



**MINUTES
SCOTT COUNTY DITCH BOARD MEETING
SCOTT COUNTY, MINNESOTA
OCTOBER 21, 2025
8:00 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 8:01 a.m. The following members were present: Commissioner Weckman Brekke, Commissioner Wolf, Commissioner Brennan, Commissioner Beer, and Commissioner Ulrich. Commissioner Beer presided.

The following were also in attendance:

1. Lezlie Vermillion, County Administrator
2. Danny Lenz, Deputy County Administrator
3. Ron Hocevar, County Attorney
4. Kris Lage, Senior Operations Analyst
5. Tracy Cervenka, Business Operations Manager
6. Rhonda Otto, Auditor/Treasurer
7. Dan Wormer, County Surveyor
8. Jake Grussing, Transportation & Enterprise Services Director

Guests:

1. John Kolb, Rinke Noonan Law Firm
2. Scott Henderson, Scott Henderson, H2OverViewers

(2) Approve Minutes

- 2.1 September 16, 2025 Ditch Board Meeting Minutes
On a motion by Commissioner Weckman Brekke, seconded by Commissioner Wolf, the September 16, 2025 minutes were approved unanimously.

(3) NON-CONSENT

- 3.1 Adopt Resolution No. 2025-242; Adopting Findings and an Order Granting a Petition and Abandoning Scott County Drainage Ditch No. 5
Scott Henderson, H2OverViewers, presented the results of the inspection and meeting with Mr. Stillwell on September 18, 2025. The inspectors concluded that there may be some benefit to Mr. Stillwell's property to maintain the system consistent with statute. The current state of the ditch adds no benefit to the Stillwell property. The extensive work/cost and regulatory issues would not bring meaningful change to Mr. Stillwell's property.

Commissioner Weckman Brekke noted her support to abandon CD5 based on the evidence presented, as landowners would otherwise be liable for millions of dollars in costs that the county is not permitted to cover. She expressed her desire that Scott Soil and Water Conservation District might influence ditch clean out. Commissioner Wolf added that it is impractical to restore CD5.

Motion by Commissioner Brennan, seconded by Commissioner Weckman Brekke. 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.

3.2 Continuation of Public Hearing on County Drainage Ditch No. 4

Senior Analyst Kris Lage updated the Board on meetings with the City of Credit River regarding their acceptance of a transfer of CD4 for use as part of their stormwater system. A redlined version from the city, which reflects changes requested by their attorney, has been entered into the record. Scott County Ditch Board Attorney John Kolb reviewed the changes and recommended one update related to the indemnification section of the agreement so that the county would only indemnify the city for work performed on the ditch prior to the transfer. The City Council met last night and voted to accept the agreement, contingent upon that minor change being made. The City requested items in the agreement.

- Transfer of a positive maintenance fund balance. The fund currently has a negative balance of approximately \$15,000. Ms. Lage stated that a final maintenance lien will be assessed to current benefited landowners in 2026, before the ditch is transferred to the city.
- Complete rehabilitation work on the ditch. Repairs identified by SWCD will be performed, including the removal of beavers and a dam.

A petition from the city to formally transfer CD4 is expected once the improvements are completed.

An email was received from Calvin Casey. The email was read and entered into the record.

It was stated that a redetermination of benefits is not needed and will not take place, and the Commissioners noted that the process would be expensive.

The Commissioners were generally supportive of the transfer; however, they noted concern that the transfer may require too much financial burden upon current benefited landowners. Staff will model costs, delineate responsibility and report back to the Board at the next continuation of this meeting.

Motion by Commissioner Wolf, seconded by Commissioner Weckman Brekke to continue the Public Hearing on County Ditch No. 4 on November 18, 2025, at 8:00 a.m. The motion carried unanimously.

3.3 Adopt Resolution No. 2025-251; Authorizing a Maintenance Lien on Scott County Drainage Ditch No. 13

Senior Analyst Kris Lage presented the resolution to authorize a maintenance lien on Scott County Drainage Ditch No. 13 as one contingency of the transfer of CD13 to Prior Lake Spring Lake Watershed District.

Motion by Commissioner Wolf, 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 Wolf, seconded by Commissioner Brennan, the meeting adjourned at 8:59 a.m.