

Board of Commissioners Agenda

September 10, 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. [August 27, 2024 Board Minutes](#)
 - b. [Victim/Witness Coordinator Grant Agreement Amendment](#)
 - c. Approval of Bills
 5. Public Appearances
- 9:05 a.m.** 6. Office of Technologies
- a. [MnCCC/Trimin Integrated Financial System Contract Addendum Ratification](#)
- 9:10 a.m.** 7. County Attorney
- a. [Delegation Agreement Related to Cannabis Zoning and Land Use](#)
- 9:15 a.m.**
8. County Attorney Update
 9. Chair's Report
 10. Commissioner Committee Reports, Meetings & Conferences
 11. Approve Per Diems and Expenses
 12. Adjourn Board of Commissioners Meeting
- 9:20 a.m. Call Drainage Authority Meeting to Order: Chair**
1. Approval of Agenda
 2. Approval of Consent Agenda
 - a. [August 27, 2024 Drainage Authority Minutes](#)
 - b. [Consider Ditch Repair Report 24-024](#)
 3. Public Appearances
- 9:25 a.m.** 4. Public Services
- a. [Consider Appointment of Engineer for CD61 Improvement Petition](#)
 - b. [Consider Order to Appoint Viewers for Redetermination Purposes for Various County Ditches – CD16A, CD80, CD85, CD92A, CD94, and CD96](#)
 - c. [2024 Annual Maintenance Levies](#)
5. Adjourn Drainage Authority Meeting

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

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
Sept 9	9:00 a.m.- 3:00 p.m.	Nicollet County Roadway Safety Plan Workshop	Gov. Center Board Room – St. Peter
Sept 10	9:00 a.m.	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
Sept 10	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter
Sept 10	*following Drainage Authority Adjournment	Budget Workshop #3 CANCELED	Gov. Center Board Room – St. Peter
Sept 12-13	All Day	AMC Fall Policy Meeting	Arrowwood Resort - Alexandria MN
Sept 17	8:15 a.m.	Individual Department Head Meeting	Gov. Center Board Room – St. Peter
Sept 17	9:30 am	Board Workshop	Gov. Center Board Room – St. Peter
Sept 24	8:00 a.m.	CD86A Informational Meeting	Gov. Center Board Room – St. Peter
Sept 24	9:00 a.m.	County Board of Commissioners Meeting	Gov. Center Board Room – St. Peter
Sept 24	*following Board adjournment	Drainage Authority Meeting	Gov. Center Board Room – St. Peter
Sept 25	6:00 p.m. – 8:30 p.m.	Emergency Management Public Officials Training	SCC – North Mankato
Sept 26	8:30 a.m. – 11 a.m. 12 p.m. – 2:30 p.m.	Allyship 101 Training	St Peter Community Center
Sept 27	9:00 a.m.	BNCH Full Board Meeting	15 South Washington St - New Ulm

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August 27, 2024
OFFICIAL PROCEEDINGS OF THE
BOARD OF COUNTY COMMISSIONERS

The Nicollet County Board of Commissioners met in regular session on Tuesday, August 27, 2024, at 9:03 a.m. Present at the meeting were Commissioners Dranttel, Kolars, Zins, and Dehen. Also present were County Administrator Mandy Landkamer and County Attorney Michelle Zehnder Fischer.

Approval of Agenda:

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

Consent Agenda:

1. August 13, 2024 Board Meeting Minutes
2. End of Probations
3. Emergency Assistance and Emergency General Assistance Policy Revision
4. Burial - Cremation Policy Revision
5. Approval of Bills
6. Acknowledgement of the Auditor's Warrants and approval of the Commissioner Warrants as presented for the following amounts:
 - a. General Revenue Fund - \$198,258.75
 - b. Road & Bridge Fund - \$188,186.38
 - c. Human Services Fund - \$189,158.33

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.

Informational Item:

Southern Minnesota Initiative Foundation (SMIF) Presentation

Tim Penny from the Southern MN Initiative Foundation (SMIF) presented information on various initiatives in the area. The Foundation is maintaining focus on early childhood, entrepreneurship, and programming for small towns in the region. SMIF continues to work closely with area organizations and towns to assist in their economic growth.

Property Services:***Public Hearing Continuation: Amendment to the Official Zoning Map***

Zoning Specialist Zehnder requested consideration of an amendment to the Nicollet County Official Zoning map from the August 19, 2024 Planning and Zoning Advisory Commission:

United Farmers Cooperative	PLN24-12	Rezone request from Rural Townsite to Limited Industry
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The Public Hearing was opened for public comments. UFC Attorney Greg Halbert provided a summary of the future development of the properties following the rezoning.

The Planning and Zoning Advisory Commission recommended approval of the rezoning.

Motion by Commissioner Zins and seconded by Commissioner Dehen to approve the rezoning request for PLN24-12, United Farmers Cooperative. Motion carried with all voting in favor.

August 19, 2024 Planning and Zoning Advisory Commissioner Meeting

Zoning Specialist Zehnder requested consideration of the following conditional use permit and findings of fact from the August 19, 2024 Planning and Zoning Advisory Commission:

United Farmers Cooperative	PLN24-11	Placement of a 30,000 gallon liquid petroleum bulk storage container
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The Planning and Zoning Advisory Commission recommended approval of the Conditional Use Permit with staff's recommended conditions.

Motion by Commissioner Zins and seconded by Commissioner Dehen to approve the Planning and Zoning Advisory Commission's August 19, 2024 report, permit, recommendations and findings as submitted therein. Motion carried with all voting in favor.

Public Services:***Resolution to Establish Absentee Ballot Board and County UOCAVA Ballot Board for the November 5th General Election***

The Minnesota Election Law directs the local governing body to establish a Ballot Board to review, accept, and /or reject absentee ballots submitted by voters. Election law directs the County Auditor to establish a County UOCAVA (Uniformed and Overseas Citizens Absentee Voting Act) Ballot Board to complete the work of reviewing, accepting, and rejecting absentee ballots that have been submitted by voters who live overseas or are in active military duty status.

Motion by Commissioner Kolars and seconded by Commissioner Dehen to approve the attached resolution to establish a Ballot Board for absentee ballots and a County Ballot Board for UOCAVA ballots, as well as authorize the PPSD Director to implement the Boards as provided in Minnesota Election Law. Motion carried with all voting in favor on a roll call vote.

Resolution Appointing the County Assessor

Director Kopet requested consideration of a resolution appointing Shana Jackson as the County Assessor for a four-year term, beginning on January 1, 2025 through December 31, 2028.

Motion by Commissioner Kolars and seconded by Commissioner Dehen to approve the resolution. The motion carried with all voting in favor on a roll call vote.

Health and Human Services:

Nicollet County Community Health Board Formation

Director Sassenberg requested consideration of a resolution forming the Nicollet County Community Health Board effective on January 1, 2025.

Motion by Commissioner Dehen and seconded by Commissioner Kolars to approve the resolution. The motion carried with all voting in favor on a roll call vote.

Nicollet County Community Health Board: Appointment of Community Health Services Administrator

Director Sassenberg requested consideration of a resolution appointing herself as the Community Health Services Administrator following the formation of a County Community Health Board. The appointment would be effective January 1, 2025.

Motion by Commissioner Dehen and seconded by Commissioner Zins to approve the resolution. The motion carried with all voting in favor on a roll call vote.

Set Public Hearing Date for Environmental Health Ordinances

Director Sassenberg requested approval to set a public hearing on September 24, 2024 at 9:15 a.m. concerning ordinances to support a proposed Environmental Health delegation agreement that would be effective on January 1, 2025.

Motion by Commissioner Dehen and seconded by Commissioner Zins to set the public hearing on September 24, 2024 at 9:15 a.m. Motion carried with all voting in favor.

Administration:

Resolution to Appoint North Mankato as the Responsible Government Unit for the AUAR Process

Administrator Landkamer requested consideration of a resolution appointing the City of North Mankato as the Responsible Governmental Unit for the proposed Alternative Urban Areawide Review environmental process in the Northwest Growth development area.

Motion by Commissioner Dehen and seconded by Commissioner Kolars to approve the resolution. Motion carried with all voting in favor on a roll call vote.

Public Works Facility Study/Master Planning Phase Agreements

Administrator Landkamer requested consideration of agreements with C&M Construction Consultants, Inc and BR Construction & Consulting LLC to assist with the Public Works Feasibility Study/Master Planning Phase.

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

County Attorney Update:

Attorney Zehnder Fischer shared that she attended the Fentanyl Awareness Day event in Mankato. Speakers shared stories about fentanyl and substance abuse and the impact to the community.

