path anymore. Never asked for full maintenance, just to have minimum maintenance done.
- Sarah Meyer – used the road to ride horses. Have not been there for a few years due to the flooding. Also asked City of North Mankato Mayor Mark Dehen for help on another part but was denied due to no funding.

Residents are asking for access to their properties and should have the basic maintenance to remain a viable access to their land.

- Loren Lindsay (assisted by Gary Lindsay)/Wallace Michels move/second to cease the discussion and recommend maintaining the road as it is now, and the board would have to have a different reason to not maintain. Jessica Smith informed the Clerk that is not what Lindsay meant to say. Motion was not approved.
- Karen Smith/Deb Gitner move/second to start maintenance on the road like it was 10 years ago. Discussion – Harlan Olson was asked if he maintained the record book on all roads done, day by day which he does. Karen Smith said people can attest that maintenance was done less than 20 years ago. Wallace Michels asked for presentation of records to verify maintenance. Motion passed.
- Ruppe comments:
 - The motion has authorization to maintain the road if the Board wishes.
 - If the road has been maintained within the last 25 years, maintenance must continue on the road.
 - Board still makes the final decision to recommend keeping the road in a passable and safe condition.
 - If the Board does not agree to maintain the road, the residents could bring a lawsuit against the Board.
- Karen Smith – worried about the fact on whether the road is maintained in the past or not.
- Ruth Craig – question on looking at other roads with this discussion in a series of decisions about cartways. Cartways are recorded in county records. Milbrath answered with a description of all the other cartways listed in the county records.
- Smith – again stated the cartway 193 was a resident's choice to maintain.

The 2022 annual meeting will be held on Tuesday, March 9, 2022, at 7:00 p.m. Wallace Michels/Milbrath move/second to accept the date and time, approved.

Michels/Krueger move/second to adjourn the meeting at 9:30 p.m.

Edward Olson, Moderator

Date

Joan Untiedt, Town Clerk

Date

Packet B

[COPY]

JAMES W. BRANDT
ATTORNEY AT LAW

SAU
MN 56082
131-6940

March 2nd, 1989

Charles R. Smith
Route 7
Mankato, MN 56001

Re: Recording Town Roads-Landowners in Belgrade Township with
land adjoining township roads.

Dear Mr. Smith:

Over the past few years, there has been several lawsuits involving township roads and attempts by landowners to close township roads. Since several of the roads were established by use and their dedication was not formally recorded by the County Recorder, the township's interest in the roads does not appear on several abstracts of title. Although these procedures have been changed within the last several years and town roads are now recorded, numerous roads remain within our township without being properly noted on the real estate records.

In order for Belgrade Township to avoid the expense of future litigation, which would increase your taxes, should a landowner attempt to close a township road, your town board has decided to follow the recommendation of the Association of Townships, the lead of several other townships and have their roads placed on record.

In order for your town board to file the necessary documents with the office of the Nicollet County Recorder, the town board must notify each landowner with land adjoining the town road and advise him of the procedure. This notice must include the date of the hearing on recording town roads and give each landowner an opportunity to appear and object to the town road. After the meeting, the town board is then allowed to have these documents filed for record.

Enclosed you will find a Notice of the Township Meeting where the Township will discuss recording the town roads together with a copy of a map of the Township roads.

Belgrade Township
March 2nd, 1989
Continued Page 2

The law requires that the Township give each landowner the best notice possible for this meeting. By law, the best notice is to have the Notice personally delivered to each of you. If the township were to hire the Nicollet County Sheriff to serve these Notices upon you, the township would be required to pay the Sheriff \$10.00 plus mileage for each person served. Since there are approximately 213 landowners in Belgrade Township, this would be an extra expense of approximately \$2,130.00.

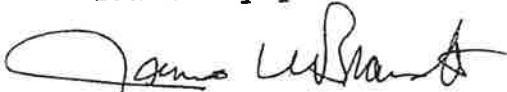
In order to avoid that expense and avoid either cutbacks in services or additional taxes, I have prepared an Admission of Service for your consideration. This Admission simply means that you have received a copy of the Notice. It does not mean that you agree or disagree with the procedure.

In order to save your tax dollars, will you kindly take this form to a notary public, sign before him, have him attach his stamp or seal and return to me in the self-addressed envelope enclosed. If you wish, you may stop in my office and one of the notaries in my office will notarize your signature at no charge.

In order to meet the time deadlines, I must request that you return this to me within one week. If I do not receive it the township will be required to go to the added expense of having the Sheriff or someone else serve you personally.

If you have any questions concerning this procedure, please feel free to contact me.

Sincerely yours,



James W. Brandt

JWB/amw

Encls.

NOTICE OF MEETING OF BELGRADE TOWNSHIP BOARD

YOU ARE HEREBY NOTIFIED and advised that the Township Board of Belgrade Township in Nicollet County, Minnesota, will meet at the Mankato Technical Institute Conference Room, 1920 Lee Boulevard, North Mankato, on the 20th day of June, 1989, at 8:00 o'clock P.M. to consider and determine, among other things, the adoption of the following resolution:

WHEREAS, Belgrade Township in Nicollet County, Minnesota, contains a number of township roads, and

WHEREAS, nearly all of the township roads have been established by use and/or prescription or by dedication and there may or may not be a record of said roads recorded in the Office of the County Recorder of Nicollet County, Minnesota, and

WHEREAS, The Township Board of Supervisors has determined it to be in the best interest of the Township, the public and all parties concerned to determine and record the location of said duly established town roads, and

WHEREAS, The Town Board has caused to be prepared a road map indicating the location of said town roads contained in the township, and

WHEREAS, The Town Board held a public hearing on the proposal on the 20th day of June, 1989, at 8:00 o'clock P.M. and that notice of said hearing was provided according to law.

