

**COTTONWOOD SOIL AND WATER CONSERVATION DISTRICT
BOARD OF SUPERVISORS
MINUTES
February 4, 2019**

The Cottonwood Soil and Water Conservation District Board of Supervisors held their monthly meeting at the District Office, Windom, MN on February 4, 2019. The meeting was called to order by Chairman Clark Lingbeek at 4:01 p.m.

Members Present: Chairman, Clark Lingbeek
 Vice Chairman, Daryl Tasler
 Secretary, Tom Muller
 Treasurer, Jeremy Nerem

Others Present: District Administrator, Kay Gross

Absent: PR&I, Cody Duroe

By Phone: Ann Goering, Attorney

CLOSED MEETING – 4:03 p.m. (Attendance Lingbeek, Tasler, Muller, Nerem, Kay Gross and Attorney Ann Goering)

The Minnesota Open Meeting Law, Minnesota Statutes, Section 13D.05, subdivision 3(b), allows the District to close a meeting to engage in attorney-client privileged discussions. The District seeks to meet with its attorney to obtain advice regarding ongoing litigation against Renee and Tom Harnack. It would be detrimental to the District's interest for the Board to hold a public discussion with its attorney where any adverse parties or their attorneys could listen to or be made aware of the District's positions. It is in the District's best interest for the Board to obtain legal advice in a confidential setting to maintain the attorney-client privilege. Accordingly, Chairman Clark Lingbeek will hereby entertain a motion that this meeting be closed pursuant to the attorney-client privilege for the reasons cited.

Motion by Nerem, second by Tasler to Close the Meeting at 4:03 p.m.

Affirmative: Lingbeek, Tasler, Muller and Nerem.

Opposed: None.

Motion carried.

Motion by Muller, second by Nerem to Reopen the Meeting at 4:31 p.m.

Affirmative: Lingbeek, Tasler, Muller and Nerem

Opposed: None.

Motion carried.

OPEN MEETING – 4:31 p.m.

Motion by Muller, second by Nerem to approve approve the Mediated Settlement Agreement as finalized on February 1, 2019 and approve the signing of the finalized document by Chairman Clark Lingbeek, when provided by our legal counsel Attorney Ann Goering.

Affirmative: Lingbeek, Tasler, Muller and Nerem

Opposed: None.

Motion carried.

Attorney Ann Goering will complete the paperwork and send for the Chairman's signature.

ADJOURNMENT: Meeting adjourned by the Chairman Clark Lingbeek at 4:32 p.m.

District Supervisor

District Administrator