Vice Chair's Report:

- Region 9 Board
- Department Budget Meetings
- Individual Department Head Meeting
- County Board Workshop
- Tri-County Solid Waste Meeting
- BNCH Executive Committee

Commissioner Committee Reports

The Commissioners reported on various meetings and activities, including:

Commissioner Mark Dehen

- MRCI Client Picnic
- County Board Workshop
- True Transit
- ACWA Meeting
- Canvassing Board
- Employee Appreciation Picnic
- Mankato Airport Fly-In Breakfast

Commissioner Jack Kolars

- Diversity Council
- TdS Meeting
- AMC Education Committee
- County Board Workshop
- Personnel Committee
- BNCH Executive Committee

Commissioner Kurt Zins

- Canvassing Board
- Planning and Zoning Advisory Commission

- Individual Department Head Meeting
- Employee Appreciation Picnic
- Personnel Committee

Approve Per Diems and Expenses:

Motion by Commissioner Kolars and seconded by Commissioner Dehen 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 10:04 a.m.

MARIE DRANTTEL, VICE CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

Nicollet County Board of Commissioners Board Meeting Agenda Item



Agenda Item: Victim/Witness Coordinator Grant Agreement Amendment	
Primary Originating Division/Dept.: County Attorney's Office Contact: Michelle Zehnder Fischer Title: County Attorney Amount of Time Requested: 10 minutes Presenter: Michelle Zehnder Fischer Title: County Attorney	Meeting Date: 09/10/2024 Item Type: (Select One) Consent Agenda Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Financial Security - prudent use of taxpayer resources	
BACKGROUND/JUSTIFICATION: The full-time Victim/Witness Coordinator position is funded through a grant from the Office of Justice Programs, originally obtained in 2017 through a competitive grant application. Since the grant was obtained, the Victim/Witness Coordinator position has been maintained through grant renewal applications completed in 2019, 2021, and 2023. As a result of the 2023 grant application, the Nicollet County Attorney's Office was awarded \$70,000 for personnel costs, with the grant cycle ending September 30, 2024. In 2024 the Office of Justice Programs received additional funding from the Minnesota State Legislature and awarded the Nicollet County Attorney's Office an additional \$70,000 for personnel costs. The Office of Justice Programs initiated a grant budget amendment, and the grant has been extended to September 30, 2025. In addition to the \$140,000 funded for a two-year cycle for personnel costs, the Office of Justice Programs awarded Nicollet County an additional \$4,700 for additional training, equipment, direct client assistance, and outreach items. This \$4,700 is a one-time award.	
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) 9/12/2023	
Approved by County Attorney's Office: ☒ Yes ☐ No ☐ N/A	
ACTION REQUESTED: Approve the amendment for grant contract agreement October 1, 2023 to September 30, 2025.	
FISCAL IMPACT: Included in current budget (Select One) If "Other", specify:	FUNDING County Dollars = Grant 144,700 (Select One) Total: 144,700
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify:	
Related Financial/FTE Comments: The amendment would continue the funding stream currently in place.	



Grant Contract Agreement Amendment

Page 1 of 2

Minnesota Department of Public Safety ("State") Office of Justice Programs 445 Minnesota Street, Suite 2300 St. Paul, MN 55101-2139	Grant Program: Crime Victim Services 2024 Grant Contract Agreement No.: A-CVS-2024-NICCAO-047 Grant Contract Amendment No.: 1																
Grantee: Nicollet County Attorney's Office 501 South Minnesota Avenue St. Peter, Minnesota 56082	Grant Contract Agreement Term: Effective Date: 10/1/2023 Expiration Date: <u>9/30/2024</u> <u>9/30/2025</u>																
Grant Matching Requirement: <table><tr><td>Original Agreement Amount</td><td>\$0.00</td></tr><tr><td>Previous Amendment(s) Total</td><td>\$0.00</td></tr><tr><td>Current Amendment Amount</td><td>\$0.00</td></tr><tr><td>Total Agreement Amount</td><td>\$0.00</td></tr></table>	Original Agreement Amount	\$0.00	Previous Amendment(s) Total	\$0.00	Current Amendment Amount	\$0.00	Total Agreement Amount	\$0.00	Grantee Contract Agreement Amount: <table><tr><td>Original Agreement Amount</td><td>\$70,000.00</td></tr><tr><td>Previous Amendment(s) Total</td><td>\$0.00</td></tr><tr><td>Current Amendment Amount</td><td><u>\$74,700.00</u></td></tr><tr><td>Total Agreement Amount</td><td><u>\$144,700.00</u></td></tr></table>	Original Agreement Amount	\$70,000.00	Previous Amendment(s) Total	\$0.00	Current Amendment Amount	<u>\$74,700.00</u>	Total Agreement Amount	<u>\$144,700.00</u>
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Current Amendment Amount	<u>\$74,700.00</u>																
Total Agreement Amount	<u>\$144,700.00</u>																
State's Authorized Representative: Kelley Brim, Grant Manager Office of Justice Programs 445 Minnesota Street, Suite 2300 St. Paul, MN 55101-2139 (651) 283-3818 Kelley.brim@state.mn.us	Federal Funding: CFDA/ALN: 16.575 FAIN: 15POVC-22-GG-00764-ASSI & <u>15POVC-23-GG-00443-ASSI</u> State Funding: None <u>Minnesota Sessions Laws of 2024, Chapter 123, Article 1, Section 4, Subd 4a.</u> Special Conditions: Attached and incorporated into this grant agreement. See page 3.																

In this Amendment deleted agreement terms will be struck out and added agreement terms will be underlined.

1. Special Duties:

~~\$70,000~~ \$140,000 for prosecutor based crime victim services in Nicollet County.
\$4,700 for additional crime victim services.

2. Time limitations on funding use:

Federal fundingVOCA 2022

\$70,000.00 is available from October 1, 2023 through September 30, 2025.

VOCA 2023

\$70,000.00 is available from October 1, 2023 through September 30, 2025.

State funding

\$4,700.00 is available from July 1, 2024 through September 30, 2025.

-continued-



The Original Grant Contract Agreement and all previous amendments are incorporated into this amendment by reference.

1. ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minn. Stat. § 16A.15.

Signed: _____

Date: _____

Grant Agreement No./PO No: A-CVS-2024-NICCAO-047 / 3-90236

Project No.(indicate N/A if not applicable): N/A

2. GRANTEE

The Grantee certifies that the appropriate person(s) have executed the grant contract agreement on behalf of the Grantee as required by applicable articles, bylaws, resolutions, or ordinances.

Signed: _____

Print Name: Terry Morrow

Title: Board Chair - Nicollet County Board of Commissioners

Date: _____

Signed: _____

Print Name: Mandy Landkamer

Title: County Administrator/Clerk to the Board

Date: _____

3. STATE AGENCY

Signed: _____
(with delegated authority)

Title: _____

Date: _____

Distribution: DPS/FAS

Grantee

State's Authorized Representative

Crime Victim Services 2024

REVISED EXHIBIT A
A-CVS-2024-NICCAO-047

Organization: Nicollet County Attorney's Office

Budget Summary

Budget				
Budget Category	Federal	State	Match	
Personnel				
Full Time Victim/Witness Coordinator Position	\$140,000.00	\$4,700.00	\$0.00	
Total	\$140,000.00	\$4,700.00	\$0.00	
Total	\$140,000.00	\$4,700.00	\$0.00	

Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: MnCCC/Trimin Integrated Financial System contract addendum ratification	
Primary Originating Division/Dept.: Office of Technologies Contact: Jason Dragvold Title: Technologies Director Amount of Time Requested: 5 minutes Presenter: Jason Dragvold Title: Technologies Director	Meeting Date: 09/10/2024 Item Type: Regular Agenda (Select One) Attachments: ☒ Yes ☐ No
County Strategy: Technology Solutions - invest in tools to create efficiencies (Select One)	
BACKGROUND/JUSTIFICATION: MnCCC requires member county ratification and signature of 2025-2027 Trimin Integrated Financial System maintenance and support contract. This includes the contract addendum describing updated fees 2025-2027. IFS is used by Nicollet County Finance to track spending and allocation of funds.	
Supporting Documents: ☒ Attached ☐ In Signature Folder ☐ None	
Prior Board Action Taken on this Agenda Item: ☐ Yes ☒ No If "yes", when? (provide year; mm/dd/yy if known)	
Approved by County Attorney's Office: ☒ Yes ☐ No ☐ N/A	
ACTION REQUESTED: Signature on the Board Ratification for IFS 2025-2027	
FISCAL IMPACT: No fiscal impact (Select One) If "Other", specify:	FUNDING County Dollars = State (Select One) Total:
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify:	
Related Financial/FTE Comments: Fee increases have been accounted for in the 2025 Technologies budget proposal	

BOARD RATIFICATION STATEMENT

Due back to MnCCC by September 6, 2024

The Board of _____ has ratified the Professional Services Agreement between TriMin Systems Inc. and the Minnesota Counties Computer Cooperative (MnCCC) for the maintenance and support of IFS. The Agreement will be effective January 1, 2025, through December 31, 2027. This Agreement commits the participating members for the term of the contract and the financial obligations associated with this agreement.