NOW, THEREFORE, BE IT RESOLVED, That the roads and road rights of way listed on the attached Exhibit "A" are hereby determined to be the duly established four-rod roads in said township and the roads and road rights of way listed on attached Exhibit "B" are hereby determined to be the duly established two-rod roads and cartways in said township.

BE IT FURTHER RESOLVED, That all town roads which lie upon and follow the boundaries of the Township of Belgrade Township and adjacent Townships, or other abutting political units, are deemed to lie in equal proportion in the Township and the abutting political units, unless expressly indicated otherwise.

That a copy of the township road map is on file with the Township Clerk and may be inspected and examined at reasonable times by calling the Clerk of Township whose name is Robert Budde and whose telephone number is 947-3924.

YOU ARE FURTHER ADVISED that you may attend the meeting as scheduled above and to state your position with reference to the Township adopting the proposed resolution.

Dated this 21st day of FEBRUARY, 1989.



Robert Budde
Robert Budde
Township Clerk

Subscribed to and sworn to
before me this 21st day of
February, 1989.

[Signature]
Notary Public

EXHIBIT A

THE FOLLOWING ROADS IN BELGRADE TOWNSHIP ARE HEREBY DETERMINED TO BE 4-ROD ROADS:

1. (T-104) COMMENCING AT A POINT APPROXIMATELY 33 FEET WEST OF THE NORTH-EAST CORNER OF SECTION 8, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 186, THENCE WESTERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF APPROXIMATELY 1.73 MILES TO A POINT APPROXIMATELY 1,446.4 FEET EAST OF THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE DEFLECTING SOUTHWESTERLY ON A 10 DEGREE CURVE WITH A DELTA ANGLE OF 35° AND 12 MINUTES FOR A DISTANCE OF 352 FEET, THENCE CONTINUING ON TANGENT FOR A DISTANCE OF 353.4 FEET, THENCE DEFLECTING NORTHWESTERLY ON A 12 DEGREE CURVE WITH A DELTA ANGLE OF 86 DEGREES FOR A DISTANCE OF 716.6 FEET, THENCE CONTINUING ON TANGENT FOR A DISTANCE OF 285.4 FEET TO THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 109 NORTH, RANGE 27 WEST, AND THERE TERMINATING, A TOTAL DISTANCE OF 2.05 MILES MORE OR LESS.
2. (T-105) COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13 AND THE NORTH LINE OF SECTION 15, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING APPROXIMATELY 1,380 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 15, THENCE EAST ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF 1.14 MILES MORE OR LESS, TO A POINT APPROXIMATELY 2,100 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE NORTHERLY FOR A DISTANCE OF APPROXIMATELY 0.25 MILES, THENCE TRAVERSING EASTERLY FOR A DISTANCE OF 0.72 MILES MORE OR LESS THROUGH THE SOUTH HALF OF SAID SECTION 11 AND TERMINATING IN THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT OF TERMINATION BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 169 AND BEING APPROXIMATELY 360 FEET EAST AND 840 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 12, A TOTAL DISTANCE OF 2.11 MILES MORE OR LESS.
3. (T-106) COMMENCING AT A POINT APPROXIMATELY 33 FEET EAST OF THE WEST QUARTER CORNER OF SECTION 9, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 186, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE EAST-WEST QUARTER LINE FOR A DISTANCE OF 0.5 MILES MORE OR LESS, TO A POINT AT OR NEAR THE CENTER OF SAID SECTION 9, THENCE SOUTHERLY ON OR AS NEARLY AS MAY BE THE NORTH-SOUTH QUARTER LINE FOR A DISTANCE OF APPROXIMATELY 0.25 MILES TO A POINT WHICH IS AT OR NEAR THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST-QUARTER OF SAID SECTION 9, THENCE EASTERLY ON OR AS NEARLY AS MAY BE THE EAST-WEST SIXTEENTH LINE FOR A DISTANCE OF APPROXIMATELY 0.75 MILES AND TERMINATING AT THE WESTERLY

W.F. 81 5.1

RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13, SAID POINT OF TERMINATION BEING 41.25 FEET WEST OF THE NORTHEAST CORNER OF THE SOUTH-WEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 10, TOWNSHIP 109 NORTH, RANGE 27 WEST, A TOTAL DISTANCE OF 1.5 MILES MORE OR LESS.

