



MINUTES
SCOTT COUNTY DITCH BOARD MEETING
SCOTT COUNTY, MINNESOTA
FEBRUARY 21, 2023

8:30 AM

(1) CONVENE

The Board of Commissioners, in and for the County of Scott, Minnesota, met in the County Board Room in the City of Shakopee, Minnesota, and convened at 8:35 AM. The following members were present: Commissioner Weckman Brekke, Commissioner Wolf, Commissioner Brennan, Commissioner Beer, and County Commissioner Ulrich. Commissioner Wolf presided.

The following were also in attendance:

1. Lezlie Vermillion, County Administrator
2. Jeanne Andersen, Senior Attorney
3. Danny Lenz, Deputy County Administrator
4. Cindy Geis, Community Services Director
5. Kris Lage, Operations Analyst
6. Tracy Cervenka, Administrative Office Supervisor
7. Michelle Hesse, Deputy Clerk to the Board

Guests:

1. John Kolb, Ditch Board Attorney
2. Joe Hale, Scott Soil & Water Conservation District
3. Myron Bratsch
4. Teresa Bratsch
5. Bruce Volek
6. Susie Volek
7. Larry Entinger
8. Ernie Stumpf
9. Tony Kornder
10. Mark Siemon
11. Keith Siemon

(2) APPROVE MINUTES

On a motion by Commissioner Weckman Brekke, seconded by Commissioner Beer, the February 7, 2023, minutes were approved unanimously.

(3) NON-CONSENT

- 3.1 Adopt Resolution 2023-64; Approving the Order for Repair for Scott County Drainage Ditch 10 Pursuant to MN Statute §103E.715

Kris Lage, Scott County Operations Analyst, provided a recap of the February 7, 2023 public hearing which included a presentation from ISG and comments and questions by members of the public. Based upon the revised repair report and the engineers' recommendations, the Drainage Authority found that the repair is necessary for the best interest of the affected property owners, best supports considerations of public utility benefit and welfare, and based on the evidence presented, the work can occur within existing easements or rights of way acquired for the drainage system. The Drainage Authority approved the repair of CD10 as detailed in the engineers' report as repair option 1. Following the public hearing, staff researched alternate

funding and gathered estimates for repairs to be done in stages. ISG estimates that if the project is staged over 5 years, the costs would increase about \$130,000 plus inflation. If the project is done at once, assessments will run for a maximum of 20 years, but if the project is staged, landowners will have multiple assessments occurring simultaneously. Documents for bid are being prepared by the engineers. County engineering staff may be able to oversee the projects, rather than ISG which may reduce costs.

Commissioner Weckman Brekke commented that CD there are 64 unique landowners. She has spoken to about 15% of them as well as the Road Authority and the main concern is the cost. Commissioner Brekke hopes to find other funds to supplement the project, asked if there are any changes needed to the resolution so that the bids may offer flexibility, and whether there would there be a benefit to prioritize the work on the culverts.

John Kolb responded that the order allows the board to divide the parts of project, i.e. tree removal. The Board may ask the engineer to prioritize the individual recommendations of the work to design bid packages appropriately. The Board has the discretion to determine the scope, timing and sequencing of the repairs. The Board cannot award a contract if the bid comes in over 30% of the engineers' estimate.

Community Services Director Cindy Geis addressed discussions regarding whether tree removal will be on one or two sides of the ditch and asked if the Board can make the modifications to the bids, for example remove trees on only one side of the ditch. Mr. John Kolb responded that the Board may do so and recommended that the information be given to the engineer to specify in the bid process.

Commissioner Ulrich asked if multiple aspects of the project can be performed by the same contractor. Mr. Kolb responded that economies of scale should be addressed in the bidding process.

County Administrator Vermillion shared that the Scott Soil & Water Conservation District is looking for potential grants to help offset cost, non-levy CIP funds may be available, and Scott County Engineering staff may be available to perform onsite inspection.

Commissioner Brennan inquired if there are options to reduce interest rates for residents such as seniors on fixed incomes. Mr. Kolb commented that there are state statute and administrative rules through the Department of Revenue that apply to the abatement of assessments, or the abatement of interest offer options for Seniors on fixed incomes and disabled veteran options.

Ms. Geis commented that the lien statement and establishment of interest will be brought to the Board after the project is completed.

Motion by Commissioner Weckman Brekke, seconded by Commissioner Brennan. The motion carried unanimously. A copy of the resolution is available in the office of the County Administrator and is made a part of this record by reference.

(4) ADJOURN

On a motion by Commissioner Beer, seconded by Commissioner Ulrich, the meeting adjourned at 9:00 a.m.