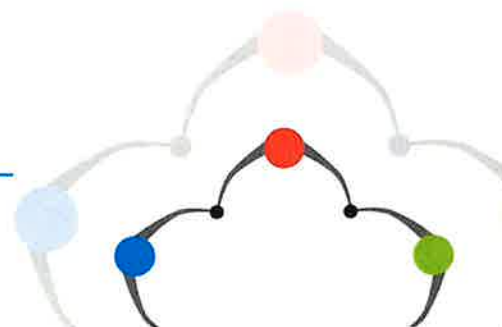
Signed: _____
Board Chair

Date: _____

Attest: _____

Title: _____

Date: _____





Amendment to Agreement to provide Professional Services Between Minnesota Counties Computer Cooperative and TriMin Systems, Inc.

THIS AMENDMENT TO AGREEMENT TO PROVIDE PROFESSIONAL SERVICES BETWEEN MINNESOTA COUNTIES COMPUTER COOPERATIVE AND TRIMIN SYSTEMS, INC. (the "**Addendum**"), made effective as of January 1, 2025 (the "**Effective Date**"), is by and between TriMin Systems, Inc., with its principal place of business located at 2277 Hwy 36 West, Suite 250, Roseville, Minnesota 55113 ("**TriMin**"), and the Minnesota Counties Computer Cooperative, a joint powers organization, with its principal place of business located at 100 Empire Drive, Suite 201, St. Paul, Minnesota, 55103, for the benefit of and use by its participating end user members ("**Customer**").

RECITALS

WHEREAS, the parties entered into the Agreement to provide Professional Services Between Minnesota Counties Computer Cooperative and TriMin Systems, Inc. dated January 1, 2022 ("**Master Agreement**"); and,

WHEREAS, the parties wish to add the following provisions as an Addendum to the Master Agreement.

NOW, THEREFORE, in exchange for and in consideration of the mutual promises, premises, and covenants herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, TriMin and Customer agree to make the following additions to the Master Agreement as follows:

1. (Section II A 3 from the Master Agreement) GASB Revisions

Provide any IFSpI revisions necessitated by changes in applicable GASB (Governmental Accounting Standards Board) requirements and/or Minnesota statutes, laws or regulations. MnCCC and/or the GASB Committee will advise TriMin of any requested changes, along with requirements to IFSpI as necessitated by changes in GASB requirements and/or Minnesota statutes, laws, or regulations and provide sufficient details to support TriMin in making the changes. A total of 100 hours of GASB enhancements per year will be included in this contract. (This includes time required for requirements assistance, design and scoping of enhancements.) Any unused hours at the end of each year will not be recoverable. Enhancement hours beyond the initial 100 in a given year will be billed at the hourly rate specified in section 4 of this agreement.

2. (Section II F from the Master Agreement) Training. TriMin will provide on-going updates to IFSpI end user documentation. TriMin training activities will be prioritized by the IFS training committee and based on the following initiatives:

- TriMin to provide popular support topic ideas to the training committee on a quarterly basis for the training newsletter
- TriMin to provide 6 to 10 hours of training per year, included with the contract at no extra cost.
 - MnCCC must provide a subject matter expert to assist TriMin in training when requested by TriMin



- The training will be delivered via virtual training events, training videos, or live at MnCCC events (including participating in open forum discussions during live meetings)
- If MnCCC signs a new county, or requests individual county training, training hours will not be included in the 6 to 10 hours of live training. Instead, this training will be covered under direct support

3. (Section II G from the Master Agreement) Modernization Hours

The IFSpi infrastructure modernization projects fund to increase to 6,000 person hours during this three-year agreement, initially allocated at 2,000 hours for each calendar year, with bi-monthly report out on specific progress made against approved plans and hours logged. Should 2,000 hours not be sufficient for the demand/needs in this area, then additional hours may be authorized by MnCCC during a calendar year, including the allocation of hours from future years, and/or new hours chargeable at time and materials rates, per **Section 4** this Amendment to the Master Agreement.

Should TriMin fail to utilize 2,000 hours in support of IFSpi infrastructure modernization during a given calendar year, then any unused hours will be rolled into the next calendar year(s). During year 3 of this agreement, if the balance of hours required for IFSpi infrastructure projects, based on actual activity in year 1 and year 2, is projected to be greater than remaining hours required to support known modernization projects then hours may be shifted to IFSpi functional enhancement activity to “consume” available hours. At this contract’s end (December 31, 2027) any unused hours will be carried over to future years, assuming future agreements are reached between TriMin and Customer.

4. (Attachment A in the Master Agreement) Fees. In consideration of the Services, Customer shall pay TriMin the following annual support fees

<u>Support Elements</u>	<u>Support Fees</u> 2025	<u>Support Fees</u> 2026	<u>Support Fees</u> 2027
Leel 1 Support	\$ 162,750.00	\$ 168,446.25	\$ 174,341.87
Level 2/3 Support	\$ 666,750.00	\$ 700,087.50	\$ 735,091.88
Infrastructure Modernization Projects	\$ 287,000.00	\$ 301,350.00	\$ 316,417.50
Annual Contract Total	\$ 1,116,500.00	\$ 1,169,883.75	\$ 1,225,851.24

IFSpi Release Update Fees

Direct Support Fees	2025	2026	2027
Hourly Rates	\$ 190.00	\$ 200.00	\$ 210.00



5. New Entity Addition.

For each new Licensed instance of IFSpi, TriMin will provide the following Direct Support Services:

- Discovery meeting to perform a gap-fit analysis.
 - TriMin will create a Statement of Work for the implementation work that was planned for during the Discovery meeting.
 - If specific enhancements or interfaces are needed for a new installation, these enhancements will be covered under a separate Statement of Work.
 - MnCCC will provide a business line expert that can help identify and scope needed enhancements for the new installation.
- Kick-off Meeting - In this meeting, you will determine a schedule for implementing IFS and develop a plan for conversion and technical training.
 - Installation
 - Migration (if needed)
 - Technical training
- MnCCC must provide a subject matter expert to assist TriMin in training when requested by TriMin
- Go-Live support will be provided by TriMin
- The above tasks will be billed on an hourly basis at the agreed upon rate outlined in the Statement of Work, which will be provided by TriMin.
- For each entity added, 50% of the yearly support fee paid by the new entity to MnCCC will be added to TriMin's annual contract fee.
- TriMin is open to an addendum to this contract, which would include TriMin acting as a selling agent for MnCCC or negotiating a royalty agreement for future software sales, if desired.

trimin

6. Term and Termination.

The term of this Agreement shall be January 1, 2025, to December 31, 2027, inclusive, unless earlier terminated prior to expiration as provided by herein.

This Agreement may be terminated prior to expiration by MnCCC or by TriMin for default, and by written notice of default given by the non-breaching party, and to be effective upon expiration of a designated cure period of not less than thirty (30) days', unless the party alleged to be in default has cured such default(s) within such thirty (30) day cure period.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed intending to be bound thereby.

Accepted and Agreed for
TriMin Systems, Inc.:

Signed _____
By: Erin Hultgren
Name: Erin Hultgren
Title: Director of Government Solutions
Date: 6/18/2024

Accepted and Agreed for

MnCCC:
Signed _____
By: Karen Jensen
Name: Karen Jensen
Title: MnCCC Chair
Date: 6/15/2024

Accepted and Agreed for
MnCCC:

Signed _____
By: Lisa C. Meredith
Name: Lisa C. Meredith
Title: Executive Director
Date: 6/5/2024

Accepted and Agreed for

MnCCC:
Signed _____
By: Martha Monsrud
Name: Martie Monsrud
Title: IFS Advisory Committee Chair
Date: 6/3/2024

To: IFS User Group

From: Lisa Meredith, MnCCC Executive Director
lisa@mncccc.gov 651-401-4201

Date: July 3, 2024

Subject: TriMin Contract for Board Ratification

Please note, this communication is being sent out via MnCCC's RSVP system to all signed up for the IFS User Group. This means that your county or agency will likely receive several copies. It is the responsibility of your county/agency to determine who will be responsible to bring the Board Ratification to your board and return a signed copy to MnCCC.

The TriMin Contract for maintenance and support of IFS has been approved and fully executed. Enclosed with this communication, you will find a copy of the contract along with a Board Ratification. The fully executed Board Ratifications *must* be returned to MnCCC **no later than September 6, 2024**. If your county or agency chooses not to continue with IFS/TriMin, documentation of discontinuation will be required. Failure to respond by the deadline will be assumed as a decision not to move forward with IFS.