4. (T-107) COMMENCING AT A POINT APPROXIMATELY 33 FEET EAST OF THE WEST QUARTER CORNER OF SECTION 16, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 186, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE EAST-WEST QUARTER LINE FOR A DISTANCE OF 1.32 MILES MORE OR LESS AND TERMINATING AT THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13, SAID POINT OF TERMINATION BEING APPROXIMATELY 1,700 FEET EAST OF THE WEST QUARTER CORNER OF SECTION 15, TOWNSHIP 109 NORTH, RANGE 27 WEST.
5. (T-110) COMMENCING AT THE INTERSECTION OF THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 14, AND THE WEST LINE OF SECTION 19, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING APPROXIMATELY 3,740 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 19, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF 0.71 MILES MORE OR LESS AND TERMINATING AT OR NEAR THE NORTHWEST CORNER OF SAID SECTION 19.
6. (T-111) COMMENCING AT A POINT 50 FEET EAST OF THE NORTHWEST CORNER OF SECTION 20, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 17, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF APPROXIMATELY 1.24 MILES TO A POINT WHICH IS AT OR NEAR THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 21, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE SOUTHERLY FOR A DISTANCE OF 0.49 MILES AND TERMINATING AT THE NORTHERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 112, SAID POINT OF TERMINATION BEING APPROXIMATELY 33 FEET NORTH OF THE SOUTH-EAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 21, A TOTAL DISTANCE OF 1.73 MILES MORE OR LESS.
7. (T-112) COMMENCING AT A POINT APPROXIMATELY 33 FEET EAST OF THE WEST QUARTER CORNER OF SECTION 19, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 110, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE EAST-WEST QUARTER LINE FOR A DISTANCE OF 3.62 MILES AND TERMINATING AT THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13, SAID POINT BEING APPROXIMATELY 660 FEET EAST OF THE CENTER OF SECTION 22, TOWNSHIP 109 NORTH, RANGE 27 WEST.
8. (T-116) COMMENCING AT THE INTERSECTION OF THE SOUTH LINE OF SECTION 22, TOWNSHIP 109 NORTH, RANGE 27 WEST, AND THE EASTERLY RIGHT-OF-WAY LINE OF

COUNTY STATE AID HIGHWAY NO. 13, SAID POINT BEING APPROXIMATELY 1,275 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 22, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF 1.03 MILES MORE OR LESS TO A POINT APPROXIMATELY 1,100 FEET WEST OF THE SOUTHEAST CORNER OF SECTION 23, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE TRAVERSING NORTH-EASTERLY FOR A DISTANCE OF 0.35 MILES MORE OR LESS THROUGH THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 23, AND TERMINATING IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 24, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT OF TERMINATION BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 193, AND BEING APPROXIMATELY 110 FEET EAST AND 1,250 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 24, A TOTAL DISTANCE OF 1.38 MILES MORE OR LESS.

9. (T-117) COMMENCING AT A POINT APPROXIMATELY 33 FEET EAST OF THE CENTER OF SECTION 28, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 119, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE EAST-WEST QUARTER LINE FOR A DISTANCE OF 1.91 MILES TO A POINT APPROXIMATELY 2,210 FEET EAST OF THE WEST QUARTER CORNER OF SECTION 26, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE SOUTHERLY FOR A DISTANCE OF APPROXIMATELY 350 FEET, THENCE EASTERLY FOR A DISTANCE OF APPROXIMATELY 720 FEET AND THERE TERMINATING, A TOTAL DISTANCE OF 2.11 MILES MORE OR LESS.
10. (T-118) COMMENCING AT A POINT 50 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 17, THENCE EASTERLY FOR 0.24 MILES MORE OR LESS, AND TERMINATING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 29.
11. (T-119) COMMENCING AT A POINT APPROXIMATELY 33 FEET NORTH OF THE SOUTH QUARTER CORNER OF SECTION 33, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 122, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE NORTH-SOUTH QUARTER LINE FOR A DISTANCE OF 2.49 MILES MORE OR LESS AND TERMINATING AT A POINT APPROXIMATELY 33 FEET SOUTH OF THE CENTER OF SECTION 21, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 112.
12. (T-120) COMMENCING AT A POINT APPROXIMATELY 33 FEET EAST OF THE SOUTHWEST CORNER OF SECTION 29, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 77, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF 1.49 MILES MORE OR LESS AND TERMINATING AT A POINT APPROXIMATELY 33 FEET WEST OF THE

SOUTH QUARTER CORNER OF SECTION 28, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 119.

13. (T-121) COMMENCING AT A POINT APPROXIMATELY 33 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 35, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13, THENCE EASTERLY FOR A DISTANCE OF APPROXIMATELY 0.75 MILES AND TERMINATING AT A POINT APPROXIMATELY 33 FEET EAST OF THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTH-EAST QUARTER OF SAID SECTION 35.
14. (T-122) COMMENCING AT A POINT APPROXIMATELY 740 FEET EAST OF THE NORTHWEST CORNER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 14, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF 2.25 MILES MORE OR LESS AND TERMINATING AT A POINT APPROXIMATELY 580 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 2, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13.
15. (T-123) COMMENCING AT A POINT APPROXIMATELY 1,280 FEET NORTH AND 33 FEET EAST OF THE CENTER OF SECTION 2, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13, THENCE EASTERLY FOR A DISTANCE OF 0.65 MILES MORE OR LESS, TO A POINT APPROXIMATELY 820 FEET EAST AND 1,690 FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 1, TOWNSHIP 108 NORTH, RANGE 27 WEST, THENCE NORTHERLY FOR A DISTANCE OF 0.25 MILES MORE OR LESS, TO A POINT WHICH IS APPROXIMATELY 320 FEET SOUTH AND 840 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 1, THENCE TRAVERSING NORTHEASTERLY FOR A DISTANCE OF 0.10 MILES MORE OR LESS TO A POINT WHICH IS APPROXIMATELY 1,130 FEET EAST AND 200 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE TRAVERSING NORTHWESTERLY FOR A DISTANCE OF 0.34 MILES MORE OR LESS AND TERMINATING AT A POINT 605 FEET WEST AND APPROXIMATELY 385 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 35, TOWNSHIP 109 NORTH, RANGE 27 WEST, A TOTAL DISTANCE OF 1.34 MILES MORE OR LESS.
16. (T-124) COMMENCING AT OR NEAR THE SOUTHEAST CORNER OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 108 NORTH, RANGE 27 WEST, THENCE EASTERLY ON OR AS NEARLY AS MAY BE THE EAST-WEST QUARTER LINE FOR A DISTANCE OF 0.25 MILES MORE OR LESS AND TERMINATING AT A POINT 33 FEET WEST OF THE CENTER OF SECTION 2, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 13.
17. (T-125) COMMENCING AT THE EAST RIGHT-OF-WAY OF TOWNSHIP ROAD 191 SAID

