



AGENDA
SCOTT COUNTY DITCH BOARD MEETING
SCOTT COUNTY, MINNESOTA
NOVEMBER 18, 2025
9:00 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 9:06 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. Ron Hocevar, County Attorney
3. Barb Dahl, Health and Human Services Director
4. Jake Grussing, Transformation & Enterprise Services Director
5. Suzanne Arntson, Deputy Health & Human Services Director
6. Lisa Brodsky, Public Health Director
7. Nikki Hallberg, Child and Family Services Director
8. Brittani Lane, Aging & Disability Services Director
9. Tracy Cervenka, Business Operations Manager
10. Kris Lage, Senior Operations Analyst
11. Lance Schmitt, Senior Public Works Tech
12. Dan Wormer, County Surveyor
13. Rhonda Otto, County Auditor/Treasurer

Guests:

1. John Kolb, Rinke Noonan Law Firm
2. Troy Kuphal, Scott Soil & Water Conservation District
3. Bill Markert, City of Credit River

(2) Approve Minutes

- 2.1 Minutes of October 21, 2025 (to be provided at the meeting)

On a motion by Commissioner Brennan, seconded by Commissioner Wolf, the October 21, 2025 minutes were approved unanimously.

(3) NON-CONSENT

- 3.1 Continuation of Public Hearing on County Drainage Ditch No. 4

Scott County Ditch Board Attorney, John Kolb reviewed what has happened to date regarding County Ditch No. 4. Mr. Kolb advised that the Ditch Board's obligation is to the drainage system and landowners, which are assessed to the benefits of the ditch today. The Ditch Board has received a petition from a majority of the landowners to request abandonment. In addition, the City of Credit River has asked for a transfer. In the interest of the landowners and the system, the Board needs to determine if it makes sense to spend the money to accomplish a transfer, or do the original request, to abandon.

Mr. Kolb and the Commissioners discussed the differences between a transfer and an abandonment of County Ditch 4. Mr. Kolb noted that if the ditch is abandoned, that will need to be communicated. Also, if the ditch is abandoned, the river can be maintained, and erosion can be addressed using another funding mechanism than an assessment by the Ditch Authority to the benefiting landowners. A transfer includes the right that comes with the original establishment including right-of-way rights to enter and occupy the land for inspection and maintenance purposes.

Senior Analyst Kris Lage provided details of the bid received for the rehabilitation of the Ditch. While multiple contractors expressed interest, only one bid was submitted. She summarized the benefited land and landowners as well as the financial impacts under different scenarios. Ms. Lage outlined estimated costs for four rehabilitation segments.

Segment 1: Towers Culvert to Flag Trail. The bid includes mobilization, sediment removal, and shaping/grading/stabilization for a total cost of \$17,250

Segment 2: Flag Trl to Voehl Driveway. The bid includes mobilization, sediment removal, grubbing and stump treatment, snag/debris removal, and shaping/grading/stabilization for a total cost of \$62,500

Segment 3: Voehl Driveway to Texas Avenue. The bid includes mobilization, sediment removal, grubbing and stump treatment, snag/debris removal, and shaping/grading/stabilization for a total cost of \$43,750

Segment 4: Texas Avenue downstream. The bid includes mobilization, sediment removal, grubbing and stump treatment, and shaping/grading/stabilization for a total cost of \$17,625.

The total bid costs for all four segments is \$141,125.

In response to Cmr. Wolf's inquiry, Ms. Lage informed the Commissioners that the benefited owners would need to be redetermined for all the current benefited owners to be included in an assessment. The cost to redetermine benefits would then be shared by all the benefited owners determined as a part of that redetermination process. Ms. Lage informed the Commissioners that the current balance in the County Ditch 4 Maintenance fund is negative \$12,208.28. There are 2025 expenses anticipated for inspection/maintenance/complaint response by the Soil & Water Conservation District, legal fees, and the need to trap beavers and remove a dam.

Ms. Lage noted that if the Ditch Board chooses to do this project and leave any balance in the account, the total assessment to the benefited landowners would need to be more than \$150,000. This would not include the cost of a redetermination of benefits, if that is desired. That cost is estimated at around \$60,000.

In response to Commissioner Ulrich's inquiry, Mr. Kolb stated that a redetermination of benefits does not change the configuration of the ditch. He also stated that while there is land in County Ditch 4 that is outside of the City of Credit River, the City cannot generate dollars from the lands outside its jurisdiction.

Scott Soil & Water Conservation District Director Tory Kuphal provided a summary of how the sediment in the Ditch is derived. He also noted that Segments 2 and 3 look like a natural stream. To rehabilitate the channel, we would need to determine where to put it. Commissioner Beer commented that if the Ditch is abandoned or transferred, it would become the Credit River. Mr. Kuphal added that jurisdiction would then revert to the Minnesota Department

of Natural Resources.

In response to Commissioner Wolf's question, Mr. Kolb stated that there are regulations that afford the City the ability to manage the Ditch and that the Ditch Authority is not obligated to make repairs. If the Ditch Authority chooses to abandon, it will need to determine if any restoration is necessary and practical.

Commissioners Weckman Brekke and Ulrich stated they are in favor of abandoning the Ditch, as is.

Commissioner Wolf advised that the Mayor of Credit River has asked to meet at an elected official level to discuss.

Commissioner Wolf moved, seconded by Commissioner Weckman Brekke for Chair Beer, Commissioner Wolf, and the County Administrator Vermillion to meet with Mayor and another representative of CR between now and December 4 and bring back an answer for a consent item.

Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to amend the motion to hold the next Ditch Board meeting on a date to be determined.

Commissioner Wolf moved, seconded by Commissioner Weckman Brekke to amend the motion to hold the next Ditch Board meeting on December 16, 2025 at 8:00 a.m. in the Scott County Board Room. The motion carried unanimously.

Mr. Kolb reiterated that the drainage authority has continued the hearing to consider the abandonment of County Ditch 4 to a meeting scheduled for 8:00 a.m. on December 16, 2025 in the County Board Room.

- 3.2 Adopt Resolution 2025-270; Authorizing Entering a Contract with K.A. Witt Construction Inc. for Bank Slough/Erosion Maintenance on Scott County Drainage Ditch No. 10
It was noted that Scott Soil and Water Conservation District will oversee satisfactory completion of the work.

Motion by Commissioner Weckman Brekke, seconded by Commissioner Wolf. 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 10:03 a.m.