Please return your signed Board Ratification to:

MnCCC
Attn: Emily Wick
100 Empire Drive Suite 201
Saint Paul, MN 55103

Alternatively, you may email it to emily@mncccc.gov

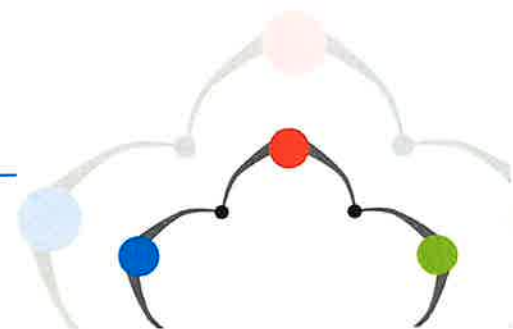
The contract with TriMin covers the period from January 1, 2025, to December 31, 2027. The associated fees have been previously distributed and approved by the IFS User Group during their annual meeting on June 3, 2024.

For any questions regarding pricing or the contract, feel free to contact me at lisa@mncccc.gov or (651) 401-4201. If you anticipate difficulty meeting the final deadline, please reach out to Emily Wick at emily@mncccc.gov or (651) 401-4204.

Thank you for your attention to this matter.

Attached:

- 2025 IFS User Group fees (below)
- 2025-2027 TriMin Contract
- Board Ratification document

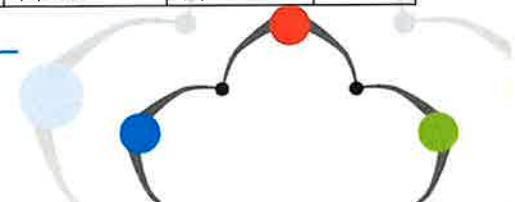


IFS User Group Fees:

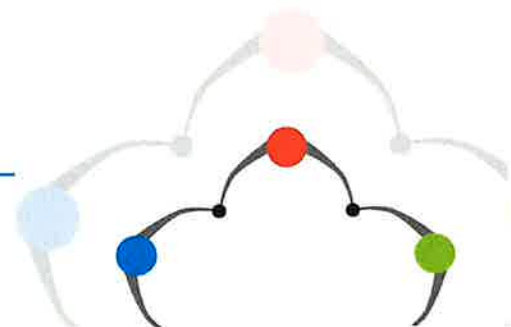
MnCCC Membership Fee: \$1800, split by office: \$900 per office or \$1800 per county

Enhancement Fund Annual Fee: \$1000 per office or \$2000 per county

County/Agency	Auditor/ Treasurer Group	2025 CMHS Support	2025 CMHS Enhancement Fund	2025 Aud/Treas Support	2025 Aud/Treas Enhancement Fund	2025 Total	M&S Only	M&S Increase
Aitkin County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Becker County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Beltrami County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Benton County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Big Stone County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Brown County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Carlton County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Carver County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Cass County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Chippewa County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Chisago County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Clay County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Clearwater County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Cook County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Cottonwood County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Dodge County	MCIS	\$ -	\$ -	\$ 8,523.79	\$ 1,000.00	\$ 9,523.79	\$ 8,523.79	12.50%
Douglas County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Faribault County	MnCCC	\$ -	\$ -	\$ 8,523.79	\$ 1,000.00	\$ 9,523.79	\$ 8,523.79	12.50%
Fillmore County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Freeborn County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Goodhue County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Grant County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Houston County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Hubbard County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Isanti County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Itasca County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Jackson County	MnCCC	\$ -	\$ -	\$ 8,523.79	\$ 1,000.00	\$ 9,523.79	\$ 8,523.79	12.50%
Kanabec County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Kandiyohi County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Kittson County	MnCCC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Koochiching County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Lac qui Parle County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Lake County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Lake of the Woods County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	4.06%
Le Sueur County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Lincoln County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Lyon County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
McLeod County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Mahnomen County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Marshall County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Martin County	MnCCC	\$ -	\$ -	\$ 8,523.79	\$ 1,000.00	\$ 9,523.79	\$ 8,523.79	12.50%
Meeker County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Millie Lacs County	MnCCC	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Morrison County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Mower County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Murray County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Nicollet County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Nobles County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Norman County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Otter Tail County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Pennington County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Pine County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Pipestone County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Polk County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Pope County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%



Red Lake County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	4.06%
Redwood County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Renville County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Rice County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Rock County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Roseau County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Sherburne County	MCIS	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Sibley County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Stearns County	N/A	\$ 8,523.79	\$ 1,000.00	\$ -	\$ -	\$ 9,523.79	\$ 8,523.79	12.50%
Steele County	MSCC	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Stevens County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Swift County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Todd County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Traverse County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Wabasha County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Wadena County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Waseca County	N/A	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	
Watsonwan County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Wilkin County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Winona County	MnCCC	\$ 8,523.79	\$ 1,000.00	\$ 8,523.79	\$ 1,000.00	\$ 19,047.58	\$ 17,047.58	12.50%
Wright County	MnCCC	\$ 8,523.79	\$ 1,000.00			\$ 9,523.79	\$ 8,523.79	
Yellow Medicine County	MSCC	\$ 8,523.79	\$ 1,000.00	\$ 7,245.22	\$ 1,000.00	\$ 17,769.01	\$ 15,769.01	15.12%
Tri-County Corrections: Norman, Polk and Red Lake	N/A	\$ -	\$ -	\$ 8,523.79	\$ 1,000.00	\$ 9,523.79	\$ 8,523.79	12.50%
Southwest Health & Human Services: Lincoln, Lyon, Murray, Pipestone, Redwood, and Rock	CPT	\$ 6,886.34	\$ 1,000.00	\$ -	\$ -	\$ 7,886.34	\$ 6,886.34	12.50%
Human Services of Faribault and Martin Counties (FMHS) Faribault and Martin	N/A	\$ 8,523.79	\$ 1,000.00	\$ -	\$ -	\$ 9,523.79	\$ 8,523.79	12.50%
Minnesota Prairie County Alliance: Dodge, Steele, and Waseca	N/A	\$ 8,523.79	\$ 1,000.00	\$ -	\$ -	\$ 9,523.79	\$ 8,523.79	12.50%
Countryside Public Health: Big Stone, Chippewa, Lac qui Parle, Swift and Yellow Medicine	CPT	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Horizon Public Health: Stevens, Douglas, Pope, Grant and Traverse	CPT	\$ -	\$ -	\$ 7,245.22	\$ 1,000.00	\$ 8,245.22	\$ 7,245.22	18.36%
Western Prairie	N/A	\$ 8,523.79	\$ 1,000.00	\$ -	\$ -	\$ 9,523.79	\$ 8,523.79	12.50%
Des Moines Valley Health & Human Services: Cottonwood and Jackson	N/A	\$ 8,523.79	\$ 1,000.00	\$ -	\$ -	\$ 9,523.79	\$ 8,523.79	12.50%



Nicollet County Board of Commissioners

Board Meeting Agenda Item



Agenda Item: Delegation agreement related to cannabis zoning and land use	
Primary Originating Division/Dept.: County Attorney's Office Contact: Michelle Zehnder Fischer Title: County Attorney Amount of Time Requested: 5 minutes Presenter: Michelle Zehnder Fischer Title: County Attorney	Meeting Date: 09/10/2024 Item Type: (Select One) Regular Agenda Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Programs and Services - deliver value-added quality services ▼	
BACKGROUND/JUSTIFICATION: Minnesota's cannabis statutes authorize local government units to adopt and enforce ordinances related to cannabis. Minn. Stat. § 342.22, subd. 1, permits counties and towns (as used herein refers to townships) to enter into a delegation agreement to allow the County to regulate and enforce cannabis statutes and rules on behalf of the towns. Many towns in Nicollet County do not have the existing structure to respond to cannabis related matters. The Board must determine whether to offer a delegation agreement to those towns that wish to enter into an agreement with County to regulate and enforce cannabis laws and rules under Minnesota Statutes Chapter 342. Several towns have expressed such an interest. A delegation agreement is included for the Board's consideration.	
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: Board determination of whether to authorize a delegation agreement between Nicollet County and towns related to cannabis registration, regulation, and enforcement.	
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:

**JOINT POWERS AGREEMENT BETWEEN THE
COUNTY OF NICOLLET AND [XXX TOWNSHIP]
FOR THE ENFORCEMENT AND REGULATION OF CANNABIS**

This agreement is made between the County of Nicollet and the [XXX Township] for administration and regulation of cannabis as regulated under Minnesota Chapter 342 and the rules and regulations promulgated thereunder.

This agreement is authorized by Minnesota Statutes § 342.22, subdivision 1 and Minnesota Statutes § 471.59.