POINT BEING APPROXIMATELY 1,805 FEET SOUTH AND 1,275 FEET WEST OF THE NORTH QUARTER CORNER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST, THENCE EASTERLY ON THE NORTH LINE OF OAK GROVE SUBDIVISION NO. 3 AND OAK GROVE SUBDIVISION FOR A DISTANCE OF 0.19 MILES MORE OR LESS AND TERMINATING AT A POINT APPROXIMATELY 1,805 FEET SOUTH AND 295 FEET WEST OF THE NORTH QUARTER CORNER OF SAID SECTION 4, SAID POINT OF TERMINATION BEING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 14.

18. (T-126) COMMENCING AT A POINT APPROXIMATELY 33 FEET EAST OF THE CENTER OF SECTION 5, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 219, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE EAST-WEST QUARTER LINE FOR A DISTANCE OF 0.74 MILES MORE OR LESS AND TERMINATING AT THE WEST RIGHT-OF-WAY LINE OF TOWNSHIP ROAD 191, SAID POINT OF TERMINATION BEING APPROXIMATELY 1,270 FEET EAST OF THE WEST QUARTER CORNER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST.
19. (T-127) COMMENCING AT A POINT 50 FEET SOUTH OF THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 66, THENCE SOUTHERLY ON OR AS NEARLY AS MAY BE, THE WEST LINE OF SAID EAST HALF FOR A DISTANCE OF 0.49 MILES MORE OR LESS, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE SOUTH LINE OF SAID EAST HALF FOR A DISTANCE OF 0.25 MILES MORE OR LESS TO A POINT AT OR NEAR THE EAST QUARTER CORNER OF SAID SECTION 6, THENCE SOUTHERLY ON OR AS NEARLY AS MAY BE THE EAST LINE OF SAID SECTION 6 FOR A DISTANCE OF 1,505 FEET MORE OR LESS TO THE PROJECTION OF THE NORTH LINE OF LOT 16 IN THE BERENS-WEBER SUBDIVISION AND THERE TERMINATING, A TOTAL DISTANCE OF 1.02 MILES MORE OR LESS.
20. (T-130) COMMENCING AT A POINT APPROXIMATELY 700 FEET NORTH AND 33 FEET EAST OF THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 71, THENCE NORTHERLY FOR A DISTANCE OF APPROXIMATELY 0.11 MILES TO A POINT APPROXIMATELY 33 FEET EAST OF THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 9, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE NORTH LINE OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF SAID SECTION 9 FOR A DISTANCE OF APPROXIMATELY 0.17 MILES, THENCE NORTHEASTERLY FOR A DISTANCE OF APPROXIMATELY 0.08 MILES TO A POINT APPROXIMATELY 1,280 FEET WEST AND 1,470 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 9, SAID POINT BEING ON OR NEAR THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 9, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE NORTH-SOUTH SIXTEENTH LINE FOR A DISTANCE OF APPROXIMATELY 0.45 MILES TO A POINT AT OR NEAR THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE

NORTHEAST QUARTER OF SAID SECTION 9, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 9 FOR A DISTANCE OF APPROXIMATELY 0.13 MILES, THENCE NORTHERLY FOR A DISTANCE OF APPROXIMATELY 0.29 MILES TO A POINT WHICH IS APPROXIMATELY 650 FEET WEST AND 230 FEET NORTH OF THE SOUTHEAST CORNER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST, THENCE TRAVERSING NORTHEASTERLY FOR A DISTANCE OF APPROXIMATELY 0.27 MILES TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 14, AND THERE TERMINATING, SAID POINT BEING APPROXIMATELY 1,500 FEET NORTH AND 20 FEET WEST OF THE SOUTHEAST CORNER OF SAID SECTION 4, A TOTAL DISTANCE OF 1.50 MILES MORE OR LESS.