The County of Nicollet and [XXX Township] agree that:

1. The County of Nicollet will act in place of [XXX Township] as the local government unit for the regulation and enforcement of cannabis under Minnesota Statutes Chapter 342 and any rules or regulations adopted under Minnesota Statutes Chapter 342 by the State of Minnesota or the Office of Cannabis Management.
2. The County of Nicollet is authorized to adopt, administer, and enforce within the jurisdictional limits of [XXX Township] any ordinances, laws, regulations, or registration requirements concerning cannabis including, but not limited to, the adoption of a moratorium and the adoption of a limit on the number of retailer registrations issued as allowed under Minnesota Statutes Chapter 342.
3. The County of Nicollet is authorized and has the consent of the [XXX Township] to review and certify to the Office of Cannabis Management if the business applying for a license in [XXX Township] complies with local zoning ordinances and, if applicable, state fire and building codes. The [XXX Township] shall provide the County of Nicollet, within 30 days of receipt of the license application, with any additional information it believes is relevant to the license review and the County of Nicollet shall attach such information to the certification materials submitted to the Office of Cannabis Management.
4. The County of Nicollet is authorized and has the consent of the [XXX Township] to register and enforce all registration requirements, including but not limited to compliance checks and registration suspension related actions, under Minnesota Statute §342.22. Any fees or penalties collected for registration and enforcement will remain entirely with the County of Nicollet. The parties will retain any Local Government Cannabis Aid allocated to them by the State of Minnesota.
5. The County of Nicollet will annually provide sufficient funding for the administration, enforcement and registration of the possession, sale and use of cannabis within the jurisdiction limits of [XXX Township]. Source of funds shall be through State grant

funds, County cannabis aid funds, general revenue funds, and the collection of fees and penalties as established by the County of Nicollet.

6. [XXX Township] shall retain all authority granted to it under Minnesota Statutes Chapter 462.
7. Any ordinance adopted by the County of Nicollet with regards to cannabis shall be construed to supersede any local municipal regulation or ordinance to the extent the local municipal regulation is less restrictive; except for those municipalities which are expressly omitted from any ordinance adopted by the County of Nicollet. Where the conditions imposed by any ordinance provision are either more restrictive or less restrictive than comparable conditions imposed by any other law, ordinance, statute, resolution or regulation of any kind, the regulations which are more restrictive, or which impose higher standards or requirements shall prevail.
8. The parties to this agreement will be subject to and follow the terms of the Minnesota Government Data Practice Act as provided under Minnesota Statutes Chapter 13 for all requests for access to data. The County of Nicollet shall maintain all records, accounts and reports for the regulation and registration of cannabis.
9. The County of Nicollet shall account for any funds and the County of Nicollet shall provide a report of all receipts and disbursements upon request. If any surplus property or funds are obtained through this joint powers agreement they shall be distributed to the County of Nicollet in the event this agreement is terminated.
10. Nicollet County shall be solely responsible for the compensation of its employees and elected members, including specifically but not exclusively worker's compensation insurance and all taxes, while performing their duties under this agreement. [XXX Township] shall be solely responsible for the compensation of its employees and elected members, including specifically but not exclusively worker's compensation insurance and all taxes, while performing their duties under this agreement. No employee of Nicollet County shall become an employee of [XXX Township], and no employee of [XXX Township] shall become an employee of Nicollet County, by virtue of this agreement.
11. All responsibilities not specifically set out to be jointly exercised by the Parties under this Agreement are hereby reserved to the Parties individually. Nothing in this Agreement shall act as a waiver by a participating Party of its individual power and legal authority to provide services.
12. Indemnification and Hold Harmless:

To the full extent permitted by law, actions by the Parties pursuant to this Agreement are intended to be and shall be construed as a "cooperative activity" and it is the intent of the Parties that they shall be deemed a "single governmental unit" for the purpose of liability, as set forth in Minnesota Statutes, Section 471.59, subd. 1a(a); provided

further that for purposes of that statute, each Party to this Agreement expressly declines responsibility for the acts or omissions of the other Party.

The Parties of this Agreement are not liable for the acts or omissions of the other participants to this Agreement except to the extent to which they have agreed in writing to be responsible for acts or omissions of the other Parties.

This agreement may be amended by mutual agreement of the County of Nicollet and the [XXX Township] by resolutions of their respective boards.

This agreement shall become effective upon signature of all duly authorized signatures, and shall remain in effect until terminated by agreement of the parties or thirty days after written notice of termination by either party.

County of Nicollet
Board Chair

Date

[XXX Township]
[Town Board Chair]

Date



August 27, 2024
OFFICIAL PROCEEDINGS OF THE
NICOLLET COUNTY DRAINAGE AUTHORITY

The Nicollet County Drainage Authority met in regular session on Tuesday, August 27, 2024, at 10:25 a.m. Present at the meeting were Commissioners Dranttel, Kolars, Dehen, and Zins. Also present were County Administrator Mandy Landkamer and County Attorney Zehnder Fischer.

Approval of Agenda

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

Consent Agenda

Motion by Commissioner Dehen and seconded by Commissioner Kolars to approve the consent agenda item as follows:

- a. August 13, 2024 Drainage Authority Minutes

Carried unanimously.

Public Appearances:

There were no public appearances.

Public Works

County Ditch 86A Cleaning Contract

County Attorney Zehnder Fischer presented a contract which was developed to clean the grate on CD 86A.

Motion by Commissioner Zins and seconded by Commissioner Dehen to approve the CD 86A Cleaning Contract with Tim and Mary Waibel. Motion carried with all voting in favor.

Public Services

Cleaning Request for CD46A, CD47A, and CD78

Director Kopet provided a summary of the cleaning ditch meeting process. Landowners were notified the Drainage Authority would be considering the requests and public input regarding those requests during the meeting.

CD46A - Ditch Inspector Henry presented the repair request from landowners to clean a portion of the open ditch on CD46A. Landowners were notified of the request and the meeting was opened for public comments related to CD46A. There were no comments.

Motion by Commissioner Dehen and seconded by Commissioner Kolars to approve the CD46A ditch cleaning request. Motion carried with all voting in favor.

CD47A - Ditch Inspector Henry presented the repair request from landowners to clean a portion of the open ditch on CD47A. Landowners were notified of the request and the meeting

was opened for public comments related to CD47A. Eric Annexstad inquired about how the cleaning costs would be apportioned between the main ditch and ditches that outlet into CD47A.

Motion by Commissioner Kolars and seconded by Commissioner Zins to approve the CD47A ditch cleaning request. Motion carried with all voting in favor.

CD78 - Ditch Inspector Henry presented the repair request from landowners to clean a portion of the open ditch on CD78. Landowners were notified of the request and the meeting was opened for public comments related to CD78. Richard Gaalswyck inquired about how the vertical side slopes are repaired.

Motion by Commissioner Zins and seconded by Commissioner Dehen to approve the CD78 ditch cleaning request. Motion carried with all voting in favor.

Adjourn

The meeting was adjourned at 10:41 a.m.

MARIE DRANTTEL, VICE CHAIR
BOARD OF COMMISSIONERS

ATTEST:

MANDY LANDKAMER,
CLERK TO THE BOARD

Nicollet County Drainage Authority
Meeting Agenda Item



Agenda Item:

Consider ditch repair reports 24-024

Primary Originating Division/Dept.: Public Works

Meeting Date: 09/10/2024

Contact: Nate Henry

Title: Drainage Inspector

Item Type:
(Select One) Consent Agenda

Amount of Time Requested: minutes

Presenter:

Title:

Attachments: ☒ Yes ☐ No

County Strategy:
(Select One)

Facilities and Space - preserve, maintain and build our assets

BACKGROUND/JUSTIFICATION:

See attached ditch repair report

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 ditch repair report 24-024

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

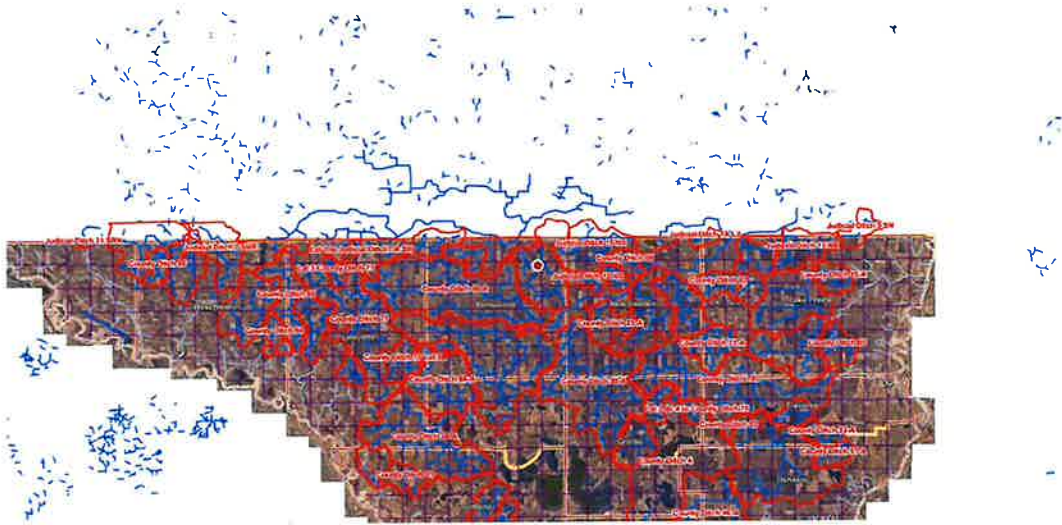
(Select One)