21. (T-186) COMMENCING AT A POINT 33 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 16, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 111, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF APPROXIMATELY 1.99 MILES TO A POINT AT OR NEAR THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 109 NORTH, RANGE 27 WEST, AND THERE TERMINATING, A TOTAL DISTANCE OF 1.99 MILES MORE OR LESS.
22. (T-191) COMMENCING AT A POINT ON THE WEST LINE OF SECTION 9, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING APPROXIMATELY 1,860 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 9, THENCE EASTERLY FOR A DISTANCE OF APPROXIMATELY 0.13 MILES TO A POINT APPROXIMATELY 690 FEET EAST AND 1,860 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 9, THENCE NORTHERLY FOR A DISTANCE OF APPROXIMATELY 0.35 MILES TO A POINT ON THE NORTH LINE OF SAID SECTION 9, SAID POINT BEING APPROXIMATELY 680 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 9, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF APPROXIMATELY 0.12 MILES TO A POINT AT OR NEAR THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE NORTH-SOUTH SIXTEENTH LINE FOR A DISTANCE OF APPROXIMATELY 0.99 MILES AND TERMINATING AT A POINT APPROXIMATELY 33 FEET SOUTH OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 4, SAID POINT OF TERMINATION BEING ON THE SOUTH RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 122, A TOTAL DISTANCE OF 1.59 MILES MORE OR LESS.
23. (T-193) COMMENCING AT A POINT APPROXIMATELY 2,640 FEET SOUTH AND 390 FEET EAST OF THE NORTHWEST CORNER OF SECTION 25, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 169, THENCE TRAVERSING NORTHERLY THROUGH THE WEST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 25, AND THROUGH THE WEST HALF OF THE WEST HALF OF SECTION 24, TOWNSHIP 109 NORTH, RANGE 27 WEST, AND THROUGH THE WEST HALF

OF THE WEST HALF OF SECTION 13, TOWNSHIP 109 NORTH, RANGE 27 WEST, AND THROUGH THE EAST HALF OF THE EAST HALF OF SECTION 14, TOWNSHIP 109 NORTH, RANGE 27 WEST, FOR A DISTANCE OF 2.5 MILES MORE OR LESS AND TERMINATING AT A POINT APPROXIMATELY 400 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 13, SAID POINT OF TERMINATION BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 169.

24. (T-194) COMMENCING AT A POINT APPROXIMATELY 33 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 11, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 105, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR A DISTANCE OF APPROXIMATELY 0.74 MILES TO A POINT AT OR NEAR THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 11, THENCE TRAVERSING NORTHEASTERLY FOR A DISTANCE OF APPROXIMATELY 0.13 MILES AND TERMINATING AT A POINT APPROXIMATELY 890 FEET SOUTH AND 330 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 11, A TOTAL DISTANCE OF 0.87 MILES MORE OR LESS.
25. (T-199) COMMENCING AT A POINT ON THE NORTH LINE OF SECTION 12, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING APPROXIMATELY 1,370 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 12, THENCE TRAVERSING SOUTHEASTERLY FOR A DISTANCE OF 0.04 MILES MORE OR LESS, TO A POINT APPROXIMATELY 1,490 FEET EAST AND 180 FEET SOUTH OF THE NORTHWEST CORNER OF SAID SECTION 12, THENCE TRAVERSING NORTHEASTERLY FOR A DISTANCE OF 0.04 MILES MORE OR LESS, TO A POINT ON THE NORTH LINE OF SAID SECTION 12 AND THERE TERMINATING, SAID POINT OF TERMINATION BEING APPROXIMATELY 1,610 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 12, A TOTAL DISTANCE OF 0.08 MILES MORE OR LESS.
26. (T-219) COMMENCING AT THE NORTHEAST CORNER OF MINNEAUKON ESTATES, SAID POINT BEING APPROXIMATELY 1,310 FEET NORTH OF THE SOUTH QUARTER CORNER OF SECTION 5, TOWNSHIP 108 NORTH, RANGE 27 WEST, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE NORTH-SOUTH QUARTER LINE FOR A DISTANCE OF APPROXIMATELY 0.74 MILES AND TERMINATING AT A POINT 50 FEET SOUTH OF THE NORTH QUARTER CORNER OF SAID SECTION 5.
27. (T-320) COMMENCING AT A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 193, SAID POINT BEING APPROXIMATELY 340 FEET EAST AND 650 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 13, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE SOUTHEASTERLY FOR A DISTANCE OF 0.02 MILES MORE OR LESS AND TERMINATING AT THE WESTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 169, SAID POINT OF TERMINATION BEING APPROXIMATELY 430 FEET EAST AND 625 FEET NORTH OF THE SOUTHWEST CORNER OF SAID SECTION 13.

28. (T-204) COMMENCING AT A POINT APPROXIMATELY 1,320 FEET EAST AND 520 FEET NORTH OF THE SOUTHWEST CORNER OF SECTION 14, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY LINE OF COUNTY STATE AID HIGHWAY NO. 28, THENCE NORTHERLY FOR A DISTANCE OF 0.15 MILES MORE OR LESS AND TERMINATING AT A POINT WHICH IS AT OR NEAR THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 14.

THE FOLLOWING ARE TOWNSHIP ROADS DESCRIBED WITHIN THE PLAT NAMED BELOW:

1. (T-127) IN THE BERENS-WEBER SUBDIVISION IN PART OF THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 108 NORTH, RANGE 27 WEST,
DEERWOOD TRAIL FOR A DISTANCE OF 0.27 MILES MORE OR LESS.
2. MINNEWAUKON ESTATES AND THE REARRANGEMENT OF MINNEAWAUKON ESTATES IN PART OF THE EAST HALF OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 108 NORTH, RANGE 27 WEST:
MINNEWAUKON COURT FOR A DISTANCE OF 0.14 MILES MORE OR LESS.
MINNEWAUKON DRIVE FOR A DISTANCE OF 0.25 MILES MORE OR LESS.
3. IN OAK GROVE SUBDIVISION IN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST:
ACORN AVENUE FOR A DISTANCE OF 0.17 MILES MORE OR LESS.
4. IN OAK GROVE SUBDIVISION NO. 2, IN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST:
RAVINE ROAD FOR A DISTANCE OF 0.09 MILES MORE OR LESS.
5. IN OAK GROVE SUBDIVISION NO. 3 IN PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 4, TOWNSHIP 108 NORTH, RANGE 27 WEST:
PURRIER COURT FOR A DISTANCE OF 0.09 MILES MORE OR LESS.
6. IN THE REVISED PLAT OF LINDSAY SUBDIVISION IN PART OF THE SOUTHEAST QUARTER OF SECTION 6, TOWNSHIP 108 NORTH, RANGE 27 WEST:
VALLEY VIEW COURT FOR A DISTANCE OF 0.14 MILES MORE OR LESS.
7. IN THORN'S ADDITION IN PART OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 26, TOWNSHIP 109 NORTH, RANGE 27 WEST:
BURCH BLUFF (TOWNSHIP ROAD NO. 117) FOR A DISTANCE OF 0.21 MILES MORE OR LESS.

THE FOLLOWING ARE 2-ROD CARTWAYS DESCRIBED BELOW:

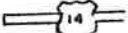
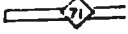
1. (TC-117) COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 28, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE EAST-WEST QUARTER LINE FOR A DISTANCE OF 0.24 MILES MORE OR LESS AND TERMINATING AT A POINT APPROXIMATELY 33 FEET WEST OF THE CENTER OF SAID SECTION 28, SAID POINT OF TERMINATION BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 119.
2. (TC-130) COMMENCING AT A POINT APPROXIMATELY 850 FEET NORTH AND 505 FEET WEST OF THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 108 NORTH, RANGE 27 WEST, THENCE TRAVERSING WESTERLY FOR A DISTANCE OF 0.14 MILES MORE OR LESS TO A POINT APPROXIMATELY 870 FEET NORTH AND 1,220 FEET WEST OF THE SOUTH QUARTER CORNER OF SAID SECTION 9, THENCE SOUTHERLY FOR A DISTANCE OF 0.16 MILES MORE OR LESS TO THE SOUTH LINE OF SAID SECTION 9, SAID POINT BEING APPROXIMATELY 1,240 FEET WEST OF THE SOUTH QUARTER CORNER OF SAID SECTION 9, THENCE EASTERLY ON OR AS NEARLY AS MAY BE THE SOUTH LINE OF SAID SECTION 9, FOR A DISTANCE OF APPROXIMATELY 0.23 MILES TO A POINT AT OR NEAR THE SOUTH QUARTER CORNER OF SAID SECTION 9, THENCE SOUTHERLY ON OR AS NEARLY AS MAY BE, THE NORTH-SOUTH QUARTER LINE OF SECTION 16, TOWNSHIP 108 NORTH, RANGE 27 WEST, FOR APPROXIMATELY 0.25 MILES TO A POINT AT OR NEAR THE SOUTHWEST CORNER OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 16, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE EAST-WEST SIXTEENTH LINE FOR A DISTANCE OF 0.25 MILES MORE OR LESS AND THERE TERMINATING, A TOTAL DISTANCE OF 1.03 MILES.
3. (TC-193) COMMENCING AT A POINT APPROXIMATELY 505 FEET EAST OF THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EASTERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 169, THENCE TRAVERSING EASTERLY ALONG THE NORTH LINE OF SAID SECTION 13 FOR A DISTANCE OF 0.40 MILES MORE OR LESS AND TERMINATING AT OR NEAR THE NORTH QUARTER CORNER OF SAID SECTION 13.
4. (TC-316) COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE EASTERLY ON OR AS NEARLY AS MAY BE, THE SECTION LINE FOR