Total: \$36,100.00

Nicollet County DRAINAGE DEPARTMENT REPAIR REPORT

For Staff Documentation & Contractor Information

County Ditch 9-A Repair #24-024



OVERVIEW

Date Repair Was Created:	2024-08-20	Branch:	main
Problem/Proposed Work:	A 60" metal ditch crossing pipe is rusted through and has failed. There is also a 24" side inlet pipe that has been washed out. The landowner is requesting the ditch system replace the ditch crossing with a new concrete pipe and repair the side inlet pipe.		
Ditch Repair:			
Tile Repair:			
FEMA Event:	None	FEMA Date:	None

REPAIR LOCATION DETAILS

Commissioner District:	2	Township:	Bernadotte
Twp:	111N	Range:	29W
Section:	11	Qtr-Qtr Section:	
Latitude:	44.43957990046071	Longitude:	-94.27461069182442
Parcel Number:	02.011.0405		
Location Details			

**Nicollet County
DRAINAGE DEPARTMENT
REPAIR REPORT**

For Staff Documentation & Contractor Information

PERSON REQUESTING REPAIR

Name	Address	Phone
Steve Molnau	49966 350th ST	None

LANDOWNER

Name	Address	Phone
Steve Molnau	49966 350th ST	None

STATUS LOG

Action	Date	Initials	Notes
For Review	08/20/2024	nhenry	None

DRAINAGE AUTHORITY ACTIONS

Action	Date	Board Date	Initials	Notes
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REPAIR ESTIMATES

Order	Date	Contractor	Total Cost	Notes
1	2024-08-20	Lafayette Excavating	36100	

REPAIR INVOICES

Order	Date	Contractor	%Complete	Total Cost	Notes
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INSPECTION LOG

Date	Initials	Notes
2024-08-20	nhenry	The 60" metal ditch crossing and the surface pipe was

**Nicollet County
DRAINAGE DEPARTMENT
REPAIR REPORT**

For Staff Documentation & Contractor Information

		inspected and found to be damaged.
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INSPECTION PHOTOS

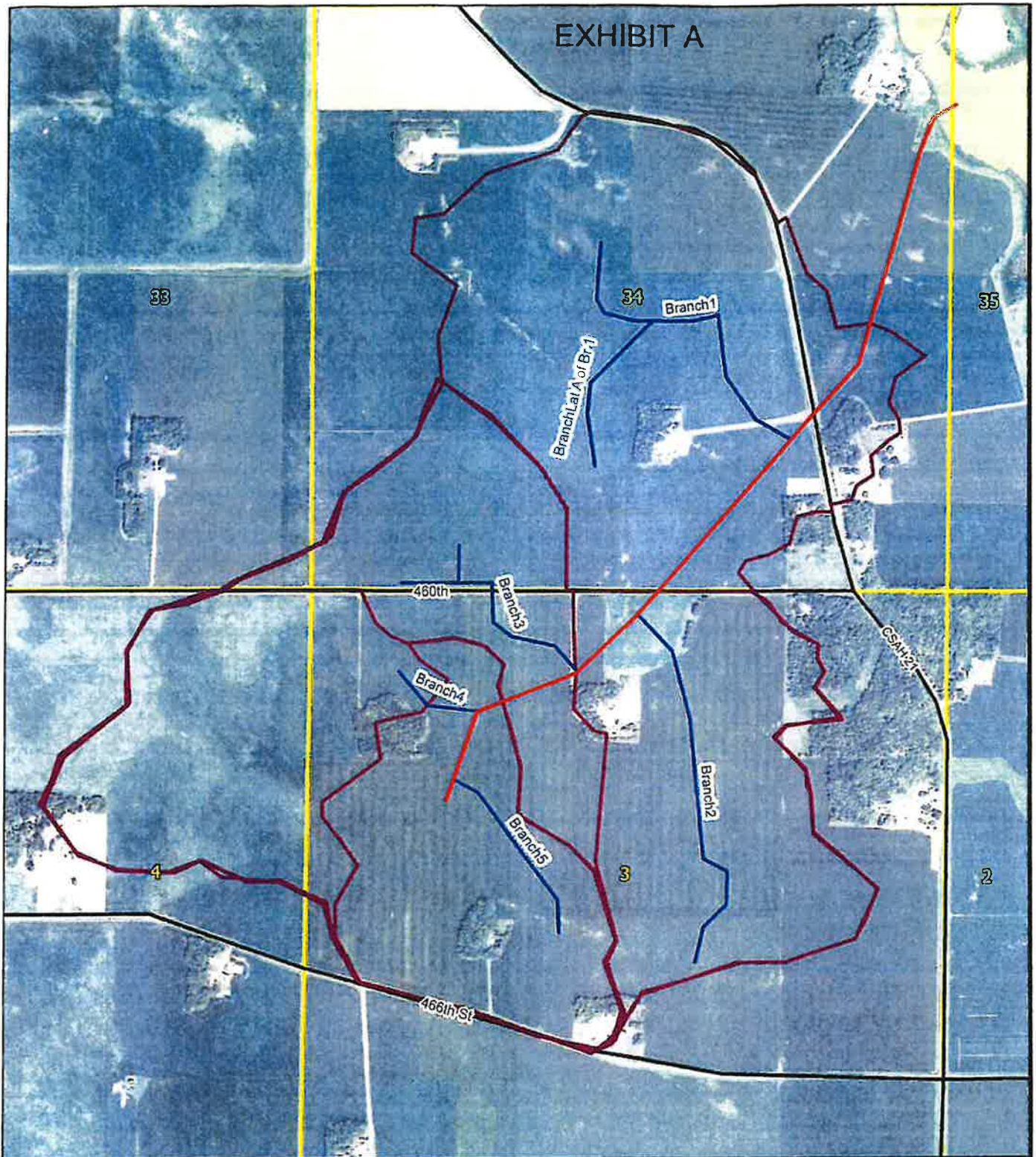
Date (08/20/2024) - Inspector(nhenry)

No photos

NICOLLET
COUNTY EST. 1853

Agenda Item: Consider Appointment of Engineer for CD61 Improvement Petition	
Primary Originating Division/Dept.: Jaci Kopet Contact: Jaci Kopet Title: PPSD Director Amount of Time Requested: 10 minutes Presenter: Jaci Kopet Title: PPSD Director	Meeting Date: 09/10/2024 Item Type: (Select One) Regular Agenda Attachments: ☒ Yes ☐ No
County Strategy: (Select One) Programs and Services - deliver value-added quality services	
BACKGROUND/JUSTIFICATION: Property and Public Services received a petition for improvement to County Ditch 61 to improve the main tile portions of the ditch. A copy of Exhibit A from the improvement petition is attached for reference of the proposed improvement area. The County Attorney has reviewed and determined that the petition for Improvement for CD61 does meet the requirements for an improvement petition under Minn. Stat. § 103E.215. Attached is a letter from the County Attorney. A copy of proposed Preliminary Findings and Order Appointing Engineer and a copy of the proposed Insurance Commitment in Lieu of Bond is attached.	
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: he Drainage Authority will be asked to appoint Houston Engineering, Inc as the engineering firm for this project and Chris Otterness as the principal engineer. The Drainage Authority will also be asked to direct that Mr.	
FISCAL IMPACT: Other (Select One) If "Other", specify:	FUNDING County Dollars = State (Select One)
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease," specify: Related Financial/FTE Comments:	Total:

EXHIBIT A



Legend

- CD 61 Branches
- CD 61 Main Trunk
- CD 61 Drainage Area
- PLSS Sections



0 500 1,000 2,000
Feet

Figure 1: CD 61 Site Map

Scale: AS SHOWN	Drawn by: DRO	Checked by: GM	Project No.: 12358_0001	Date: 4/1/2024	Sheet: 1 of 1
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HOUSTON
engineering, inc.



OFFICE OF THE NICOLLET COUNTY ATTORNEY

Michelle M. Zehnder Fischer
County Attorney

James P. Dunn, Chief Deputy County Attorney
Daniel R. Green, Assistant County Attorney
Bryan C. Jarvis, Assistant County Attorney
Justin L. Hughes, Assistant County Attorney
Bonnie Petersen, Victim/Witness Coordinator

September 4, 2024

To: NICOLLET COUNTY DRAINAGE AUTHORITY
Terrance Morrow
Marie Dranttel
Jack Kolars
Mark Dehen
Kurt Zins

Re: Improvement Petition for Nicollet County Ditch 61

Dear Drainage Authority:

I have reviewed the Petition for the improvement of Nicollet County Ditch 61, along with the \$50,000 bond in favor of Nicollet County. I would make the following comments:

1. The face of the Petition contains the six items that are required to be alleged under Minn. Stat. § 103E.215, Subd. 4(c). Specifically, the Petition sets forth the area to be improved, the 40-acre tracts involved, and an acknowledgment that the Petitioners will pay all costs and expenses if the proceedings are dismissed.
2. The Petition alleges that there are 11 40-acre tracts over which the improvement passes. 5 tract owners signed the Petition. This meets the requirement of at least 26% of the owners of property over which the improvement passes sign the Petition. I have not made an independent determination that the ownership or trustees are correct based upon a review of deeds, etc., but the Petitioners have represented, by their Petition, that the property and necessary owners are listed and signed the Petition.
3. The statutory minimum amount of a \$10,000 bond that is required to be filed by the petitioning landowners has been met by the posting of a \$50,000 bond.