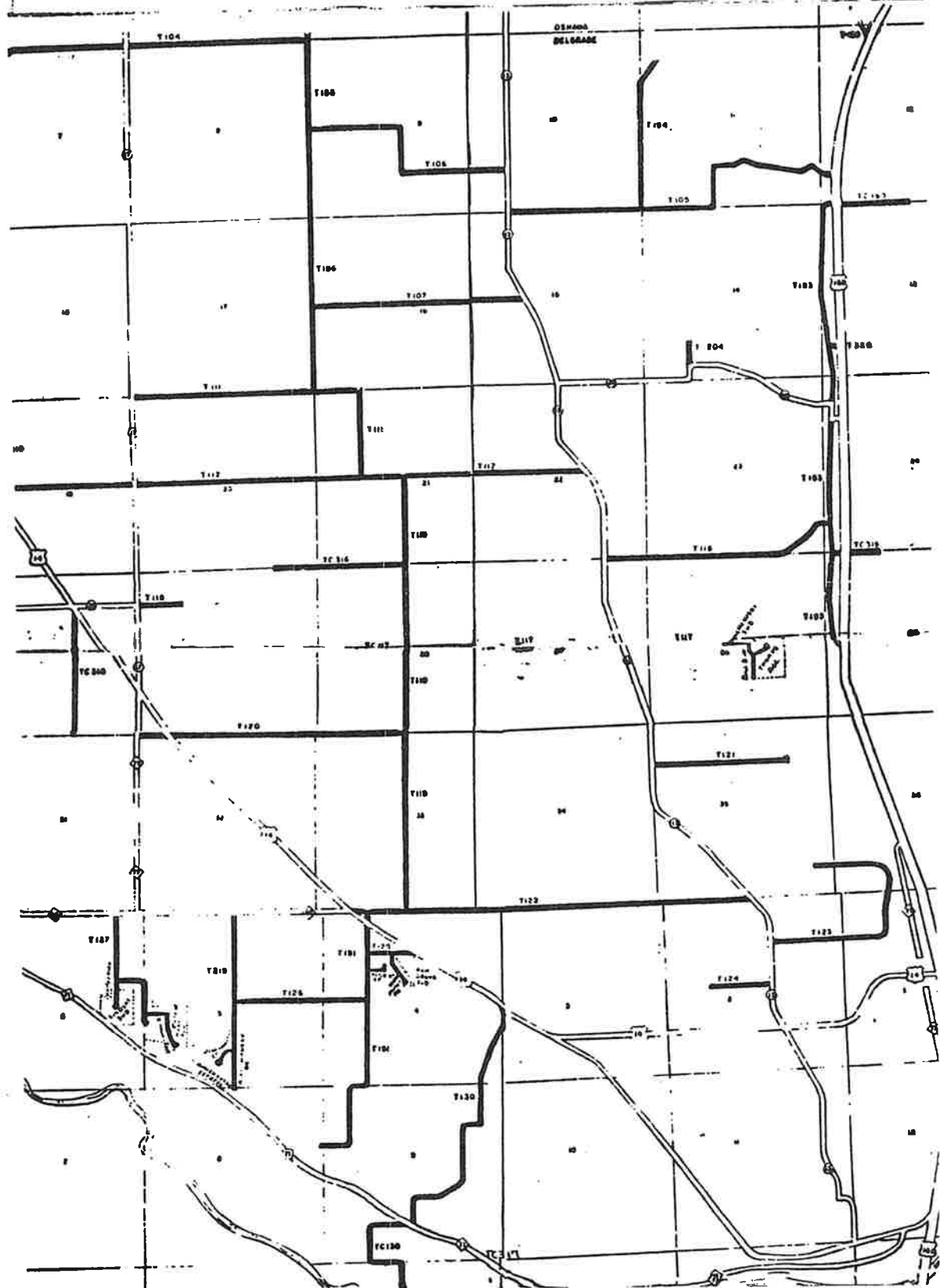
A DISTANCE OF 0.74 MILES MORE OR LESS AND TERMINATING AT A POINT APPROXIMATELY 33 FEET WEST OF THE SOUTH QUARTER CORNER OF SECTION 21, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT OF TERMINATION BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 119.

5. (TC-317) COMMENCING AT A POINT APPROXIMATELY 20 FEET SOUTH OF THE NORTH-EAST CORNER OF SECTION 16, TOWNSHIP 108 NORTH, RANGE 27 WEST, SAID POINT BEING ON THE EAST LINE OF SAID SECTION 16, THENCE TRAVERSING SOUTHEASTERLY FOR A DISTANCE OF 0.13 MILES MORE OR LESS AND TERMINATING AT THE NORTH-EASTERLY RIGHT-OF-WAY LINE OF COUNTY ROAD NO. 71, SAID POINT OF TERMINATION BEING APPROXIMATELY 80 FEET SOUTH AND 680 FEET WEST OF THE NORTHEAST CORNER OF SAID SECTION 16.
6. (TC-318) COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 30, TOWNSHIP 109 NORTH, RANGE 27 WEST, THENCE NORTHERLY ON OR AS NEARLY AS MAY BE, THE NORTH-SOUTH QUARTER LINE FOR A DISTANCE OF 0.67 MILES AND TERMINATING AT THE SOUTHERLY RIGHT-OF-WAY LINE OF MINNESOTA HIGHWAY NO. 14.
7. (TC-319) COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF TOWNSHIP ROAD NO. 193, AND THE NORTH LINE OF SECTION 25, TOWNSHIP 109 NORTH, RANGE 27 WEST, SAID POINT BEING APPROXIMATELY 250 FEET EAST OF THE NORTHWEST CORNER OF SAID SECTION 25, THENCE EASTERLY ON OR AS NEARLY AS MAY BE THE NORTH LINE OF SAID SECTION 25 FOR A DISTANCE OF 0.20 MILES MORE OR LESS AND TERMINATING AT OR NEAR THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 25.

BELGRADE TOWNSHIP ROAD SYSTEM

R 27W

T.W.P. RD. 
 U.S.T.M. 
 C.S.A.H. 
 C.A.R. 





May 14, 2024
OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY

The Nicollet County Drainage Authority met in regular session on Tuesday, May 14, 2024, following the adjournment of the regular Board of Commissioners meeting. Present at the meeting were Commissioners Morrow, Dranttel, Kolars, and Zins. Also present were County Administrator Mandy Landkamer and County Attorney Zehnder Fischer.

Approval of Agenda

Motion by Commissioner Kolars and seconded by Commissioner Dranttel to approve the agenda. Carried unanimously.

Consent Agenda

Motion by Commissioner Zins and seconded by Commissioner Dranttel to approve the consent agenda items as follows:

- a. April 23, 2024 Drainage Minutes

Carried unanimously.

Public Appearances:

Lynn Fluegge approached the Drainage Authority concerning the status of CD 86A.

County Attorney Michelle Zehnder Fischer noted that an engineer has been hired to look at any outstanding issues related to CD 86A. When that report is complete, the matter will return to the Board for further action.

Adjourn

The meeting was adjourned at 9:15 a.m.

TERRY MORROW, CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

**Nicollet County Drainage
Authority Meeting
Agenda Item**



Agenda Item: Set the Date of Public Hearing for Various County Ditch Redeterminations	
Primary Originating Division/Dept.: Public Services Contact: Jaci Kopet Title: PPSP Director Amount of Time Requested 5 minutes Presenter: Jaci Kopet Title: PPSP Director	Meeting Date: 05/28/2024 Item Type: (Select One) Regular Agenda Attachments: ☐ Yes ☒ No
County Strategy: (Select One) Programs and Services - deliver value-added quality services	
BACKGROUND/JUSTIFICATION: I would like to set the date for the final public hearing for the purpose of the redetermination of benefits for the following county ditches for July 9, 2024 beginning at 10:00 am. CD9A CD23A CD27A CD30A CD32A CD32A Lat 1 CD40A CD87 CD88	
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 said date for the public hearing for redetermination of benefits	
FISCAL IMPACT: Other (Select One) If "Other", specify FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:	FUNDING Drainage Authority Dollars = Grant (Select One) Total

Nicollet County Drainage Authority Meeting Agenda Item



Agenda Item:

Consider CD 86A annual maintenance agreement

Primary Originating Division/Dept.: Public Works

Contact: Nate Henry

Title: Drainage Inspector

Amount of Time Requested: 5 minutes

Presenter: Nate Henry

Title: Drainage Inspector

Meeting Date: 05/28/2024

Item Type:
(Select One) Regular Agenda

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Facilities and Space - preserve, maintain and build our assets

BACKGROUND/JUSTIFICATION:

Attached is the annual maintenance agreement with Quality Flow systems. This agreement will authorize Quality Flow to pull the pumps and perform the annual maintenance on all three pumps, this will also authorize Quality Flow to be programmed into the automatic dialer to be on call for any potential alarms/repairs that arise.

Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None

Prior Drainage Authority 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 annual maintenance agreement with Quality Flow Systems

FISCAL IMPACT: Other
(Select One)

If "Other", specify: Ditch system

FTE IMPACT: No FTE change
(Select One)

If "Increase or "Decrease," specify:

Related Financial/FTE Comments:

FUNDING

County Dollars = 0

State

(Select One)

Total: 16,750.00



800 6th St. N.W.
New Prague, MN 56071
Office: (952) 758-9445
Fax: (952) 758-9661

Quotation

To: Nicollet County

Date: 05/08/2024

From: Cory Malay

Attn: Nate Henry

Phone: (952) 221-9800

Re: Nicollet County CD 86A; Storm Water Lift Station Maintenance Inspections (Revision 2)

Please find below our proposal to do annual service inspections on your storm water lift station, and provide on-call maintenance support, trouble shooting, and repairs as needed. This will include QFSI sourcing and scheduling a crane service to pull the larger pumps.

Task 1 - Submersible Station Inspection:

The scheduled preventative maintenance check will consist of a complete and thorough 31-point mechanical and electrical inspection of the lift station. This inspection will be on a scheduled basis followed by a complete report of the findings. All inspections are based upon agreement of both parties involved and in compliance with services and terms stated in detail below.

1. Remove pump from wet well for physical inspection.
2. Record guide system information. (guide rail diameter, guide system make / model)
3. Record nameplate data. (make / model / serial # / hp-rpm / impeller type-size / F.L.A.)
4. Record pump discharge diameter / adapter plate (if applicable)
5. Inspect guide claw sealing gasket. Replace if worn or missing.
6. Remove the volute from pump. Check volute condition. (If applicable)
7. Inspect and record impeller wear. Remove impeller if necessary to clean above impeller (If applicable)
8. Inspect wear rings if applicable and document condition and material used.
9. Adjust wear rings to manufacture specifications.
10. If applicable check coolant condition. Fill if necessary.
11. If applicable grease fittings.
12. Inspect leakage chamber.
13. Inspect pump cable and cable entry gland for wear / abrasion.
14. Check mechanical seal oil galley. Change if needed.
15. Dry run pump for audible bearing noise test and rotating assembly noise.

16. Verify correct pump shaft rotation.
 17. Install pump back into wet well. Inspect for any discharge leakage.
 18. Inspect wet well structure / accessories for damage or wear. (hatch cover / cable rack / j-hooks / upper brackets / baffles / discharge piping condition / concrete condition)
 19. Megger test the pump motors.
 20. Test seal leakage / FLS sensors, ohm test.
 21. Ohm test pump motor leads.
 22. Test and record line voltage in the control panel.
 23. Test and record load voltage in the control panel.
 24. Test and record running amps of pumps.
 25. Inspect electrical connections in the control panel. Tighten / repair if needed.
 26. Record running time meters.
 27. Record control panel information. (panel make / PLC type / float controller / motor starter / VFD / overload size / pump breaker make and size / phase monitor)
 28. Inspect float switches / transducer, record information and test operation.
 29. Verify pump alternation is operating correctly.
 30. Record wet well diameter and depth.
 31. Provide a full report for customer review.
- ***QFS will source and coordinate a crane service for two large pumps.***
 - ***QFS will be programmed into alarm dialer callout list.***

Storm Water Lift Station Inspection - \$16,750.00/ Station

Task 2:

Task 2 would include Quality Flow Systems being on-call to provide diagnostic and pump repair services as needed. Quality Flow to be programmed into the automatic notification control system to receive email notification from the pump station that service/repair is needed. Quality Flow will be available after hours, weekends, and holidays to perform services. Quality Flow to be compensated at the following labor and mileage rates and any parts needed.