Based upon my review of the Petition and bond, it is my opinion that the Petition and bond meet the requirements for an improvement petition under Minn. Stat. § 103E.215. The matter should come before the Nicollet County Drainage Authority at which time an engineer for this project should be appointed.

September 4, 2024

Page 2

Please contact me if you have any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'MZ', with a stylized flourish at the end.

Michelle M. Zehnder Fischer
Nicollet County Attorney

MMZF

cc: Nathan Henry, Nicollet County Public Works
Jaci Kopet, Nicollet County Public Services
Mandy Landkamer, Administrator
Dean Zimmerli, Gislason & Hunter

STATE OF MINNESOTA
NICOLLET COUNTY BOARD OF COMMISSIONERS
SEATED AS DRAINAGE AUTHORITY UNDER STATUTES CHAPTER 103E
FOR COUNTY DITCH 61

In the matter of the Petition For
Improvement of Drainage System
Nicollet County Ditch No. 61

**Insurance Commitment in Lieu of
Bond (Minn. Stat. §103E.241, subd.
2)**

Know All by These Presents, that Houston Engineering, Inc., and its Principal, Chris Otterness, PE, Reg. No. 41961 (collectively referred to as Engineer), hereby commit to the Nicollet County Board of Commissioners, in their capacity as Drainage Authority for Nicollet County, for Houston Engineering, Inc. to maintain commercial general liability and professional liability policies in an amount equal to \$1,000,000 per occurrence and per claim respectively, during the entire time of Engineer's appointment. It is agreed that the Drainage Authority will be included as an additional insured on the general liability policy for claims to the extent caused by the Engineer. Each policy shall cover the Engineer while the engineer is acting in the proceedings for the improvement of the drainage system and drainage system waters known by and designated Nicollet County Ditch 61. In addition, the Drainage Authority shall require that all contracts it enters into with other entities and persons relating to Nicollet County Ditch 61 contain provisions that limit any claim against the Engineer to the \$1,000,000 in available insurance proceeds in accordance with these terms.

The condition of the above obligation is such: the Engineering Firm and Engineer were appointed by the Drainage Authority Board of Nicollet County ("Drainage Authority") as the Drainage Engineer for the improvement of Nicollet County Ditch 61. Minnesota Statutes, section 103E.241, subd. 2, requires the Engineer to file a bond with the Drainage Authority upon appointment. However, the Drainage Authority has authorized the above insurance commitment in lieu of a bond in the proceedings.

Signed this ____ day of _____, 2024.

Houston Engineering, Inc.

By _____

Its _____

STATE OF MINNESOTA
NICOLLET COUNTY BOARD OF COMMISSIONERS
SEATED AS JOINT DRAINAGE AUTHORITY UNDER STATUTES CHAPTER
103E FOR COUNTY DITCH 61

In the matter of the Petition For Improvement of Drainage System Nicollet County Ditch No. 61	Preliminary Findings and Order Appointing Engineer (Minn. Stat. § 103E.241, subd. 1)
---	---

The Nicollet County Drainage Authority for County Ditch 61, convened on September 10, 2024, at the Nicollet County Board of Commissioners Room, 501 S Minnesota Ave, St Peter, Minnesota, to adopt the following Findings.

Findings:

1. A petition dated August 7, 2024, was received by the Property and Public Services Director requesting an improvement to County Ditch 61 pursuant to Minn. Stat. § 103E.215.
2. Nicollet County Attorney Michelle Zehnder Fischer reviewed the petition and bond filed with the county and determined that the petition and bond met the requirement of the proceedings for County Ditch 61.
3. The drainage authority finds that it has jurisdiction over these proceedings and pursuant to Minn. Stat. § 103E.241, subd. 1 desires to appoint an engineer to prepare a preliminary survey.

Order:

Based on the foregoing Findings and the entire record of proceedings before the Board, the Drainage Authority for Nicollet County Ditch 61 orders as follows:

- A. Houston Engineering, Inc. is appointed as the engineering firm and Chris Otterness, PE, Reg. No. 41961, is appointed as the principal engineer for these proceedings. The engineer shall prepare a preliminary survey pursuant to Minn. Stat. § 103E.245.
- B. Prior to commencing any work, the engineering firm and the principle engineer must subscribe to an oath to faithfully perform the assigned duties diligently and honestly and in a manner consistent with the degree of care and skill ordinarily exercised by members of the same profession currently practicing under similar circumstances on projects of similar size, complexity, and geographic location as that of the project as the Engineer provides its services ("Standard Care") and file a bond in the amount of \$1,000,000 with

the Property and Public Services Director within ten (10) days after being appointed. In lieu of a bond, Houston Engineering and Chris Otterness, PE, may file an insurance commitment providing for commercial general liability and professional liability policies in an amount equal to \$1,000,000 per occurrence and per claim respectively, during the entire time of Engineer's appointment. The Drainage Authority shall be included as an additional insured on the general liability policy for claims to the extent caused by the Engineer. Each policy shall cover the Engineer while the engineer is acting in the proceedings for the improvement of the drainage system and drainage system waters known by and designated Nicollet County Ditch 61.

- C. The engineer may appoint assistant engineers and hire help as necessary to complete the engineer's duties. The engineer shall be responsible for the assistant engineers and may remove them.
- D. The engineer shall make an expense report every two weeks after the beginning of the engineer's work until the construction of the contract is awarded. The report must show costs incurred by the engineer and expenses incurred under the engineer's direction relating to the proceeding, and include the names of the engineer, engineer assistants, and employees and the time each was employed, and every item of expense incurred by the engineer. The engineer must file this report with the auditor as soon as possible and may not incur expenses for the proceeding greater than the petitioner's bond.
- E. The Director of Property and Public Services is authorized to secure a contract with the engineer for the services provided herein. Upon review and approval by the County Attorney, the contact may be executed by Commissioner Morrow.

Dated this 10th day of September, 2024

DRAINAGE AUTHORITY FOR
NICOLLET COUNTY DITCH 61

Terry Morrow,
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer, County Administrator
Clerk to the County Board

NICOLLET
COUNTY EST. 1853

Agenda Item: Consider Order to Appoint Viewers for Redetermination Purpose for Various County Ditches		
Primary Originating Division/Dept.: Public Services		Meeting Date: 09/10/2024
Contact: Jaci Kopet	Title: PPSD Director	Item Type: Regular Agenda (Select One)
Amount of Time Requested 5 minutes		
Presenter: Jaci Kopet	Title: PPSD Director	Attachments: ☒ Yes ☐ No
County Strategy: Programs and Services - deliver value-added quality services (Select One)		
BACKGROUND/JUSTIFICATION: Several Findings of Facts and Orders are attached appointing viewers for the purpose of redetermination on various ditches. I recommend appointing Mark Behrends and his team to view CD16A, CD80, CD85, CD92A, CD94, and CD96. The order will appoint Mark Behrends, Robert Hansen, Kendall Langseth, Bruce Ness, and Wes Dahl as the viewers, and Jones, Hauge, & Smith Engineering firm as the engineers. The engineers will determine the watersheds and create the necessary maps.		
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 Orders for said ditches.		
FISCAL IMPACT: Other (Select One) If "Other", specify	FUNDING Drainage Authority Dollars = Grant (Select One) Total	
FTE IMPACT: No FTE change (Select One) If "Increase or "Decrease" specify: Related Financial/FTE Comments:		

[illegible]

This drawing is neither a legally recorded map nor a survey and is not intended to be used as one. This drawing is a compilation of information from various sources and is to be used for reference purposes only. Nicollet County Public Works - Ditch Department is not responsible for any inaccuracies herein contained. If discrepancies are found please contact Nicollet County Public Works Dept. at 507 931-1760



thor: Nathan A. Henry
Date: 8/28/2024



**BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #16A**

**Findings of Fact and
Order For Redetermination of Benefits**

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #16A, has been informed that a redetermination of benefits for Nicollet County Ditch #16A would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #16A, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #16A, hereby finds that the benefited or damaged areas of the system have changed.

NOW, THEREFORE, it is hereby ordered that Nicollet County Ditch #16A shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Bruce Ness, and Wes Dahl are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

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

Dated this 10th day of September 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board



**BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #80**

**Findings of Fact and
Order For Redetermination of Benefits**

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #80, has been informed that a redetermination of benefits for Nicollet County Ditch #80 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #80, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #80, hereby finds that the benefited or damaged areas of the system have changed.

NOW, THEREFORE, it is hereby ordered that Nicollet County Ditch #80 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Bruce Ness, and Wes Dahl are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

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

Dated this 10th day of September 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board



**BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #85**

**Findings of Fact and
Order For Redetermination of Benefits**

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #85, has been informed that a redetermination of benefits for Nicollet County Ditch #85 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #85, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #85, hereby finds that the benefited or damaged areas of the system have changed.

NOW, THEREFORE, it is hereby ordered that Nicollet County Ditch #85 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Bruce Ness, and Wes Dahl are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

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

Dated this 10th day of September 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board



**BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #92A**

**Findings of Fact and
Order For Redetermination of Benefits**

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #92A, has been informed that a redetermination of benefits for Nicollet County Ditch #92A would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #92A, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #92A, hereby finds that the benefited or damaged areas of the system have changed.

NOW, THEREFORE, it is hereby ordered that Nicollet County Ditch #92A shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Bruce Ness, and Wes Dahl are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

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

Dated this 10th day of September 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board



**BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #94**

**Findings of Fact and
Order For Redetermination of Benefits**

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #94, has been informed that a redetermination of benefits for Nicollet County Ditch #94 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #94, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #94, hereby finds that the benefited or damaged areas of the system have changed.

NOW, THEREFORE, it is hereby ordered that Nicollet County Ditch #94 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Bruce Ness, and Wes Dahl are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

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

Dated this 10th day of September 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board



**BEFORE THE NICOLLET COUNTY BOARD OF COMMISSIONERS,
ACTING AS DRAINAGE AUTHORITY FOR NICOLLET COUNTY DITCH #96**

**Findings of Fact and
Order For Redetermination of Benefits**

WHEREAS, the Nicollet County Board of Commissioners, acting as Drainage Authority for Nicollet County Ditch #96, has been informed that a redetermination of benefits for Nicollet County Ditch #96 would be desirable; and

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #96, hereby finds that the original benefits and damages determined in the drainage proceedings do not reflect reasonable, present day values; and/or

WHEREAS, based on the information received, the Nicollet County Board of Commissioners, as Drainage Authority for Nicollet County Ditch #96, hereby finds that the benefited or damaged areas of the system have changed.

NOW, THEREFORE, it is hereby ordered that Nicollet County Ditch #96 shall be redetermined and that Mark Behrends, Robert Hansen, Kendall Langseth, Bruce Ness, and Wes Dahl are hereby appointed viewers to prepare a viewers' report pursuant to Minnesota Statutes, Section 103E.351.

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

Dated this 10th day of September 2024

Terry Morrow, Chair
Nicollet County Board of Commissioners

ATTEST:

Mandy Landkamer
County Administrator/Clerk to the Board

Nicollet County Drainage
Authority Meeting
Agenda Item



Agenda Item:

2024 Annual Maintenance Levies

Primary Originating Division/Dept.: Public Services

Meeting Date: 09/10/2024

Contact: Jaci Kopet

Title: PPSD Director

Item Type: Regular Agenda
(Select One)

Amount of Time Requested 5 minutes

Presenter: Jaci Kopet

Title: PPSD Director

Attachments: ☒ Yes ☐ No

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

BACKGROUND/JUSTIFICATION:

Public Services annually reviews the ditch balances for all Nicollet County drainage systems and has determined that several ditch systems have negative ditch balances.

I have attached a spreadsheet indicating a detailed breakdown of the balances of the negative ditch systems and the amount I am requesting to levy each ditch system.

I have also attached a Findings and Order for the drainage authority to consider. This order would adopt the indicated levies for each ditch listed as well as the terms for the assessment if not paid by December 31, 2024. Any assessment not paid, by December 31, 2024 would be assessed to the 2025 property taxes.



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 all ditch system levies as listed in the Findings and Order

FISCAL IMPACT: Other
(Select One)

If "Other", specify

FUNDING

Drainage Authority Dollars =

Grant

(Select One)

FTE IMPACT: No FTE change
(Select One)

If "Increase or "Decrease" specify:

Related Financial/FTE Comments:

Total

2024 Ditch Levies

Regular General Maintenance Levies

Ditch	6/30/2024 Balance*	Upcoming Expenses	Outstanding to be Collected		Balance	Original Benefits	Balance for Future Repairs	Total Amount to Raise	Recommended Levy	Amount to Raise
CD13A	(20,658.23)				(20,658.23)	6,535,505.00	10,000.00	30,658.23	0.50%	32,677.53
CD38A	(11,301.95)		-		(11,301.95)	14,987,031.00	10,000.00	21,301.95	0.20%	29,974.06
CD46A	(5,962.06)	(65,000.00)			(70,962.06)	7,352,560.00	10,000.00	80,962.06	1.10%	80,878.16
CD47A	(5,507.89)	(50,000.00)			(55,507.89)	4,019,344.00	10,000.00	65,507.89	1.70%	68,328.85
CD76A	(20,344.74)				(20,344.74)	3,664,543.00	10,000.00	30,344.74	0.90%	32,980.89
CD77	(10,928.76)				(10,928.76)	11,119,951.75	10,000.00	20,928.76	0.20%	22,239.90
CD78	(16,796.31)	(160,000.00)			(176,796.31)	8,585,488.00	10,000.00	186,796.31	2.20%	188,880.74
CD79	(15,113.70)				(15,113.70)	2,135,313.59	10,000.00	25,113.70	1.20%	25,623.76
CD83	(19,191.39)				(19,191.39)	19,876,677.35	10,000.00	29,191.39	0.16%	31,802.68
CD85	(31,610.38)				(31,610.38)	78,585.00	10,000.00	41,610.38	54.00%	42,435.90
Totals	(157,415.41)	(275,000.00)	-		(432,415.41)	78,354,998.69	100,000.00	532,415.41		555,822.47

Ditches with Redeterminations

	6/30/2024 Balance	Purchase of Buffers/Easement	Outstanding to be collected	Estimate Outlet Benefit Charge	New Balance	Original Benefits	Balance for Future Repairs	Total Amount to Raise	Recommended Levy	Amount to Raise
CD 9A	(5,904)	(323,676)			(329,580)	11,690,112	10,000	339,579.52	3.00%	350,703.36
CD 23	(54,206)	(106,624)			(160,830)	4,899,337	10,000	170,829.73	3.50%	171,476.80
CD 27	(14,774)	(174,796)			(189,570)	7,689,638	10,000	199,569.59	2.60%	199,930.59
CD 30A	(201,629)	(862,328)			(1,063,957)	31,548,892	10,000	1,073,957.31	3.50%	1,104,211.22
CD 32A	(90,558)	(693,500)	40,000		(744,058)	26,864,725	10,000	754,058.09	2.90%	779,077.03
CD 32A Lat 1	3,363	-		(40,000)	(36,637)	686,844	10,000	46,636.52	6.80%	46,705.39
CD 40	(66,809)	(725,136)			(791,945)	35,690,667	10,000	801,945.37	2.30%	820,885.34
CD 87	(27,417)	(22,660)			(50,077)	1,500,749	10,000	60,076.79	4.00%	60,029.96
CD 88	(496)	(68,672)			(69,168)	2,390,900	10,000	79,167.58	3.40%	81,290.60
Totals	(458,428.50)	(2,977,392.00)	-	(40,000.00)	(3,435,820.50)	122,961,864.00	90,000.00	3,525,820.50		3,614,310.28

Re-Payment Schedule Guideline at 5% Annual Interest Rate

0 - \$500 1 year
 \$501 - \$1000 2 years
 \$1,001 & over 3 years



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

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

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

FINDINGS OF FACT

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

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

ORDER

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

Ditch	Amount to Levy	Ditch	Amount to Levy
CD 9A	\$350,703.36	CD 77	\$22,239.90
CD 13A	\$32,677.53	CD 78	\$188,880.74
CD 23	\$171,476.80	CD 79	\$25,623.76
CD 27	\$199,930.59	CD 83	\$31,802.68
CD 30A	\$1,104,211.22	CD 85	\$42,435.90
CD 32A	\$779,077.03	CD 87	\$60,029.96
CD 32A Lat 1	\$46,705.39	CD88	\$81,290.60
CD 38	\$29,974.06		
CD 40	\$820,885.34		
CD 46A	\$80,878.16		
CD 47A	\$68,328.85		
CD 76A	\$32,980.89	TOTAL	\$4,170,132.75

All assessments not paid by December 31, 2024, will be charged 5% interest and the following installment schedule will apply to your property tax bill starting in 2025;

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

Dated: September 10, 2024

Terry Morrow
Chairperson of Drainage Authority

ATTEST:

Mandy Landkamer, County Administrator
Clerk to the County Board